

# **DEPARTMENTAL PERSONNEL MANUAL**

## **Chapter 610 HOURS OF DUTY**

**THIS DPM CANCELS AND REPLACES ALL PREVIOUSLY ISSUED  
DPM-610 BULLETINS, LETTERS AND CHAPTERS RELATED TO  
HOURS OF DUTY.**

**DEPARTMENTAL PERSONNEL MANUAL**  
**CHAPTER 610, HOURS OF DUTY**

SECTION 1. HOURS OF DUTY ..... 3

- A. Coverage ..... 3
- B. Authority and References ..... 3
- C. Business Hours ..... 3
- D. Core Hours ..... 3
- E. Weekly and Daily Scheduling of Work ..... 4
- F. Time Accounting ..... 4

SECTION 2. ALTERNATIVE WORK SCHEDULES (AWS) ..... 4

- A. Coverage ..... 4
- B. Authorities and Responsibilities ..... 4
- C. DOT Policy ..... 5
- D. Flexible Work Schedules ..... 5
- E. Compressed Work Schedules ..... 6
- F. In Lieu of Holidays ..... 6
- G. Night Differential..... 7

SECTION 3. EMERGENCY CLOSINGS ..... 7

- A. Designation of Emergency Personnel..... 7
- B. Emergency Dismissal Guidelines ..... 7
- C. Guidance for Employees with Disabilities during Emergencies ..... 8
- D. Dismissal of Teleworkers ..... 8

APPENDIX A – Established Business Hours ..... 10

APPENDIX B – Emergencies Before the Start of a Workday ..... 11

APPENDIX C – Emergencies After the Workday Begins ..... 12

APPENDIX D – Relevant Guidance ..... 13

## SECTION 1. HOURS OF DUTY

### A. Coverage

1. This chapter contains the basic requirements governing hours of duty for employees of the U.S. Department of Transportation (DOT). This chapter should be used in conjunction with any applicable labor agreements.
2. Hours of Duty and other information relative to members of the Senior Executive Service may be found in Chapter 920.

### B. Authority and References

1. This chapter is based upon and conforms to the requirements and policy set forth in 5 U.S.C. Chapter 61, 5 CFR Part 610, and the United States Office of Personnel Management Handbook on Alternative Work Schedules.
2. This chapter supplements policies and requirements contained in the references cited above. It is not self-contained, and must be read with the references cited.

### C. Business Hours

1. Business hours for Operating Administrations in the Washington, DC Metropolitan Area may be found in Appendix A.
2. The head of an Operating Administration may modify established business hours if doing so would enhance mission accomplishment and effectiveness.
3. The Director of the Departmental Office of Human Resource Management should be notified of any changes to currently established business hours.

### D. Core Hours

1. All employees on regular work schedules and alternate work schedules are expected to be on duty during core hours. Core hours are those hours in a workday when all scheduled employees are expected to be on duty or in an approved leave status.
2. The Office of the Secretary and each Operating Administration has the authority to establish its own core hours. Core hours should be communicated, in writing, to employees.
3. Operating Administrations are responsible for establishing core hours that support mission accomplishment. For example, 9:30 am to 11:30 am may be established as the

morning core hours and 1:30 pm to 3:30 pm may be identified as the afternoon core hours.

#### **E. Weekly and Daily Scheduling of Work**

1. The effective date of new-hire appointments shall be on the employee's first actual workday. In the case of an employee starting on the first Monday of the pay period, the effective date of the appointment may be on the first Sunday of that pay period.
2. Employees eligible for conversion from one appointment to another, or transferring from another agency, may be appointed without a break in service and without regard to the first actual workday requirement.

#### **F. Time Accounting**

1. Supervisors must reasonably be able to certify from personal knowledge that an employee is entitled to pay for his or her basic work requirement.
2. In accordance with 5 C.F.R. 610.404, the implementation of alternative work schedules requires the establishment of a time accounting method that provides the supervisor with a personal knowledge that each employee has worked the proper number of hours. *For example, a supervisor that has employees email her and the timekeeper their hours worked during the pay period would meet this requirement. The supervisor's certification of the time and attendance record, as long as the hours worked is visible, also meets the above requirement.*
3. Managers and supervisors are reminded to consult existing labor agreements for additional requirements. Additional timekeeping requirements may be required by the payroll system.

### **SECTION 2. ALTERNATIVE WORK SCHEDULES (AWS)**

#### **A. Coverage**

1. The provisions of this section authorize the use of flexible and compressed work schedules for employees Grade level 15, or equivalent, and below.
2. Members of the Senior Executive Service should refer to DPM 920 as well as any internal DOT guidance for information on work schedules approved for their use.

