

STATE OF HAWAII

ALTERNATIVE WORKWEEK (AWW)

GUIDELINES

BARGAINING UNITS 2, 3, 4, 9, AND 13

I. INTRODUCTION

The Alternative Work Week Program provides employees the opportunity for more flexible work schedules. These Guidelines provide the framework for the standard AWW program. Specific parameters for each AWW program are identified in Appendix A.

All references to the Employer contained herein shall include responsible appointing authorities of the various departments and agencies and their designated representatives.

II. ASSURANCES

- A. These guidelines have been developed to provide flexibility for employees in work week scheduling consistent with the needs of the public, the health and welfare of employees, and for the efficient administration and management of operations by the Employer. An equitable distribution of workload to all employees within the work unit shall be maintained.
- B. All applicable State and Federal statutes and regulations, such as Fair Labor Standards Act, shall be followed.
- C. There shall be no increase in costs to the Employer as a result of the AWW program.

III. BASIC PRINCIPLES

- A. All offices of the Employer shall be operated to provide effective and efficient services, with due consideration given to the needs and desires of employees regarding the scheduling of work. Each office shall assure proper or adequate staffing during hours of operation and take reasonable precautions to provide for the safety of staff.

- B. The State's Flexible Working Hours Policy shall apply to employees except as modified by the provisions contained herein and as applicable under the specific schedules.
- C. All full-time employees except as indicated on Appendix A. shall have an opportunity, within their respective occupational category, to participate in any of the options listed in Section V of these Guidelines.
- D. Participation in an alternative workweek schedule shall not change the basic monthly salary of the employee.
- E. Scheduling of staff who have requested Option 1, 2, or 3 under Section V below shall take into consideration the following:
 - 1. Participation shall be subject to the Employer's determination that adequate staffing is available and that office operations are not adversely impacted.
 - 2. If the selection of options by employees presents an unsatisfactory staffing arrangement on any day, the Employer shall determine the number of employees and types of positions permitted to work on a specific work week option, including the day off, for all employees. In making that determination, a system of allowing staff to rotate into desirable schedules shall be used.
 - 3. If in the event a natural disaster, abnormal workload increase, or an emergency, the Employer may suspend employee(s) participation in alternate workweek schedules.

IV. GENERAL FEATURES

- A. HOURS OPERATION.
All offices shall remain open for business from 7:45 a.m. to 4:30 p.m., Monday through Friday, unless alternate business hours have been approved by the Governor
- B. CORE DAYS WITHIN THE WORK WEEK.
All employees shall be required to work the core days of each week, as designated in Appendix A unless a holiday falls on any one of the core work days.

C. OVERTIME.

The number of hours worked per day and the number of days in the work week shall be governed by the specific AWW option selected by the employee.

1. The number of straight-time hours an employee is expected to work during the work week shall be 40 hours under Options 1 or 2 and 80 hours in a two-week period under Option 3.
2. Employees shall not be eligible for overtime for working in excess of eight (8) straight-time hours in a day, unless that particular work week reverts to a normal five (5) day, eight (8) hour per day week.
3. Overtime work occurs when an Employee renders service at the direction of the proper authority. Unless precluded by the collective bargaining unit agreement, employees who perform overtime work shall be compensated at the rate of time-and-one-half (1 ½) the employee's hourly rate when they work in excess of the scheduled hours for a work day under the employee's selected AWW schedule.

D. LUNCH AND REST PERIODS.

Lunch and rest periods shall be taken during the course of the work day and shall not be "saved" to shorten the work day.

E. VACATION AND SICK LEAVE.

The earning and use of vacation and sick leave shall be computed on an hourly basis.

1. When an employee renders less than a full month of service, leave credits shall be earned as follows:

| <u>No. of Straight Time Hours Worked</u> | <u>No. of Leave Credit Hours Earned</u> |
|----------------------------------------------|---------------------------------------------|
| 0 to 31 Hours | None |
| 32 to 55 Hours | 4 Hours |
| 56 to 79 Hours | 6 Hours |
| 80 to 103 Hours | 8 Hours |
| 104 to 127 Hours | 10 Hours |
| 128 to 151 Hours | 12 Hours |
| 152 or more Hours | 14 Hours |

2. Vacation and sick leave shall be charged based on the amount of time the employee is scheduled to work on that day.
3. A doctor's certificate shall be required for absences due to sickness of 40 or more consecutive work hours.

F. OTHER LEAVES OF ABSENCE.

1. Funeral leave shall be administered on an hourly basis and shall not exceed 24 hours for each funeral leave request.
2. Military leave shall be administered on an hourly basis.

G. NIGHT DIFFERENTIAL.

Night differential shall not be paid during the employee's regularly scheduled work hours under the employee's AWW work schedule.

