



U.S. Chemical Safety and Hazard Investigation Board

SUBJECT: Official Workdays, Office Hours, and Flexible Work Schedules

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Flexible Work Schedule Overview

- Under the CSB flexible work schedule program, you have the flexibility to: (1) choose your “usual” arrival and departure times, (2) vary your actual arrival and departure times as needed, (3) vary the length of your workdays as needed (Section 10.b., p. 4).
- You need to account for 40 hours in each workweek by actually working or by using approved leave, compensatory time-off, a time-off award, or excused absence (Section 10.c., p. 5).
- The core hours for the flexible work schedule program are 10:00 a.m. through 3:30 p.m. You need to be on the job (or on some form of approved leave or excused absence) during these hours every day, Monday through Friday (Section 10.d., p.5).
- The flexible hours are 7:00 a.m. through 10:00 a.m. and 3:30 p.m. through 7:30 p.m. Within these ranges you can: (1) choose your “usual” arrival and departure times, (2) vary your actual arrival and departure times, and (3) shorten or lengthen your workday (Section 10.e, p. 5).
- You begin participating in the flexible work schedule program by setting (with your supervisor’s approval) a “usual schedule.” This is the eight-hour daily schedule you plan to normally follow. The arrival and departure times in your “usual schedule” can be different on different days of the week, but the overall schedule needs to be the same from week to week (Sections 10.f., p. 5 and 10.i., p. 7).
- When you need to, you can vary your actual arrival and departure times from those set in your “usual schedule.” By varying your arrival and departure times, you can also shorten or lengthen your workday from the usual eight hours, as long as you account for 40 hours of work on Monday through Friday of each week. You don’t need your supervisor’s approval to vary your arrival/departure times or the length of your workday, but you do need to notify your supervisor as soon as you know that you’ll be making a schedule adjustment (Sections 10.g. and 10.h., p. 6).
- When you set your usual schedule, you can choose the length (between 30 minutes and one hour) and time (any time during the core hours that isn’t within a half-hour of your arrival or departure time) of your lunch period. When you need to, you can vary the length and time of your lunch period within those limits, as long as you let your supervisor know when you’ll be taking lunch (Section 12.b., p. 9).
- When you choose to lengthen your workday by working more than eight hours, those extra hours are not considered overtime for any purpose. Overtime hours are only those hours in excess of eight in a day or 40 in a workweek, *which have been ordered and approved in advance by your supervisor* (Section 10.h., p. 7).

1. **PURPOSE.** This Order establishes the basic workweek and an official workday for the U.S. Chemical Safety and Hazard Investigation Board (CSB), and explains the CSB flexible work schedule program.
2. **EFFECTIVE DATE.** This Order is effective upon passage by the Board.
3. **SCOPE.** This Order applies to all full-time CSB employees in the General Schedule and Senior Executive Service, except where otherwise noted.
4. **REFERENCES.** This Order implements the provisions of Chapter 61 of Title 5 of the United States Code and Part 610 of Title 5 of the Code of Federal Regulations.
5. **POLICY.** It is the policy of the Board that employee work schedules should support effective and efficient mission accomplishment by ensuring the consistent presence of sufficient staff to maintain high levels of productivity and performance; meet operational requirements and organizational goals and objectives; and provide superior service to the public. The Board also believes that employees, as professionals, should have flexibility in their work schedules to allow them to balance work, personal, and family responsibilities.
6. **RESPONSIBILITIES.**
 - a. **The Board** – establishes basic work requirements for employees and agency-wide policy on work schedules.
 - b. **Office of Financial Operations** – maintains the time and attendance tracking system and coordinates administration of pay and leave with the assistance of the Office of Management Operations.
 - c. **Office of Management Operations** – assists the Office of Financial Operations in administering pay and leave.
 - d. **Supervisors** – set, explain, and reinforce professional, mission-oriented expectations for their employees’ use of work schedule flexibility. Supervisors have the responsibility and the authority to promptly and appropriately address individual or group problems with the proper use of work schedule flexibility. Supervisors are also responsible for reviewing and approving their employees’ weekly time reports in the time and attendance tracking system.
 - e. **Employees** – familiarize themselves with, and follow, the policies and procedures explained in this Order. Employees are responsible for asking their supervisors to clarify any aspects of the policies or procedures that are unclear. Employees are also responsible for preparing and submitting time reports in the manner required by the time and attendance tracking system.

