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To: All BLM Fire and Aviation Employees

From: Deputy Assistant Director (NIFC), Fire and Aviation

Subject: Fire and Aviation (FA) Directorate Administrative Procedures for Alternative Work Schedules (e.g., work schedules, leave, overtime, compensatory time, credit hours, and travel)

Program Area: Administrative Procedures

Purpose: This instruction memorandum is to provide general guidelines, instructions, and information for supervisors, managers, and employees to follow in administering and operating under an alternative work schedule.

Policy Action: It is the Bureau of Land Management's policy to utilize various types of work schedules permitted by regulation for the purpose of improving workforce efficiency, increasing productivity and service to the public, reducing costs, and providing the maximum flexibility for meeting employee needs.

Definitions Related to Alternative Work Schedules (AWS):

1. Alternative Work Schedule: Flexible work schedules and compressed work schedules.
2. Basic Work Requirement: The number of hours, excluding overtime hours, an employee is required to work or to account for by charging leave, credit hours, excused absence, holiday hours, compensatory time off, or time off as an award.
3. Compensatory Time: Compensatory time off is distinguished from credit hours in that compensatory time off derives from entitlement to pay for overtime work.
4. Compensatory Time for Official Travel: Compensatory time off for employees in a travel status away from their official duty station when such **time is not otherwise compensable.**

5. Compressed Work Schedule:

- (a) In the case of a full-time employee, an 80-hour biweekly basic work requirement that is scheduled for less than 10 workdays.
- (b) In the case of a part-time employee, a biweekly basic work requirement of less than 80 hours that is scheduled for less than 10 workdays and may require the employee to work more than 8 hours a day.

6. Types of Compressed Work Schedules:

- (a) 5/4-9 Schedule: Nine hours per day for eight days, plus eight hours for one day per pay period. Credit hours cannot be earned, and the schedule may not vary.
- (b) 4-10 Schedule: Ten hours per day for four days per week. Credit hours cannot be earned and the schedule may not vary.

7. Core Hours: The time periods during the workday, workweek, or pay period that are within the tour of duty during which an employee covered by a flexible work schedule is required to be present for work. For FA, this is Monday through Friday, 9:30 a.m. to 11:00 a.m. and 1:00 p.m. to 2:30 p.m. Core hours must be worked at least three days per week, typically Tuesday, Wednesday and Thursday. The supervisor may designate which three days per week will have core hours, (if none are designated, core hours default to those established by FA). If an employee is not at work during the core hours, he/she must be on an appropriate leave category, (e.g., annual leave, sick leave, credit hours taken, compensatory hours used, etc.).

8. Credit Hours: Credit hours are hours that an employee elects to work, with prior supervisory approval, in excess of the employees basic work requirement **under a flexible work schedule**. The earning of credit hours must be related to accomplishing the FA mission, not to supplement an employee's leave. A maximum of 24 credit hours can be carried over from one pay period to the next.

9. Flexible Work Schedule:

- (a) In the case of a full-time employee, an 80-hour biweekly basic work requirement that allows a supervisor and an employee to determine the employee's schedule within the limits set by FA.
- (b) In the case of a part-time employee, a biweekly basic work requirement of less than 80 hours that allows a supervisor and an employee to determine the employee's schedule within the limits set by FA.

10. Maxiflex Schedule: A type of flexible work schedule that contains core hours on fewer than 10 workdays in the biweekly pay period, and which a full-time employee has a basic work requirement of 80 hours for the biweekly pay period, but in which an employee may vary the number of hours worked on a given workday or the number of hours each week within the limits established for FA. Credit hours can be earned.

11. Tour of Duty: The tour of duty comprises all hours and days for which flexible and core hours have been designated, including those days within a maxiflex schedule for which only flexible hours are scheduled. The tour of duty defines the limits within which an employee must complete his or her basic work requirement. An employee's tour of duty shall not begin before 6:00 a.m. nor extend beyond 6:00 p.m.

Administering and Operating Under AWS

The primary responsibility in administering and operating under an AWS is to carry out our work effectively and efficiently. This means supervisors and managers at all levels must approve work schedules that provide office coverage, typically from 7:30 a.m. to 4:30 p.m. Monday through Friday (this may vary depending on each office). Workload priorities and providing customer service are most important. Supervisors and managers must ensure that staff is available to answer telephones, greet and assist customers, meet our commitments, and carry out our work without increased costs.

