



DEFENSE NUCLEAR FACILITIES SAFETY BOARD Washington, D.C. 20004

DIRECTIVE

Subject: Hours of Duty and Establishment of Work Schedules

Number:

Approved:

Review:

Certified:

**Responsible Office: Division of Human Resources
Office of the General Manager**

1. **PURPOSE.** This Directive establishes the Defense Nuclear Facilities Safety Board's (Agency) policy regarding hours of duty, work schedules, and related matters to enable the Agency to plan and schedule the work required to accomplish its mission.
2. **CANCELLATION.** This Directive modifies Administrative Directive AD 122.1B *Hours of Duty and Leave Administration*, dated December 9, 2003, by deleting Chapter I, References a and b, and Appendices A and B, and changing its name to *Leave Administration*. The General Manager is directed to publish AD 122.1B so modified and with additional conforming changes to the Summary and Purpose sections.
3. **APPLICABILITY.** This Directive applies to all current Agency employees or prospective Agency employees (e.g., those with a written offer of employment).
4. **EXEMPTIONS.** This Directive does not apply to Board Members.
5. **POLICY.**
 - A. **Operational, Core, and Flexible Hours.** The Agency's operational hours, core hours, and flexible hours are established as follows:

Operational Hours:	6:00 a.m. to 7:00 p.m.
Flexible Hours:	6:00 a.m. to 9:30 a.m. 2:30 p.m. to 7:00 p.m.
Core Hours:	9:30 a.m. to 2:30 p.m.
 - B. **Establishing Work Schedules.**
 - i. The Agency shall observe an administrative workweek¹ that consists of seven (7) consecutive calendar days which run from 12:01 a.m. Sunday to 12:00 midnight Saturday.

¹ Defined terms (see Section 10) are underlined when first used.

- ii. The tour of duty during the administrative workweek shall be from Monday through Friday, eight (8) hours per day with two consecutive days off on Saturday and Sunday.
- iii. In consultation with their supervisors, employees may establish alternative work schedules (AWS), as described in Section 6, paragraph A below. However, *in the absence of approved leave*, employees are required to be present for duty during the Agency's established core hours unless a mission-critical need requires an exception be made. If an exception must be made, the supervisor or manager must document the reason for the exception in writing.
- iv. Use of alternative work schedules shall be in accordance with organizational needs and requirements.
- v. Offices shall schedule work according to actual work requirements. When changes in work requirements are known in advance of the administrative week, supervisors and managers shall change employees' tours of duty and notify employees of changes prior to the beginning of the administrative workweek. By proper planning and scheduling of work, organizational performance is improved while reducing the cost of overtime.

C. Types of Work Schedules. Agency employees may choose among the following work schedules: a Basic 40-Hour Workweek, a Traditional Part-Time Fixed Schedule, and AWS options that include Flexible Work Schedules (FWS), Compressed Work Schedules (CWS), and a First Forty Schedule.

NOTE: The First Forty schedule is available only to employees who serve as Resident Inspectors. The Technical Director must approve First Forty work schedules; approvals will be decided on a case-by-case basis, based on organizational needs and not employee preference.

D. Establishment of Lunch Periods. Lunch periods shall be scheduled in accordance with organizational needs and requirements and require supervisory approval. Depending on their work schedule, employees may have either a fixed lunch schedule or a flexible lunch schedule.

- i. Fixed Lunch Schedule.
 - a. The lunch period must be for a minimum of 30 minutes and a maximum of one (1) hour. Employees do not get paid for their lunch period, regardless of the length of the lunch period. If the lunch period extends beyond 30 minutes, the employee must either take leave or make up the additional time at the end of the work day.

