



TITLE	POLICY NUMBER	
Alternative Work Schedules	DCS 04-28	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Human Resources	09/08/16	1

## **Alternative Work Schedules**

*This policy does not create a contract for employment between any employee and the Department. Nothing in this policy changes the fact that all uncovered employees of the Department are at-will employees and serve at the pleasure of the appointing authority.*

### **I. POLICY STATEMENT**

The Arizona Department of Child Safety (DCS) allows employees the option, subject to approval, of working an alternative (flex or compressed) work schedule which will serve the public needs, accomplish Department goals, allow the employee the most favorable working conditions, and help meet the state air quality goals. All schedules will be developed to comply with applicable federal (*e.g.*, *Fair Labor Standards Act*) and state laws, the Arizona State Personnel System (ASPS) Rules, payroll time reporting procedures, and this DCS Alternative Work Schedule (AWS) policy.

This policy is not intended to affect employer-mandated non-standard work schedules (*i.e.*, other than Monday through Friday, 8:00 a.m. to 5:00 p.m.) that are necessary to meet the operational needs of the Department. Nor is this policy intended to cover work arrangements such as teleworking and/or Virtual Office other than where alternative work schedules are a part of a [teleworking arrangement](#).

### **II. APPLICABILITY**

All DCS employees are eligible to apply for alternative work schedules.

### **III. AUTHORITY**

[A.R.S. § 8-453](#)

Powers and duties

[A.R.S. § 38-401](#) Office hours for state offices

[A.A.C. R2-5A-502](#) Hours of Work

[DCS 04-18](#) Attendance and Leave

#### IV. DEFINITIONS

Adverse Agency Impact: Includes, but is not limited to, legitimate business reasons for not establishing, disallowing, or discontinuing an alternative work schedule. Reasons include reduction of productivity, diminished level of services furnished to internal or external customers, or an increase in the cost of agency operations (other than an administrative cost to process establishment of an AWS program).

Alternative Work Schedules (AWS): Refers to flexible work schedules, compressed work schedules, or combinations thereof.

Basic Work Requirement: The number of hours, excluding overtime hours, an employee is either required to work or to account for by charging leave, excused absence, or holiday hours.

Biweekly Pay Period: The two-week period for which an employee is scheduled to perform work. The standard two-week pay period for state service consists of two consecutive weeks, beginning at 12:00 a.m. on the Saturday of the first workweek and ending at 11:59 p.m. on Friday of the second workweek, with typically five 8-hour days having been worked each of the two weeks by a full-time employee.

Civic Duty Leave: Covers jury duty, complying with a subpoena, voting, or serving as a member of a governmental board, commission, or similarly constituted governmental body as defined by [A.A.C. R2-5A-B606](#).

Compressed Work Schedule (CWS): In the case of a full-time employee, a compressed work schedule consists of an 80-hour biweekly basic work requirement that is scheduled for less than ten workdays. It typically involves working eight days during a pay period rather than the traditional ten days, with the number of hours worked in each of the two standard workweeks making up the 80-hour period not exceeding 40 hours. In the case of a part-time employee, a compressed work schedule consists of a biweekly basic work requirement of less than 80 hours that is scheduled for less than ten workdays, and that

may require the employee to work more than eight hours in a day, but not more than 40 hours in a single standard workweek.

Compressed Workweek: A standard workweek of 40 hours that is compressed into fewer than five full days. This schedule allows employees to work fewer days, but still work full-time.

Core Hours: The time periods during the workday, workweek, or pay period when an employee with an alternative work schedule is required by the supervisor to be present for work. Core hours are established by specific work units and are the hours during which all employees must be on the job. For example, with a compressed work schedule, there may be one day in a week that the immediate supervisor requires all staff to be in the office and, thus, this core day cannot be used as an alternative day off (a flex day).

Department or DCS: The Department of Child Safety.

