

Department of Behavioral Health
TRANSMITTAL LETTER

SUBJECT Alternative Work Schedules		
POLICY NUMBER DBH Policy 717.3	DATE DEC 17 2013	TL#

Purpose. To establish flexible work schedules within the Department of Behavioral Health (DBH). The Telecommuting Program is addressed in DBH Policy 717.4.

This revision adopts the policy from the former Department of Mental Health, now merged into the new Department of Behavioral Health, in accordance with the DBH Establishment Act of 2013.

Applicability. This policy shall apply DBH-wide to all full and part-time employees based on operational needs of the agency/organization. The requirements of this policy are subject to the provisions of applicable DBH collective bargaining agreements.

Policy Clearance. Reviewed by affected responsible staff and cleared through appropriate Behavioral Health Authority offices.

Implementation Plans. Specific staff whose roles are relevant to the implementation of this policy should be trained, as needed. Program managers are responsible for following through to ensure compliance.

Policy Dissemination and Filing Instructions. Managers/supervisors of DBH must ensure that staff are informed of this policy. Each staff person who maintains policy manuals must promptly file this policy in the DBH Policy and Procedures Manual.

ACTION


REMOVE AND DESTROY

DMH Policy 717.3

INSERT

DBH Policy 717.3


Stephen T. Baron
Director, DBH

GOVERNMENT OF THE DISTRICT OF COLUMBIA  DEPARTMENT OF BEHAVIORAL HEALTH	Policy No. 717.3	Date DEC 17 2013	Page 1
	Supersedes DMH Policy 717.3, same subject, dated May 30, 2008.		

Subject: Alternative Work Schedules

1. **Purpose.** To establish flexible work schedules within the Department of Behavioral Health (DBH). The Telecommuting Program is addressed in DBH Policy 717.4.
2. **Applicability.** This policy shall apply DBH-wide to all full and part-time employees based on operational needs of the agency/organization. The requirements of this policy are subject to the provisions of applicable DBH collective bargaining agreements.
3. **Authority.** D.C. Official Code § 1-612.01 (2006 Repl.); District Personnel Manual (DPM) Chapter 12, Hours of Work, Legal Holidays and Leave, dated December 7, 2007; and the Establishment of the Department of Behavioral Health of 2013
4. **Definitions.**
 - 4a. **Alternative Work Schedule (AWS)** – means flexible work schedules and compressed work schedules. AWS replaces the traditional eight (8) hour workday with a workday comprised of a core time when all employees are required to be present at work.
 - 4b. **Compressed Work Schedule (CWS)** – in case of a full-time employee, allows the employee who receives approval from their supervisor, to schedule their 80-hour biweekly workweek for less than 10 workdays; and the basic non-overtime workday may exceed 8 hours. Part-time DBH employees are excluded from participation in CWS.
 - 4c. **Core Hours** – the time periods during the workday during which an employee under an AWS is required to be present for work. The DBH's core hours for the AWS Program are 9:30 a.m. to 3:30 p.m. Monday through Friday.
 - 4d. **Flexible Work Schedule (FWS)** – Allows an employee, with their supervisor's approval, to determine his/her own schedule within the designated core hours. There are two options under the FWS, the Variable Day Schedule (VDS) and the Flexible Work Day (FWD) described later in this policy.
 - 4e. **Exempt Time Off** – Exempt time off is time off granted to FLSA-exempt employees at grades 14 and below for work performed in excess of eighty (80) hours in a biweekly pay period.
 - 4f. **Subordinate Components.** Any organizational unit that reports (directly or indirectly) to the Chief Executive Officer of Saint Elizabeths Hospital as applicable, or to a Behavioral Health Authority (BBHA) Deputy Director/equivalent.
5. **Guidelines for Alternative Work Schedules.**
 - 5a. AWS shall be offered on an equal basis to all employees of the Department of Behavioral Health with the following exception: The Chief Executive Officers of Saint

Elizabeths Hospital and BHA Deputy Directors/equivalents may determine that the work of certain subordinate components of their organization is not conducive to an AWS and may restrict the ability to work AWS to certain components of their organization. Justification of the business reasons for the exemption shall be documented and provided through the DBH Chief Administrative Officer to the Division of Human Resources for necessary reporting purposes.

