

ALTERNATIVE WORK SCHEDULES

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WORKWEEK: Shorter Hours, Flexible Times

U.S. Workweek Put at 36 Hours Within 10 Years

By HARRY BERNSTEIN,
Times Labor Writer

NEW YORK—If you hate punching time cards and you are ready for a shorter workweek and a more flexible job schedule, a major new study released here Tuesday has some happy predictions for you:

—In less than 10 years, the standard workweek in America will be reduced from the present 40 hours to 36 hours, and it will often be achieved by working nine hours a day for four days.

—At least 25% of all American workers will be on flexible work schedules (less than 10% are on such schedules today).

—And 28% of all workers will share their regular work with others or voluntarily take part-time jobs.

Sharp changes in America's work Please see **WORKWEEK**, Page 10

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schedules have come about in just the last decade, according to the study done by the Work in America Institute, a non-profit organization sponsored by industry, unions and private foundations.

In 1970, most full-time American workers had a standard 40-hour workweek, following rigid schedules. But by 1980, nearly 10 million workers in this country were using some kind of a flexible work schedule or a compressed workweek, putting their 40 hours of work into four days or less.

Some companies such as Good-year Tire & Rubber Co. even offer two 12½-hour workdays to some of their employees. Finding it difficult to fill shifts on Saturdays and Sundays, such companies entice workers by giving them five days off in exchange for two 12½-hour week-end shifts.

Part-Time Jobs Grow

In addition, the study reported that another 11.8 million workers, many of them women, voluntarily hold permanent but part-time jobs, and that part-time work by both men and women is steadily growing.

With more than a fifth of the labor force already on a "flexitime" work schedule, a compressed workweek or part-time employment, "employers have literally tossed out time clocks, shredded time cards

and are taking new looks at the old concepts of employment," said Robert Zager, who directed the study along with Jerome Rosow, president of the institute.

Flexible time schedules are spreading rapidly in both the public and private sectors, the report said. One-fourth of all federal employees are working under some kind of flexitime system.

Many employers once believed that allowing workers significant latitude in developing their own schedules would bring about anarchy in the workplace and reduce employee discipline, the report said. Instead, it asserted, "the actual result has been to strengthen the work ethic by reducing the stresses caused by the conflict between job demands, family needs, leisure time and educational needs."

The pressure for work schedule changes is coming from what the report called unprecedented changes in family structure and the composition of the work force and of society in general. It cited especially the increasing number of working mothers.

Today, only 7% of all family units fit the traditional model—a male who works outside the home, a housewife and two school-age children, it said.

The rapidly increasing number of single-parent families, and families in which both husband and wife

work, along with the increasing costs of commuting to jobs, are all adding to the pressures, Rosow said.

While the basic drive for change is coming from workers themselves, the report said interviews with corporate executives and hundreds of companies across the country show that most companies and government agencies using flexitime report increased productivity and fewer layoffs.

Under the flexitime system, workers choose their starting and quitting times, but within limits set by management alone, or by management and workers together.

Because the trend now is away from rigid time schedules, the report said, "it is imperative that supervisors who are out of step with society be reoriented to understand the goals of new work schedules."

The study's results, brought together by staff members of the institute and its executives, were reviewed and approved by executives of such large corporations as Shell Oil, Control Data, Avon Products, General Electric, American Telephone & Telegraph and Metropolitan Life Insurance.

Unions that took part in the study or reviewed and approved it included the AFL-CIO and such affiliates as the Amalgamated Clothing Workers of America, the United Auto Workers and the Communication Workers of America.

A Poor Prediction

Long Hours, Crazy Shifts

Another, more insidious, way our jobs are making us sick is by cumulative fatigue and stress caused by the new "alternative work schedules"—rotating shifts and compressed work weeks, such as the 10- or 12-hour day.

There was a reason workers fought for the 8-hour work day. There is also a reason why most people sleep at night. It has to do with a natural human body clock, or circadian rhythms. Our bodies are naturally governed by chemical stimuli received from sunlight and meals.

The many studies of shift work indicate that very few people can ever fully adjust even to working night shifts because of our biological clock. Shift work can cause various

medical and psychological problems like ulcers and other gastrointestinal maladies, sleep and nervous disorders, even cardiovascular disease. And no formal research has been reported yet by the national health and safety agencies in the U.S. on the effects of rotating shifts or compressed schedules.

The 10-hour or 12-hour day raises other serious health concerns. Where the hazard is physical work, such as material handling, and a certain recovery time is necessary, workers who work longer days may experience more back injuries or repetitive motion traumas. Studies have shown that overtime work is associated with a greater number of back injuries.

Most occupational health standards in the United States and Canada have been predicated upon the 8-hour day and 40-hour week. A worker exposed to a chemical for 12 hours a day may suffer greater harm than a worker exposed to the same chemical for 8 hours. The problem is that there is insufficient research documenting the difference in health effects between such exposures, similarly for stress and fatigue.

In Europe, more research is being done. According to the

British publication *Hazards*, a 1993 study found that overtime damages the physical, psychological, and social well-being of workers, even where they willingly took on the extra work. Researchers found high levels of adrenaline, blood fats, and slightly elevated blood pressure in the workforce. Workers were experiencing a permanent condition of stress that did not go away even after a vacation of four weeks.

Incidents of death on the job are now being linked to overwork in Europe, not only in Japan where the term *karoshi*—"death from overwork"—was created for this phenomenon.

In order to combat the effects of shift work and overwork, recommendations from European unionists at the London Hazards Centre include:

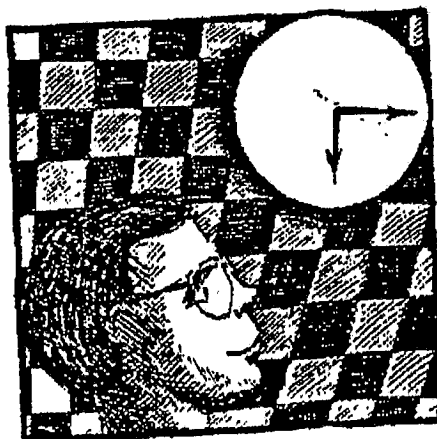
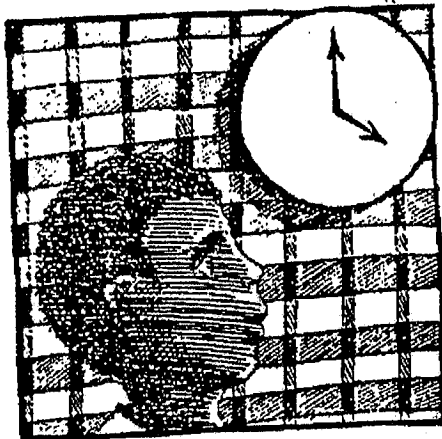
- Minimize permanent nights and limit the number of night shifts in succession.
- Shift change times should allow individuals some flexibility.
- The length of the shift should depend on the physical and mental load of the task, and the night shift should be shorter than the morning and afternoon shifts.
- Avoid short intervals between two shifts, ie. switching from days to nights with only a couple days in between.
- Continuous shift systems should include some free weekends, with at least two successive full days off.
- Shift rotations should be regular.
- Workers must have daily, weekly, and annual periods of rest and adequate breaks.
- A limit should be placed on weekly overtime hours.

Violent Workplaces

We not only have more stress on the job, but more violence too. Multiple incidents of postal workers killing supervisors, co-workers, and committing suicide illuminated the extent of the problem. Workplace violence experts conclude: the post office is high-pressured and authoritarian, and fosters emotional and psychological instability among employees. While the U.S. Postal Service commissioned a study to yield a "psychological profile" of the violence-prone employee, experts say the focus should be on improving the work environment.

Recent findings that most women killed on the job are murdered suggests the broadening scope of violence in all workplaces. Workers and unions should take a health and safety approach to violence, looking at stalled grievance procedures, job stress, insensitive and intransigent management.

Alternative Work Patterns



AFSCME Research Department

ALTERNATIVE WORK PATTERNS SOME BASIC DEFINITIONS

RESTRUCTURED FULL-TIME WORK

Flexitime

Flexitime is the generic term for flexible scheduling programs--work schedules that permit flexible starting and quitting times.