- b. Employees on a fixed lunch schedule must select a lunch period between the hours of 11:00 a.m. – 2:00 p.m. The lunch period will remain fixed until it is subsequently changed by the employee (with supervisory approval).
- c. Employees may not work through the lunch period to extend paid time or modify their established work schedules (e.g., the lunch period may not be taken at the beginning or end of the work day).
- d. Employees may not combine their lunch period with a paid rest period.
- e. Employees with a CWS (5-4/9) or a basic 40-hour workweek schedule must have a fixed lunch schedule and are not eligible for a flexible lunch schedule.

ii. Flexible Lunch Schedule.

- a. The lunch period must be for a minimum of 30 minutes and a maximum of one (1) hour. Employees do not get paid for their lunch period, regardless of the length of the lunch period. If the lunch period extends beyond 30 minutes, the employee must either take leave or make up the additional time at the end of the work day.
- b. The employee's lunch period may vary daily, but must occur between the hours of 11:00 a.m. – 2:00 p.m.
- c. Employees may not combine their lunch period with a paid rest period.
- d. Employees may not work through the lunch period to extend paid time or modify their established work schedules (e.g., the lunch period may not be taken at the beginning or end of the work day).
- e. Employees on a FWS are eligible for a flexible lunch schedule.

6. REQUIREMENTS.

A. Types of Work Schedules.

- i. Basic 40-Hour Workweek. (See 5 U.S.C. § 6101.)
 - a. The basic 40-hour workweek is scheduled on five (5) days, Monday through Friday when possible, and the two (2) days outside the basic workweek are consecutive;

- b. The working hours in each day in the basic workweek are the same;
 - c. The basic non-overtime workday may not exceed eight (8) hours;
 - d. Breaks in working hours of more than one (1) hour may not be regularly scheduled in a basic workday;
 - e. The working hours each day must include the core hours except for the lunch period;
 - f. The occurrence of holidays may not affect the designation of the basic workweek; and
 - g. Employees cannot earn credit hours.
- ii. Traditional Part-Time Fixed Schedule.
- a. A traditional part-time fixed schedule workweek is 16 to 32 hours per week for employees on the traditional tour of duty. The basic workweek can be scheduled up to five (5) days, Monday through Friday when possible;
 - b. The working hours and days in the basic workweek can vary to meet the needs of the Office;
 - c. The occurrence of holidays may not affect the designation of the basic workweek;
 - d. Employees cannot earn credit hours; and
 - e. The basic workweek requirement is not applicable to summer interns; student employees do not have a minimum number of hours in their workweek.
- iii. Flexible Work Schedule (FWS). A type of AWS that meets the requirements described below. (See 5 U.S.C. § 6122.)
- a. Employees are responsible for choosing a biweekly schedule within the FWS, 6:00 a.m. to 7:00 p.m. and submitting it in writing for supervisory approval.
 - b. The basic work requirement for full-time employees consists of an 8-hour day, 5-days a week, 40-hours a week, and 80-hours in the biweekly pay period. Employees must have an established tour of duty.

- c. The basic work requirement for part-time employees is the number of hours the employee must work each day, the number of hours the employee must work in the administrative workweek, and the number of hours the employee must work in a biweekly pay period.
 - d. Employees select a starting time each day of their biweekly schedule; however, they are allowed to occasionally vary their starting and ending times up to 30 minutes. When employees vary their starting time up to 30 minutes after their designated starting time, employees must make up this time at the end of the day or take approved leave. Employees must complete their scheduled number of hours by 7:00 p.m.
 - e. Employees must be present during the core hours of 9:30 a.m. until 2:30 p.m. (unless their tour of duty has been changed on a temporary basis) or they must record their leave during the portion of the core hours they are absent in the time and attendance system.
 - f. Employees are allowed to request a change in their permanent flexible work schedule up to four (4) times per year.
 - g. Employees are eligible to earn credit hours up to two (2) hours per day between the hours of 6:00 a.m. and 7:00 p.m. as determined by the supervisor.
 - h. An employee may be permitted to earn credit hours for work that begins before 6:00 a.m. or after 7:00 p.m. with prior supervisory approval. Credit hours during these periods of time should only be approved on a case-by-case basis for special projects.
 - i. Employees may adjust their starting and ending time to enable official travel to a temporary duty site within an 8-hour day. They may earn credit hours while working at the temporary duty site.
- iv. Compressed Work Schedule (CWS). A type of AWS where full-time employees have an 80-hour biweekly work requirement which is scheduled for less than 10 workdays; for part-time employees, a basic biweekly requirement of less than 80 hours which is scheduled for less than 10 workdays. (See 5 U.S.C. § 6127.)
- a. The Agency allows employees to elect a 5-4/9 biweekly CWS. The 5-4/9 schedule has a basic biweekly work requirement of 9-hour days during 8 days of the biweekly pay period and 8 hours on a 9th day to complete the 80-hour biweekly work requirement.

