

**POLICY AND PROCEDURE**

<b>SUBJECT/TITLE:</b>	Appendix A.9 Business Hours Policy and Procedure
<b>SCOPE:</b>	Columbus Public Health, All Staff
<b>CONTACT PERSON &amp; DIVISION:</b>	Kevin G. Williams – Administration/Human Resources
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**PURPOSE**

The intent of this document is to establish a standard for hours of work for Columbus Public Health employees that balances accountability to the public and compliance with collective bargaining contracts, yet is equitable to employees allowing flexibility to provide quality services; meet customers’, clients’, and patients’ needs; and attendance at non-traditional business hour, required, functions and meetings.

**POLICY**

The terms of any appropriate collective bargaining contract (CBC) that are not consistent with this policy shall govern for those employees covered by that CBC.

For employees not covered by a collective bargaining contract, all full-time employees shall work no less than forty (40) hours per week unless the employee is approved for leave as permitted within the Health Administrative Compensation Plan (HACP). Part time employees, not covered by a CBC, shall work hours as assigned by their respective supervisors and approved by the Health Commissioner or designee.

The Health Commissioner or his/her designee, in consultation with appropriate managers, will establish standard operating hours for each program to perform the program objectives, CPH mission, vision, and values.

**BACKGROUND**

N/A

**GLOSSARY OF TERMS**

**AFSCME** – American Federation of State, County, and Municipal Employees. Also referred to as “Union” and “Bargaining Unit.”

**AFSCME or Union or Bargaining unit employee** – As defined under Section 4.2 of the [CBC with AFSCME Local 2191](#), an employee “meeting the definition of a public employee pursuant to Section 4117.01 of the Ohio Revised Code, serving in class titles included in Appendix A1 attached hereto, and who are not: 1) uniformed employees of the Police or Fire Divisions within the Department of Public Safety; 2) employees of the Human Resources Department; 3) employees of the Civil Service Commission; 4) confidential secretaries of the Appointing Authorities; 5) employees who regularly work

less than twenty (20) hours per week during the course of a payroll year; and 6) employees who are in seasonal or temporary appointments.”

**HACP – [Health Administrative Compensation Plan](#).**

**Overtime Non-Eligible/Exempt employee** – Employee in a classification that is considered exempt from overtime pay under the Fair Labor Standards Act (FLSA) as defined under Section 6(F) and Appendix B(2) of the [Health Administrative Compensation Plan \(HACP\)](#).

**Overtime Eligible/Non-exempt employee** – Employee in a classification that is considered non-exempt from, or rather eligible for, overtime pay under the Fair Labor Standards Act (FLSA) and in classifications not listed in Appendix B(2) of the [Health Administrative Compensation Plan \(HACP\)](#).

**HACP or Non-Union or Non-Bargaining Unit Employee** – An employee whose classification is not included as a Union classification in the collective bargaining contract with AFSCME or works less than 20 hours per week on average.

**Standard Workweek (Non-Union)** – The normal workweek for full-time employees shall be at least forty (40) hours of work in five (5), eight (8) hour workdays exclusive of the time allotted for lunch periods. Generally, employees are to arrive at work between 7:00 a.m. and 9:00 a.m. and depart from work between 4:00 p.m. and 6:00 p.m.

**Standard Workweek (Union)** – Under Section 16.1 of the [CBC with AFSCME Local 2191](#), the normal workweek for full-time employees shall be forty (40) hours of work in five (5) consecutive eight (8) hour workdays exclusive of the time allotted for lunch periods.

## PROCEDURES & STANDARD OPERATING GUIDELINES

### I. **Establishment of Programmatic Operating Hours**

The Health Commissioner or his/her designee, in consultation with appropriate managers, will establish standard operating hours for each program to meet the program objectives, CPH mission, vision, and values. In establishing the hours of operation, the Health Commissioner or designee will comply with any relevant terms of an applicable collective bargaining contract.

### II. **Compliance with collective bargaining contract**

The supervisors and/or program managers will comply with any relevant terms of an applicable collective bargaining contract when establishing or revising employee schedules either permanently or temporarily. With exception of approved leaves, days that CPH is closed (including holidays), and in situations that a position has been approved, in writing, by the Health Commissioner or, as designated, the Assistant Health Commissioner (Administrative), full-time bargaining unit employees shall work the Standard Workweek (Union).

### III. **Part-time employees**

Supervisors may utilize part-time employees per the program needs and as budgets allow, but within the following restrictions.

- A. Part-time employees may be regularly scheduled (e.g., generally work same days and same times each week, etc.), subject to change as the program needs require.
- B. Part-time employees may be scheduled intermittently.