The workday is generally divided into periods of

- "core time"--hours during which all employees must be present; and
- "flexible time"--hours during which employees may choose their time of arrival and departure.

Some of the possible variations in the use of flexitime are:

- Fixed starting and quitting times that are selected periodically. Employees choose their starting and quitting times for a specified period and work eight hours daily, following the agreed-upon schedule.
- Starting and quitting times which vary daily. Employees are free to come to work and leave at a different time each day, providing they work a total of eight hours every day.
- Variations in the length of the day, with mandatory core time. Employees must be present during the core time each day and work a specified number of hours over a specified period.
- Variations in the length of the day, without mandatory core time. Employees need not be present during a core period each day and may also bank time rather than having to work a specified number of hours during a specified time period.

Compressed Workweek

Compressed workweek refers to a workweek (usually 40 hours long) that is condensed into fewer than five days. The most common formulas are:

- 4/10: four 10-hour days--the most widely used type of compressed schedule.
- 3/12: three 12-hour days.
- 5-4/9: a week of five nine-hour days followed by a week of four nine-hour days.

The method of scheduling compressed work weeks can vary, depending on employer needs and employee desires including

- a fixed schedule where all employees have the same day of the week off.
- a rotating schedule that would allow the place of employment to be open longer hours (up to and including around-the-clock). The employees' days off may be fixed or may change from week to week.

REDUCED WORK TIME

Job Sharing

Job sharing is a form of regular part-time work in which two people voluntarily share the responsibilities of one full-time position, with salary and benefits prorated. Because it is assumed that the conditions of employment remain the same as for other positions in the same classification, job sharing has played a significant role in up-grading and making part-time work more equitable.

Work Sharing or Shortened Workweeks

If the number of hours each person works is decreased without reducing pay or benefits, the available work is spread among more employees. This approach has long been supported by organized labor as a means of relieving unemployment. More commonly, however, a reduction in work hours and a matching reduction in pay has been used as an alternative to layoffs during times of economic crisis.

In some states legislation has been passed which makes employees working fewer hours eligible for partial unemployment insurance. States with such legislation now include Arkansas, Arizona, California, Florida, Louisiana, Massachusetts, Maryland, New York, Oregon, Texas, Vermont, and Washington.

The labor movement has endorsed work sharing, if: unemployment trust funds are adequately funded, at least two-thirds of the lost pay is replaced, and workweek reductions are limited to 40 percent.

Phased Retirement

Phased retirement is an employment alternative in which older workers reduce their time commitment prior to full retirement.

Many of these programs fell victim to the wave of downsizing in the early 1980s, in which early retirement incentives were commonly offered to encourage early retirement.

Permanent or Regular Part-Time Employment

Permanent, or regular, part-time is a reduced work-time arrangement in which the part-time worker is regarded as a full-fledged employee of the organization, entitled to job security and other rights and benefits (usually on a prorated basis) available to full-timers.

Contingent Employment

The term contingent employment was coined in the mid-1980s to describe the growing trend toward using more non-regular part-time, temporary, and independently contracted workers.

- Temporary workers are those hired on a full-or part-time basis, either through a "temp" agency or directly by the employer. The last two decades have seen a dramatic increase in the use of temporary workers.
- Independent contractors refers to an individual not in the direct employe of the company to whom tasks are "contracted out". Increasingly, these workers are considered by the employer to be self-employed.
- Leased Staff describes an arrangement in which an entire section of the company, rather than a few individual workers, is employed by the leasing agency. The staff of the employing company is often laid off and then hired as a group by the leasing agency, which then contracts their services back to the original employer.

EMERGING TRENDS

Flexiplace/Telecommuting/Homework

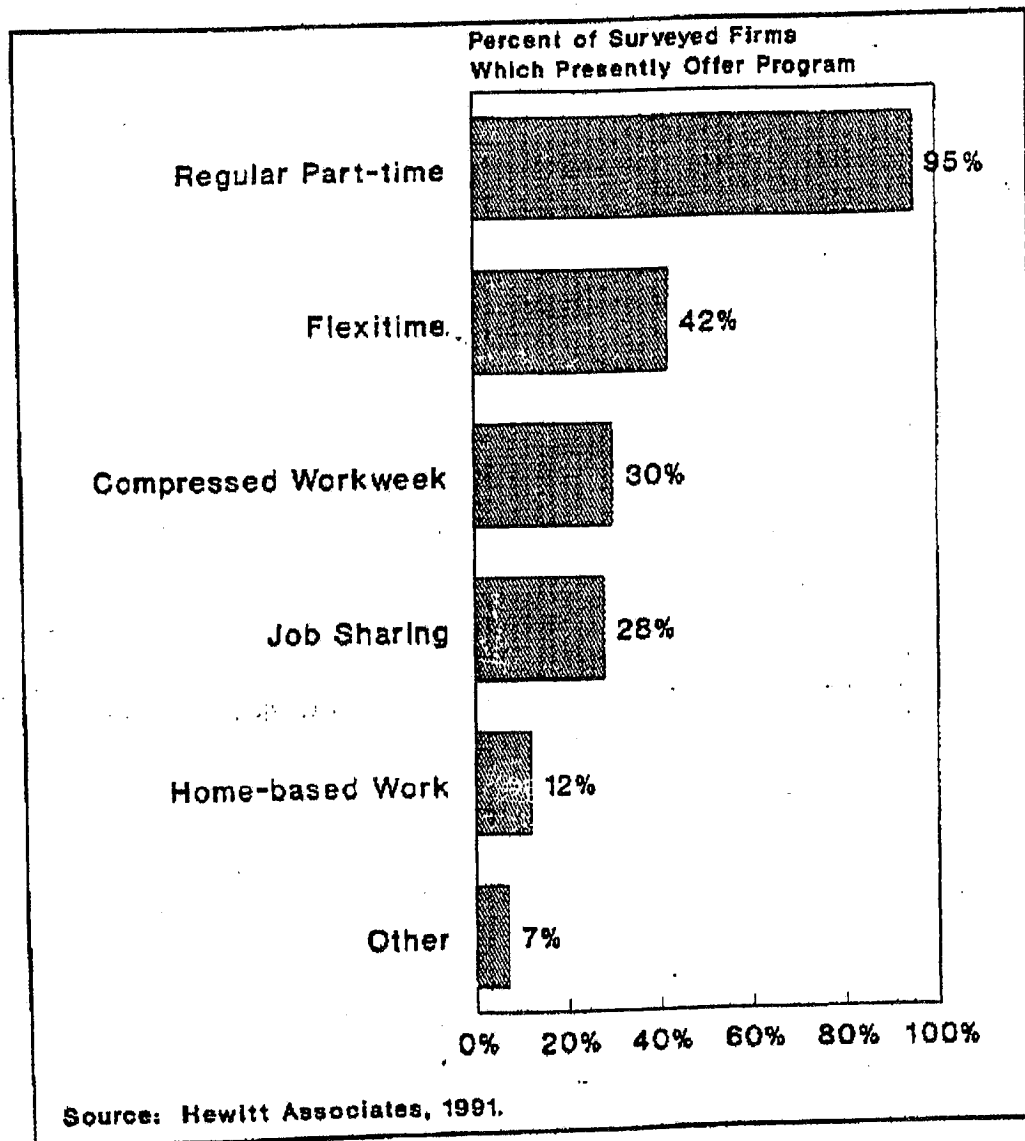
Flexiplace is a new workplace arrangement in which regular employees work primarily off-site. A major factor contributing to growth in this type of workplace arrangement is the technological developments made in the computer field, which allow work to be performed either from home or from a satellite office. The term telecommuting is often used to describe this work arrangement when a computer is involved in performing the off-site job. Some employees are full-timers; others are on part-time schedules.

ALTERNATIVE WORK PATTERNS TYPES OF ARRANGEMENTS AVAILABLE

In the fall of 1990, Hewitt Associates, an international firm of consultants and actuaries, conducted a survey of flexible staffing and scheduling policies. Responses were received from 435 medium and large-sized employers.