The 9th 8-hour day can be any pre-scheduled workday in the pay period. For all 9 work days in this cycle employees must be present during the core hours of 9:30 a.m. until 2:30 p.m. (unless their tour of duty has been changed on a temporary basis).

- b. The basic workweek requirement shall consist of the number of hours the employee must work each day and the number of hours the employee must work during 9 days in a biweekly pay period.
 - c. Employees select a starting time each day that does not vary. The working hours in each day in the basic workweek are the same, with the exception of the 8-hour day.
 - d. The non-workday must be scheduled in the same pay period as the nine workdays.
 - e. Non-overtime work is performed during the schedule that does not exceed the daily work requirement or 80 hours in the biweekly pay period.
 - f. Employees are not eligible to earn credit hours.
 - g. Employees are allowed to request a change in their CWS up to four (4) times per year.
- v. First Forty Schedule. A First Forty work schedule is a type of AWS that may be used when it is impractical to establish a regular schedule of definite hours of duty for each work day. This schedule is available to employees who serve as Resident Inspectors, with approval of the Technical Director. Approvals are based on a case-by-case basis due to organizational needs and not an employee's preference. (See 5 C.F.R. 610.111(b).)
- a. The first 40 hours is performed within a period of not more than 6 consecutive days and is considered regularly scheduled work for premium pay and hours of duty purposes. As much as practicable, work is performed between 6:00 a.m. and 6:00 p.m., and an anticipated work schedule is required in advance of the pay period.
 - b. The ability to earn credit hours and participate in a flexible lunch schedule are not available to employees who work under a First Forty work schedule.

B. Holidays. 5 U.S.C. § 6103 and Executive Order 11582 govern the identification and determination of holidays. However, when a holiday falls on a non-work day,

the day to be treated as a holiday for pay and leave purposes will be determined as follows:

- i. When a holiday occurs on a Saturday, the Friday immediately before is a legal holiday (for employees whose basic workweek is Monday through Friday);
- ii. When a holiday occurs on a Sunday, the legal holiday will be the following workday (Monday for most employees).
- iii. Except when the holiday falls on the last Friday of a pay period, the in lieu of holiday is the next basic workday; or
- iv. For employees whose workweek is other than Monday through Friday and the holiday occurs on a non-workday, the in lieu of holiday is the workday immediately before the holiday (e.g., for employees with a workweek of Monday through Thursday, if a holiday falls on a Friday, Thursday is the in lieu of holiday, as it is the workday immediately before the holiday).
- v. Inauguration Day is a legal public holiday. If January 20 falls on a Sunday, the in lieu of holiday is the workday immediately following the holiday (e.g., Monday). However, if January 20 falls on a Saturday, there is no provision for an in lieu of holiday.
- vi. For employees on a CWS, in lieu of holidays will be determined as follows:
 - a. If the holiday is on Sunday and Monday is the employee's day off under CWS, Tuesday will be the employee's in lieu of holiday off.
 - b. If the holiday falls on Monday and that is the employee's day off under CWS, the in lieu of holiday may be either the previous workday (if in the same pay period) or the following workday.
 - c. If the holiday falls on Friday or Saturday, employees whose day off under CWS is Friday would have an in lieu of holiday off on Thursday.
 - d. Supervisors or managers may adjust in lieu of days off in other circumstances based on mission requirements.
 - e. A part-time employee is entitled to a holiday when the holiday falls on a day when he/she would otherwise be required to work or take leave. This does not include overtime work. Part-time CWS employees are not entitled to an in lieu of holiday off when a holiday falls on a non-work day for the employee. However, when a part-time employee is prevented from working because the

