

**TITLE II
ADMINISTRATIVE REGULATIONS**

CHAPTER 9 ALTERNATE WORK SCHEDULE

9.01 Program

The Town recognizes employees are most productive when they are able to successfully achieve a balance in their personal and professional lives and that one way to achieve this is to promote a program of flexible or alternate work scheduling. A flexible or alternate work schedule program has been developed to promote such productivity. Dependent upon the needs of the Town and the employee, employees may be permitted to work an alternate schedule.

9.02 Purpose

- A. To develop work schedules, which will promote work production, and in turn, benefit the Town as a whole.
- B. To allow the employee to balance work and personal pursuits, including education, recreational interest, and family time.
- C. To receive the merits of the Program. Such merits have been identified as increased cooperation and efficiency, better morale, decreased overtime, decline in sick leave and tardiness, and higher performance levels.
- D. To extend customer service hours, where feasible. The administrative business hours of the Town will remain Monday through Friday, 8 a.m. to 5 p.m.
- E. To demonstrate the Town's participation in an ozone reduction program through elimination of traffic pollution.
- F. To make reasonable accommodations for an employee who or whose family member has a serious health condition. Serious health condition, as defined by the Family Medical Leave Act, means an illness, injury, impairment, or physical or mental condition involving inpatient care or continuing treatment by a health care provider.

9.03 Definitions

Alternate Work Schedule. Restructuring the traditional work schedules so employees can combine personal and work responsibility more flexibly. To make the most of employee's time, various options of work schedules in the Programs are offered. They include:

- A. Flextime, or
- B. Compressed Work Week, or
- C. Flexplace.

Band Width. For the purposes of this Program, the earliest time non-exempt employees may arrive; e.g., 7 a.m. and the latest time they may leave; e.g., 7 p.m., or as defined by the department.

Compressed Work Schedule. A flexible schedule where a full work week is completed in fewer than five days by increasing the number of hours worked per day; e.g., four-day work week at ten hours per day.

Core Hours. For the purposes of this Program, the hours in a work day when all staff are needed; e.g., 10 a.m. to 3 p.m. or as defined by the department, when meetings are likely to be scheduled, customer contact is heaviest, etc. Due to the nature of the Town's operations, the core hours may not apply to employees who work shifts.

Flexplace Work Schedule. Flexplace allows employees to work up to 90 days away from the conventional work site. The off-site work location shall have a designated workspace where work will be performed.

Flextime Work Schedule. Permits flexibility in arrival and departure times. The time or hours are selected by the supervisor and the employee to complete a full work week of 40 hours.

9.04 Authority

- A. The Town Manager shall have the authority to amend, modify or revoke the Program on an individual, division, department or Town-wide basis.
- B. The department head shall have the authority to approve or disapprove employee requests to participate in the Program on an individual, work unit, division or department basis.
- C. The department head shall have the authority to schedule and determine

which employees shall have which days off and to amend, modify or revoke that schedule as appropriate or necessary.

9.05 Participation

- A. Participation in the Program is entirely voluntary and is available to only those who are deemed eligible by the department head.
- B. An employee may not appeal or grieve the denial or revocation of a schedule or participation in the Program by a department head.
- C. An employee may terminate participation in this Program at any time.
- D. Management has the right to remove the employee from the Program if the employee's performance declines, if the Program fails to benefit the Town's needs or for policy violations.
- E. An opportunity to participate in the Program is offered only with the understanding that it is the responsibility of the employee to meet and adhere to all components and requirements, to include, but not limited to those listed herein.
 - 1. Employee understands that he is obligated to comply with all Town rules, policies, practices, instructions, which apply to his job and any other specified agreements.
 - 2. Employee agrees that all tasks, duties, obligations, responsibilities, and conditions of employment shall not be changed by reason of participation in the Program.
 - 3. Employee who participates shall continue to accrue leave benefits.

9.06 Participant Selection Criteria

- A. Any employee with an identified, documented performance problem shall not be selected to participate in the Program.
- B. The supervisor will assess each request on a case-by-case basis, and will consider the following factors to determine if the employee shall be selected to participate.
 - 1. If there is a need for adequate supervision of the employee.
 - 2. Positive or negative effects of the flexible work schedule on the

fulfillment of the employee's responsibilities.

