I. PURPOSE

To establish the normal operating hours of the Department of General Services and the procedure for implementing alternative work schedules. To promote and support a work environment that strives to help employees balance the demands of family life and work life.

II. REFERENCES

- Department of Human Resource Management (DHRM) Policy 1.25, Hours of Work, effective November 2004.
- Department of Human Resource Management (DHRM) Policy 4.25, Holidays, effective May, 2004.
- Code of Virginia § 2.2-2817.1. State agencies to establish alternative work schedules; reporting requirement.

III. DEFINITIONS

Alternative Work Schedule
A work schedule that differs from the standard work schedule within the provisions of this policy, including compressed work schedule and flexible work schedule.

Division Directors
The Director of any of the following DGS divisions: Consolidated Laboratory Services, Engineering and Buildings, Purchases and Supply, or Real Estate Services.

Employee Statuses
(F) Full Time Salaried Employees
- Work the equivalent of 40 hours per week for 12 months per year.

(Q) Quasi-full-time salaried employees
- Work 32-32.9 hours per week for 12 months per year; or
- Work 40 hours per week for 9,10, or 11 consecutive months per year.

(P) Part-time salaried employees
- Work 20-31.9 hours per week for 12 months per year; or
- Work 9,10, or 11 consecutive months per year for at least 1040 hours annually but less than 32 hours per week (1664 hours per year).

Exempt
An employee exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA).

Exceptional Work Schedule
Work schedules other than those addressed in this policy, such as work hours beginning before or ending after the agency approved begin/end times, rotational shifts, or large scale job sharing.

Normal Operating Hours
Normal hours of operation are 8:15 a.m. – 5:00 p.m., unless otherwise designated by the Division/Staff Director.

Non-exempt	An employee subject to all of the Fair Labor Standards Act (FLSA) minimum wage and overtime provisions.
Official Workweek	The DGS workweek is the seven day period beginning each Saturday at 12:01 a.m. and ending at midnight the following Friday. This period is used in determining the hours worked in a seven day period.
Staff Directors	The Director of any of the following DGS staff units: Communications, Fiscal Services, Fleet Management, Graphic Communications, Human Resources, Information Systems Services, Management Audit and Review Services, or Procurement Services.
Standard Work Schedule	Monday – Friday, 8:15 a.m. – 5:00 p.m., with a 45 minute lunch.

IV. POLICY

It is the policy of the Department of General Services to provide all services which are normally performed during the workday to work units within the Department, to other agencies, to employees of the Department and to the public, from the hours of 8:15 a.m. to 5:00 p.m. This policy applies to all Classified, Restricted, At-Will, and Wage employees – with the exception that Wage employees receive pay only for hours worked.

Management reserves the right to establish and adjust the work schedules of DGS employees, being mindful of the hours of public need.

A. Documentation of Work Hours/Leave Usage

To comply with the Fair Labor Standards Act, non-exempt employees are required to record hours worked and leave usage. Exempt employees are required to record leave usage and may be required to record hours worked as directed by their Division/Staff Director. Time and leave entries are recorded in the Time and Labor System or as directed by the Fiscal Services/Payroll Office.

B. Lunch/Meal Breaks

A lunch or meal break is an approved period of non-pay and non-work status. Employees working at least six consecutive hours will be given a lunch period (meal break) of 30 to 60 minutes duration. The meal break for daytime employees should not normally begin before 11 a.m. nor end after 2 p.m.

Non-exempt employees will not perform work during the lunch break period and the lunch period (meal break) will not be included in the total required hours of work per day, except when a Division/Staff Director has designated the lunch period as part of the work schedule because of the necessity to continue to provide coverage for agency

services. Employees may, however, be required to be on-call or to carry a pager or cell phone during the lunch break. Meal breaks will not usually be used to offset late arrivals to work, provide early departure from work, or cover "time off" for other purposes, except with prior supervisor approval.

C. Discretionary Breaks

For employees who work an 8-hour day, one break period of between 10 to 15 minutes duration may be permitted by Division/Staff Directors before and after the meal break. The break periods are included in the required hours of work and except with prior supervisor approval, will not be used to extend lunch hours, offset late arrivals to work, provide early departure from work, or cover "time off" for other purposes. Employees may be required to forgo break periods as business operations necessitate.

D. Alternative Work Schedules

In accordance with DHRM Policy 1.25 and the Code of Virginia, Division/Staff Directors must identify positions that are appropriate for working alternative work schedules. By July 1, 2009, DGS' goal is to have 25% of the eligible workforce participate in alternative work schedules.

