



Langley Procedural Requirements

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Subject: Hours of Duty and Work Schedules

Responsible Office: Langley Human Capital Office

CONTENTS

PREFACE2

 P.1 PURPOSE2

 P.2 APPLICABILITY2

 P.3 AUTHORITY2

 P.4 APPLICABLE DOCUMENTS and FORMS2

 P.5 MEASUREMENT/VERIFICATION2

 P.6 CANCELLATION2

CHAPTER 1. Responsibilities3

CHAPTER 2. Hours of Duty & Work Schedules4

 2.1. Lunch Periods4

 2.2. Holidays4

 2.3. Work Schedules4

 2.4. Standard or Fixed Basic Work Requirement4

 2.5. Maxi-Flex Basic Work Requirement4

 2.6. Part-time Work Requirement5

 2.7. Shift Operations5

 2.8. Credit Hours6

CHAPTER 3. Administrative Dismissal/Closure8

APPENDIX A. Acronyms13

CHAPTER 1. Responsibilities

1.1. The Center Director shall:

- a. Communicate the basic work week requirement.
- b. Establish the hours of duty within the basic work week.
- c. The Center Director may delegate the authority to decide administrative or emergency dismissal, delayed opening, or closing of the Center for periods not to exceed 2 days. The Center Director retains the authority to decide closings from 3 to 5 days in duration.

1.2. Supervisors shall:

- a. Determine and inform employees of appropriate workschedules.
- b. Inform employees of changes in work week or work schedules prior to the beginning of the administrative work week in which the change occurs.
- c. Approve the temporary assignment of an employee or group to a nonstandard shift or work week for more than 1 biweekly pay period for work-related reasons.
- d. Approve changes in hours of duty as necessary.
- e. Ensure employees work within the work schedule, attendance is properly recorded, and timesheets are approved by the end of each pay period or date/time established by Office of Chief Financial Officer (OCFO) for early certification.
- f. Have authority to require employees to be on duty as needed on an individual basis.
- g. Have authority to rescind Maxi-Flex when deemed appropriate.

1.3. Employees shall:

- a. Ensure timesheet is completed accurately by the end of each pay period or as established by the supervisor or OCFO.
- b. Ensure that the basic work week requirements are met by scheduling work with supervisors during flexible time bands (if applicable), Monday through Friday.

CHAPTER 2. Hours of Duty & Work Schedules

2.1. Lunch Periods

Daily tours of duty more than 6 hours will include a 30-minute non-paid duty-free lunch period. The lunch period should be scheduled or taken near the midpoint of the employee's workday.

2.2. Holidays

When a holiday falls on Saturday, the preceding Friday is considered the holiday. When a holiday falls on Sunday, the following Monday is considered the holiday.

2.3. Work Schedules

References in the following section set forth the purpose, definitions, responsibilities, and general provisions for the utilization of the Standard and Maxi-Flex work schedules at Langley. Variations (e.g., a First Forty work schedule) to the above referenced work schedules may be permitted on a case-by-case basis.

2.3.1. General Provisions. Employees in LaRC bargaining units, who are on standard or nonstandard tours of duty, will be governed by existing contract provisions on hours of duty, shift work, and premium pay.

2.4. Standard or Fixed Basic Work Requirement

2.4.1. The Standard or Fixed Schedule consists of a basic work week normally scheduled on 5 days, Monday through Friday.

2.4.2. The hours of work operating under a standard, fixed work schedule should begin no earlier than 6:00 a.m. and end no later than 6:00 p.m., to prevent payment of night pay differential.

2.4.3. Work on a Holiday. When an employee is directed by his/her supervisor to perform productive and essential work (e.g., mission-critical work, emergency essential operation work, etc.) on an official holiday, hours of work should be entered as Holiday Worked (HW).

2.5. Maxi-Flex Basic Work Requirement

2.5.1. Center policy requires attendance during core hours, Monday through Friday. Supervisors may approve a request to be absent during core time, but such absence shall be made up by the employee during the pay period in which the absence occurred or by a charge to an appropriate leave category or credit hours.