3. Positive or negative effects on customer service.
4. Positive or negative effects on the remainder of the department, division or office.
5. Positive or negative effects when working with contractors or clients.
6. Additional costs or savings to be incurred or realized.
7. Employee must have completed six months of employment with the Town and be a full-time employee.
8. The ability of the employee to work independently and effectively with little or minimal supervision.
9. The employee's need for flexibility in work scheduling.
10. Consideration of the employee's performance indicators; within the last year, including, but not limited to, punctuality, attendance and quality and quantity of work performed.
11. Consideration of the impact on the office, counter assistance, telephone coverage, attendance at meetings, work load, Town Council, board and commission deadlines, project deadlines and any other factors that contribute to the Town's goal of providing the highest level of customer service will be considered.
12. Consideration of other relevant factors that may affect the effective and efficient operation of the Town, i.e., knowledge requirements, contact requirements, reference material requirements, travel requirements, and information security requirements.

9.07 Request to Participate

- A. Short Term: When an employee wants to participate in the Program on a short term basis, not more than two weeks and within a pay period, a request to participate is made as follows:
 1. Submit a written request in the form of a memorandum to your immediate supervisor within one work day of the date your request is to be effective.
 2. The immediate supervisor shall submit a written response approving

or denying the request.

- B. Long Term: The employee who desires to participate in the Program on a long term basis, a minimum of two weeks up to a maximum of 90 days, shall submit a written request according to the following guidelines:
 - 1. The employee shall submit the Request for Alternate Work Schedule form to the department head within 15 days of the effective date to change the work schedule. If a 15 day advance written request is not feasible due to an unforeseen medical or other emergency, the employee's request may still be considered for approval or denial by the department head upon evaluation of the factors surrounding the request.
 - 2. The department head shall provide a written approval or denial to the employee's request within 10 days of receipt of the completed Request For Alternate Work Schedule form.
 - 3. To continue for up to another 90 days, the employee shall submit another Request for Alternative Work Schedule form.
 - 4. All eligible employees may be allowed the opportunity to participate in the Program on a rotational basis with other eligible employees every 90 days.
- C. The Alternate Work Schedule Program is a management tool--not an employee benefit or right.
- D. Denial of participation in the Program is not appealable or grievable.

9.08 Work Tasks

- A. The employee shall meet with the supervisor to receive assignments and to review completed work as necessary or appropriate.
- B. The employee shall complete all assigned work according to work procedures mutually agreed upon by the employee and the supervisor.
- C. The employee's job performance will be evaluated on criteria determined by the supervisor.

9.09 Compressed Work Schedule

A compressed work week schedule allows the employee to work additional hours
(Revised 03/20/06)

each day in exchange for one day off. The employee shall complete a full work week of 40 hours.

- A. The employee shall work the Core Hours of 10 a.m. to 3 p.m., or as defined by the department.
- B. Compressed work schedules may have periodic adjustments, as needed, to achieve an optimal schedule suiting both the employee and the Town.
- C. The Band Width or earliest time an employee may arrive is 7 a.m. and the latest time he may leave is 7 p.m., or as defined by the department.

9.10 Flextime Work Schedule

A flextime work schedule permits flexibility in arrival and departure times. The work hours are selected by the supervisor and the employee to complete a full work week of 40 hours.

- A. A flextime work schedule can be arranged in various ways to accommodate a work unit, division or department. When the department head establishes an alternate work schedule, A Request for Alternate Work Schedule form is not required.
- B. In lieu of receiving overtime pay in a work week, when a non-exempt employee physically works in excess of 8 hours a day, he may use those hours in excess of eight, and flex his work hours for the remainder of that work week (e.g., An employee works 10 hours on Monday, then uses the two hours worked in excess of the eight toward his workday on Tuesday to take off two hours.).

