

**DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT**

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SUBJECT: Administrative Series
 Part 370.610: Hours of Duty and Work Schedules
 Chapter 1: General Provisions

EXPLANATION OF MATERIAL TRANSMITTED:

This Chapter revises the policy and procedures that govern the general provisions of hours of duty.



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FILING INSTRUCTIONS:

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Department of the Interior
Bureau of Ocean Energy Management Manual

Effective Date: JUL 06 2015

Series: Administrative

Part 370.610: Hours of Duty and Work Schedules

Chapter 1: General Provisions

Originating Office: Office of Budget and Program Coordination

1. Purpose and Scope. The purpose of this guidance is to establish policy and standard procedures for the administration of hours of duty and work schedules within the Bureau of Ocean Energy Management (BOEM).

2. Objectives. The objectives of this guidance are to ensure uniformity and understanding of the hours of duty and available work schedules and to provide a basis for pay and leave administration.

3. Authority. The basic statute governing Federal hours of duty is 5 United States Code Chapter 61. The Office of Personnel Management (OPM) has issued regulation 5 Code of Federal Regulation Part 610 and the OPM Handbook on Alternative Work Schedules, that provides additional guidance on Federal hours of duty. <http://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/alternative-work-schedules/>. The Department of the Interior has issued policy in the Personnel Bulletin No. 09-14 dated October 9, 2009, on Alternative Work Schedules available to Federal employees. Another hour of work reference is the OPM Labor-Management Relations on Negotiating Flexible and Compressed Work Schedules. <http://www.opm.gov/policy-data-oversight/labor-management-relations/law-policy-resources/#url=Negotiating-Flexible-and-Compressed-Work-Schedules>.

4. Definitions. These are definitions to describe and create a better understanding of the terms used in this chapter that relate to hours of work and work schedules.

A. Alternative Work Schedule (AWS) Day(s) Off. The non-workday(s) decided upon by the employee and their supervisor as their non-workdays while working under an AWS.

B. Basic Work Requirement. The number of hours, excluding overtime hours, an employee must work or otherwise account for by leave, credit hours, holiday hours, excused absence, compensatory time off, or time off as an award.

C. Compensatory Time. The paid absence from duty taken by a GS employee in lieu of monetary payment for an equivalent amount of irregular or unscheduled overtime worked. Compensatory time may be earned and used in 15 minute increments. Compensatory time must be used within 26 pay periods or it will expire.

D. Core Hours. The part of the schedule of hours during the workday, work week, or pay period that is within the tour of duty and during which employees must work, be on leave or other excused absence. The core hours coincide with the busiest customer service times.

E. Credit Hours. These are hours in excess of the normal hours of work in a pay period that are worked voluntarily, with supervisory approval. A maximum of 24 credit hours can be accrued and carried over for use in another pay period. Members of the Senior Executive Service (SES) are prohibited from accruing credit hours.

F. Exempt Employees. Employees are not covered by the minimum wage and overtime provisions of the Fair Labor Standards Act.

G. Intermittent Employees. Employees who serve without a regularly scheduled tour of duty when called upon by their supervisor and paid only for hours actually worked.

H. Irregularly Scheduled Overtime. Overtime that is not specific to the employee, day, hour and time to be worked or is scheduled later than midnight Saturday of the pay period before it is to be performed.

I. Maxiflex. Maxiflex is a flexible work schedule with a basic work requirement of 80 hours for the biweekly pay period for full time employees.

J. Alternative Work Schedules. The generic term for work schedules that deviate from the traditional fixed work schedules (e.g. 8 hours per day, 40 hours per week). AWS includes Flexible Work Schedules (FWS) and Compressed Work Schedules (CWS).

K. Compressed Work Schedules. The CWS requires a fixed schedule. The biweekly work requirement of 80 hours is met on less than 10 workdays in the pay period. Arrival, departure and lunch times are fixed.

L. Flexible Work Schedules. The FWS has a basic work requirement of 80 hours a pay period. Each FWS has designated core hours when employees are expected to work or be on approved leave. Employees under a FWS may work more than 8 hours per day as long as it is agreed upon by their supervisor in advance and within the flexible time band established.

M. Flexible Work Hours. The part of the schedule of working hours (for employees working a FWS) during which employees may choose their time of arrival and departure from the work site (within limits) as long as it remains within the flexible time band.