- a. Core hours are 9 a.m. to 3 p.m., Monday through Friday, including an unpaid half-hour lunch period.
- b. Flexible time bands are 6-9 a.m. and 3-6 p.m., Monday through Friday.
- c. Work performed outside the flexible time bands requires supervisory approval.

2.5.2. The Maxi-Flex schedule consists of core hours on fewer than 10 workdays in the biweekly pay period. Employees may vary the number of hours worked on a given workday or the number of hours each week within criteria established by the Center, but must account for the basic work requirement, which is eighty (80) hours for the biweekly pay period for each full-time employee. Hours normally worked in a basic work week are a minimum of 30 and a maximum of 50, as long as the total number of hours worked in a pay period is 80. Supervisors may adjust work schedules to meet mission/project demands.

Example: *An employee works 80 hours in 8 workdays during the biweekly pay period as opposed to the normal 10 days. With supervisory approval, employees may schedule up to 2 days off per pay period without taking leave.*

2.5.3. Supervisors may approve exceptions to core hour requirements on a case-by-case basis.

Note: *Changes to core hour requirements that will exceed one pay period must be approved by the Director for the Organization.*

2.6. Part-time Work Requirement

Part-time employees who elect and are approved to participate in a flexible work schedule (Maxi-Flex) will have a biweekly basic work requirement of less than 80 hours. Employees may determine their own work schedule within the limits set by the supervisor.

2.7. Shift Operations

2.7.1. When feasible to apply the Maxi-Flex schedule to shift operations, the following guidelines will be used in setting core time and flexible time bands:

- a. Supervisors shall determine the hours of operation needed for additional shifts.
- b. Once shift hours are determined, supervisors shall identify the midpoint of the shift. The midpoint will be used to establish the starting and ending time of the Maxi-Flex Schedule time band. Flexible time bands of approximately 3 hours duration will be set at the beginning and end of the flexible time band.

2.8. Credit Hours

2.8.1. Credit hours are hours of work more than the 80-hour basic work requirement which the employee elects to work so as to vary the length of a workday. Credit hours should be worked in accordance with the Center's flexible time bands (i.e., 6-9 a.m. and 3-6 p.m., Monday through Friday); however, supervisors may authorize employees to work outside of the flexible time bands on a case-by-case basis.

2.8.2. Credit hours are non-overtime work for which the employee receives no additional pay and are credited to the employee's "account."

2.8.3. Accrual of all credit hours shall be subject to supervisory approval.

2.8.4. Use of credit hours shall be subject to supervisory approval.

2.8.5. Full time employees may accumulate and carry forward from pay period to pay period a maximum of 24 credit hours.

2.8.5.1. Although time cannot be charged as WebTADS Code Credit Hours Used (CRU) against credit hours until such credit hours have been earned WebTADS Code Credit Hours Earned (CRE), supervisors may permit employees to work flexible hours (part of the basic work requirement) during the pay period.

Example: *An employee works 35 hours on week one of the pay period and 45 hours on week two of the pay period. As long as the employee completes the 80-hour basic work requirement during the pay period, this can be done without any charge to leave.*

2.8.6. Credit hours are earned and may be used in 15-minute increments.

Note: Time spent in Absent Without Leave (AWOL) status or suspension status during a pay period will disallow an employee to earn credit hours that same pay period.

2.8.7. Although subject to supervisory approval and the limit on hours carried forward, there is no prescribed limit on how frequently credit hours may be accrued or used. However, safety regulations may limit the number of hours an employee may spend on a particular task or project.

2.8.8. Upon resignation, retirement, or transfer to another agency, employees will be paid for credit hours at their regular rate at the time of separation.

2.8.9. Senior Executive Service (SES) employees may not earn credit hours.

2.8.10. Credit hours shall not be earned for travel given that travel in connection with Government work is not voluntary in nature. Travel hours do 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 that the employee elects to work so as to vary the length of a work week or workday.

