

STATE OF MAINE
DEPARTMENT OF PERSONNEL

August 24, 1983

PERSONNEL MEMORANDUM 4-83

TO: All Department/Agency Heads/Personnel Officers
SUBJECT: Alternative Work Schedules

Attached is a copy of informational material relative to alternative work schedules which was prepared by the Labor/Management Committee of the Maine State Employees Association and the State of Maine.

The Committee requests that all agencies which have implemented alternative work schedules complete the attached summary sheet indicating: location, type of schedule, class of employees, and number of employees.

The Committee also requests that all agencies which have implemented alternative work schedules provide the Committee with a brief report assessing the programs currently in use.

In order to facilitate the Committee's requests, we would ask that you forward the required information to Frank Johnson of my staff by September 16, 1983.

The Committee has also prepared material to assist agencies in administering alternative work schedules. This information is comprised of definitions of the various forms of alternative work schedules, general guidelines applicable to alternative work schedules, and specific guidelines regarding leave credits for the various programs.

Please distribute this memorandum and the accompanying material to all appropriate personnel.



DAVID W. BUSTIN
COMMISSIONER

Attachments

MAY BE REPRODUCED LOCALLY TO MEET DISTRIBUTION NEEDS

LABOR/MANAGEMENT COMMITTEE OF
THE MAINE STATE EMPLOYEES ASSOCIATION
AND THE STATE OF MAINE

The Labor/Management Committee began its work on alternative work schedules in August, 1981 with a report accompanying Personnel Memorandum 5-81. This report briefly outlined various alternative work schedules and included a request that departments consider the feasibility of developing and implement alternative work schedule programs.

As a result of the responses to Personnel Memorandum 5-81, the Committee issued an interim report in February, 1982. This report (enclosed with Personnel Memorandum 2-82) provided an analysis of agency responses, broad guidelines for developing alternative work schedules, and the procedures for implementing agency proposals.

Numerous agencies have since impelented alternative work schedules throughout State government. Many of the programs have exhibited creative and well-constructed approaches enabling agencies to institute schedules which are adaptable to both employees desires and operational requirements.

Upon implementation of alternative work schedules, the Committee has recommended a six-month evaluation period. This period provides sufficient time for supervisors and participating employees to adjust to the new schedules, to make any necessary modifications, and to assess the program. After the evaluation period, the Committee requested that agencies submit a report indicating the advantages and disadvantages of the alternative work schedules, any difficulties that were encountered and how these problems were resolved, and any comments that would be useful to the Committee.

Although many agencies have had alternative work schedules in place for six months or more, only a handful of departments have provided the Committee with an assessment of the program. Additionally, in many instances the Committee has not been advised as to the exact programs in place and the number of employees participating.

The Committee requests that all agencies which have implemented alternative work schedules please complete the attached summary sheet indicating: the work site, type of schedule, class of employees, and number of employees. (Additional copies of the summary sheet may be reproduced locally.)

The Committee also requests that all agencies which have implemented alternative work schedules provide the Committee with a brief report assessing the programs currently in existence.

The information gathered by the Committee will be used to develop a comprehensive report and recommendations on alternative work schedules which will be submitted to the bargaining teams for the State and the Maine State Employees Association.

The Committee has also prepared material to assist agencies in administering alternative work schedules. This material was developed in response to inquiries from various departments. In some cases, the guidelines we are issuing represent concepts developed by various agencies.

Basically, this information is comprised of definitions of the various forms of alternative work schedules, general guidelines applicable to alternative work schedules, and specific guidelines regarding leave credits (holiday, annual, sick, bereavement, and administrative) for the various programs.

You will note that the Committee has provided options to be considered (e.g., holiday leave). Agencies may employ whichever option is most applicable to their needs and the desires of participating employees. These guidelines were not designed to address all circumstances. For instance, guidelines for the highway crew system may be developed to meet those unique requirements. The Committee, however, would ask agencies which employ guidelines other than those we have issued to please advise the Committee and request approval from the Committee prior to implementation.

THE LABOR/MANAGEMENT COMMITTEE

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I. DEFINITIONS

Alternative work schedules in Maine State Government are defined to include the following variations: Staggered Work Hours, Flexible Work Hours, or Flex-Time, Compressed Workweek, and Job Sharing.

