



# ADMINISTRATIVE PROCEDURES

<b>SECTION:</b> 300 – Human Resources		<b>PROCEDURE #:</b> 310-A
<b>TITLE:</b> Alternative Work Schedules Procedure		<b>IMPLEMENTS POLICY #:</b> 310
<b>SPONSORING DEPARTMENT/DIV:</b> Support Services/Human Resources		
<b>EFFECTIVE DATE:</b> 1/19/21	<b>REVIEWED:</b>	<b>REVISED:</b>

**OBJECTIVE:** To establish procedures for requesting an alternative work schedule or flex-time. The County recognizes and appreciates that in order to serve our community, some employees' normal work schedule does not follow standard business hours of 8:00 AM – 5:00 PM Monday through Friday.

**AUTHORITY:** The authority to issue or revise these procedures is reserved to the County Administrator. The County Administrator may authorize exceptions to these procedures when deemed appropriate.

**DEFINITIONS:**

**Alternative Work Schedule:** A pre-authorized recurring work schedule that differs from the employee's standard work schedule.

**Appointing Authority:** A Department Head (elected or appointed) or their designee with the authority of Appointment for any position within their Department.

**Fair Labor Standards Act (FLSA):** The federal law that establishes minimum wage, overtime pay, and recordkeeping requirements that apply to full-time and part-time workers in both public and private sector workplaces.

**Flex-Time:** A pre-authorized non-reoccurring modification of a work schedule within a work week allowing an employee to reduce work on one or more days and offset that absence with additional work on one or more other days.

**Reasonable Efforts:** Actions that do not impose an undue hardship on the operations of Washington County.

**Undue hardship:** A significant difficulty or expense incurred when considered in relation to size, financial resources, nature, customer service or structure of the business of Washington County.

**Workweek:** A period of seven consecutive 24-hour periods that equal 168 total hours.

Washington County's workweek begins at midnight Saturday and ends the following Friday at 11:59 PM.

**PROCEDURES:**

**1. Establishing Department Participation:**

- 1.1. Appointing Authorities or designees retain the ability to determine if the department will allow alternative work schedules, conditions that must be met and ensure the policy requirements are met.
- 1.2. An employee's alternative work schedule will be outlined in the Alternative Work Schedule Request form and kept on file in the department.
- 1.3. Any deviation from the established work schedule must be approved in advance with the employee's supervisor.
- 1.4. An alternative work schedule and telecommuting agreement can be in place concurrently so long as they have both been approved by the Appointing Authority after considering their compounded impact.
- 1.5. Departments should consult with Human Resources if they have any questions about how to administer this procedure and related policy.

**2. Standard Workweek and Workday:**

- 2.1. Generally, the workweek of a full-time employee includes five (5) eight (8) hour days.
- 2.2. The County acknowledges that some departments, offices or divisions have regularly scheduled workdays/workweeks that differ from the typical 8:00 am to 5:00 pm, Monday through Friday schedule.
- 2.3. Employees will be expected to maintain regular and predictable attendance, as described in the Personnel Rules and Regulations, specifically Article 6: Attendance.
- 2.4. The Appointing Authority may establish workweeks in accordance with the provisions of section 207(k) of the Fair Labor Standards Act for employees engaged in law enforcement activities.
- 2.5. Operations requiring twenty-four (24) hour coverage and other non-standard activities may not be required to be open to the public or to maintain the public hours specified above.

**3. Eligibility:**

- 3.1. The following conditions should be met for an alternative work schedule to be approved:
  - 3.1.1. The employee must have a satisfactory attendance record;
  - 3.1.2. The employee must meet all performance expectations in his or her current role;
  - 3.1.3. The employee must consistently demonstrate the ability to complete tasks and assignments on a timely basis; and
  - 3.1.4. The nature of the employee's work and responsibilities must be conducive to an alternative work arrangement without causing significant disruption to performance and/or service delivery.
- 3.2. Washington County recognizes that alternative and flexible work schedules are not appropriate for all employees or positions and are not a right or entitlement.

#### **4. Alternative Work Schedule Request and Approval:**

An employee may request to work a schedule that is different than the standard workday or workweek as defined in Section 2 above. Requests for an alternative work schedule must be written on the Alternative Work Schedule Request form and submitted to the employee's supervisor. The request shall specify the work schedule for each day of the standard workweek and the reason for the request.

