

SUBJECT: ALTERNATIVE AND FLEXIBLE WORK SCHEDULES

Designation: Division/Department Heads and the Human Resource Director have the authority to create and approve alternative work schedules and flexible scheduling within the parameters of this policy.

Eligibility: This policy is specifically designed for all non-represented, permanent employees. Represented employees may utilize flexible scheduling in accordance with union contracts and Memoranda of Understanding (MOU).

Background: The City of Madison supports management's role in establishing alternative and flexible work schedules that allow departments and their employees to address the needs of the citizens of Madison.

As part of providing this flexibility, however, the City of Madison must follow ordinances and federal laws that regulate work hours on a weekly basis and these should be taken into account when developing alternative and flexible work schedules. (See below)

FLSA: The Fair Labor Standards Act (FLSA) defines an employee's workweek as a fixed and regularly recurring period of 168 hours—7 consecutive 24-hour periods. Additionally it defines the maximum number of hours an employee can work, without incurring an overtime obligation, as 40 hours during said workweek

MGO 3.32 (4): Standard Hours per Week / per Day: Per MGO 3.32 (4) "for non-represented field personnel a standard workweek shall be 40 hours, for non-represented, office personnel the standard hours per week is 38-3/4 hours." In addition, "standard hours per day for non-represented field personnel shall be 8 hours and for non-represented, office personnel 7-3/4 hours." The MGO also states that the standard number of days per week, during which all non-represented employees shall be on duty, is 5 days.

This means that when looking at alternative and flexible work schedules, non-represented field personnel working more than 40-hours/week, and non-represented office personnel working more than 38-3/4 hours/week, must be paid overtime or compensatory time according to their grade level. (See MGO 3.54 (11) Overtime Compensation)

Definitions:

Flexible Work Schedule: Flexible work schedules are changes made to the starting and ending times of an employee's workday.

Alternative Work Schedule (AWS): An alternative work schedule is a pre-scheduled, fixed, continuous schedule of hours that deviates from the standard schedule of an agency.

Policy Guidelines: When reviewing requests from non-represented, permanent employees, the following criteria should be considered.

Flexible Work Schedule: Flexible work schedules always relate to the predetermined core set of hours when an employee must be present to do the work of an agency.

Example: Office Core Hours are 8:00 a.m. - 4:30 p.m.
Flexible work schedules might include, 7:00 a.m. to 3:30 p.m.; 8:30 a.m. to 5:00 p.m.; 7:30 a.m. to 4:00 p.m. MWF and 8:30 a.m. to 5:00 p.m., T/Thur., depending on needs.

Flexible scheduling of starting and ending times may be authorized by Department/Division Heads to maximize personal, service and production efficiency, remove artificial barriers to employment, improve employee morale and job satisfaction, as well as provide more efficient use of energy and transit systems

Alternative Work Schedule (AWS): As stated above, an AWS is a pre-scheduled, fixed, continuous schedule of hours that deviates from the standard schedule of an agency. Alternative work schedules can be created for two reasons:

1. To meet a department's scheduling needs.
2. To meet the needs of a specific employee.

This non-standard hours schedule becomes the employee's regular schedule.

Examples include:

- Four, ten-hour days;
- Four, nine-hour days and one, four-hour day;
- A regular workweek that includes a weekend day.

Management has the right to mandate an alternative work schedule for such things as increasing service efficiency, cost savings, providing for appropriate supervision of workers and declared emergencies.

Approval of an alternative work schedule must be obtained from the Department/Division Head and the HR Director.

Other Criteria:

Management must be able to verify the hours worked by an employee.

Flexible scheduling must not be detrimental to the City. Items to be considered by the Department/Division Head prior to approval of an alternative or flexible work schedule include:

- Budgetary Limitations
- Safety Concerns
- Liability Issues
- Customer Service Requirements
- Communication With Co-Workers
- Equipment Availability
- Access To Support Staff
- Undue Administrative Burden
- Need For Supervision
- FLSA Concerns

Department/Division Heads have the right to return employees to a standard schedule with reasonable notice.

The schedule should not create any additional health, safety or liability concerns for the employee or the City.

The HR Director reviews and resolves intra-departmental disputes on schedules.

Procedure:

Alternative Work Schedules:

To ensure compliance with MGOs, APMs, State and Federal guidelines, alternative work schedules, such as, four, ten-hour days, five-day workweeks that include a weekend day, etc. are approved by Department/Division Heads along with the HR Director.

An employee completes an AWS Form and routes it to his or her supervisor for review. The Supervisor forwards the form to the Department/Division Head and the HR Director for review and approval. (See attached AWS Form)

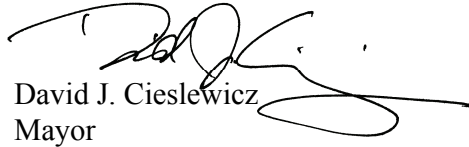
An AWS Form must also be completed by the Department/Division Head if they decided to cancel or change the alternative work schedule of an employee. This form is forwarded to the HR Director for review and approval.

The HR Director reviews and resolves any intra-departmental disputes on schedules.

Flexible Work Schedules:

In accordance with MGO 3.32 (4), “the appointing authorities may establish reasonable daily starting and ending times to meet the needs of their respective departments and divisions.” Division and Department heads can establish daily start and end times for employees in their area based on the criteria listed above. No formal paperwork is required.

Also, the Department and Division heads may permit employees to work other than standard daily hours to avoid incurring overtime.


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Mayor

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November 7, 2008

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