- C. Part-time employees, generally, are not to be regularly scheduled to work more than 26 hours per week permanently, but may be temporarily scheduled for more than 26 hours per week in order to complete a specific project, respond to a public health emergent issue, substitute for an employee on leave, or fill a vacancy. **Any exceptions to the 26-hour or less schedule must be approved in advance by the division leadership (administrator or center chief) and communicated to the appropriate Fiscal Analyst. Program management is responsible to ensure part-time staff do not exceed 26 hours per week on average.** Managers may obtain part-time employees' hours of work from their division leaders. Human Resources will update and post a part-time hours report periodically in the "[Division Leader Access](#)" area of the CPH Human Resources intranet page.

#### IV. **Full-time, HACP employees**

In order to be accountable to the public and be available to meet the needs of internal and external customers, full-time HACP employees are to be scheduled and work or be on approved leave for a combined minimum of forty (40) hours per week.

##### A. **Full-time, HACP, overtime exempt employees**

Full-time HACP employees who are considered overtime exempt under the Fair Labor Standards Act (FLSA), i.e., not eligible for overtime pay, may work greater than forty (40) hours per week without seeking approval from their respective supervisor and are permitted, with approval from their respective supervisor to occasionally work a flexible work day in order to:

1. Provide quality services; meet customers', clients', and patients' needs; and attend non-traditional business hours, required, functions and meetings; and/or
2. Balance work efforts with personal life requirements.

##### B. **Full-time, HACP, overtime eligible employees**

Full-time HACP employees, who are considered non-exempt under the FLSA, i.e., overtime eligible, shall be eligible for overtime pay per the terms of the HACP in compliance with the FLSA and may be permitted to work a flexible work day to avoid overtime hours if approved by their respective supervisor. **To avoid overtime, the flexible work day must be worked in the same work week as the day that the employee worked the extra hours**, i.e., the employee will be eligible for overtime even if he/she works a flexible work day in a different work week even if this occurs within the same pay period.

- C. With exception of approved leaves, days that CPH is closed (including holidays), and in situations that a position has been approved in writing by the Health Commissioner or, as designated, the Assistant Health Commissioner (Administrative), to work a schedule different than the Standard Workweek (Non-Union), all full-time, non-bargaining unit employees are to work the Standard Workweek (Non-Union).

#### V. **Establishment of Work Schedules**

Each supervisor and/or program manager, with approval of the Health Commissioner or designee, will establish the work schedule of his/her subordinate employees to perform the program objectives. For HACP employees who are scheduled to work more than five (5) hours in any workday, unless otherwise approved through this process, that workday shall include a lunch period of at least 30 minutes. Typically, for Union and HACP employees alike, lunch periods are to be taken at the middle of a workday and are not to routinely alter the regular or approved work schedules, e.g., deferring a lunch period in order to shorten an approved work schedule is not to routinely occur. **Once a schedule is approved, an employee is to work the currently approved schedule unless and until a new approved schedule is established using one of the procedures below.**

A. Filling a Vacancy

When establishing a work schedule when filling a vacancy with a new or existing employee, the following process shall apply:

1. The hiring manager will complete and submit the [Employee Schedule Approval Form](#) with the completed [Personnel Status Form](#) at the candidate is selection phase of the hiring process.
2. The Standard Workweek (Union or Non-union) is the expected schedule and is to be utilized unless a justifiable exception exists.
3. The [Employee Schedule Approval Form](#) is reviewed and approved or denied throughout the process.
  - a) If approved by each approval level of the process, the [Employee Schedule Approval Form](#) is eventually forwarded by the Health Commissioner's Office with the approved [Personnel Status Form](#) to the CPH Human Resources Office.
  - b) If an alternate schedule is submitted and denied by any level in the process, the appropriate schedule will be worked out amongst that management group and once agreement is reached on the schedule, the [Employee Schedule Approval Form](#) will be submitted by the Health Commissioner's Office with the approved [Personnel Status Form](#) to the CPH Human Resources Office.
4. The Human Resources Office or hiring manager will verify the schedule with the candidate, obtain the candidate's signature on the [Employee Schedule Approval Form](#) as part of the conditional offer step of the hiring process, and notify the hiring manager of the approved schedule.

B. Establishing a New Permanent Schedule for a Current HACP Employee

1. For establishing a new permanent schedule for a current non-bargaining unit employee, the employee's supervisor/manager will complete an [Employee Schedule Approval Form](#) detailing the requested schedule and submit it through the management chain to the Health Commissioner or designee.
2. The [Employee Schedule Approval Form](#) is reviewed and approved or denied throughout by each level of management.
  - a) If approved at each level of management including by the Health Commissioner or designee, the original [Employee Schedule Approval Form](#) is returned by the Health Commissioner's Office to the employee's supervisor/manager to obtain the employee's signature and forwarded by the employee's supervisor/manager to the CPH Human Resources Office for implementation effective the first day of the next pay period.
  - b) If denied at any level of management, the original [Employee Schedule Approval Form](#) is returned by the denying party to the employee's supervisor/manager.

