



Langley Research Center

**LPR 3610.1**

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## HOURS OF DUTY & WORK SCHEDULES

**RESPONSIBLE OFFICE: Office of Human Capital Management**

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## **PREFACE**

### **P.1 PURPOSE**

This Langley Procedural Requirement (LPR) summarizes the procedures for administering the laws and regulations relating to Hours of Duty in a manner which serves the best interest of Langley Research Center (LaRC) with due regard for the well being of its employees. This LPR should be used in conjunction with NPR 3600.1 "Attendance and Leave", "LAPD 1700.5 "Maximum Work Time Policy", and LPR 1710.16 "Crew Duty Limitations."

### **P.2 APPLICABILITY**

This LPR is applicable to all civil servant employees at Langley Research Center.

### **P.3 AUTHORITY**

- a. 5 U.S.C. § 6101 et. Seq., Hours of Duty
- b. 5 C.F.R. Part 610, Hours of Duty.

### **P.4 APPLICABLE DOCUMENTS and FORMS**

- a. NPD 3000.1, Human Capital Management.
- b. NPR 3600.1, Attendance and Leave.

### **P.5 MEASUREMENT/VERIFICATION**

None.

### **P.6 CANCELLATION**

LAPD 3630.3 Attachment B Work Schedules, Attachment C Travel on Official Time, Attachment D Premium Pay, Compensatory Time Off for Travel, and Credit Hours, Attachment E Absence and Leave, 3(o)(4) Excusable Absences, Delayed Openings dated October 21, 2008 is superseded.

*Original signed on file*

Cynthia C. Lee  
Associate Director

### **DISTRIBUTION**

Approved for public release via the Langley Management System; distribution is unlimited.

## **CHAPTER 1. Responsibilities**

### 1.1 The Center Director shall:

- a. Communicate the Basic Work Week Requirement
- b. Establish the Hours of Duty within the Basic Work Week
- c. The Center Director may delegate the authority to decide administrative or emergency dismissal, delayed opening, or closing of the Center for periods not to exceed 2 days. The Center Director retains the authority to decide closings from 3 to 5 days in duration.

### 1.2 Supervisors shall:

- a. Determine and inform employees of appropriate work schedules.
- b. Inform employees of changes in work week or work schedules prior to the beginning of the administrative work week in which the change occurs.
- c. Approve the temporary assignment of an employee or group to a nonstandard shift or work week for more than 1 biweekly pay period for work-related reasons.
- d. Approve changes in hours of duty as necessary.
- e. Ensure employees work within the work schedule, attendance is properly recorded, and timesheets are approved by the end of each pay period or date/time established by Office of Chief Financial Officer (OCFO) for early certification.
- f. Have authority to require employees to be on duty as needed on an individual basis.
- g. Have authority to rescind Maxi-Flex when deemed appropriate.

### 1.3 Employees shall:

- a. Ensure timesheet is completed accurately by the end of each pay period or as established by the supervisor or OCFO.
- b. Ensure that the Basic work week requirements are met by scheduling work with supervisors during flexible time bands (if applicable), Monday through Friday.

## **CHAPTER 2. Hours of Duty & Work Schedules**

2.1 Lunch Periods. Daily tours of duty in excess of 6 hours will include a 30-minute non-paid duty-free lunch period. The lunch period should be scheduled or taken near the midpoint of the employee's workday.

2.2 Holidays. When a holiday falls on Saturday, the preceding Friday is considered the holiday. When a holiday falls on Sunday, the following Monday is considered the holiday.

2.3 Work Schedules. References in this section set forth the purpose, definitions, responsibilities, and general provisions for the utilization of the Standard and Maxi-Flex work schedules at Langley. Variations (e.g. a First Forty work schedule) to the above referenced work schedules may be permitted on a case-by-case basis.

2.3.1 General Provisions. Employees in LaRC bargaining units, who are on standard or nonstandard tours of duty, will be governed by existing contract provisions on hours of duty, shift work, and premium pay.

### 2.4 Standard or Fixed Basic Work Requirement.

2.4.1 The Standard or Fixed Schedule consists of a basic workweek normally scheduled on 5 days, Monday through Friday.

2.4.2 The hours of work operating under a standard, fixed work schedule should begin no earlier than 6:00 a.m. and end no later than 6:00 p.m., to prevent payment of night pay differential.

