

**STATE OF OHIO
ADJUTANT GENERAL'S DEPARTMENT
2825 West Dublin Granville Road
Columbus, Ohio 43235-2789**

NGOH-HRZ

05 February 2020

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Ohio National Guard Duty-hours and Work-Schedule Policy for Federal Workforce Members (HRO Policy # 20-013)

1. References.

a. DoDI 1400.25, Vol 610, (DOD Civilian Personnel Management System: Hours of Duty), 25 November 2019.

b. CNGBI 1400.25, Vol. 400, (National Guard Human Resources Development Program), 5 September 2018.

c. OPM Handbook on Alternate Work Schedules.

d. AR 600-8-10, (Leaves and Passes), 15 February 2006, RAR 4 August 2011.

e. AFI 36-3003, (Military Leave Program), 11 May 2016, updated 6 June 2018.

2. Cancellation. This policy supersedes policy memorandum, subject: Ohio National Guard AGR and Technician Work Schedule Policy, HRO Policy Number (17-002), dated 14 April 2017.

3. Applicability. This policy applies to all members of the Ohio National Guard (OHNG) full-time federal workforce: i.e. Title 32 Dual-Status Military Technicians (T32 MILTECHs), Title 5 National Guard Employees (T5 NGEs), and all military members performing active duty or Full-Time National Guard Duty (FTNGD), to include members ordered to Active Guard Reserve (AGR) duty or any other form of FTNGD (e.g. for Operational Support, Other Training Duty, the Counter-Drug program, etc.). All members employed and/or performing duties within the preceding federal workforce categories will, hereafter, be referred to collectively as the "workforce" and/or "workforce members." This policy does not apply to state employees of the Adjutant General's Department, whose work-schedule policies are covered in separate state-employee policy guidance.

4. Policy. OHNG command and supervisory chains (hereafter referred to collectively as "management") have full authority and unfettered discretion to establish workforce duty hours and work schedules (hereafter, referred to collectively as "work schedules"). When

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establishing work schedules, management should endeavor to promote workforce quality of life; however, management's primary consideration shall be on establishing work schedules that meet all organizational mission requirements. Nothing in this policy supersedes Army Regulations (AR) or Air Force Instructions (AFI), regarding leave and duty requirements and/or procedures for military members ordered to AGR duty or any other form of FTNGD (i.e. Title 32); furthermore, Army and Air Force members ordered to active duty (i.e. Title 10 orders), must adhere exclusively to AR 600-8-10 and AFI 36-3003, respectively.

5. Standard Work Schedule (i.e. "5 - 8" work schedule): The standard full-time work schedule, for the Ohio National Guard is five days per week, eight hours per day, Monday through Friday. Standard daily work schedules are from 0730 to 1630 hours with a non-paid one-hour lunch period from 1130 to 1230 hours. *(Note: The non-paid aspect of the aforesaid lunch period refers to T32 MILTECHs and T5 NGEs only).*

a. All federal workforce members will work the standard full-time work schedule, unless otherwise approved by local management, in accordance with this policy.

b. Provided that any modifications to work schedules adhere to the parameters of this policy, local management may modify the standard work schedule permanently or temporarily, for limited periods of time, in order to meet mission requirements (e.g. for night flying, periods of high OPTEMPO, mobilization and/or deployment support, etc.).

c. Additionally, a unit's IDT / UTA ("Drill") weekends are considered duty days for assigned unit members serving on active duty (i.e. Title 10 orders), AGR duty, and other forms of FTNGD. When not present for duty on IDT / UTA periods, these members must be in an approved leave or pass status.

6. Alternate Work Schedules: In addition to the standard work schedule, management may authorize Alternate Work Schedules (AWS), which include Compressed Work Schedules and Flexible Work Schedules, both of which are described below. Implementation of any AWS program, within the Ohio National Guard, is optional at the local work area management's discretion and should only be undertaken after careful advance planning and consideration of whether implementation will have an adverse impact on mission accomplishment. Management may exclude specific workforce categories, specific workforce members, or specific organizational units from participating in an AWS program. Conversely, management may also direct that all workforce categories or members, or specific workforce categories or members to participate in particular AWS.