The following provisions apply in such cases:

- 1. When flexing hours in a work week, no Request for Alternate Work Schedule form is required. Prior supervisory approval is required.
- 2. In one-hour increments, up to eight hours per day may be accumulated as “credit” hours and subsequently used as time off in a work week.
- 3. Non-exempt employees shall flex hours within one work week. Hours can not be carried over from one work week to the next.

9.11 Flexplace

(Revised 03/20/06)

Flexplace allows employees to work up to 90 days away from the conventional work site.

- A. Jobs that require an employee to perform a hands-on service for others are not adaptable to Flexplace.
- B. To participate at a Flexplace or off-site location, the duties and responsibilities of an employee's job must be evaluated to determine if the tasks or assignments can be adequately performed off-site.
- C. It is the department head's responsibility to determine whether job tasks or duties may be performed at an off-site location and whether the goals of the department will still be achieved without causing a hardship to the remaining employees in the office.
- D. Within a reasonable notice, a Town representative may make on-site visits to remote off-site work locations to determine that the work area is safe and free from hazardous conditions or the physical condition or circumstance which allow an accident to occur.
- E. Employee agrees to incur all expenses related to the establishment and use of designated work space in his off-site work location.
- F. A proper work environment is maintained (e.g., dependent care arrangements are made so as not to interfere with the work, personal disruptions such as non-business telephone calls and visitors are kept to a minimum, etc.).
- G. If the off-site location is the employee's residence, the employee and his family should understand that the home office is just that, a space set aside for the employee to work. Family responsibilities shall not interfere (to the extent they are controllable) with the work time at home.
- H. In addition to the factors listed in §9.06, the following factors will be considered to determine if an employee may participate in the Flexplace Program:
 - 1. The employee must have demonstrated self-starter characteristics-- can function independently and has demonstrated dependability;
 - 2. The employee is highly motivated;
 - 3. The employee can deal with isolation;
 - 4. The employee has demonstrated establishing priorities and

- managing his own time;
5. The employee has a history of reliable and responsible discharge of work duties;
 6. The employee has the trust of his supervisor;
 7. The employee must satisfy adequate designated work station requirements--including necessary equipment, privacy and lack of interruptions;
 8. Security of Town information in the off-site workplace must be assured;
 9. Performance of officially assigned duties must be performed only at the off-site work location; and
 10. At a minimum, an employee must be able to communicate easily by telephone with the supervisor during the work day at the off-site location.
- I. An employee should work their approved regular work schedule and keep a time log of hours worked.
 - J. Completely unstructured arrangements where employees work off-site at will are not permitted.
 - K. Absences from the off-site work location (e.g., visits on official business to attend meetings) must be coordinated with the supervisor at the earliest time practicable.

9.12 Exempt Employees

Exempt employees are expected to work whatever hours are necessary to accomplish required duties, tasks, and responsibilities. This often requires in excess of eight hours per day. To provide for employees to be more productive and to successfully achieve a balance in their personal and professional lives, a flexible work schedule will be permitted. The ability to flex one's work schedule is dependent upon the employee's work load and the impact on the Town. The flexible work schedule opportunities do not affect the Exempt Leave benefit.

The exempt employee's alternate work schedule provisions are as follows:

- A. When an exempt employee physically works in excess of 8 hours a day, he may use those excess hours to flex his work hours within the same pay period. Hours may not carry over from one pay period to the next.
- B. No more than 8 consecutive hours shall be flexed in any given pay period.
- C. If additional leave is needed within a pay period, the employee shall use his accrued leave.
- D. Flex hours should not be recorded on time sheets, but must be authorized on a Request for Leave form with appropriate explanation of the leave.
- E. Such flextime work schedule changes shall be authorized in advance by the appropriate department head or immediate supervisor.

9.13 Confidential Matters and Security

Employee shall apply safeguards to protect Town records from unauthorized disclosure or damage and shall comply with the Privacy Act requirements set forth in the Privacy Act of 1974, P.L. 93-579, codified at section 552a Title 5 U.S.C.

