
REVIEW MANAGEMENT

**ALTERNATIVE WORK SCHEDULES
(AWS)**

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PURPOSE This guide describes policies and procedures governing the Alternative Work Schedules (AWS) program for all components of the Office of Review Management.

BACKGROUND

- The AWS program provides individuals with the flexibility to schedule their work time to accommodate their needs so long as it does not materially disrupt the conduct of the Center's business.
- FDA has revised its policies regarding core hours and flexible bands. CDER's AWS program is described under MAPP 4657.1. This MAPP provides the policies and guidelines for the implementation of AWS within all components of the Office of Review Management (ORM), as required under MAPP 4657.1.
- Implementing AWS within ORM requires balancing the need to work as a team with the individual needs of employees. The review work of the divisions is highly demanding, requiring multiple applications to be reviewed concurrently under tight deadlines. In order to meet these deadlines, the individual reviewers must work well together as a team, with opportunities for frequent and direct (often face-to-face) communication. For this reason, CDER has made provision to locate all members of the review team together in contiguous space, including reviewers from other Offices. The implementation of AWS must not undermine the effectiveness and efficiency of this team effort. At the same time, we want to allow employees and supervisors to use the AWS program to accommodate the employee's needs as

much as possible without compromising our work and mission. ORM's AWS plan represents an effort to achieve this balance.

REFERENCES

- CDER's Plan for Alternative Work Schedules (MAPP 4657.1).
 - CDER's Policy on Overtime Approval (MAPP 4657.3)
 - ORM's plan for Flexible Workplace Arrangements Program (FWAP) (MAPP 6002.2)
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DEFINITIONS

- **Alternative Work Schedules.** Any work schedule other than a designated fixed work schedule.
- **Basic Work Requirement.** The number of hours an employee is regularly scheduled to work, i.e., full-time employees, 8 ½ hours a day, 40 hours in a week or 80 hours in a biweekly pay period; for part-time employees, fewer than 40 hours (but not less than 16 hours or more than 32 hours) in a week or fewer than 80 hours in a biweekly pay period.
- **Core Hours.** The time during the workday during which an employee covered by a flexible (not compressed) work schedule must be present for work. (Note: Official business hours for ORM and CDER are 8:00 am to 4:30 pm, Monday through Friday. Core hours for ORM are from 9:30 am to 3:30 pm.)
- **Compressed Work Schedule.** Employees fulfill the requirement of working 80 hours in a biweekly pay period over a span of eight or nine work days, i.e., 5-4/9 (work 9 hours for 5 days of the first week and 4 days the next week with 1 day off) or 4/10 (work 4 days for 10 hours each week with 1 day off a week). This is a fixed schedule with a predetermined starting and ending time for each workday in the pay period, and the same day off each pay period. No credit hours may be earned by employees on a compressed work schedule. (Note: ORM employees are not permitted to work a compressed work schedule.)
- **Credit Hours.** Hours worked in a day in excess of the basic work requirement.
- **Flexible Bands.** The time band during the workday during which an employee may choose to vary the times of arrival to and departure from the work site. These time frames also provide the time bands in which credit hours may be earned. Flexible bands also define the times on weekends during which credit hours can be earned.

- **Maxiflex (a.k.a. flexitime).** Work is performed within the designated flexible band of hours and employees must be present for work or on approved leave during core hours. Employees are allowed, with supervisory approval, to earn credit hours during the flexible bands.
- **Overtime Work.** Work that is officially ordered and approved in advance for a specifically defined project and performed outside the employee's official work schedule.

POLICY

1. The maximum flexible bands that can be permitted in ORM are as follows:

 Maxiflex Schedule:

Mon through Fri	5:00 a.m. to 9:30 a.m.; 3:30 p.m. to 12:30 a.m. (core hours = 9:30 a.m. to 3:30 p.m.)
Sat & Sun	5:00 a.m. to 6:00 p.m. (only credit hours may be earned during these times)
2. Routine working hours (i.e., “business hours”) for ORM are from 8:00 a.m. until 4:30 p.m., Monday through Friday (and these are also official business hours for FDA). At a minimum, live phone coverage is to be provided during these hours.
3. Employees are expected to be available for meetings during business hours even if their attendance would interfere with their normal work schedule. Meeting times, training times, etc., are not defined by the core hours but can be scheduled to accommodate Center/Office or Division needs. Center/Office/Division management are required to assure adequate staffing of all Center functions during official business hours.
4. Most full-time and part-time employees are eligible to participate in a maxiflex work schedule. In all cases, the maxiflex schedule options available to employees will depend on coordinating employee schedules so that adequate office coverage is maintained and work operations are not hindered. Requests to participate in a maxiflex work schedule must be approved by the employee's supervisor. For part-time employees, time worked in excess of the scheduled tour may be recorded as credit time.
5. A full-time employee working under a FWAP agreement is permitted with supervisory approval to vary the beginning of the workday between the hours of 7:00 am to 9:30 am on those days that the employee is scheduled to work offsite. A part-time employee working offsite under a FWAP agreement must report to work at the times designated in the FWAP agreement.
6. As indicated in ORM’s FWAP plan (MAPP 6002.2, ordinarily an employee may not

earn credit time while working at home under a FWAP agreement, except on weekends, as noted below. In very exceptional cases, credit time, overtime or compensatory for special projects or deadlines may be approved in advance by the official authorized to approve overtime.

