
FULL TIME SUPPORT WORK SCHEDULE

FOR THE ADJUTANT GENERAL:

Proponent. The proponent of this regulation is the Director of Manpower and Personnel/J1.

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Suggested improvements. Users are invited to send comments and suggested improvements to Joint Force Headquarters, ATTN: WIJS-J1-LRS, P.O. Box 8111, Madison, WI 53708-8111.

Summary. This regulation establishes the policy and provides guidance regarding the implementation of a work schedule for Wisconsin Full Time Support Personnel.

Distribution. This publication is available in electronic media only and is intended for all Joint Force Headquarters elements, the Wisconsin Army National Guard, and the Wisconsin Air National Guard. It is available on the WIJS-J1/ Human Resources intranet page.

Applicability. This regulation applies to all Military Technicians (Dual and Non-Dual status) members of the Joint Force Headquarters elements, the Wisconsin Army National Guard, and the Wisconsin Air National Guard personnel.

Effective Date. The effective date for this HRR shall be 01 June 2009.

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***Supersedes WING-HR (690-900d) dated 7 July 1998.**

Chapter 1

General

1.1. Purpose

This regulation establishes procedures for Full Time Support Work Schedules (FTSWS) for Military Technician (Dual and Non-Dual status) employees of the Wisconsin National Guard.

1.2. Scope

a. This regulation applies to all Military Technician (Dual and Non-Dual status) employees/personnel and units of the Wisconsin National Guard.

b. Supervisors of Active Guard Reserve personnel are reminded that there are authorized methods of providing Active Guard Reserve personnel time to accomplish personal and family business during the work week. IAW AFI 36-101, AFI 36-3003, AR 600-5, and AR 600-8-10 Active Guard Reserve personnel are governed by different rules and regulations and work the necessary work schedule to complete the required mission. Supervisors of Active Guard Reserve personnel should make efforts to integrate this policy when possible by allowing Active Guard Reserve personnel the ability to work Alternate Work Schedules (AWS) similar to that of the Military Technician workforce.

c. Supervisors of State employees should refer to the State of Wisconsin Alternative Work Schedule policy. Supervisors of civilian contract employees should refer to the specific contractual language of the civilian employee's contract.

d. The CWS is only applicable to employees while they are performing their normal work functions or duties within the State of Wisconsin. The CWS does not apply to work or duties performed outside of the State of Wisconsin including, but not limited, to the following examples: off-site training, attending off-site conferences and/or seminars, attending off-site Union conferences and/or seminars, etc.

1.3. References

Title 5 Code of Federal Regulations (CFR), Chapter 610 (5 CFR 610), Title 5 United States Code (USC), Part III, Subpart E, Chapter 61 (5 U.S.C. §61), National Guard Bureau Technician Personnel Regulation (TPR) 990-2, and Executive Order 11582.

1.4. Policy

The Department of Military Affairs (DMA) and various collective bargaining agreements recognize maximizing employment options available to existing and potential Military Technician (Dual and Non-Dual status) employees can maintain or increase agency efficiency and service to the public/customers. The DMA supports the concept and practice of AWS scheduling. AWS can include an alternative or non-standard workweek employment, compressed work schedule, flexible time schedule, and part-time work schedule. It further includes specific provisions applicable to bargaining unit positions in accordance with the current negotiated labor-management agreement. It is our intent that AWS implementation will not adversely affect DMA's mission, vision and values. It will not always be possible to include all employees or to afford maximum flexibility under these provisions. Therefore, where operationally feasible, the following will be considered, including but not limited to:

- a. Operational needs and mission requirements are met.
- b. Service to the public/customers will not be adversely affected.
- c. Reasonable staffing coverage will be provided for the standard hours of operation of 0730 to 1600 hrs., Monday through Friday.
- d. Adequate supervision and management is maintained.
- e. Any impact of the schedule on other work units or divisions will be insignificant.
- f. Basic hours of work and timekeeping methods established in this policy will be followed.

- g. Additional staff resources will not be required.
- h. Work will be available for employees working outside the core hours and standard work schedule.
- i. Safety and health standards will not be jeopardized.
- j. Management will resolve disputes arising in regard to AWS schedules.
- k. Implementation will not result in overtime expenses to the organization.

