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Civilian Personnel

HQ USAREUR Alternative Work Schedule

*This regulation supersedes AE Regulation 690-990-100, 4 June 2009.

For the Commander:

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Summary. This regulation prescribes policy and procedures for establishing alternative work schedules for U.S.-citizen, appropriated-fund employees of HQ USAREUR.

Summary of Change. This revision incorporates administrative changes.

Applicability. This regulation applies to U.S.-citizen appropriated-fund employees of HQ USAREUR staff offices.

Supplementation. Organizations will not supplement this regulation without USAREUR G1 (AEAGA-CE) approval.

Forms. AE and higher level forms are available through the Army in Europe Publishing System (AEPUBS).

Suggested Improvements. The proponent of this regulation is the USAREUR G1 (AEAGA-CE, DSN 379-6444). Users may suggest improvements to this regulation by sending DA Form 2028 to the USAREUR G1 (AEAGA-CE), Unit 29331, APO AE 09266-9331.

Distribution. B (AEPUBS).

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1. PURPOSE

This regulation prescribes policy, procedures, and responsibilities for establishing alternative work schedules (AWSs) for U.S.-citizen, appropriated-fund employees of HQ USAREUR.

2. REFERENCES

a. Publications.

(1) Title 5, United States Code, Chapter 61, subchapter II, Flexible and Compressed Work Schedules.

(2) Part 550, Title 5, Code of Federal Regulations, subpart N, Compensatory Time Off for Travel.

(3) Part 610, Title 5, Code of Federal Regulations, subpart D, Flexible and Compressed Work Schedules.

(4) U.S. Office of Personnel Management “Handbook on Alternative Work Schedules” (<http://www.opm.gov/oca/aws/>).

(5) DOD Instruction 1400.25, DOD Civilian Personnel Management System, volume 610, Hours of Duty.

b. Forms.

(1) OPM Form 71, Request for Leave or Approved Absence.

(2) DA Form 2028, Recommended Changes to Publications and Blank Forms.

3. EXPLANATION OF ABBREVIATIONS

AWOL	absent without leave
AWS	alternative work schedule
CFR	Code of Federal Regulations
CWS	compressed work schedule
FWS	flexible work schedule
HQ USAREUR	Headquarters, United States Army Europe
RDO	regular day off
TDY	temporary duty
U.S.	United States
USAREUR	United States Army Europe
USC	United States Code

4. RESPONSIBILITIES

a. The Civilian Personnel Directorate, Office of the Deputy Chief of Staff, G1, HQ USAREUR, has overall responsibility for policy to implement the HQ USAREUR AWS Program.

b. HQ USAREUR staff principals may approve AWSs and are encouraged to delegate this authority to first-line supervisors.

5. GENERAL

Staff principals are authorized to use AWSs to help managers and supervisors meet their program goals while giving their employees more flexibility to balance work responsibilities with personal and family needs. In all situations, staff principals and designated supervisors retain the right to establish or change any work schedule to avoid adverse effects on daily operations. When approving an AWS for a supervisor or a team leader, staff principals and designated supervisors should carefully consider the consequence the regular absence of these employees would have on the organization.

a. Participation in an AWS is voluntary. All employees or groups of employees not specifically excluded from participation in an AWS may choose to keep their current work schedule or participate in an AWS.

b. Supervisors may exclude certain positions from participation in an AWS for operational reasons.

6. CORE HOURS

All employees must be present for duty during core hours unless specifically excused. Core hours for full-time employees are 0900 to 1500, Monday through Friday. When an employee is not present during core hours, the employee must use appropriate leave, administrative time, compensatory time, or credit hours (para 7d). If an employee is absent from work during core hours without approval, the employee may be charged with absence without leave (AWOL). The core hours for part-time employees must be approved in advance by the supervisor.

7. FLEXIBLE WORK SCHEDULE AND CREDIT HOURS

The flexible work schedule (FWS) provides for a duty day during which eligible employees may choose their arrival and departure times with the following restrictions: the employee must be present for duty during core hours (para 6) and the supervisor must have approved the arrival and departure times. Under an FWS, employees may extend the length of a workday to accumulate credit hours. Permission to extend a workday may be granted only by a supervisor and only if there is work to do. The following apply to FWSs and credit hours:

a. Schedule. Normal workhours are between 0600 and 1800, Monday through Friday. Employees may select their arrival and departure time, but the time at work must include the core hours (para 6). After a supervisor has approved a schedule, it is fixed and may not be changed without the supervisor's approval. Work conducted before 0600, after 1800, or during times other than the regularly scheduled workdays will be considered overtime, and the rules for requesting and gaining approval for overtime will apply.

b. Basic Work Requirement. Employees are responsible for completing a daily basic work requirement of 8 hours, Monday through Friday or, if part-time, their prescheduled hours of work. Completing the work requirement may consist of actual work performed or any combination of work performance, credit hours, and approved leave. Employees who work an 8-hour day must take at least 30 minutes for lunch and may choose to take a lunch break of up to 1 hour. These employees may extend their lunch break on an individual basis if they have supervisory approval. The lunch break cannot be "saved" and taken at the end of the day to shorten the workday, nor may credit hours be earned by working through the lunch break. The lunch break should be taken as close to the middle of the workday as possible.

c. Arrival and Departure Times. The earliest starting time is 0600, and the latest ending time is 1800. Employees who choose to come to work at 0600 or depart at 1800 must take a 1-hour lunch break to ensure that core hours are worked.