9.14 Absences or Leaves

- A. When on the Flexplace work schedule and the employee is working at an off-site work location, and the main office closes due to an unforeseen reason, normally the employee will continue working at the off-site work location. However, if the employee's electricity fails or any situation which precludes the employee from working his regular work while at the off-site work location, he shall report to his regular work-site or take appropriate leave time (vacation, compensatory, equivalent, etc.) for the remaining hours in his work period.

When an employee knows in advance of a situation that would preclude working at the off-site work location, he should report to his regular work-site or take appropriate accrued leave.

- B. If an employee has to take accrued leave time, he must comply with the provisions of the PARM. Leave can not be in excess of the approved time.

9.15 Overtime Provisions

- A. Overtime is not authorized when working on the Flexplace work schedule.
- B. Employees are required to utilize Town payroll record procedures to report hours worked at the off-site work location.
- C. Employees shall adhere to the overtime provisions as outlined in the PARM.

9.16 Workers' Compensation

- A. Off-site work locations at the designated work space are considered an extension of Town work space during Flexplace work hours only.
- B. In the case of an injury while performing duties within the scope of employment at the off-site work location, the employee shall adhere to the injury reporting guidelines outlined in the PARM.
- C. Workers' compensation liability shall only apply to the area in the employee's off-site work location, which is approved by the Town and used as the designated work space.

9.17 Equipment

(Revised 03/20/06)

- A. If the employee provides his own equipment, he is responsible for servicing and maintaining it.
- B. In the event of equipment malfunctions which precludes the employee from performing work assignments, the employee shall promptly notify his supervisor. In such case, an employee may be assigned to another assignment or work site.
- C. Supplies needed for the off-site work location shall be obtained through the normal supply procurement procedures of the Town.
- D. Town supplies, materials, etc. shall not be used for personal use.

9.18 Personal Property - Liabilities

- A. The Town shall not be liable for damages to an employee's personal or real property during the course of performance of official duties in the employee's off-site work location.
- B. The Town shall not be responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities) whatsoever, associated with the use of the employee's off-site work location.
- C. The employee does not relinquish any entitlement to reimbursement for prior authorized expenses incurred while conducting business for the Town.
- D. Employee shall be liable for injuries to third persons and/or members of employee's family on employee's premises or off-site work location.
- E. Employee agrees to indemnify and hold harmless the Town and its agents from and against any and all claims, demands for liability (including any related losses, costs, expenses, and attorneys' fees) resulting from or arising in connection with any injury to person (including death) or damage to property, caused directly or indirectly, by the services provided hereunder by employee or by the employee's willful misconduct or negligent acts or omissions in the performance of employee's duties and obligations under this Program, except where such claims, demand or liability arise solely from the gross negligence or willful misconduct of the Town.
- F. Individual tax implications related to the off-site work location shall be the responsibility of the employee. Employees are advised to consult a tax expert.

- G. Failure to comply with these provisions may result in loss of pay, termination in participating in the Program, and other appropriate disciplinary action up to and including termination.

The Town of Flower Mound Alternate Work Schedule regulation is hereby approved this _____ day of _____, 2001.

Van James, Town Manager

**REQUEST FOR
ALTERNATE WORK SCHEDULE**

This request is only required when participating in Flexplace or long term Alternate Work Schedule or Compressed Work Week. To allow for departmental scheduling changes, this form must be submitted at least 15 days prior to the effective date of the effective date for the work schedule change.

EMPLOYEE NAME: _____

JOB TITLE: _____ DEPARTMENT: _____

DATE OF HIRE: _____ DATE OF HIRE IN DEPARTMENT: _____

EMPLOYEE'S REQUEST

CURRENT SCHEDULE (Indicate your work days and hours): _____

ALTERNATE SCHEDULE REQUESTED (Indicate work days and hours requested):

FLEXPLACE (Identify off-site work location and designated work space at that location): _____

EXPLANATION (Explain need for alternate work schedule): _____

Employee certifies that he has read and understands the provisions of the Alternate Work Scheduling Program.

Employee's Signature: _____

DEPARTMENT HEAD'S RESPONSE

Give detailed reason(s) for denial. Use additional paper, if needed. Response must be submitted within 10 days of receipt. _____

Department Head's Signature: _____