Division/Staff Directors or their designees are responsible for determining positions that are appropriate, or eligible for alternative work schedules. In making these determinations, Directors must insure adequate supervision is present to permit productive work. Each position should be evaluated to determine if the job functions can be effectively accomplished with an alternative work schedule and whether the unit can provide its services during normal operating hours. Positions whose presence is necessary to provide that service are not eligible for alternative work schedules.

Division/Staff Directors or their designees are also responsible for approving the individual schedules of their employees. When reviewing/approving alternative work schedules, the above factors should be considered, as well as the employee's work history, including performance and disciplinary issues. Approval will depend on an assessment by the Division/Staff Director that the employee's proposed work schedule will enable the employee to fully meet job responsibilities and performance expectations.

Once a schedule has been approved for an employee, the employee must adhere to that schedule unless a change is approved by the Division/Staff Director or his/her designee. Alternative work schedules may be modified or discontinued by the Division/Staff Director or his/her designee at any time.

1. Flexible Work Schedule

   A flexible work schedule allows alternative starting and ending times. The employee must have a fixed and predictable schedule. Employees may request flexible work hours with beginning times from 6:30 a.m. to 9:30 a.m. and ending times from 3:00 p.m. to 6:00 p.m.

   Examples of Flexible Work Schedules:

   M-F 7:30 a.m. – 4:30 p.m. with a 60 minute lunch period

   M-F 9:00 a.m. – 5:30 p.m. with a 30 minute lunch

   M-W-F 8:00 a.m. – 4:30 p.m.; T-Th 7:00 a.m. – 3:30 p.m.

2. Compressed Work Schedule

   In a compressed workweek, the schedule is condensed into fewer days (non-exempts must not exceed 40 hours per week).

   a. For full-time (100%) employees, the options are:
      i. Four 10-hour workdays per week;
      ii. Four 9-hour workdays and one 4-hour workday per week;
      iii. Eight 9--hour workdays and one 8-hour workday in a bi-weekly period (exempts only); or
      iv. Other combinations as approved by the Division/Staff Director.

   b. Part-time employees (50% - 79.99%) and “Q” status employees (80% to 99.99%) may work a compressed work week based on their scheduled hours.

   c. Hours worked per day may not exceed ten.

3. Holidays

   Employees will receive pay for holidays based on the percentage of scheduled 40-hour workweek and, if necessary, may use other leave to receive full pay for the holiday.

   (Example: an employee scheduled to work four 10-hour days receives 8 hours of holiday leave and must either use 2 hours of other leave or must work 2 extra hours on another day).

   An employee with an alternative work schedule may be required to temporarily revert to the standard work schedule during holiday weeks.

4. Alternative Work Schedule as Condition of Employment

   An alternative work schedule arrangement is intended to benefit both the employee and agency operations. However, it may be necessary to require employees to work alternative work schedules as a condition of employment. In such cases, this requirement will be included when the position is advertised for recruitment and will be stated in correspondence offering employment. The supervisor or hiring authority is responsible for notifying HR of any alternative work schedule requirements on the Job Posting Request form.

E. Schedule Adjusting

In order to minimize employees' absences and control overtime expenses, supervisors may adjust the schedules of their employees. At the supervisor's discretion, employees' schedules can be adjusted to meet the employee's personal needs. This applies to both standard and alternative work schedule employees. The following are examples of schedule adjusting:

1. An employee who is required to work additional hours early in the week can have their schedule adjusted at the end of the work week to avoid overtime.

2. An employee taking approved annual leave during the week may also be asked to work additional hours on his or her scheduled days off. With the approval of the employee, the supervisor can substitute the hours of annual leave with the additional hours worked, thus reducing or eliminating the need to use the employee's annual leave. It is not appropriate to consistently adjust the employee's schedule so that the employee rarely gets to use his/her leave.

3. An employee with an alternative work schedule may be required to temporarily revert to the standard work schedule during periods of training, during holiday weeks or for other business reasons as determined by the supervisor.

F. On-Call Time

In general, time spent in an on-call status will not be considered hours of work if:

1. The employee is allowed to leave a telephone number or to carry an electronic device for the purpose of being contacted, even though the employee is required to remain within a reasonable call-back radius; or

2. The employee is allowed to make arrangements such that any work which may arise during the on-call period will be performed by another person.