Ninety-five percent of the employers offered regular part-time employment. Nearly half of them indicated that the ratio of regular part-time to full-time employees in their organization had increased in the last five years.

Flexitime, compressed work schedules, and job sharing were also commonly provided work arrangements, offered by 42%, 30%, and 28% of employers respectively. Other nontraditional arrangements mentioned included internal temporary pools in which employees work only on a on-call or as-needed basis.

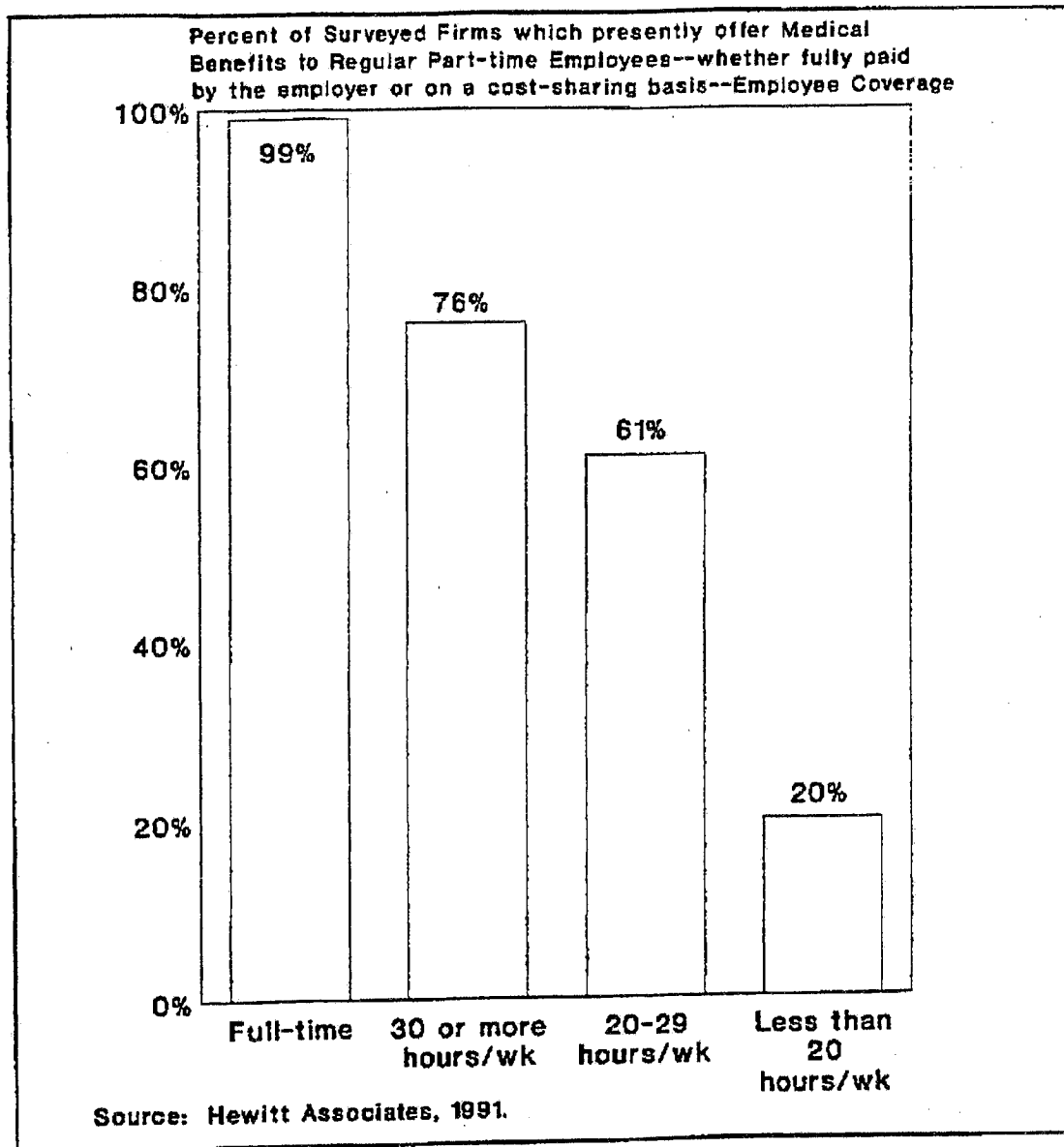


ALTERNATIVE WORK PATTERNS BENEFITS AVAILABLE

The Hewitt Associates survey findings also indicated that the benefits currently available to regular part-time employees (medical, dental, life insurance, etc.) vary by the number of hours the employee works, with the availability of these benefits increasing as the hours worked increases.

In addition, regular part-time employees working fewer hours were more likely to share in a greater portion of benefit costs than regular part-timers working a higher number of hours per week.

In comparison to a similar study conducted in 1985, more employers provided medical and dental benefits to regular part-time employees than in 1985. However, more employers also required a higher portion of cost-sharing from regular part-timers in 1990 than they did in the past.



ALTERNATIVE WORK PATTERNS SOME POSSIBLE IMPLICATIONS...

What effect will alternative work patterns have on the level of employment? Will the programs reduce the number of jobs, or create employment opportunities?

...For Restructured Full-Time Work

Is an alternative work pattern a threat to the concept of premium pay for time worked over 8 hours per day or 40 hours per week? Is there a premium for weekend work?

Flexitime or compressed workweeks are actually a fairly minor alteration of the work environment. Although they allow employees to slightly rearrange their schedules--to take care of personal business, avoid rush hour traffic and provide a bit more flexibility in dealing with family needs--they do not provide more free time for family responsibilities or more leisure time.

The 4-day or 3-day workweek does not automatically mean long weekends or even consecutive days off.

A job that causes extreme fatigue or stress may be difficult to perform for more than 8 hours a day.

Will rotating shift assignments, rotating days off, or varying lengths of on-duty and off-duty time cause severe stress-related problems? Shift work employees have a higher frequency of sleep, mood and digestive disorders, a higher incidence of ulcers and more accidents.

...For Reduced Work Time

Will more jobs open up for part-timers who may not be covered by the union contract? The use of part-time workers can be used to circumvent the contract.

Will job speedups occur? Productivity of part-time workers may appear higher than that of full-time employees, thereby providing unfair comparisons to full-time employees.

Will base salary scales and fringe benefits be maintained? Part-time work tends to undermine labor standards and depress wage levels.

Will seniority rules be undermined? Will layoffs and promotions occur according to some kind of seniority process for both full- and part-time employees?

Will part-timers lose access to training and career development?

Part-time employment, which is geared towards women, minorities and seniors, tends to segregate these workers into low skill, low paying jobs, raising serious questions of social and economic equity.

Part-time jobs help disguise the problem of high unemployment, as workers settle for part-time work in preference to no work.

Most contingency employees lack job security.

...For Home-Based Work

Will working at home create an invisible workforce that is easily exploited? Enforcing labor standards for home-based workers will be more difficult.

Will an employee's status be changed from a regular employee with rights and benefits associated with that status to the more tenuous status of "independent contractor" as a condition of working from the home?

Will home-based employment force women back into the home, and preclude the development of a national policy of child care and elder care supports?

REMEMBER: Advantages for employers often include reduced absenteeism, elimination of tardiness, improved employee morale, lower turnover rate and increased productivity. Given this, the union should try to ensure that employees also benefit from alternative work patterns.

For additional information contact:

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ALTERNATIVE WORK SCHEDULES



FLEXITIME

Flexitime was introduced in U.S. companies over 20 years ago as a way to ease commuting and energy problems. Today's use of flexitime centers around employees' needs for greater flexibility in the workplace in order to help them balance responsibilities at home with those at work.

Under flexitime, employees choose the time they arrive and the time they leave, as long as they accumulate the prescribed number of hours per day or week. There generally is a core time when all employees must be present each day. It is estimated that between 30 and 40% of workers have a flexitime option.

Advantages

- Low cost, popular benefit;
- Provides flexibility that can be useful to all employees in a variety of family situations, and
- Improvement in work performance and morale can come from employees' increased control and flexibility in their schedules.

Disadvantages

- May face resistance from supervisors;
- May encounter problems in communication and coverage throughout the day, and
- Requires special application in a manufacturing setting.

