

## NIH POLICY MANUAL

### 2300-610-4 - ALTERNATIVE WORK SCHEDULES

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1. **Explanation of Material Transmitted:** This chapter describes flexible and compressed work schedules, jointly referred to as "Alternative Work Schedules" or "AWS".

2. **Filing Instructions:**

**Remove:** NIH Manual 2300-610-4 dated 9/24/93, as amended on 3/15/94, 9/06/94, and 2/9/96

**Insert:** NIH Manual 2300-610-4 dated 6/30/98

**PLEASE NOTE:** For information on:

- Content of this chapter, contact the issuing office listed above.
- NIH Manual System, contact the Division of Management Services, OMA on 496-2832, or enter this URL: <http://www3.od.nih.gov/oma/manualchapters>.

**A. Policy:**

1. All Alternative Work Schedules (AWS) at the NIH are established under the authority of Title 5 U.S. Code, Sections 6122 - 6128. Each Institute and Center (IC) is encouraged to consider the implementation and continuance of AWS programs when they do not result in diminished levels of service, reductions in productivity, or substantial increases in operating costs other than reasonable administrative costs of establishing the programs. Implementation of AWS is a matter of management and supervisory discretion. Participation in AWS is an employment benefit, not an entitlement.
2. Employees who require closer supervision than is generally available, do not adhere to AWS procedures, or develop performance or conduct problems should be precluded from participating.
3. Employee participation in AWS must be free from coercion.
4. Alternative Work Schedules provide an option to the standard 8:30 am to 5 pm,

Monday through Friday workweek and authority to implement AWS has been given to ICs. There are two components of AWS - Flexible Work Schedules and Compressed Work Schedules. Flexible Work Schedules include Flexitour, Gliding Schedule, Variable Day Schedule, Variable Week Schedule and Maxiflex. Compressed Work Schedules include 5/4-9, 4-10, and 3-13 schedules.

5. If the mission of the work unit and the objectives for establishing AWS can not be accommodated by any of the models mentioned in "d" above, new models of Flexible or Compressed Work Schedules may be approved by the IC approving official (see NIH Delegations of Authority), after technical review by the IC AWS Coordinator and HR Office. For information purposes, copies of new models should be submitted to the Director of Human Resources through the Human Resource Program Support Division.
6. NIH's standard operating hours are 8:30 am to 5 pm, Monday through Friday. Flexible hours may be established at IC discretion for non-core time provided they occur between 6 am and 6pm. Generally official core times for Flexible Work Schedules are 9:30 am to 11 am and 1:30 pm to 3:30 pm. In appropriate circumstances, ICs may approve exceptions to this policy on a case-by-case basis. ICs also may establish longer core times if there are programmatic reasons for doing so. ICs may allow an employee to be absent during core hours and to make up those hours during the flexible hours.
7. At the discretion of the IC, Flexible Work Schedules may include a provision for participants to earn and use credit hours. Credit hours may be earned and used in 1/4 hour increments, but may not be used before they are earned. Credit hours may also be earned while on travel (but not for the purpose of traveling to and from the destination), and on non-workdays for time worked in excess of the employee's scheduled tour of duty. However, credit hours may not be substituted for periods of time when the employee is entitled to overtime pay or compensatory time. Compressed Work Schedules do not allow participants to earn and use credit hours.
8. Under a Compressed Work Schedule, if the supervisor determines that the employee must work on his/her scheduled day off, the employee may be paid overtime or granted compensatory time, as appropriate, for the hours worked in excess of the Compressed Work Schedule, or may be directed by the supervisor to temporarily change his/her day off to another day in the pay period. An employee may also request a temporary change in his/her scheduled day off, and that day may be changed or traded for another workday during the same pay period with the advance approval of the supervisor.
9. Under a Compressed Work Schedule, ICs may determine a day or days of the pay period which are inappropriate for scheduled days off. For example, if staff meetings are regularly convened on Tuesdays, employees may be prohibited from scheduling Tuesday as their day off.

