

DEPARTMENT OF MILITARY AFFAIRS
STATE HUMAN RESOURCES
PRACTICE AND PROCEDURE MANUAL

STATUS: (X) FINAL () DRAFT
EFFECTIVE DATE: 01/01/2024

BULLETIN NO.: 1.115
PAGE: 1 OF 9

SUBJECT: Alternative Work Patterns

SECTION: Employee Hours/Leave

I. PRACTICE

- A. The Department of Military Affairs (DMA) recognizes the value in maximizing the employment options available to existing and potential state employees to promote the DMA as an employer of choice, improve work/life balance, and maintain or increase agency efficiency and service to the public/customers. The DMA supports the concept and practice of Alternative Work Patterns (AWP) scheduling with these goals. 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 (SHR) or designee is responsible for coordinating and overseeing the agency's AWP program and will periodically evaluate the program. Annual evaluation of the program will be conducted through annual engagement survey feedback and direct feedback from employees or their managers. This review will reflect the success in reaching the goals identified in paragraph A. In addition, an annual analysis of requests submitted and approvals/denials will be evaluated for consistency by the DMA Equity and Inclusion Officer or designee.
- C. Special care must be taken to ensure 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 are 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 from AWP schedules.
13. AWP provisions will be administered in an equitable and transparent manner.

II. AUTHORITY

The authority for AWP is provided for by the Division of Personnel Management, through Chapter ER 42, Wis Admin Code.

III. POLICY

A. Eligibility

Reasonable efforts will be made to explore the possibility of implementing AWP, where feasible. 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 SHR Director, if requested. AWP schedules must be consistent with provisions of the Fair Labor Standards Act (FLSA).

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. In some 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.

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.		
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 2080 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 2080 hours on an annual basis. Paid benefits are affected for part-time employees, especially those working less than 50% time (1040 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.
7. 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.
8. No employee may be required to accept a permanent part-time position as a condition of continued employment.
9. “Shared time” means coordinated permanent or project part-time employment involving two or more people sharing the same duties and responsibilities of a budgeted position.
10. Once it has been determined that a specific position can be divided and fits into the overall agency plans, SHR can fill the position through the regular Civil Service procedure.
11. 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.
12. All requests must be analyzed by the SHR Director, State Budget and Finance Director (if budget impact), and the employee's first and second

line Supervisors.

13. "Standard Work Schedule" (SWS) means the typical designation and duration of work hours for a given position in a work unit.
14. The statutory hours of 7:45 a.m. to 4:30 p.m. are the usual SWS hours for the DMA. In addition, there are many DMA work units which require 24/7 coverage.

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 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, better ability to adjust workloads and positive impact on employee/morale. 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 must be coordinated with the Director of SHR.
- e. Upon approval of a plan, informational copies should be distributed to the effected employee and supervisor. The plan must be clear and simple and be presented in writing. Discussions should be held to go over the plan and answer any questions.
- f. The employee will be informed, in writing, of approval or disapproval of their request.
- g. Individual schedules must be recorded in the agency's time and

attendance system. All work hours must be approved by the employee's supervisor.

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 ensure that productivity is maintained.

B. Time-Keeping Requirements

1. Hours of Work

- a. Current administrative rules provide that the standard full-time schedule is eighty (80) hours every bi-weekly pay period, except as otherwise stipulated in the State of Wisconsin Compensation Plan (i.e., Fire/Crash Rescue personnel)..
- 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) 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. Holidays: Employees on an existing AWP plan with daily work schedules greater than eight (8) hours, 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.
- 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.

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. All DMA employees must enter actual hours worked into PeopleSoft, the agency's time and attendance tracking system.
- 3. Employees may not schedule themselves for compensable time.

D. Alternative workweek schedules should be evaluated at least annually.

E. Terminating Alternative Workweek Schedules.

Regardless of the planned duration of the work schedule, an alternative workweek schedule may be terminated if it is judged to be inconsistent with the needs of the agency. The following are examples of factors which may be present. Written justification must be presented to, and approved by, the SHR Director in advance.

- 2. Conditions of the plan are not being met.

3. Negative impacts on public/customer service.
4. Significant impact on the schedules of other work units or divisions.
5. Significant decline in the quality, quantity and timeliness of employee work.