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COMDTINST 5330.10
31 MARCH 2009

COMMANDANT INSTRUCTION 5330.10

Subj: ALTERNATIVE WORK SCHEDULES (AWS) FOR COAST GUARD CIVILIAN AND MILITARY MEMBERS

Ref: (a) Title 5 United States Code (U.S.C.) Chapter 61, Subchapter II
(b) 5 Code of Federal Regulations (CFR) Part 610, Subpart D
(c) Office of Personnel Management (OPM) Handbook on Alternative Work Schedules

1. PURPOSE. This Instruction provides policy and procedural guidance for Coast Guard Alternative Work Schedules (AWS) covering managers, supervisors, civilian employees, and military members either using a 5-4/9 or 4/10 Compressed Work Schedule (CWS), or one of three Flexible Work Schedule (FWS) choices, i.e., Flexitour FWS, Gliding FWS, and a Credit Hour FWS. The policy and procedural guidance in this Instruction reflect regulatory and statutory requirements in references (a) through (c). Guidance is also provided for using AWS options in the event of a natural disaster or emergency.
2. ACTION. Area, district, and sector commanders, commanders of maintenance and logistics commands, Commander Deployable Operations Group, commanding officers of headquarters units, deputy/assistant commandants for directorates, Judge Advocate General, and special staff offices at Headquarters shall ensure that the provisions of this Instruction are followed. Internet release is authorized.
3. DIRECTIVE AFFECTED. Compressed Work Schedules for Coast Guard Members, COMDTINST M5330.9, is cancelled.
4. CHANGES. The authorized AWS are codified in this single Instruction and the authority to approve them is delegated to the officials named in the Action paragraph above. The AWS options are: (1) 5-4/9 and 4/10 CWS; (2) Flexitour FWS; (3) Gliding FWS; and (4) a Credit Hour Program. The authority to use AWS options in the event of natural disasters or other emergencies lasting not more than 60 calendar days as granted. Commands wishing to receive AWS emergency delegations, may fax or e-mail requests to the Office of Civilian Personnel at Commandant (CG-121). To facilitate

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NON-STANDARD DISTRIBUTION:

these changes, program descriptions are provided for the CWS programs in enclosure (1) and the FWS programs in enclosure (2). A sample local FWS notice is provided at enclosure (3).

5. COVERAGE. This Instruction applies to: (1) full and part-time civilian employees, including Non-appropriated Fund (NAF) civilians; and (2) military members. Commands may include or exclude selected units or categories of civilian employees and military members to enable meeting organizational goals, missions or needs, consistent with labor-management considerations. While military members are not specifically covered under references (a) through (c), they should be included by organizations when implementing an AWS program.
6. BACKGROUND. AWS programs provide tools, beyond compensation, for managers and supervisors to use in meeting program or mission responsibilities while allowing civilian and military members to have greater control over work-life and family balance needs. These work schedule flexibilities also support the Coast Guard's ability to acquire and retain a diverse, talented workforce. With the approval of a supervisor or management official, civilian employees and military members may elect to participate in an AWS program.
7. DISTRIBUTION. This Instruction will be distributed through the Internet and will be available through the Office of Information Management Commandant (CG-61) intranet at <http://cgweb2.comdt.uscg.mil/CGDirectives/Welcome.htm>, CGCentral <http://cgcentral.uscg.mil> under Resources Tab, or via the Coast Guard Civilian Personnel Internet at <http://www.uscg.mil/civilianhr/>.
8. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATION. Environmental considerations, examined as this directive was being developed, are determined to be non-applicable.
9. FORMS/ REPORTS. None

C. I. PEARSON /s/
Chief of Staff

Enclosure: (1) Compressed Work Schedule (CWS) Program Description
(2) Flexible Work Schedule (FWS) Program Description
(3) Sample Local Flexible Work Schedule (FWS) (Notice)

Compressed Work Schedule (CWS) Program Description

1. Definitions:

- a. Alternative Work Schedules (AWS): AWS refers to both CWS and FWS programs.
- b. Compressed Work Schedule (CWS): The CWS is a **fixed** schedule established by an authorized official as defined below. By law, appropriated fund civilians working a CWS are **prohibited** from participating in a Flexitour, Gliding or a Credit Hour FWS option. The CWS allows full-time civilian and military members to meet an 80-hour, bi-weekly work requirement in fewer than 10 work days. Based on management's schedule, part-time civilians may also meet their hourly work requirements in fewer than 10 work days.
- c. 5-4/9 CWS: A full-time civilian and military member must work eight, nine-hour days and one, eight-hour day for a total of 80 hours in a biweekly civilian pay period. The work week is established by the authorized official *before* the civilian pay period begins.
- d. 4/10 CWS: A full-time civilian and military member must work four, 10-hour days, 40 hours a week, for a total of 80 hours in a biweekly civilian pay period. The work week is established by the authorized official *before* the civilian pay period begins.

