



ADMINISTRATIVE PROCEDURE 95-01

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FLEXTIME

I. AUTHORITY

This Administrative Procedure was implemented by the Executive Director on September 20, 1995, to implement Administrative Practice 2-18, Work/Life Program. This Procedure was last amended on April 25, 2017, by the Executive Director to reflect minor clarifications.

II. PURPOSE & BACKGROUND

The purpose of this Administrative Procedure is to provide M-NCPPC employees a flexible work schedule that allows alternate workday start and end times. The Work/Life Program allows employees to request designated “fixed” arrival and departure times that may differ from the employee’s standard work schedule on a voluntary basis.

The Procedure specifically describes the Flextime program and requirements for its administration. Since inception, the Procedure has been amended as follows:

- July 1, 1996: Clarified work schedule requirements and incorporated language pertaining to collective bargaining agreements.
- April 25, 2017: Adopted amendments to clarify existing provisions, update terminology; and recognize the applicability of collective bargaining agreements.

This Procedure shall govern Flextime arrangements. If any portion of this Administrative Procedure is inconsistent with laws, the Merit System Rules and Regulations, M-NCPPC Administrative Practices, or applicable collective bargaining agreements, the language in those sources shall prevail.

III. REFERENCES

- M-NCPPC Administrative Practice 2-18, Work/Life Program
- M-NCPPC Merit System Rules and Regulations

IV. PROCEDURE

A. DEFINITIONS

Bandwidth Hours means the period from the earliest possible starting time to the latest stopping time in a workday during which employees may be scheduled. Typically, it is set to ensure or improve communications, and to accommodate safety and building security requirements. Bandwidth hours are determined by the Department Head or his/her designee. For example, in an office environment, employees may be permitted to schedule their work day anywhere within these hours.

Core Hours means the portion of a standard workday when all full-time employees must be present, unless appropriately excused. Core hours are determined by the Department Head or his/her designee and may vary during peak and seasonal periods.

Service Hours means the hours necessary to serve the public best and to provide adequate coverage of all functions carried out in the standard workday. Service hours are determined by the Department Head or his/her designee.

Pay Period means the time period for which employees are paid on a bi-weekly basis. Flextime shall not affect the employee's pay period or the total number of work hours in a pay period.

Workweek means the standard workweek for full-time Merit System employees is forty (40) hours. The workweek for contract employees shall be determined by the terms and conditions of their contractual agreements and Administrative Practice 2-16, Seasonal/Intermittent, Temporary and Term Employment.

B. POLICY

Flextime is an alternate work schedule arrangement which must be authorized by the employee's supervisor and Department Head or their designee.

Flextime permits the designation of "fixed" arrival and departure times that may differ from the employee's standard work schedule. A Flextime arrangement requires all of the following conditions to be met:

- The employee must be scheduled during Core Hours;
- The employee's arrival and departure times must be within Bandwidth Hours; and
- The employee must work his/her regular number of workday hours. For example, a full-time Merit System employee must work for at least eight (8) hours a day excluding a lunch break. The lunch break shall be determined by the Department Head or their designee and shall be a minimum of one-half hour.

The Work/Life Program allows employees to request Flextime on a voluntary basis. However, this Program does not preclude management's right to set work schedules on a mandatory basis. This Procedure provides guidance on the following areas:

- Eligible Employees
- Conditions, Review of Voluntary Flextime Arrangements, and Responsibilities
- Responsibilities for Requesting, Reviewing and Maintaining Voluntary Flextime Arrangements

1. **Eligible Employees:**

Merit System employees (career status or new hire probation) are eligible to apply for a voluntary Flextime arrangement. Represented employees should refer to their collective bargaining agreement for program eligibility. Department Heads also may choose to extend the Flextime program to Contract employees.

2. **Conditions, Review of Voluntary Flextime Arrangements, and Responsibilities**

A Flextime work arrangement does not, in itself, affect the employee's salary, benefits or job responsibilities. All overtime and compensatory time must continue to be approved in accordance with M-NCPPC policy.

Some operations within the M-NCPPC do not lend themselves to Flextime. Department Heads may exclude organizational units or positions from Flextime. Supervisors or Department Heads may exclude employees with performance or attendance problems. Requests may be denied when a unit already has other active alternate work schedule arrangements, and the supervisor or Department Head determines that further approvals would unduly compromise the unit's efficiency or ability to perform its services.

The supervisor and Department Head shall review all Flextime arrangements for compliance with the following standards:

- Operational requirements must be met;
- Service hours to the public or client population must be maintained or improved;
- Bandwidth and Core Hours must be maintained;
- Costs to the M-NCPPC must not be increased;
- The Flextime arrangement will not adversely affect the department's ability to delegate responsibility or accountability to individual employees, regarding performance or delivery of services.

The following steps shall be taken to initiate, change, or terminate a voluntary Flextime arrangement.

1. To be considered for, and participate in, a Flextime arrangement, the employee shall complete the *Flextime Agreement* (attached) and submit it to his/her supervisor.
2. If the supervisor and employee agree to all terms and conditions of Flextime, they shall sign the *Flextime Agreement*. The supervisor must forward a copy of the signed Agreement to the Department Head for his/her review.
3. If the supervisor and the employee disagree on any of the terms or conditions, the supervisor must provide to the Department Head a written basis for denial, along with a copy of the employee's proposal.
4. The Department Head shall review all requests. In all cases, the Department Head's decision is final and not grievable.
5. Changes to Flextime Schedules: An employee may withdraw from a Flextime arrangement by submitting a written notification to their supervisor, who must approve it.

A supervisor may make temporary changes to the Flextime schedule in order to maintain the effectiveness of the employee's work unit. Temporary changes may be made without prior written notification.

Upon written notice of at least ten (10) working days, the supervisor may require the employee to withdraw from the Flextime arrangement if the requirements of this Administrative Procedure are not being met.

C. RESPONSIBILITIES FOR REQUESTING, REVIEWING AND MAINTAINING VOLUNTARY FLEXTIME ARRANGEMENTS

1. **The Employee is responsible for:**

- a. Submitting to his/her immediate supervisor, any requests for Flextime through a completed *Flextime Agreement* (attached).
- b. Complying with the terms and conditions of Flextime arrangements.

2. **The Supervisor is responsible for:**

- a. Reviewing submitted *Flextime Agreements*. The supervisor shall meet with the employee to discuss the proposed Flextime work arrangement, including timekeeping and adjustment of the Flextime arrangement, if necessary, to maintain the effectiveness of the department or work unit and to comply with requirements stated in this Administrative Procedure.
- b. Ensuring that Flextime, in itself, does not result in an employee working more than forty (40) hours in a workweek.

- c. Forwarding *Flextime Agreements* to the Department Head, along with the basis for denial if the request is denied.

3. The Department Head is responsible for:

- a. Establishing Bandwidth, Core and Service hours for the department.
- b. Reviewing all requests for Flextime. When a supervisor has denied an employee's request, the Department Head shall review the employee's proposal and the supervisor's reason for denial. The Department Head may approve or disapprove the employee's request, and shall notify the supervisor and the employee of the decision in writing.
- c. Ensuring approved Flextime arrangements are maintained in the employee's departmental file.

4. The Department of Human Resources and Management is responsible for:

Ensuring consistent interpretation and application of this Procedure.

APPENDIX A: FLEXTIME AGREEMENT FORM