V. AWW SCHEDULE OPTIONS

A. Option 1: The 4-10 Schedule

1. An employee works four (4) ten-hour work days, which shall include all designated core days.
2. Starting times shall be no earlier than 6:00 a.m.; ending times shall be no later than 6:30 p.m. unless different times are specified on Appendix A.
3. In lieu of the collective bargaining agreement provision permitting overtime compensation after eight (8) straight-time hours worked, the employee shall be entitled to overtime pay at the rate of time-and-one-half of the employee's hourly rate for all hours worked in excess of ten (10) hours per work day.
4. Work weeks containing a holiday may revert to the regular eight (8) hour, five (5) day work week schedule, if so designated in Appendix A. Otherwise, if the holiday falls on the employee's scheduled work day, the employee shall apply for two (2) hours of vacation leave on the holiday.

B. Option 2: The 4-9-4 Schedule

1. The employee works four (4), nine-hour days, that include all designated core days, and one (1) four-hour day, during the same work week.

2. Starting times shall be no earlier than 6:00 a.m.; ending times shall be no later than 6:30 p.m. unless different times are specified on Appendix A.
3. In lieu of the collective bargaining agreement provision permitting overtime compensation after eight (8) straight-time hours worked, the employee shall be entitled to overtime pay at the rate of time-and-one-half of the employee's hourly rate for all hours worked in excess of nine (9) hours on a nine-hour work day or in excess of four (4) hours on the four-hour work day.
4. Work weeks containing a holiday may revert to the regular eight (8) hour, five (5) day work week schedule, if so designated in Appendix A. Otherwise, if the holiday falls on the employee's scheduled nine-hour work day, the employee shall apply for one (1) hour of vacation leave on the holiday. If the holiday falls on the employee's scheduled four-hour work day, the employee shall, with the approval of the supervisor, take the remaining four hours off from the other work days during that week.

C. Option 3: The 8-9-1 Schedule

1. This option is available **only to employees who are exempt from the FLSA.**
2. The employee agrees to work eight (8) nine-hour workdays and one (1) eight-hour workday over a two-week period:
 - Week #1: The work schedule for the first week shall consist of four (4) nine-hour workdays and an eight-hour workday.
 - Week #2: The work schedule for the second week shall consist of four (4) nine-hour workdays, which shall include the designated core days, and one day off.
3. Starting times shall be no earlier than 6:00 a.m.; ending times shall be no later than 6:30 p.m. unless different times are specified on Appendix A.

4. In lieu of the collective bargaining agreement provision permitting overtime compensation after eight (8) straight-time hours worked, the employee shall be entitled to overtime pay at the rate of time-and-one-half of the employee's hourly rate for all hours worked in excess of nine (9) hours on a nine-hour work day or in excess of eight (8) hours on the eight-hour work day.
5. For holidays that fall on an employee's day off during Week #2, the employee is to take the same day off during Week #1 of the two-week cycle. For example, if Friday of Week #2 is a holiday, the employee is to take the day off on Friday of Week #1.
6. If a holiday falls on the employee's scheduled workday, the employee shall either use the holiday as the eight-hour workday or apply for one (1) hour of vacation leave on the holiday.

Example 1: An employee is scheduled to work nine-hour days from Monday through Thursday and an eight-hour day on Friday. If a holiday falls on Tuesday, the employee may use the holiday as the eight-hour workday and work nine hours on Friday.

Example 2: An employee is scheduled to work nine-hour days from Monday through Thursday and an eight-hour day on Friday. If the holiday is observed on a Monday, the employee may maintain this schedule and charge one (1) hour of vacation leave on the holiday.

VI. WORK SCHEDULE

- A. Employees shall be permitted to indicate their preferred option on a sign-up sheet or designated form no later than ten (10) work days before the designated schedule is to be effective. The duration of the work scheduled shall be as specified in Appendix A. Any employee who does not select an alternative work schedule shall work the standard eight-hour, five-day work week.
- B. The work week schedule shall be posted on the designated bulletin board, in each participating office, no later than four (4) working days before the schedule is to take effect.

- C. Employees shall be required to revert to the normal five (5) day, eight hours per day work schedule for those weeks as designated in Appendix A.
- D. Changes in work days or work hours during the day which results from adjustments to the weekly work schedule due to situations designated in Section II. F. of Appendix A. or because of natural disasters or emergencies shall not constitute a change in the work schedule with or without 48 hours notice and shall not result in overtime.
- E. Employees may temporarily revert to a five-day, eight-hour per day work week during the week(s) in which they are taking funeral leave.
- F. Employees participating in the AWW Program may be subject to consultative calls from their supervisor on their day off with no additional compensation if contact is made during normal business hours, i.e., Monday through Friday, 7:45 a.m. to 4: 30 p.m.