2. Delegation of Authority:

- a. The authority to approve a 5-4/9 CWS or a 4/10 CWS is delegated to area, district, and sector commanders, commanders of maintenance and logistics commands, Commander Deployable Operations Group, commanding officers of headquarters units, deputy and assistant commandants for directorates, Judge Advocate General, and special staff offices at Headquarters. These officials may re-delegate authority to implement a 5-4/9 CWS or 4/10 CWS to military and civilian organizational units under their command, subject to labor-management obligations. Requests for approval of any other variation of a CWS is retained by the Chief of Staff Commandant (CG-01). Technical advice or assistance for developing a local plan is available through the servicing Command Staff Advisor (CSA) or Human Resources (HR) Specialist for appropriated fund civilians and through the Coast Guard Community Services Command (CG-CSC) for Non-Appropriated Fund (NAF) civilians.
- b. Emergency Conditions: In the event of severe weather emergencies, natural disasters, or other major emergency conditions expected to last not more than 60 calendar days, the approval officials in paragraph 2.a. above are authorized to temporarily use AWS work schedule variations for up to 60 days. Prior to using this delegation, the approval authorities must send a fax or e-mail request to Chief, Office of Civilian Personnel in Commandant (CG-121), specifying the type of AWS option being requested for emergency delegation. Extensions for time periods beyond 60 days must be sent via Commandant (CG-121) for approval by the Chief of Staff.

3. Labor-Management Considerations: The development, establishment, termination, or modification of CWS programs for bargaining unit civilians is subject to the requirements of applicable labor-management regulations and any existing negotiated agreements.

4. Program Establishment: Each command or participating organization must establish written procedures to control and monitor the CWS programs to avoid any adverse organizational impact. These procedures must include the following local parameters and apply to both civilian and military members:
 - a. Ensure implementation will not disrupt work operations or impede accomplishing the organization's mission or program.
 - b. Incorporate a lunch period (of at least 30 minutes) for civilian employees scheduled to work more than six hours in a work tour¹. For civilians, the lunch period provided is uncompensated.
 - c. Disallow establishing tours of duty earlier than 0600 or later than 1800 for civilian employees and military members.
 - d. Establish a mechanism to control and monitor CWS programs to avoid adverse organizational impact.
 - e. Provide and require training for participating civilian employees, military members, timekeepers, and supervisors.
 - f. Allow for terminating or excluding a civilian or military member from participation based on conduct or performance issues.

In an emergency situation, these requirements may be waived.

5. Orientation: Inform participating civilian employees and military members of the work schedules and other conditions of the program. Orientation materials are available through the servicing CSA or HR Specialist.

¹ This provision may not be applicable for certain occupations or specialties such as Search & Rescue Controllers/Specialists or Vessel Traffic Controllers

