

Union-Management Partnership Guidelines Regarding: The Alternative Work Schedule Revised on 10/17/2001

Note: This outline contains the changes mandated by the July 3, 2001 Contract Agreement

The following is an outline for the implementation of the Alternate Work Schedule (AWS) at the Houston Passport Agency.

1. PURPOSE

The Flexitour and other Alternate Work Schedule Plans are designed to provide advantages to both the Employer and the employees. The objectives of the Flexitour Plan and other Alternate Work Schedules (AWS), are to:

- a. Provide the public with expanded hours of service;
- b. Increase the hours for communication across time zones;
- c. Increase productivity;
- d. Help reduce short-term employee absences and tardiness;
- e. Improve employee morale by permitting employees to adjust their work hours to meet the needs of their personal lives;
- f. Improve recruiting and retention;
- g. Decrease traffic congestion and facilitate the use of alternative forms of transportation and thereby improve air quality;
- h. Reduce commuting time (by removing trips from peak hours); and
- i. Increase child care and ridesharing options.

Responsibility for the success of Flexitour and other Alternate Work Schedule Plans must be shared equally by the Employer and the employees.

2. PARTICIPATION

Participation in any Alternative Work Schedule (AWS) is voluntary and no employee may force another employee to join the plan. All full-time, permanent employees are eligible to apply to participate in the program provided they meet acceptable performance criteria as established under the agreement. Part-time and contract employees, Student and Summer Aides, are excluded from participating on the Compressed Work Schedule (CWS).

3. DEFINITION OF TERMS

1. **STANDARD WORKWEEK:** The standard workweek shall consist of forty (40) hours spread over a maximum of five (5) consecutive eight (8) hour days. The standard workweek will be the period for which an employee is paid his/her straight-time pay rate. The Employer will give the Union notification of any change in the hours of work, shifts or tours of duty affecting Unit employees in accordance with the procedure set forth in [Article 12](#) (Negotiations). The Union shall be given the opportunity to request negotiations as appropriate.

2. **TOURS OF DUTY:** If the Employer proposes to change the workweek from the regular Monday through Friday schedule (standard workweek), the Employer and the Union will meet and discuss the need for a nonstandard tour and negotiate

the new tours. The Employer will give notice to employees in advance of any change in tours of duty.

3. REST BREAK: Each employee is authorized one fifteen (15) minute rest break during each four (4) hours worked in the normal workday for that employee. Additionally, one fifteen (15) minute rest break is authorized within each four (4) hour period of overtime worked.

4. LUNCH PERIOD: Every employee shall be entitled to a forty-five (45) minute period of time for lunch, which normally will be scheduled between 11 a.m. and 2 p.m. In other than exceptional situations, the supervisor will not change the assigned lunch period. The employee shall be free to leave the work site during this period.

4. PROCEDURES

a) The compressed workweek shall consist of eight $9\frac{3}{4}$ hour days and one $8\frac{3}{4}$ hour day in a two week period. One day is set aside as a non-work day. Non-work days under the terms of the agreement are Monday through Thursday. Fridays are excluded from consideration as non-work days. The $\frac{3}{4}$ hour is the non-paid lunch period, per State Department policy.

b) The $9\frac{3}{4}$ hour workday shall begin at 7:15 am. The core hours at the Houston Passport Agency are 8:00 AM to 4:00 PM. Workdays must include the Agency's core hours. Therefore, those on the Alternative Work schedule will work from 7:15 am – 5:00 pm.

c) A compressed schedule participant may drop the compressed schedule effective the next full pay period by notifying their supervisor in writing.

* d) When an employee changes positions and moves to a new section of the Agency, he or she may remain in the compressed work schedule program. He or she must select an available slot as the non-work day from those designated by management of the new section.

e) The Employer may not terminate the Alternative Work Schedule without providing the Union notice and opportunity to negotiate. However, during emergencies (natural disasters, war, terrorism, breach of peace or civil disturbance), including a workload crises, the Employer may suspend an AWS for one pay period during any calendar year after providing notice to the Union and the employees. If Management then proposes to extend the suspension of an AWS for more than one pay period, it must notify the Union and provide an opportunity to negotiate as appropriate over the issue prior to the extension.