### 2.5 Maxi-Flex Basic Work Requirement.

2.5.1 The Maxi-Flex schedule contains core hours on fewer than 10 workdays in the biweekly pay period. Employees may vary the number of hours worked on a given workday or the number of hours each week within criteria established by the Center, but must account for the basic work requirement, which is eighty (80) hours for the biweekly pay period for each full time employee. Hours nominally worked in a basic work week are a minimum of 30 and a maximum of 50 as long as the total number of hours worked in a pay period is 80. Managers/supervisors may adjust work schedules to meet mission/project demands.

*Example: Minimum of 8 days in which core hours are worked per biweekly pay period as opposed to the normal 10 days (with supervisory approval, employees may schedule up to 2 days off per pay period without taking leave.)*

2.5.2 Center policy requires attendance during core hours, Monday through Friday. Supervisors may approve a request to be absent during core time, but such absence shall be made up by the employee during the pay period in which the absence occurred or by a charge to an appropriate leave category or credit hours.

- a. Core hours are 9 a.m. to 3 p.m., Monday through Friday, including an unpaid half hour lunch period.
- b. Flexible time bands are from 6 a.m. to 9 a.m. and 3 p.m. to 6 p.m., Monday through Friday.
- c. Work performed outside the flexible time bands requires supervisory approval.

2.5.3 Supervisors may approve exceptions to core hour requirements on a case-by-case basis.

*Note: Changes to core hour requirements that will exceed more than one pay period must be approved by the Organizational Unit Manager (OUM).*

2.6 Part-time Work Requirement. Part-time employees that elect and are approved to participate in a flexible work schedule (Maxi-Flex) will have a biweekly basic work requirement of less than 80 hours. Employees may determine their own work schedule within the limits set by the supervisor.

### 2.7 Shift Operations.

2.7.1 When feasible to apply the Maxi-Flex schedule to shift operations, the following guidelines will be used in setting core time and flexible time bands:

- a. Management shall determine the hours of operation needed for additional shifts.
- b. Once shift hours are determined, management shall identify the midpoint of the shift. The midpoint will be used to establish the starting and ending time of the Maxi-Flex Schedule time band, with hours after the midpoint. Flexible time bands of approximately 3 hours duration will be set at the beginning and end of the flexible time band.

### 2.8 Credit Hours

2.8.1 Credit hours are hours of work which are in excess of the 80 hour basic work requirement and which the employee elects to work so as to vary the length of a workday. Credit hours should be worked in accordance with the Center's flexible time bands (i.e. 6 a.m. to 9 a.m. and 3 p.m. to 6 p.m., Monday through Friday); however, supervisors may authorize employees to work outside of the flexible time bands on a case-by-case basis.

2.8.2 Credit hours are non-overtime work for which the employee receives no additional pay and are credited to the employee's "account."

2.8.3 Accrual of all credit hours shall be subject to supervisory approval.

2.8.4 Use of credit hours shall be subject to supervisory approval.

2.8.5 Full time employees may accumulate and carry forward from pay period to pay period a maximum of 24 credit hours.

2.8.5.1 Although time cannot be charged (CRU) against credit hours until credit hours have been earned (CRE), supervisors may still permit employees to work flexible hours (part of the basic work requirement) after the beginning of the week or a pay period.

*Example: an employee may be permitted or required to shift some flexible hours from the first week of pay period to the second week of the pay period. As long as the employee completes his or her 80 hour basic work requirement during the pay period, this can be done without any charge to leave.*

2.8.6 Credit hours are earned and may be used in 15-minute increments.

*Note: Time spent in Absent without Leave (AWOL) status or suspension status during a pay period will not entitle an employee to earn credit hours that same pay period.*

2.8.7 Although subject to supervisory approval and the limit on hours carried forward, there is no prescribed limit on how frequently credit hours may be accrued or used. However, safety regulations may limit the number of hours an employee may spend on a particular task or project.

2.8.8 Upon resignation, retirement, or transfer to another agency, employees will be paid for credit hours at their regular rate at the time of separation.

2.8.9 Senior Executive Service (SES) employees may not earn credit hours.

2.8.10 Credit hours shall not be earned for travel in that travel in connection with Government work is not voluntary in nature, i.e. travel itself does not meet the definition of credit hours in 5 U.S.C. §6121(4), which provides that credit hours are hours within a flexible work schedule in excess of the employee's basic work requirement that the employee elects to work so as to vary the length of a work week or workday. If travel time creates overtime hours of work, the employee shall be compensated by payment of overtime pay or under the rules for granting or requiring compensatory time off.