facility is closed to provide full-time employees an in-lieu-of holiday, the part-time employee may either be placed on an appropriate leave status or be excused without loss of pay for the number of hours he/she is regularly scheduled to work on that day based on his/her regularly scheduled administrative workweek.

- f. Employees who are authorized to work a FWS shall receive a maximum credit for a holiday of eight (8) hours towards the 80-hour biweekly work requirement even if they would otherwise work more hours on that day. If the President issues an Executive Order granting a half-day holiday, a full-time employee on a FWS is credited with half the number of hours he/she was scheduled to work, not to exceed four (4) hours. Part-time employees who are excused from work on a holiday receive their rate of basic pay for the hours they are regularly scheduled to work.
- g. If a full-time CWS employee is relieved or prevented from working on a day designated as a holiday, the employee is entitled to basic pay for the number of hours of the compressed work scheduled on that day. For example if an employee's basic tour of duty consists of a 9-hour workday, the employee's holiday is 9 or 8 hours respectively. If the President authorizes a half-day holiday, a full-time employee on a compressed work schedule is entitled to basic pay for the entire day, but is required to work only half the number of hours he/she would otherwise work on that day.

C. Credit Hours. Credit hours are hours that an employee elects to work, with prior supervisory approval, in excess of the employees basic work requirement under a flexible work schedule. (See 5 U.S.C. § 6126.)

- i. A supervisor may initiate a blanket approval of up to, but not to exceed, two (2) credit hours earned each work day.
- ii. Employees are not paid basic pay or overtime pay for credit hours when they earn them. An employee may use credit hours during a subsequent day, week, or pay period, with supervisory approval, to allow the employee to be absent from work for an equal number of hours as those accrued on credit time.
- iii. Employees on compressed works schedules cannot earn credit hours.
- iv. Only 24 credit hours may be carried over to the next pay period.

D. Special Considerations.

- i. Temporary Assignments of Employees Working under CWS.

When travel, detail, training, or any portion of training includes a scheduled non-workday, one of the following changes in the work schedule may be required:

- a. Reschedule the non-workday for the same pay period; or
- b. Reschedule the tour of duty to a standard 8 hours per day for the pay period.

Non-workdays not rescheduled for employees covered by the Fair Labor Standards Act (FLSA) , i.e., non-exempt employees, may require overtime/compensatory time.

- ii. Travel as Hours of Work. All time spent traveling for official duty during scheduled duty hours are considered as “hours of work.” Time spent traveling outside of scheduled duty hours may be considered as “hours of work,” only under the following conditions:
 - a. The employee is covered by the FLSA (non-exempt employee) and drives a vehicle or performs other work while traveling; travels as a passenger on a one-day assignment; or, is required to travel as a passenger on an overnight assignment away from the official duty station during hours on non-workdays that correspond to the employee’s regular working hours. Typically, this would be an administrative employee providing support, on travel, to professional or managerial staff.
 - b. The employee is not covered by the FLSA (exempt employee) and is required to perform work while traveling; is incident to travel that involves the performance of work while traveling; travel is carried out under arduous conditions; or, results from an event which could not be scheduled or controlled administratively by the Agency. (This would be a rare occurrence.)
 - c. Travel time that is approved and qualifies as “hours of work” under the criteria listed in D.ii.a or D.ii.b above will be compensated by overtime or compensatory time.
 - d. Travel time that is approved but is based on the employee’s travel preference and still qualifies as “hours of duty” under the criteria in D.ii.a or D.ii.b above will be allowed as earned credit hours when the employee is working a FWS.
 - e. Travel which involves the performance of work while traveling generally means work which can only be performed while

traveling or work which an agency requires an employee to perform while traveling.

