

HOURS OF DUTY AND LEAVE

- 1. REASON FOR ISSUE:** To issue Department of Veterans Affairs (VA) procedures regarding hours of duty and leave.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory VA procedures on hours of duty and leave. This revision clarifies overtime hours of duty for employees on compressed work schedules. These changes will be incorporated into the electronic version of VA Handbook 5007 that is maintained on the Office of Human Resources Management and Labor Relations Web site.
- 3. RESPONSIBLE OFFICE:** The Work Life and Benefits Service (058), Office of the Deputy Assistant Secretary for Human Resources and Labor Relations.
- 4. RELATED DIRECTIVE:** VA Directive 5011, Hours of Duty and Leave.
- 5. RESCISSIONS:** None

CERTIFIED BY:

/s/Robert N. McFarland
Assistant Secretary for
Information and Technology

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/R. Allen Pittman
Assistant Secretary for
Human Resources and Administration

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(9) **Flexitime.** A system of work scheduling which splits the workday into two distinct kinds of time: Core time and Flexible time.

(10) **Flexitour.** A type of flexitime where an employee, having selected starting and stopping times within the flexible time band, continues to adhere to these times. Employees may request different starting and stopping times. Such tours, and changes to such tours, however, must be approved by the employee's supervisor and documented in accordance with the procedures in this paragraph.

(11) **Gliding Flexitour.** A type of flexitime in which a full-time employee has a basic work requirement of 8 hours in each day and 40 hours in each week, may select an arrival time each day, and may change that arrival time daily as long as it is within the flexible hour band established by the supervisor.

(12) **Modified Flexitour.** Another type of flexitime where the employee selects a starting time within the established flexible time band which establishes the employee's assigned schedule; however, in this case the employee is given 15 minutes of flexibility on either side of the selected arrival time. The actual time of arrival becomes the employee's starting time for that day. For example, an employee selecting 7:30 a.m. as a starting time under the modified flexitour may report for work anytime between 7:15 a.m. and 7:45 a.m. If an employee arrives for duty at 7:20 a.m., this becomes the employee's starting time for that day. Assuming a half-hour lunch period and an 8-hour tour of duty, the departure time would be 3:50 p.m. If the same employee reports at 7:05 a.m., his or her starting time would not begin until 7:15 a.m. The same employee arriving for work at 7:50 a.m. is 5 minutes tardy. Under the modified flexitour, the starting time and changes in the starting time must be approved by the supervisor and documented in accordance with the procedures in this chapter.

(13) **Overtime Work**

(a) For the purposes of flexitime, all hours of work in excess of 8 hours in a day or 40 hours in a week which are officially ordered and approved.

(b) For the purposes of compressed work schedules:

1. For full-time employees, the term overtime hours refers to officially ordered or approved hours of work [performed in excess of] the employee's basic work requirement.

2. For part-time employees, overtime hours are those hours of work [performed in excess of the basic work requirement for a day (but must be in excess of 8 hours) or for a week (but must be in excess of 40 hours)].

(14) **Tour of Duty.** Under a flexible work schedule, the limits set by the authorizing official within which employees must complete their basic work requirement. Under a fixed schedule, such as a compressed work schedule, an employee's tour of duty is synonymous with the employee's basic work requirement.

without the use of special time accounting devices. The VA Form 5631, Time and Attendance Report, is the official means for recording, certifying and reporting time and attendance.

(3) **Computation of Premium Pay.** (not applicable to SES)

(a) **Overtime Hours and Compensatory Time Off in Lieu of Overtime Premium Pay for Irregular or Occasional Overtime Work**

1. For full-time employees, the term “overtime hours” refers to hours of work officially ordered or approved and performed [in excess of] the basic work requirement. For part-time employees, overtime hours are those hours of work [performed in excess of the basic work requirement for the day (but must be in excess of 8 hours) or for the week (but must be in excess of 40 hours). In order to qualify for callback overtime on a compressed tour, the period of callback must be outside of and unconnected with the employee’s basic work requirement and must qualify as overtime as stated above.]

2. GS employees on compressed workweeks may receive (or be required to take, if appropriate) compensatory time off in lieu of premium pay for irregular or occasional overtime work. If the employee is on a compressed work schedule, compensatory time off may not be authorized in lieu of premium pay for regularly scheduled overtime work.

(b) **Night Differential**

1. GS employees are entitled to night differential for regularly scheduled night work between the hours of 6 p.m. and 6 a.m.

2. FWS employees are entitled to the applicable night differential if a majority of the non-overtime hours of the tour of duty falls between 3 p.m. and midnight or 11 p.m. and 8 a.m.