- f) When the Regional or Office Director determines that a Flexitour or other Alternative Work Schedule impacts, or would impact, adversely on Employer cost, productivity, efficiency and/or service to the public, the Regional or Office Director will propose an alternative plan, if practicable, after considering the views of the employees affected.
- g) Supervisors continue to be held responsible for the time, attendance and productivity of employees under their supervision. Employees participating in the programs are expected to maintain the productivity standards they achieved during regular hours of operation.
- h) The CWS agreement will be subject to an annual review by the Houston Passport agency employee-management council to determine what modifications if any are needed to the agreement.

5. Criteria for Modifications or Restrictions to the Compressed Schedule

- a) During a calendar year, an employee may request up to two actions regarding the compressed schedule during the Agency Open Season. Actions include: requesting to sign up for the compressed schedule or requesting to switch the “non-work day.” The request to be on the compressed schedule or change the non-work day must be made in writing to the supervisor and will take effect no earlier than the next full pay period. Open Season will be held every six months.
 - 1. Current participants in the compressed workweek have first pick of open slots according to seniority in Passport services.
 - 2. New participants pick from the remaining slots. (This is to protect people who have been participating in the compressed workweek from higher seniority employees pre-empting those employees and taking ‘prime’ slots without having previously participated in the program.)
 - 3. No employee can be forced from their slot, with the following exceptions: an employee who is in Leave Without Pay (LWOP) for more than 6 months will lose his or her day-off slot. During an Open Season all slots will be available and all participating employees will need to submit new requests. Employees can request the same day they previously held, however, slot assignments will be selected as follows when there are more requests than slots for a given day: Employees requesting a day they have not previously held will have priority. The second priority will be based on seniority within the agency. Final selections will be decided by the employee – management council.
 - 4. Management can limit the number of available slots on any given non-work day and the total number of slots available to program participants.

5. Modifications or restrictions of the use of Flexitour or other Alternate Work Schedules by employees shall be based on one or more of the following:
- (a) Operational considerations, including emergencies, related to the work situation only;
 - (b) Abuse of Flexitour or other Alternate Work Schedules, meaning misconduct of a serious nature during the scheduled work day that would be alleviated by the presence of a supervisor;
 - (c) Temporary suspension of the employee's participation in the Flexitour or other Alternate Work Schedules program for formal training;
 - (d) Requirement for close supervision for the initial training required to understand and perform the duties of the position;
 - (e) Requirement for close supervision of employees with serious deficiencies in the performance of their primary tasks over a period of at least one month, to the extent that the level of their performance would constitute grounds for an unsatisfactory performance rating. The intent here is that employees operating at this level would have the attention, to the extent practicable, of their regular or acting supervisors during times that the supervisors would not be available if the employees were participating in a Flexitour or other Alternate Work Schedule Plan.
 - (f) During emergencies see: Section 4. e)

6. Overtime during the week

- a) When management offers overtime during the week employees may extend their workday longer than 8 ³/₄ or 9 ³/₄ (compressed schedule) subject to approval by their supervisor.
- b) Employees wishing to work overtime during the week must work a minimum of 1/2 hour of continuous overtime on their overtime days, with additional time counted in 15 minute intervals.
- c) Employees may work overtime on their 'non-work days' on a schedule agreed to by their supervisor.

7. Holidays

See Article 26 from the contract.

8. Training Days

When an employee is scheduled for one day of training outside the Agency (a USDA course), he or she will switch the 8-hour day to the training day. If an employee is scheduled for 2, 3 or 4 days of training, one day is the 8-hour day and the other days are counted as 9-hours of administrative training days. (The employee does not have to report to duty at the Agency before attending training classes.) If the training is for a full week, the employee must drop the compressed schedule for the pay period and all training days are counted as administrative training days.