



U.S. DEPARTMENT OF
TRANSPORTATION

Order

Subject
Hours of Work

**Federal Highway
Administration**

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Par:

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1. **What is the purpose of this Order?** This Order establishes requirements for establishing a basic workweek, official hours of duty, official business hours, and work schedules for Federal Highway Administration (FHWA) employees.
 2. **Does this Order cancel an existing FHWA directive?** Yes. This Order cancels FHWA Order 3000.1C, Personnel Management Manual (PMM), Chapter 8, Hours of Work, Section 1, General, dated November 19, 2003.
 3. **What are the authorities governing this Order?**
 - a. Title 5, U.S. Code (U.S.C.), Chapter 34, Part-time Career Employment Opportunities;
 - b. Title 5, U.S.C., Chapter 61, Hours of Work;
 - c. Title 5, Code of Federal Regulations (CFR), Part 340, Other Than Full-time Career Employment (Part-time, Seasonal, On-call, and Intermittent);
 - d. Title 5, CFR, Part 550, Pay Administration (General);
 - e. Title 5, CFR, Part 610, Hours of Duty;
 - f. Departmental Personnel Manual (DPM), Chapter 610, Hours of Duty; and
 - g. FHWA Order 3612.1, Alternative Work Schedules.

4. **What are the definitions of key terms used in this Order?**
- a. **Administrative workweek.** A period of 7 consecutive calendar days that includes an employee's basic workweek.
 - b. **Alternative Work Schedules.** Work schedules, including flexible and compressed tours of duty, that allow employees to work a schedule other than the traditional 8 hours a day, 40 hours a week. With an alternative work schedule, an employee's basic workweek, tour of duty, and regular work schedule may differ from the "regular" schedules outlined in this policy. More information on the FHWA alternative work schedule program can be found in [FHWA Order 3612.1, Alternative Work Schedules.](#)
 - c. **Basic workweek.** The 40-hour workweek established for full-time employees in accordance with 5 CFR 610.111.
 - d. **Headquarters.** For the purpose of this directive, Headquarters includes the Southeast Federal Center and the Turner-Fairbank Highway Research Center.
 - e. **Irregular tour of duty.** A period of work which could not be scheduled in advance of the administrative workweek due to the nature of the work required or a similar reason.
 - f. **Official business hours.** The hours during which an organization must be open to conduct business.
 - g. **Part-time tour of duty.** A regularly scheduled tour of duty from 16 to 32 hours during an administrative workweek.
 - h. **Regular employees.** Full-time and part-time employees who (1) have a regular tour of duty scheduled in advance, and (2) whose appointments are not limited to 90 days or less, or (3) who have been currently employed for a continuous period of 90 days under one or more appointments without a break in service. The term "regular employee" does not include any person who is employed on an intermittent or "when-actually-employed" (WAE) basis.
 - i. **Regularly scheduled work.** The work hours scheduled in advance of an administrative workweek for an employee.
 - j. **Tour of duty.** This is a period of approved hours which an employee is scheduled to work on a daily basis (daily tour of duty) or a weekly basis (weekly tour of duty).
5. **Who is covered by this Order?** This Order applies to all FHWA employees.
6. **What are the responsibilities of officials in scheduling hours of work?**

- a. **Authority for establishing official business hours and hours of work.**
- (1) The FHWA Administrator, or designee, has authority to establish and modify official business hours and hours of work for all FHWA employees. This authority has been further delegated as described below.
 - (a) The Executive Director has been delegated authority to establish the official business hours for Headquarters.
 - (b) Directors of Field Services, Director of Technical Services, Division Administrators, and Federal Lands Highway Division Engineers have been delegated authority to establish the official business hours and hours of work to be observed by employees in their respective organizations.
 - (2) The official business hours for Headquarters have been established as 8 a.m. to 4:30 p.m., Monday through Friday. In accordance with FHWA Order 3612.1, Alternative Work Schedules, authorized officials may approve employees to work hours outside of this timeframe and may establish core hours for their employees.
 - (3) The Director of Human Resources is required to notify the Departmental Office of Human Resource Management of any changes to the FHWA official business hours at Headquarters.
- b. **Time accounting.**
- (1) The hours that employees work must be accurately recorded for time and attendance reporting purposes.
 - (2) Supervisors must reasonably be able to certify from personal knowledge that an employee is entitled to pay for his or her basic work requirement. *For example, an employee may be required to email his supervisor and timekeeper his daily hours worked at the end of the pay period.*
- c. The appointment effective date for employees starting on the first Monday of the pay period will be the first Sunday of that pay period. In a few situations, the effective date of new-hire appointments is the employee's first actual workday.
- d. **Exceptions or variations.**
- (1) Within the limits of administrative discretion permitted to the FHWA, exceptions to the provisions of this chapter may occasionally be granted due to rare and/or unusual circumstances. Such exceptions and variations must be documented and maintained as part of the accountability process for the Agency.