(c) **Holiday Premium Pay**

1. Full-time employees on a compressed work schedule, who perform non-overtime work on the day designated as their holiday, are entitled to their basic rate of pay, plus premium pay equal to basic pay for that non-overtime holiday work. Employees may not, however, receive holiday pay for work in excess of their basic work requirement for the day.

2. Part-time employees on a compressed schedule are only entitled to holiday premium pay for non-overtime work performed on the holiday. Part-time employees are not entitled to a day off in lieu of the holiday.

(d) **Sunday Pay.** Full-time employees on a compressed schedule who perform non-overtime work during a period of service, a part of which is performed on Sunday, are entitled to Sunday premium pay for the entire period of service. Part-time employees covered by this subparagraph are not entitled to Sunday premium pay.

(b) In the case of a part-time employee, a biweekly basic work requirement which is scheduled for less than 10 workdays.

(6) **Core Time Band.** Those designated hours and days during the biweekly pay period when an employee on a flexible schedule must be present for work.

(7) **Flexible Time Band.** That part of the schedule of working hours during which, under procedures contained herein, employees may choose their time of arrival and departure from the worksite, within limits consistent with the duties and responsibilities of their positions.

(8) **Flexitime.** A system of work scheduling which splits the workday into two distinct kinds of time: the core time band and the flexible time band.

(9) **Flexitour.** A flexible schedule in which an employee, having once selected starting and stopping times within the flexible time bands, continues to adhere to these times. Employees may request different starting and stopping times. Such tours, and changes to such tours, however, must be approved by the employee's supervisor and documented in accordance with the procedures contained herein.

(10) **Modified Flexitour.** A type of flexitime where the employee selects a starting time and stopping time within the established flexible time band and, once selected, this becomes the employee's assigned schedule. The employee, however, is given 15 minutes of flexibility on either side of the selected arrival time. The actual time of arrival becomes the employee's starting time for the day. For example, an employee selecting 7:30 a.m. as a starting time under the modified flexitour may report for work anytime between 7:15 a.m. and 7:45 a.m. If the employee arrives at 7:20 a.m., this becomes the employee's starting time for that day. Assuming a half-hour lunch period, the departure time would be 3:50 p.m. If the same employee reports at 7:05 a.m., his or her starting time would not begin until 7:15 a.m. The same employee arriving at 7:50 a.m. is 5 minutes tardy. Under the modified flexitour, the starting time, and changes in the starting time, must be approved by the supervisor and documented in accordance with the procedures contained herein.

(11) **Overtime Work**

(a) For the purpose of flexitime, overtime means all hours of work in excess of 8 hours in a day or 40 hours in a week which are officially ordered or approved in advance.

(b) For the purposes of compressed work schedules, overtime work means:

1. For full-time employees, the term ["overtime hours"] refers to officially ordered or approved hours of work performed [in excess of] the employee's basic work requirement.

2. For part-time employees, overtime hours are those hours of work [performed in excess of the basic work requirement for a day (but must be in excess of 8 hours) or for a week (but must be in excess of 40 hours)].

c. For which the employee is qualified: and

d. Which is acceptable to the employee.

3. Determinations under this subparagraph shall be made no later than 10 days after the written request is received by the appropriate deciding official.

(l) The approving official may exclude from compressed workweeks any employee or group of employees whose inclusion would create an adverse impact (see chapter 2, paragraph 11g(5)).

(2) Computation of Additional Pay

(a) **Overtime Hours.** For full-time employees, the term “overtime hours” refers to hours of work officially ordered or approved and performed [in excess of] the basic work requirement. For part-time employees, overtime hours are those hours of work [performed in excess of the basic work requirement for the day (but must be in excess of 8 hours) or the week (but must be in excess of 40 hours). In order to qualify for callback overtime on a compressed tour, the period of callback must be outside of and unconnected with the employee’s basic work requirement and must qualify as overtime as stated above.]

(b) Tour Differential

1. Employees are entitled to the tour differential for the entire tour if at least 4 hours of such tour fall between 6 p.m. and 6 a.m.

2. If less than 4 hours of such tour fall between 6 p.m. and 6 a.m., the employee will be entitled to tour differential for each hour of service performed between those hours.

(c) **Additional Pay for Holiday Work.** Employees on compressed work schedules who perform non-overtime work on the day designated as their holiday are entitled to their basic rate of pay, plus premium pay equal to basic pay for that holiday work.

(d) **Saturday Pay.** Employee on compressed schedules are entitled to additional pay for Saturday work if they perform work for which such additional pay is authorized (see part V, chapter 6 of VA Handbook 5007).

(e) **Sunday Pay.** Employees on compressed schedules who perform work during a period of service, a part of which is performed on Sunday, are entitled to Sunday premium pay for the entire period of service (see part V, chapter 6 of VA Handbook 5007).