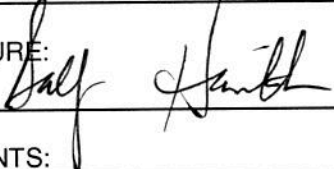


Chief Administrative Office POLICY MEMORANDUM	Date of Issue 5/6/97 Revised 02/22/2017	Expiration Date N/A	No. 6R
TO: ALL Divisions and Departments		Subject:	
SIGNATURE: 		Flex Time Policy	
COMMENTS:			

PURPOSE

This policy is intended to establish a comprehensive framework for implementation of a flexible employee work schedule program (commonly known as flex-time), within the various departments and divisions of the LFUCG. This policy is designed to benefit the general public by making a variety of local government services available on an expanded hours basis, and to benefit LFUCG employees by acknowledging the many competing demands on employees outside the workplace, by allowing for greater flexibility in daily work schedules. The goals of the flex-time policy are to:

- Provide a consistent level of service to the public beyond the normal 8:00 AM to 5:00 PM Monday through Friday workday;
- Allow managers and supervisors increased scheduling flexibility; and,
- Provide a wider range of scheduling options for employees in meeting workplace and personal scheduling needs.

This policy does not apply to employees who work an alternate work schedule that is part of their regular job duties as set forth in the employees' job description.

APPLICABILITY

This policy outlines the parameters of flex-time arrangements, with application / implementation of the policy to be determined at the department and / or division level. Flex-time scheduling is not possible within every work unit of local government, and in some cases may not be appropriate. The granting of a flex time schedule is completely within the discretion of the Division/Department management and is not an entitlement. Requests for flex-time arrangements may be initiated by any employee, but must be approved by the employee's supervisors, division director, and commissioner prior to implementation. In addition, all flex-time arrangements implemented or subsequently modified must be communicated in writing to the Chief Administrative Officer prior to becoming effective. Division Directors and Commissioners are not required to approve all requests and may make modifications to any request prior to approval.

Flex-time arrangements are designed to be voluntary arrangements between supervisors and employees. Nothing in this policy, however, should be interpreted to conflict with a responsible administrator's authority to assign personnel to tasks and schedules on whatever basis is believed to be the most appropriate for the effective, efficient performance of a work unit's duties.

All active flex-time arrangements shall be reviewed and, if appropriate, approved annually.

POLICY

Section 1 - Legal Requirements

All flex-time arrangements are subject to operating within certain basic legal requirements.

- A. Flex-time arrangements must abide by all applicable wage and hour laws. Wage and hour laws make distinctions between "exempt" and "non-exempt" employee statuses, which will cause slightly different application of flex-time arrangements based upon an employee's designation.

1. Non-Exempt Employees

Non-Exempt employees cannot be exempted from the minimum wage and overtime provisions of wage and hour laws. As such, non-exempt employees are paid for every hour worked each week, and cannot work additional hours during the course of one week in order to take a day off in a following week.

2. Exempt Employees

Exempt employees are exempt from the minimum wage and overtime provisions of wage and hour laws. As such, exempt employees may have a greater range of flex-time possibilities. However, the flex-time policy cannot be interpreted to conflict with the requirement that exempt employees must work as many hours as necessary to complete their work.

- B. Administrators charged with approving flex-time requests must not discriminate on the basis of race, sex, national origin, age, disability, or religion in considering and approving employee flex-time scheduling requests.