1.5. Responsibilities

The Director of Manpower and Personnel/J1 is responsible for coordinating and overseeing the agency’s FTSWs program and will periodically evaluate the DMA’s program.

1.6. Definitions/ Examples

a. Alternative Work Schedule (AWS): Is a technique of scheduling work which enables full-time employees to complete their work requirements in an approved time period other than the standard workweek or bi-weekly pay period. This term jointly refers to flexible and compressed work schedules.

b. Compressed Work Schedule (CWS): Is the scheduling of work hours in excess of eight hours per day to meet an 80-hour biweekly basic work requirement in less than ten work days. The following are examples of Compressed Work Schedules:

	Mon	Tue	Wed	Thu	Fri	Total Hours
1st Example 5-4/9 Schedule						
1 st Week	9	9	9	9	8	44
2 nd Week	OFF	9	9	9	9	36
2nd Example 4/10 Schedule						
1 st Week	OFF	10	10	10	10	40
2 nd Week	OFF	10	10	10	10	40

c. Flexible Work Schedule (FWS): A work schedule which includes designated hours during which the employee may elect an alternative time of arrival for and departure from work. Employee elected Flexible Work Schedules are not authorized. Management retains the authority to modify work schedules / days to meet mission requirements.

d. Part-time employment: Is employment of 16 to 32 hours a week under a regular, prearranged schedule consisting of an equal or varied number of hours per day, whether or not in a job-sharing arrangement.

e. Full-time employment: Means permanent or project employment that requires the services of an employee for a minimum of 80 hours on a bi-weekly basis.

f. Core Days/Standard Work Week: The days during the week which the organization will remain open. The core days/standard work week for the DMA are designated as Monday through Friday.

g. Core Hours: The main hours which employees must be at their jobs, except for lunch breaks. The core hours for the DMA are 0800 to 1500 hrs.

h. Standard Hours of Operation: The hours which the organization will remain open to provide support and customer service. The standard hours of operation for the DMA are 0730 to 1600.

i. Compressed Day Off: Based on a traditional Monday-Friday workweek, a compressed day off is a regular workday within a pay period that an employee takes off without charge of leave.

j. Non-Workday: The days in a pay period an employee is not scheduled to work.

k. Position restructuring: Means regrouping the duties and responsibilities of a position to allow for part-time employment, shared time, or flexible time work schedules.

(1) No employee occupying a full-time permanent position may be involuntarily terminated, demoted, transferred, or reassigned in order to restructure that position for permanent part-time employment.

(2) No employee may be required to accept a permanent part-time position as a condition of continued employment.

l. Work Unit: An entity located in one place with a specific mission, uniform procedures or technology, and headed by a supervisor or manager authorized to approve time and attendance, and leave.

m. Standby Duty: A standby tour consists of periods in which an employee is:

(1) Restricted to the agency's premises, or so close to the premises that the employee cannot use the time effectively for his or her own purpose; or

(2) Restricted to his or her living quarters or designated post of duty, has his or her activities substantially limited, and is required to remain in a "state of readiness" to perform work.

(3) Compensatory time will be granted for periods of time spent on standby outside the regular tour of duty.

(4) Standby duty, when applicable, will be the primary means of effecting the Agency's mission during non-duty time.

(5) In each affected work center, the supervisor shall solicit volunteers and/or produce rotational schedules of employees who will be ready to respond in case of management need.

(6) Standby duty should only be used when coverage is required because of imminent risk, with a near immediate response required.

n. On Call Status: Is considered a voluntary status and failure to remain available is not punishable under terms of the Labor Management Agreement or this HRR.

(1) On call status will only be used when the timing for mission requirements, the duration of readiness duty, or the lengthy response times exceeds the economical use of "Standby" status.

(2) An employee is considered to be in an on-call status if he or she volunteers to remain within a reasonable call-back radius of the worksite but is permitted to leave a telephone number or carry an electronic device for the purpose of being contacted.

(3) Compensatory time will be granted only for those hours when the employee is actually called in to perform work.