A. Staggered Work Hours

This is the most frequently used form of alternative work schedules. Basically, staggered work hours provide that an employee or group of employees work a fixed schedule with staggered starting and quitting times. For example, within a given department employee schedules may vary as follows: 7:15 a.m. to 4:15 p.m. (one hour lunch), 7:30 a.m. to 4:00 p.m. (half-hour lunch), and 8:00 a.m. to 5:00 p.m. (one hour lunch).

Staggered hours represent the first form of alternative work schedules introduced in State government. Staggered work hours were designed to alleviate traffic congestion and to accommodate ride-sharing.

Employees are expected to work a five-day week comprised of 8-hour days with fixed starting and ending times. As a result, staggered work hours are not representative of what is commonly referred to as "alternative work schedules."

B. Flexible Work Hours or Flex-Time

There are several variations of flex-time but each has the common element of allowing the employee a range of possible work hours beyond the limits of fixed starting and quitting times.

For example, the range of work hours could be designated as 6:30 a.m. to 6:00 p.m. During this period, the work day is generally comprised of "core" time and "flexible" time.

1. Core Time - This is the time during which all employees must be present (for example, 9:30 a.m. to 3:00 p.m. or 10:00 a.m. to 2:00 p.m., etc.) except for a lunch break.
2. Flexible Time - This is the period during which employees may select variable starting and quitting times (flexible starting time between 6:30 a.m. and 9:30 a.m. and flexible quitting time between 3:00 p.m. and 6:00 p.m.).

Lunch breaks may be specified to a fixed period of time during which employees must take a lunch break or a midday flexible range (e.g., 11:30 a.m. to 1:30 p.m.) that employees may use as desired.

The two most common forms of flex-time are:

1. Gliding Schedule - Employees are free to select and vary their work hours each day, provided they are present during core hours and a specified cumulative number of hours are worked within a given pay period (e.g., 40 hours weekly, 80 hours bi-weekly). The number of hours worked each day may vary.
2. Floating Day - Employees are required to work the same number of hours each day (usually 8 hours), but they still retain flexibility as to which hours will be worked around the core time.

C. Compressed Workweek

This schedule allows employees to compress working hours into fewer than 5 days per week or fewer than 10 days bi-weekly. Compressed work schedules require "core" days which are the days (usually Tuesday thru Thursday), in which all employees must be present. There are three variations of compressed workweeks in State government.

1. Four-day Week - Employees compress their workweek into four days. Generally, that equates to four 10-hour days.
2. Four and a Half-Day Week - Employees work four 9-hour days and one 4-hour day.
3. Bi-Weekly - Employees work a 44-hour week (four 9-hour days and one 8-hour day) and a 36-hour week (four 9-hour days), thus providing for one scheduled day off every two weeks.

Compressed workweeks may be rotated so that employees may alternate days off (e.g., Monday one week, Friday another week) or the day off may be fixed. However, once the compressed schedule has been established, the schedule should be constant. Employees should not expect to periodically alter their compressed workweek schedules, although "make-up" time may be permitted if mutually agreeable to both the employee and the agency.

D. Job Sharing

Job sharing is defined as two or more employees sharing the duties and responsibilities of one position. Agencies must maintain comparable assignments for each employee within the shared job. The sharing of one position must be limited to sharing the tasks and responsibilities of one class. If a position as Clerk Typist II is being shared by two or more employees, the duties assigned to these employees must be representative of the class of Clerk Typist II and these duties must be shared in an equitable fashion.

Work schedule may be shared on a daily, bi-weekly, annual or any other mutually agreed upon basis. Hours per day or per week should be fixed for each employee sharing a position; however, employees may voluntarily exchange or alter schedules on either a regular or irregular basis with notice to the supervisor.

Once a job sharing position has been established, authorized hours will also be designated for each employee sharing the position. If two employees share a position with each employee working twenty hours per week, the number of authorized hours for each employee shall be twenty. Agencies should maintain employee schedules in accordance with authorized hours.

It is recommended that job share assignments and authorized hours not be established in fractional hours. Whenever possible, it is recommended that authorized hours be designated at increments easily divisible by 40.

Whenever one of the employees in a job shared position separates:

1. The position may be shared by the remaining employees if more than one remains.
2. A new employee may be appointed to share the position. 1/
3. The position may be returned to a full-time schedule if only one employee remains.