(1) Supervisors may restrict arrival or departure times either on a regular or one-time basis according to essential work requirements. Supervisors should notify employees in writing of any such restrictions.

(2) If more than one employee is qualified to perform the essential work, supervisors may ask for volunteers to work the altered work schedule. If no one volunteers to work the altered schedule, the supervisor will make the schedule change based on essential work requirements.

(3) If an employee believes that a change in his or her hours is not based on essential work requirements, the employee may seek relief through the appropriate chain of command or may, if not satisfied, seek relief through the administrative grievance procedure.

d. Credit Hours. Credit hours are the hours spent in voluntary duty time with supervisory approval that exceed the 8-hour daily requirement or 40 hours per week. Credit hours may be earned in 15-minute increments. Credit hours may be earned during the week and on weekends. All credit hours must be approved in advance. Credit hours may be accumulated on a daily basis if there is work to be done and are always subject to approval by the employee's supervisor. Credit-hour accumulation and carryover for full-time employees is limited to 24 hours a pay period. Part-time employees may accumulate credit hours proportionally based on the work schedule. Each employee is responsible for ensuring that he or she does not accumulate more than the maximum allowable credit hours. Any hours over the maximum limit will be forfeited.

e. Recording Credit Hours. Employees must request approval to accumulate credit hours. They will do this by sending an e-mail to their supervisor specifying the number of hours requested and the reason for requesting the hours. The supervisor will reply to the employee by approving or disapproving the request. The employee will use the e-mail as documentation of the approved credit hours. The employee will document the earned credit hours on the timecard and attach a copy of the e-mail to the timecard for the record. If an employee does not have an e-mail account, the employee will request the credit hours and coordinate the process with the supervisor in some other form of agreed-on written communication. A failure to comply with these procedures may result in disallowed credit hours and an appropriate charge to leave if credit hours improperly requested or approved have been taken.

f. Use of Credit Hours. Only credit hours earned in a previous workday or workweek may be used. Employees may not “borrow” credit hours before earning them. Credit hours may be used in 15-minute increments. Employees will submit an OPM Form 71 to request the use of credit hours. The approved OPM Form 71 will be sent to the timekeeper with the timecard to document the use of credit hours. Employees must have supervisory approval before using credit hours.

g. Travel Time. Employees may not earn credit hours for travel because travel in connection with Government work is not voluntary. Travel does not meet the definition of credit hours in paragraph (4) of Section 6121, Title 5, United States Code (5 USC 6121(4)), which states that credit hours are *hours within a flexible work schedule in excess of the employee’s basic work requirement which the employee elects to work so as to vary the length of a work week or a work day*. If travel begins before the employee’s established workhours and ends after the established workhours or includes a weekend, that time may be recorded as compensatory travel time in accordance with Part 550, Title 5, Code of Federal Regulations (5 CFR 550).

h. TDY. When an employee is on temporary duty (TDY) for training or attending a conference, workshop, or other event, the workhours are determined by the event’s schedule, not the employee. Credit hours therefore may not be accrued. Supervisors have the option of approving or disapproving a credit-hour schedule for an employee on other types of TDY.

i. Overtime and Compensatory Time. Overtime work and compensatory time under the FWS may still be directed and approved in advance according to established procedures. Overtime or compensatory time is defined as work or duty time in excess of 8 hours in a day or 40 hours in a week that is specifically ordered and approved by management. When management directs overtime work or compensatory time, employees may not count the time as credit hours. Likewise, overtime pay, compensatory time, Sunday premium pay, holiday premium pay, or night differential pay will not be paid for the time that credit hours are earned. Employees may not receive Sunday premium pay if they are permitted to use credit hours to be absent from their regularly scheduled work requirements on a Sunday.

j. Change in Employment. Employees who separate from Federal employment or who transfer to another agency (as defined in 5 USC 6121(1)) must use the balance of credit hours before the date of separation or transfer. All hours not used will be forfeited.

8. COMPRESSED WORK SCHEDULES

Compressed work schedules (CWSs) are fixed work schedules arranged to allow employees to fulfill their 80-hour biweekly work requirement in less than 10 workdays. Supervisors may change or stagger the arrival and departure times of employees. There are no provisions, however, for employee flexibility in reporting or quitting times. Credit hours are not permitted. The following apply to CWSs:

a. Schedule. The recognized CWS is a “5/4-9” schedule. Employees will be scheduled to work eight 9-hour days, one 8-hour day, and have one “regular day off” (RDO) during each pay period. The RDO will remain the same each pay period unless written supervisory approval is granted to change the RDO in a particular pay period or until officially changed permanently. Permanent changes will be effected the next pay period. When determining an appropriate RDO, supervisors should consider employee preference, customer service, and mission needs. Therefore, it may be necessary to evenly distribute RDOs throughout the workweek (not only Mondays and Fridays). If the supervisor determines it to be necessary, employees may be required to change their RDO from Monday or Friday to a Tuesday, Wednesday, or Thursday.

b. Lunch. Employees must take at least 30 minutes for lunch and may choose to take a lunch break of up to 1 hour each day. Employees may extend their lunch break on an individual basis if they have their supervisor's approval. The lunch break may not be "saved" and taken at the end of the day to shorten the workday. The lunch break should be taken as close to the middle of the workday as possible.

c. Holidays.

