

SUBJECT: Alternative Work Schedule (AWS) Program

PURPOSE: Establish a County Policy for agencies to implement the AWS Program.

SCOPE: This procedure outlines the process and procedure to be utilized in agency participation in the County AWS Program.

AUTHORITY: Personnel Law Sections 16-107, 16-108 and 16-114

RESPONSIBILITY: The Office of Human Resources Management
Appointing Authorities
Classified and Exempt Service Employees

I. GENERAL STATEMENT

Prince Georges County, Maryland (the County) recognizes that in this fast paced and rapidly evolving society, there continues to be a need to consider innovative and alternative means of conducting business. Over the last few decades, many business and public service agencies have instituted non-standard work schedule options for their employees. The County believes that the use of non-standard or Alternative Work Schedules (AWS) can be a valuable motivation and productivity tool as long as citizen and operational needs are met.

The AWS Program will provide employees of the Executive Branch, pursuant to any limitations imposed by the Appointing Authority, the option to work either a compressed schedule or a flex schedule that would equate to eighty (80) hours during the bi-weekly pay period.

Participation in the AWS Program is not a formal employee benefit, but an alternative approach to fulfilling the County's work program requirements.

Managers and participating employees are expected to comply fully with the Program requirements. The Personnel Law will prevail in the event of conflict or uncertainty between the Program and Personnel Law. Finally, Managers must consult any applicable labor agreements to ensure conformity with the terms of said agreement. This should be done with the assistance of the Office of Human Resources Management, Employee Services and Labor Relations Division.

II. DEFINITIONS

Alternative Work Schedule (AWS) is a work plan approved by management, which allows an employee to meet work requirements and bi-weekly eighty (80) hour requirements, by utilizing compressed or flexible schedule plans.

AWS Leave Day is defined as the day an employee is off, based on having a compressed work schedule that will allow eighty (80) work hours to be completed in less than ten (10) work days. During the duration of the Program, the AWS leave day will be considered one (1) of the employee's regularly scheduled days off from work.

Compressed Work Schedule is a schedule that enables an employee to fulfill the regular or traditional work schedule of eighty (80) hours in a bi-weekly pay period over a span of ten (10) or less workdays with a fixed starting and departure times.

Flex Band Schedule is a schedule where an employee works an eight (8) hour day, but arrival and departure times vary, with adherence to core business hours.

Work Schedules mean written schedules of the required daily hours of work, within a standard work week, prescribed by an Appointing Authority for individual employees and/or various groups or units of employees under the Appointing Authority's jurisdiction.

III. PROGRAM DESCRIPTION

The AWS Program will consist of the following programs for permanent, eligible employees who have successfully completed their probationary period. The programs available are as follows:

1. 4-10 Compressed Schedule - a Compressed Work Schedule Plan offering employees the option to work four (4), ten (10) hour work days. Participating employees will have one (1) AWS leave day per week. The AWS leave day will be prescheduled and preapproved by the Appointing Authority or designee.

The following is an example of a 4-10 work schedule, which includes an unpaid lunch break of thirty (30) minutes, each day.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	10.5 hours	10.5 hours	OFF	10.5 hours	10.5 hours
Week 2	10.5 hours	10.5 hours	OFF	10.5 hours	10.5 hours

2. 4-1/2-9 Compressed Schedule - a work schedule offering employees the option to work four (4), nine (9) hour days and one (1) day completing four (4) hours. The AWS four (4) hour day will be prescheduled and preapproved by the Appointing Authority or designee.

The following is an example of a 4-1/2-9 work schedule, which includes an unpaid lunch break of thirty (30) minutes.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	9.5	9.5	9.5	9.5	4.5
Week 2	9.5	9.5	9.5	9.5	4.5

3. 5-4/9 Compressed Schedule - a work schedule offering employees the option to work five (5), nine (9) hour days during Week One of the pay period. Week Two will consist of three (3), nine (9) hour days and one (1) day at eight (8) hours and one (1) AWS leave day, for an eighty (80) hour bi-weekly pay period. The AWS leave day will be prescheduled and preapproved by the Appointing Authority or designee. This option is not available to FLSA covered employees due to the forty-five (45) hours requirement during Week One.

