



**Interim Guidance**

**Alternative Work Schedules for  
Civilian Employees—COVID 19 Flexibilities**

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**Department of the Navy**

**Policy & Programs**

27 March 2020



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### **1. References**

- a. 5 USC §§ 6120-6133
- b. 5 CFR §§ 610.401-610.408
- c. President’s Memorandum, 11 July 1994, Expanding Family-Friendly Work Arrangements in the Executive Branch
- d. President’s Memorandum, 21 June 1996, Implementing Federal Family-Friendly Work Arrangements
- e. Office of Personnel Management Handbook of Alternative Work Schedules
- f. Department of Defense Civilian Personnel Management Systems: Hours of Duty Requirements, DoD Instruction 1400.25, Volume 610, 25 November 2019
- g. SECNAV Instruction 12250.6B, Civilian Human Resources in the Department of the Navy, 4 January 2019
- h. SECNAV Memorandum, Department of the Navy Guidance—Alternative Work Schedules for Senior Executives, 23 September 2019

### **2. Definitions**

- a. **Alternative Work Schedules (AWS)** include both flexible work schedules and compressed work schedules. Both work schedules are approved by a supervisor or manager.
- b. **Compressed Work Schedule (CWS)** in the case of a full-time employee, an 80-hour biweekly basic work requirement that is scheduled for less than 10 workdays; and in the case of a part-time employee, a biweekly basic work requirement of less than 80 hours that is scheduled by the department for less than 10 workdays and that may require the employee to work more than 8 hours in a day (reference a). The tour of duty for employees working a CWS is defined by a fixed schedule established by the organization. Fixed (compressed) schedules available to DON civilian employees include 5/4/9 (where an employee works 8 (9-hour days) and 1 (8-hour day) for a total of 80 hours in a biweekly pay period) or 4-4/10 (where an employee works 10 hours a day for 4 days a week for a total of 80 hours in a biweekly pay period).



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- c. **Core hours** are the time periods during the workday, workweek, or pay period that are within the tour of duty during which an employee covered by a flexible work schedule is required by the agency to be present for work. Core hours may encompass a break for lunch.
- d. **Flexible Work Schedule (FWS)** is a work schedule established in accordance with reference (a). In the case of a full-time employee who has an 80-hour biweekly basic work requirement, an employee may determine his or her own schedule within the limits set by the organization; in the case of a part-time employee, who has a biweekly basic work requirement of less than 80 hours, an employee may determine his or her own schedule within the limits set by the organization.
- e. **Gliding Work Schedule** is a type of flexible work schedule in which a full-time employee has a basic work requirement of 8 hours in each day and 40 hours in each week, may select a starting and stopping time each day, and may change starting and stopping times daily within the established flexible hours.
- f. **Maxi flex Work schedule** is a type of flexible work schedule that contains core hours on fewer than 10 workdays in the biweekly pay period and in which a full-time employee has a basic work requirement of 80 hours for the biweekly pay period, but in which an employee may vary the number of hours worked on a given workday or the number of hours each week within the limits established for the organization.

NOTE: The use of maxi flex enables a GS or equivalent employee on a telework agreement with childcare needs to work a 40-hour workweek without the necessity of taking leave for non-work time during the regular workday. Maxi flex also allows an employee to voluntarily work in the evening when systems access is more available. In this case, because the employee's normal duty hours are not typically performed between 1800 hours and 0600 hours, the employees is not entitled to night pay.



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NOTE: The use of maxi flex enables an employee to work on a few extra hours on a given day and take a couple of hours of personal time on the following Monday within a pay period without charge to leave.

Example: An employee works for 6 hours on Saturday and has worked a regular 40-hour schedule during the first week of the pay period. The 40 hours + 6 hours means the employee must only work 34 hours the second week of the pay period. He/she has a personal appointment on the following Monday that is scheduled to last approximately 2 hours. The employee may take time off without charging his leave for his personal appointment during the Monday work day as long as he/she completes the 34 hours remaining before the end of the pay period—the following Saturday.