Typically, credit hours may not be earned for travel since travel is always ordered by an agency. Travel hours are not hours that an employee elects to work with supervisory approval. Under certain conditions, an agency may permit an employee to earn credit hours by performing productive and essential work while in a travel status. For example, while traveling, employees may use a laptop computer to write speeches and draft or edit reports and other correspondence. Since travel itself does not generally constitute hours of work, the work that is done must be approved and verified by a supervisor. All of the following conditions must be met for an employee to earn credit hours while in a travel status:

- a. The employee must be under a flexible work schedule;
- b. The employee must perform work within designated hours when credit hours may be earned under the agency's flexible work schedule policy (see 5 U.S.C. §6122(a)(2));
- c. The employee must elect to perform the work voluntarily;
- d. The hours of work must be in excess of the basic work requirement for the employee;
- e. Travel must be scheduled during the regularly scheduled working hours for the employee to the maximum extent practicable (see 5 U.S.C. §6101(b)(2) and 5 C.F.R. 610.123); and
- f. If work is required during travel time outside the employee's basic work requirement, the employee shall be compensated by payment of overtime pay or travel comp time under the rules for granting or requiring compensatory time off.

2.8.11. If an employee's absence occurs before meeting the basic work requirement, leave may be requested for the absence as long as the leave charge does not cause the employee to exceed the basic work requirement. With supervisory approval, the employee may elect to work beyond the basic work requirement and request that the excess time worked be used to reduce the leave charged for his or her absence or to earn credit hours.

Example: To earn credit hours and with supervisory approval, an employee completes 82 hours of work by the close of business on the second Thursday of the pay period. Then the employee is absent on Friday (with supervisory approval); no leave will be charged for Friday's absence. The employee met the 80-hour work requirement and will earn 2 hours of credit hours.

2.8.12. No leave of any kind may be used solely to generate an entitlement to credit hours.

Example: *An employee has 74 hours on the second Thursday of the pay period. The employee requests 8 hours of sick leave on Friday. The employee needs only 6 hours to complete the 80-hour work requirement. The employee will be charged for only 6 hours of sick leave and will not earn 2 credit hours.*

Note: The distinction between credit hours and overtime hours (hours in which employees are entitled to Premium Pay) is that overtime hours are all hours in excess of 8 hours in a day or 40 hours in a week that are *officially ordered and approved* in advance by the supervisor. See 5 U.S.C. §6121(6).

CHAPTER 3. Administrative Dismissal/Closure

3.1. The authority in this section shall be used only to the extent warranted for short periods of time, generally not exceeding 3 consecutive workdays in a single period of excused absence.

Note: *References in this section provide uniform and equitable standards for excusing Center employees in emergency situations or for managerial reasons.*

3.2. Reasons for Administrative or Emergency Closing, dismissal, or delayed opening. The Center may officially close, dismiss, or delay opening for reasons such as:

- a. Public emergencies. Federal, state, or local authorities may declare an emergency in which the health or safety of employees may be endangered by remaining at or commuting to or from the duty station.
- b. Managerial reasons. Designated Center officials may excuse Center employees from duty when closing of an office or cessation of operation is required for short periods for such managerial reasons as building maintenance work or breakdown of essential building services or facilities.
- c. Extreme temperatures. Designated Center officials may excuse Center employees from duty in extreme situations where, due to a temporary disruption of air cooling or heating systems, unusual levels of temperature prevent the continuance on duty without an adverse effect on health, and conditions are such to prevent employees from working.
- d. Hazardous Weather Conditions. Designated Center officials may excuse Center employees from duty in hazardous weather conditions, where, due to extraordinary weather conditions, the safety of employees may be endangered by remaining at or commuting to or from the Center.

3.3. Leave Charges for Administrative or Emergency Closing, Dismissal, or Delayed Opening. A charge to leave as discussed below includes charges to annual or sick leave, if appropriate, to earned compensatory time, to earned credit hours, to earned travel compensatory time, or to leave without pay. A charge to leave depends upon the employee's duty status at the time an emergency occurs.