Chapter 2

Administrative Procedures

2.1 Eligibility

Reasonable efforts will be made to explore the possibility of implementing AWS in appropriate work environments. Specific positions and/or work units may be excluded on a permanent or temporary basis to meet workload and/or program requirements. The position's or work unit's supervisor will identify

such exclusions and provide written rationale to the appropriate Chief of Staff or Deputy Adjutant General, if requested. Represented employees' AWS participation is governed by applicable contractual agreements and must be in accordance with individual collective bargaining provisions. AWS schedules for nonrepresented employees must be consistent with provisions of the Fair Labor Standards Act (FLSA). The ability to participate in a AWS is an organizational option and not a personal option.

2.2 Supervisory/Managerial Responsibility

a. Approval of Plans

(1) The 5-4/9 CWS is the only approved AWS. Supervisors may recommend plans for a 5-4/9 CWS provided sufficient coverage is available to ensure all sections/shops are manned and open during Core Days/Standard Work Week and during the Core Hours, subject to approval from the appropriate Chief of Staff. The request will include how such a CWS will contribute to the mission or effectiveness of the work units. Factors to be considered by the supervisors are, but not limited to, cost savings, decrease in compensatory time usage, increased availability of personnel and better ability to adjust workloads. In addition, a statement must be included to show how such a work schedule will be staggered to provide core day and core hour employee coverage.

(2) Supervisors may recommend plans for a 4/10 CWS subject to final approval from the appropriate Deputy/Assistant Adjutant General. The request will include how such a CWS will contribute to the mission or effectiveness of the work units. Factors to be considered are, but not limited to, cost savings, decrease in compensatory time usage, increased availability of personnel and better ability to adjust workloads. In addition, a statement must be included to show how such a work schedule will be staggered to provide core day and core hour employee coverage.

(3) All CWS plans will be coordinated with the Director of Manpower and Personnel/J1.

(4) Upon approval of a plan, informational copies should be distributed to the affected employee and Supervisor. The plan should be clear and simple and be presented both orally and in writing. Discussions should be held to go over the plan and answer any questions.

(5) The employee will be informed of approval or disapproval.

(6) Once on a CWS, employees will not be allowed to switch back and forth between work schedules. When authorized, changing work schedules must be done in conjunction with the beginning and end of a pay period.

(7) When properly used, both "standby duty" and "on call" status gives supervisors important tools to guarantee mission coverage during time of critical need.

(8) Individual supervisors maintain the discretion to allow employees to earn and use compensatory time as they deem appropriate with mission accomplishment as the primary factor.

b. Supervisory Actions

(1) It is the responsibility of the supervisor to determine staffing and workload requirements and to notify employees prior to scheduling deadlines. The supervisor should designate a minimum number of persons to be available for any function during core hours (0800 to 1500 hrs., Monday through Friday). Supervisors may adjust staffing and work schedules to meet mission requirements.

(2) Those with managerial or supervisory oversight responsibilities should vary their workday schedule periodically to provide supervision to those staff who are working outside standard hours.

(3) It is the Supervisor's responsibility to provide for the resolution of scheduling conflicts and inform the participating employee.

(4) A supervisor may find it necessary to revert to an eight (8) hour, five-day week schedule on a temporary basis to adapt to vacations, illness of employees, deployments, etc., and to assure that productivity is maintained.

(5) Employees in bargaining unit positions will be notified of temporary or permanent changes to a work schedule in accordance with the negotiated Labor Management Agreement. On occasions, adjustment may be made without notice if urgent needs arise. When possible, employees will be notified of the change in advance.

(6) Management understands that standby duty imposes significant restrictions on the employee and provides for compensatory time for periods spent on standby time outside the regular tour of duty.

(7) Management through dedicated partnership with Labor must ensure the Agency’s mission is completed during non-duty hours.

(8) Management is responsible for determining the need for “standby duty” and/or placement in “on-call” status.

(9) Management must place the employee in the appropriate status and provide information pertaining to restrictions and permitted activities.

(10) The use of electronic devices (i.e. beepers, cellular telephones, etc.) may be used as a tool at management’s discretion solely for the purpose to notification of employees. Use of these devices in itself does not constitute the status in which an employee is performing.

2.3 Time-Keeping Requirements

a. Hours of Work

(1) Current administrative rules provide that the standard schedule is eighty (80) hours every bi-weekly pay period except as otherwise stipulated in contractual agreements.