7. **DEFINITIONS.**

- a. **Adverse agency impact** – a reduction in the CSB’s productivity or a diminished level of services provided to the public or an unreasonable increase in the cost of CSB operations.
- b. **Basic work requirement** – the number of hours an employee is required to work or to account for by using approved leave, excused absence, holiday hours, compensatory time off, or a time-off award.
- c. **Chairperson** – the Chairperson of the CSB or, the Board Member Delegated Interim Executive and Administrative Authority pursuant to Order 003.
- d. **Time and attendance tracking system** – the manual or electronic system used by the CSB to record and account for individual employee time and attendance.

8. **TIMEKEEPING.** All employees must record and submit their hours worked and leave used in the time and attendance tracking system.

9. **THE BASIC WORKWEEK.** For employees who are not on a flexible work schedule, the basic workweek consists of the five consecutive days from Monday through Friday, inclusive. Saturday and Sunday are not part of the basic workweek. The working hours in each day of this basic workweek are 8:30 a.m. to 5:00 p.m. The basic work requirement is eight hours per day in the five-day basic workweek. This section does not apply to members of the Senior Executive Service.

10. **FLEXIBLE WORK SCHEDULES.**

- a. **Definition** – Flexible work schedules provide an alternative to a traditional work schedule that is fixed and unchangeable. Flexible work schedules have two components. “Core hours” are those hours in each workday during which all employees must be present for work at the same time. Core hours facilitate team-oriented work, ease the scheduling of meetings, and ensure sufficient office coverage during the heart of the workday. Flexible work schedules also include a range of designated hours, called “flexible hours,” at the beginning and end of each workday, within which employees may choose, and vary, their arrival and departure times.
- b. **Authorization** – The Board authorizes the use of a “variable day” flexible work schedule. Under this type of schedule, employees have the flexibility to: (1) choose fixed usual arrival and departure times from within the flexible hours, (2) vary their actual arrival and departure times within the flexible hours as needed, (3) vary the length of their workdays as needed.

- c. **Basic work requirement** – Employees participating in the flexible work schedule program are required to account for 40 hours in each week by actually working or by using approved leave, compensatory time-off, a time-off award, or excused absence. Actual work toward the basic requirement must be performed between the hours of 7 a.m. and 7:30 p.m. on Monday through Friday, inclusive.
- d. **Core hours** – The core hours for the flexible work schedule program are 10:00 a.m. through 3:30 p.m. All employees working on a flexible schedule must be on the job during these hours every day of the workweek (Monday through Friday, inclusive). Time away from work during the core hours (excluding the unpaid lunch period) must be accounted for with approved leave, compensatory time-off, a time-off award, or excused absence. Upon the request of an employee, supervisors may, in their discretion, excuse absence during the core hours, provided that: (1) the missed hours are “made-up” during the flexible hours of the same workday or of a different workday in the same workweek and (2) the employee’s absence will have no adverse impact on the accomplishment of the work goals of that individual, the office, or the agency. Employees are responsible for attending any meetings or training, or satisfying other work requirements that may arise within the core hours.
- e. **Flexible hours** – The flexible hours for the flexible work schedule program are 7:00 a.m. through 10:00 a.m. and 3:30 p.m. through 7:30 p.m. Employees choose their fixed usual arrival and departure times from within these ranges. When employees need to vary their actual arrival and departure times, they may do so within these ranges.
- f. **Choosing a “usual schedule”** – In order to provide schedule flexibility while still meeting supervisors’ need to plan work and know the availability of their staff, employees participating in the flexible work schedule program are required to set a fixed “usual schedule.” The “usual schedule” is simply the daily arrival and departure schedule an employee plans to normally follow. A “usual schedule” must: (1) include exactly eight paid hours, plus an unpaid lunch period of between 30 minutes and one hour; (2) cover all of the core hours designated in paragraph “d.,” above; and (3) start and end within the flexible hours designated in paragraph “e.,” above. The arrival and departure times may be different on certain days of the week, but the overall weekly schedule must be the same from week to week. Employees’ “usual schedules” must be approved by their supervisors.

Example: Employee A has a consistent personal and professional schedule. She sets her “usual schedule” as 8:30 a.m. to 5:00 p.m. (including a 30 minute lunch), Monday through Friday. This will be Employee A’s fixed “usual schedule” every week until she changes it.