5b. The decision of the Chief Executive Officers of Saint Elizabeths Hospital or the BHA Deputy Directors/equivalents regarding exempting certain subordinate components within their organization from participation in AWS may be reviewed by the DBH Director or designee, upon request. The decision of the Director is final and not appealable.

5c. **Any organizational unit that has employees who work on various shifts (*different from the standard day shift*) that determine AWS is feasible for those employees shall develop procedures to allow participation, where necessary. Those procedures will provide for necessary differences in hours of work, pre-set schedules, etc., but shall be consistent with current D.C. law and regulations.**

5d. **The hours of work for this AWS Program are from 7:00 a.m. to 7:00 p.m. each day.** No AWS can commence prior to 7:00 a.m., nor end after 7:00 p.m.

5e. **All DBH employees on AWS are required to be present between the core hours of 9:30 to 3:30 each workday (except for authorized lunch periods).**

5f. Overtime shall not apply to the hours of work that constitute an AWS for an employee.

5g. Part-time DBH employees may participate in the flexible work schedule, but cannot participate in the compressed work schedule.

5h. Employees and supervisors must observe all pertinent time and attendance, leave, and pay regulations when an AWS is established. Overtime and compensatory time, or exempt time off, are to be approved in advance using existing procedures. Leave usage will be charged based on the approved AWS (for example, if an employee is off on a 9-hour work day, he/she will be charged 9 hours leave).

5i. Nothing in this policy prohibits a supervisor from approving an AWS application for an employee who has received corrective or disciplinary action, is on a performance improvement plan, or has received an official "Unsatisfactory" or "Needs Improvement" performance rating. The supervisor may also return the employee to his or her regular tour of duty if the supervisor determines that the employee's performance is impacted by the AWS. The decision to approve the AWS request or retain an employee on AWS shall consider the factors set forth in Section 7b below.

5j. Upon termination of AWS approval, the employee shall return to the tour of duty that existed prior to receiving approval for the AWS, unless the tour of duty has been changed by the employee's supervisor in accordance with applicable rules.

5k. Any provision on AWS contained in an approved DBH collective bargaining agreement (CBA) takes precedence over the AWS provisions of the D.C. personnel regulations, DPM, and the *Guide* for employees covered by such a CBA, to the extent that there is a difference.

6. **Types of Alternative Work Schedules.** (See Exhibit 1, Options on Alternative Work Schedules [AWS]). There are two **types**: (1) Flexible Work Schedule (with two options), and (2) Compressed Work Schedule.

6a. **Flexible Work Schedule (FWS).** A FWS schedule shall not be combined with a compressed work schedule (CWS) or *telecommuting* work schedule. Two options are offered below. *Option 1 and 2 may not be combined.*

Option 1

(1) **Variable Day Schedule (VDS)** allows the employee to vary their tour of duty for each day within the week with a pre-set schedule (see also 7a(4) below). Components of the VDS are:

(a) In the case of a full-time employee, the employee works an 8-hour day and must work a forty (40) hour workweek.

(b) In the case of a part-time employee, the employee works the scheduled number of hours each day during a basic workweek of less than forty (40) hours.

(c) Working any arrangement of hours between 7:00 a.m. 7:00 p.m. constitutes a valid workday, as long as the core hours are observed.

(d) The working hours in each day of the basic workweek need not be the same.

Option 2

(2) **Flexible Work Day (FWD)** is an individualized tour of duty which differs from a regular basic work week primarily by the daily flexible start and stop times. Daily pre-approval is not required. Components of the FWD are:

(a) Employees may select a starting and stopping time each day.

(b) Employees may be granted up to thirty (30) minutes daily flexibility in the beginning and ending time of an approved tour of duty, but not prior to 7:00 a.m. or after 7:00 p.m. (See also Section 5d above.)

Example of 30 minute flex: If the tour of duty is 9:00 a.m. - 5:30 p.m., the employee may arrive as early as 8:30 a.m. or as late as 9:30 a.m. (the beginning of the core period), and would end their day as early as 5:00 p.m. or as late as 6:00 p.m.

(c) Employees may also be granted up to sixty (60) minutes daily flexibility in the beginning and ending time of an approved tour of duty, but not prior to 7:00 a.m. or after 7:00 p.m.