The following is an example of a 5-4/9 work schedule, which includes an unpaid lunch break of thirty (30) minutes.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	9.5	9.5	9.5	9.5	9.5
Week 2	9.5	9.5	9.5	8.5	OFF

4. Flex Band Schedule - a work schedule offering employees the option to arrive and depart work, based on prescribed parameters established by the Appointing

Authority. The flex band period is from 7:30 am to 9:00 am for arrival. An employee is not considered late until after 9:00 am. The departure time is determined by the arrival time, to complete a full eight (8) hour day.

*FLSA covered employees will only be allowed to participate in the 4-10 and 4-1/2-9 compressed schedule and the flex band schedule.

IV. REQUIREMENTS

A. Eligibility

Permanent, full-time classified and exempt service County employees are eligible to request participation in the Program. Employees may utilize the E-time entry system, i.e. punch, or the E-timesheet in order to participate. Generally, sworn public safety employees will not be eligible for the Program. Finally, the decision to allow an eligible employee to participate will be made by the employee's Appointing Authority or designee.

B. Application to Participate or Withdraw from the AWS Program

An employee desiring to either start or change an AWS will submit an application, via their proper chain of command, to their Appointing Authority at least four (4) weeks prior to the effective date. ("Effective date" means either the date participation will begin or the date any other requested change will become effective).

A request to withdraw from the AWS Program will be permitted at any time.

C. Consideration of Employee's AWS Request

1. The Appointing Authority, or designee, will provide a written response to the employee requesting an AWS schedule at least five (5) working days prior to the start of the effective pay period. The following criteria will be observed in approving the AWS requests:
 - a. Requesting employee's area(s) of responsibility;
 - b. Whether the office will be able to continue to meet its workload requirements. The amount and quality of work produced should not be reduced by granting the AWS request;
 - c. Supervisory availability and an appropriate combination of experienced employees with less experienced employees;
 - d. The need to coordinate functions among employees, supervisor(s), and other sections/divisions of the agency;
 - e. Services to other County agencies and the general public. Government

services will not be impaired by approving AWS requests:

- f. The need to ensure office coverage during normal business hours:
- g. Requesting employee's work history including performance deficiencies or discipline issues.

2. AWS Decision Options:

- a. Approve AWS Application without modification.
- b. Approve AWS application with modification. or
- c. Deny AWS application.

If the application is modified or denied, it is recommended that the reason for the denial/modification be documented and discussed with the employee. Moreover, an Appointing Authority may modify a prior decision regarding an AWS application should circumstances warrant.

D. Conflicting AWS Schedule Requests

If two (2) or more employees request the same alternative work schedule, and it is not possible to accommodate all the requests, the final decision should be based on factors including, but not necessarily limited to: (1) operational needs; (2) employee productivity; and (3) seniority.

V. HOURS WORKED IN EXCESS OF REGULAR WORKDAY

While participating in the AWS Program, the employee's regular work day may be extended to 10 and one-half (10.5) hours each day. Since employees under an AWS will not be required to work more than eighty (80) hours in a pay period, employees will not be eligible to receive overtime or compensatory leave simply by virtue of participating in the AWS Program. FLSA covered employees will not be allowed to participate in the 5-4/9 compressed schedule.

Employees in the AWS Program recognize that overtime must continue to be specifically ordered and approved by management. Appointing Authorities must ensure that the approval of AWS requests does not result in increased overtime/compensatory leave expenditures.

The current rules shall continue to apply regarding breaks. Employees cannot use allotted break time towards arriving late or leaving early.

