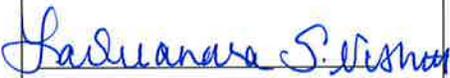
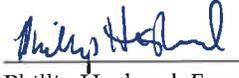


District of Columbia Department of Health  <h2>Employee Tours of Duty</h2>		<b>PROCEDURE 510.000</b> Implementing Office: Office of the Director Training Required: Yes Originally Issued: April 2008 Revised/Reviewed: <div style="text-align: right;">MAR 04 2019</div> (Third Revision)
<b>Approved by:</b>  LaQuandra S. Nesbitt MD, MPH; Agency Director	<b>Review by Legal Counsel:</b>  Phillip Husband, Esq.; General Counsel	<b>Effective Date:</b> 3/4/2019 <b>Valid Through Date:</b> MAR 04 2022

<b>I. Authority</b>	Reorganization Plan No. 4 of 1996; Mayor's Order 1997-42; Title 6-B DCMR §§1205, 1208-11; District Personnel Instruction No. 12-58.  This policy shall supersede and replace Department of Health Policy No. 1001: Alternative, Flexible and Compressed Work Schedules (2012) and the prior issuance under this title (2016)
<b>II. Reason for the Policy</b>	DC Health supports a family-friendly workplace whereby employees may have varying degrees of control over the beginning and end of their workday while continuing to meet the agency's customer service and productivity goals. The Flexible/Compressed Work Schedule Program ("the Program") allows employees to fulfill a bi-weekly 80-hour tour of duty requirement while maintaining one of the various optional work schedules described herein. A protocol is required to articulate the eligibility requirements for the Program, and ensure it is managed with an optimal balance between accommodating employees' wishes and agency responsibilities.
<b>III. Applicability</b>	This policy shall apply to all DC Health full-time employees, referred to collectively herein as "employees" or "DC Health employees."
<b>IV. Policy Statement</b>	Administering the Flexible/Compressed Work Schedule Program is in the portfolio of the DC Health Office of Human Resources (DC Health HR). The Human Resources Officer (HRO) is the accountable manager over DC Health HR.