(1) When the holiday falls on a day that an employee is regularly scheduled to work under the CWS, the scheduled workday is the employee's holiday. The employee's timecard will show the number of hours the employee is regularly scheduled to work that day.

(2) When a holiday falls on a non-workday Sunday for an employee covered by a CWS, the first regularly scheduled workday following the Sunday holiday is the employee's "in lieu of" holiday. If, for example, the employee is regularly scheduled to work Tuesday through Friday in a workweek and Sunday is a holiday (thus observed on the RDO Monday), the employee's "in lieu of" holiday will be the Tuesday following the holiday.

(3) When a holiday falls on a non-workday for an employee covered by a CWS and the holiday is not on a Sunday, the last regularly scheduled workday preceding the holiday is the employee's "in lieu of" holiday. If, for example, the employee is regularly scheduled to work Monday through Thursday of a workweek and Friday is the RDO and a holiday, the employee's "in lieu of" holiday will be the preceding Thursday.

(4) If an employee performs non-overtime work on a holiday (or a day designated as the "in lieu of" holiday), the employee will receive holiday premium pay for working on the holiday and will not be entitled to an "in lieu of" holiday.

d. Overtime and Compensatory Time. Overtime hours must be officially ordered and approved as hours worked in excess of an employee's 80-hour compressed schedule in a biweekly pay period. When a supervisor directs an employee to work on the RDO, the employee will receive compensatory time or overtime pay, as appropriate, for hours worked that day. In these cases, another day off within the biweekly pay period may also be substituted as the RDO to avoid overtime or compensatory time. The employee should be notified before the beginning of the pay period if the RDO will change. The regular compensatory or overtime pre-approval process should be followed before the employee works to gain compensatory time or overtime. An employee is entitled to night pay for regularly scheduled night work (work performed between 1800 and 0600).

e. Training, TDY, and Court Leave. The work schedule of an employee on a CWS will convert to the basic 10 8-hour workdays for the entire pay period when an employee is scheduled for training, TDY, or court leave any time during the pay period.

f. Excused Absences. Excused absence due to adverse weather or other emergency conditions does not apply to an individual on an RDO. Thus, an employee on an RDO will not be given the equivalent time off at a later date.

9. HYBRID WORK SCHEDULES

Selecting certain items from the FWS and the CWS to create a hybrid work schedule program that would provide unauthorized benefits for employees or agencies is not authorized.

10. CHANGING WORK SCHEDULES

a. Employees who want to start an AWS must send a request in writing (fig 1) to the supervisor at least 5 workdays before the beginning of the pay period in which the AWS would begin. The request may be submitted by e-mail. Supervisors will promptly respond to employees requests to participate in an AWS. The supervisor may disapprove the request if approving it would have an adverse effect on office efficiency or mission accomplishment.

b. Temporary adjustments to accommodate special situations such as conferences, meetings, travel, or other emergency changes in work assignments are permitted.

c. Supervisors may change or cancel an AWS when the current schedule has an adverse effect on office efficiency or mission accomplishment, or when work assignments are changed. When it becomes necessary for the supervisor to exercise this right, the supervisor will provide a written notification to the employee 5 workdays before the directed change will take place.

MEMORANDUM FOR (Supervisor)

SUBJECT: Request to Participate in an Alternative Work Schedule (AWS)

1. Under the provisions of the HQ USAREUR AWS Program (AE Reg 690-990-100), I request approval to work the following:

Select one of the following:

_____ Flexible Work Schedule (FWS):

Daily arrival time: _____

Daily departure time: _____

My FWS will include a _____ 30- _____ 60-minute lunch period.

_____ Compressed Work Schedule (CWS):

Week 1 Tour of Duty/Hours of Work:

Monday: _____

Tuesday: _____

Wednesday: _____

Thursday: _____

Friday: _____

Week 2 Tour of Duty/Hours of Work:

Monday: _____

Tuesday: _____

Wednesday: _____

Thursday: _____

Friday: _____

My CWS will include a _____ 30- _____ 60-minute lunch period.

2. If approved, the AWS will begin on _____.

3. I understand that if the requested AWS is approved, the supervisor may adjust it to meet operational requirements or cancel it if the AWS is having an adverse effect on office efficiency or mission accomplishment, or if work assignments are changed.

Employee's Signature and Date

_____ Approved.

_____ Disapproved. Please make arrangements to discuss with me.

Supervisor's Signature and Date

Figure 1. Sample Memorandum for Employee Request to Participate in an AWS