VOLUNTARY REDUCED TIME

"V-Time" is an option that enables employees to reduce their work time and pay by 5%-50% for a specified period-usually 6 to 12 months. Workers retain their benefits and seniority status on a prorated basis. Companies have begun to offer this option to help employees meet family, personal, or schooling needs, as well as an alternative to layoffs.

Advantages

- Makes reduced work time available to a larger labor pool because it can be done in small increments;

- Improves retention by enabling employees to adjust schedules rather than leave their jobs;
- Improves conditions of part-time work by allowing workers to retain benefits and employment rights;
- Increases the ability of the organization to expand or contract, and
- Is an effective recruitment tool.

Disadvantages

- Requires program development and policy change.

*From DOL, Women's Bureau, "Work & Family Resource Kit,"
(directed to employers)*

PART-TIME WORK

Part-time schedules may refer to portions of days, weeks, months, or years. Part-timers may be temporary or permanent employees. Temporary part-timers typically do not receive benefits, but employees who work a minimum prescribed number of hours usually receive prorated vacation and sick leave. They may also participate in the company's pension plan. Part-timers usually are not covered by employers' health insurance plans. In 1989, one-fifth of the American work force consisted of part-timers.

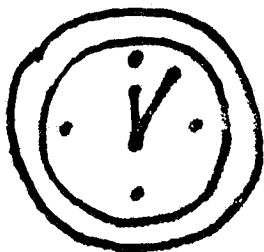
Advantages

- Allows recruitment from a larger labor pool that otherwise might not be available;

- Permits employer to fit the size of the work force to the workload;
- Increases possibility of retaining experienced workers, and
- Part-timers have been shown to be very productive on the job.

Disadvantages

- May involve extra cost because of fixed labor cost per employee, and
- Requires management to change perception that such workers are less committed.



JOB SHARING

Two workers who are compatible share the responsibilities of one full-time job or share separate, but related, assignments. Job sharing also can consist of unrelated part-time assignments that simply share a budget line.

Advantages

- Availability of part-time positions where previously not possible;
- Potential for a wider range of skills and experience in the shared job;
- Retention of experienced employees;

- Can create a more effective job schedule, and
- Allows for continuity of coverage—if one person leaves, someone knowledgeable is still available.

Disadvantages

- Benefit inequities may be perceived;
- Lack of information about how job sharing works can lead to mid-management resistance, and
- It may be difficult to evaluate individual performance if work assignments overlap.





HANDBOOK ON ALTERNATIVE WORK SCHEDULES

Alternative Work Schedules Definitions

The definitions in this handbook apply only to Alternative Work Schedules.

Agency means any executive agency or military department (as defined in 5 U.S.C. 105 and 102, respectively), the Government Printing Office, and the Library of Congress.

Alternative work schedules (AWS) means both flexible work schedules and compressed work schedules.

Basic work requirement means the number of hours, excluding overtime hours, an employee is required to work or to account for by charging leave, credit hours, excused absence, holiday hours, compensatory time off, or time off as an award.

Biweekly pay period means the 2-week period for which an employee is scheduled to perform work.

Collective bargaining, collective bargaining agreement, and exclusive representative have the same meanings given those terms in 5 U.S.C. 7103(a)(12), (8), and (16), respectively, in the case of any unit covered by chapter 71 of title 5, United States Code. In the case of any other unit, the definition of these terms corresponds to those applicable under the personnel system covering that unit.

Compressed work schedule (CWS) means:

- (1) in the case of a full-time employee, an 80-hour biweekly basic work requirement that is scheduled by an agency for less than 10 workdays; and
- (2) in the case of a part-time employee, a biweekly basic work requirement of less than 80 hours that is scheduled by an agency for less than 10 workdays and that may require the employee to work more than 8 hours in a day. (See 5 U.S.C. 6121(5).)

Core hours means 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. (See 5 U.S.C. 6122(a)(1).)

Credit hours means those hours within a flexible work schedule that an employee elects to work in excess of his or her basic work requirement so as to vary the length of a workweek or workday.

Employee has the meaning given that term in 5 U.S.C. 2105.

Flexible hours (also referred to as "flexible time bands") means the times during the workday, workweek, or pay period within the tour of duty during which an employee covered by a flexible work schedule may choose to vary his or her times of arrival to and departure from the work site consistent with the duties and requirements of the position. (See 5 U.S.C. 6122(a)(2).)

Flexible work schedule (FWS) means a work schedule established under 5 U.S.C. 6122, that --

(1) in the case of a full-time employee, has an 80-hour biweekly basic work requirement that allows an employee to determine his or her own schedule within the limits set by the agency; and

(2) in the case of a part-time employee, has a biweekly basic work requirement of less than 80 hours that allows an employee to determine his or her own schedule within the limits set by the agency.

Flexitour means a type of flexible work schedule in which an employee is allowed to select starting and stopping times within the flexible hours. Once selected, the hours are fixed until the agency provides an opportunity to select different starting and stopping times.

Gliding schedule means 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.

Maxiflex schedule means 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.

Organization means an entity within an agency that is headed by an official with the authority to establish tours of duty.

Overtime hours, when used with respect to FWS programs, refers to all hours in excess of 8 hours in a day or 40 hours in a week that are officially ordered in advance, but does not include credit hours. With respect to CWS programs, overtime hours refers to any hours in excess of those specified hours for full-time employees that constitute the compressed work schedule. For part-time employees, overtime hours are hours in excess of the compressed work schedule for a day (but must be more than 8 hours) or, for a week (but must be more than 40 hours).

Prevailing rate employee is defined in 5 U.S.C. 5342(2). These employees are also known as Federal wage employees.


Tour of duty under a flexible work schedule means the limits set by an agency within which an employee must complete his or her basic work requirement. Under a compressed work schedule or other fixed schedule, tour of duty is synonymous with basic work requirement.

Variable day schedule means a type of flexible work schedule containing core hours on each workday in the week and in which a full-time employee has a basic work requirement of 40 hours in each week of the biweekly pay period, but in which an employee may vary the number of hours worked on a given workday within the week within the limits established for the organization.

Variable week schedule means a type of flexible work schedule containing core hours on each workday 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.

Work unit means an entity located in one place with a specific mission, with homogeneous procedures, or technology, and headed by a supervisor or manager authorized to approve time and attendance reports and approve leave.

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Alternative Work Schedules

FLEXTIME

Research has shown employees are more likely to consider shared commutes when a flexible work schedule is instituted. Flextime allows employees to alter their arrival and departure times slightly to accommodate commute schedules. For example, although official office hours may be 8:30 a.m. to 5 p.m., employees may be allowed to arrive between 7:30 to 9 a.m. and leave between 4 and 5:30 p.m. That doesn't mean employees get to set their own hours! In most cases employees cannot flex their schedule on a daily basis, but must make a long-term commitment to a regular schedule.

The ultimate goal of a flextime policy is to **allow employees to arrange a commute schedule convenient to transit schedules or to accommodate vanpool and carpool arrangements.** Flextime can be employed in a variety of ways:

- The employer may permit employees to pick one of three schedules starting and ending an hour or half hour apart, "staggering" arrival times, but requiring all employees to be present during specified "core hours" of the day
- Employees may be able to modify slightly the established hours of operations through a formal pre-determined schedule on a permanent basis, or on an informal, variable basis
- Employees may be allowed a general, non-monitored 15- to 30-minute "window" of arrival time, provided they allow for the changes at the end of the day.

The type of program selected will have a lot to do with the size of your company or worksite and the general corporate atmosphere of your workplace. Note: flextime or "staggered hours" work best when companies coordinate efforts through their local MAP contact to optimize start/stop times, spreading out peak hour travel in a given employment center.

Alternative scheduling allows employees to feel they are **supported in their attempts** to share the ride to work, not worried that they'll be reprimanded for arriving late or leaving early. Of course, supervisors must be aware of employees' schedules and should monitor them for any abuse of this program.

COMPRESSED WORK WEEK

Compressed work weeks help reduce the number of SOVs arriving to the worksite during the week in a way different from flextime. This option allows employees not affected by collective bargaining to condense the hours they work into fewer days, thus increasing the length of the work day, but decreasing the number of days spent at the work site.