7. Compressed Work Schedules: Compressed Work Schedules (CWS) are those that permit workforce members to work 80 hours, in fewer than 10 work days, within a standard 14-day (bi-weekly) pay period, with either one or two regular days off (RDO) in that pay period. CWS are fixed schedules, with arrival and departure times specified by local management. The only CWS authorized for use within the Ohio National Guard are as follows:

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a. Four-day work-week schedule (i.e. "4 - 10" work schedule): Under this schedule, the workforce member is present for duty 10 hours per day, four days per week, for a total of 80 hours worked in a standard 14-day (bi-weekly) pay period. For this CWS, the workforce member has two RDOs during each bi-weekly pay period (not including weekends or federally recognized holidays): e.g. If the workforce member is present for duty every Tuesday through Friday, the member's RDO is Monday, during each week of the bi-weekly pay period.

b. The "5 - 4 - 9" work schedule: Under this schedule, the workforce member works eight 9-hour days, one 8-hour day, and has one RDO (not including weekends or federal holidays) during each bi-weekly pay period, for a total of 80 hours worked each pay period.

c. RDO approval: Local management will establish which days of the week will be used as RDOs. Any day within the workweek may be designated as an RDO and is subject to management's approval. All workforce members, within a work area, may or may not have the same RDOs each work week, subject to management approval. In approving compressed work schedules, management must carefully consider the impact of selected RDOs on mission requirements. The impact of RDOs is significant, especially during holiday weekends and peak leave periods. Workforce members may be required to change an RDO, when required by the mission and/or to maintain adequate work area coverage. Changes to the RDO for these reasons may be directed by management, as circumstances warrant.

8. Flexible Work Schedule: A Flexible Work Schedule (FWS) is a schedule that permits workforce members, subject to certain constraints, to request specific starting and ending times of their basic workday. Under such a system, the workday is split into core hours and flexible time bands.

a. Core hours: Core hours constitute that portion of each duty day, during which all workforce members must be present for duty (or account for absences through the use of leave, compensatory time, etc.). The core hours for the OHNG are designated as 0900 to 1500. Core hours may be temporarily modified by local management in order to meet mission requirements (i.e. night flying, periods of high OPTEMPO and/or deployment support, etc.).

b. Flexible time bands: Flexible time bands refer to the hours of each duty day (time bands), during which workforce members may request alternative times for starting and ending each duty day, provided that such requests adhere to the core-hours provision, described above. The flexible time bands for the OHNG are the three hours before and the three hours after the aforesaid core hours: i.e. from 0600 to 0900 and from 1500 to 1800 daily. Workforce members may request to start each duty day any time between 0600 and 0900, and to end each duty day between 1500 and 1800, provided that their duty hours and

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work schedules adhere to all other parameters of this policy. All requests are subject to local management approval. Flexible time bands may be temporarily modified by local management in order to meet mission requirements (i.e. night flying, periods of high OPTEMPO and/or deployment support, etc.).

c. Flexi-Tour: Flexi-tour is a type of FWS. Although there are many types of FWS that are available for use by federal employees, the Flexi-tour is the only type of FWS that is authorized for use within the OHNG. Flexi-tour parameters are as follows:

(1) Flexi-tours are fixed schedules, for which workforce members must be present for duty for 8, 9, or 10 hours each duty day, for a total of 80 hours in each bi-weekly pay period.

(2) Workforce members must be present for duty, during core hours, but may request alternate duty-day start and end times, within the parameters of this policy. Local management must ensure core hours are covered by workforce members, each duty day, and ensure that all mission requirements are met.

(3) Workforce members may be approved for Flexi-tour work schedules, using one of the three aforementioned fixed work schedules: i.e. either the standard "5 - 8" work schedule or the compressed "4 - 10" work schedule or the compressed "5 - 4 - 9" work schedule.

(4) Workforce members' arrival and departure times are approved and fixed by local management, within the flexible time bands that are specified in this policy. Any changes to these fixed times must be approved and/or set—in advance—by local management.

(5) Local management may approve individual Flexi-tour work schedules for each workforce member, within a given work area, work center, and/or unit; as long as all mission requirements are met and all work schedules adhere to every other aspect of this policy.

(6) Local management may recommend approval to set the same Flexi-tour work schedule for all workforce members, within a given work area, work center, and/or unit, based on mission requirements. These requests, however, may not be approved at the local-management level. The procedures for requesting approval are listed below, in paragraph 15b.