2.8.11 No Leave of any kind may be used solely to generate an entitlement to credit hours. If an employee's absence occurs before meeting the basic work requirement, leave may be requested for the absence as long as the leave charge does not cause the employee to exceed the basic work requirement. With supervisory approval, the employee may elect to work beyond the basic work requirement and request that the excess time worked be used to reduce the leave charged for their absence or to earn credit hours."

*Example: In order to earn credit hours and with supervisory approval, an employee completes 82 hours of work by the close of business on Thursday. Then the employee is absent on Friday due to illness or due to the election of annual*

*leave, no leave will be charged for Friday's absence. The employee met his or her 80 hour work requirement. He or she will receive 2 hours of credit.*

Note: *Although no leave could be granted for Friday's absence, the employee shall obtain supervisory approval for absence between 9 a.m. and 3 p.m. core time if he/she was scheduled to work.*

2.8.12 Overtime hours are all hours in excess of 8 hours in a day or 40 hours in a week that are officially ordered and approved in advance by the management. See 5 U.S.C. §6121(6).

### **CHAPTER 3. Administrative Dismissal/Closure**

3.1 The authority in this section shall be used only to the extent warranted by good administration for short periods of time generally not exceeding 3 consecutive workdays in a single period of excused absence.

*Note: References in this section provide uniform and equitable standards for excusing Center employees in emergency situations or for managerial reasons.*

3.2 Reasons for Administrative or Emergency Closing, dismissal, or delayed opening. The Center may close, dismiss, or delay opening officially for reasons such as:

a. Public emergencies. Federal, state, or local authority may declare an emergency situation in which the health or safety of employees may be endangered by remaining at or commuting to or from the duty station.

b. Managerial reasons. Designated Center officials may excuse Center employees from duty when closing of an office or cessation of operation is required for short periods for such managerial reasons as building maintenance work or breakdown of essential building services or facilities.

c. Extreme temperatures. Designated Center officials may excuse Center employees from duty in extreme situations where, due to a temporary disruption of air cooling or heating systems, unusual levels of temperature prevent the continuance on duty without an adverse effect on health, and conditions are such to actually prevent employees from working.

d. Hazardous Weather Conditions. Designated Center officials may excuse Center employees from duty in hazardous weather conditions, where, due to extraordinary weather conditions, the safety of employees may be endangered by remaining at or commuting to or from the Center.

3.3 Leave Charges for Administrative or Emergency Closing, Dismissal, or Delayed Opening. A charge to leave as discussed below includes charges to annual or sick leave, if appropriate, to earned compensatory time, to earned credit hours, or to leave without pay. A charge to leave depends upon the employee's duty status at the time an emergency situation occurs.

a. Telework. Employees and Supervisors should refer to “NASA Telework Program” NPR 3600.2, Chapter 5 for specifics on telework during an administrative closing, dismissal, or delayed opening.

b. Center Status. When emergency situations develop during nonworking hours, thereby making it difficult or virtually impossible for employees to get to work on time, the Center will open as usual, have a delayed opening or close by administrative order according to established procedures.

c. Other Possible Leave Charges. The following outlines charges to leave that may occur:

(1) Center Delayed Opening. Most Center employees are on a Maxi-Flex work schedule; therefore, when the Center has announced a delayed opening an employee's usual or predominant pattern of arrival time is normally used as a reference in determining the amount of excused absence to be granted.

*Example: if the Center will be opening at 10 a.m., employees will be credited with the following excused absence: Maxi-Flex employees who normally arrive for work at 6:00 a.m. may receive credit for up to 4 hours of excused absence; Maxi-Flex employees who normally arrive for work at 6:30 a.m. may receive credit for up to 3.5 hours of excused absence, etc.*

(a) Employees reporting later than the designated opening time should be charged leave for the excess time, i.e. an employee reporting at 11 a.m. would be charged 1 hour of leave or with supervisory approval agree to make up the time during the basic work requirement. For those employees with no discernible pattern of arrival and departure times, excused absence is granted based upon an average computed from the previous two weeks' arrival and departure times.

(b) When a liberal leave (unscheduled leave) policy is in effect, Maxi-Flex employees who do not report for work will be charged leave from an appropriate leave account for the normal or average number of hours usually worked unless fewer hours are needed to complete the 80 hour work requirement.