Flexible Work Schedule (FWS) Program Description

1. Definitions:

- a. Alternative Work Schedules (AWS): AWS refers to both CWS and FWS programs.
- b. Flexible Work Schedule (FWS) Program: Civilian employees and military members, with the approval of their supervisor, may choose their work schedule within locally designated flexible and core time bands. The Coast Guard's FWS program requires full-time civilian and military members to meet a basic work requirement of eight work hours per day and 40 work hours per week, excluding meal breaks. The FWS program consists of the following options:
 - (1) Flexitour FWS: Allows civilian and military members working a Flexitour FWS to request changes to start and stop times within hours defined by local management (flexible time bands). Once selected and approved by local management, the schedule becomes fixed for the biweekly pay period. Local management may also specify a midday flexible time band. The midday time band must include a lunch break of at least 30 minutes, which, for civilian employees, is uncompensated. A flexible midday time band allows a civilian employee or military member to extend the work day to accommodate personal needs such as exercise programs, appointments, or other short-term errands. Local management also identifies core time bands and the required times and days where a civilian employee or military member must be present at work or using approved leave. This program may be established for any civilian employee or military member **not** participating in a CWS program.
 - (2) Gliding FWS: Allows civilian employees and military members working a Gliding FWS to make daily changes in start and stop times within hours defined by local management (flexible time bands). Local management may also specify a midday flexible time band. The midday time must include a lunch break of at least 30 minutes, which, for civilian employees, is uncompensated. A flexible midday time band allows a civilian employee or military member to extend the work day to accommodate personal needs such as exercise programs, appointments, or other short term errands. Local management also identifies core time bands and the required times and days where a civilian and military member must be present at work or using approved leave. This program may be established for any civilian employee or military member **not** participating in a CWS program.
 - (3) Credit Hour FWS: Allows full and part-time civilian members to receive credit for hours worked beyond their basic work schedule. The law limits the number of biweekly carryover credit hours to 24 hours for full-time civilians. The number of credit hours for part-time civilians is prorated. A Credit Hour option may be established for any civilian member **not** participating in a CWS program. This option is not applicable to military members.

2. Delegation of Authority:

- a. The authority to approve a FWS program including Flexitour, Gliding and/or Credit Hour (civilian only) option(s) is delegated to area, district, and sector commanders, commanders of maintenance and logistics commands, Commander Deployable Operations Group,

commanding officers of headquarters units, deputy and assistant commandants for directorates, Judge Advocate General, and special staff offices at Headquarters. These officials may re-delegate authority to implement this program to organizational units under their command, subject to labor-management negotiation obligations. Technical advice or assistance for developing a local plan are available through the servicing Command Staff Advisor (CSA) or Human Resource (HR) Specialist for appropriated fund civilians and through the Coast Guard Community Services Command (CG-CSC) for Non-Appropriated Fund (NAF) civilians.

- b. Emergency Conditions: In the event of severe weather emergencies, natural disasters, or other major emergency conditions expected to last not more than 60 calendar days, the approval authorities listed in paragraph 2.a. above are authorized to temporarily use FWS work schedule variations for up to 60 days. Prior to using this delegation, the approval authorities must send a fax or e-mail request to Chief, Office of Civilian Personnel, Commandant (CG-121), specifying the type of AWS option being requested for emergency delegation. Extensions for time periods beyond 60 days must be sent via Commandant (CG-121) for approval by the Chief of Staff.
3. Labor-Management Considerations: The development, establishment, termination or modification of a FWS program for bargaining unit civilians is subject to the requirements of applicable labor-management regulations and any existing negotiated agreements.
 4. FWS Program Establishment:
 - a. Each action official must establish written policies/procedures to control and monitor the FWS program to avoid any adverse organizational impact. These policies/procedures must include the following local parameters when establishing a Flexitour, Gliding and/or Credit Hour FWS option.
 - (1) Flexitour Option:
 - a. Ensure implementation will not disrupt work operations or impede accomplishing the organization's mission or program.
 - b. Identify core hours (time periods when a civilian or military member must be present for duty).
 - c. Identify flexible hours (time bands when a civilian or military member¹ can vary arrival and departure times and/or midday breaks).
 - d. Incorporate an uncompensated lunch period (at least 30 minutes) for civilians scheduled to work more than six hours in a work tour².
 - e. Specify procedures civilian and/or military members must use to notify supervisors and timekeepers for approved adjusted arrival and departure times.
 - f. Allow for terminating or excluding civilian and military members' participation based on conduct or performance issues.

In an emergency situation, these requirements may be waived.

¹ For military members this provision is used where appropriate.

² This provision may not be applicable for certain occupations such as Search & Rescue Controllers/Specialists or Vessel Traffic Controllers

(2) Gliding FWS Option:

- a. Ensure implementation will not disrupt work operations or impede accomplishing the organization's mission or program.
- b. Identify core hours (time periods when a civilian or military member must be present for duty).
- c. Identify flexible hours (time bands when a civilian or military member can vary arrival and departure times and/or midday breaks).
- d. Incorporate an uncompensated lunch period (at least 30 minutes) for civilians scheduled to work more than six hours in a work tour.
- e. Specify civilian and/or military member procedures for notifying supervisors and timekeepers of daily schedule changes.
- f. Allow for terminating or excluding civilian and military members' participation based on conduct or performance issues.