#### **B. Authorities and Responsibilities**

1. Operating Administrations may include or exclude selected units or categories of employees from participation in alternative work schedules in order to meet organizational goals, missions, or needs.
2. Heads of Operating Administrations and Departmental Officers, or designees, are responsible for implementing the provisions in this DPM, including re-delegation of relevant authorities as appropriate.
3. Management officials are responsible for ensuring that sufficient numbers and kinds of personnel are present and working to carry out office operations in an efficient, effective and economical manner regardless of the use of alternative work schedules.

### **C. DOT Policy**

1. If, at any time, it is determined that an AWS program is having an adverse impact on work operations, the program shall be modified or terminated immediately, consistent with the requirements of 5 U.S.C, Chapter 71, and any existing negotiated agreements.
2. All employees on alternate work schedules are expected to be on duty, or in an approved leave status, during core hours. Part-time employees on alternate work schedules are expected to be on duty, or in an approved leave status for all parts of his/her tour of duty that correspond to core hours.

### **D. Flexible Work Schedules**

1. There is a variety of flexible work schedules authorized for use within DOT. The authority to determine which schedules are implemented has been delegated to the Operating Administrations.
2. The work schedules listed below are available for use within DOT.
  - (a) **Flexitour** – Employee pre-selects arrival and departure times from a flexible band, subject to supervisory approval. Employee must be present during core hours.
  - (b) **Gliding Schedule** – The employee has a basic work requirement of 8 hours per day. However, the employee may vary arrival and departure times. Additionally, the employee may take time away from the office during the middle of the day.
  - (c) **Variable Day** – The employee has a basic work requirement of 40 hours per workweek. The employee may vary the length of the workday.
  - (d) **Variable Week** – The employee has a basic work requirement of 80 hours per pay period. The employee may vary the length of the workweek.

- (e) **Maxiflex** – The employee has a basic work requirement of 80 hours per pay period. The employee may vary the length of the week and the length of the workday to work less than 10 days in a pay period.

**E. Compressed Work Schedules**

- 1. In addition to compressed work schedules established through collective bargaining agreements, Operating Administrations are authorized to use 5/4-9 and 4/10 work schedules.
  - (a) **4/10** – The employee works four 10-hour days each week and has one day off each week. The employee has a fixed arrival and departure time.
  - (b) **5/4-9** – The employee works eight 9-hour days each pay period, one 8-hour day each pay period and has one day off each pay period. The employee has a fixed arrival and departure time.

**F. In Lieu of Holidays**

- 1. An in lieu of holiday is a substitute holiday used when a designated holiday falls on an employee's regular day off (RDO).
- 2. If an employee's RDO falls on a holiday, the employee will take an "in lieu of" holiday. Generally, the in lieu of holiday will be the workday immediately preceding the nonworkday.
- 3. If the RDO on which the holiday occurs is a Sunday, the next basic workday is the in lieu of holiday.
- 4. If Inauguration Day falls on an RDO, employees are not entitled to an in lieu of holiday.
- 5. Employees are not entitled to another day off if the Department of Transportation is closed on a holiday or in lieu of holiday because of an emergency (weather, widespread power outage, etc).
- 6. Supervisors and managers are encouraged to identify the employee's RDO and "in lieu of" holiday well in advance. This will assure organizational needs are met and employee preferences are equitably addressed. Employee work schedules may be adjusted if management determines that a different in lieu of holiday is necessary to prevent an adverse impact on the work of the office or the Department. Before making adjustments to an employee's RDO, supervisors and managers must, however, consider the policies and procedures negotiated with employee unions and the impact on

otherwise appropriate premium pay.

### **G. Night Differential**

1. Employees working AWS flexible schedules who voluntarily elect to work nighttime hours (i.e. between 6:00pm and 6:00 am) are not entitled to night differential if the tour of duty covers 8 or more daytime hours (i.e. between 6:00am and 6:00pm). If the employee has 8 daytime hours to select, but chooses to work some nighttime hours, night differential is not paid.
2. Time and attendance records must accurately reflect the use of flexible schedules for those employees electing to work night hours. This will assist in preventing inappropriate payments of night differential.

## **SECTION 3. EMERGENCY CLOSINGS**

### **A. Designation of Emergency Personnel**

1. An emergency situation is one that may prevent employees in significant numbers from reporting for work, or may necessitate the closing of Federal activities in whole or in part. The emergency situation must be general rather than personal in scope and impact. It may be caused by such developments as heavy snow or severe icing conditions, flood, earthquakes, hurricanes, or other natural disasters; air pollution; massive power failure; major fires; or serious interruptions to public transportation caused by such incidents as strikes of local transit employees or mass demonstrations. Usually, significant emergency situations, of the scope and impact reflected in these guidelines, will be the subject of a public declaration of emergency or disaster by appropriate State or local authority. It is emphasized that the health and safety of employees in these emergency situations are a matter of prime concern to the government.
2. Each Operating Administration will identify and notify employees, in writing, that they have been designated as "emergency." Emergency employees are required to report for duty and continue Government operations during a disruption of operations.
3. Additionally, each Operating Administration must notify employees of the procedures to be followed when the "unscheduled leave" policy is announced.

