



**City of Riverside, California
Human Resources Policy and Procedure Manual**

Approved:

Human Resources Director

City Manager

Number: II-4 Effective Date: TBD

SUBJECT: HOURS OF WORK

PURPOSE:

To establish guidelines for the application of State and Federal laws including the Fair Labor Standards Act (FLSA) and related amendments to the City of Riverside, and to provide guidelines for modified or flexible work schedule for City employees.

POLICY:

A. Standard Work Week

Under the FLSA, the standard work week for employees, other than public safety, can be defined as any seven (7) consecutive days during which an employee is regularly scheduled to work forty (40) hours or less.

The standard work week for the City of Riverside begins at 7:30 a.m. on Friday and ends at 7:29 a.m. the following Friday morning. In accordance with the FLSA, hours worked shall be considered for the entire time during which an employee is necessarily required to be on City property, on duty, or at a prescribed work place, as well as all other time during which the employee is suffered or permitted to work for the City.

For public safety employees, the standard work period can be any regular and recurring work schedule between seven (7) and twenty-eight (28) consecutive days. Eligibility for overtime pay is based upon the number of hours worked in the work week or work period, applicable provisions of existing Memoranda of Understanding, policies contained in the Human Resources Policy and Procedure Manual, and the FLSA.

The City Manager approves the standard work week for the City and deviations therefrom. The Department Head recommends changes to the standard work week for approval by the City Manager and determines the means and manner by which hours of work are documented and approves authorized work schedules. Work schedules may vary among departments including differing full-time, part-time, overtime and alternative work schedules in order to accommodate the operational needs of the department. The Department Head

sets forth criteria for the authorization and use of overtime. Every department will ensure that no supervisor shall engage in violations of the FLSA.

The Human Resources Department monitors compliance with the FLSA. The Human Resources Department reviews deviations from the standard work week, changes to existing work schedules, and submits for approval by the City Manager.

Departments are expected to approve work schedules and monitor the hours worked by employees, since any work performed by the employee, whether or not it has been authorized or approved in advance, may be counted as hours worked. Employees that do not receive approval for overtime, prior to working the overtime, may be disciplined for insubordination in accordance with the City's policy on Discipline (see policy III-1) for working unauthorized hours.

B. Modified Work Week

In order to meet the operational needs of departments, a different work week other than the standard work week may be allowed, with the concurrence of the Department Head, Human Resources Director, and City Manager. The Department Head will notify the City Manager and the Human Resources Department of changes to any regular, modified or flexible work schedule(s).

The availability of flexible work schedules will be determined by the Department Head with the approval of the City Manager and Human Resources Department. The City of Riverside's operation of a flexible work schedule is specifically excluded from the FLSA, grievance procedure and any other administrative remedy.

The City's intent regarding flexible work schedules is for use wherever feasible. Any existing schedules may be ended at any time for any reason based on operational needs of the department and the City. Employees wishing to change or cancel flexible work schedules must obtain written approval from his/her Department Head, the Human Resources Director and City Manager.

The modified or flexible work schedule for full-time employees can be any combination of work days that allows an employee to be scheduled for forty (40) hours of work. Such schedules may include, but are not limited to, four ten-hour days (4/10), eight nine-hour days, and one eight-hour day over a two-week period (9/80). The beginning of the work week may only be changed if the change is intended to be permanent and is not designed to avoid paying overtime. Once a different work week is established for an employee or group of employees by changing the beginning of the work week, it remains fixed regardless of the employee's work schedule.

Departments considering a modified or flexible work schedules for employees, should address the following criteria:

1. The office functions and activities shall be adequately maintained and services shall be available to the public between normal operating hours.
2. The modified or flexible work schedule shall not impede organizational efficiency or require overtime to maintain adequate office coverage.
3. The modified or flexible work schedule shall increase organizational efficiency or hours the office shall be open to the public, encourage ride sharing and trip reduction, thereby reducing traffic congestion and car pollution, and increase employee morale.

Attachment:

Sample Alternative Work Schedule Plan

SAMPLE

ALTERNATIVE WORK SCHEDULE PLAN (9/80)

DEPARTMENT/DIVISION _____

1. Eight 9-hour days and one 8-hour day will be worked per two week pay period with every other Friday or Monday off per the specific schedule worked out by supervision.
2. Working hours for office staff on the plan will be 7:30 a.m. to 5:30 p.m., with a one hour lunch and normal breaks. On one Friday per pay period worked, the hours will be 8:00 a.m. to 5:00 p.m.
3. The trial period of the plan will be six months at the end of which an evaluation will be made.
4. Each employee will be given the option of remaining on the regular five day work week or going on the 9/80 plan.
5. Once a work schedule selection is made, there can be no change until the end of the trial period.
6. Those selecting the 9/80 schedule will be divided into groups with the Friday or Monday off alternating between the various groups, thus assuring maximum coverage of the office every business day.
7. Except for personnel shortages due to illness or vacations, each division must be adequately staffed every business day.
8. Should a holiday fall on the employee's normal day off, a day off will be taken on the first working day either immediately before or after the holiday as determined by management.
9. Sick leave and vacation will be charged at the number of hours which normally would have been worked on the day of the illness or vacation.
10. There will be no flexibility with respect to working hours, days off, holiday make-up, etc.