In an emergency situation, these requirements may be waived.

(3) Credit Hour FWS Option for Civilian Members:

- a. Ensure implementation will not disrupt work operations or impede accomplishing the organization's mission or program.
- b. Identify procedures for recording and using credit hours.
- c. Require civilians to use accumulated credit hours before approving a request to change to a CWS or a standard work schedule.
- d. Require credit hours be earned and used in 15-minute increments.
- e. Orient civilians to the differences between credit hours and overtime/compensatory time. Indicate management must officially order and approve in advance both overtime hours and compensatory hours. There are different methods for accumulating and accounting for credit hours (maximum of 24 hours), overtime hours (pay limitations), and compensatory hours (DHS limitations).
- f. Include scenarios identifying situations where it is appropriate to earn credit hours. Prior to earning credit hours, supervisors must agree there is a legitimate business reason for the civilian member to earn the credit hours.
- g. Allow for terminating or excluding a civilian member's participation based on conduct or performance issues.

(4) Orientation: Inform participating civilian and military members of the work schedules and other conditions of the FWS program. Orientation materials are available through servicing Command Staff Advisors (CSAs) or Human Resources (HR) Specialists.

¹ For military members this provision is used where appropriate.

² This provision may not be applicable for certain occupations such as Search & Rescue Controllers/Specialists or Vessel Traffic Controllers

Sample Local Flexible Work Schedule (FWS) (*Notice*)

(*Local Number*)

Subj: (LOCAL COMMAND'S) FLEXIBLE WORK SCHEDULE (FWS) PROGRAM

Ref: (a) Alternative Work Schedules (AWS) for Coast Guard Civilian and Military Members, COMDTINST 5330.10 (Series)
(b) Office of Personnel Management (OPM) Handbook On Alternative Work Schedules

1. **PURPOSE.** This (*notice*) establishes procedures to implement a Flexible Work Schedule (FWS) program for civilian and military members in accordance with references (a) and (b).
2. **ACTION.** (*Name the subordinate office(s), division(s), and or branch (es)*) chief(s) shall ensure compliance with the contents of this (*notice*) and ensure civilian and military members are made aware of the provisions of these programs. Prior to implementing this FWS program, local labor relations responsibilities have been met.
3. **DIRECTIVES AFFECTED.** (*Reference the name of a locally issued instruction regarding AWS which may need to be cancelled or modified*).
4. **COVERAGE.** This Notice applies to: (1) full and part-time civilian members, including Non-Appropriated Fund (NAF) civilians; and, (2) military members. (*Commands may include or exclude selected units or categories of members to enable meeting organizational goals, missions or needs, consistent with labor management considerations*).
5. **DISCUSSION.** Implementing a FWS program offers additional flexibilities for recruiting and retaining a high quality and diverse workforce. Use of the FWS program reflects our support of these goals. With authorized approval, civilian and military members may elect to participate in this program or other existing Coast Guard authorized work schedules. Supervisors/managers may terminate or exclude individual participation based on conduct or performance issues.
6. **FWS PROGRAM.** Allows civilian and military members to determine their own schedule within management designated core hours and flexible hour time periods. Full-time civilian and military members must meet a basic work requirement of 80 hours in a biweekly pay period. With the supervisor's approval, military members are authorized to participate in the Flexitour and Gliding FWS options only. The FWS program consists of the Flexitour FWS, Gliding FWS, and Credit Hour FWS options.
 - a. **Flexitour FWS Requirements:** Allows civilian and military members to request changes to start and stop times with supervisory approval within flexible time bands. The selection is fixed for the biweekly pay period until the supervisor approves a new schedule. Civilian and military members may use the midday flexible time band to extend their work day to accommodate personal needs such as: exercise programs, appointments or other short-term errands. During core hour periods, civilian and military members are expected to be present at work or using approved leave. By law, appropriated fund civilians participating in a Compressed Work Schedule (CWS) program are **not** authorized to use a Flexitour FWS option.

b. Gliding FWS Requirements: Allows civilian and military members to make daily changes in start and stop times within flexible time bands. Civilian and military members may use the midday flexible time band to extend their work day to accommodate personal needs such as: exercise programs, appointments or other short term errands. During core hour periods, civilian and military members are expected to be present at work or using approved leave. By law, appropriated fund civilians participating in a CWS program are **not** authorized to use a Gliding FWS option.

