

**OFFICE OF INVESTIGATIVE SERVICES
POLICY & PROCEDURE #330**

FAIR LABOR STANDARDS ACT, OFFICIAL HOURS, AND WORK SCHEDULES

FAIR LABOR STANDARDS ACT:

DHR Personnel Policy #1001 establishes requirements for compliance with FLSA provisions.

MANAGEMENT OF HOURS WORKED: refer to DHR Personnel Policy #1001.

OFFICIAL HOURS AND WORK SCHEDULES:

The management of OIS is charged with the responsibility of accomplishing the mission as set forth by DHR. As a part of this responsibility, management has the authority to establish work schedules based on DHR Personnel Policy #106.

The official work hours of OIS are 8:00 a.m. to 5:00 p.m., during which time all offices should be open for business and adequately staffed. Alternative work schedules may be considered to meet the needs of the organization as well as those served by the organization. Employees may be accommodated regarding their desired hours of work, but only if it is not detrimental to the organization or to the workload of other employees. Alternative work schedules are to be considered a privilege, subject to management's approval, and management has the authority to modify work schedules. Provisions must be made for adequate supervision of employees working modified hours and productivity must be maintained regardless of schedule variations.

ALTERNATIVE WORK SCHEDULES:

The Office of Investigative Services has adopted the following two alternative work schedules which may be considered by supervisors to offer their employees flexibility in arranging their desired hours of work.

A. Daily Flex

Arrival and departure to and from work may vary from day to day around a core period during which employees should be present. This core period is from 9:00 a.m. to 3:30 p.m. The employee may vary the other hours, excluding time taken for lunch, before 9:00 a.m. and after 3:30 p.m. The supervisor may modify individual employee work schedules to insure offices are adequately staffed. This may result in an employee being required to be in attendance at a time that would normally be flextime off.

B. Compressed Workweek

There are three variations available for this option. The employee may make a choice:

- A schedule in which the employee works ten hours per day excluding time taken for lunch, for four workdays and takes either the Monday or Friday off; OR
- A schedule in which the employee works nine hours per day, exclusive of time taken for lunch, for four days, and works only four hours on either Monday or Friday of each week; OR

- A schedule in which the employee works nine hours daily (excluding time taken for lunch) in eight days of each two week period; and eight hours (excluding time taken for lunch) on the ninth day with the tenth day off. (NOTE: This option is not available to employees who are not exempt from the wage provisions of the FLSA, since it would require the payment of overtime in alternate weeks).

The day off must be identified so that work flow and office coverage can be planned and monitored. Since each office must be open and staffed from 8:00 a.m. to 5:00 p.m., Monday through Friday; not all employees will be assured of being approved for an alternative work schedule. Employees must adhere to their chosen schedule unless changes have been approved in advance by their supervisor. Unauthorized departures from schedules will be considered unapproved time off and will subject the employee to leave without pay and/or other appropriate administrative action.

Each employee, regardless of FLSA category, must request an alternative work schedule option in writing to the supervisor for approval. For FLSA covered employees, the **FLSA Time Record** and **Monthly Time and Effort Report** will be used to document time of arrival (begin time) at work, lunch periods, and time of departure (end time) from work and submitted to the supervisor within prescribed deadlines.

WORKING AT HOME/WORKING ON WEEKENDS:

No OIS employee will be credited for time worked at home unless there has been prior approval from the supervisor and the OIS Assistant Director or the supervisor and the OIS Director.

In the event work at home is approved, employees must receive their supervisor's prior approval for the accrual of overtime. The possibility of overtime should be addressed by the employee and the supervisor at the time working at home is requested.

INCLEMENT WEATHER POLICY: refer to DHR Personnel Policy #108.