- iii. Travel as Hours of Work on a Holiday. FLSA exempt and non-exempt employees are generally not entitled to holiday premium pay for time spent in work-related travel during a holiday. Travel is only considered hours of work for both FLSA exempt and non-exempt employees if it meets one of the criteria in paragraph D.ii. above.
- iv. Variation for Educational Purposes. At the discretion of the supervisor, work schedules may be adjusted to establish special tours of duty of not less than 40 hours for non-temporary, full-time employees to enable them to take one or more courses in nearby colleges or universities, subject to the requirements below. (See 5 C.F.R. 610.122.)
 - a. There is a work-related purpose;
 - b. The courses are not training under chapter 41 of title 5, United States Code;
 - c. The completion of the course(s) will equip the employee for more effective work in the Agency;
 - d. The change in tour or duty will not interfere with the work schedules of other employees or the work of the organizational unit;
 - e. The employee will not receive premium pay solely because the special tour of duty causes the employee to work on a day, or a time during the day, for which premium pay would otherwise be payable; and
 - f. At the discretion of the supervisor, work schedules may be adjusted to enable non-temporary, full-time employees to teach at educational institutions.

E. Compensatory Time Off for Travel. (See 5 U.S.C. § 5550b.)

- i. FLSA exempt and non-exempt employees are entitled to compensatory time for approved travel in accordance with the Office of Personnel Management's guidance when employees travel away from their official duty station outside of their regular tour of duty and the travel is not otherwise compensable.
- ii. Members of the Senior Executive Service are not eligible for compensatory time, including compensatory time for travel.

- iii. Employees are prohibited from receiving monetary payment for compensatory time for travel.
- iv. Compensatory time for travel will be automatically forfeited after 26 pay periods from when it is earned.
- v. An employee's normal commuting time must be subtracted from time spent traveling from his/her home to a transportation carrier outside of his/her official duty station and from a transportation terminal outside of his/her official duty station to his/her home.
- vi. An employee's normal commuting time must be subtracted from time spent traveling from his/her home to a temporary duty site outside of his/her official duty station and from the temporary duty site outside of his/her official duty station to his/her home.
- vii. Time spent traveling to a transportation terminal within the employee's official duty station is considered normal commuting time and is not compensable.
- viii. Bona fide meal periods must be subtracted from time spent traveling outside of an employee's tour of duty and outside of their official duty station.
- ix. Normal waiting time at transportation terminals is compensable; however, extended waiting periods are not.
- x. Compensatory time for travel can be used in 15 minute increments.
- xi. There is no limitation on the amount of compensatory time off for travel an employee may earn.
- xii. If an employee chooses to travel during a time period that is not advantageous to the government or a use an alternative mode of transportation that is not advantageous to the government, the employee can receive an estimated number of compensatory time for travel based on the most advantageous time period and mode of transportation to the government.
- xiii. Employees must follow Agency policy when requesting or using earned compensatory time for travel under OP-221.1-1 *Official Travel Operating Procedures*.

