



# CITY OF NEWPORT NEWS PERSONNEL ADMINISTRATIVE MANUAL

Effective Date: 11/01/06

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| SECTION<br><b>609</b> | SUBJECT<br><b>CITY WORK SCHEDULES AND SCHEDULE CHANGES</b> |
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## I. GENERAL

Work schedules are established by the City and its individual departments to most effectively provide City services. All City work schedules, unless expressly established otherwise in accordance with this policy, are weekly work schedules with a base schedule of 40 hours per week. The provisions in this policy apply to the established base workweek, exclusive of any overtime that may be scheduled or worked.

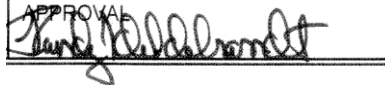
The Fair Labor Standards Act (FLSA) mandates that non-exempt employees who work more than 40 hours per week be compensated at time and one-half for work in excess of 40 hours. FLSA allows for exceptions to the standard weekly work schedule of 40 hours per week for employees engaged in certain public safety activities. Any public safety exceptions approved for the City are documented as attachments to Section 610, Deviating Work Schedules and Overtime Policies.

The following provisions apply to regular full-time employees in jobs with a regular base work schedule of 40 hours per week.

## II. WORK SCHEDULES

Generally, City work schedules are established by the department head or his/her designee on a fixed, recurring basis with respect to work days, work hours, and the starting and stopping times for each work day or work shift. The City's standard work schedule is eight hours per day, five days per week. However, the department head or designee may establish other work schedules and has the authority to change work schedules within the provisions of this policy.

In appropriate circumstances and when required or permitted by operations, the department head or designee may regularly allow or require employees to have some limited, individual flexibility in their schedules such as flexing the starting and stopping times, the number of hours worked in a day and, to a more limited degree, the working days of the week, provided the workweek is 40 hours for overtime eligible employees. When such latitude is regularly permitted or required, even though the employee must receive prior approval of their work schedule and even though the department may limit the scope of such flexibility, the employee is considered to be working a "flexible work schedule". Additionally, there are operations in which it is understood that employees may not necessarily work a set daily or weekly schedule but are required to regularly respond to operating needs requiring flexibility. For purposes of this policy, these employees are also considered to work a flexible work schedule.

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### III. ESTABLISHING AND CHANGING WORK SCHEDULES

The department head or designee may establish work schedules within the policies and guidelines stated in this section provided they do not deviate from the standard 40-hour workweek.

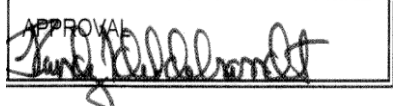
The department head or designee may change work schedules at any time. Schedule changes may include changing work days, work hours, the starting and stopping times each work day or work shift and shift assignments. Work schedules may be changed for a temporary or extended basis. Schedule changes may be made for an entire work unit or for an individual employee. Schedule changes may be made to meet anticipated needs, to accommodate an employee's request, or for any other reason the department head or designee deems appropriate. Department heads are not required to establish work schedules to accommodate an individual employee's request.

The department head or designee will make reasonable efforts to provide as much advance notice of a schedule change as possible, although no notice is required. Notification of a work schedule change need not be made in writing, nor, in the case of a schedule change for a work unit, is management responsible for individually notifying each employee. A general announcement to the work unit will suffice.

When base schedules are established for overtime eligible employees that deviate from the standard eight-hour day or that allow flexibility within a 40-hour workweek for an anticipated period of more than 12 weeks, the department head will notify the Director of Human Resources in writing in advance of implementing the schedule.

The City Manager's approval is required to establish base work schedules that include workweeks of other than 40 hours for overtime eligible employees. In such cases, the department head shall consult with the Department of Human Resources to draft a schedule proposal for the approval of the City Manager. It is noted that workweeks of more than 40 hours will incur overtime liability for overtime eligible employees except for certain public safety jobs that may have other thresholds as provided by FLSA.

Nothing in this policy prohibits department heads from requiring that an employee work in excess of the employee's regular schedule. Employees are required to work outside of their regular schedule and work additional time when directed to do so, unless the employee has an excuse that is reasonable and acceptable to the appropriate manager. See Section 610, Pay Computation and Overtime Policies and Procedures.

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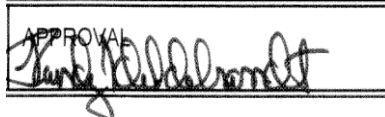
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#### IV. WORK SCHEDULES FOR OVERTIME EXEMPT EMPLOYEES

There is more flexibility in establishing work schedules for overtime exempt employees provided the base work schedule averages at least 40 hours per week and the work schedule provides appropriate coverage in accordance with the principles of public accountability and good management practices. Department heads who wish to establish work schedules for overtime exempt employees that deviate from 40 hours per week on a regular basis should confer with the Department of Human Resources to ensure compliance with policy.

#### V. GENERAL GUIDELINES FOR ALL WORK SCHEDULES

- A. Work schedules and schedule adjustments for specific employees or work units, should be made as far in advance as possible by management and employees should be notified as soon as possible.
- B. Generally, all employees in a work unit work the same schedule. There is no requirement to provide deviating work schedules for individual employees and departments are not required to change a work schedule upon the request of an employee. However, efforts should be made to accommodate employee needs where practical and to the extent possible.
- C. For all work schedules, employees are required to be in attendance during their scheduled work hours and may not change scheduled work hours without authorization. In addition, overtime eligible employees may not work outside of their scheduled work hours, unless permitted or required to do so by the appropriate authority.
- D. The City has established standard operating hours for City administrative offices of 8 a.m. to 5 p.m., Monday through Friday. All City administrative offices, all City offices open to the public and all offices that provide administrative support services to those offices are expected to remain open and maintain adequate coverage during these standard operating hours. Any administrative office that does not provide coverage during these times shall do so only with the authorization of the City Manager.
- E. Department heads are expected to maintain work schedules of 8 a.m. to 5 p.m., Monday through Friday, unless an alternate schedule is approved by the City Manager.

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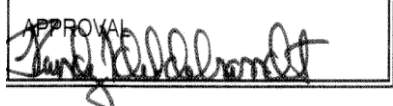
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- F. Work schedules shall be established in a fair and impartial manner to promote economy, effectiveness and efficiency in City operations and to provide the most appropriate work and staff coverage. Department heads are responsible for monitoring work schedules to ensure that they are beneficial to operations and that they maximize productivity, efficiency, effectiveness and coverage.
- G. For each full City holiday, employees receive compensation for eight hours. When work schedules of other than eight hours per day are established, consideration should be given to adjusting an employee's schedule during weeks with holidays to ensure that the employee's work time or combination of work time and leave time equates to at least 40 hours for the week. (See Section 706, Holidays.)
- H. While not a requirement, most work schedules should include an unpaid meal break of at least 30 minutes. During this time, any overtime eligible employees should be completely relieved from duty. If the employee is not totally relieved from duty, see Section 610, Pay Computation and Overtime Policies and Procedures.
- I. There is no requirement that work schedules contain break periods. Breaks are at the discretion of individual operations.
- J. No department is required to offer, approve, or continue any work schedule it has established. Employees may be assigned to any daily, weekly or other work schedule or cycle by the appropriate authority. Management reserves the right to transfer an employee from one schedule or work cycle to another, without notice.

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