The most common condensed work week combinations are:

- 4/40 -- 4 days/10 hours per day
- 3/36 -- 3 days/12 hours per day
- 9/80 -- 9 nine-hour days in a two-week, 40-hour period (work 5, off 2, work 4, off 3)

Employers can choose to either close their offices on the day(s) off, or keep offices open every day but

have fewer people arriving each day. This option can be implemented year-round, or seasonally (great for summer). The days employees work are usually selected ahead of time, and don't change, although in rare instances, employees choose their days on a per week basis. Time accounting systems must be analyzed to accommodate this type of program.

Vehicle travel is reduced in one of two ways: either there are **no** vehicles arriving on the day(s) the office is not operating, or there are fewer vehicles overall arriving on a daily basis. When this option is implemented on a staggered schedule, employers need **fewer parking spaces** overall and, when initiated on a fixed schedule (all employees work the same days), employers often see **lower utility bills**; both work to **improve employee attendance**. Employees also appreciate **longer weekends** and adjusted vacation schedules.



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Economic Policy Institute

Family Friend or Foe? Working Time, Flexibility, and the Fair Labor Standards Act

Introduction

By Lonnie Golden

Employers and workers both desire flexibility in working time. Businesses want flexibility to change the number of workers and their hours on short notice and in response to market demand and competition. At the same time, workers and their families want flexibility in allocating their work time—daily, weekly, and over their lifetimes—to balance competing demands on their time.

For almost 60 years, the Fair Labor Standards Act (FLSA) has mediated these differences and provided a standard to which both businesses and workers have had to conform. Its requirement of premium pay for hours over 40 a week was designed as an economic incentive for employers to limit the amount of time most hourly workers were required to work.

Today, despite this economic incentive to limit weekly hours to 40, the demands on U.S. workers for more hours are increasing. As hours per week fall among our major industrialized trading partners (except Canada), average hours in the United States are rising. Overtime hours are rising as well. Moreover, even with the protections of the FLSA, working hours are poorly distributed, with the result that many workers are working longer hours than they desire while others are working too few.

These pressures notwithstanding, legislation has been introduced in Congress to amend the FLSA in ways that would ease the overtime restrictions. The proposals would allow workers to receive compensatory time off in lieu of overtime cash pay in the private sector and would replace the current 40-hour work week with an 80-hour, two-week standard, in which workers would receive overtime pay only for those hours worked in excess of 80 within a two-week period.

These proposed changes to the FLSA threaten to exacerbate the existing labor market problems of rising hours and poorly distributed working time:

- In the state and local government sector, where comp time arrangements are common, many employees carry a large number of banked comp time hours, and some even approach their maximum of 240 hours (30 days) for most workers and 480 hours (60 days) for police and firefighters. In addition, employees have difficulty obtaining their employers permission to use their comp time hours when they need them. Thus, employees are "loaning" hours to their employers interest free. Extending comp time to the private sector may create additional problems. Private sector firms are much more likely to shut down, go bankrupt,

or relocate, and subsequently employees would lose the value of their accumulated comp time.

- Eliminating the overtime disincentive would reduce employment by approximately 1.1% in manufacturing and 1.8% in nonmanufacturing. In total, approximately 1. million jobs would be lost.

Moreover, many of the objectives of both workers and firms can be accomplished without revision of the FLSA:

- The current provisions of the FLSA allow workers and employers much greater flexibility than most are taking advantage of. For example, under current law employers can let employees vary their arrival and departure times and take time off during the day, even while requiring 40 hours to be worked each week. Employers can also offer workers a compressed work week, such as four 10-hour days per week or nine days over two weeks. Flextime options, which allow employees to vary somewhat the start and end times of a given workday around required "core hours" such as 9 a.m. to 3 p.m., are often used to reduce paid overtime. But while many companies say they support such policies, few firms or workers take advantage of them. A survey of private companies found that just 14% routinely made a flextime program available. Only 10% of full-time hourly workers have flexible work schedules.
- Alternative policies can be designed that would improve rather than harm worker and family well-being and enhance productivity, employment opportunities, and macroeconomic performance. Companies should be encouraged to create partnerships with workers in strategic workplace decision making regarding worktime and scheduling. "Best practice" programs instituting short-hour options and flextime schedules should be adopted by more public-sector agencies and should be encouraged, perhaps with preferential tax treatment, in private industry.

The most likely outcome of amending the FLSA in ways recently proposed by Congress is longer hours for workers, because overtime hours will become cheaper for employers. Consequently, many employers may increase overtime hours and selectively schedule workers who have chosen the comp time option. Workers and their families will gain little flexibility in their allocation of time or employment opportunities, the U.S. economy will have fewer jobs to offer, and productivity will be diminished.

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HANDBOOK ON ALTERNATIVE WORK SCHEDULES

Appendix A A Comparison of Flexible and Compressed Work Schedules

Flexible Work Schedules	Compressed Work Schedules
<p>a. Basic Work Requirement</p> <p>The <u>basic work requirement</u> for a full-time employee is 80 hours in a <u>biweekly pay period</u>. Agencies may also establish daily or weekly work requirements. The agency head determines the number of hours a part-time employee must work in a specific period. Agencies may permit employees to complete their basic work requirement in less than 10 workdays.</p>	<p>a. Basic Work Requirement</p> <p>A full-time employee must work 80 hours in biweekly pay period and must be scheduled to work on fewer than 10 workdays. A part-time employee has a fixed schedule of fewer than 80 hours in a biweekly pay period and must be scheduled to work on fewer than 10 workdays.</p>
<p>b. Tour of Duty</p> <p>The <u>tour of duty</u> defines the limits within which an <u>employee</u> must complete his or her <u>basic work requirement</u>.</p>	<p>b. Tour of Duty</p> <p>The tour of duty is defined by the fixed <u>compressed work schedule</u> established by the agency.</p>
<p>c. Credit Hours</p> <p>Hours may be worked in excess of the <u>basic work requirement</u> at the option of the <u>employee</u> in order to vary the length of the workday or workweek. Not all FWS programs provide for <u>credit hours</u>.</p>	<p>c. Credit Hours</p> <p>The law provides credit hours only for <u>flexible work schedules</u>. There is no legal authority for credit hours under a CWS program. See 5 U.S.C. 6121(4).</p>

<p>d. Overtime Work</p> <p>Overtime work consists of hours of work that are officially ordered in advance and in excess of 8 hours in a day or 40 hours in a week, but does not include hours that are worked voluntarily, including <u>credit hours</u>, or hours that an <u>employee</u> is "suffered or permitted" to work which are not officially ordered in advance. (See 5 <u>CFR</u> 551.401(a)(2).)</p>	<p>d. Overtime Work</p> <p>For a full-time employee, overtime work consists of all hours of work in excess of the established <u>compressed work schedule</u>. For a part-time employee, overtime work must be hours in excess of the compressed work schedule for the day (more than at least 8 hours) or for the week (more than at least 40 hours).</p>
<p>e. Compensatory Time Off</p> <p>An <u>agency</u> may, at the request of an <u>employee</u>, approve compensatory time off in lieu of overtime pay for non-SES employees. (See 5 <u>U.S.C.</u> 6123(a)(1).) Mandatory compensatory time off is limited to <u>FLSA-exempt employees</u> (who are not <u>prevailing rate employees</u>) whose rate of basic pay is greater than the rate for GS-10, step 10. (See 5 <u>CFR</u> 550.114(c).)</p>	<p>e. Compensatory Time Off</p> <p>Compensatory time off may be approved in lieu of overtime pay only for irregular or occasional overtime work by an "employee" as defined in 5 <u>U.S.C.</u> 5541(2) or by a prevailing rate employee as defined in 5 <u>U.S.C.</u> 5342(a)(2), but may not be approved for an SES member. Mandatory compensatory time off is limited to <u>FLSA-exempt employees</u> (who are not prevailing rate employees) whose rate of basic pay is greater than the rate for GS-10, step 10.</p>
<p>f. Night Pay</p> <p>For GS and other <u>employees</u> covered by 5 <u>U.S.C.</u> 5545(a), <u>agencies</u> must pay night pay for those hours that must be worked between 6 p.m. and 6 a.m. to complete an 8-hour daily <u>tour of duty</u>. Agencies must also pay night pay for all designated <u>core hours</u> worked between 6 p.m. and 6 a.m. and for any regularly scheduled overtime work between those hours.</p>	<p>f. Night Pay</p> <p>The regular rules governing entitlement to night pay, at 5 <u>CFR</u> 550.121 and 122, apply. (See 5 <u>CFR</u> 532.505 for <u>prevailing rate employees</u>.)</p>
<p>g. Pay for Holiday Work</p> <p>Holiday premium pay for nonovertime work is limited to a maximum of 8 hours in a day for full-time or part-time <u>employees</u>. A part-time employee scheduled to work on a day designated as an "in lieu of" holiday for full-time employees is not entitled to holiday premium pay for work performed on that day.</p>	<p>g. Pay for Holiday Work</p> <p>Holiday premium pay for nonovertime work is limited to the number of hours normally scheduled for that day. A part-time employee scheduled to work on a day designated as an "in lieu of" holiday for full-time employees is not entitled to holiday premium pay for work performed on that day.</p>

