

DEPARTMENT OF MILITARY AFFAIRS
STATE HUMAN RESOURCES
PRACTICE AND PROCEDURE MANUAL

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SUBJECT: Alternative Work Patterns

SECTION: Employee Hours/Leave

I. PRACTICE

- A. The Department of Military Affairs and various collective bargaining agreements recognize the need to maximize the employment options available to existing and potential state employees and to maintain or increase agency efficiency and service to the public/customers. The DMA supports the concept and practice of Alternative Work Patterns (AWP) scheduling. AWP include flexible time, part-time, alternative and non-standard workweek employment, and shared time, also known as job sharing.
- B. The Director of State Human Resources (WING-SHR) is responsible for coordinating and overseeing the agency's AWP program and will periodically evaluate the DMA's program.
- C. Special care must be taken to insure that work will not suffer by the introduction of AWP. It will not always be possible to include all employees or to afford maximum flexibility under these provisions but, where operationally feasible, the following conditions are established:
1. Service to the public/customers will not be adversely affected.
 2. Operational needs and mission requirements are met.
 3. Reasonable staffing coverage will be provided for the statutory hours of 7:45 a.m. to 4:30 p.m., Monday through Friday.
 4. The quality, quantity and timeliness of employee work is enhanced or maintained.
 5. Adequate supervision and management is maintained.

6. Any impact of the schedule on other work units or divisions will be insignificant.
7. Basic hours of work and timekeeping methods established in this policy will be followed (see Section IV.B).
8. Additional staff resources will not be required.
9. Overtime will not be generated as a direct result of implementation.
10. Work will be available for employees working outside the core hours and standard work schedule.
11. Safety and health standards will not be jeopardized.
12. Management will resolve disputes arising in regard to AWP schedules.
13. AWP provisions of respective collective bargaining agreements will be honored.

II. AUTHORITY

AWP are authorized by Rules of the Department of Employment Relations Chapter ER 42, Wis Admin Code, and collective bargaining agreements.

III. POLICY

A. Eligibility

Reasonable efforts will be made to explore the possibility of implementing AWP 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 WING-SHR Director, if requested.

Represented employees' AWP participation is governed by applicable contractual agreements and must be in accordance with individual collective bargaining provisions. AWP schedules for nonrepresented employees must be consistent with provisions of the Fair Labor Standards Act (FLSA). No employee may be required to work an alternative work schedule unless such a schedule was specified in the employee's appointment.

B. Definitions and Examples

"Alternative Work Patterns" means work schedules which differ from standard work schedules for full-time permanent or project employment, including but not limited to: part-time, shared time, and flexible time schedules which may result from position restructuring, the creation of additional part-time positions, or other work schedule changes.

1. "Alternative Workweek Schedule" 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. Once an alternative workweek schedule has been determined, it normally remains fixed with no daily flexibility. 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). 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.

The following are examples of Alternative Workweek Schedules:

	Mon	Tue	Wed	Thu	Fri	Total Hours
1st Example						
1 st Week	10	10	10	10	OFF	40
2 nd Week	OFF	10	10	10	10	40
2nd Example						
1 st Week	9	9	9	9	4	40
2 nd Week	4	9	9	9	9	40
3rd Example (FLSA Exempt Employees Only)						
1 st Week	9	9	9	9	8	44
2 nd Week	9	9	9	9	OFF	36

2. "Flexible-Time Schedule" means a work schedule which includes designated hours during which the employee may elect an alternative time of arrival for and departure from work. It may also include required days or hours during which an employee subject to the work schedule must be present for work.

The standard hours for arrival, departure and lunch breaks are replaced by a workday split into two main periods. The period during which employees must be at their jobs, except for lunch breaks, is called "core hours." The other period, which is made up of flexible hours at the beginning and end of the workday, is called "flextime." Flextime can also include "core days" on which employees using flextime must schedule themselves for work. "Core days" at DMA are designated as Monday through Friday. Flextime schedules may differ in the degree of flexibility employees have in determining both their starting and ending times and their total hours in a day or week.

The following diagram depicts a flextime schedule:

Flextime 6:00 – 9:00 a.m.	Core Hours 9:00 a.m. – 3:00 p.m.	Flextime 3:00 – 6:00 p.m.
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Day	Work Schedule		Work Schedule	Total Hours
Mon	8:30-11:45	Lunch	12:45-4:30	7
Tue	7:00-11:45	Lunch	12:45-5:00	9
Wed	7:00-11:45	Lunch	12:45-5:00	9
Thu	7:00-11:45	Lunch	12:45-5:00	9
Fri	8:30-11:45	Lunch	12:15-3:00	6

Weekly Total 40

3. "Staggered Work Hours" (SWH) is an eight (8) hour per day schedule in which the employee selects fixed starting and ending times for the five-day workweek which differ from the standard schedule. Once the schedule is decided on, there is normally no daily flexibility. SWH differs from flextime in the extent of flexibility staggered at fifteen minute intervals, and the fact that the workday remains fixed at the standard eight (8) hours.

The following example of SWH allows for a 45-minute lunch break, which would be indicated on the individual employee's schedule. A minimum of 30 minutes is required.

Day	Arrival	Departure
Mon	7:00 a.m.	3:45 p.m.
Tue	7:15 a.m.	4:00 p.m.
Wed	7:30 a.m.	4:15 p.m.
Thu	7:45 a.m.	4:30 p.m.
Fri	8:00 a.m.	4:45 p.m.

