

# Maxiflex in OHR

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The Office of Human Resources has developed the following guidelines for the use of a Maxiflex Work Schedule by its employees. Due to varying business needs in each Division/Office of OHR, each Division Director/OD Associate Director may narrow—but not broaden—the guidelines set forth in this document upon implementation of Maxiflex in their organization. Each Division/Office must develop their own Maxiflex Work Schedule policy before implementation. In addition, these policies must undergo technical review by OHR/WRD.

## Business Needs

A Maxiflex Work Schedule allows an employee a high level of flexibility in managing their tour of duty over the course of the pay period. The flexibility of the Maxiflex Work Schedule is expected to benefit the employee while still maintaining the business needs of their position and organization.

Official business hours for all of OHR are from 8:00 a.m. until 4:30 p.m., Monday through Friday. Live telephone coverage must be provided during these hours. Divisions are required to ensure adequate staffing of all OHR functional areas during official business hours. At least one knowledgeable staff member will be available on site to respond to information and service requests in each Division/Office/Branch during OHR business hours. Supervisors can make exceptions to these standards as is appropriate for business purposes.

## Eligibility to use a Maxiflex Work Schedule

All Title 5 OHR employees, full-time and part-time, will be eligible to use a Maxiflex Work Schedule. While we hope to provide the utmost flexibility to all of our staff, there may be some positions within the Office of Human Resources that are not suited to a Maxiflex Work Schedule. Thus, approval in line with the OHR Delegations of Authority 9: Alternative Work Schedules is required to utilize the schedule. Across OHR, approval/termination of Alternative Work Schedules is delegated to Division Directors, the Associate Director for Administration OHR, and the Associate Director for Strategic Management OHR. This authority may be redelgated, in writing, to appropriate individuals with sufficient knowledge and expertise to exercise it in accordance with law, regulation, and written policy.

If at any time it is determined that the Maxiflex Work Schedule is not suitable for a position, an employee may be required to change to another work schedule type. Employee participation is an employment benefit and not an entitlement. Additionally, employee participation in a Maxiflex Work Schedule must be free from coercion.

Employees with a performance rating that is less than Achieved Expected Results will not be allowed to use a Maxiflex Work Schedule. Employees who require closer supervision than is generally available, do not adhere to AWS procedures, or develop performance or conduct problems will be precluded from participating. Managers must discuss performance and/or conduct issues with their Employee Relations Specialist.

In addition, Commissioned Corps Officers and intermittent employees will not be eligible for Maxiflex. Contractors may use a Maxiflex Work Schedule if permitted by the terms of their contract, but those arrangements must be negotiated separately with the contractors' employer and official (non-Federal) supervisor, in agreement with the NIH supervisor, as applicable.

## Available Scheduling Flexibilities under Maxiflex

Core Hours/Days	Earliest Start*	Latest End*	Credit Hours	Work days**
To be on at least one day per pay period, based on Division/Office needs	5:30 a.m.	9 pm	Available with supervisory approval	Monday-Friday; Saturday work needs pre-approval

\* *Work that would occur after 9 pm and/or before 5:30 am must be pre-approved by the employee's supervisor.*

\*\* *Sunday (12:01 a.m. - 11:59 p.m.) may not be used to complete the basic work week requirement.*

### Core Hours

Core hours are those on which employees must either be working or on leave. Each Division may establish their own core hours to meet their business needs. In some cases, core hours may differ within a Division based on specific programmatic needs. This can vary in the time and attendance system by SAC code. Core hours must be established for at least one day within the pay period and can be established on as many as 9 days.

### Split Schedules

Hours worked may be split throughout the course of the workday, i.e., non-continuous work schedules are permissible, as long as core hours are met. Employees can utilize split schedules up to but no more than three times per workday. They can be established on a regular or ad hoc basis. Split hours will require the employee to record start/stop times in the time and attendance system, even if they are not otherwise required to do so by their supervisor.