Fair Labor Standards Act (FLSA): State service is subject to the federal Fair Labor Standards Act which prescribes minimum wage and overtime pay standards as well as record keeping standards for employment. The standard workweek of 40 hours worked within a period of seven consecutive days (or 168 hours) is the basis for determining what constitutes overtime. Hours worked in excess of 40 hours within the standard workweek constitute overtime. The terms “non-exempt” and “exempt” refer to employees subject or not subject to, respectively, the FLSA. Questions on FLSA exempt status of any class or position should be referred to the DCS Human Resources.

Flex Day: The day off for employees working a compressed work schedule.

Flexible Hours or Flexible Time Bands: The times during the workday, workweek, or pay period when an employee covered by a flexible work schedule may choose to vary his or her times of arrival to and departure from the work site, consistent with the duties and requirements of the position.

Flexible Work Schedule (FWS): Allows variability in the starting and ending times of the workday, usually with a core time during which all employees must be present and flexible time when employees may choose times of arrival and departure.

Flextime: A schedule (subject to management review and approval) which permits an employee to work an alternative work schedule within specific limits dictated by the needs of the job. Time limits are placed on the amount of “flex” an employee has by establishing “core hours” (the period when an employee must be at work) and a “flextime

scheduling range” (the period when employees may be on site). The flextime schedules do not usually change every day, but are fixed. This can include a permanent shift in work hours or may be part of a rotating schedule in which the employee’s work hours change on a weekly, biweekly, or monthly basis.

Flextime Scheduling Range: The time span or schedule limiting the earliest time an employee may start work and the latest time an employee may stop work for the work unit. For example, an employee of a work unit with a 5 a.m. to 6 p.m. flexible scheduling range would be permitted an arrival/departure schedule such as 5 a.m. to 3 p.m. but not a schedule such as 8:30 a.m. to 6:30 p.m.

Holiday: Refers to the state service holidays as identified in [A.A.C. R2-5A-B601](#) (State service holidays) and listed at <https://hr.az.gov/2024-holiday-calendar>.

Overtime Hours: Refers to all hours worked in excess of 40 hours in a workweek. All overtime must be approved in advance. Part-time employees must still work more than 40 hours in the workweek to be in an overtime status.

Standard State Service Workweek: The standard state service workweek runs seven consecutive days from each Saturday at 12:00 a.m. to the following Friday at 11:59 p.m. and requires full-time employees to work 40 hours within this time frame of 168 hours.

Work Unit: An entity located in one place with a specific mission, with homogeneous procedures or technology, and headed by a supervisor or manager authorized to approve time cards and grant leave time.

## **V. POLICY**

### **A. General Guidelines**

1. [A.R.S. § 38-401](#) requires State offices to be open for transacting business from 8:00 a.m. to 5:00 p.m., Monday through Friday. DCS generally follows the standard state service workweek, and work hours in DCS normally coincide with the State’s prescribed hours of operation.
2. New employees will receive information on the AWS program through New Employee Orientation; incumbents will receive updates on changes in the program periodically.

3. In order to participate in any AWS, employees submit a request to their supervisors. In the case of any disputes over schedule approval, the decision of the Deputy Director or designee is final. All records of the decision will be maintained by the supervisor.
4. Alternative work schedules are not an entitlement; they are an employee privilege and a management tool. They are intended to benefit both DCS clients and employees. In order to remain on an AWS, employees must be able to demonstrate the ability to be productive with or without direct supervision, to maintain good work habits (including punctuality and attendance), and to meet the performance expectations of their positions.
  - a. Schedules may be disallowed, modified, or canceled based on work demands, staff availability, discipline or corrective action, or perceived adverse agency impact related to such schedules.
  - b. Approval, modification, or discontinuation of an AWS may be temporary or permanent. Failure to adhere to the schedules, loss of productivity, or other abuse of the AWS by an employee may result in a directed return to an 8-hour, five-day workweek schedule.
5. If the request for an AWS is denied, the employee can appeal the decision to the cognizant Deputy Director or designee. The Deputy Director's or designee's decision is final.
6. Management will provide adequate prior notice to employees when schedules need to be permanently adjusted or discontinued.
  - a. All decisions rendered regarding AWS approval must be recorded in writing and maintained on file by the supervisor;
  - b. Decisions involving permanent changes must be provided in writing to the affected employee. The affected employees normally will be given a minimum 80 working hours notice if the AWS is to be permanently modified or discontinued;
  - c. If circumstances require that the change be done immediately, verbal notification followed up later with written documentation will suffice;