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### **3. Purpose**

In accordance with reference (a), this interim guidance establishes and assigns responsibility for the Department of the Navy (DON) AWS for civilian employees. This guidance is not intended to supersede existing Department of Defense (DoD) policies; rather it clarifies roles and responsibilities and provides consistency throughout the DON. Implementation of AWS must meet the requirements of references (b) through (f); AWS are not entitlements and are, therefore, not guaranteed. Any AWS requires advance approval from the employee's supervisor. As DON leadership and employees work through the challenges of dealing with COVID-19 and with the majority of the workforce teleworking, flexibility and adaptability are imperative. Communication between the supervisor and employees is a key enabler to developing a successful flexible work schedule. In order to continue to keep our civilian workforce safe and healthy, accomplish the mission and accommodate employee work-life needs during the COVID-19 pandemic, supervisors should implement alternative work schedules to the maximum extent to achieve the best results. Additionally, the intent is to alleviate some of the strain on DON information technology and networks during this time of maximum telework.

### **4. Policy**

The policy of the DON is to create adaptive work schedules that are a positive benefit to the DON mission and to its employees. The DON supports the underlying organizational mission by efficiently maximizing the use of human capital. The provisions of this guidance do not change any telework arrangements that have been entered into between the supervisor and employee.

### **5. Applicability**

This guidance applies to all General Schedule (GS) and Senior Executive Service (SES) employees. SES employees may refer to the guidance issued in reference (h).



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### **6. Roles and Responsibilities**

a. **Supervisors:**

- (1) Determine if AWS are appropriate for requesting employee
- (2) Consider potential impact on mission requirements and the needs of the organization
- (3) Determine whether to adopt all or only certain features of an AWS, and may further limit specific flexibilities

b. **Employees:**

- (1) Adhere to provisions of agreed upon AWS
- (2) Follow established staff office requirements for communicating AWS with other staff members

### **7. Procedures**

- a. Organizations, activities, and individuals may take necessary actions to implement the provisions outlined by this guidance.
- b. When approving an AWS, the supervisor must:
  - (1) Communicate his/her decision about implementation of the AWS to the employee
  - (2) Ensure appropriate oversight of the documentation of the employee's schedule in timekeeping system
  - (3) Set any specific requirements for communication between employee and their supervisor regarding daily, weekly, or pay period scheduling; arrival and departure times; absences during flexible hours; etc.
  - (4) A supervisor may exclude employees from specific scheduling features based on individual performance or conduct concerns, or specific position/mission/duty requirements. Determinations may vary based on individual circumstances, as determined by the supervisor. In these situations, the supervisor will communicate the specific features in which the employee may not participate, the time-period during which the employee may not participate (perhaps indefinitely), and the reason for the determination that the employee may not participate.



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### **8. Flexibilities of AWS**

- a. Supervisors may permit employees to vary arrival and departure times within a daily time band between 0600 and 1800 hours.
- b. Supervisors may permit employees to work a 5/4/9 schedule or a 4/10 schedule under CWS
- c. Supervisors may permit employees to work a Gliding Schedule to select or vary his/her schedule from day to day (not to be combined with a CWS).
- d. Supervisors may establish core hours for employees working a Gliding Schedule.
- e. Supervisors may require employees to work traditional office hours set by the supervisor, but allow them to vary arrival and departure times within specified limits.
- f. The supervisor must approve an AWS. Employees may not unilaterally decide to work an AWS even during emergencies.
- g. Supervisors may authorize employees who must provide care for child(ren) or other family members the flexibility to work in between periods of time when they are required to provide care.
- h. Flexible work schedules do not entitle employees to night pay.
  - Premium pay for night work is not paid to GS employees solely because the employee elects to work credit hours, or elects a time of arrival or departure, at a time when night pay is authorized. For the first 40 scheduled hours of any workweek that is regularly scheduled and includes work hours scheduled between 1800 and 0600 Hours: Employees will be entitled to night pay if any night work is performed as part of his or her regularly scheduled administrative workweek that falls between 1800 and 0600 hours.
  - Agencies must pay night pay to GS employees for those hours that **must** be worked between 1800 and 0600 hours to complete an 8-hour tour of duty. Agencies must also pay night pay for all designated core hours worked between



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1800 and 0600 hours and for any regularly scheduled overtime work between those hours.