7. **RESPONSIBILITIES.**

- A. Chairman. Responsible for the implementing the policy that establishes workweeks, work schedules, and related matters in order for the Agency to plan and schedule work consistent with the actual work requirements needed to accomplish its mission.
- B. General Manager. Develops the procedures to implement the Agency's this Directive in accordance with applicable laws and regulations.
- C. General Counsel. Provides legal advice to the Chairman and General Manager in the implementation of this Directive.
- D. Director of Human Resources. Administers hours of duty policy within the Agency.
- E. Supervisors.
 - i. Approve, in writing, which work schedules may be used in their organizational units;
 - ii. Approve, modify, or terminate work schedules in accordance with this directive and based on organizational need;
 - iii. Approve, with input from the employee, the scheduling of office hours and lunch breaks based on organizational needs and requirements and the rules and regulations specified in this and other pertinent regulations;
 - iv. Disapprove the use of any AWS if an employee's use of the schedule is detrimental to the efficient operation of the office or if the schedule is being abused;
 - v. Authorize exceptions to the basic 40-hour workweek to include the establishment of a First-Forty tour or duty (for Resident Inspectors with an identified need only) or other uncommon tours of duty tailored to mission requirements;
 - vi. Ensure that regularly scheduled overtime is used prudently and that it is requested in writing and approved in advance of the administrative workweek, where practicable;
 - vii. Track and record hours worked, leave usage, overtime, credit hours, compensatory time, and other forms of paid and non-paid duty status; and
 - viii. Authorize variations in work schedules for educational purposes and other circumstances consistent with mission objectives.
- F. Employees.

- i. Ensure submitted biweekly time and attendance reports are timely and accurately record duty hours worked and leave taken.
- ii. Observe designated duty hours and be punctual in reporting for work and returning from lunch.

8. CONTROLS AND MEASURES.

- A. This Directive shall be implemented in accordance with the referenced laws and regulations.
- B. Employee work schedules will be entered into the Agency's time and attendance system (WebTA) after the Division of Human Resources receives written proof of the employee's approved work schedule or work schedule change. To safeguard against fraud, waste, and abuse, WebTA has built-in protections to ensure that requirements related to premium pay, compensatory time, credit hours, and lunch schedules are restricted to the applicable work schedules. A further internal control are the frequent audits conducted to ensure the accuracy of the data entered into WebTA.
- C. The Division of Human Resources will conduct regular training to ensure supervisors and employees understand Agency policy and procedures regarding hours of duty and work schedules.

9. REFERENCES.

- A. 5 U.S.C. §§ 6101-6133 (Hours of Work)
- B. 5 U.S.C. § 5550b (Compensatory Time Off for Travel)
- C. 5 C.F.R. Part 610 (Hours of Duty)
- D. 5 C.F.R. Part 630 (Absence and Leave)
- E. 5 C.F.R. Part 550, Subpart N (Compensatory Time Off for Travel)
- F. 5 C.F.R. Part 340 (Other than Full-Time Career Employment [Part-Time, Seasonal, On-Call, and Intermittent])
- G. Executive Order No. 11,582, *Observance of Holidays by Government Agencies*, (February 11, 1971), as modified by Pub. L. 94-97 (89 Stat. 479, 5 U.S.C. 6103) and Pub. L. 98-144 (97 Stat. 917, 5 U.S.C. 6103 nt.)
- H. DNFSB OP-221.1-1 *Official Travel Operating Procedures*

