

# City of Redding

## Personnel Policies and Procedures Manual

Section: Hours and Overtime

Subject: Modified Work Schedule Policy

Personnel Director: *S. Demaagd*

Date: *1/8/18*

City Manager: *B. Johnson*

Date: *1-17-18*

City Council Resolution No. (if applicable) N/A

Effective Date: N/A

### PURPOSE

The purpose of the Modified Work Schedule Policy is to provide guidelines for the administration of modified work schedules for full time Regular employee positions.

### POLICY

The City may approve modified work schedules in order to meet the scheduling needs of the department. A modified work schedule is the generic term for flexible work schedules. It permits flexible work scheduled hours and workdays within limits set by the Department Director and approved by the City Manager or his/her designee. A modified work schedule is not a property right, benefit or entitlement. Modified schedules included in this policy are: compressed work weeks and flexed work shifts within the day.

The needs of the public and the City shall be given priority in any approval. Most forms of modified work schedule will be considered, providing the schedule complies with the following criteria:

- Office functions and activities are maintained and services are available to the public between normal operating hours.
- The modified work schedule shall not impede organizational efficiency or require overtime to maintain adequate work/office coverage.
- Administratively feasible.
- Does not adversely impact co-workers.
- Maintains supervisory control.
- Does not create fatigue or other safety risk.
- Creates no additional cost to the City.
- Meets the Fair Labor Standards Act (FLSA) and all other state and federal requirements.
- Allocated in a fair and equitable manner to employees within a department.

### MODIFIED WORK SCHEDULE

The purpose of the Modified Work Schedule Policy is to enable City employees the flexibility of working a modified schedule rather than the traditional work week (8 a.m. to 5 p.m. - 5 days per week).

Listed below are the most common options of modified work schedules. Pay periods are the City's two-week payroll cycles which begin on alternate Sundays. Because the most requested days off are Mondays and Fridays, departments may, at their discretion, choose to rotate days off between staff within specified periods, weeks, months, quarters, bi-annually or annually.

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### COMPRESSED WORK PERIODS

The traditional work period is 10/80 (ten days at 8-hours-per-day, five days per week). Work periods that are compressed into fewer than five days a week, or less than ten days in each two week period, are considered modified work schedules. The most common compressed work period formulas are 9/80 and 8/80:

- \* **9/80:** This plan distributes 80 hours over nine days in one payroll period: eight 9-hour-days and one 8-hour-day. FLSA requires that the 8-hour-day correspond to the employee's modified day off (e.g., every other Friday off; eight-hour-day on the alternate Friday.)
- \* **8/80:** This plan distributes 80 hours over eight days in one payroll period: four 10-hour-days of work each week.

The beginning of the work week may only be changed if the change is intended to be permanent and is not designed to avoid paying overtime. Once a different work week is established, it remains fixed regardless of the employee's work schedule.

### PROCEDURE FOR IMPLEMENTATION

1. Once approved by the City Manager or his/her designee, Department Directors may implement modified work schedules. The needs of the public and the City shall be given priority in any approval. A modified work schedule may be canceled at any time, for any reason. A modified work schedule shall not be considered a property right, benefit or entitlement. There is no right of grievance or appeal by an employee regarding issues of a modified work schedule. Department Directors will give employees at least two weeks notice, whenever possible, before making a permanent change to an approved modified work schedule. With mutual agreement, an employee and supervisor may agree to less notice.
2. If the modified work schedule is for a short period of time (1-3 weeks) and does not affect the FLSA work week (40 hours in one week, with no carryover) the Department Director may approve the request and the paperwork does not need to be sent to Personnel. If the schedule is long-term and crosses work weeks, it must be submitted to Personnel after the Department Director has approved it.
3. To make the approval process fair and equitable, employees are not required to give a reason for the modified work schedule request. By excluding this issue, the Department Director will not be in position of deciding if one employee's request is more significant than another's.
4. Enrollment periods may be established at the department level to aid in effectively managing and monitoring the program.
5. The department may establish a review period for the entire department or for individual employees/work groups which includes a yearly review and/or sunset clause.
6. Employee's time sheets must conform to current policies and practices of the City.
7. Overtime will be based on the FLSA work period as requested.

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### CONDITIONS

All regular employees are eligible to apply to work a modified schedule in accordance with the provisions set forth herein. The City retains the right to make any and all assignments as it deems appropriate.

\* **Staff Coverage**

A modified work schedule can only be established as part of an overall work schedule for the department involved. The schedule must guarantee adequate coverage by staff of all normal business hours and it cannot adversely affect current levels of productivity or service.