- d. Schedule adjustments of a temporary nature do not require written notice or written confirmation.
- 7. Management has the responsibility to ensure that the position functions and responsibilities of the employee are conducive to AWS scheduling prior to approving the AWS schedule.
- 8. At times, employees may be required to work on their scheduled flex day. This requirement should be viewed no differently by the employee than a requirement to work a weekend or additional hours a week.
- 9. Employees shall be compensated, as appropriate, for overtime hours.
- 10. Schedule planning by managers/supervisors to provide coverage is essential in maintaining service to the public and allowing an objective evaluation of AWS policies. Managers/supervisors will have the responsibility to ensure that all duties are covered while participants are on their flex days.
- 11. AWS will be implemented and monitored using management tools defined by managers and supervisors. Those areas monitored will be: personnel turnover, sick leave usage, and a periodic review of work performance (especially customer service measures) to guarantee that performance levels are being maintained.
- 12. In general, flexible work hours may be scheduled at any time during a 40-hour workweek; however, the cognizant Deputy Director or designee is responsible for setting any necessary core hour or flextime scheduling range requirements on a position.
- 13. An employee who finds adjustment to the agreed upon work schedule a hardship may request reversion to their former work schedule or a normal 8-hour, five-day workweek schedule, by requesting the schedule change in writing to their immediate supervisor.

Note: Employees will normally be required to remain on their chosen AWS for a minimum of 90 days before a change can be requested – unless an emergency is involved.

14. Employees participating in a teleworking arrangement can also apply for an AWS. However, in considering approval of the AWS, supervisors shall thoroughly evaluate the situation. (For example, an individual working four 10-hour days and also teleworking once a week would only be in the office three times a week and, if it were a holiday week, could only be in the office for two days. Prior to approving both, supervisors must confirm that an AWS along with teleworking can be fully supported and justified.)
15. Work schedule options available in DCS for employees having an 80-hour biweekly basic work requirement include the following:
  - a. Five Eights (5/8s): The standard state service workweek where an employee works five 8-hour days during a 40-hour workweek.
  - b. Alternative Work Schedules (AWS): Employees may request to work other than an 8 a.m. to 5 p.m. schedule but management's decision regarding approval will be final.
16. The following basic features apply to all of the AWS options:
  - a. Core periods (required work periods) and flextime scheduling range limits (range of allowable work arrival and departure times) are specifically defined for each unit by the supervisor or manager. Any variation of flextime schedules is permissible as long as it conforms to all other rules, laws, and regulations;
  - b. As with the state service standard work schedule, all alternative work schedules should contain a lunch break when the workday is eight hours or more. A lunch period is generally established as either 30 minutes or one hour. Exceptions include: (a) a requirement by management to work the lunch hour as part of a normal shift; (b) approval by the supervisor of an employee's request to work a flex schedule that excludes a lunch break (such approvals should be done by exception only); or (c) approval by a supervisor of incidental requests from an employee to work through a lunch break in order to accommodate leaving work early for an appointment or other personal business;
  - c. Employee participation in any AWS is voluntary;

- d. The schedule aids in reducing the number of commutes or commute time;
- e. As with the state service standard work schedule, employees may be allowed to take a 15-minute break for each four hours of work performed during the workday. Break periods are at the discretion of the supervisor and are a privilege, not a right. Breaks may not be “saved” to start work later, leave work earlier, extend lunch periods, or otherwise revise the work period.

