

Approved:

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Department of Transportation

## **FLEXIBLE WORK SCHEDULES**

### **AUTHORITY:**

Sections 20.23(3)(a) and 334.048(3), Florida Statutes (F.S.)

### **REFERENCE:**

Section 110.219, F.S., Chapter 60L-34, Florida Administrative Code (F.A.C.),

### **STATEMENT OF POLICY:**

To provide a procedure for Florida Department of Transportation (Department) employees to request and supervisors/managers to approve and manage employee flexible work schedule requests.

### **SCOPE:**

This procedure covers all Career Service, Selected Exempt Service (SES), and Senior Management Service (SMS) employees.

### **DEFINITIONS:**

**Biweekly Pay Period:** 14 consecutive 24-hour periods beginning at 12:01 a.m. Friday and ending at midnight on Thursday two workweeks later.

**Excluded Employee:** An employee in a position that has been designated not eligible for overtime pay.

**Included Employee:** An employee in a position that has been designated eligible for overtime pay.

**Flexible Work Schedule:** Includes one or more of the following:

- A workday of more or less than eight (8) hours;
- A workweek of less than five (5) work days within the defined standard workweek; and/or
- A workday other than the standard 8:00 a.m. to 5:00 p.m. schedule.

**Standard Workday:** Eight (8) hours for full time employees.

**Standard Work Hours:** 8:00 a.m. to 5:00 p.m. Monday through Friday.

**Standard Workweek:** Seven (7) consecutive 24 hour periods, beginning at 12:01 a.m. on Friday and ending at midnight the following Thursday.

## **GENERAL:**

Work schedules for all full-time employees (whether included or excluded) are set around the 40-hour workweek standard to ensure equitable calculation of contract hours used for determining leave accruals, leave use, leave without pay, the number of paid hours required to cover insurance premiums and many other human resource functions.

Units authorizing flexible work schedules must be fully operational and staffed with responsible and knowledgeable employees so as to provide a full range of services during all normal operational hours of that office. In addition, appropriate supervision must be available during hours the office is open.

All approved flexible schedules must result in equal or increased productivity and services to the public or other customers.

An included employee cannot work an approved regular work schedule that would cause the employee to work more than 40 hours in a single workweek.

An excluded employee cannot work an approved regular work schedule of more than 80 hours during a biweekly pay period.

Full-time employees normally have a minimum of one-half hour for an unpaid meal period for any workday of six hours or more.

Core work hours are 9:00 a.m. to 3:30 p.m. for employees who work eight hours or more in a day in a unit that is expected to be operational from 8:00 a.m. to 5:00 p.m. Monday through Friday. All such employees of those offices must be in work status during core work hours except during meal periods or other authorized and approved absences.

Employees whose work unit is on an approved flexible schedule will normally work the approved schedule for their work unit. More than one flexible schedule per work unit may be used if doing so results in equal or increased productivity and services to the public. In no case shall an employee be required to work a flexible schedule unless it is based upon operational needs of the Department. In cases where employees are required to work a flexible (asymmetric) work schedule all notifications as required by any collective bargaining agreement must be followed.

## **1. PROCESSING FLEXIBLE WORK SCHEDULE REQUESTS**

- 1.1** Requests for approval of a flexible work schedule for individual employees or an entire work unit must be submitted in writing or email to the supervisor. All requests should address how productivity and customer service will be increased or maintained. In considering a flexible work schedule for a work unit or section, the manager should seek input from employees to determine the most efficient schedule to meet both the employee's and the Department's needs.
- 1.2** The supervisor must review the request to determine if the requested schedule will have any adverse impact on Department services, public safety, or production of the work unit.
- 1.3** The supervisor must recommend approval or non approval of the request and forward it along with any comments through the chain of command for concurrence to the final approving authority as defined in **Section 4**, below. If the supervisor is the approving authority, he or she shall approve or disapprove the request and notify the employee in accordance with **Sections 2.1 through 2.3**, below.

## **2. Approval/Disapproval Process**

- 2.1** The approving authority shall review the request along with the recommendations of the subordinate supervisor(s) and approve or disapprove the request.
- 2.2** The approving authority shall notify the employee of the approval or disapproval in writing.
- 2.3** Approved requests must state any conditions of the approval, the length of time the flexible work schedule is approved for, and that the approval can be rescinded by management based upon needs of the Department or abuse by the employee. All notification requirements of schedule changes contained in collective bargaining union agreement and **Chapter 60L-34, F.A.C., Attendance and Leave**, must be fully observed.
- 2.4** Approved flexible work schedules are to be entered and approved in People First.

- 2.5 Disapproved requests must state the reason(s) for the disapproval.
- 2.6 A copy of all requests for flexible work schedules (approved or disapproved) must be maintained in the office of the approving authority and must be available for any required audit or review.
- 2.7 Supervisors and approval authorities are responsible for monitoring productivity after flexible work schedules are approved to ensure service and work output levels are maintained.

### **3. SHIFT WORK AND DAYLIGHT SAVING TIME (DST)**

- 3.1 All hours physically worked and leave hours used each workday within the work schedule must be recorded in People First on the actual date the hours were worked or taken off (including workdays that begin on one calendar day and end on another) to ensure the accuracy of records.

Example: If an employee's work shift starts on Friday night and extends into Saturday morning, the employee must record all hours worked and all leave used on the date the work or leave actually occurred.

- 3.2 For employees working between 2:00 a.m. and 3:00 a.m. on the date that the spring time change (DST) occurs and causes a shorter shift, supervisors should inform employees of the following options in writing and prior to the beginning of their work shift:

#### **Spring Time Change (DST causing a shorter shift)**

- To begin work an hour prior to the beginning of, or leave work an hour after, their normal work schedule;
- To request permission to use an hour of annual leave or compensatory leave (refer to **Rule 60L-34.0044(3), F.A.C.** or the applicable collective bargaining agreement for assistance with the applicable substitution procedures); or
- To request permission to work an extra hour on another date during the work period (as long as the employee is also not charging leave on that date which would be offset with the extra hour worked).

#### **Fall Time Change (Standard Time causing a longer shift)**

- If minimum staffing levels can be maintained that are not detrimental to operations, to begin work an hour later than, or end their shift an hour earlier than, their normal work schedule on the day of the time change;

- To request permission to begin work an hour later than, or end their shift an hour earlier than, their normal work schedule on another day during the work period; or
- To request permission to work the additional hour, which could cause overtime for included employees, regular compensatory leave earned for excluded Career Service employees, an offset with leave during the work period, or extra hours for excluded SES and SMS employees.

**3.3** Employees who are on-call for the entire day on the date of a fall time change shall only record 24 hours of on-call in People First. The additional hour of on-call will be paid.

**3.4** Flexible work schedules should not be altered in People First to account for DST.

#### **4. APPROVING AUTHORITIES**

**4.1** The approving authority is any SMS/SES employee supervising other employees or their designee, provided such delegation is in writing, or any Career Service Office Head reporting to the Secretary.

#### **5. RECORD KEEPING**

**5.1** This authorization was approved by the Department of Management Services (DMS) for the Department on a permanent basis.

#### **6. TRAINING**

None

#### **7. FORMS**

None