(2) The maximum standard working day for an individual employee will be limited to ten (10) hours (except when overtime is required and pre-approved). This does not apply to Fire/Crash Rescue, Alert, Joint Operations Center (JOC) and Command Post personnel.

(3) Time and Attendance (T&A) cards will be annotated and submitted in accordance with current directives. Duty hours posted will be the employees’ work schedule.

(4) Changes to an employees’ work schedule must be submitted to the Civilian Pay Section in the Finance Office prior to submitting the T&A card that reflects that change.

2.4 Holidays

a. The treatment of holidays will be in accordance with 5 U.S.C. §6103. (See Table 2-1)

<i>If The Employee’s Schedule Is</i>	<i>And the Holiday is on a Saturday (Or on a day other than the Non-Workday Scheduled Instead of Sunday—See note 1), the “In Lieu of Holiday” is</i>	<i>And the Holiday is on a Sunday (Or on a day other than the Non-Workday Scheduled Instead of Sunday—See note 1), the “In Lieu of Holiday” is</i>
Monday— Friday	Friday per 5 U.S.C. §6103(b)(1)	Monday per Section 3(a) of Executive Order 11582, February 11, 1971
Other than Monday— Friday including a compressed schedule	The preceding workday per 5 U.S.C. §6103(b)(2)	The following workday per Section 3(b) of Executive Order 11582, February 11, 1971

Table 2-1.

2.5 Employee Guidelines

a. Employees utilizing CWS must be able to meet workload requirements and be available for scheduled conferences and meetings.

b. Participating employees must submit written reports of actual hours worked. This requirement may be satisfied by accomplishment of the bi-weekly time sheet summary reports.

c. Employees may not schedule themselves for compensable time.

d. Once on a CWS, employees will not be allowed to switch back and forth between work schedules. When authorized, changing work schedules must be done in conjunction with the beginning and ending of a pay period.

e. Full-time employees must account for eighty (80) hours of work during a given bi-weekly pay period (except as may be otherwise stipulated in individual contractual agreements).

f. In very limited circumstances employees may be allowed a work schedule of more than forty (40) hours per week (not to exceed eighty (80) hours in a pay period), if the employee is FLSA exempt and scheduling in this manner does not incur overtime under a union contract.

g. If placed on "on call status" employees will honor the understanding that they will remain available and not participate in any activity that would render them unavailable to assist in meeting the mission.

h. Supervisors are encouraged to work similar schedules as their employees provided mission requirements are met. Supervisors will be allowed to continue to work the standard work week and standard hours of operation. Supervisors may request a 5-4/9 CWS from their respective supervisors subject to final approval from the appropriate Chief of Staff. Supervisors will not normally be allowed to work a 4-10 CWS; however, Deputy/Assistant Adjutant General may approve exceptions.

2.6 Evaluation of Alternative Workweek Schedules

AWS workweek schedules will be evaluated annually by the appropriate Chiefs of Staff.

2.7 Discontinuation of Alternate Workweek Schedules.

a. The Adjutant General may terminate the AWS at any time if it is judged to be inconsistent with the needs of the Wisconsin National Guard. In considering the discontinuance of an AWS the following will be considered, including but not limited to:

- (1) A marked deterioration of service to the public/customers becomes evident.
- (2) Significant impact on the schedules of other work units or divisions.
- (3) Significant impact on the quality, quantity, and timeliness of employee work.
- (4) Problems arise which cannot be resolved.
- (5) Conditions of the plan are not being met.

b. The granting of a AWS is prefaced on meeting mission requirements including but not limited to timely filing of performance reports, non-compliance of National Guard Bureau standards, etc.. Failure to meet mission requirements will result in the section, group, or wing reverting back to the standard full time support work schedule of working the Core Days/Standard Work Week and the standard Hours of Operation.

c. The Adjutant General has and maintains the unfettered authority to establish work schedules for Military Technicians (Dual and Non-Dual status) as set forth in ILL National Guard v FLRA, 854 F 2d 1396 (DC Cir 1998). If the Adjutant General elects to not to continue a specific schedule within a workplace based on, but not limited to the reasons listed above, the appropriate procedures as outlined in the respective Labor Management Agreements will be followed.