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Draft Policy – Alternative Work Arrangements

Background

The stress of balancing competing demands between work and personal responsibilities impacts the wellbeing of the City’s employees, health care costs, absenteeism, efficiency and productivity. Alternative Working Arrangements (AWAs), such as alternative schedules, flexible schedules and telecommuting, provide managers and supervisors with a methodology for meeting operational and programmatic goals while allowing employees the flexibility to balance their work and personal responsibilities. AWAs further benefit the City as an employer by:

- reducing stress on caregivers;
- lowering absenteeism and increasing productivity;
- recruiting and retaining high-performing employees;
- improving job satisfaction and commitment;
- extending customer service hours and access to services;
- efficiently utilizing energy and transit systems.

Policy Statement

Pursuant to Chapter 350-209-3. of the Milwaukee Code of Ordinances, the Department of Employee Relations is charged with developing a policy, related administrative guidelines and procedures for the implementation and administration of AWAs. Departmental managers are encouraged to implement AWAs when doing so supports or enhances their ability to provide high quality service without impacting accountability, productivity or efficiency. **The approval, implementation or continuation of an AWA is at the discretion of the departmental director or designee.**

These guidelines have been developed to guide departmental and division managers’ processes in evaluating requests for AWAs within their operations.

Role of Managers

Managers must recognize the differences and values of their diverse workforce. Both labor market and research data on employee retention and engagement suggest an increasing need for managers and supervisors to recognize these needs and to work with employees to help them to balance their work and personal lives. The labor market and research data indicate that:

- the workforce is more diverse than ever before and members of different generations have different values and expectations;

- an effective employee/supervisory relationship and work/life balance are top employment issues for employees across all industries;
- work/life options are becoming the “differentiator” amongst employers and a key component of employee satisfaction and loyalty;
- personal or family concerns of employees, if not addressed, affect an organization’s efficiency and ability to ensure the highest level of service and
- employees thrive when working in an atmosphere that is positive, including being treated with respect and compassion.

Role of Shift Managers and Supervisors

Shift managers and supervisors play an integral role in creating a culture that fosters a healthy work/life balance; they are often the first point of contact for employees and are in the best position to assess if an employee is struggling with personal issues. Creating and maintaining a culture that fosters work/life balance requires a commitment to working with employees to explore effective options to address personal responsibilities while maintaining efficiency and accountability for work performance.

Accordingly, shift managers should:

- recognize that personal responsibilities are part of an employee’s life and can either positively or negatively impact productivity and efficiency;
- recognize that a failure to address employees’ work/life balance concerns will contribute to turnover, recruitment difficulties, absenteeism and morale and loyalty issues;
- learn and utilize management tools to help employees deal with and address their personal and family needs, such as the Employee Assistance Program (EAP), Family and Medical Leave (FMLA), sick leave, training, flexible schedules, ASWs and other options and available benefits and
- allow employees time to adjust to life events with options for return to normal scheduling.

Definitions

Alternative Work Schedule (AWS): A fixed schedule of hours of work that is different from the standard five days per week, eight hours per day schedule. An AWS enables a full-time employee to work 40 hours in fewer than five days in a work week or on non-traditional work days. Examples include working four ten-hour days or four nine-hour days plus a four-hour day in a work week or working one or more days on the weekend, in addition to week days.

Flexible Schedule: A work schedule that allows an employee to vary arrival and/or departure times as long as the employee is present during a daily core time, which is normally during the peak operational hours of the work unit. The schedule pattern may or may not recur, as it may be for a period of time (e.g. several months) or for a specific day or week. For example, if the core hours of operation of the work unit are 8:00 a.m. – 4:30 p.m., the flexible work schedule may be 7:00 a.m. – 3:30 p.m.; 8:30 a.m. – 5:00 p.m.; or 7:30 a.m. – 4:00 p.m. MWF and 8:30 a.m. – 5:00 p.m. TTR.

Job Sharing: No more than two employees share the duties of one full-time position, each working a proportionate and normally equal part-time schedule.

Part-time Employment: Permanent employees who work an average of at least 20 hours but fewer than 40 hours per work week on a year-round basis, in a position that is budgeted at half-time or greater. Employees who work an average of 20 hours per week or fewer on a year-round basis in a position that is budgeted at less than half-time are considered to be less than part-time employees and are generally not eligible for benefits.

Phased Retirement: An employee transitions gradually from full-time work to retirement with an interim period of part-time work; the latter period may be utilized to train the employee's successor.

Telecommuting: On one or more days per week, an employee works at home, at various work sites that are not office-based or at a telecommuting worksite, and is connected to the office by computer and/or telephone.

Eligibility Considerations

Approval of requests for AWAs will be based upon the business and operational needs of the department and work unit. Accordingly, the departmental director or designee may limit the number of employees who may be regularly scheduled to be off on any given day. Management may also identify a day or days of the workweek that are inappropriate for regularly scheduled days off, based upon operational needs. No AWA will be granted that would adversely impact customer service, access to City services, productivity or efficiency. Positions that may not qualify for an AWA include those that depend upon a work crew remaining intact from the start to the finish of a shift, emergency shift work and those positions that depend upon the schedules of co-workers for work flow or direction. Additional considerations in determining an employee's eligibility for a proposed AWA arrangement include but are not limited to the following:

- ensuring the needs of internal and external customers are met;
- budgetary impact;
- avoidance of additional overtime or other operational costs;
- health or safety considerations;
- liability issues;
- group scheduling and shift needs;
- communication with co-workers;
- equipment availability;
- access to support and/or supervisory staff;
- need for supervision, direction and support; and
- compliance with the Fair Labor Standards Act.