10. DEFINITIONS.

- A. Administrative Workweek. Any period of seven (7) consecutive 24-hour periods designated in advance by the Chairman or the official who has been delegated the authority to act for the Chairman.
- B. Alternative Work Schedule (AWS). AWS include both flexible work schedules (FWS) and compressed work schedules (CWS).
- C. Basic 40-Hour Workweek. A work schedule that:
 - i. In the case of a full-time employee, has a 40-hour workweek, 5 days a week, 8 hours a day requirement.
 - ii. In the case of a part-time employee, has a basic workweek requirement of 16 to 32 hours per week. The employee's scheduled workday is fixed and must be between the hours of 5:00 a.m. and 7:00 p.m.
- D. Basic Work Requirement. The number of hours, excluding overtime hours, which an employee is required to work or is required to account for by leave or otherwise.
- E. Compensatory Time. Compensatory time off is time off with pay in lieu of overtime pay for irregular or occasional overtime work, or when permitted under a FWS, time off with pay in lieu of overtime pay for regularly scheduled or irregular or occasional overtime work.
- F. Compressed Work Schedule (CWS). For full-time employees, an 80-hour biweekly work requirement which is scheduled for less than 10 workdays; for part-time employees, a basic biweekly requirement of less than 80 hours which is scheduled for less than 10 workdays.
- G. Core Hours. The time periods of 9:30 a.m. until 2:30 p.m. during the workdays (Monday-Friday), workweek, or pay period that are within the tour of duty during which an employee covered by a flexible work schedule is required by the Agency to be present for work. Employees on a CWS must work a fixed work schedule.
- H. Credit Hours. Those hours within a FWS that an employee elects to work in excess of his or her basic work requirement so as to vary the length of a workday or workweek. Employees on a basic 40-hour workweek schedule or under a CWS are not eligible to earn credit hours.
- I. Fair Labor Standards Act (FLSA). The FLSA establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local Governments. The FLSA is enforced by OPM for executive branch employees.
- J. First Forty Schedule. The basic workweek without the requirement for specific days and hours within the administrative workweek. When the work situation is such that it is impracticable to prescribe a regular schedule of definite hours of duty

for each workday of a regularly scheduled administrative workweek, but an employee will perform at least 40 hours of work in an administrative workweek, the employee may be assigned to a tour of duty which consists of the first 40 hours of work performed over not more than 6 days of the administrative workweek.

- K. Flexible Hours. Flexible hours are that portion of the workday during which an employee on a flexible work schedule has the option to select and/or vary starting and quitting times, within the limits of the flexible work schedule selected.
- L. Flexible Work Schedule (FWS). A work schedule established under 5 U.S.C. § 6122, that:
- i. In the case of a full-time employee, has an 80-hour biweekly basic work requirement that allows an employee to determine his or her own schedule within the limits set by the agency; and
 - ii. In the case of a part-time employee, has a biweekly basic work requirement of less than 80 hours that allows an employee to determine his or her own schedule within the limits set by the agency.
- M. Flexible Lunch Schedule. Employees may expand their lunch period within an established timeframe (11:00 a.m. – 2:00 p.m.) with supervisory approval, and make up the additional time taken at the end of the day without charge to leave. A flexible lunch schedule is available only to employees on a FWS; it is not available to employees on CWS or the basic 40-hour workweek schedule.
- N. FLSA Exempt Employee. An employee who is not covered by the minimum wage and overtime provisions of the FLSA.
- O. FLSA Non-Exempt Employee. An employee who is covered by the minimum wage and overtime provisions of the FLSA.
- P. In Lieu of Holiday. When a holiday falls on a non-workday outside a full-time employee's basic workweek, he or she is entitled to an "in lieu of" holiday. Except when the holiday falls on Sunday, the day to be treated as the "in lieu of" holiday is the workday immediately preceding the non-workday.
- Q. Lunch Period. An approved period of time in a non-pay and non-work status that interrupts a basic workday or a period of overtime work for the purpose of allowing an employee to eat or engage in personal activities.
- R. Operational Hours. Operational hours represent the portion of the workday during which the Agency will be open.
- S. Overtime. When used with respect to FWS programs, overtime refers to all hours in excess of 8 hours in a day or 40 hours in a week that an employee is officially ordered to work in advance, but does not include credit hours. With respect to

CWS programs, overtime hours refers to any hours in excess of those specified hours for full-time employees that constitute the CWS. For part-time employees, overtime hours are hours in excess of the CWS for a day (but must be more than 8 hours) or, for a week (but must be more than 40 hours).

- T. Part-time Fixed Schedule. The workweek is 16 to 32 hours per week for part-time employees on the traditional tour of duty. The basic workweek can be scheduled up to 5 days, Monday through Friday when possible.
 - U. Regularly Scheduled Administrative Workweek. For full-time employees, it is the period within an administrative workweek within which an employee is regularly scheduled to work. For part-time employees, it is the officially prescribed days and hours within an administrative workweek during which an employee is regularly scheduled to work.
 - V. Tour of Duty. The hours of a day (a daily tour of duty) and the days of an administrative workweek (a weekly tour of duty) that constitute an employee's regularly scheduled administrative workweek (see definition for administrative workweek).
11. **CONTACT**. Address questions concerning this Directive to the Division of Human Resources, Office of the General Manager.