NOTE: If an agency chooses to alter a job shared arrangement, the agency must notify the appropriate bargaining agent of the proposed changes and negotiate the impact of such changes in accordance with existing contract language governing hours and work schedules.

Any change to a job sharing arrangement will be accomplished in a manner so as to have the least possible adverse impact on incumbent employees.

1/ When a portion of a job shared position becomes vacant and the remaining incumbent(s) wish to continue the job shared arrangement, agencies are encouraged to recruit candidates from within the department/agency. If there are no interested employees within the department, the agency should contact the Department of Personnel to determine if there are interested candidates among statewide and open competitive applicants.

II. GENERAL GUIDELINES

The following represent general guidelines relative to alternative work schedules in State Government:

1. Alternative work schedules represent voluntary, mutually acceptable adjustments to an employee's workweek. Alternative work schedules shall not be imposed.
2. The adoption of alternative work schedules shall not result in the increase (or decrease) of work loads for employees who choose either to participate or not to participate.
3. Although alternative work schedules shall not be implemented if they cause an adverse impact to an employee, alternative work schedules should not be abandoned simply because not all employees can participate.
4. Each proposal should be considered individually although operational needs, unique circumstances, work routines, required communication with peers, subordinates, and supervisors should also be considered.
5. Supervisors and managers are encouraged to discuss alternative work schedules with their respective employees and to develop plans within working units.
6. Although alternative work schedules may extend employee work hours beyond 5:00 p.m. unless otherwise provided, agencies should not alter the current policy of providing service to the public from 8:00 a.m. to 5:00 p.m.
7. Alternative work schedules should not be approved or denied when based primarily on such characteristics as class, pay range, or occupational group.
8. Personnel assigned field activities shall be allowed to schedule work independent of office-unit core hours.
9. Employees on non-standard work schedules will retain their current status and work schedules.
10. A minimum lunch period of one-half hour is required for employees on compressed or flex-time schedules.
11. An employee who temporarily or permanently is assigned to a new work location may negotiate with his/her supervisor to establish a work schedule. An employee who changes work assignments (e.g., transfer, promotion, etc.) is not guaranteed that the previously agreed upon work schedule will remain in effect.
12. An employee and supervisor may negotiate any temporary change in work schedules as a result of workloads, illness, vacations, leaves of absence, etc.

III. HOLIDAYS

There are several ways to address the issue of holiday credits and compensation for the purpose of alternative work schedules. The following guidelines have been approved by the Committee.

A. Compressed Workweek

Under normal circumstances, when a holiday occurs on an employees regularly scheduled day off, the employee shall be credited with eight hours leave.

1. Compressed Forty-Hour Workweek

For compressed workweeks, the easiest (and often the most equitable) procedure to administer is: In the event of a holiday, the employee will revert to the standard work schedule for that particular week. For example, when a holidays occurs on an employee's scheduled day off, the employee would work the standard four 8-hour days for that week. This insures equitable treatment for all employees and allows for adequate staffing during abbreviated work-week.

There are several other options governing holidays for compressed forty-hour workweeks which the Committee has endorsed. They are as follows:

- a) If a holiday occurs on an employee's scheduled day off, the employee shall be allowed to take another day off within the same week of the holiday or the employee shall be credited with eight hours leave. The employee is required to work or charge leave totalling 32 hours (excluding holiday time) during the week within which the holiday was charged.
- b) Employees working a 4 or 4 1/2 day forty-hour compressed workweek may not increase their daily work hours in excess of 10 hours per day. For example, an employee is scheduled to work four 10-hour days with Friday off and a holiday occurs on Monday. The employee would take Monday, the holiday, off and could work three 10-hour days and on Friday, either work 2 hours or charge 2 hours of leave.
- c) If two holidays occur in a week, the employee may revert to the standard 8-hour days for that week. The employee is required to work or charge leave (excluding holiday time) totalling 24 hours during the week within which the two holidays were charged.