Example: Employee B is responsible for driving his children to school every Wednesday and Thursday. To accommodate this, he sets his “usual schedule” as 7:30 a.m. to 4:00 p.m. (including a 30 minute lunch) on Monday, Tuesday, and Friday and 9:00 a.m. to 5:30 p.m. on Wednesday and Thursday. This will be Employee B’s fixed “usual schedule” every week until he changes it.

- g. **Varying actual arrival and departure times** – Under the flexible work schedule program, employees may vary their actual arrival and departure times from those established in their “usual schedule” when needed. Employees may vary their actual arrival and departure times anywhere within the flexible time ranges designated in paragraph “e.,” above. Supervisory *approval* is not necessary for such schedule variations. However, employees must *notify* their supervisors as soon as possible after determining that a schedule variation is needed.

Example: Employee A’s “usual schedule” is 8:30 a.m. to 5:00 p.m., Monday through Friday. One day she has car trouble on the way to work and arrives at the office at 9:30 a.m. Employee A can work 9:30 a.m. to 6:00 p.m. that day; she doesn’t need to take leave or request excused absence for the hour delay. Employee A does need to notify her supervisor as soon as she arrives at work of her adjusted schedule for that day.

Employees are strongly encouraged to make use of their flexible hours when setting personal appointments, rather than using leave to schedule such appointments during core hours. This approach benefits the CSB by maximizing the number of people in the office during core hours, and benefits employees by preserving their leave for “big-ticket” uses, such as a vacation or serious illness.

Example: Employee C’s “usual schedule” is 8:00 a.m. to 4:30 p.m., Monday through Friday. When setting his bi-annual dental appointment, he chooses one at 9:00 a.m. On the day of the appointment, Employee C will arrive at work at 10:00 a.m. and work until 6:30 p.m. Employee C should notify his supervisor of this planned schedule adjustment as soon as he makes the appointment.

Example: Employee D’s “usual schedule” is 9:00 a.m. to 5:30 p.m., Monday through Friday. When buying a furniture set, she arranges for a late-afternoon delivery. On the day of the delivery, Employee D will arrive at work at 7:00 a.m. and leave at 3:30 p.m. Employee D should notify her supervisor of this planned schedule adjustment as soon as she arranges the delivery.

- h. **Varying the length of the workday** – Under the flexible work schedule program, employees may also, when needed, vary the length of their workdays from the

typical eight hour-day in their “usual schedule.” A workday can be shortened by working fewer than eight hours that day and “making-up” the missed hours by lengthening another workday in the same week to more than eight hours. A workday can be lengthened by working more than eight hours that day and shortening another workday in the same week to fewer than eight hours. A shortened workday must cover at least the core hours designated in paragraph “d.” above. A lengthened workday must be no longer than 12 hours. When varying the length of their workdays, employees must still work on all of the days of the workweek (Monday through Friday) and account for 40 hours in each week by actually working or by using approved leave, compensatory time-off, a time-off award, or excused absence. Because the basic work requirement is 40 hours per week, every week, hours missed on a shortened day must be “made-up” during the same week and extra hours worked on a lengthened day cannot be carried over into subsequent weeks. Supervisory *approval* is not necessary for a variation in the length of a workday. However, employees must *notify* their supervisors as soon as possible after determining that such a variation is needed.

Example: Employee D’s “usual schedule” is 9:00 a.m. to 5:30 p.m., Monday through Friday. During a particular week, she has a major project due on Tuesday morning. On the day before, Employee D works from 9:00 a.m. to 7:30 p.m. (including a 30 minute lunch) to ensure that the project is finished. Because she worked two extra hours on Monday, Employee D leaves work two hours early, at 3:30 p.m., on Tuesday. Employee D notified her supervisor of this workday variation on Monday morning, as soon as she realized that she needed extra time to finish the project before the deadline.

When an employee chooses to lengthen his/her workday by working more than eight hours under the flexible work schedule program, those extra hours are not considered overtime for any purpose. Overtime hours are only those hours in excess of eight in a day or 40 in a workweek, *which have been ordered and approved in advance by an employee’s supervisor.*

When planning lengthened workdays, employees should keep in mind that they must work at least the core hours on every day of the workweek. Employees cannot plan a schedule of lengthened workdays that would cause them to work 40 non-overtime hours in less than five days (e.g.: employees cannot work three 12-hour days in the same workweek, because they would reach 40 hours before they had worked the core hours on all five workdays).