N. Non-Exempt Employee. An employee in a position covered by the overtime provisions of the FLSA, generally administrative, technical, and non-supervisory positions. A non-exempt employee cannot be permitted to work any hours beyond the 80 hours in a pay period without proper compensation (overtime or, if elected by the employee, compensatory time earned).

O. Overtime. Overtime is all hours in excess of 8 in a day or 40 in an administrative work week for an employee on a regular work schedule or 80 in a pay period for an employee on an AWS, which are hours officially ordered or approved in advance by management. Overtime may be earned and used in 15 minute increments. Employees ordered to work overtime must do so, and management must compensate them with either overtime pay or compensatory time. Provisions of the FLSA apply.

P. Regularly Scheduled Overtime. Overtime that is scheduled in advance of the basic work requirement is regularly scheduled overtime. This type of overtime is specific to the employee, day, hour, and time to be worked. It must be scheduled no later than midnight Saturday of the period before it is to be performed. Overtime which does not meet all above conditions is defined as irregular or occasional.

Q. Tour of Duty. Limits set within which an employee must complete their basic work requirement of 80 hours per pay period for a full time employee under a flexible work schedule. Under a compressed work schedule or other fixed schedule, the tour of duty must have set hours of work per day and per week.

R. Workday. The workday is the part of the day in which customers would expect the Agency to be "open."

5. Policy. It is the policy of the BOEM to administer the hours of duty and available work schedules according to appropriate laws and regulations.

6. Responsibilities.

A. The BOEM Director is responsible for establishing the BOEM hours of duty in accordance with applicable laws and regulations. Also, the BOEM Director is responsible for establishing and/or modifying AWS programs to meet the mission of BOEM. The authority may be delegated as deemed appropriate.

B. The BOEM Deputy Director, through the BSEE Associate Director of Administration, is responsible for developing hours of duty policies and procedures in consultation with the BSEE Human Resources Division.

C. The BSEE Human Resources Division is responsible for the establishment of procedures to facilitate the provisions of BOEM work schedules in accordance with applicable laws, regulations, Departmental policy, and collective bargaining agreements in consultation with the BOEM Deputy Director. The BSEE Human Resources Division is responsible for processing all official work schedule changes in a timely manner within the personnel and timekeeping systems.

D. BOEM supervisors and managers are responsible for administering the hours of duty and work schedule policies to their employees and ensuring that allowing employees to work AWS does not interfere with the mission of BOEM or increase operating costs. Supervisor and manager responsibilities include the approval, denial, or modification of individual employee work schedules based on their assessment of the needs of the office and each employee's conduct and performance, and to accommodate, whenever reasonable and practicable, the employee's preferred arrival and departure times within the established flexible time bands. Supervisors and managers are responsible to monitor staff attendance and work practices to determine possible abuse in the use of AWS and will assess the impact of staff schedules on the functioning of the office. As a result of such monitoring or assessments, supervisors may restrict, modify, or cancel an employee's participation in the AWS program. When approving, denying, or modifying an employee's request to work an

AWS, supervisors must ensure that their decisions regarding individual requests are rational, fair, and based on legitimate, non-discriminatory reasons. Supervisors and managers have the ultimate responsibility to certify that hours reported worked by employees, as well as account codes used on the Time and Attendance (T&A) reports, are accurate and certified in a timely manner. BOEM supervisors and managers are to ensure that all official work schedule changes are submitted to the BSEE Human Resources Division for processing in personnel systems a pay period in advance of the employee working the new work schedule.

E. Employees are responsible for coordinating work schedules with their supervisors in advance of the pay period in which it is to become effective and to gain supervisory approval. Additionally, employees must adhere to the office attendance requirements and adjust their work schedules to ensure the needs of the office are met. Employees must accurately code their hours worked each workday on their T&A.

F. Timekeepers are responsible for monitoring T&A systems and work schedule forms. Timekeepers are to ensure all employees submit a timesheet for the hours worked each pay period in accordance with the timekeeping guidelines issued by the BSEE Human Resources Division. Timekeepers serve as the liaison between their office and the BSEE Human Resources Division and assist employees and supervisors in determining correct timekeeping codes, resolving timekeeping issues, and ensuring all timesheets for their office are submitted in a timely manner each pay period. Timekeepers are to identify discrepancies, such as unapproved overtime or unreported leave, and bring any potential issues to the supervisor or manager before the final T&A is submitted and certified.