Evaluating Employee Requests

Employees within a work unit may suggest work schedules or arrangements that will accommodate their personal needs; employees may request an AWA of their department head or designee, using the

Alternative Working Arrangement Request form on the DER website or by using a form designed by the department. There may be work units in which the collective operational requirements suggest staffing patterns with staggered hours, overlapping schedules or concentration of work on certain days of the week or hours of the day. The direction of individual schedules always rests with the departmental director or designee. Whether by employee request or by management design, each employee's schedule must be pre-approved through a process established by the department.

Part-time, probationary and temporary employees may be considered for AWAs at the discretion of management, though generally if such requests are in conflict with those of full-time employees they will be considered last.

Departmental directors or managers who evaluate employee requests for AWAs should base the decision to approve or to deny the request on objective business reasons, as indicated in the **Eligibility Considerations** section above. Decisions regarding AWAs must be consistently and fairly applied to employees in similar circumstances.

Management may consider issues such as staffing needs, the employee's performance and the nature of the job. Conflicting requests between two employees holding the same job classification in any work unit or program will be resolved at the discretion of the departmental director or designee, who may consider such factors as job performance and seniority.

Prior to full implementation of an AWA, departments are advised to apply a trial period to the AWA, such as three or six months, to ensure there is no disruption to work performance and expectations. It is further advised that management evaluate the AWA at least once per year.

An employee who is working in an AWA may elect to discontinue and to return to a regular schedule, with proper notice to and approval by the departmental director or designee.

Management Responsibilities

Managers of employees who work in an AWA are responsible for ensuring that all timekeeping and payroll-related functions are accurate, clear and consistent; that the level and quality of customer service is maintained or increased; that schedules are coordinated with the needs of internal and external customers; that resources are utilized efficiently; that operational deadlines are met without increased overtime or comp time accrual and that any conflicts or issues with the AWA are communicated with the employee and higher-level management in a timely manner. Additionally, supervisors or employees who work in an AWA arrangement must develop program or work-unit specific guidelines that apply to eligible and participating employees.

If a department's operations call for a different interpretation of any portion of this policy, the DER should be notified accordingly.

Employee Responsibilities

Employees who work in an AWA arrangement must attend staff, assigned committee or team and departmental meetings; this may result in the employee having to adjust his or her schedule to meet these commitments.

In certain work units, personnel must be cross-trained prior to the implementation of an AWA. For the purpose of assignment coverage, cross-training means that a designated peer, colleague or staff person has the authority and ability to handle operational issues that may arise on the employee's regularly scheduled time off. Participating employees are responsible for communicating work-related commitments and responsibilities to the appropriate personnel who are covering for them.

Employees who work in an AWA are accountable for using work time efficiently, maintaining or improving customer service and productivity, maintaining dependable attendance, documenting timekeeping and productivity measures accurately and communicating work problems and needs to management staff in a timely manner.

Emergency Preparedness

Employees will be required to be available to report to work in the event of an emergency or operation as required by management.

Timekeeping and Payroll

All AWA participants and their managers must ensure that the work schedules comply with time keeping and payroll procedures, City compensation policies and overtime provisions of the FLSA. Work schedules should recur regularly and be as predictable as possible in order to conform to overtime rules and to avoid payroll inaccuracies. Requests to deviate from the approved schedule should be minimized and changes should only occur with appropriate management pre-approval.

Consideration for part-time employees regarding shift differentials, paid leave, holiday pay and other benefits shall be consistent with the provisions of the Milwaukee Code of Ordinances.

An employee with an AWS who is on any type of leave will have the amount of time charged to leave equal to the hours scheduled for that day, except that on such day an employee is scheduled to work a 9 or 10 hour day and is on any of the following types of leave, the employee will have not more than eight (8) hours of time charged to the leave account. Said employee will have the option of charging vacation or compensatory time for the balance of that day.

| FLSA Non-exempt | FLSA Exempt |
|------------------------------|----------------------|
| Funeral Leave | Funeral Leave |
| Sick Leave Incentive | Sick Leave Incentive |
| Jury Duty | Jury Duty |
| Union Negotiations | |
| Tuition Benefit on City Time | |
| Training sent by Department | |

Holiday Pay

All employees working in an AWS shall revert to a regular schedule of five eight-hour days for the entire work week in which a holiday occurs.

Departmental Authority

All requests for an AWA must be made of the departmental director or designee. Nothing in this policy extends a right to the approval or maintenance of an AWA. Management has the right to mandate an AWA for any reason at any time. While management has the right to return an employee to a standard schedule, to change an employee's schedule or to change or to revoke a telecommuting arrangement at any time, consideration may be given for reasonable notice when warranted.

Departmental directors or their designee may approve, implement, maintain, suspend or terminate AWAs at any time.

DISCLAIMER: The Department of Employee Relations reserves the right to modify the content of this document at any time. This document is for informational purposes only and should not be construed by any employee to create any binding contractual rights.

Questions regarding this policy may be directed to Kristin Urban at Ext. 8643.