Employees may be required to make adjustments to attend mandatory meetings, etc.

6b. **Compressed Work Schedule (CWS, [must be a full-time employee])**

(1) CWS allows employees to schedule their 40-hour workweek on fewer than five (5) days.

(2) The basic non-overtime workday may exceed eight (8) hours.

- (3) The tour of duty for each employee under a CWS may not exceed ten (10) hours for any workday.
- (4) There are 2 basic types of CWS: a 4-day workweek with 1 day off each week; or eight---9 hour days, one---8 hour day, and 1 day off in either week.
- (5) A CWS shall not be combined with a FWS, or *Telecommuting* work schedule.

7. **Application, Approval and Appeal Process.**

7a. **Employees shall:**

- (1) Apply for an AWS, by completing DBH 27, *Request for Alternative Work Schedule* (Exhibit 2) for approval.
- (2) Obtain supervisory approvals. The form shall be signed by the employee, the employee's supervisor, and the second level manager/equivalent.
- (3) After obtaining approval, submit a copy of the approved DBH 27 to the timekeeper responsible for the time and attendance record.
- (4) Remain on the selected schedule for a minimum of ninety (90) days before a change can be requested. An employee is allowed only two (2) changes in a calendar year to his/her alternate work schedule.
- (5) Submit a written request to the supervisor at any time if he/she wishes to end participation in an AWS and return to the standard work schedule. Employees may not change an approved AWS to a different AWS without completing another DBH 27. Any change to an AWS must be approved prior to further changes to the employee's work schedule.
- (6) If he/she wishes, submit an appeal application (see Exhibit 3, DBH 28) within ten (10) calendar days of the decision to appeal/request reconsideration of a denied request for AWS to the second level manager/equivalent. If not resolved at that level, the employee may submit through the normal chain of command to the DBH Director/designee. The appeal may be resolved at any level, however if the DBH Director/designee renders the decision, it is final and not appealable. The employee shall be given the final response to the appeal within seven (7) calendar days from the date of the appeal.
- (7) **Recognize** that participation in the AWS Program is a privilege, not a right, and if abused, can be revoked at the discretion of the supervisor.

7b. **Supervisors shall:**

- (1) Consider operational needs, coverage, consumer/customer service needs, ability to monitor work, employee work history, etc. of the program as well as the needs of the employee when reviewing and deciding on requests for AWS.
- (2) Approve, deny, adjust or revoke an AWS for an individual employee at anytime based on duty requirements, or other work related reasons. When not approved, the employee should be given reasons for denial, and where practicable, at least fifteen (15) calendar day notice of the revocation or adjustment of the AWS.

- (3) Give the request to the second level manager/equivalent for signature and provide a decision on a request for an AWS within fifteen (15) calendar days of receipt of the request from the employee.
- (4) When there are more AWS requests than can be accommodated for a particular AWS choice/time, use deciding factors that are fair and reasonable to make the decision (e.g., the employee service computation date).
- (5) Ensure that time-accounting methods provide evidence that employees with an AWS work or account for (e.g., using approved leave) eighty (80) hours per pay period or the approved part-time hours, and that employees adhere to the guidelines of this AWS policy.
- (6) Revoke an individual employee's participation in the AWS Program if the employee fails to observe the requirements of the Program. Removal made under this authority must not be for frivolous, arbitrary, or capricious reasons.
- (7) Give justification in writing for revoking an approved AWS. Supervisors shall provide employees as much advance notice as possible, but a minimum of fifteen (15) calendar days notice is required so that employees may reschedule previously made commitments or obligations.

8. Determining "In Lieu of" Holidays Under Alternative Work Schedules.

8a. If a holiday falls on a non-workday of an employee on a FWS or CWS except for holidays falling on a Sunday non-workday, the employee's preceding workday is the designated "*in lieu of*" holiday (e.g., holiday is on Saturday, employee's "*in lieu of*" holiday is Friday).