- a. Telework. Employees and Supervisors should refer to NPR 3600.2, Chapter 9, for specifics on telework during an administrative closing, dismissal, or delayed opening. Employees who notify their supervisors of their intention to perform scheduled or unscheduled telework on a day of an announced Center-wide early dismissal or Center-wide delayed opening, are expected to work the entire workday through telework, non-administrative leave or a combination of the two.
- b. Center Status. When emergency situations develop making it difficult or hazardous for employees to commute to or from work on time, the Center Director or a delegated authority may direct the Center to open as usual, delay opening, or close by administrative order according to established procedures.
 - 1) Center Delayed Opening. Most Center employees are on a Maxi-Flex work schedule; therefore, when the Center has announced a delayed opening an employee's usual or predominant pattern of arrival time is normally used as a reference in determining the amount of excused absence to be granted.

Example: *The Center opens at 10 a.m., and employees are credited with the following excused absence: Maxi-Flex employees who normally arrive for work at 6:30 a.m. may receive credit for up to 3.5 hours of excused absence, Maxi-Flex employees who normally arrive for work at 7:30 a.m. may receive credit for up to 2.5 hours of excused absence, Maxi-Flex employees who normally arrive for work at 8:30 a.m. may receive credit for up to 1.5 hours of excused absence, etc.*

- (a) Employees reporting later than the designated opening time should be charged leave for the excess time of absence, i.e., an employee reporting at 11 a.m. under the example above would be charged 1 hour of leave or with supervisory approval agree to makeup the time during the basic work requirement. For those employees with no discernible pattern of arrival and departure times, excused absence is granted based upon an average computed from the previous two weeks' arrival and departure times.
- (b) When a liberal leave (unscheduled leave) policy is in effect, Maxi-Flex employees who do not report for work will be charged leave from an available leave account for the normal or average number of hours usually worked unless fewer hours are needed to complete the 80-hour work requirement.

- (c) The 8-hour workday is used in determining the amount of excused absence in emergency situations for employees on the standard, 8-hour workday schedules.
 - (d) Employees on pre-approved leave approved prior to the announcement of the delayed opening will be charged the amount of leave requested for that day.
 - (e) Employees who intend to take leave are responsible for providing timely notification to their supervisors.
- 2) Center Early Dismissal. Most Center employees are on a Maxi-Flex work schedule; therefore, when the Center closes early, an employee's usual or predominant pattern of departure time is normally used as a reference in determining the amount of excused absence to be granted. The 8-hour workday is used in determining the amount of excused absence in emergency situations for employees on the standard, 8-hour workday schedules.
- (a) An employee who leaves work before an early departure policy is announced will be charged annual leave or other appropriate leave for the remainder of their workday and will not be granted excused absence.
 - (b) An employee who leaves work before his or her designated early departure time, will be charged annual leave or other appropriate leave for the remainder of the workday and will not be granted excused absence. Supervisors have the right to approve earlier departure times for employees on a case-by-case basis.
 - (c) An employee on pre-approved leave for the entire workday will be charged annual leave or other appropriate leave for the entire workday.
 - (d) An employee who is on official travel during normal working hours when the Center dismisses its employees early is not entitled to additional pay or paid time off (e.g., compensatory time off or credit hours).
 - (e) If an employee is on official travel during normal working hours when a dismissal is announced at a temporary duty location, the employee is expected to follow the instruction at that location (i.e., employee travels to Glenn Research Center and a weather advisory has been issued requiring the location to close early). The supervisor of the employee on travel is responsible for determining whether the employee is required to continue working or will be granted excused absence under these circumstances.
 - (f) If an employee is on pre-approved leave and scheduled to return from leave after an early departure policy is announced, the employee will be charged leave for the period prior to the employee's early departure time and granted excused absence for the remainder of the workday following the employee's early departure time. If an employee has pre-approved leave commencing after the Center dismissal (e.g., for a medical appointment), the employee may be granted excused absence (e.g., for a medical appointment).