17. AWS options include:

- a. Flexible Work Schedule (FWS): Refers to work schedules that vary the beginning and ending hours of an employee’s workday. For example, if the flextime scheduling range designated by the supervisor or manager is 6:00 a.m. to 6:00 p.m., the employee may choose any of the intervening hours as the start and stop times of his/her workday. Allowable schedules might include 7:00 a.m. to 4:00 p.m., 7:30 a.m. to 4:30 p.m., 7:00 a.m. to 3:30 p.m. (30-minute lunch), etc.
- b. Compressed Work Schedule (CWS): Refers to any of a variety of schedule plans wherein a standard workweek is compressed into fewer than five full days. Many different AWS plans involving compressed schedules are possible since employees may work any particular hours or days (within prescribed Department limits) within the standard period of seven consecutive days (168-hour) as long as they work the required 40-hour period and no more than that during the workweek. Employees that are under Field Operations are not eligible for compressed work schedules (excluding the Hotline, AHIT, and the Placement Administration).

18. FWS and CWS and combinations thereof are also available for part-time employees who have a biweekly basic work requirement of less than 80 hours but no more than 40 hours in a workweek. In the case of a CWS, the part-time employee is scheduled for less than ten workdays and that may require the employee to work more than eight hours in a day. Features that apply to these schedules include:

- a. core and flextime scheduling range limits established by



management must be adhered to in setting a work schedule;

- b. employee participation is voluntary;
- c. to the extent possible, schedules should avoid peak commute periods; and
- d. lunch breaks should be taken as specified in Section V.A.16.b of this policy.

- 19. Staff shall certify the number of hours worked and hours of paid leave on the time entry card using the guidelines set forth below in Procedures.

## B. Roles and Responsibilities

### 1. Deputy Director or Designee

Authority for approval/disapproval or continuance/discontinuance of alternative work scheduling (i.e., flexible scheduling) is delegated to the DCS Deputy Directors (Field Operations or Business Operations) or their designees. The Deputy Directors or designees may delegate this authority to other members of their supervisory staff, including unit supervisors. Supervisory staff is responsible for requiring that:

- a. appropriate service levels are maintained and that adequate supervision is provided for employees working outside the standard state service operating hours;
- b. normal hours of operation, 8:00 a.m. to 5:00 p.m., Monday through Friday, at a minimum, are maintained in all offices;
- c. positions approved for alternative work schedules are appropriate for alternative scheduling and the alternative work schedules made available to employees are suited to the positions so approved;
- d. core hours and flextime scheduling ranges of alternative work schedules are appropriately established;
- e. periodic evaluation of the impact of alternative work schedules on productivity of staff and overall customer service of work units and

employee satisfaction with work schedules; and

- f. all employees (including employees responsible for keeping time records) are properly trained on alternative work schedule policies and procedures.

## 2. Supervisors

Supervisors shall make this AWS policy and procedure guidance available to all Department employees and shall:

- a. administer flex time consistently and equitably in their work unit(s);
- b. explain to staff the regulations/rules and coverage requirements;
- c. plan and schedule job assignments, guaranteeing sufficient staff to meet the operating requirements of the work unit; and
- d. maintain and make available on request all necessary records required for establishing and administering alternative work schedules—including the work hour schedules of all employees in the work unit (i.e. scheduled lunch time and start and stop time) and copies of any written work schedule agreements between the supervisor and each employee on an AWS.

## 3. Employees

Staff utilizing an alternative work schedule shall:

- a. plan and organize their time to meet the job requirements established by their supervisor;
- b. provide a written copy of their work schedule to the supervisor;
- c. participate in the resolution of conflicts between the job and the alternative schedule and inform the supervisor when coverage is inadequate;
- d. submit a written request to the supervisor if a change of schedule is

necessary; and

- e. obtain management approval for any schedule changes prior to making a change.

#### 4. DCS Payroll

DCS Payroll shall develop instructions for employees on how to complete time cards and give technical assistance as needed.