<p>h. Pay for Sunday Work</p> <p>A full-time <u>employee</u> who performs regularly scheduled nonovertime work during a period of duty, part of which is performed on Sunday, is entitled to Sunday premium pay (25 percent of the rate of basic pay) for the entire period of work up to 8 hours. (See 5 <u>CFR</u> 550.171.) A part-time employee is not entitled to Sunday premium pay for Sunday work. (See 5 <u>U.S.C</u> 5546 (a), 46 Comp. Gen. 377 (1996), and 5 <u>CFR</u>.610.111(d).)</p>	<p>h. Pay for Sunday Work</p> <p>A full-time employee who performs regularly scheduled non-overtime work during a period of duty, part of which is performed on Sunday, is entitled to Sunday premium pay (25 percent of the rate of basic pay) for the entire scheduled period of duty that day. (See 5 <u>U.S.C.</u> 6128(c) and 5 <u>CFR</u> 610.111(d).) A part-time employee is not entitled to premium pay for Sunday work.</p>
<p>i. Holidays</p> <p>A full-time <u>employee</u> prevented from working on a holiday (or an "in lieu of" holiday) is entitled to pay for 8 hours for that day. A part-time employee prevented from working on a holiday is entitled to pay for the number of hours he or she would have worked but for the holiday, not to exceed 8 hours. When a holiday falls on a nonworkday of a part-time employee, there is no entitlement to pay for an "in lieu of" holiday. (See 5 <u>U.S.C.</u> 6124.)</p>	<p>i. Holidays</p> <p>A full-time employee prevented from working on a holiday (or an "in lieu of" holiday) is entitled to pay for the number of hours of the <u>compressed work schedule</u> for the employee on that day. A part-time employee prevented from working on a holiday is entitled to pay for the number of hours of the compressed work schedule on that day. When a holiday falls on a nonworkday of a part-time employee, there is no entitlement to pay or an "in lieu of" holiday. (See 5 <u>CFR</u> 610.406 and Comptroller General opinion B-217080, June 3, 1985.)</p>
<p>j. Excused Absence</p> <p>The amount of excused absence to be granted an <u>employee</u> covered by an <u>FWS</u> program should be based on his or her typical schedule.</p>	<p>j. Excused Absence</p> <p>All <u>compressed work schedules</u> are fixed schedules. The regular <u>agency</u> practices applicable to administration of excused absence apply.</p>
<p>k. Temporary Duty</p> <p>The <u>agency</u> may allow an <u>employee</u> covered by an <u>FWS</u> program to continue the existing schedule, modify that schedule, or require him or her to follow the schedule used at the temporary work site.</p>	<p>k. Temporary Duty</p> <p>(Same as Flexible Work Schedules)</p>

<p>I. Travel</p> <p>Time spent in a travel status is considered to be hours of work only as provided in 5 CFR 550.112(g) or 5 U.S.C. 5544 (<u>prevailing rate employees</u>) for FLSA exempt employees, and as provided in 5 CFR 550.112(g) or 5 U.S.C. 5544 and 551.422 for nonexempt <u>employees</u>. <u>Agencies</u> may find it advisable to establish procedures to revert employees to standard fixed schedules when traveling.</p>	<p>I. Travel</p> <p>(Same as Flexible Work Schedules)</p>
<p>m. Application of Flexible Work Schedules in Unorganized Units</p> <p><u>Agencies</u> may unilaterally install <u>FWS</u> programs in unorganized units. There is no requirement for a vote of affected <u>employees</u>.</p>	<p>m. Application of Compressed Work Schedules in Unorganized Units</p> <p>In an unorganized unit, a majority of affected employees must vote to be included in a <u>CWS</u> program. (See 5 U.S.C. 6127(b).)</p>
<p>n. Determining Hardships under Flexible Work Schedules</p> <p>Since <u>FWS</u> programs generally provide <u>employees</u> the flexibility to continue to work traditional schedules, the <u>agency</u> is not required to consider exclusion of an employee from the FWS program for personal hardship.</p>	<p>n. Determining Hardships under Compressed Work Schedules</p> <p>An employee for whom a <u>CWS</u> program would impose a personal hardship may request to be excluded from the program. The request must be submitted to the agency in writing. The agency must determine whether a personal hardship exists. If so, the employee must be excepted from the CWS program or reassigned to the first position that meets the criteria in 5 U.S.C. 6127(b)(2)(B).</p>

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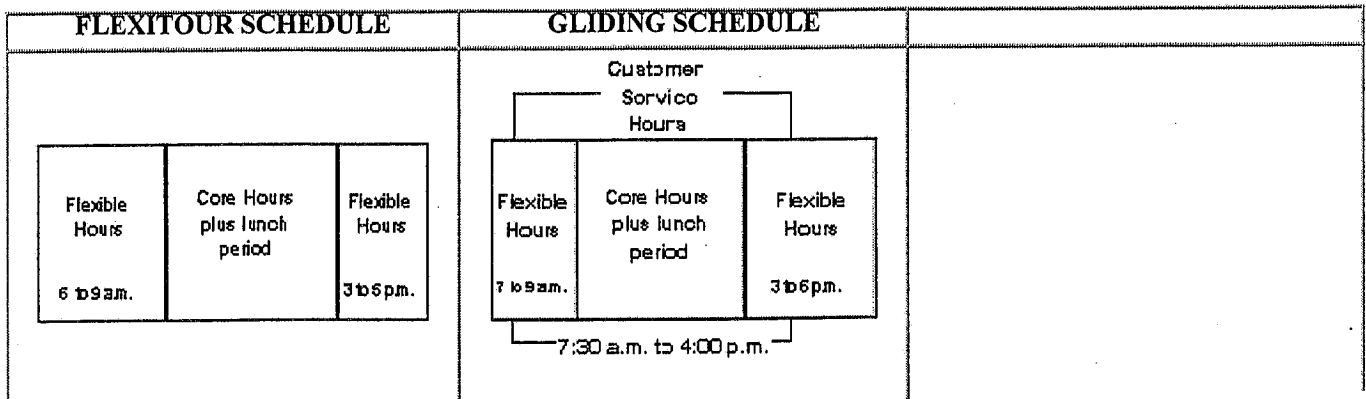
HANDBOOK ON ALTERNATIVE WORK SCHEDULES