- i. **Participating in the flexible work schedule program** – Employees who wish to participate in the flexible work schedule program must submit a request to do so to their supervisor, using the form found at Appendix A of this Order. Supervisors have discretion to approve or disapprove individual requests to participate in the flexible work schedule program, as well as requests for

particular “usual schedules,” based on the needs of their offices. When a supervisor disapproves a request to participate in the flexible work schedule program or for a particular “usual schedule,” the supervisor should document in writing the reasons for the denial. If a particular “usual schedule” is disapproved, the supervisor and employee may attempt to create a mutually agreeable alternative. Employees whose requests to participate in the flexible work schedule program are disapproved must work the basic schedule established in Section 9 of this Order. The final authority to allow participation in the flexible work schedule program and to approve “usual schedules” rests with the supervisor, and is not appealable.

- j. **Temporary schedule changes** – The Chief Operating Officer, an office director, or an immediate supervisor may require individual employees or groups of employees on flexible schedules to temporarily adjust their schedules to accommodate urgent work requirements or special events such as training, staff meetings, or CSB all-hands meetings. Employees will be given as much advance notice as possible when such adjustments are required.
- k. **Emergencies** – The Chief Operating Officer, an office director, or an immediate supervisor may temporarily suspend some or all alternative work schedules in the event of an emergency situation.
- l. Employees on flexible work schedules may apply no more hours of sick or annual leave to a given day than the number of hours in their “usual schedule” for that day.

11. **LIMITATIONS ON USE OF FLEXIBLE WORK SCHEDULES.**

- a. If the Chief Operating Officer (COO) or an office director determines that the use of flexible work schedules is substantially disrupting the ability of the CSB, or any office within the CSB, to carry out its functions, the COO or office director may restrict employees’ use of flexible work schedules or exclude any employee or group of employees from using a flexible work schedule.
- b. If the Chairperson determines that a particular flexible schedule has had, or would have, an adverse agency impact, he/she must either disallow the creation of such a schedule or discontinue such a schedule, if it is already in use.

12. **LUNCH PERIODS.**

- a. **Definition** – A lunch period is a period of time, during which an employee does not work and is not paid, that interrupts a basic workday or the core hours of a flexible schedule workday for the purpose of permitting employees to eat or engage in permitted personal activities.

- b. **Duration** – Employees who are not on a flexible work schedule receive a 30-minute lunch period. It is within the discretion of the immediate supervisor to schedule the time of day during which the 30-minute period will be taken. Employees on a flexible work schedule may choose a lunch period of between 30 minutes and one hour. Flexible-schedule employees will choose a standard lunch period duration and time when they establish their “usual schedule,” but may vary the duration of their lunch period between 30 minutes and one hour, consistent with the instructions in section 10., above, for adjusting arrival and departure times and the length of the workday. Flexible-schedule employees may take their lunch period at a different time than the one established in their usual schedule, provided that they (1) take the lunch period during the core hours and (2) notify their supervisor of the variance in their lunch time.
- c. Lunch periods for employees on fixed schedules may not be scheduled from 8:30 a.m. to 9:00 a.m. or from 4:30 p.m. to 5:00 p.m. Lunch periods for employees on flexible schedules may not be scheduled so as to begin within 30 minutes of their arrival time or end within 30 minutes of their departure time.
- d. Employees on a fixed work schedule must take their approved lunch period on each workday. Fixed-schedule employees are not permitted to work during their lunch period in order to earn extra pay or shorten their workday. Employees on a flexible work schedule must take at least a 30 minute lunch period on each workday. Flexible-schedule employees are not permitted to forego a lunch period entirely in order to vary the length of their workday.

13. **UNACCEPTABLE ATTENDANCE PRACTICES.**

- a. The basic attendance obligations for employees are explained in this Order and are consistent with the expectations for the conduct of any professional. Participants in the flexible work schedule program are trusted with a significant degree of latitude in planning their schedules. These employees must use that flexibility responsibly and appropriately. Even in a flexible schedule environment, some attendance practices are unacceptable. Examples of unacceptable attendance practices include, but are not limited to: unexcused absence during core hours, failure to satisfy the basic work requirement, longer than permitted lunch breaks, and failure to timely notify supervisors of schedule variations. While supervisors may excuse an isolated and rare problem, they have the responsibility and the authority to promptly address any attendance practices which they deem to be disruptive to agency operations or otherwise unacceptable.
- b. When a supervisor has reason to believe an employee is engaging in unacceptable attendance practices, the supervisor should document the employee’s conduct and review the employee’s time and attendance records. If the results indicate that the employee is engaging in unacceptable attendance practices, the supervisor should proceed with a progressive plan to address the problem. The first step will usually

be a counseling session in which the supervisor advises the employee of the problem, explains the necessary remedial measures, and warns of the consequences of failure to make a correction. If the unacceptable practices continue after counseling, the next step will typically be issuance of a letter of warning and institution of appropriate schedule restrictions. If the unacceptable practices still continue, disciplinary action will be taken.