	<p>The Program consists of options for employees to work the required 80 hours every two weeks (pay period). All full-time DC Health employees are eligible to participate in the Program. Flexible/Compressed Work Schedules are privileges and should not be regarded as an employee right.</p> <p>Employees who choose not to participate in the Program will adhere to the standard tour of duty comprised of 40 hours per week; five 8-hour days, Monday through Friday, 8:15 am – 4:45 pm, including an unpaid daily allotted 30-minute lunch period and two paid fifteen minute breaks.</p> <p>An employee may request a Flexible or Compressed Work Schedule (see definitions below), but the two may not be combined.</p> <p>An employee may request a Flexible/Compressed Work Schedule by submitting an Application to Change Tour of Duty to his/her supervisor. The requested tour of duty must reflect 80 hours worked every pay period.</p> <p>Employees are required to be present during Core Business Hours (9:30 am-3:30 pm) every day they report to the office for duty.</p> <p>Supervisors will evaluate employee requests to change a tour on the following criteria:</p> <ol style="list-style-type: none"><li>1. The operational and programmatic needs of the office including, if applicable, maintaining optimal coverage for Customer Counters;</li><li>2. The requesting employee's position description; and</li><li>3. The employee's demonstration that approval will not adversely impact DC Health's ability to fulfill its mission and functions.</li></ol> <p>Supervisors may determine that particular days are inappropriate for scheduled days off under a Compressed Work Schedule. For example, employees may be prohibited from requesting to be off the day a regular staff meeting is held.</p> <p>An employee may request no more than two changes to his/her tour of duty in a calendar year. Once the two requests for the year are expended, a change may only be made in response to an</p>
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	<p>extenuating circumstance (e.g. medical necessity) and must be approved by the Senior Deputy Director (SDD) in addition to the direct supervisor.</p> <p>A supervisor will approve or deny a request for a Flexible/Compressed Work Schedule within ten (10) business days. The supervisor must confer with the HRO prior to denying an application. If the supervisor denies an application, the employee may appeal the denial to the SDD of the administration within five (5) business days of receipt of the denial. The SDD will affirm or overturn the supervisor's denial in writing within ten (10) business days of receipt. The SDD's decision may not be further appealed.</p> <p>An approved Application for Change in Tour of Duty shall be submitted to DC Health HR by the employee's supervisor. DC Health HR shall enter the new schedule in the employee's electronic record to ensure proper accounting of time worked.</p> <p>Supervisors and managers shall enforce their staff's work schedules. Once an employee begins working a Flexible Work Schedule, or Compressed Work Schedule, that individual is expected to work that approved tour of duty in a consistent manner.</p> <p>Supervisors must ensure that all programmatic and operational requirements are satisfied, and that each office is staffed during Operational Hours (8:15 am-4:45 pm). Participation in the Program may not be cited as a reason for work products to be incomplete, or behind schedule.</p> <p>Supervisors have the authority to revoke an approved Flexible/Compressed Work Schedule if the employee is not meeting job performance expectations or fails to respect and/or observe the requirements of the Program. Supervisors may only revoke an employee's participation in the Program for a documented job-related reason. Such actions shall not be frivolous, retaliatory, arbitrary, or capricious. An employee working a Flexible/Compressed Work Schedule who receives an official performance rating of Inadequate Performer or Marginal Performer may be returned to a regular basic workweek.</p>
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	<p>Supervisors and managers shall notify employees of a removal or revocation in writing and must give employees a minimum of ten (10) working days' notice to prepare for the return to a regular basic work week except as otherwise provided herein, although as much advanced notice as possible is preferred.</p> <p>If a supervisor or manager denies, adjusts, revokes, suspends, or removes an employee from participation in the Program, the impacted employee may appeal to the SDD of the administration within five (5) working days of receipt of the written notification of the denial, adjustment, suspension, or revocation. The employee will remain on his/her Flexible Work Schedule, or Compressed Work Schedule until the SDD's decision is issued. The SDD's decision shall be rendered within ten (10) working days of receipt of the employee's appeal. This decision shall be final. If the supervisor or manager is the SDD, the final decision will be rendered by the Director. If an employee's participation in the Program is revoked, he/she may reapply six (6) months after the date of revocation.</p> <p>Supervisors may adjust, or suspend, an employee's Flexible Work Schedule/Compressed Work Schedule at any time due to temporary duty requirements, seasonal workloads, staffing requirements, overtime considerations, and/or other work-related reasons (e.g. training, official travel, workshops). These temporary adjustments do not require a ten (10) working day advanced notice. Employees attending training sessions may be required to adjust their schedules to conform to the hours of the training course, or they may be required to revert to a regular basic workweek for the pay period(s) during which the training occurs. Supervisors are required to confer with the HRO before taking any of these actions.</p> <p>When an employee is temporarily or permanently reassigned to a new office or administration that maintains hours incompatible with a pre-existing Flexible/Compressed Work Schedule, the new supervisor may require the employee to follow a tour of duty utilized by the administration or unit to which they have been reassigned.</p> <p>For offices that maintain Customer Counters, services must be maintained, even if it means that employees must temporarily</p>
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adjust their Flexible/Compressed Work Schedules. Temporary adjustments of the schedules do not require a ten (10) working day notice. These adjustments may range from one (1) hour to less than thirty (30) days. If possible, coverage should be worked out among all employees on a voluntary basis. When it is not possible for employees to arrive at a consensus voluntarily, supervisors should assign coverage responsibilities on a rotating basis.

Supervisors and managers shall ensure that an employee's use of leave hours equals the number of hours he/she is expected to work on any given day. For example, if an individual is working a Compressed Work Schedule and uses annual leave on a day that he/she would have worked a 9-hour tour, the employee must record nine (9) hours of leave.

If an employee's day off (in accordance with a Compressed Work Schedule) falls on a legal holiday, he/she will take the following business day off. If the legal holiday falls on the last work day of the pay period, the employee will take the preceding day off instead. For instance, if the legal holiday falls on the second Friday of the pay period and the employee is scheduled to be off that day, he/she will be off on the second Thursday and claim holiday pay on the second Friday.