Requesting and Approving an AWS

A request for an AWS requires supervisory approval. Supervisors and employees should work closely together to determine what type of work schedule is appropriate based on the work being performed. The guiding principle in the supervisor deciding to approve or disapprove an AWS must be work-related factors. Utilizing an AWS requires all employees to operate within the policies and guidelines established, adhere to the established regulations and rules, and dedicate themselves to accomplishing the FA workload. It may not be possible for every employee to operate under an AWS due to workload requirements of the position, the type of position, the schedules of other employees and customers, and/or other relevant reasons. An AWS is not an absolute right of an employee. As stated above, supervisors and employees should work closely together to determine what type of schedule is appropriate based on the work being performed.

Employees approved by their supervisor to operate under an AWS must complete Form 1400-72, "Basic Work-Week Change Request" and submit it to their supervisor for signature. Supervisors must send the completed form to Human Resources for input into the Federal Personnel Payroll System (FPPS) for the schedule to become effective. If this form has not been completed to effect the change, a traditional eight-hour workday will be assumed.

Earning Credit Hours:

Credit hours are all hours within a Maxiflex work schedule that an employee elects to work in excess of his or her basic work requirement. Employees MUST have prior approval from their supervisor before they can earn credit hours for work on a Saturday. A Quicktime Extra Hours request can be used to document this request or supervisors can specify the documentation they will accept for earning credit hours on Saturday. Credit hours cannot be worked outside the hours of 6:00 a.m. to 6:00 p.m. or on holidays.

Sunday is not a part of the normal regularly scheduled basic work requirement; therefore, employees may not voluntarily elect to work or earn credit hours on a Sunday. This does not preclude supervisors from authorizing and ordering overtime and/or compensatory time on Sundays, if the need arises.

Regular and/or credit hours worked in any one day cannot exceed 11 ½ hours. The maximum amount of credit hours that can be carried from one pay period to the next is 24 hours. Employees are not entitled to night differential pay even though they voluntarily elect to work during hours in which night pay is normally paid. Employees on compressed work schedules are not eligible to earn credit hours. Management will not adjust an employee's AWS for the purpose of avoiding overtime or other premium or extra compensation, and will not ask employees to earn or use credit hours to avoid paying overtime.

Lunch and Breaks:

Every employee is required to take a 30-minute lunch period each day if working more than six hours. Two 15-minute breaks a day are also allowed. If a longer lunch period is preferred, the extra time must be included in a flexible work schedule. If not included under a flexible work schedule, leave, credit hours, or compensatory time must be taken. Breaks cannot be substituted for work hours or added to extend the lunch period. Additionally, lunch periods cannot be taken at the end of the work day in order to allow employee to leave early. Lunch periods should be scheduled half way through the work schedule.

Overtime and Compensatory Time:

For employees on all types of work schedules, overtime or compensatory time can be earned beyond an employee's 8, 9, or 10-hour work day only if directed and approved in advance by the immediate supervisor. Employees can be ordered to perform overtime. Supervisors may grant compensatory time off in lieu of overtime pay at the request of the employee. Mandatory compensatory time, in lieu of overtime pay for irregular or occasional overtime work, may be ordered for employees who are Fair Labor Standards Act (FLSA) exempt and whose rate of basic pay exceeds the rate for GS-10, step 1 (this does not apply to non-exempt employees).

Compensatory Time for Official Travel:

For employees on all types of work schedules, compensatory time for official travel may only be earned for time in travel status when such time is not otherwise compensable and includes the time an employee actually spends traveling between the official duty station and a temporary duty station, or between two temporary duty stations, along with the usual waiting time that precedes or interrupts such travel. Compensatory time off will not be given to an employee for waiting time between actual periods of travel during which the employee is free to rest, sleep, or otherwise use the time for his or her own purposes. This extended waiting time is considered as "not usual" and is not creditable as time in a travel status. Time spent at a temporary duty station between arrival and departure is not time in travel status. Time in a travel status ends when the employee arrives at the temporary worksite or lodging in the temporary duty station, and resumes when an employee departs from the temporary duty worksite or lodging (see DOI Personnel Bulletin No: 08-01). Employees are required to obtain approval from their supervisor prior to earning any compensatory time.

Compensatory Time Taken or Credit Hours Taken:

For employees on Maxiflex schedule, the use of compensatory time or credit hours must be approved in advance by the employee's supervisor. Any leave and credit hours in excess of three consecutive days must be approved by either using the OPM Form 71 (Request for Leave

or Approved Absence) or the current automated timekeeping system (Quicktime). Compensatory (regular and travel) time must be taken before using annual leave unless the employee has use-or-lose annual leave.