(c) The 8 hour workday is used in determining the amount of excused absence in emergency situations for employees on the standard, 8 hour workday schedules. Employees may elect to use other appropriate leave to cover their absence. Employees on leave approved prior to the announcement of the delayed opening will be charged the amount of leave requested for that day.

(d) Employees that intend to take leave are responsible for providing timely notification to their supervisors.

(2) Center Early Dismissal. Most Center employees are on a Maxi-Flex work schedule; therefore, when the Center closes early, an employee's usual or predominant pattern of departure time is normally used as a reference in determining the amount of excused absence to be granted. The 8 hour workday is used in determining the amount of excused absence in emergency situations for employees on the standard, 8 hour workday schedules.

(a) An employee who leaves work before an early departure policy is announced, or before his or her *early departure time*, should be charged annual leave or other appropriate leave beginning at the time the employee left work and for the remainder of his or her scheduled workday. Supervisors will still have the right to approve earlier departure times for employees on a case-by-case basis.

(b) An employee on pre-approved leave for the entire workday or an employee who has requested unscheduled leave before an early departure policy is announced should be charged annual leave or other appropriate leave for the entire workday. An employee scheduled to take preapproved leave commencing after his or her *early departure time* (e.g., for a doctor's appointment) may not be charged leave for that period. Instead, the employee should be granted excused absence for the remainder of the workday following his or her *early departure time*.

(c) An employee who is on official travel during normal working hours when an agency dismisses its employees early is not entitled to additional pay or paid time off (e.g., compensatory time off or credit hours).

(d) If an employee is scheduled to return from leave after an early departure policy is announced, the agency should charge leave for the period prior to the employee's *early departure time* and grant excused absence for the remainder of the workday following the employee's *early departure time*.

(3) Center Closure. Workdays on which the Center is closed are non-workdays for leave purposes. Employees scheduled to work on those days will be excused without charge to leave or loss of pay.

(a) Maxi-Flex employees will be granted excused leave for the normal or average number of hours usually worked unless fewer hours are needed to complete the 80 hour work requirement.

(b) Employees on a standard work schedule will be granted 8 hours of excused leave.

(c) Maxi-Flex employees who have fulfilled the basic work requirement of 80 hours may not be granted credit hours or overtime (including compensatory time) if the excused absence causes them to exceed the basic work requirement. (Employees must WORK in excess of the basic work requirement in order to be eligible for credit hours.)

(d) Employees working Maxi-Flex who fulfill their 80 hour basic work requirement in less than 10 working days are already entitled to a Maxi-Flex (AWS) day off. If the Center is closed on the employees' Maxi-Flex (AWS) day off, the employees are not entitled to an additional "in lieu of" day off. In addition, employees cannot be excused from duty on a non-workday, and the employees may not be granted excused absence for the scheduled non-workday. Additionally, Maxi-Flex employees may not be granted overtime (including compensatory time) if the excused absence causes them to exceed the basic work requirement.

(e) If a non-emergency employee is on official travel on a workday when the Center is closed, the employee is expected to continue working. However, if the emergency procedures of the Center make it impossible for the employee to continue work –i.e., the travel assignment requires frequent contact with the Center – excused absence may be appropriate. The manager of the employee on travel is responsible for determining whether the employee is required to continue working or will be granted excused absence under these circumstances.

(f) An employee on leave without pay, leave without pay for military duty, workers' compensation, suspension, or in another nonpay status does not receive excused absence when the Center is operating under emergency procedures. These employees should remain in their current status. An employee in a nonpay status has no expectation of working and receiving pay for a day during which the Center is closed and is therefore not entitled to be paid for his or her absence.

(4) Employee Efforts to Get to Work. Supervisors may excuse tardiness without charge to leave for a period less than 1 hour when it can be determined that the employee made every reasonable effort to get to work on time. In reviewing an employee's request for excused absence instead of a charge to leave on the basis that the employee made every reasonable effort to get to work on time or at all, the supervisor will consider the following:

- (a) Distance between the employee's residence and place of work;
- (b) Modes of transportation available;
- (c) Efforts made by the employee to get to work;
- (d) Success of other employees traveling under similar circumstances.

**APPENDIX B. Acronyms**

AWOL	Absence without Leave
AWS	Alternative Work Schedule
CRE	Credit Hours Earned
CRU	Credit Hours Used
LWOP	Leave without Pay
NASA	National Aeronautics and Space Administration
OCFO	Office of Chief Financial Officer
OD	Office of Director
OHCM	Office of Human Capital Management
OUM	Organizational Unit Manager