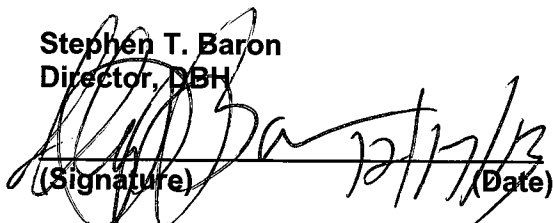
8b. If a holiday falls on a Sunday non-workday of an employee on a FWS or CWS, the employee's subsequent workday is the designated "*in lieu of*" holiday (e.g., holiday is on Sunday, employee's "*in lieu of*" holiday is Monday).

9. Division of Human Resources (DHR) Responsibilities. DHR is responsible for:

- Implementing the overall Alternate Work Schedules Program;
- Informing the unions of any component within DBH that is excluded from specific options of the AWS Program;
- Providing information to managers, supervisors, and employees about the AWS Program; and
- Reviewing and resolving issues and concerns associated with the operations of the AWS Program.

Approved By:

Stephen T. Baron
Director, DBH

(Signature)  (Date) 12/17/13

DEC 17 2013

**OPTIONS ON ALTERNATIVE WORK SCHEDULES (AWS) for
Flexible Work Schedules and Compressed Work Schedules**

Core hours 9:30 to 3:30

(No ASW can commence prior to 7:00 a.m., nor end after 7:00 p.m.)

1. Flexible Work Schedules (FWS), the two Options are:

• **Variable Day Schedule – Option 1**

Example: An employee with a standard tour of duty from 8:15 a.m. to 4:45 p.m., Monday through Friday, requests the following pre-set variable day schedule.

FIRST WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:	7:30 A.M.	8:30 A.M.	9:00 A.M.	9:00 A.M.	7:30 A.M.
END TIME:	4:00 P.M.	5:00 P.M.	5:30 P.M.	5:30 P.M.	4:00 P.M.
HOURS WORKED:	8	8	8	8	8
TOTAL WORKED:	40				
SECOND WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:	7:30 A.M.	8:30 A.M.	9:00 A.M.	9:00 A.M.	7:30 A.M.
END TIME:	4:00 P.M.	5:00 P.M.	5:30 P.M.	5:30 P.M.	4:00 P.M.
HOURS WORKED:	8	8	8	8	8
TOTAL WORKED:	40				

• **Flexible Work Day Schedule – Option 2**

Two alternatives (30 minutes or 60 minutes) are available under Option 2.

Example of a 30 minute flexible work day schedule with a standard tour of duty from 8:30 a.m. to 5:00 p.m.

FIRST WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:	8:00 A.M.	9:00 A.M.	8:00 A.M.	8:30 A.M.	9:00 A.M.
Early arrival or late arrival	30 MIN early	30 MIN late	30 MIN early	As scheduled	30 MIN late
END TIME:	4:30 P.M.	5:30 P.M.	4:30 P.M.	5:00 P.M.	5:30 P.M.
HOURS WORKED:	8	8	8	8	8
TOTAL WORKED:	40				

Example of a 60 minute flexible work day schedule with a standard tour of duty from 8:30 a.m. to 5:00 p.m.

SECOND WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:	7:30 A.M.	9:30 A.M.	7:30 A.M.	8:30 A.M.	9:30 A.M.
Early arrival or late arrival	60 MIN early	60 MIN late	60 MIN early	As scheduled	60 MIN late
END TIME:	4:00 P.M.	6:00 P.M.	4:00 P.M.	5:00 P.M.	6:00 P.M.
HOURS WORKED:	8	8	8	8	8
TOTAL WORKED:	40				

2. Compressed Work Schedule (CWS) – CWS have predetermined tours of duty, i.e., the days of the week and times of work each day. The following are 2 examples of CWS:

- **Four-Day (4-Day) Model – 10 hours a day for 4 days a week.**

Example: An employee with a standard tour of duty from 7:00 a.m. to 3:30 p.m., Monday through Friday, requests the following CWS:

FIRST WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:	7:00 A.M.	7:00 A.M.	7:00 A.M.	7:00 A.M.	OFF
END TIME:	5:30 P.M.	5:30 P.M.	5:30 P.M.	5:30 P.M.	
HOURS WORKED:	10	10	10	10	
TOTAL WORKED:	40				
SECOND WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:	7:00 A.M.	7:00 A.M.	7:00 A.M.	7:00 A.M.	OFF
END TIME:	5:30 P.M.	5:30 P.M.	5:30 P.M.	5:30 P.M.	
HOURS WORKED:	10	10	10	10	
TOTAL WORKED	40				

