

PPM #19

Policy Name: *Work Hours and Work Schedules*

Effective Date: *June 20, 2005*

Revision Date: *December 1, 2011; March 12, 2015; August 1, 2017; December 20, 2019; January 7, 2021, April 22, 2021*

Authorization: 

Nancy Watkins, Undersecretary

This memorandum cancels and supersedes all other memoranda and policies on this subject, including policies previously promulgated by individual DCRT Offices.

I. POLICY

It is necessary for the effective operation of business that employees are present and able to perform their job duties when expected. To that end, this policy aims to ensure the efficient operations of the Office of Lieutenant Governor (OLG) and Department of Culture, Recreation and Tourism (DCRT) by outlining the guidelines governing the work hours and work schedules of its employees in compliance with federal and state laws and Department of State Civil Service regulations.

II. APPLICABILITY

This policy applies to all employees of OLG/DCRT.

III. CORE OFFICE HOURS

The core office hours are 8:00 AM to 5:00 PM Monday through Friday. All OLG/DCRT offices are expected to be open and operational during these core hours, with the exception of certain offices dependent upon service requirements and job responsibilities (i.e., Office of State Parks, Office of Tourism Welcome Centers, and Office of State Museum). During core hours, the office cannot be closed and phones must be answered unless otherwise approved by the Appointing Authority.

IV. WORK HOURS AND SCHEDULES

All OLG/DCRT employees shall complete a *Work Schedule Form*, which must be approved by his/her supervisor and submitted to the Human Resources Division. An employee work schedule is the designated days and hours each week that an individual employee is expected to work. All schedules shall be effective at the beginning of a pay period. Any subsequent changes to an employee's work schedule must be approved via the completion/approval of an updated Work Schedule Form and forwarded to Human Resources Division prior to the effective date of the schedule change.

A. TRADITIONAL WORK SCHEDULE

A traditional, full-time work schedule is eight (8) hours per day, Monday through Friday, for a total of forty (40) hours per week. An employee may not be regularly scheduled to work before 7:00 AM or after 6:00 PM, with the exception of certain employees who perform jobs that require alternative work schedules (such as state parks that remain open 24 hours a day and 365 days a year).

B. FLEXIBLE WORK SCHEDULE

A flexible work schedule is an alternative to the traditional five (5) eight (8) hour workdays. The intent of a flexible work schedule is to reduce the amount of leave required to be taken by employees and to assist employees with their individual needs and commitments.

Flexible work schedules may not be available to all segments of employees due to business necessity and the most efficient utilization of resources as determined by the employee's division/site manager. If available, an employee may not be regularly scheduled to work before 7:00 AM or after 6:00 PM, with the exception of certain employees who perform jobs that require alternative work schedules (such as state parks that remain open 24 hours a day and 365 days a year).

Moreover, the division/site manager may rescind flexible work schedules upon immediate notice to the employee if it is determined that such schedules have adversely affected or will adversely affect the efficient operation of the division/site.

1. Options for Flexible Work Schedules

- a. Four (4) ten (10) hour days in a one-week period, with the day off being any day Monday – Friday, for a total of forty (40) hours per week, **OR**
- b. Four (4) nine (9) hour days plus one (1) four (4) hour day, with the four (4) hour day being any day Monday – Friday, in a one-week period, for a total of forty (40) hours per week, **OR**
- c. Four (4) nine (9) hour days in one week of a pay period [36 hour week] and four (4) nine (9) hour days plus one (1) eight (8) hour day in the other week of the same pay period [44 hour week]. The scheduled day off may be any day Monday - Friday. **This option is available only to employees classified as “Exempt” in accordance with the Fair Labor Standards Act (FLSA).**

2. Leave

For flexible work schedules, leave will be handled in the following manner: If an employee takes a day off on which he/she is scheduled to work four (4) hours, eight

(8) hours, nine (9) hours or ten (10) hours, he/she will take four (4), eight (8), nine (9), or ten (10) hours of leave, respectively.

3. Holidays

Per La. R.S. 1:55 B.(4), if one or more holidays or half-holidays fall on a full-time employee's regular day off, his holiday shall be the closest regularly scheduled workday preceding or following the legal holiday, as designated by the head of the agency. Employees whose regular work hours do not fall in the time period, or fall only partly within the time period of the holiday, shall receive a number of hours equivalent to the holiday through compensatory time or overtime. Part-time employees having a regular work schedule will receive benefits in a similar manner as full-time employees except that their benefits will be prorated to the number of hours normally worked.