#### 5. DCS Human Resources

The Employee Relations Manager or designee shall be available to answer any inquiries from DCS employees regarding this policy.

## VI. PROCEDURES

- A. Employees desiring to assume an alternative work schedule or revise an existing one should discuss the alternative plan schedules with their immediate supervisor and next level manager for the purpose of determining whether or not their proposed schedule is compatible with the unit's current workload and existing work schedules.
- B. After the proposed work schedules have been discussed, the employee will submit the desired schedule in writing to his/her supervisor. A written agreement signed by both the supervisor and employee shall set forth the terms and conditions of the AWS.
- C. Actual number of hours worked per day shall be reflected on the time card. A flextime schedule will start only at the beginning of a pay period.
- D. Employees, with the approval of their supervisor, will have the flexibility to change their schedules with prior notice if a significant problem arises. If possible (that is, in non-emergency situations), the employee must complete the current AWS two-week cycle and not revert to the 5/8s schedule until the beginning of the next biweekly pay cycle to which the employee is changing.
- E. Because many different AWS plans involving compressed schedules are possible, employees may work any particular hours or days (within prescribed Department

limits) within the standard period of seven consecutive days (168-hour) as long as they work the required 40-hour period and no more than that during the workweek. Some of these optional Compressed Work Schedules (CWS) include:

1. Four Tens (4/10s): This option involves working four 10-hour days each workweek.
2. Combined 4/10s and 5/8s: The alternating 4/10s and 5/8s schedule is where an employee works four 10-hour days and has a flex day in one week and works five 8-hour days the other week. The flex day can be any day agreed upon by the employee and management during the 4/10 week.
3. Combined Flexible Work Schedule (FWS) and Compressed Work Schedule (CWS): Any of the above CWS options can have variations on start (arrival) and stop (departure) times as an additional feature as long as the variations remain within the prescribed structure of the CWS.

F. Employees shall certify the number of hours worked, including leave hours, by completing the time card accurately and in compliance with applicable statutes and laws. Employees who are on CWS shall adhere to the following leave administration for Compressed Work Schedules:

1. State law defines a workday as an 8-hour day. Therefore, most personnel rules and policies presume an 8-hour workday. Civic duty leave, holidays, industrial leave, and military leave are paid based on 8-hour days. The exception to this is Bereavement Leave, which is based on the number of work hours to which an employee is entitled.
2. The combination of leave hours, hours worked, etc., cannot exceed the number of hours normally scheduled for a particular workday.
3. Leave taken must correspond with an individual's regular scheduled hours. For example,
  - a. Sick days: If sick leave occurs on a 10-hour day, charge ten hours for that day. If sick leave occurs on an 8-hour day, charge eight hours for that day.

In the event of an extended illness, employees will complete their two-week AWS cycle and then will revert back to a 5/8s schedule

and take eight hours of sick leave for each day they are absent;

- b. Vacation days: If a vacation occurs on a 10-hour day, charge ten hours for that day. If a vacation occurs on an 8-hour day, charge eight hours for that day.
4. Holidays: All compressed work schedules (CWS) require the full-time employee to work 40 hours per week. [A.A.C. R2-5A-B601](#) states that an employee regularly scheduled to work on a day where a holiday falls is entitled to be absent with pay for the number of hours regularly scheduled to work NOT TO EXCEED EIGHT HOURS. When there is a holiday during the workweek, the full-time employee should still work 32 hours that week.

