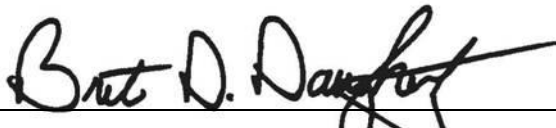




Department Policy No. HR-255-18

Title:	Flexible Work Schedule and Shift Change
Authorizing Source:	Fair Labor Standards Act (FLSA) RCW 49.12 (Industrial Welfare Act) RCW 70.94 Commute Trip Reduction RCW 42.04.060 Agency Business Hour Requirements WAC 357 Department of Enterprise Services Governor's Executive Order: Building a Modern Work Environment (EO 16-07) WMD Telework Policy HR-225-02
References:	Work Schedule/Shift Change Notice
Information Contact:	Human Resources Director Building #33 (253) 512-7942
Effective Date:	April 30, 2002
Mandatory Review Date:	February 1, 2024
Revised:	February 1, 2020
Approved By:	 Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director

Purpose

To establish work schedule guidelines for setting and requesting changes to a WMD employee's work schedule. It further provides management with the approval and oversight process as well as a process for evaluating requests that are exceptions to this policy.

Scope

This policy applies to all state employees of the WMD. This policy does not apply to guard members on state active duty or to federal personnel to include Active Guard Reserves (AGRs), traditional guard members in a federal military status or military technicians. Federal supervisors of state employees are expected to support this policy for their state employees.

Definitions

1. **Flexible Schedule** – Flexible work allows full-time employees to eliminate at least one work day every two weeks by working longer hours during the remaining days, resulting in less commute trips (compressed workweek), or allows the employees some flexibility in starting and ending times outside the agency’s normal work hours (flextime) consistent with WAC 357-28-225.
2. **Schedule Change Request** - a change in current work hours requested by an employee. An employee may request a schedule change by submitting a form and getting approval from the proper authority within their chain of command.
3. **Work Place** – The physical location where an employee works.
4. **Work Schedule** - the schedule that is assigned to an employee in the Human Resources Management System (HRMS) and notates the planned start and end times that an employee is expected to work on specific days of the week.
5. **Business Hours** - RCW 42.04.060 requires all state elected and appointed officers keep offices open for the transaction of business for a minimum of 40 hours per week minus weeks that include legal holidays. WMD as a 24/7 response agency is manned on nights and weekends with Emergency Management Duty Officers, Security Guards, and the National Guard Joint Operations Center; the Washington Youth Academy is manned on nights and weekends for residential care. WMD will maintain office hours that meet or improve business operations and customer service needs.

Policy

1. The WMD recognizes that some business and customer needs are better met with a schedule other than the default 4/10 schedule of Tuesday through Friday. Supervisors can choose to provide employees with alternate work schedules that help provide employees with a better work life balance as long as day to day operations are not impacted and those schedules meet the needs of both the agency and its stakeholders. Each employee must designate a set, consistent work schedule that specifies their work days, hours and workplace.
 - a) A four day per week schedule in which the employee works Monday through Thursday or Tuesday through Friday, for 10 hours per day.
 - b) A five day per week schedule in which the employee works Monday through Friday, for 8 hours per day.
 - c) A schedule based on the specific operational needs of a unit/division when that unit/division provides services outside normal business hours, such as 24/7 support for the Washington Youth Academy, the Camp Murray security guards or Emergency Operations Center duty officers.
2. Employees who are eligible for a lunch break may choose either a 30-minute or 60-minute unpaid lunch period each day.