If there is an administrative order that results in the closing of DC Health and that day is on an employee's scheduled day off (in accordance with a Compressed Work Schedule), DC Health shall adhere to guidance issued by the Office of the City Administrator and/or DCHR regarding crediting of time.

Overtime will be performed and paid in accordance with the negotiated employee collective bargaining agreements, the District government's compensation provisions, and/or the Fair Labor Standards Act.

An SDD may, due to the unique public health requirements for an individual administration, request that his/her administration, or any unit therein, be exempted from participation in the Program by submitting the Application for Exemption to the Director, or his/her designee. All requests for exemption must justify the reason for exemption by detailing how Flexible/Compressed Work Schedules, and/or Telework would interfere with that particular

administration's ability to function effectively, or to meet specific DC Health goals and/or performance benchmarks. A list of all impacted employees shall be included. An Application for Exemption may stipulate that employees in the exempt unit may request some scheduling options in the Program and not others.

An approved exemption shall be in place for one year. Periods of exemption begin in January of each calendar year. An Application for Exemption must be completed and approved for every period of exemption. Applications will be accepted by the Office of the Director up to 30 days prior to the start of the new exemption period. Employees working in a unit with an approved exemption may not submit an application requesting a tour of duty category excluded from that unit under the approved exemption. If received, such applications will not be processed.

Employees may request a Variation in Work Schedule for Educational Purposes to attend a course at an accredited college, university, or other educational institution. Employees with this variation must continue to work 40 hours per week. Supervisors may approve work hours during the evenings or weekends, including up to 18 hours of Telework per week not to exceed two days, for employees seeking this variation to meet the 40-hour requirement. The Director must approve all Variations in Work Schedule for Educational Purposes after receiving the supervisor's approval. The Director's decision may not be further appealed.

Employees who have been granted a Variation in Work Schedule for Educational Purposes shall not be entitled to premium pay where the variation in tour of duty has resulted in the employee's tour of duty occurring at a time of day for which premium pay would otherwise be payable.

In every case where an employee has been granted a change in their tour of duty for educational purposes, the employee shall be required to sign a statement acknowledging the conditions of the change in tour including the forfeiture of premium pay in accordance with the conditions set forth in Title 6-B DCMR §1205.3.

A tour of duty for educational purposes may not be established if it would cause a supervisor to become entitled to premium pay

	<p>because the supervisor's schedule must be changed so as to provide supervision of the employee.</p> <p>The Variation in Work Schedule for Educational Purposes shall be rescinded at the completion of the training program and upon notice by the employee that the course or training has been completed. The employee shall return to the tour of duty that existed prior to receiving the educational variation unless it has been changed by the employee's supervisor.</p> <p>The employee must provide documentation with the request that satisfies the following elements:</p> <ol style="list-style-type: none"><li>1. The beginning and end dates of class sessions;</li><li>2. The course must progress the employee towards a certification, associate degree, bachelor's degree, graduate degree, or the initial attainment of a new, or more advanced, professional license.</li></ol> <p>Supervisors will approve a Variation in Work Schedule for Educational Purposes if:</p> <ol style="list-style-type: none"><li>1. The tour of duty will not appreciably interfere with the accomplishment of the work required to be performed;</li><li>2. The agency's cost is not substantially increased by allowing the employee to take the course or courses; and</li><li>3. Completion of the course or courses is related to the employee's position, and would equip the employee for more effective work in the District government.</li></ol> <p>At the conclusion of the listed class session dates, the employee will revert back to the most recent tour of duty prior to the variation. A grade of incomplete in the course will not be accepted as a reason to extend a variation past the final class session date.</p> <p>A supervisor may require an employee to work overtime hours in addition to his or her scheduled tour of duty. If an office must conduct work outside of tours of duty permissible under this SOP (e.g. inspecting an establishment that is only open at night), supervisors may offer all employees who perform that work a voluntary opportunity for overtime. If the number of volunteers exceeds the labor required for the tasks, the manager will select employees for overtime on a rolling basis. The supervisor has the authority to assign mandatory overtime when there are no</p>
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	<p>volunteers, or insufficient volunteers. When offering voluntary overtime, or assigning mandatory overtime, supervisors will offer as much advanced notice as practicable.</p> <p>A request for a change in an employee’s tour of duty undertaken as a part of a reasonable accommodation for that employee’s disability, including telework, shall be governed under that system (see SOP 360.000 Requests for Reasonable Accommodation). Such requests are not governed under this SOP.</p> <p>Supervisors and managers must verify hours worked in the process of approving the reported time of every employee participating in the Program.</p> <p>Supervisors shall consider requests for Compressed/Flexible Work Schedules by employees who are members of a collective bargaining unit in accordance with the terms and conditions of their agreement.</p> <p>Any employee in violation of any part of this SOP may be subject to commensurate disciplinary action.</p>
<p><b>V. Definitions &amp; Acronyms</b></p>	<p><b>Administrative Closing-</b> An official directive of the Executive Office of the Mayor (EOM) to close DC Health.</p> <p><b>Compressed Work Schedule-</b> A work schedule containing the following elements:</p> <ol style="list-style-type: none"> <li>1. A bi-weekly work schedule in which the required eighty (80) hour work schedule, excluding overtime, is accomplished in nine (9) workdays;</li> <li>2. The tour of duty is defined by a fixed schedule; and</li> <li>3. The established work schedule of an employee working a compressed work schedule may not exceed nine (9) hours for any work day.</li> </ol> <p><b>Core Business Hours-</b> The hours of the workday, workweek, or pay period during which all DC Health employees are required to be present for work. The DC Health core business hours are 9:30 am to 3:30 pm, Monday through Friday. Employees may not start their work day after 9:30 am or end their work day prior to 3:30 pm. Employees may take an authorized lunch period during Core Business Hours.</p>