\* **"Core" Hours**

A department may set certain hours when **all** employees are required to be present, unless they have received approved leave time. Core hours shall be determined by the Department Director. Department Directors have the authority to modify starting and ending times to provide for adequate service coverage in compliance with city-wide operations. Work hours could include 7:30 a.m. - 5:30 p.m. or 8 a.m. - 6 p.m., at the discretion of the Department Director.

\* **Ineligible Days Off**

In order to meet the service needs of the department, the Department Director may declare certain days as ineligible to be used as day(s) off.

\* **Efficiency**

In order to increase productivity, personal business (appointments, errands, etc.) shall be undertaken on the employee's day off, unless special circumstances exist. Hours away from work (arriving late, leaving early, extended lunch break, etc.) may not be made up during the work week unless prior approval is obtained. Lunch breaks shall be one hour in most cases except for public safety personnel. Changes to an employee's lunch break, i.e., taking one half hour rather than one hour and leaving early, must be pre-approved by the supervisor and is not at the employee's discretion.

\* **Holidays**

Holiday time will remain eight-hours per day unless agreed upon through the appropriate MOU. The increment of time between the eight hour holiday and the scheduled workday for the employee must be made up by additional work hours, vacation or compensatory time equal to the difference. If a holiday falls on a regularly scheduled day off (Friday), the employee will be permitted to take off the preceding day (Thursday) or any other day of that week with supervisor's approval. For payroll periods that have two holidays (typically two pay periods per year) employees will work a traditional 10/80 work schedule for that two-holiday payroll period only.

\* **Modified Work Duty**

Modified work schedules may be adjusted (temporarily or permanently) by the Department Director for the time period an employee is on a modified duty assignment. (See Modified Duty/Alternate Work Policy available online)

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\* **Jury Duty**

The City's policy to reimburse an employee for time spent on jury duty during regular scheduled work hours applies to all modified work schedules.

\* **City Mandated Schedule Change**

When necessary and during critical work assignments or to correct work issues resulting from a modified schedule (parental leave, vacation, lay-offs, terminations, short staffing, etc.) a Department Director may change an employee's modified work schedule, temporarily or permanently, to a standard eight (8) hour days and/or forty (40) hour week schedule.

A change, when necessary, may also be made from a 10/80 schedule to a modified work schedule. If a work assignment, training or conference arises on a scheduled day off, the employee must reschedule the day off for another day during the same week, subject to Department Director approval. Overtime/Compensatory time will not be paid for these occurrences, unless prior approval from the Department Director has been obtained.

Mandatory scheduling changes may occur when an employee on a modified work schedule is required to travel, participate in a training course, or serve at a location where the hours of work are different than the employee's schedule. The employee's supervisor will make individual adjustments in the work hours on a case-by-case basis to ensure that there are 80 hours of work included in each pay period. It is the responsibility of the employee to inform their supervisor of this scheduling conflict at least one week prior so the supervisor can make adjustments as needed to the employee's schedule.

\* **Existing Modified Schedules**

Departments may, at intervals determined by the Department Director, request all current modified work employees and other interested employees to submit requests for modified work schedules. This will allow all employees equal opportunity to receive a modified work schedule under the policy. It will also give departments the opportunity to periodically reassess their needs.

### **RESPONSIBILITY**

The Personnel Department is responsible for the administration of the policy in its entirety.

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### EXAMPLES OF MODIFIED WORK SCHEDULES

9/80 plan	Hours	Monday	Tuesday	Wednesday	Thursday	Friday
1st week in pay period -	In Lunch Out	7:30 am 12- 1 pm 5:30 pm	7:30 am 12-1 pm 5:30 pm	7:30 am 12-1 pm 5:30 pm	7:30 am 12-1 pm 5:30 pm	8 am 12-1 pm 5 pm
2nd week in pay period -	In Lunch Out	7:30 am 12- 1 pm 5:30 pm	OFF			

8/80 Plan	Hours	Monday	Tuesday	Wednesday	Thursday	Friday
1st week in pay period -	In Lunch Out	7 am 12-1 pm 6 pm	7 am 12-1 pm 6 pm	7 am 12-1 pm 6 pm	7 am 12-1 pm 6 pm	OFF
2nd week in pay period -	In Lunch Out	7 am 12- 1 pm 6 pm	7 am 12- 1 pm 6 pm	7 am 12- 1 pm 6 pm	7 am 12-1 pm 6 pm	OFF