For employees on all other types of work schedules, the use of compensatory time must be approved in advance by the employee's supervisor. Any leave in excess of three consecutive days must be approved by either using the OPM Form 71 (Request for Leave or Approved Absence) or the current automated timekeeping system (Quicktime). Compensatory time must be taken before using annual leave, unless the employee has use-or-lose annual leave.

Holiday Leave:

A full-time employee on a flexible work schedule is entitled to eight hours of pay for that day. A full-time employee on a compressed work schedule is entitled to 8, 9, or 10 hours of pay for that day based on his/her fixed schedule.

Annual Leave:

Annual leave must be requested by the employee and approved by his or her supervisor in advance. Leave in excess of three consecutive days must be approved by either using the OPM Form 71 (Request for Leave or Approved Absence) or the current automated timekeeping system (Quicktime). The maximum amount of annual leave to be used by an employee working on a flexible work schedule will be limited to eight hours per day of his/her established work schedule. Annual leave for employees on a compressed work schedule is limited to the number of hours normally scheduled for that day.

Leave Without Pay:

The immediate supervisor can approve up to one duty day of leave without pay (LWOP). Requests in excess of one duty day must be routed through the supervisor for approval by the Division Chief. Any LWOP must be requested by the employee and approved by his or her supervisor in advance. All LWOP must be approved by either using the OPM Form 71 (Request for Leave or Approved Absence) or the current automated timekeeping system (Quicktime). Leave without pay can be used by an employee working on a flexible work schedule, but will be limited to eight hours per day of his/her established work schedule. LWOP for employees on a compressed work schedule is limited to the number of hours normally scheduled for that day.

Sick Leave:

Employees must call in to their supervisor or acting no later than one hour after their normal arrival time. If the supervisor or acting is not available, the employee must leave a voice message with the supervisor or acting. Sick leave for doctor, dental or optical appointments must be approved in advance. Any sick leave in excess of three consecutive days must have written note from a doctor.

Emergency Leave (accident, death in family, auto breakdown etc.):

Employees must call in to their supervisor or acting no later than one hour after their normal arrival time. If the supervisor or acting is not available, the employee must leave a voice message with the supervisor or acting.

Sunday Differential:

An employee may not voluntarily elect to work flexible hours (regular or credit hours) on a Sunday. Sunday is not a part of the normal regularly scheduled basic work requirement or flexible hours. A full-time employee, whose regularly scheduled tour of duty includes Sunday, is entitled to Sunday differential pay.

Training Outside Regular Work Hours:

While on travel and at training, employees should adopt the hours of the training or activity that the employee is visiting. In most cases, this is eight hours a day. Every effort must be made to schedule travel during the employee's normal duty hours. An employee may not earn credit hours for travel because travel in connection with Government work is not voluntary in nature. Travel itself does not meet the definition of credit hours in 5 U.S.C. 6121 (4), which provides that credit hours are hours within a flexible work schedule in excess of the employee's basic work requirement which the employee elects to work.

Determinations of entitlement to pay vary and should be reviewed closely on a case-by-case basis. You are encouraged to contact Human Resources for further guidance regarding your particular situation.

Time and Attendance (T&A):

Employees who are participating in an AWS program must establish a time accounting method that provides the supervisor with "affirmative" or personal knowledge of each employee's entitlement to pay by showing the number of hours of duty, attendance, and the nature and length of absences; i.e., sign-in/sign-out sheets which includes arrival and departure times, and other exceptions to the normal workday (see 5 CFR 610.404).

Employees are required to submit their T&A through the current automated timekeeping system (Quicktime) at the end of each pay period. The timekeeper is responsible for reviewing and validating the T&A and verifying that it is filled out accurately, according to the timekeeping regulations. The supervisor is responsible for certifying their employee's T&A. It is important for all supervisors to understand that they are certifying officials and are accountable for the accuracy of the T&A. It is the timekeeper and the supervisor's responsibility to ensure all T&As are validated and certified before the deadline.

Timeframe: This IM is effective immediately.

Budget Impact: None

Background: This IM serves as a reminder of pertinent information relating to alternate work schedules.

Manual/Handbook Sections Affected: None

Coordination: OPM Guidelines, BLM Manuals 1400-550, 1400-610, 1400-630.

Contact: For further information on AWS, hours of duty, and leave issues, contact the Human Resources Office, 208-387-5523.

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