### A NOTE ABOUT NIGHT PAY DURING COVID-19:

Example 1: IT connectivity issues in an organization require leadership to institute staggered work schedules. GS employees who work any hours between 1800 hours and 0600 hours **would earn night pay for hours worked between those times**. This is because the regular work schedule has been changed, albeit temporary.

Example 2: A GS or equivalent employee who is juggling childcare and work during isolation is told by the supervisor that maxi-flex is allowed during isolation. The employee must meet certain deadlines and work 40 hours per week as usually. Because the GS employee is on maxi-flex, the employee may voluntarily work between the hours of 1800 and 0600 to ensure the 40-hour workweek requirement is met and **would not earn night pay**.

## **9. Additional Resources**

Additional Resources: <https://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/alternative-work-schedules/>





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### APPENDIX A From OPM Website

Models of Flexible Work Schedules					
	Flexitour	Gliding Schedule	Variable Day Schedule	Variable Week Schedule	MaxiFlex
<b>Basic Work Requirement</b>	A full-time employee must work 8 hours a day, 40 hours a week, and 80 hours a biweekly pay period. The supervisor determines the number of hours a part-time employee must work in a day, in a week, or in a biweekly pay period.	(See Flexitour)	A full-time employee must work 40 hours a week. The supervisor determines the number of hours a part-time employee must work in a week.	A full-time employee must work 80 hours in a biweekly pay period. The supervisor determines the number of hours a part-time employee must work in a biweekly pay period.	(See Variable Week Schedule)
<b>Tour of Duty</b>	Supervisors establish flexible hours surrounding core hours, which include a standard meal period.	Supervisors establish flexible and core hours. Gliding schedules provide for flexible time bands at the start and end of the workday and may allow for flexible hours at midday (during the lunch break). Employees must work during core hours.	(See Gliding Schedule)	(See Gliding Schedule.)	(See Gliding Schedule). However, supervisors may choose not to establish core hours on each workday, thus providing maximum flexibility for employees
<b>Core Hours</b>	An employee must account for missed core hours (if permitted) with leave, credit hours, or compensatory time off.	(See Flexitour)	(See Flexitour)	(See Flexitour)	(See Flexitour.) Employees may work fewer than 10 days biweekly because of the absence of core hours on one of the normal workdays (e.g., "Flexible 5/4-9").



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### Appendix B From OPM Website

Models of Compressed Work Schedules			
	Four-Day Work Week	Three-Day Work Week	5/4-9 Compressed Plan
<b>Basic Work Requirement</b>	A full-time employee must work 10 hours a day, 40 hours a week, and 80 hours a biweekly pay period. The supervisor determines the number of hours a part-time employee must work in a 4-day workweek and the number of hours in a biweekly pay period.	A full-time employee must work 13 hours and 20 minutes a day, 40 hours a week, and 80 hours a biweekly pay period. The supervisor determines the number of hours a part-time employee must work in a 3-day workweek and the number of hours in a biweekly pay period.	A full-time employee work eight 9-hour days and one 8-hour day for a total of 80 hours in a biweekly pay period. The supervisor determines the number of hours a part-time employee must work in a 9-day biweekly pay period.
<b>Tour of Duty</b>	The "tour of duty" is established by the supervisor and is limited to four 10-hour days.	The "tour of duty" is established by the supervisor and is limited to three 13-hour and 20-minute days in a week and 80 hours in a biweekly pay period.	The "tour of duty" is established by the supervisor and is less than 10 workdays in a biweekly pay period.