If the employee is non-exempt, and the on-call assignment is restrictive, then it is considered work time. The employee must then be paid for the on-call hours and the hours must be counted toward the 40-hour workweek limit for determining the employee's overtime pay.

Restrictive on-call assignments are those where the employee is unable to conduct personal business, such as when the employee is required to remain in one location, sitting by the telephone waiting for a call, etc. On-call assignments may also be considered restrictive if the employee is not relieved from the assignment for long periods of time (several months), so that the employee is never able to leave a limited geographical area during this extended time period.

The employee must also be paid for actual work time when the employee is called to work. All time spent responding to a call – on the phone, via home PC, or at the worksite - will be considered hours of work. Employees who report to work will be compensated with a minimum of two hours of work time.

Exempt employees are not normally compensated for being on-call. Division/Staff Directors may implement division/staff specific on-call policies based on their business needs. Such policies must be documented and submitted to the HR Director for review and subsequent routing with recommendations to the DGS Director for approval.

G. Training/Workshops

Hours spent in approved, job related attendance at lectures, seminars or workshops are counted as hours worked.

H. Exceptional Work Schedules

For the most efficient, productive workflow, it may be necessary for some employees or units to begin or end work at times different than those previously listed in section D. Such schedules will be permitted only with full justification and for reasons of providing more effective service, working efficiency, reduction of overtime, or for other good business reasons. Prior to implementation, schedules must be approved by the DGS Director.

I. Employee Responsibilities

1. Adhere to the assigned work schedule by beginning work at the specified starting time, departing at the specified ending time, and taking lunch periods and breaks as authorized.

2. Notify his/her supervisor as soon as possible if they are unable to adhere to their schedules, such as late arrivals, according to the work unit's procedures.

3. Work overtime as required. A non-exempt employee may work overtime only as authorized in advance by his/her supervisor or management.

4. Complete timesheets and record leave usage in an accurate and timely manner.

J. Supervisor Responsibilities

1. Approve employee's work schedules according to division and agency needs. Obtain Division/Staff Director approval for alternative work schedules.

2. Submit Work Schedule Agreements to Human Resources.

3. Ensure the accurate and timely completion and approval of time and leave usage records.

4. Limit overtime assignments to situations where it is necessary to meet business needs.

K. Division/Staff Director Responsibilities

1. Identify positions appropriate for working alternative work schedules. Division/Staff Directors will be responsible for creating and updating a list of positions that are appropriate for alternative work schedules and providing this list to Human Resources by January 1st of each year.

2. Approve alternative work schedules as appropriate.

3. Ensure that at least 25% of the eligible division/staff unit workforce participates in alternative work schedules.

4. Approve overtime, or delegate this authority to subordinate managers.

L. Policy Violations

Violation of this policy may result in disciplinary action as described in the DHRM Policy 1.60.

V. RESPONSIBLE STAFF DIRECTOR

DGS Human Resources Director

VI. CONTACT POSITION FOR INTEPRETATION

Employees desiring clarifications, explanations or other interpretations should contact their supervisors or respective division/staff management. Supervisors and division/staff management needing interpretations should contact the DGS Human Resources Director, (804) 786-3221.

VII. POLICIES SUPERSEDED

B-11, Hours of Work, February 15, 1988

VIII. EXCEPTIONS

Requests for exceptions to these procedures or for division/staff office specific procedures shall be submitted in writing by the appropriate Division or Staff Director to the DGS Human Resources Director for review and subsequent routing with recommendations to the DGS Director, who is authorized to grant exceptions. Requests for exceptions may be submitted by fax, e-mail, or conventional paper (hard copy) correspondence.

IX. PROCEDURES

A. Establishing/Changing an Individual Employee's Work Schedule

The Work Schedule Agreement Form (attachment A) will be used by employees and supervisors to request and approve schedules. The employee completes and submits the form to his/her supervisor who approves or obtains Division/Staff Director approval for alternative work schedules. A completed copy is sent to the Human Resources Department for file in the employee's personnel records. The employee and supervisor should also retain copies.

B. Exceptional Work Schedule

A written request is submitted by the Division/Staff Director as described in Section VIII, Exceptions, above.

X. EFFECTIVE DATE AND DISTRIBUTION METHOD

This policy shall be distributed through normal distribution channels. This policy shall be effective July 1, 2006.

ATTACHMENT

A – DGS-00-055 (Rev. 4/06), Work Schedule Agreement