10. When not present during periods when employees are on AWS, supervisors must ensure proper control of work operations by designating a senior employee to oversee operations or by some other method to ensure that employees in the work unit comply with the established schedules. No additional compensation is provided the non-supervisory senior employee.
11. Employees attending training sessions must adjust their schedule to conform with the hours of the training course. If the hours of training are less than the employee's daily tour of duty, after considering the number of days involved, the hours of training per day, the location at which the training is being held, and any other pertinent factors, the supervisor may: (1) require the employee to report to the regular worksite prior to and/or after training in order to make up the difference between the tour of duty and the length of the training; (2) grant up to one hour per day of excused absence for the difference between his/her tour of duty and the number of hours of training (minus any commuting time between the training and worksite); or (3) require the employee to revert to a standard tour of duty for the pay period(s) during which the training occurs.
12. Absences necessitated by administrative situations, e.g., absences relating to failure of building services, emergency situations, or hazardous weather, will be handled in accordance with HHS Instruction 610-3, "Temporary Closing of Workplaces and Treatment of Absences," and guidance issued by the OPM.
13. When an employee is assigned to a temporary duty station using another work schedule which is incompatible with the alternative work schedule followed by the employee in his/her regular work unit, the gaining organization may require the employee to follow its work schedule; or in cases where the employee is working a compressed schedule the gaining organization may require the employee to return to his/her regular worksite in order to make up the difference, or grant the employee excused absence for the difference between his/her tour of duty and the number of hours it is possible for him/her to work at the temporary worksite.
14. The tour of duty of each employee in the work unit with an approved AWS must be documented by the IC and provided in writing to each employee's timekeeper. An accurate account of the varied working hours of AWS participants must also be maintained by the IC showing the number of hours of duty, attendance, and nature and length of absences (see OPM's Handbook on Alternative Work Schedules).
15. An IC evaluation should be conducted during or immediately after the first year of implementation of AWS and at least once every five years thereafter. ICs are responsible for providing data on productivity, service to the public, and operating costs to the Director of Human Resources upon request.

## **B. Management Controls:**

The purpose of this manual issuance is to provide guidance regarding the development

and implementation of Alternative Work Schedules, and ensure that they are conducted in full accordance with statutory, regulatory, and policy requirements.

1. The Office responsible for reviewing management controls relative to this Chapter is the Office of Human Resource Management (OHRM), Office of the Director, NIH. Through this issuance, the OHRM is accountable for the method used to ensure that management controls are implemented and working.
2. Frequency of Review: The OHRM will periodically review the manner in which alternative work schedule authorities are being utilized.
3. Method of Review: OHRM will periodically call upon the ICs to evaluate their alternative work schedule programs. ICs should obtain feedback on the use, effectiveness of, and satisfaction with alternate work schedules through focus groups, surveys, or other appropriate methods, and report back to OHRM. OHRM will consolidate IC review reports for dissemination to executive management.
4. Review reports are sent to the Deputy Director for Management, NIH.

### **C. Records Retention and Disposal:**

All records (e-mail and non-e-mail) pertaining to this chapter must be retained and disposed of under the authority of NIH Manual [1743](#), "Keeping and Destroying Records, Appendix 1, NIH Records Control Schedule" Item 1100-M-1.

NIH e-mail messages (messages, including attachments that are created on NIH computer systems or transmitted over NIH networks) that are evidence of the activities of the agency or have informational value are considered Federal records. These records must be maintained in accordance with current NIH Records Management guidelines. If necessary, back up file capability should be created for this purpose. Contact your IC Records Officer for additional information.

All e-mail messages are considered Government property, and, if requested for a legitimate Government purpose, must be provided to the requester. Employees' supervisors, NIH staff conducting official reviews or investigations, and the Office of the Inspector General may request access to or copies of the e-mail messages. E-mail messages must also be provided to Congressional oversight committees if requested and are subject to Freedom of Information Act requests. Since most e-mail systems have back-up files that are retained for significant periods of time, e-mail messages and attachments are likely to be retrievable from a back-up file after they have been deleted from an individual's computer. The back-up files are subject to the same requests as the original messages.

### **D. References:**

1. 5 U.S.C., 6122 - 6128
2. Title 5, Code of Federal Regulations, Part 610, Subpart D

3. OPM Handbook on Alternative Work Schedules (available on the Internet at <http://www.opm.gov/oca/aws/index.htm>)
4. HHS Instruction 610-1, "Establishing and Administering Work Hours, Work Weeks, and Work Schedules"
5. HHS Instruction 610-3, "Temporary Closing of Workplaces and Treatment of Absences"
6. NIH [Delegations of Authority](#)

### [AWS-FWP Coordinators](#)

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