VI. LEAVE CONSIDERATIONS

A. General

Implementation of this AWS Program will in no way change current leave rules except as otherwise provided for by this Procedure. As a general rule, the amount of leave to be charged will be equal to the difference between the number of hours the employee was scheduled to work on that day and the actual number of productive hours worked (if any).

For example, an employee participating in this Program may be scheduled to work 8:30 a.m. to 7 p.m. (This is a scheduled ten and one-half (10.5) hour work day that includes an unpaid thirty (30) minute lunch break). If the employee takes leave for four (4) hours, he/she will be recorded as working six (6) hours and taking four (4) hours of leave. If any employee takes leave for an entire workday, they are required to take leave for the number of hours they were required to work on the AWS schedule.

B. County Holidays

1. 4-10 Compressed Schedule:

Employees under a 4-10 schedule with a holiday during the week will receive on the holiday the amount of hours in holiday leave equivalent to the number of scheduled work hours for that day under an approved AWS. Employees will have the holiday off and the AWS leave day off.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	10.5 hours	10.5 hours	OFF	10.5 hours	10.5 hours
Week 2	Holiday (10 hours holiday leave)	10.5 hours	OFF	10.5 hours	10.5 hours

When the holiday falls on the scheduled AWS leave day, employees will receive ten (10) hours of holiday leave on the scheduled AWS leave day. Employees will receive an alternate day off. The alternate day off will be preapproved by the Appointing Authority and must occur during the same week.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	10.5 hours	10.5 hours	OFF	10.5 hours	10.5 hours
Week 2	OFF (Alternative day off)	10.5 hours	1 holiday (10 hours holiday leave)	10.5 hours	10.5 hours

2. 4-1/2-9 Compressed Schedule:

Employees under a 4-1/2-9 schedule with a holiday during the week will receive on the holiday the amount of hours in holiday leave equivalent to the number of scheduled work hours for that day under an approved AWS.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	9.5	9.5	9.5	9.5	4.5
Week 2	1 holiday (9 hours holiday leave)	9.5	9.5	9.5	4.5

When the holiday falls on a scheduled four and one-half (4.5) hour day, an alternate day will become the scheduled four and one-half (4.5) hour day. The previously scheduled four and one-half (4.5) hour day will become a nine and one-half (9.5) hour day. On the holiday, employees will receive nine (9) hours of holiday leave.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	9.5	9.5	9.5	9.5	4.5
Week 2	9.5	9.5	9.5	4.5 (new 4.5 scheduled day for this week due to Holiday)	Holiday (9 hours holiday leave)

3. 5-4/9 Compressed Schedule:

Employees under a 5-4/9 schedule will have the holiday as their required bi-weekly eight (8) hour day.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	9.5	9.5	9.5	9.5	9.5
Week 2	Holiday 8 hours holiday leave. This would have been the employee's 8.5 hour scheduled day)	9.5	9.5	9.5	OFF

Employees under a 5-4/9 schedule with a holiday on their AWS leave day will be provided an alternative AWS leave day, during the same week, preapproved by management. The alternative AWS leave day will constitute an eight (8) hour day.

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1	9.5	9.5	9.5	9.5	9.5
Week 2	9.5	OFF (AWS leave day alternative)	9.5	9.5	Holiday (8 Hours)

C. Administrative Leave Due to Closure

Unless otherwise directed, the following will apply:

- Administrative leave due to inclement weather or other emergency closings of the worksite will use Code 33 in Electronic Time System (ETS). Employees off the entire day will enter a transaction of Administrative Leave (Code 33) for the number of hours scheduled for that day. Employees on scheduled leave or AWS Leave Day will not receive Administrative Leave.
- Delayed openings for non-essential employees will require a transaction of Administrative Leave (Code 33) for the number of hours from the beginning of their scheduled workday until the County opens. Early Closings for non-essential employees will require a transaction (Code 33) for the remaining hours in the scheduled workday.