9. Lunch Period: All workforce members are required to schedule a non-paid lunch period of 30 minutes, 45 minutes or 60 minutes, subject to management's approval. The time allotted for the lunch period does not count as hours of work. Workforce members are not authorized to work through lunch in order to arrive late or leave early. *(Note: The reference to a non-paid lunch period applies only to T32 MILTECHs and T5 NGEs: i.e. Although active-duty, AGR, and other FTNGD members are still required to schedule a lunch period—as operational tempo and mission requirements permit—their pay is not impacted).*

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10. Leave: Current leave and compensatory time policies will be continued. MILTECHs and NGEs, on scheduled leave or compensatory time, will be charged for the time equal to the amount of time that they are not present for scheduled duty. The minimum increment of time that may be charged is 15 minutes. All other workforce members will be charged with leave in accordance with applicable Army Regulations and Air Force Instructions.

11. Temporary Duty: T32 MILTECHs and T5 NGEs, who work AWS, who are required to attend temporary duty (e.g. training, conferences, workshops, site-visit attendance, etc.), will modify their work schedules to reflect the training or event-authority schedule. The employee's supervisor is responsible to submit the work-schedule change request to the appropriate civilian pay section. Work-schedule change requests for Air-paid employees must be submitted to the applicable Wing Customer Service Representative (CSR). Work-schedule change requests for Army-paid employees must be submitted to the United States Property and Fiscal Office (USPFO), Technician Pay Branch. Each work-schedule change request should be submitted at least one pay period **prior** to the temporary duty (TDY) reporting date. (*NOTE: This provision does not apply to active-duty, AGR, or other FTNGD workforce members*).

a. If the temporary duty is scheduled for eight hours per day, for up to one week (40 hours), the remaining days of the pay period will be modified, if applicable, to equal 40 hours, for a total of 80 hours for the bi-weekly pay period.

b. If the temporary duty is scheduled for eight hours per day, for an entire pay period (two weeks), the entire pay period must be modified to reflect the required schedule, for a total of 80 hours.

c. If the temporary duty is scheduled to cross-over two pay periods or lasts longer than one pay period, the work-schedule change request must reflect the scheduled duty hours each day, for the pay periods affected, for a total of 80 hours for each pay period.

12. Holidays: MILTECHs and NGEs on a CWS will be credited the number of hours the workforce member was scheduled to work (i.e. 8, 9, or 10 hours), on workdays designated as a holiday. When a Federal holiday occurs on a CWS employee's RDO, the following rules apply:

a. If the holiday falls on Sunday, the first regularly scheduled workday following the Sunday-holiday is the workforce member's "in-lieu of holiday."

b. If the holiday is not a Sunday, the last regularly scheduled workday that precedes the holiday is the technician's "in-lieu of holiday."

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c. Supervisors have the authority to designate a different day for a technician's "in-lieu of holiday," to ensure work area coverage and mission requirements are met. Such a day, however, **must be within the same pay period as the holiday.**

13. Night Pay: This paragraph applies only to T32 MILTECHs and T5 NGEs.

a. General-Schedule (GS) Employees: The agency will pay night differential pay to employees for those hours that must be worked between 1800 and 0600 as part of a employee's **regularly scheduled basic tour of duty**. If the employee's normal established work schedule is between 0600 and 1800, then any time worked between 1800 and 0600 will be paid as compensatory time or overtime, as applicable.

b. Federal Wage System (WG, WL, WS) Employees: The agency will pay night-differential pay for work performed when the majority of the employee's **regularly scheduled basic tour of duty** falls between 1500 and 0800. NOTE: "The majority," in this context, refers to a number of whole hours that is greater than one-half (including meal breaks) of the employee's scheduled duty day: e.g. five hours of a scheduled 8-hour shift meets this criteria, whereas any time less than five hours of a scheduled 8-hour shift does NOT meet this criteria.

14. Sunday Premium Pay: This paragraph applies only to T32 MILTECHs and T5 NGEs. The agency will pay Sunday Premium Pay for work during an employee's **regularly scheduled basic tour of duty** (not to exceed 8 hours) that begins or ends on a Sunday. Notwithstanding the normal 8-hour limit, for an employee on a compressed work schedule, all hours in the employee's regularly scheduled daily tour of duty beginning or ending on a Sunday constitutes Sunday work. If an employee's normal tour of duty does not include Sundays, then any work performed on a Sunday will be paid as compensatory time or overtime, as applicable.