	<p><b>Customer Counter-</b> Any area in a DC Health-operated facility that facilitates a direct service to the public. The location, contact information, and operating hours of Customer Counters are routinely disseminated to external customers via a DC Health-affiliated website, social media account, or promotional materials.</p> <p><b>DC Health HR-</b> Department of Health Office of Human Resources</p> <p><b>DPM-</b> District Personnel Manual</p> <p><b>Flexible Work Schedule-</b> A work schedule containing the following elements:</p> <ol style="list-style-type: none"><li>1. The designation of Core Business Hours;</li><li>2. The designation of flexible time periods during which the employee has the option of selecting his or her start and end time within prescribed limits; and</li><li>3. The maintenance of accurate time and attendance controls to ensure that the employee works or otherwise accounts for eight (8) hours per day, five (5) days per week. Tour of duty under a Flexible Work Schedule must fall between 7:00 am and 6:00 pm each work day. DC Health employees may establish a flexible work schedule in one of two ways:</li></ol> <p>Option A: The employee selects, with the approval of his/her supervisor, a set start and end time representing eight (8) hours per day, five (5) days per week. The established start and end times must be the same for all ten (10) days in the pay period. Example: 7:00 am – 3:30 pm. The employee would be expected to report during these times every work day and would not vary at any point during the pay period.</p> <p>Option B: The employee selects, with the approval of his/her supervisor, a set start and end time representing eight (8) hours per day, five (5) days per week. The established start and end times must be the same for all ten (10) days in the pay period. However, in this option, the employee may report at any time within 30-minutes before or after the listed start time. When the employee exercises this privilege, the end time changes accordingly to satisfy the eight (8) hour workday requirement. An employee arriving</p>
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	<p>before his/her listed start time in accordance with this provision shall not be interpreted as entitlement to overtime or compensatory time.</p> <p><b>HRO-</b> Human Resources Officer</p> <p><b>Official Duty Station</b>— The physical location where an employee is required to perform the official duties of his or her position.</p> <p><b>Operational Hours</b>— 8:15 am through 4:45 pm, Monday through Friday. Each administration and unit must have coverage to provide service during Operational Hours.</p> <p><b>Regular Basic Workweek</b>— A regular basic workweek is comprised of 40 hours per week; five 8-hour days, Monday through Friday, 8:15 am – 4:45 pm, including an unpaid daily allotted 30-minute lunch period and two paid 15-minute breaks. The two breaks may not be combined to extend a lunch period or used to alter a start or end time. Employees are required to work or account for their regular tour of duty in accordance with the Fair Labor Standards Act (FLSA) and other District government regulations and DC Health policies. An employee may make a written request for a one-hour lunch period with the additional 30 minutes added on to the employee’s tour of duty. A manager has discretion to grant or deny this request.</p> <p><b>SDD-</b> Senior Deputy Director</p> <p><b>Telework-</b> An arrangement in which an employee routinely, during a declared emergency (if directed to do so), or in situational cases as specified in this section, performs officially assigned duties at his or her home address of record.</p> <p><b>Tour of Duty</b>— The hours of a day and the days of an administrative workweek during which an employee is required to perform work on a regular recurring basis.</p> <p><b>Variation in Work Schedule for Educational Purposes-</b> A change in tour of duty to permit an employee to take one or more courses in a college, university, or other educational institution when all of the following conditions are met:</p>
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	<ol style="list-style-type: none"> <li>1. The tour of duty will not appreciably interfere with the accomplishment of the work required to be performed;</li> <li>2. The agency's cost is not substantially increased by allowing the employee to take the course or courses; and</li> <li>3. Completion of the course or courses is related to the employee's position, and would equip the employee for more effective work in the District government.</li> </ol>
<p><b>VI. Procedures</b></p>	<p><b>Procedure A: Requesting a Flexible/Compressed Work Schedule</b></p> <ol style="list-style-type: none"> <li>1. The employee will submit an Application for Change in Tour of Duty.</li> <li>2. The employee's supervisor shall approve or deny the request in writing within ten (10) business days of receipt.</li> <li>3. If the request is denied, the employee may appeal to the administration's Senior Deputy Director within five (5) business days of receipt of the denial.</li> <li>4. The SDD will issue a decision on the appeal in writing within ten (10) business days of receipt.</li> <li>5. The employee's supervisor will forward the completed and signed form to DC Health HR.</li> <li>6. The HRO's designee will update the employee's personnel file.</li> <li>7. The HRO's designee will inform the employee and the employee's supervisor of the effective date for of the change for the purpose of time and attendance tracking.</li> </ol> <p><b>Procedure B: Requesting a Variation in Work Schedule for Educational Purposes</b></p> <ol style="list-style-type: none"> <li>1. The employee will document the dates of the course(s), the class schedule and the degree program.</li> <li>2. The employee will submit an Application for Change in Tour of Duty.</li> </ol>