D. County Family Medical Leave ("FML")

Employees on intermittent FML will follow current leave rules and procedures. Employees will have approved schedules, and will be responsible for ensuring that FML and accrued leave are used to ensure daily work hour requirements. Employees on FML for continuous periods will not be eligible for participation in the AWS Program while on FML.

E. Training or Travel Status

An employee's work schedule will temporarily conform to the requirements of the activity. The employee should consult in advance with the Supervisor for

specific direction.

F. Tardiness

Tardiness of more than fifteen (15) minutes is to be charged in even increments of one-quarter hour of leave. If an employee has accumulated Fair Labor Standards Act (FLSA) compensatory time, then the employee must use this time prior to using annual leave pursuant to CR-44-2014. The supervisor has discretion to allow make-up of tardiness during the payroll reporting period. Repetitive tardiness may result in revocation of the employee's AWS Program participation, in addition to any disciplinary action that may be implemented.

VII. TIME REPORTING

Electronic Time and Attendance Devices

Employees participating in the Program may utilize E-time entry, i.e. punch, or E-Timesheet. All employees will punch in and out on each workday or record their time in the E-Timesheet. There is no requirement for punching in and out for regular lunch periods.

ETS Coordinators will load the approved AWS for each participating employee into ETS.

VIII. GENERAL PRINCIPLES

A. Basic Work Requirement

The basic work requirement is the number of hours (excluding overtime or compensatory time earned) employees are required to work or otherwise account for approved leave, leave without pay, compensatory time used, excused absences, or holidays. AWS program participants will continue to have the same basic work requirement of eighty (80) hours within a bi-weekly pay period.

An employee's accurate work schedule should be reflected on his/her job description.

B. Modification, Suspension or Termination of AWS Program

If circumstances warrant, the AWS Program can be modified, suspended or terminated by the Chief Administrative Officer. In addition, each Appointing Authority is authorized to modify, suspend or terminate the approval of an AWS request as the circumstances warrant.

IX. REVOCATION OF AWS PRIVILEGES

In addition to disciplinary actions that may be imposed, participation in the AWS Program may be revoked if an employee violates or abuses the AWS Program. Violations and abuses include, but are not limited to:

- Engaging in breaks that exceed authorized time period without prior Supervisor approval;
- Failure to adhere to accurate time reporting;
- Frequent instances of unexcused tardiness or absences from work; and
- Participation in non-work related activity (excluding defined break periods) during scheduled work hours.

This procedure shall become effective upon its issuance.

November 3, 2016
Date

Nicholas A. Majetti
Nicholas A. Majetti
Chief Administrative Officer

ATTACHMENT:
ATTACHMENT A- Alternative Work Schedule Application

INDEXING:
Alternative Work Schedule (AWS)
Program
Definitions
Description
Requirements
Hours Worked in Excess
Leave Considerations
Time Reporting
General Principles
Revocation of AWS

November 3, 2016

ATTACHMENT A: Alternative Work Schedule Application

Employee Name: _____ Position: _____

I have read and understand the Prince Georges County AWS Program Procedure. I request to participate in the AWS Program.

➤ **Current Daily Work Schedule:**

- Arrival Time: _____ Departure Time: _____

➤ **Requested Effective Date:**

➤ **Union Employee:** Yes ☐ No (If "Yes", specify which Union: _____)

- 4-10 Compressed Schedule
- 4-9 Compressed Schedule
- 5-4/9 Compressed Schedule
- Flex Band Schedule

AWS Leave Day & Weekly Schedule:

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1					
Week 2					

**The above bi-weekly schedule will repeat during the duration of the AWS Program unless otherwise specified.

Employee Signature and Date

Division Manager Signature and Date

****FOR MANAGEMENT USE ONLY****

Approved Without Modification

Approved With Modification listed below

Denied

Comments:

Appointing Authority (or designee)

cc: Employee
Supervisor
ETS Coordinator