Sean Sullivan
Chairman

AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: Hours of Duty Directive

Doc Control#2017-300-092

The Board, with Board Member(s) Sean Sullivan, Bruce Hamilton, Joyce L. Connery *approving*, Board Member(s) Jessie H. Roberson, Daniel J. Santos *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *not participating*, have voted to approve the above document on August 23, 2017.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING*	COMMENT	DATE
Sean Sullivan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	08/22/17
Bruce Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	08/21/17
Jessie H. Roberson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	08/22/17
Daniel J. Santos	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	08/22/17
Joyce L. Connery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	08/23/17

*Reason for Not Participating:

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Board Members.


Assistant Executive Secretary to the Board

Attachments:

1. Voting Summary
2. Board Member Vote Sheets

cc: Board Members
OGC
OGM Records Officer
OTD

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Sean Sullivan

SUBJECT: Hours of Duty Directive

Doc Control#2017-300-092

Approved X Disapproved _____ Abstain _____

Recusal – Not Participating _____

COMMENTS: Below _____ Attached _____ None X



Sean Sullivan

8/22/17

Date

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET**

FROM: Bruce Hamilton

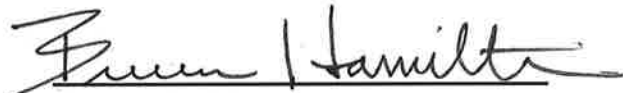
SUBJECT: Hours of Duty Directive

Doc Control#2017-300-092

Approved X Disapproved Abstain

Recusal – Not Participating

COMMENTS: Below Attached None X


Bruce Hamilton

 21 AUG 2017
Date

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET**

FROM: Jessie H. Roberson

SUBJECT: Hours of Duty Directive


Doc Control#2017-300-092

Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below X Attached _____ None _____

I acknowledge that work was done to address some of my comments in the most recent submittal to the Board. I continue to question the level of detail. The document appears to be more of an operating procedure rather than an actual policy level document. While I do not object to the specifics, I also do not understand why the Board would specify such details. The Board should approve through a policy the types of work schedules allowed, as these have a direct bearing on the agency approach to executing its mission. However, the execution details should be documented by the managerial chain in accountable control procedures that ensure compliance with the Board approved policy.



Jessie H. Roberson
August 22, 2017

Date

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

FROM: Daniel J. Santos

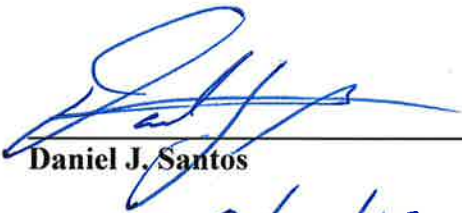
SUBJECT: Hours of Duty Directive

Doc Control#2017-300-092

Approved _____ Disapproved X Abstain _____

Recusal – Not Participating _____

COMMENTS: Below _____ Attached _____ None X



Daniel J. Santos

8/22/17

Date

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET**

FROM: Joyce L. Connery

SUBJECT: Hours of Duty Directive

Doc Control #2017-300-092

Approved

Disapproved

Abstain

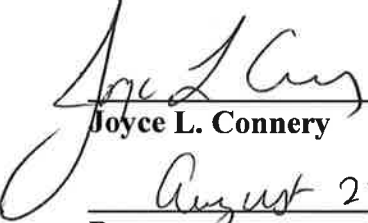
Recusal – Not Participating

COMMENTS:

Below

Attached

None



Joyce L. Connery

August 23, 2017
Date