

ORDER

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

SW 3600.14

SOUTHWEST REGION

11/16/01

SUBJ: Southwest Region Flight Standards Division Alternative Work Schedules For Non-Bargaining Unit Positions

1. **PURPOSE.** This order provides policy guidance on the types of alternative work schedules (AWS) that may be used by non-bargaining unit employees in the Southwest Region Flight Standards Division. It also provides procedures for AWS administration.
2. **DISTRIBUTION.** This order is distributed to ASW-200 regional office and all Flight Standards field offices.
3. **CANCELLATION.** This order cancels SW Regional Policy issued electronically on June 16, 2000, as guidance on the Southwest Region Flight Standards Webpage entitled, "Use of Alternate Work Schedules (AWS) and/or First 40/80 Work Schedules by Southwest Region Managers/Supervisors."
4. **EFFECTIVE DATE.** The provisions of this order are effective December 1, 2001.
5. **COVERAGE.** Coverage includes AWS for all employees assigned to the Flight Standards Division in the Southwest Region, except for those covered by a labor-management agreement. Since First 40/First 80 work tours are not considered AWS, they are not included in this order for discussion.
6. **POLICY.**
 - a. All managers are responsible to ensure full office/branch capabilities are provided in the office during official business hours.
 - b. In addition to use of regular work schedules from 8:00 a.m. to 4:30 p.m., the following alternative schedule options are available for use when participation will not interfere with effective mission accomplishment or the employee's performance of officially assigned duties:
 - (1) **Gliding** – Alternative system of scheduling work that permits employees, within certain management restraints, to select the starting and quitting time of their basic workday. Under this system of scheduling work, employees have a basic work requirement of 8 hours each day and 40 hours each week, but may select the starting and stopping time each day within the flexible hours. The basic workday is split into two distinct kinds of time – CORE HOURS, which are from 9:00 a.m. to 3:00 p.m., and FLEXIBLE HOURS, which are from 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. All employees must be present for work during core time or be on some form of approved leave. During the flexible hours, employees may choose the times of arrival and departure from the office.

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Initiated By: ASW-210

(2) ***Credit Hours*** – Alternative system of scheduling work that permits employees, within certain management constraints, to work hours in excess of their scheduled daily or weekly tour of duty and receive credit hours which may be scheduled and used at a later date. In general, credit hours can be accumulated up to a maximum of 24 hours total for work performed within the flexible and core hours designated (Monday through Friday, 6:00 a.m. to 6:00 p.m.). For employees on maxiflex schedules, this would include all days, regardless whether hours of work are strictly within the flexible hours only, or a combination of flexible and core periods of time. Employees do not need to receive advance approval to work credit hours. Credit hours may not be used to create or increase entitlement to overtime pay. When an employee is no longer covered by a flexible work schedule program, the employee must be paid for accumulated credit hours at his/her current rate of pay, not to exceed the maximum of 24 hours. Part-time employees are eligible for accrual of credit hours based on a maximum of one-quarter of their scheduled tour of duty (e.g., employee scheduled for 32 hours a week would be eligible to accrue a maximum of 16 credit hours during a two-week pay period). Credit hours may NOT be earned for travel since it does not comply with the definition of credit hours contained in 5 U.S.C. 6121(4). Credit hours may NOT be earned by employees working a compressed work schedule (i.e., 5-4/9).

(3) ***Five-Four/Nine (5-4/9) Compressed Schedule*** – Alternative system of scheduling work that permits employees to work a compressed work schedule to satisfy the 80 hours per pay period required in 9 days rather than 10 days (eight 9-hour days and one 8-hour day). The 8-hour day must be fixed and cannot be changed without prior approval.

(4) ***Flexitour*** – Alternative system of scheduling work that enables employees the flexibility to work established starting and ending times that differ from the official business hours, but allows the employee to complete 8 hours of work between the hours of 6:00 a.m. and 6:00 p.m. Once selected, the hours are fixed and cannot be changed without prior approval.

(5) ***Maxiflex*** – Alternative system of scheduling work that allows an employee to work an 80 hour pay period using a flexible schedule that may include core hours on fewer than 10 workdays. Under this system, employees may vary the number of hours worked on a given workday or the number of hours each week provided a minimum of 80 hours have been worked and no additional premium pay has been incurred (e.g., Sunday premium pay, night differential, etc.).

c. Participation in any AWS is voluntary and must be approved by management. Management retains the right to change employee work schedules and to discontinue participation in an alternative work schedule in order to avoid adverse impact on operations. Management may also alter or withdraw the option of an employee to participate in AWS due to employee abuse. Except in unusual or compelling circumstances, supervisors will provide employees at least a full pay period of advance notice when operational priorities require a change in or discontinuance of any employee's AWS.

d. Employees covered by FLSA will not work in excess of the scheduled tour of duty unless overtime (or compensatory time) has been authorized.

e. Only the AWS options listed in paragraph 5b of this order may be used.

f. Part-time employees whose appointments are less than 36 hours a week are exempt from the requirement to be present for duty during the core hours.