(1) Supervisory Responsibilities: Supervisors must implement the following procedures:

- a. Ensure implementation will not disrupt work operations or impede accomplishing the organization's mission or program.
- b. Ensure civilians, military members, and timekeepers are trained in the requirements and procedures of this (*Notice*) before implementing the program.
Sample orientation materials are available through the servicing (*Command Staff Advisor (CSA) or Human Resources (HR) Specialist.*)
- c. Maintain business hour coverage on Monday-Friday from (*0730-1600 or local times if different*).
- d. Coordinate office meetings based on participants' work schedules.
- e. Review an individual's request to change start and stop times if he or she is working a Flexitour FWS.
- f. Direct changes in the work schedule to meet the management and operational needs of the work unit regardless of the cause; e.g., workload, leave schedules, emergencies, etc. Schedule changes will not be made arbitrarily, and in most cases civilian and military members will be given at least a (*insert appropriate notice period e.g., 1 week advance notice*).

(2) Civilian and Military Responsibilities: Civilians and military members (where applicable) must use the following procedures:

- a. Complete an eight-hour workday plus a minimum 30-minute unpaid lunch period if working a full-time work schedule (Monday through Friday).
- b. If working less than a full-time work schedule (e.g., part-time, intermittent), must take a minimum 30-minute lunch if scheduled to work more than six hours in a workday.
- c. If working a Flexitour FWS submit a written request to the supervisor to change start and stop times.
- d. If working a Gliding FWS, use sign-in and sign-out sheets to record start and stop times and credit hours earned.
- e. If working a Gliding FWS, inform the supervisor if there will be major deviations from the typical arrival and departure times and/or midday breaks.

(3) Flexible Time Bands and Core Hours-Applicable Monday Through Friday of the Workweek:

- a. Morning Flexible Time Band: (*0600- 0900 or local times if different*)
- b. Core Hour (*0900-1000 or local times if different*)

- c. Midday Flexible Time Band: (1000-1400 or local times if different) at least a 30-minute-uncompensated for civilian members- lunch period must be taken within this time band
- d. Core Hours (1400-1500 or local times if different)
- e. Afternoon Flexible Time Band: (1500-1800 or local times if different)

(4) Flexible Time Bands-Applicable Saturday and Sunday of the Workweek: (0600-1800 or local times if different)

- c. Credit Hour Requirements: Allows civilian members to elect credit for work performed beyond their basic work schedule. A Credit Hour option is not authorized for civilian members participating in a CWS program. This program is not applicable to military members.

(1) Carryover:

- a. By law, the number of credit hours carried over in a biweekly period is limited to 24 hours for full-time civilian members.
- b. The number of credit hours earned by part-time civilian members is prorated (no more than one-quarter of the hours earned for carryover from one biweekly pay period to the subsequent pay period). For example, a part-time civilian member whose work schedule is 64 hours per biweekly pay period may carry over no more than 16 credit hours to the next pay period.

(2) Credit Hour-Earning and Use:

- a. Credit hours must be earned and used in 15-minute increments.
- b. Credit hours may be earned and used in the same pay period.
- c. Supervisors must approve the civilian member's request to use earned credit hours following the same procedures as used for an annual leave request.
- d. Civilian members must use any accumulated credit hours before a request to work a CWS or request to move out of a FWS will be effected.

(3) Other Credit Hour Requirements:

- a. Credit hours differ from overtime hours in that they are not officially ordered and approved in advance by management. However, prior to earning credit hours, the supervisor must agree there is a legitimate business reason for the civilian member to work the credit hours.
- b. Credit hours also differ from compensatory hours or "comp time." Since compensatory time is considered time off in lieu of overtime pay, "comp time" hours earned for work performed must be officially ordered and approved in advance by management.

- 7. Labor-Management Considerations: The development, establishment, termination, or modification of a FWS Program for bargaining unit appropriated fund civilian members is subject to the requirements of applicable labor-management regulations and any existing negotiated agreements. (*Identify the name/office of the servicing CSA or HR Specialist*) can provide assistance with this process.