Appendix B Models of Flexible Work Schedules

FLEXITOUR	GLIDING SCHEDULE	VARIABLE DAY SCHEDULE	VARIABLE WEEK SCHEDULE	MAXIFLEX
<p>Basic Work Requirement</p> <p>A full-time <u>employee</u> must work 8 hours a day, 40 hours a week, and 80 hours a <u>biweekly pay period</u>. The <u>agency head</u> determines the number of hours a part-time employee must work in a day, in a week, or in a biweekly pay period.</p>	<p>Basic Work Requirement</p> <p>(See Flexitour.)</p>	<p>Basic Work Requirement</p> <p>A full-time employee must work 40 hours a week. The agency head determines the number of hours a part-time employee must work in a week.</p>	<p>Basic Work Requirement</p> <p>A full-time employee must work 80 hours in a biweekly pay period. The agency head determines the number of hours a part-time employee must work in a biweekly pay period.</p>	<p>Basic Work Requirement</p> <p>(See Variable Week Schedule.)</p>
<p>Tour of Duty</p> <p><u>Agencies</u> establish <u>flexible hours</u> surrounding <u>core hours</u>, which include a standard meal period.</p>	<p>Tour of Duty</p> <p>Agencies establish flexible and core hours. <u>Gliding schedules</u> provide for <u>flexible time bands</u> at the start and end of the workday and may also allow for <u>flexible hours</u> at midday (during the lunch break). Employees must work during core hours.</p>	<p>Tour of Duty</p> <p>(See Gliding Schedule.)</p>	<p>Tour of Duty</p> <p>(See Gliding Schedule.)</p>	<p>Tour of Duty</p> <p>(See Gliding Schedule.)</p> <p>However, agencies may choose not to establish core hours on each workday, thus providing maximum flexibility for employees.</p>
<p>FLEXITOUR</p>	<p>GLIDING SCHEDULE</p>	<p>VARIABLE DAY SCHEDULE</p>	<p>VARIABLE WEEK SCHEDULE</p>	<p>MAXIFLEX</p>

<p>Core Hours</p> <p>An <u>employee</u> must account for missed <u>core hours</u> (if permitted) with leave, <u>credit hours</u>, or compensatory time off.</p>	<p>Core Hours</p> <p>(See Flexitour.)</p>	<p>Core Hours</p> <p>(See Flexitour.)</p>	<p>Core Hours</p> <p>(See Flexitour.)</p>	<p>Core Hours</p> <p>(See Flexitour.)</p> <p>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").</p>
<p>Overtime Work</p> <p>Overtime work is work in excess of 8 hours in a day or 40 hours in a workweek, ordered in advance by management. See 5 U.S.C. 6121(6).</p>	<p>Overtime Work</p> <p>(See Flexitour.)</p>	<p>Overtime Work</p> <p>(See Flexitour.)</p>	<p>Overtime Work</p> <p>(See Flexitour.)</p>	<p>Overtime Work</p> <p>(See Flexitour.)</p>
<p>Flexibility</p> <p><u>Employees</u> select arrival and departure times subject to <u>agency approval</u>. (This results in a fixed schedule until the next selection period, as determined by the agency.) At the request of an employee, the agency may approve an adjusted arrival and departure time.</p>	<p>Flexibility</p> <p>Employees may vary arrival and departure times on a daily basis during the established <u>flexible hours</u>.</p>	<p>Flexibility</p> <p>(See Gliding Schedule.) An employee may also vary the length of the workday. An agency may limit the number of hours an employee may work on a daily basis.</p>	<p>Flexibility</p> <p>(See Variable Day Schedule.) An employee may also vary the length of the workweek.</p>	<p>Flexibility</p> <p>(See Variable Week Schedule.)</p>

Appendix B - Models of Flexible Work Schedules (Continued)





HANDBOOK ON ALTERNATIVE WORK SCHEDULES

Appendix C Models of Compressed Work Schedules

FOUR-DAY WORK WEEK	THREE-DAY WORK WEEK	5/4-9 COMPRESSED PLAN
<p>Basic Work Requirement</p> <p>A full-time <u>employee</u> must work 10 hours a day, 40 hours a week, and 80 hours a <u>biweekly pay period</u>. The <u>agency head</u> 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.</p>	<p>Basic Work Requirement</p> <p>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 agency head 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.</p>	<p>Basic Work Requirement</p> <p>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 agency head determines the number of hours a part-time employee must work in a 9-day biweekly pay period.</p>
<p>Tour of Duty</p> <p>The "<u>tour of duty</u>" is established by the agency and is limited to four 10-hour days.</p>	<p>Tour of Duty</p> <p>The "tour of duty" is established by the agency and is limited to three 13-hour and 20-minute days in a week and 80 hours in a biweekly pay period.</p>	<p>Tour of Duty</p> <p>The "tour of duty" is established by the agency and is less than 10 workdays in a biweekly pay period.</p>
<p>Overtime Work</p> <p>Overtime work is work ordered or approved in advance by management and is in excess of the <u>compressed work schedule's basic work requirement</u>.</p>	<p>Overtime Work</p> <p>(See <u>Four-Day Workweek</u>.)</p>	<p>Overtime Work</p> <p>(See <u>Four-Day Workweek</u>.)</p>

Appendix C - Models of Compressed Work Schedules (Continued)

FOUR-DAY WORK WEEK		THREE-DAY WORK WEEK		5/4-9 COMPRESSED PLAN			
<p>6 a.m. 10 2 6 p.m.</p> <p>M 10 T 10 W 10 Th 10 F</p> <p>Core hrs. include 1/2 hr. lunch</p> <p>TOTAL HOURS WORKED WEEKLY = 40</p>		<p>6 a.m. 6 p.m.</p> <p>M Group A 10 T Group A 10 W Group A 10 Th Group B 10 F Group B 10 Sa Group B 10</p> <p>EACH GROUP WORKS 13 HOURS, 20 MINUTES PER WORKDAY, FOR A TOTAL OF 40 HOURS PER WEEK</p>		<p>Group A</p> <p>Week 1 Week 2</p> <p>M 8 T 9 W 9 Th 9 F 9</p> <p>Group B</p> <p>Week 1 Week 2</p> <p>M T 9 W 9 Th 9 F 9</p> <p>TOTAL HOURS WORKED BY GROUP A=80 TOTAL HOURS WORKED BY GROUP B=80</p>			

These models typify the more common types of compressed work schedules. They are not meant to be all inclusive. Agencies should develop schedules tailored to meet their specific needs.

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BARGAINING FOR ALTERNATIVE WORK SCHEDULES

Fact Sheet



Why Are Alternative Work Schedules Important?

Alternative work schedules allow working people to earn a paycheck while having the flexibility to take care of the needs of children and older relatives. Changes in the workforce and in the kinds of hours people work are making alternative work schedules increasingly important for working families trying to balance jobs and family responsibilities.

- Almost half of U.S. workers (47 percent) are responsible for the care of children and/or elderly or disabled adults.
- In 1991, 60 percent of women with children younger than six and more than three-fourths of women with school-age children worked outside the home. In 1992, 54 percent of women with children younger than one were in the workforce.
- In almost all surveys on work and family issues, working families say they need more flexibility in their work schedules. Sixty-six percent of working parents say they don't have enough time with their children.

Unions have bargained for a broad range of alternative work schedules, developing many creative strategies to give workers greater control over their work lives.

Alternative Work Schedule Bargaining Strategies

Strategy 1: Flextime. Flextime agreements allow employees to start and end work during some range of hours. All employees may be required to be present during a core period, usually during the middle of the shift.

Flextime Contract Examples

CWA negotiated flexible scheduling with BellSouth Telecommunications. Under the agreement each employee must be at work during "core hours," which cover 60 percent of the normal workday. However, each employee may vary beginning and ending times within basic scheduling guidelines.
(Communications Workers of America and BellSouth Telecommunications)

IBEW Local 1245 won a flextime policy that would allow workers flexibility in their daily start and end times, as long as they arrive no earlier than 6:30 a.m. and leave work no later than 6 p.m. All workers must be at work an average of seven and a half hours per day and must be at work during core hours, defined as 9 to 11 a.m. and 12:30 to 2:30 p.m. **(International Brotherhood of Electrical Workers Local 1245 and Pacific Gas & Electric Hayward Administrative Services)**

Strategy 2: Part-time work with benefits. Part-time work can give working people flexibility to take care of family needs while still earning a paycheck. However, a part-time 28

eight nine-hour days and one eight-hour day for an extra day off every two weeks.

Compressed Work Week Contract Example

Teamsters Local 830 and the Philadelphia Coca-Cola Bottling Company negotiated a "flexible work week." The agreement allows a specified number of employees each to be scheduled for a three-day week (three consecutive 13.33 hour days), a four-day week (four consecutive 10-hour days), or a traditional five-day week (five consecutive eight-hour days). (**International Brotherhood of Teamsters Local 830 and Philadelphia Coca-Cola Bottling Company**)

Strategy 6: Making overtime voluntary. For many working families, being forced to stay at work past the regularly scheduled end time can be very stressful, particularly for working parents who do not have backup arrangements for child care. Provisions in union contracts making overtime voluntary protect employees from this loss of power over their daily schedules.