14. **RELIGIOUS OBSERVANCES.** Consistent with its commitment to diversity, the CSB respects the personal religious beliefs and practices of its employees, and, where possible, will accommodate those beliefs and practices. If an employee's personal religious beliefs require him/her to abstain from work at certain times of the workday or workweek, the CSB will make a reasonable attempt to offer an alternative work schedule to the employee, provided that the alternative schedule does not interfere with the efficient accomplishment of the CSB's mission. Specific requests for religious accommodation should be directed to an employee's immediate supervisor.
15. **HOLIDAYS.** The CSB observes the following legal public holidays:

New Year's Day, January 1
Birthday of Martin Luther King, Jr., the third Monday in January
Washington's Birthday, the third Monday in February
Memorial Day, the last Monday in May
Independence Day, July 4
Labor Day, the first Monday in September
Columbus Day, the second Monday in October
Veterans Day, November 11
Thanksgiving Day, the fourth Thursday in November
Christmas Day, December 25

When one of the above-listed holidays falls on a Saturday, it will be observed on the Friday immediately before. When one of the above-listed holidays falls on a Sunday, it will be observed on the next workday. On holidays, employees are paid for the number of hours they are regularly scheduled to work on that day. Employees participating in the flexible work schedule program receive eight hours of pay on a holiday, regardless of whether they would have worked more or less than eight hours on that day had it not been a holiday.

U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

October 30, 2000

Amended, November 21, 2000

Amended, August 5, 2002

Request for Establishment of / Change in Flexible Work Schedule
"Usual Schedule"

PART I – To be Completed by the Employee

Name _____

Office _____

A. Type of Action Requested

_____ Establish flexible work schedule and new "usual schedule"

_____ Change existing flexible work schedule "usual schedule"

B. Requested "Usual Schedule"

	Starting Time	Lunch Period	Ending Time
Monday	_____	_____	_____
Tuesday	_____	_____	_____
Wednesday	_____	_____	_____
Thursday	_____	_____	_____
Friday	_____	_____	_____
Requested Effective Date of Change	_____		

Signature _____

Date _____

PART II – To be Completed by the Supervisor

_____ APPROVED

_____ DISAPPROVED

If disapproved, approved work hours are:

	Starting Time	Lunch Period	Ending Time
Monday	_____	_____	_____
Tuesday	_____	_____	_____
Wednesday	_____	_____	_____
Thursday	_____	_____	_____
Friday	_____	_____	_____

Signature _____

Date _____

Flexible Schedule Finder

Workday Starting Time	Lunch Period Duration						
	30 min.	35 min.	40 min.	45 min.	50 min.	55 min.	1 hour
Workday Ending Times							
7:00 a.m.	3:30 p.m.	3:35 p.m.	3:40 p.m.	3:45 p.m.	3:50 p.m.	3:55 p.m.	4:00 p.m.
7:15	3:45	3:50	3:55	4:00	4:05	4:10	4:15
7:30	4:00	4:05	4:10	4:15	4:20	4:25	4:30
7:45	4:15	4:20	4:25	4:30	4:35	4:40	4:45
8:00	4:30	4:35	4:40	4:45	4:50	4:55	5:00
8:15	4:45	4:50	4:55	5:00	5:05	5:10	5:15
8:30	5:00	5:05	5:10	5:15	5:20	5:25	5:30
8:45	5:15	5:20	5:25	5:30	5:35	5:40	5:45
9:00	5:30	5:35	5:40	5:45	5:50	5:55	6:00
9:15	5:45	5:50	5:55	6:00	6:05	6:10	6:15
9:30	6:00	6:05	6:10	6:15	6:20	6:25	6:30
9:45	6:15	6:20	6:25	6:30			
10:00	6:30						

To determine a daily schedule under the flexible work schedule program, find the time you wish to begin the workday along the left-hand column of the grid; then along the top of the grid find the amount of time you wish to take as a lunch period. The point at which the **Workday Starting Time** row intersects the **Lunch Period Duration** row is the ending time for an 8-hour workday. If you are lengthening or shortening your workday, add or subtract, as appropriate, to find the ending time for the modified day.