Example: *The Center announces it will be closing at 12-p.m. An employee, prior to the announcement of the closure, was approved to be on leave for a medical appointment from 10 a.m. to 2 p.m. and return from the appointment at 2 p.m. to finish his/her workday. The employee will take leave from 10 a.m. to 2 p.m. and receive excused leave for the remainder of his/her workday.*

- 3) Center Closure. Workdays on which the Center is closed are non-workdays for leave purposes. Employees scheduled to work on those days will be excused without charge to leave or loss of pay. Employees on pre-approved leave during designated non-workdays due to an administrative closure will remain on personal leave (e.g., sick leave for illness or previously requested annual leave). Given the employee was scheduled to be on leave, the Center closure does not prevent the employee from working and there is no expectation for the employee to work.
- (a) Maxi-Flex employees will be granted excused leave for the normal or average number of hours usually worked unless fewer hours are needed to complete the 80-hour work requirement.
 - (b) Employees on a standard work schedule will be granted 8 hours of excused leave.
 - (c) If an employee is on official travel on a workday when the Center is closed, the employee is expected to continue working. However, if the emergency procedures of the Center make it impossible for the employee to continue work – i.e., the travel assignment requires frequent contact with the Center – excused absence may be appropriate. The supervisor of the employee on travel is responsible for determining whether the employee is required to continue working or will be granted excused absence under these circumstances.
 - (d) If an employee is on official travel on a workday when the temporary duty location announces a closure, the employee is expected to follow the instruction at that location Center is closed (i.e., employee travels to Johnson Space Center and a flood warning has been issued requiring the location to be closed for several days). The supervisor of the employee on travel is responsible for determining whether the employee is required to continue working or will be granted excused absence under these circumstances.
 - (e) An employee on leave without pay, leave without pay for military duty, workers' compensation, suspension, or in another non-pay status does not receive excused absence when the Center is operating under emergency procedures. These employees should remain in their current status. An employee in a non-pay status has no expectation of working and receiving pay for a day during which the Center is closed and is therefore not entitled to be paid for his or her absence.

- c. Employee Efforts to Get to Work. Supervisors may excuse tardiness without charge to leave for a period less than one hour when it can be determined that the employee made every reasonable effort to get to work on time. In reviewing an employee's request for excused absence instead of a charge to leave on the basis that the employee made every reasonable effort to get to work on time or at all, the supervisor will consider the following:
- (1) Distance between the employee's residence and place of work;
 - (2) Modes of transportation available;
 - (3) Efforts made by the employee to get to work;
 - (4) Success of other employees traveling under similar circumstances.
- d. Impact of Excused Absence on Maxi-Flex Employees. Employees who have fulfilled the basic work requirement of 80 hours may not be granted credit hours or overtime (including compensatory time) on the same day as excused absence if the excused absence causes them to exceed the basic work requirement. (Employees must WORK in excess of the basic work requirement in order to be eligible for credit hours. See Section 2.8.11).

Example: *An employee has already worked 80 hours REG prior to a day of an early dismissal. The Center closes early, and an employee has already worked 4 hours; the employee can still earn 4 credit hours but will not be entitled to XLV due to the closure.*

Employees working Maxi-Flex who fulfill their 80-hour basic work requirement in less than 10 working days are already entitled to a Maxi-Flex regular day off. If the Center is closed on the employees' Maxi-Flex regular day off, the employees are not entitled to an additional "in lieu of" day off.

Example: *An employee works and fulfills the basic work week requirements on the second Thursday of the pay period. A Center closure is announced the next day. The employee cannot be excused from duty on a non-workday; additionally, the employee may not be granted excused absence for the scheduled non-workday.*

APPENDIX A. Acronyms

AWOL	Absent without Leave
CFR	Code of Federal Regulations
CRE	Credit Hours Earned
CRU	Credit Hours Used
NASA	National Aeronautics and Space Administration
NPR	NASA Procedural Requirement
OCFO	Office of Chief Financial Officer
REG	Regular Attendance Code
USC	United States Code
WebTADS	Web-based Time and Attendance Distribution System
XLV	Excused Absence