4.1.1. Examples of alternative work schedules and justifications for such include:

- M-F 7:00 – 4:00 with a 1-hour lunch.
  - I can pick up my child at daycare and my partner can drop them off, if I start work at 7:00 am and end at 4:00 pm. I can effectively accomplish my work during this requested schedule without any foreseeable business impacts. Additionally, I will still be working within our Department's established core hours.
- M-F 8:00 – 4:30 with a 30-minute lunch.
  - I am involved in extracurricular activities after work that begin at 5:00 pm. If I can leave by 4:30 pm, I can attend to them. By reducing my lunch by a half-hour, I am still following our Department's core hours and I typically do not have meetings past 4:00 anyway. I do not foresee any impacts to my ability to satisfactorily perform my work duties.

4.2. Due to Oracle (Wisard) computer system constraints, non-exempt employees cannot work a schedule where one seven (7) day workweek exceeds 40 hours.

4.2.1. For example, a schedule of five (5) 9-hour days (45 hours) and the following workweek four (4) days totaling 35 hours is unavailable for non-exempt employees.

4.3. Requests for an alternative work schedule will be shared by the supervisor with the Appointing Authority. The Appointing Authority will determine if it is feasible, consistent with business and operational needs, and does not create an undue hardship or result in unnecessary overtime.

4.4. The supervisor and employee may engage in discussions about modifying the initial request prior to submittal. If it results in a revised request, the Alternative Work Schedule Request form shall be updated and resubmitted through the approval process.

4.5. The Appointing Authority may allow for an initial trial period of the requested schedule to determine if it is reasonable.

4.6. At a minimum, each alternative work schedule arrangement should be reviewed and reassessed at least every six (6) months or at regular intervals as determined by the department, not to exceed twelve (12) months.

4.7. When the Appointing Authority denies or approves the request, the employee will be provided a written response.

4.7.1. The final decision will be provided in writing to the employee within a reasonable timeframe (within approximately fourteen (14) days of submission).

4.7.2. The final form will be saved in the department's employee file.

- 4.8. Final implementation of alternate work schedule is the responsibility of the supervisor.
- 4.9. All requests for an alternative work schedule for the purposes of accommodating a medical condition or disability must be evaluated by Human Resources pursuant to an ADA compliant interactive process prior to approval.
  - 4.9.1. Human Resources will evaluate the request and notify the supervisor and/or Appointing Authority of the outcome in writing.
- 4.10. An employee found to be failing to adhere to their agreed upon work schedule may lose their eligibility to continue having an alternative work schedule for a period to be determined by the Appointing Authority and may be subject to discipline up to and including termination of employment.
- 4.11. The Appointing Authority, in its sole discretion, may revoke or temporarily end the alternative work schedule at any time based on business or operational needs.
  - 4.11.1. The Appointing Authority will make every effort to provide employees one (1) week notice before revoking or ending an alternative work schedule, unless there is a business need to end the assignment with little or no notice.

**5. Alternative Work Schedule During Holiday Weeks:**

- 5.1. For weeks in which holidays occur, full-time employees:
  - 5.1.1. Regularly working five (5) days a week, must record four (4) days at eight (8) hours regular/sick/vacation plus 8 hours holiday.
  - 5.1.2. Regularly working four (4) days a week, must record the holiday as eight (8) hours plus two (2) hours vacation, comp, pre-approved flex-time or unpaid time to supplement the holiday day or they may request in advance to change the workweek in which the holiday falls to five (5), eight (8) hour days.
- 5.2. For weeks in which holidays occur, part-time employees apply the above at the appropriate pro-rated hours.

**6. Flex-Time Requests and Approval:**

- 6.1. An employee shall request approval in advance to adjust their scheduled work hours to attend to a personal need unless the employee experiences an unforeseen emergency.
  - 6.1.1. For example, an employee needs to arrive later Tuesday due to a personal appointment. The employee offers to depart later the same day or another day within the same work week to accumulate their full workweek hours.
- 6.2. A supervisor may authorize or deny an employee to flex their time depending on the business or operational needs of the work group.
- 6.3. Flex-time guidelines are managed by the department's Appointing Authority; they ensure:
  - 6.3.1. Flex-time shall be evaluated and determined equitably within the department, division, and/or workgroup; and
  - 6.3.2. Flex-time is documented by the supervisor.
- 6.4. Supervisors will track the hours that are flexed to ensure that the employee meets their hours requirement and such time does not result in overtime unless pre-approved.