Voluntary Overtime Contract Example

The Newspaper Guild Local 35 and the Bureau of National Affairs agreed that compulsory overtime should be avoided whenever feasible. Members who request that they be excused from working overtime do not have to unless no other appropriate employee is available. (**Washington-Baltimore Newspaper Guild Local 35 and Bureau of National Affairs**)

Strategy 7: Shift swaps. A shift swap provision in a union contract allows workers to exchange shifts or workdays voluntarily to accommodate family needs, such as attending school events or medical appointments.

Shift Swap Contract Example

The Pulp and Paper Workers Union and the Longview Fibre Company agreed that employees may voluntarily trade shifts within the same day or days off within the same week with prior consent of their supervisor(s). (**Association of Western Pulp & Paper Workers and Longview Fibre Company, Longview Mill**)

Strategy 8: Shorter work week. Unions have bargained for shorter work weeks for their members with full compensation. Some unions also have used shorter work week provisions with less compensation as an alternative to layoffs.

Shorter Work Week With Full Compensation Contract Example

OPEIU Local 3 negotiated a 32-hour work week without loss of pay, consisting of four to four and one-half days, depending on the worksite. (**Office and Professional Employees International Union Local 3 and San Francisco, Marin, and Sonoma Trade Union Health and Welfare and Pension Fund Offices**)

Shorter Work Week to Avoid Layoffs Contract Example

CEPU and Bell Canada negotiated a four-day work week that allows staff members to work four nine-hour days per week as an alternative to impending layoffs. Employees lose only two hours of pay per week. (**Communications, Energy and Paperworkers' Union and Bell Canada**)

Strategy 9: Voluntary reduced time. Voluntary reduced time allows an employee to

reduce the number of hours she or he works in a week in order to have extra time to take care of personal or family needs.

Voluntary Reduced Time Contract Example

SEIU Local 715 won a voluntary reduced time policy under which members may request a reduction in their work hours of 1 percent, 2 percent, 5 percent, 10 percent, or 20 percent. This reduction in hours may last for up to six months. While working reduced hours, employees keep their regular full-time status for the purpose of benefits and seniority. (**Service Employees International Union Local 715 and Santa Clara and San Mateo Counties, California**)

For More Information

The Labor Project for Working Families IIR, 2521 Channing Way #5555 Berkeley, CA 94720 510-643-6814 website: <http://socrates.berkeley.edu/~iir/workfam/home.html>

The AFL-CIO Working Women's Department 815 16th Street N.W. Washington, D.C. 20006 202-637-5064 website: <http://www.aflcio.org>

This fact sheet was prepared by the Labor Project for Working Families and the AFL-CIO Working Women's Department.

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Flexible Work Arrangements

Union: Graphic Communications Int'l Union

Employer: Newsday, Inc

Industry: Newspaper

Policy: "Family work schedule" can be arranged from 20 hrs/week to 28 hrs/week.

- Schedule may be last from 3 mon. to 3 years.

- Workers can be back to full-time positions.

- Sick leave/health insurance.

Union: Machinists IAM

Employer: Frigidaire Co.

Industry: Technical

Policy: Flexible work schedules including reassignment for urgent personal reasons, voluntary shift exchanges, shift preferences and exchanges with other workers.

Union: Western Pulp & Paper Workers

Employer: Longview Fiber Company

Industry: Paper

Policy: Employees may trade shifts within the same day or days off within the same week w/ prior consent of the supervisor.

Union: United Rubber Workers

Employer: Pirelli Armstrong Tire Corp.

Industry: Tire

Policy: Company agrees to let employees eligible for 3 or more weeks of vacation take one week (5 days) of this vacation time one or more days at a time.

- This "one day at a time vacation" requires 48 hours notice and security coverage of necessary. Also, 62/3 employees can apply for no more than 2 weekend days & each weekend day counts as 1 2/1 days each.

Union: International Association of Machinists

Employer: General Dynamics Corporation

Industry: Technical

Policy: Employees can take up to 10 days of vacations in 4 hour or 1-4 day increments. Must clear schedule with immediate supervisor and submit request for pay at least 15 calendar days in advance.

Union: Wire Service Guild

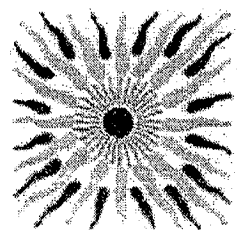
Employer: Associated Press

Industry: Newspaper

Policy: Job sharing

. Wages are pro-rated and the number of days worked.

. 100% of employee's benefits.



NATIONAL INSTITUTES OF HEALTH QUALITY OF WORKLIFE INITIATIVE

"Quality of Worklife = Quality of Science"

Alternative Work Schedules

The term "alternative work schedules" (AWS) encompasses two different work schedule variations--flexible work schedules (FWS) and compressed work schedules (CWS). Each of these represents a different kind of adjustment to the traditional fixed schedule of 8 hours per day, 5 days per week, which begins and ends at the same time each day and contemplates exception to the hours of work and premium pay provisions of the law.

Flexible and compressed work schedules are established on a ICD basis. Subject to the obligation to negotiate with representatives of exclusive bargaining units, the decision to establish an AWS program is at the discretion of the ICD Director. An ICD may determine the general policy, guidelines, instructions, and procedures for the establishment of AWS programs. The suspension of statutory overtime, premium pay and scheduling provisions apply only to individual employees or ICD organizational components participating in an AWS program.

AWS programs have the potential to enable managers to meet their program goals while, at the same time, allowing employees to be more flexible in scheduling their activities. AWS allows employees to adjust their work schedules to accommodate carpooling, public transportation schedules, and changing personal and professional priorities. As employees gain greater control over their time, they can balance work and personal responsibilities more easily, become involved in volunteer activities, and take advantage of educational opportunities. The employee benefits provided by AWS programs also are useful recruitment and retention tools.

Flexible Work "Schedules"

A flexible work schedule is a biweekly work requirement that allows an employee to determine his or her own schedule within the tour of duty limits set by the ICD. The types of FWS vary significantly.

Organizations may allow employees to vary their starting and ending time daily (flexitime) or to adhere to a predetermined fixed starting and ending time (flexitour).

Flexitime means a flexible work schedule that splits the 8 hour workday into two distinct kinds of time--core hours and flexible hours. Under any flexitime schedule, an employee must be at work during core hours and must account for the total number of hours he/she is scheduled to work.

Flexitour means a flexible work schedule in which an employee, having once selected starting and stopping times within the flexible hours, continues to adhere to these times. (This may apply to an 8 hour workday or a longer workday under a compressed work schedule.) Further opportunities to select different starting and stopping times may be provided subsequently by the ICD.

Compressed Work Schedules (CWS)

Under a compressed work schedule, full-time employees can complete their 80-hour biweekly work requirements in fewer than ten 8 hour days. For example, a full-time employee may work four 10 hour days per week and have two days off per pay period. More common is the 5/4/9 schedule under which employees work eight 9 hour days, one 8 hour day, and have one additional non-work day during the normal 2-week pay period. (In computing the actual beginning and ending times of the day, it is necessary to add time for the unpaid lunch break.)

The tour of duty for employees under CWS is defined by the fixed schedule established by the ICD. Although an ICD may stagger the arrival and departure times of employees, there are no provisions for flexitime or gliding schedules under a CWS program, nor are credit hours permissible.

By law, a compressed work schedule may not be mandated as the sole option for tour of duty hours in a non-bargaining unit unless a majority of employees in the ICD vote to adopt a compressed schedule. In organizations in which employees are represented by an exclusive representative, but in which certain employees are excluded from the unit, only those employees in the bargaining unit are bound by the negotiations establishing the CWS program. Other employees are entitled to vote for or against participation in CWS.

Also, under the law, any employee for whom a compressed work schedule would impose a personal hardship is to be excluded from the program.

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