C. For Establishing a New Permanent Schedule for a Current AFSCME Employee

1. For establishing a new permanent schedule for a current bargaining unit employee, the employee's supervisor/manager will complete an [Employee Schedule Approval Form](#) detailing the requested schedule and submit it through the management chain to the Health Commissioner or designee.
2. The [Employee Schedule Approval Form](#) is reviewed and approved or denied throughout by each level of management.
  - a) If approved at each level of management including by the Health Commissioner or designee, the original [Employee Schedule Approval Form](#) is forwarded to the Human Resources Office with a copy sent to the employee's supervisor/manager who will then proceed with the terms of the bargaining contract to implement a permanent change in work schedule. All forms once completed are forwarded to the CPH Human Resources Office.
  - b) If denied at any level of management, the original [Employee Schedule Approval Form](#) is returned to the employee's supervisor/manager.

## **VI. Training Days**

The following standards will apply to employee schedules when employees attend training programs, seminars, and conferences at the requirement of, registration paid by, or sponsored/presented by Columbus Public Health:

- A. If a training program, seminar, or conference is scheduled from registration time to closing time for an equivalent or greater number of hours as the employee's regular scheduled hours, the employee will adopt the training schedule as his/her work day for that day. (For example, if the normal workday is 7:00 a.m. to 4:00 p.m. and the training course schedule is 8:00 a.m. to 5:00 p.m., the employee's hours for that day will become 8:00 a.m. to 5:00 p.m.)
- B. If a training program, seminar, or conference is scheduled from registration to closing time for less hours than the employee's regular scheduled hours, the employee will adhere to established program policies of his/her program, or if no such policies are established, request and receive direction from his/her supervisor regarding his/her schedule for the date of the training program, seminar, or conference before attending the training program, seminar or conference.
- C. The Health Commissioner, or his/her designee, maintains the discretion to alter work schedules as permitted within the terms of the collective bargaining contract and/or the policies of the City of Columbus and Columbus Public Health.

## **VII. Lunch Periods**

AFSCME employees actually working a full workday (minimum of 8 hours with no leave during the day) and HACP employees scheduled to work more than five (5) hours in any workday with limited exceptions are to take an unpaid lunch period each workday which, generally, is to be scheduled toward the middle of the workday. Overtime eligible employees are to be relieved of all work duties during this unpaid lunch period. Employees are not to forego a lunch period for the sole purpose of shortening a workday.

## **VIII. Holidays**

When not restricted by contractual terms (either collective bargaining contract, grant, or partnership agreement) or program operational needs, supervisors and/or program managers are to provide required notice (e.g., 7-days for a temporary change in work schedule under the AFSCME CBC) and appropriately adjust the schedules of full-time employees working a schedule other than a Standard Workweek schedule as well as the schedules of part-time employees to avoid scheduling conflicts, unnecessary overtime, and/or unnecessary release time. (For example, part-time employees' schedules are to be changed so they are not scheduled to work the afternoons on Thanksgiving Eve, Christmas Eve, or New Year's Eve. Another example, changing the schedule of full-time employees who regularly work a 9 or 10-hour day to 8-hour days during holiday weeks to avoid forcing these employees to use vacation to cover the time beyond 8-hours they are scheduled on the holiday.)

## **CITATIONS**

- A. [Collective Bargaining Contract with AFSCME Local 2191](#)
- B. [Fair Labor Standards Act \(FLSA\) – Fair labor Standards Act of 1938](#)
- C. [Health Administrative Compensation Plan \(HACP\)](#)

## **CONTRIBUTORS**

The following staff contributed to the authorship of this document:

1. Kevin G. Williams, Department Human Resources Officer, Primary Author

## **APPENDICES**

N/A

## **REFERENCE FORMS**

1. [AFSCME Bargaining Unit Schedule Change Approval Form](#)
2. [Employee Work Schedule Form](#)
3. [Personnel Status Form](#)

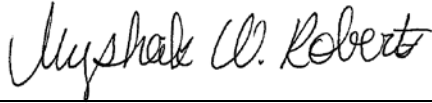
**SIGNATURES**

I have reviewed this document and endorse it as an official CPH Policy and Procedure:



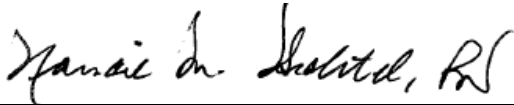
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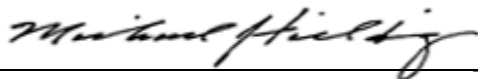
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