2. Compressed Bi-Weekly Schedule (44-Hour/36-Hour Workweeks)

- a) If a holiday occurs on the employee's scheduled day off, the employee shall be allowed to take another day off within the same bi-weekly pay period in which the holiday occurs. The employee is required to work or charge leave (excluding the holiday time) totalling 72 hours during the bi-weekly period within which the holiday was charged. (Therefore, an employee would be scheduled to work eight 9-hour days during any bi-weekly period in which a holiday occurs).
- b) If two holidays occur in a bi-weekly period, the employee may revert to the standard 8-hour days for that bi-weekly period. (Therefore, an employee would be scheduled to work eight 8-hour days during any bi-weekly period in which two holidays occur).

B. Job Sharing

For a job shared position, holiday credits shall be prorated based on the number of regularly scheduled authorized hours.

C. Flex-Time

For employees on both the "gliding schedule" and the "floating day" no special holiday leave procedures are required.

IV. ANNUAL LEAVE

The rate of accrual for annual leave remains unchanged under alternative work schedules, regardless of the employee's work schedule. However, the use of annual leave is contingent upon the employee's schedule.

A. Compressed Workweek

An employee on either a weekly or bi-weekly compressed schedule who takes a day of annual leave shall be charged the same number of hours leave as the regularly scheduled work day. For example, an employee working the 4-day forty-hour week would charge 10 hours leave while the employee on a bi-weekly schedule would charge 9 hours or 8 hours, depending upon the particular day.

B. Flex-Time

An employee on flex-time shall be charged 8 hours for each day of annual leave used.

C. Job Sharing

An employee in a job shared position shall be charged annual leave in accordance with the employee's regular schedule. Hours charged shall equal hours scheduled.

V. SICK LEAVE

The rate of accrual for sick leave remains unchanged under alternative work schedules, regardless of the employee's work schedule. However, the use of sick leave is contingent upon the employee's schedule.

A. Compressed Workweek

An employee on either a weekly or bi-weekly compressed schedule who takes a day of sick leave shall be charged the same number of hours leave as the regularly scheduled work day. For example, an employee working the 4-day forty-hour week would charge 10 hours leave while the employee on a bi-weekly schedule would charge 9 hours or 8 hours, depending upon the particular day.

B. Flex-Time

An employee on flex-time will normally be charged 8 hours for each day of annual leave used. An employee who uses sick leave at the end of the week will be charged for the number of hours necessary to account for a 40-hour week, but not to exceed 10 hours.

C. Job Sharing

An employee in a job shared position shall be charged sick leave in accordance with the employee's regular schedule. Hours charged shall equal hours scheduled.

VI. BEREAVEMENT LEAVE

With the exception of employees on flex-time schedules, a "day" for the purposes of bereavement leave is defined as any regularly scheduled work day regardless of the number of hours an employee is scheduled to work on such days as bereavement leave is used. Therefore, a day of bereavement is not necessarily limited to an 8-hour day.

For example, an employee is scheduled to work a 4 1/2-day week (9 hours Monday thru Thursday and 4 hours on Friday). If the employee charges bereavement leave for Wednesday, Thursday, and Friday, the employee would charge a total of 22 hours to bereavement leave.

An employee on flex-time shall charge no more than 8 hours in any given day that bereavement leave is charged.

VII. ADMINISTRATIVE LEAVE

The guidelines for bereavement leave also apply to administrative leave. The exception would be for an employee on flex-time who actually worked in excess of 8 hours on a day that administrative leave had been granted. In that case, the employee would charge the actual time worked.

VIII. OVERTIME

Overtime shall be approved in advance in accordance with agency/department policy.

A. Compressed Workweek

1. 40-Hour Weekly Compressed Schedule

Overtime for an employee working a 40-hour compressed workweek (e.g., 4 days or 4 1/2 days) will be determined by the hours in excess of 40 hours per week.

2. 44/36 Hours Bi-Weekly Compressed Schedule

Overtime for an employee working the 5-day plus 4-day work schedule will be determined by the hours in excess of 44 hours for the 5-day week and by the hours in excess of 36 hours for the 4-day week.

B. Flex-Time

Overtime for an employee working a 40-hour flex-time schedule will be determined by the hours in excess of 40 hours. Overtime for an employee working an 80-hour flex-time schedule will be determined by the hours in excess of 80 hours for the bi-weekly period.

C. Job Sharing

Overtime for a job sharing employee will be determined by the hours in excess of the regularly scheduled (authorized) work hours. Overtime for job sharing positions should be limited to emergency situations.

Labor/Management Committee
August, 1983