### **B. Emergency Dismissal Guidelines**

1. The Office of Personnel Management (OPM) has established emergency dismissal guidelines for employees in the Washington, DC area.
  - (a) If an emergency occurs before the start of the workday, DOT employees in the Washington, DC area will follow the guidelines in Appendix B.

- (b) In the event that an emergency occurs after the start of the workday, DOT employees in the Washington, DC area will follow the guidelines in Appendix C.
2. Employees outside the Washington, DC area will follow the guidance of the Federal Executive Board for that region as well as established office policy.
  3. Supervisors, or other designated management officials, may be delegated the authority to grant excused absence beyond what is called for in the guidance issued by OPM. On a case-by-case basis, management officials may grant a reasonable amount of excused absence to an employee faced with an individual hardship (e.g. availability of carpool/van pool or public transportation, childcare/eldercare alternatives, and/or the impact of the emergency on similarly situated employees.) related to the emergency dismissal. Employees do not, however, have an entitlement to excused absence.
  4. If an emergency situation closes the Department before the start of the workday, employees who were scheduled to be in an approved leave status will be granted excused absence for the entire workday.
  5. If an employee's regular day off occurs on a day when an emergency situation closes the Department, the employee is not entitled to another day off.

#### **C. Guidance for Employees with Disabilities during Emergencies**

1. Management officials are reminded that individuals with disabilities may have different needs during emergency situations and that reasonable accommodation should be provided, as appropriate, during such situations. Management officials should meet with employees to review current reasonable accommodation agreements or to establish new agreements. Additional information on reasonable accommodation can be found in DOT Order 1011.1, *Procedures for Processing Reasonable Accommodation Requests by DOT Job Applicants and Employees with Disabilities* at: [http://www.dotcr.ost.dot.gov/Documents/10101\\_files/10101.htm](http://www.dotcr.ost.dot.gov/Documents/10101_files/10101.htm).
2. Supervisors, or other designated management officials, may also be delegated the authority to grant additional excused absence to an employee with a disability to allow that employee to be discharged before other employees because of the need to begin traveling before others; because of transportation emergencies; and/or police and safety emergencies.

#### **D. Dismissal of Teleworkers**

1. Telework agreements should identify if an employee is designated as emergency and therefore required to report for and or continue working in emergency situations. Other



requirements for non-emergency Teleworkers should be clearly defined in the policies of the Operating Administrations.

2. Supervisors and other management officials may be delegated the authority to grant excused absence on a case-by-case basis to teleworkers if any of the following occurs:
  - a. An emergency situation (i.e., disruption of electricity, flooding, loss of heat, etc.) that adversely affects the telework site and the employee does not have sufficient time to report to the traditional office or to make other working arrangements.
  - b. An emergency results in a personal hardship (e.g. emergency situation closes schools early and no other childcare alternative is available; employee works from a telecenter and driving conditions prevent employee from reaching the telecenter) prevents the employee from working successfully at the telework site.
  - c. Connectivity with the traditional office is interrupted and is needed for the employee to effectively perform his or her duties.
3. Teleworkers are not entitled to excused absence and may be directed to report to the traditional office, if practical, when a situation occurs that prevents the employee from working successfully at the telework site.

## **EFFECTIVE DATE AND IMPLEMENTATION**

This policy is effective immediately upon signature.

\_\_\_\_\_  
Patricia A. Prospero  
Director, Departmental Office of  
Human Resource Management

\_\_\_\_\_  
Date

**Effective Date:** The date of signature.  
**Review Date:** One year from effective date.  
**Distribution:** Human Resources Council and OST Administrative Officers

## APPENDIX A – Established Business Hours

This table identifies the established business hours in effect in the Washington, D.C., Metropolitan Area for the identified Operating Administrations.

<b>Operating Administration</b>	<b>Established Business Hours</b>
Federal Highway Administration	7:45am to 4:15pm
National Highway Traffic Safety Administration	7:45am to 4:15pm
Saint Lawrence Seaway Development Corporation	8:00am to 5:00pm
Federal Aviation Administration	8:30am to 5:00pm
Federal Railroad Administration	8:30am to 5:00pm
Federal Transit Administration	8:30am to 5:00pm
Office of the Inspector General	8:30am to 5:00pm
Office of the Secretary	9:00am to 5:30pm
Pipeline and Hazardous Materials Safety Administration	8:30am to 5:00pm
Research and Innovative Technology Administration	8:30am to 5:00pm
Maritime Administration	8:30am to 5:00pm
Federal Motor Carrier Safety Administration	8:30am to 5:00pm

## APPENDIX B – Emergencies Before the Start of a Workday

If an emergency occurs before the start of a workday, the Office of Personnel Management will provide one of the following five announcements to the media. These announcements do not apply to individuals who are designated as "emergency employees." Emergency employees are expected to report for work on time unless excused by their supervisors.