### Credit Hours

The ability to earn and use of credit hours requires supervisory approval that is recorded along with the employee's tour type in the time and attendance system. This approval must be received before an employee begins earning credit hours and the approval must be recorded in the time and attendance system. An employee must work a minimum of one hour in excess of his/her basic work requirement to earn credit hours. Credit hours may then be earned and used in 1/4 hour (15 minute) increments. Credit hours cannot be used before they are earned.

Credit hours are those an employee elects to work in excess of their basic work requirement. For a full-time employee on Maxiflex, their basic work requirement is 80 hours in the pay

period. For a part-time employee on Maxiflex, their basic work requirement is equal to their total tour hours per pay period. Credit hours may not be substituted for periods of time when the employee is entitled to overtime pay or compensatory time.

For a full-time employee, only 24 credit hours may be carried over to the next pay period. For a part-time employee, the maximum number of credit hours which may be carried forward is one quarter of their biweekly work requirement.

### Saturday and Sunday Work

If permitted by Division policy, an employee may work regular hours or credit hours on a Saturday. Working regular hours on a Saturday requires prior supervisory approval. Only credit hours may be worked on a Sunday. Supervisors may specify if hours worked on Saturday or Sunday can be completed either on site or remotely.

### Basic Work Requirements

Approval in line with the OHR Delegations of Authority 9, Alternative Work Schedules, is required for an employee to begin using a Maxiflex Work Schedule. Once received, the following requirements apply:

- OHR employees on a Maxiflex Work Schedule are required to enter an anticipated work schedule for the entire pay period in the time and attendance system on their first work day of the pay period. This schedule may be changed as needed throughout the pay period.
- A full-time employee must work at least 20 hours and no more than 60 hours in a work week. Part-time employees should check with their supervisor to determine this flexibility based on their basic work requirement.
- All employees, full-time and part-time, must work a minimum of 2 hours and no more than 13 hours in a work day. Please note that a Division's core hours may result in requiring an employee to work more than the minimum of 2 hours on a work day.
- Each work day, employees who work 8 or more hours are provided a 30 minute unpaid [meal period](#). To the extent possible, meal periods will be provided near the middle of work periods. Meal periods may not be used to make up tardiness or skipped to allow the employee to begin work later or leave work early.
- Sunday (12:01 a.m. - 11:59 p.m.) may not be used to complete the basic work week requirement. Only credit hours may be earned on Sunday, with supervisory approval.

Division policies may further limit the requirements above (e.g. not allowing any work on Sunday).

### Customer Service & Communication Expectations

Supervisors must inform their employees of their expectations regarding customer service standards and communicating about the employee's schedule and must notify employees of any changes to these expectations.

- Staff are expected to utilize all available technologies (i.e., Microsoft Lync, email, out-of-office messages, call forwarding, etc.) to ensure timely communications and responsive services with customers.
- Supervisors may request that an employee adjust their telework and/or flex days as needed for business purposes.
- Staff are expected to come in for face-to-face meetings with customers or for internal meetings as necessary or required.
- If an employee is flexing their schedule more than one hour earlier or later on any given day than what they noted in their anticipated schedule for the pay period, they must notify their supervisor and inform them of how the time will be made up.
- If a full-time employee is working between 2 and 5 hours on any given day, they must notify their supervisor.

## Key Definitions Pertaining to Maxiflex

*Core Hours:* The time during the work day, work week, or pay period during which an employee must be working or on approved leave.

*Credit Hours:* Those hours that an employee elects to work in excess of his or her basic work requirement so as to vary the length of a work week or work day. An employee's supervisor must indicate the employee is eligible to use credit hours in advance.

*Maxiflex:* A type of flexible work schedule that contains core hours on fewer than 10 workdays in the biweekly pay period and in which a full-time employee has a basic work requirement of 80 hours for the biweekly pay period, but in which an employee may vary the number of hours worked on a given workday or the number of hours each week within the limits established for the organization.