

MEMORANDUM

June 12, 1979

TO: Division Directors, Regional Directors

FROM: Thomas L. Rider, Jr.

SUBJECT: Work Hour Adjustments for Employees Ineligible for Overtime Bureau of Personnel Memo #58
Category: Employee Relations

The basic workweek (Thursday - Wednesday) for all employees is 37 ½ or 40 hours, five days per week, and 7 ½ or 8 hours per day (see Section 3112, Policies and Procedures Manual). Additional hours may be required to accomplish work assignments. Employees who are ineligible for overtime are expected to work the necessary hours to get the job done and are not entitled to additional compensation or compensatory time off.

However, inasmuch as employees who are ineligible to earn overtime are often required to work many extra hours, it is fair and reasonable to allow supervisors some discretion to adjust the work hours of such employees following a period of extra hours and permit a shorter workday. The purpose of this adjustment would be to allow some relief from fatigue and enhance efficiency and motivation.

Such work hour adjustments must conform to the following conditions:

1. The extra hours worked by the employee, for which a subsequent adjustment is made, must have been necessary for the success of the work assignment and approved by the supervisor.
2. The adjustment is to be allowed only in those instances where a shorter workday might be warranted based on excessive hours worked on previous days.
3. The adjustment must be approved and directed by the employee's supervisor. An employee is not authorized to adjust his or her own work schedule.
4. The adjustment must be consistent with the needs of the agency, the worksite, and the project to which the employee is assigned, it is not to be based on the personal preference of the employee.

5. In no case is the excused time to be allowed on an hour-for-hour basis. We are not talking about compensatory time. Employees do not earn work adjustments based upon extra hours worked.
6. If an adjustment is to be made, it must be made as soon as possible following the date the extra hours work is performed.
7. A supervisor may not excuse an employee from work for an entire day. If an employee is absent for an entire day, the full day must be charged to leave accruals. However, this does not preclude rescheduling of days off within the workweek when it is necessary for the employee to work on a Saturday or Sunday.
8. A supervisor may not excuse an employee from working the full 37 ½ or 40 hours per workweek unless leave accruals are charged.

Supervisory personnel are expected to exercise discretion and good management judgement in making adjustments to the normal work schedule. Any long-term adjustments to the normal work schedule must be approved by the Director of Personnel consistent with Bureau of Personnel Memorandum #56 on Alternate Work Schedules.

Any questions concerning this policy statement should be addressed to the Employee Relations Section of this office at (518) 457-3170.

Director of Personnel