- (2) Exceptions may be granted by Associate Administrators, Chief Counsel, Chief Financial Officer, Directors of Field Services, Director of Technical Services, Division Administrators, and Federal Lands Highway Division Engineers when circumstances indicate that such an exception will promote the efficiency of the public service.
- (3) The Director of Human Resources is also delegated authority to make exceptions to hours of duty when circumstances warrant and when it's deemed that the exception will promote effective mission accomplishment.
- (4) Variations to this Order may also be made in accordance with FHWA Order 3612.1, Alternative Work Schedules.

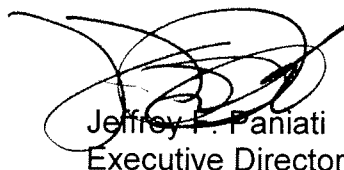
7. **What are the regular tours of duty and work schedules?**

- a. **Basic workweek.** The basic workweek for a full-time employee of the FHWA is 40 hours in accordance with the requirements of 5 CFR 610.121. However, these requirements may be superseded by the use of alternative work schedules as outlined in FHWA Order 3612.1, Alternative Work Schedules.
- b. **Regular tour of duty.** A regular tour of duty for full-time employees is 8 hours daily (plus an unpaid meal period) and 40 hours each week.
- c. **Regular work schedule.** Generally, regular work schedules will mirror the official business hours of the office and employees are expected to be on duty during official business hours.
 - (1) Directors of Field Services, Director of Technical Services, Division Administrators, and Federal Lands Highway Division Engineers may establish regular work schedules for their organizations in accordance with applicable laws, regulations, and Agency policy.
 - (2) Employees on regular work schedules are expected to complete their tour of duty between the hours of 6 a.m. and 6 p.m.

8. **What special tours of duty are used in the FHWA?**

- a. **Alternate Work Schedules.** FHWA employees are authorized to work compressed and flexible work schedules in accordance with the policies outlined in FHWA Order 3612.1, Alternative Work Schedules.
- b. **Part-time tour.** A part-time tour of duty consists of regularly scheduled work from 16 to 32 hours per week. Offices may utilize part-time tours of duty based on their staffing needs and/or at the request of an employee. An employee who is assigned to a part-time tour of duty may be requested or required to work additional hours during the administrative workweek.

- c. **Intermittent or WAE tour.** To meet special needs, unplanned work or seasonal work, an organization may authorize schedules that are not regular or recurring. This type of schedule may include having employees report for a day or portions of a day to meet irregular workloads.
 - d. **Irregular tour of duty.** Whenever employees are assigned to a work tour of unscheduled hours of duty, the first 40 hours of work performed within a period of not more than 6 days of the administrative workweek shall be considered the basic workweek. Any additional hours of officially ordered or approved duty within the administrative workweek shall be treated as overtime. When the need for an irregular tour of duty ends, the employee's work schedule should promptly be returned to the regular tour of duty.
9. **What other requirements affect hours of work?** Other requirements that affect hours worked by employees include:
- a. **Rest periods.** Employees may be granted short rest periods during official hours of duty. These breaks provide relief from hazardous work or work which requires continual or considerable physical exertion, promote safety by removal of fatigue, provide relief from work in confined spaces or in areas where personal activities are restricted, or maintain a high quality of work. Rest periods may not be granted immediately prior to, or after, meal periods, the start of the workday or the end of the workday. The aggregate period of rest may not exceed 15 minutes during each 4 hours of continuous work. These rest periods, if used as described, will be considered as time worked for which compensation is due.
 - b. **Lunch periods.** Lunch (or other meal) periods during the workday are unpaid and not considered duty time. Normally, the lunch period is one-half hour in duration, and the employee is entirely free of duties connected with the job.
 - c. **Excused absence.** An employee may be excused from duty without charge to leave or loss of pay for events that affect the unit, the Agency, the Federal Government or a geographic region. This type of absence does not constitute a change in an employee's tour of duty.
 - d. **Emergency closings.** FHWA guidance on emergency closings, delayed arrivals, and dismissals is available in the [FHWA Leave Policy Due to Hazardous Weather or Emergency Conditions for Federal Employees](#).



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