Announcement	What Announcement Means
1. "Federal agencies in the Washington, DC, area are <b>OPEN</b> ; employees are expected to report for work on time."	Employees are expected to report for work on time.
2. "Federal agencies in the Washington, DC, area are <b>OPEN</b> under an <b>UNSCHEDULED LEAVE</b> policy."	Employees who cannot report for work may take unscheduled leave for their entire scheduled workday.  Emergency employees are expected to report for work on time.
3. "Federal agencies in the Washington, DC, area are <b>OPEN</b> under a <b>DELAYED ARRIVAL</b> policy."	Employees should plan their commutes so that they arrive for work no more than (xx) hours later than they would normally arrive. Employees who arrive for work more than (xx) hours later than their normal arrival time will be charged annual leave or leave without pay for the additional period of absence from work.  Emergency employees are expected to report for work on time.
4. "Federal agencies in the Washington, DC, area are <b>OPEN</b> under a <b>DELAYED ARRIVAL/UNSCHEDULED LEAVE</b> policy. Employees should plan to arrive for work no more than (xx) hours later than they would normally arrive, and employees who cannot report for work may take unscheduled leave."	Employees should plan their commutes so that they arrive for work no more than (xx) hours later than they would normally arrive. Employees who arrive for work more than (xx) hours later than their normal arrival time will be charged annual leave or leave without pay for the additional period of absence from work.  Employees who cannot report for work may take unscheduled leave for their entire scheduled workday.  Emergency employees are expected to report for work on time.
5. "Federal agencies are <b>CLOSED</b> ."	Federal agencies are closed. Emergency employees are expected to report for work on time.

## APPENDIX C – Emergencies After the Workday Begins

If an emergency occurs after the workday begins, DOT employees will follow the announcement below. This announcement does not apply to individuals who are designated as "emergency employees." Emergency employees are expected to remain at work unless excused by their supervisors.

<b>Announcement</b>	<b>What Announcement Means</b>
<p>"Federal agencies in the Washington, DC, area are operating under an EARLY DISMISSAL policy. Employees should be dismissed by their agencies (xx) hours earlier than their normal departure time from work."</p>	<p>Employees should be dismissed by their agencies relative to their normal departure times from work. For example, if a 3-hour "early dismissal" policy is announced, workers who normally leave their offices at 4:00 p.m. should leave at 1:00 p.m. Employees who must leave work earlier than their official dismissal time will be charged annual leave or leave without pay from the time of their departure through the remainder of their scheduled workday.</p> <p>Employees on pre-approved leave for the entire day should be charged leave for the entire day.</p> <p>Emergency employees are expected to remain at work.</p>

APPENDIX D – Relevant Guidance

<b>Subject</b>	<b>Relevant Guidance</b>
<p><i>Absence and Leave</i></p> <p>5 U.S.C. Ch61 5 C.F.R. Part 610 DOT Leave Handbook</p>	<p><a href="http://uscode.house.gov/DOWNLOAD/05C61.DOC">http://uscode.house.gov/DOWNLOAD/05C61.DOC</a>  <a href="http://www.access.gpo.gov/nara/cfr/waisidx_02/5cfr610_02.html">http://www.access.gpo.gov/nara/cfr/waisidx_02/5cfr610_02.html</a>  <a href="http://dothr.ost.dot.gov/HR_Programs/Leave/DOT_leave_handbook.pdf">http://dothr.ost.dot.gov/HR_Programs/Leave/DOT_leave_handbook.pdf</a></p>
<p><i>SES Schedules</i></p> <p>Chapter 920</p>	<p><a href="http://dothr.ost.dot.gov/HRPolicy/Subject/subject.html#SES">http://dothr.ost.dot.gov/HRPolicy/Subject/subject.html#SES</a></p>
<p><i>Part Time Employment</i></p> <p>DPM 340-7 DPM 340-10</p>	<p><a href="http://dothr.ost.dot.gov/HRPolicy/340-07.pdf">http://dothr.ost.dot.gov/HRPolicy/340-07.pdf</a>  <a href="http://dothr.ost.dot.gov/HRPolicy/340-10.pdf">http://dothr.ost.dot.gov/HRPolicy/340-10.pdf</a></p>

S:M10\M13\final docs\DPM610- 4-11-05