Section 2 - Administrative Requirements

- A. A copy of the signed Employee Flex-Time Agreement shall be forwarded to the Chief Administrative Officer to ensure that security, supervision, and other needs have been addressed, and for periodic review by the Division of Human Resources to ensure compliance with all wage and hour laws. Any flex-time arrangements found to be in violation of wage and hour laws will be communicated by the Director of Human Resources to the work unit in violation, for either discontinuation or acceptable alternate arrangements to be pursued.
- B. Each employee working under flex-time arrangements shall complete a "Flex-Time Agreement" outlining his or her specific scheduling arrangements. These agreements will be placed in the employee's employment file in the Division of Human Resources, once authorized by the responsible administrators. A new agreement form must be completed for any subsequent modifications made to the employee's flex-time schedule.
- C. Appropriate supervision of employees working under flex-time arrangements must be ensured by the responsible administrators.
- D. All flex-time arrangements must ensure the security of government facilities and records during expanded workday hours, especially when employees working expanded workday hours may not have the ultimate responsibility for access to government facilities and records normally available during the regular 8:00 AM to 5:00 PM workday schedule.
- E. Government offices providing related services should strive to have the same daily hours of operation, whenever possible.
- F. Work units adopting flex-time work schedules must ensure that holiday hours are correctly accounted by employees.
- G. If the flex-time arrangement is four(4) ten (10) hour shifts per week, the holiday accruals shall be ten (10) hours. All other flex-time arrangements shall accrue eight (8) hours of holiday time.
- H. In approving flex-time arrangements, administrators must strive to ensure consistent treatment among employees and a consistent quality of government service available to the public during expanded workdays.

Section 3 - Flex-Time Options

Scheduled starting / ending work times may be established within the range of 1-1/2 hours before and after the regularly scheduled starting time of any shift (on half hour intervals), with ending times adjusted accordingly.

KRS 337.355 specifies that employers shall grant their employees a reasonable period for lunch. However, employees may seek arrangements to work through lunch or have lunch on the run from time to time; however, lunch on the run should not be part of a permanent work schedule.

Employees may seek arrangements for lunch periods ranging from 30 minutes to 1-1/2 hours, with workday starting and ending times adjusted accordingly. It is strongly recommended that all employees, exempt and nonexempt, take a minimum of a thirty minute lunch break each work day

- A. Exempt and / or non-exempt employees may work on a 4 day-per-week / 10 hours-per-day (4/10) workday schedule with approval by the Mayor / CAO. This applies to individual employees and / or groups of employees in a work unit. Approval is subject to the work schedule plan being structured such that all services offered by the work unit are available during the government's regularly scheduled hours and performed Monday - Friday. This option will not be appropriate for all offices and / or divisions, and should be considered in light of the overall impact upon the work unit's division and / or department functions.
- B. Exempt employees may work on a 9 days-per-two-weeks / 9 hours-per-day (with one 8 hour day), or (9/9) workday schedule with approval by the Mayor / CAO. This applies to individual employees and / or groups of employees in a work unit. Approval is subject to the work schedule plan being structured such that all services offered by the employee's work unit are available during the government's regularly scheduled hours and performed Monday - Friday. This option will not be appropriate for all offices and / or divisions, and should be considered in light of the overall impact upon the employee's work unit / division and / or department

Section 4 - Flex-Time Administration

- A. Supervisors must be assigned as needed to oversee employees working on flex-time schedules to ensure that policies are being observed and work is performed appropriately.
- B. Flextime arrangements may be changed by the responsible administrators whenever a valid work reason occurs or employees on flex-time request a revision to their work schedules.
- C. Competing requests from employees for flex-time scheduling will be worked out internally by the responsible administrators, when granting all requests received would prevent the effective, efficient delivery of government services to the public during regularly scheduled government

hours of operation. Administrators may develop a periodic rotation of flex-time employee schedules to accommodate the competing flex-time scheduling requests of several employees.

- D. Flex-time arrangements which result in expanded hours of daily service will be communicated to the Office of Public Information, in order to ensure that the public is made aware of the expanded hours of service.
- E. Abuse of flex-time policy provisions may result in the discontinuance of flex-time within that work unit, division, or department. Situations of abuse will be reviewed by the responsible commissioner, Division of Human Resources, and the Mayor / CAO for a final determination to be made, and any appropriate disciplinary action to be taken.