	<ol style="list-style-type: none"><li>3. The employee's supervisor shall approve or deny the request in writing within ten (10) business days of receipt.</li><li>4. If the request is denied, the employee may appeal to the administration's SDD within five (5) business days of receipt of the denial.</li><li>5. The SDD will issue a decision on the appeal in writing within ten (10) business days of receipt.</li><li>6. If approved by the supervisor, or by the SDD on appeal, the request will be routed to the Director, or designee, for approval. The Director's decision may not be further appealed.</li><li>7. If the Variation in Work Schedule for Educational Purposes is approved, the employee will observe the new schedule for the pay periods covering the dates of the course(s).</li><li>8. The employee's supervisor will forward the completed and signed form to DC Health HR.</li><li>9. The HRO's designee will update the employee's personnel file.</li><li>10. The HRO's designee will inform the employee and the employee's supervisor of the effective date for of the change for the purpose of time and attendance tracking.</li><li>11. At the completion of the course, the employee shall revert back to the most recent tour of duty prior to the approved variation.</li></ol> <p><b>Procedure C: Overtime Opportunities</b></p> <ol style="list-style-type: none"><li>1. If work is required that may only be performed outside of tours of duty permissible under this SOP, the supervisor shall request volunteers from all employees in the office who perform the required tasks, offering as much advanced notice as practicable.</li></ol>
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	<ol style="list-style-type: none"> <li>2. The supervisor shall select employees to assign from the pool of volunteers. If the number of volunteers exceeds the labor required for the tasks, the manager will select employees for overtime on a rolling basis.</li> <li>3. The supervisor will assign mandatory overtime when there are no volunteers, or insufficient volunteers.</li> </ol>
<b>VII. Contacts</b>	Human Resources Officer
<b>VIII. Related Documents, Forms and Tools</b>	Application for Change in Tour of Duty  Application for Exemption