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- **Nine-Day Model** – 9 hours a day for 8 days, 8 hours a day for 1 day:

Example: An employee with a standard tour of duty from 8:15 a.m. to 4:45 p.m., Monday through Friday, request the following *CWS*:

FIRST WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:	8:00 A.M.	8:00 A.M.	OFF	8:00 A.M.	8:00 A.M.
END TIME:	5:30 P.M.	5:30 P.M.		5:30 P.M.	5:30 P.M.
HOURS WORKED:	9	9		9	9
TOTAL WORKED:	36				
SECOND WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:	8:00 A.M.	8:00 A.M.	8:00 A.M.	8:00 A.M.	8:00 A.M.
END TIME:	5:30 P.M.	5:30 P.M.	5:30 P.M.	5:30 P.M.	4:30 P.M.
HOURS WORKED:	9	9	9	9	8
TOTAL WORKED:	44				

GOVERNMENT OF THE DISTRICT OF COLUMBIA
REQUEST FOR ALTERNATIVE WORK SCHEDULE (AWS)

Employee (Print Name): _____ **Agency/Program:** _____
(BHA, SEH, MHSD)

Position Title/Series/Grade: _____

Supervisor (Print Name): _____ **Office Location:** _____

I. Identify the type of AWS requested:

1. _____ **Variable Day Schedule** (with pre-set variable daily start/stop times)
2. _____ **Flexible Work Day:** ☐ 30 minutes ☐ 60 minutes
3. _____ **Compressed Time Preferred Off-Day:** 1st Choice _____ 2nd Choice _____

Indicate Desired Compressed Schedule: ☐ 10 hour days ☐ 9 hour days/one 8 hour

Proposed effective date for AWS: _____

II. The employee hereby requests the following AWS:

FIRST WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:					
END TIME:					
HOURS WORKED:					
TOTAL WORKED:					
SECOND WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
START TIME:					
END TIME:					
HOURS WORKED:					
TOTAL WORKED:					

Employee Signature

Date

III. This section is to be completed by Supervisor:

Recommendation:

- ☐ **Disapprove *AWS* (If the recommendation is to disapprove, specify reason(s) below):**

If approved, this AWS shall take effect on: _____

Supervisor Signature

Date _____

IV. This section is to be completed by Second Level Manager/Equivalent:

- 

Reasons if not approved *(If decision different from above):*

Second Level Manager/Equivalent

Date _____

**ALTERNATE WORK SCHEDULE PROGRAM
APPEALS APPLICATION**

Any employee whose request for participation in an option of the Alternate Work Schedule Program has been denied by his or her immediate supervisor may submit an appeal within ten (10) calendar days of the decision. The appeals application must include a detailed justification substantiating the request for reconsideration. **A copy of the denied application must be attached.**

Appeal Levels:

- The appeals application must be submitted to the 2nd (next)-level supervisor or manager.
- If the employee is dissatisfied with the decision rendered by the 2nd-level supervisor or manager, he/she may request a review of that decision through the normal chain of command to the DBH Director/designee. The appeal may be resolved at any level in the supervisory chain, however if the DBH Director/designee renders the decision, it is final and not appealable.

Employee Information:

Employee Name _____

Title _____

Grade/Step _____ Agency _____
(BHA, SEH, MHSD)

Program _____

Supervisor _____

Work Schedule Option Selected:

1. _____ Variable Day Schedule
2. _____ Flexible Work Day: ☐ 30 minutes ☐ 60 minutes
3. _____ Compressed Schedule: ☐ 10 hour days ☐ 9 hour days/one 8 hour

Alternate Work Schedule Program Appeals Application

Written Justification/Reason for Appeal: *(Please attach additional sheets if necessary)*

Employee Signature

Date

Deciding Official:

_____ Appeal Granted _____ Appeal Denied

Justification for Denial: *(Please attach additional sheets if necessary)*

Name _____

Title _____
(Print)

Signature _____

Date _____

A copy of the decision must be submitted to the Telecommuting Program Coordinator in the Division of Human Resources at the Mental Health Authority, 64 New York Ave., NE, 5th floor, Washington, DC.