15. Work-Schedule Administration: The following additional and clarifying administrative rules shall apply, regarding the establishment and management of work schedules:

a. Individual Workforce Member Work Schedules: Local management shall establish work schedules for the individual workforce members, within their respective work areas, in order to best meet mission needs and that contribute—to the fullest extent practicable—to workforce quality of life. These work schedules shall comply with this policy, be consistent with core hours, flexible time bands, RDOs, and workweek requirements for their respective work areas.

b. Work-area-wide / Installation-wide Work Schedules: Management may establish and set work schedules that apply to all workforce members within a given work area, to include, but not limited to, work centers, shops, directorates, units, bases, installations, etc. Before making such a change to an established work-area work schedule, however, local management must first attain approval, to ensure compliance with all aspects of this policy

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and any other relevant rules, agreements, regulations, and/or law. Requests must be submitted through the local management's supervisory/command chain, through the OHARNG CoS, OHANG DoS, or the OHNG CJS — as applicable — to the Director of Human Resources for approval. Upon approval, work-area schedules are equally applicable to all workforce members assigned to the work area.

c. Local work-area management may establish work schedules for individual workforce members that conform to this policy, but are different than the work schedule established for the work area/installation. This will be done to meet mission needs first and—if mission needs permit—to provide for quality of life for the workforce member. Individual workforce-member work schedules must be approved by local area management, prior to implementation.

d. No adjustments will be made to parking rules, cafeteria hours, security hours, environmental control schedules, etc., to accommodate AWS. Workforce members, working early or late (i.e. outside the standard agency work hours), may find uncomfortable temperature levels at times.

e. Management reserves the right to restrict a workforce member to the standard work schedule or specific AWS, when the workforce member's performance requires remedial action (such as closer supervision); when the workforce member occupies a "one of a kind" position; or for any other reason for which it would be in the best interest of the agency and/or the government to restrict a workforce member's work schedule.

f. Workforce members who move to a new work unit are not authorized to transfer their existing work schedule to the new work unit. The new supervisor will make reasonable efforts to accommodate a request for a specific schedule, within the constraints imposed by mission needs.

g. Opportunities to participate in an AWS or select a different schedule may be offered at the sole discretion of management.

h. Supervisors are authorized to terminate or require modifications to the work schedule of any workforce member, to ensure that mission and work area coverage requirements are met.

i. Workforce members will be given one full pay period advance notice when a decision is made to terminate or modify an existing work schedule. Supervisors may direct temporary changes to a workforce member's approved work schedule anytime to ensure mission and work area requirements are met.

j. The AWS do not require a supervisor to extend his/her working day beyond normal working hours. In cases where the presence of a supervisor is required, coordination between supervisory and non-supervisory personnel will take place in order to establish a

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mutually satisfactory schedule. When a mutually satisfactory schedule is unattainable, in these situations, refer to paragraph 15e above.

k. Compensatory time or overtime, if applicable, are hours which are officially directed and approved hours of work in excess of the **workforce member's** established work schedule. Workforce members do not earn compensatory time or overtime, if applicable, for working the hours specified in an AWS. NOTE: This paragraph only applies to T32 MILTECHs and T5 NGEs. Members ordered to active duty, AGR duty, or any other form of FTNGD are explicitly prohibited from earning or using compensatory time.

16. Exceptions: When management believes that an exception to this policy is warranted—i.e., in order to meet mission requirements and/or accommodate a workforce member's extenuating personal need—supervisors must first contact the Human Resources Office (HRO). The HRO will provide advice and recommendations, regarding what additional options, outside the constraints of this policy, may be available to meet an extenuating and time-limited need. After consulting with HRO, the applicable supervisor will submit a request for an exception to policy (ETP) through his/her supervisory/command chain, through the OHARNG CoS, OHANG DoS, or the OHNG CJS — as applicable — to the Director of Human Resources for approval. ETPs will be approved for only extenuating circumstances and will be time-limited. Requests for time extensions to ETPs must follow the same aforesaid routing and approval process.

17. This policy is effective immediately. As applicable, current work schedules must be brought into compliance with the provisions of this policy. If needed, the Human Resources Office will provide additional/clarifying guidance and assistance in implementing the provisions of this policy and will, upon request, provide training to commanders, managers, supervisors, and workforce members.

18. The POC for this policy is Mrs. Dana Mowery, Deputy Director of Human Resources, at 614-336-7054 or DSN 346-7054.

FOR THE ADJUTANT GENERAL:

GREGORY J. BETTS
COL, AG, OHARNG
Director of Human Resources

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