7. GENERAL PROCEDURES.

a. Branch managers, office managers, and assistant division managers will generally not work a 5-4/9 compressed work schedule, but may seek approval for a 5-4/9 work schedule in unique situations by submitting a written request to ASW-200. ASW-200 is the approving official for all AWS requests for branch, office, and assistant division managers.

b. AWS approval for all other employees covered by this order is delegated to the first-level supervisors.

c. All AWS requests must be submitted and approved in writing, including electronic media.

d. Approving officials will act on an employee's AWS request after carefully considering the impact on:

(1) Technical and administrative staffing needed during official business hours,

(2) Staffing required for necessary day-to-day coordination with other offices during official business hours,

(3) Effect upon other employees in the organization,

(4) Effect on productivity/organizational efficiency, costs, and services provided, or

(5) Availability of adequate supervision.

e. Once approved, the AWS becomes the employee's established tour of duty. It may be changed by the employee only by a subsequent written request submitted at least one full pay period prior to the change. Changes should be kept to a minimum and must be made only at the beginning of a pay period.

f. Supervisors will ensure employees' work schedules are properly documented and all hours accounted for on time and attendance reports.

g. Supervisors will schedule the weekdays when employees will be off from work in a manner that will ensure a balanced workforce.

h. All time worked within an established tour of duty under AWS, including time worked over 8 hours in a day or 40 hours in a week, is considered non-overtime work for both FLSA exempt and non-exempt employees.

- i. A holiday falling on a scheduled workday will count as the number of hours that the employee was scheduled to work that day. When a holiday falls on an extra day off, employees shall be granted the preceding or following workday off in accordance with existing procedures.
- j. Work schedules must include a meal break of at least 30 minutes, but not more than 60 minutes between the hours of 11:00 a.m. – 1:00 p.m..
- k. Work schedules may have to be changed during TDY assignments. The normal notice period and other requirements for changing an AWS do not apply in these situations. AWS of employees attending training shall be adjusted to training class hours.
- l. If an occasion arises where it is appropriate to grant excused absence to employees in situations such as early dismissal and late opening or closing of the office, employees working a gliding schedule will be considered to have 8:00 a.m to 4:30 p.m. as their point of reference in determining the amount of excused absence they may be granted.
- m. Each office must establish and follow a system to record and report time and attendance to document those work schedules that are other than routine; i.e., 8:00 a.m. to 4:30 p.m., Monday through Friday, with a half hour mealbreak. The sample in Appendix 1 may be used for this purpose. All other time and attendance recording practices remain in place; i.e., requests for leave, etc.
- n. All employees on compressed schedules revert to a regular 8-hour per day or gliding schedule during the New Years, Thanksgiving, and Christmas holiday pay periods. This is done in order to ensure fairness to everyone in scheduling of leave during these “high leave usage” periods of time.

Thomas E. Stuckey
Manager, Flight Standards Division

SAMPLE

DAILY TIME & ATTENDANCE LOG - FLIGHT STANDARDS

EMPLOYEE NAME: _____ PAY PERIOD: FROM: _____ TO: _____ PAY PERIOD NO. _____

DAY #	DAY	DATE (2001)	SHOW EXACT HOUR & MINUTES		CHECK ONE LUNCH		TYPE LEAVE USED (A/L, S/L, C/T, etc.)	LEAVE HOURS TAKEN (FROM/TO)	COMP TIME HOURS WORKED (FROM/TO)	TDY	* EMP INITIAL	REMARKS
			START-ING TIME	QUIT-TING TIME	30	45						
01	Sun											
02	Mon											
03	Tue											
04	Wed											
05	Thu											
06	Fri											
07	Sat											
08	Sun											
09	Mon											
10	Tue											
11	Wed											
12	Thu											
13	Fri											
14	Sat											

* By initialing, I certify that the record of my attendance is true and correct to the best of my knowledge and belief, and that I understand this information will be used in completing my Time and Attendance Report. Any employee who makes false entries concerning hours worked will be subject to appropriate disciplinary action.