4. "Full-time employment" means permanent or project employment that requires the services of an employee for a minimum of 2088 hours on an annual basis.
5. "Part-time employment" means permanent or project employment that requires the services of an employee for more than 600 hours, but less than 2088 hours on an annual basis. Paid benefits are affected for part-time employees, especially those working less than 50% time (1044 hours) in a calendar year.
6. "Position restructuring" means regrouping the duties and responsibilities of a position to allow for part-time employment, shared time, or flexible time work schedules.
 - a. 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.
 - b. No employee may be required to accept a permanent part-time position as a condition of continued employment.
7. "Shared time" means coordinated permanent or project part-time employment involving two or more persons sharing the same duties and responsibilities of a budgeted position.
 - a. Once it has been determined that a specific position can be divided and fits into the overall agency plans, WING-SHR can fill the position through the regular Civil Service procedure.
 - b. An employee desiring to reduce his/her work hours must submit a written request to his/her immediate supervisor with a copy to the Director of WING-SHR.

- c. All requests must be analyzed by the WING-SHR Director, WING-SBF Director, and the employee's first and second line Supervisors.
- 8. "Standard Work Schedule" (SWS) means the typical designation and duration of work hours for a given position in an employing unit.
 - a. The statutory hours of 7:45 a.m. to 4:30 p.m. are the usual SWS hours for the DMA.

IV. PROCEDURE

A. Supervisory/Managerial Responsibility

1. Approval of Plans

- a. Supervisors are authorized to approve plans for flextime and staggered work hours schedules. In approving or denying such schedules, consideration must be given to schedules that will result in unnecessarily incurring night or weekend differential costs.
- b. All requests for authorization to work under an AWP schedule must be made in writing to the Supervisor, who will coordinate the request with the schedules of all subordinates, and must include the intended duration of the AWP.
- c. The Supervisor must submit a comprehensive schedule for the work unit to the Director of WING-SHR. The request will include how such a work schedule will contribute to the mission or effectiveness of the DMA. Factors to be considered are 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 Monday through Friday employee coverage. Requests must state which employees will be covered and which work units will be affected by AWP implementation.
- d. All Alternative Workweek Schedules, position restructuring, and shared time plans should be coordinated with the Director of WING-SHR.
- e. 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.

- f. The employee will be informed of approval or disapproval.
- g. Individual schedules must be completed on DMA Time and Attendance System (TACS) Work Schedule Form, signed by the employee and supervisor, and submitted to WING-SHR for final approval and processing.

2. Supervisory Actions

- a. 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 regular statutory office hours (7:45 a.m. to 4:30 p.m.).
- b. 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.
- c. It is the Supervisor's responsibility to provide for the resolution of scheduling conflicts and inform the participating employee.
- d. 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, etc., and to assure that productivity is maintained.

B. Time-Keeping Requirements

1. Hours of Work

- a. Current administrative rules provide that the standard flextime schedule is eighty (80) hours every bi-weekly pay period except as otherwise stipulated in contractual agreements.
- b. 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 personnel.
- c. All employees except shift workers (security officers and fire/crash rescue personnel at the ANG bases) working more than six (6) hours per day are required to take at least a thirty (30) minute lunch break.
- d. Rest periods are considered a normal part of the work schedule and cannot be accumulated or otherwise included in the computation of lunch periods or starting/ending times.

- e. With supervisory approval, employees working on an AWP schedule can make up absences occurring during their approved work schedule by working on their normal time off. Otherwise, absences are charged as vacation, sick leave, personal holiday, Saturday/legal holiday or compensatory time.
- f. If a holiday falls on an alternative workweek scheduled workday, an employee scheduled to work more than eight (8) hours that day under an existing AWP plan, may charge vacation, personal holiday, Saturday/legal holiday or compensatory time off in addition to charging eight (8) hours as holiday, to account for the total hours normally required in their schedule for that day. With supervisory approval, the extra time may also be made up within the same pay period or workweek as the holiday falls, in accordance with FLSA and collective bargaining provisions.
- g. If a holiday falls on an employee's regularly scheduled day off, the employee should be credited with up to eight (8) hours Saturday/legal holiday time for later use.
- h. If an employee is FLSA exempt, deductions may be made from their salary for full or partial workdays for personal reasons, at the employee's request, if the supervisor has approved the time off.

2. Schedules

- a. After an employee's participation in flextime has been approved by the Supervisor, daily schedule variations are permissible, consistent with the work unit's time reporting requirements and with advance supervisory approval.
- b. Schedule variations from approved alternative workweek plans should not normally be entertained except as part of a periodic plan review.

C. Employee Guidelines

- 1. Employees utilizing AWP must be able to meet workload requirements and be available for scheduled conferences and meetings.
- 2. Participating employees must submit written reports of actual hours worked. This requirement may be satisfied by accomplishment of the weekly time sheet summary reports.
- 3. Employees may not schedule themselves for compensable time.

D. Evaluation of Alternative Workweek Schedules

Alternative workweek schedules should be evaluated at least yearly.

E. Discontinuation of Alternative Workweek Schedules.

Regardless of the planned duration of the work schedule, an alternative workweek schedule may be discontinued at any time if it is judged to be inconsistent with the needs of state service. The following factors may be considered in the discontinuance of alternative workweek schedules:

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