7. Under certain circumstances such as a user fee deadline, eligible employees may substitute a Saturday and/or Sunday for a regular workday(s) by earning up to 8 hours a day of credit time, and up to 16 hours for both Saturday and Sunday. This request must be approved in advance by the employee's Division Director. For those who would perform this work away from their official duty station, a flexible workplace agreement must be approved in advance in writing, and employees must account for the time claimed as work. NOTE: Flexible bands do not permit earning credit time after 6:00 pm on Saturday or Sunday.
8. Employees in ORM are not permitted to work a compressed work schedule.
9. Credit hours may not be earned by Commissioned Corps Officers, SES employees, or Title 38 employees. However, employees in these categories are permitted with supervisory approval to adjust their core hours within the limits defined by MAPP 4657.1 in order to receive credit for an 8 and ½ hour workday, or for portions thereof.
10. For eligible full-time employees, up to 4 hours of credit time may be earned in a normal workday (Monday through Friday.) For eligible part-time employees, up to 2 hours of credit time may be earned in a normal workday. A maximum of 24 credit hours may be accumulated and carried forward from one pay period to the next for **full-time employees only**. Part-time employees may carry forward credit hours up to 1/4 of their official tour of duty hours as recorded on their SF-50. Any credit hours in excess of the amount allowed to be carried forward to the next pay period are lost. Credit hours must be earned in advance and may be used just like annual leave, with the advance approval of the supervisor. Credit hours do not convert to pay.
11. Attendance at professional meetings during the evenings (after 5 p.m.) and weekends may not substitute for a normal workday, and cannot be claimed as credit time, compensatory time, or overtime. This includes the time spent traveling to and from the meeting site. This policy does not apply to "non-exempt" employees who are covered by the Fair Labor Standards Act (FLSA), who include secretaries and all employees Grade GS-7 and below.
12. Time off during an employee's basic work requirement must be charged to the appropriate leave category. The minimum charge for leave is one-quarter hour and additional charges are in multiples thereof. All employees will be required to account for their time through use of a designated time accounting system, i.e., a time clock, sign in/out system. Employees must not sign or punch time clocks in/out for other employees.

13. In all cases, the AWS options available to employees will depend on coordinating employee schedules so that adequate office coverage is maintained and work operations are not hindered. An employee's participation in AWS may temporarily be withdrawn or modified by a supervisor for a specified period of time based on anticipated or emergency workloads. Advance notice of at least one week should be given to the employees if circumstances permit.
 14. Overtime work must be approved in advance, and must be in excess of the employee's scheduled tour of duty. SES, Commissioned Corps and Title 38 employees are not eligible to earn overtime.
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RESPONSIBILITIES

- **The Deputy Center Director (Review Management) will :**
 1. Review the Office of Review Management's AWS plan at least annually and decide whether to continue, modify, or terminate it. Any changes should be filed with the Director, OM.
 2. Approve or disapprove employee requests for exceptions to ORM core hours.
- **Office Directors will:**
 1. Determine to what extent AWS should be implemented in the Office.
 2. Adopt ORM's plan and distribute to all employees in the Office, or develop a supplemental plan with Office- or Division-specific additions. Additions may make the plan more restrictive, but may not make the plan less restrictive than the ORM plan.
 3. Review the Office's AWS supplemental plan (if there is such) at least annually and decide whether to continue, modify, or terminate it. Any changes should be filed with the Director, OM.
 4. For employees in the Immediate Office, consider each employee's preference and determine the appropriate schedule for each employee, based on the needs of the work unit, workload requirements, and the requests of other employees.
 5. Approve the division's method and procedures for accounting for time and attendance (e.g., time clocks or sign-in/sign-out sheets).
 6. Determine on a continuing basis when the work requirement of certain positions preclude employees in those positions from participating in the

maxiflex work schedules.

7. Review and, if concur, forward employee requests for exceptions to ORM core hours to the Deputy Center Director (Review Management).

- **Division Directors/Supervisors will :**

1. Determine on a continuing basis when the work requirement of certain positions preclude employees in those positions from participating in the maxiflex work schedules.
2. Consider each employee's preference and determine the appropriate schedule for each employee, based on the needs of the work unit, workload requirements, and the requests of other employees.
3. Review and, if concur, forward employee requests for exceptions to ORM core hours to the Deputy Center Director (Review Management).

- **Employees will:**

1. In advance, request of their supervisor permission to participate in a maxiflex work schedule.
2. Account for their time through use of a division designated time accounting system, such as a time clock or a sign in/out system.
3. Submit to their supervisor written requests for ongoing exceptions to ORM core hours for approval by the Deputy Center Director (Review Management). Employees may not participate in maxiflex work schedules that contain exceptions to ORM's core hours until they have received approval of their request.

- **Division of Management Services, Office of Management will :**

1. Provide information and guidance to Center employees on AWS policies and procedures.
2. Review Office supplemental plans for adherence to Center policies before submitting to Director, OM for clearance.
3. Maintain a record of all Office supplemental plans.

REDELEGATION

The Center Director has redelegated authority to approve AWS requests to Office Directors

with no further redelegation authorized.

EFFECTIVE DATE

This guide is effective upon date of publication.