For CWS, when a workweek contains a holiday, the supervisor or manager may approve one of the following options:

- a. Employees revert to an 8-hour, five-day workweek schedule for the week containing the holiday; or
  - b. For the day of the holiday, employees take annual or other approved leave for the number of hours beyond the eight hours that they normally work on that day, e.g., if they are normally scheduled to work ten hours on that day, they submit a leave request for two hours; or
  - c. During the workweek of the holiday, employees work a flexed schedule on the non-holiday workdays, making up the number of hours missed on the holiday, e.g., an employee working a 4/10s schedule could make up the two missing hours by working eleven rather than ten hours on each of two regular workdays of the holiday week.
5. Any adjustments to an approved CWS due to disruptions (annual/sick leave, training, etc.) should be resolved so that the number of trips to work will be reduced or maintained to the extent possible.
6. Supervisors of employees with approved CWS have the authority to decide whether such employees must revert to an 8-hour workday (or 5/8s workweek schedule) or take annual leave in the amount necessary to

account for their absence(s) during periods of schedule disruption such as attendance at conferences, meetings, or training; civic duty leave, and bereavement leave.

7. Industrial Leave: Employees on an extended period of leave due to a work-related injury must revert to an 8-hour, five-day workweek schedule during this period. If the industrial leave begins in the middle of a pay cycle, the employee must complete the CWS for that two-week pay cycle and then change to a 5/8s schedule for the rest of the period (i.e. pay cycle(s)) he/she is on industrial leave.
8. Civic Duty Leave: Employees who have been granted civic duty leave shall comply with [A.A.C. R2-5A-B606](#), which identifies situations when the employee must report for duty if the employee's presence is not required for the civic duty.

For example: An employee working a 4/10 schedule (normally, 7:00 a.m. to 6:00 p.m. with a one-hour lunch) is summoned to jury duty. The employee will be considered to have worked his/her normal ten hour workday provided the following occurs: the employee reports for work (unless the travel time to the work location would preclude timely reporting for the civic duty in which case the employee goes straight to civic duty) and the employee cannot return to work at least one hour before the end of the scheduled workday. If the employee is released from civic duty at 3 p.m., for example, the employee should return to work. If the employee fails to return to work, then he/she is charged the difference of three hours leave time.

Thus, with civic duty leave, the employee is excused from his/her regularly scheduled work hours as long as he/she is involved in civic duty activities; otherwise, he/she must either report for work or use annual leave to cover the scheduled work hours that are missed. The employee may, with supervisory approval, revert back to a 5/8s schedule during the civic duty period. The employee will be required to use annual leave for the amount of each scheduled workday that the employee's absence from work is not covered by civic duty leave.

9. Bereavement Leave: Bereavement leave consists of 24 work hours for cases not involving out-of-state travel and an additional 16 hours for those that do involve out-of-state travel ([A.A.C. R2-5A-B605](#)). Employees with

approved compressed workweek schedules who are absent due to bereavement leave must take annual leave to make up for the hour(s) absent during their regularly scheduled work time that extend beyond the allotted bereavement leave time. With supervisory approval, such employees may revert to an 8-hour, five-day workweek schedule during the 40-hour workweek(s) in which bereavement leave occurs.

10. Administrative Leave: If an employee is absent with pay on administrative leave, the employee will normally revert to an 8-hour, five-day workweek schedule during the leave period.
11. Military Leave: If an employee is scheduled for military leave (e.g., National Guard or Reserve duty) the employee must revert back to a 5/8s schedule until the employee returns to work.
12. Training, Conferences, and Meetings: If an employee is scheduled for training, conference, or meeting attendance for one 8-hour day that is a regular workday for him/her, no adjustment should be required as long as an entire workday is accounted for. The employee may need to revert back to a 5/8s schedule or take annual leave to make up hours depending on the length of the training.

For example:

- a. If an employee working four 10-hour days attends a one-day training session lasting only eight hours on his/her regular workday, he/she is required to account for the remaining two hours by working, taking annual leave, or another method agreed upon by the employee and supervisor;
- b. If training falls on an employee's flex day, the employee must take a different flex day during that same workweek. When the employee has five consecutive days of training, he/she should revert to a 5/8s schedule;
- c. If training lasts eight hours and an employee's normal workday is 10 hours per day, the employee will need to revert back to a 5/8s schedule or take annual leave to make up any difference in hours.