3. Exceptions to these schedule requirements will be considered on a case by case basis depending on business need, in accordance with this policy. Supervisors and others in the employee's supervisory chain reserve the right to deny an employee's schedule request if it does not meet the operational needs of the agency. Exceptions must be approved by the employee's division director or designee.
4. Schedule change requests will be processed within the management chain of command. If an employee wishes to switch to a schedule that stays within the schedule guidance provided above, only supervisor approval is necessary.
5. Schedule changes must take effect beginning on a Sunday.
6. Any schedule adjustment that would cause an employee to incur overtime or shift differential pay requires Division Director approval. Employees must work with their supervisor and the Payroll Office as necessary to ensure that overtime is avoided whenever possible.
7. If the employee requests a schedule change due to a medical need or disability that may qualify them for reasonable accommodation, or to care for themselves, a child, a foster child, a spouse, or a parent that may qualify them for the Family Medical Leave Act (FMLA), the employee must notify Human Resources who will review the application to determine eligibility for Family Medical Leave and/or Reasonable Accommodation. Requests will be reviewed in accordance with the FMLA Policy (HR 222-10) or the WMD Reasonable Accommodation Policy (HR 211-05).
8. Employees may be approved to work a different schedule on a temporary or ad hoc basis not to exceed a total of two weeks. A schedule change form is not required for a period of two weeks or less but actual times worked must be notated on time sheets where appropriate.

A. Responsibilities

1) Employees.

Employees are accountable for accurately accounting for their time and attendance. Schedule adjustments must be coordinated through the employee's chain of command and will:

- a) Coordinate and receive approval prior to making any schedule adjustments (for both temporary and permanent requests to change a schedule).
- b) Complete the required schedule change form in advance for any schedule change requests lasting more than two weeks.
- c) Provide the required FMLA and Reasonable Accommodation paperwork for schedule changes that are based on qualifying medical conditions.

2) Supervisors.

Supervisors review schedule changes for work schedules that comply with the schedule requirements listed in this policy.

- a) Review and approve or deny schedule change requests. If the schedule complies with the schedule options provided in 1(a) through 1(c) above, only supervisor approval is necessary.
- b) If the schedule does not comply with the schedule options provided in 1(a) through 1(c) due to a reason that is protected under the Family Medical Leave Act, the Supervisor must forward the request to the Human Resources Office. These requests will be handled in accordance with WMD policy HR-222-10 (Family Medical Leave Act).
- c) If an employee is approved for a schedule that includes working on days or during hours in which the supervisor is not there, the supervisor is responsible for ensuring proper mechanisms are in place to oversee the employee's leave, productivity and conduct.
- d) Ensures that all management driven schedule changes are in compliance with the current Collective Bargaining Agreements and/or Washington Administrative Code.
- e) Collaborates with new hires about their work schedules when making final job offers and indicates the work schedule on the Personnel Action Request so it can be included in the new hire appointment letter.
- f) Provide in person coverage for routine meetings scheduled during the Tuesday through Friday 4-10 default schedule.

3) Division Directors.

Division directors are responsible for ensuring all employees within their division comply with this policy. It is the responsibility of the division director to ensure that the needs of the agency mission and the requests of the employee are balanced when considering a flexible work schedule.

- a) Division directors may approve schedules that do not meet the requirements of Sections 1(a) through 1(c) of this policy.
- b) If an employee requests a schedule that deviates from the schedule options provided in 1(a) through 1(c) due to reasons that are not protected by the Family Medical Leave Act, the division director may approve or deny the request.
- c) The division director remedies schedule change requests returned to the division by the Payroll Office that are not in compliance with this policy.
- d) Ensure that division is providing in person coverage for routine meetings scheduled during the Tuesday through Friday 4/10 default schedule.

4) Human Resources Director.

- a) Ensures new employee schedules comply with this policy.
- b) Notifies new employees of their schedule and worksite designation in their initial appointment letter as notated by the Hiring Manager on the Personnel Action Request.
- c) Consults with management on policy and Collective Bargaining Agreements related to scheduling for employees.

- d) Serves as the point of contact for review of schedule change requests that may be related to reasons that are protected under the Family Medical Leave Act or are a potential reasonable accommodation due to a qualified disability.

5) Payroll Department.

- a) Processes and enters schedule changes that are approved into the Human Resources Management System (HRMS) for payroll purposes.
- b) Notifies the supervisor and division director if a schedule change submission does not comply with this policy.
- c) Coordinates schedule changes with supervisors for overtime-eligible staff to assist in limiting the cost of overtime.