For flexible work schedules, holidays will be handled in the following manner: If a holiday falls on a day regularly scheduled to be an eight (8), nine (9), or ten (10) hour workday, the employee has an eight (8), nine (9), or ten (10) hour paid holiday. If a holiday falls on a day regularly scheduled to be a four (4) hour workday, the employee has a four (4) hour paid holiday.

NOTE: Should flexible work schedules be made available to employees, those employees choosing flexible schedules must understand that there will be occasions when two equally-situated employees who work the same hours while traveling together, or as a result of a holiday occurring during the workweek, may be compensated differently.

C. POSITIVE TIME ENTRY (24/7) WORK SCHEDULE

Employees that do not have a pre-determined weekly work schedule are designated in the LaGov HCM payroll system as positive time entry. This option is usually reserved for part-time wage and student employees in order to accommodate scheduling fluctuations (i.e., scheduled Monday-Thursday first week of pay period, Wednesday-Saturday second week of pay period).

D. MEAL PERIOD / LUNCH BREAK

The Fair Labor Standards Act (FLSA) does not require employers to provide meal periods. Nonetheless, this policy requires that, for workdays in which an employee is scheduled to work in excess of five (5) hours, an unpaid meal period shall be taken by the employee. An employee must receive supervisory approval for the recurring time increment in which he/she will take applicable lunch breaks, which may be either 30- or 60-minutes.

Due to extenuating circumstances, such as to complete a time-sensitive task, an employee may request approval, in advance, from his/her supervisor to work through the scheduled

lunch period on a given workday. If approved to forego the lunch period, the employee shall earn compensatory time (K-time) equivalent to the duration of the lunch period (30- or 60-minutes) for that workday. However, such exceptions to the meal period cannot be approved by a supervisor on a regular basis and/or be used by the employee in order to arrive late or depart early for the scheduled workday.

To ensure compliance with FLSA overtime regulations, it is incumbent upon supervisors to ensure employees are fully relieved of their job duties while on their lunch breaks. For example, if while having a lunch break at his/her desk, an employee answers a telephone call (lasting only a few minutes) or performs any other business-related task, it may require the employee's *entire* lunch period to be coded as compensatory time (K-time), depending on the employee's FLSA designation. To avoid such issues, all employees should be required to leave their duty stations when taking a meal period.

E. BREAKS

As with meal periods, the FLSA does not require employers to provide breaks. Nonetheless, this policy permits employees, with supervisory approval, up to two fifteen (15) minute paid breaks for scheduled workdays in excess of four (4) hours, one in the morning and one in the afternoon. For workdays of four (4) hours or less, the employee shall receive no meal/lunch period and, with supervisory approval, may only take one (1) fifteen (15) minute paid break.

If breaks are approved by the supervisor, they cannot be used by the employee in order to arrive late or depart early for the scheduled workday.

As deemed necessary, a supervisor may require an employee to shorten his/her break and/or deny a break on any given workday, based on the business needs of the division/site.

V. EXCEPTIONS

The Secretary (or designee) may make exceptions to this policy as he deems necessary, provided such exceptions shall not be in conflict with Civil Service Rules or express law.

VI. VIOLATIONS

Employees found to be in violation of this policy may be subject to disciplinary action, up to and including termination.

VII. QUESTIONS

Questions regarding this policy should be directed to the Human Resources Division.

Summary of Changes: Revised policy number, removed stipulation that the duration of a work schedule had to be 3 months or more (December 1, 2011); Removed provision for, and thus nullified, any office-specific policies related hereto, streamlined Policy section, removed Purpose section, restructured Definitions and Procedure sections into Core Office Hours and Work Hours and Schedules sections, added separate subsections with new/expanded information for Positive Time Entry (24/7) Work Schedule, Meal Period/Lunch Break and Breaks, removed Responsibilities section, revised Exceptions and Violations sections, added Questions section (March 12, 2015). Updated appointing authority (December 20, 2019). Secretary or designee can make exceptions (January 7, 2021). Change hours from four to five to require lunch break. (April 22, 2021)