



UNITED STATES OF AMERICA
**FEDERAL LABOR RELATIONS AUTHORITY OFFICE OF THE
INSPECTOR GENERAL**

WASHINGTON, D.C. 20424-0001

SUBJECT: FLRA Inspector General Investigation 2005-I-01

ALLEGATION: FLRA employees are abusing Alternative Work Schedule (AWS), compressed work schedules without any accountability or control by managers and supervisors.

METHODOLOGY: The FLRA Inspector General conducted this investigation in accordance with Federal investigation standards. Interviews were held with FLRA managers and supervisors who had employees registered under the AWS as well as randomly selected time keepers and AWS employees. The FLRA Regional Directors from FLRA Regional Offices that had AWS employees were also interviewed.

REFERENCES:

5.U.S.C. Chapter 61, Subchapter II 5 C.F.R. Part 610, Subpart D 5 C.F.R, Part 550 FLRA Instruction 3530.1, Flexiplace Pilot Program FLRA Instruction 3640, Alternative Work Schedules FLRA -UAE Contract

BACKGROUND: On November 27, 2004, the FLRA Inspector General and Acting Director of Human Resources received an anonymous complaint stating that FLRA employees were abusing the AWS compressed work schedules without any accountability of control by managers and supervisors. The complainant alleged that there was substantial fraud, and waste of Government funds and resources and that employees scheduled to work 9 hour days on a fixed time schedule were working 7 ½ to 8 ½ hours daily and that flexible schedule employees did not sign in or out for days at a time and are claiming credit hours for staying late on days they have arrived late.

On July 11, 1994, the President of the United States issued a memorandum titled, "Expanding Family-Friendly Work Arrangements in the Executive Branch," and encouraged the implementation of alternative work schedules to enable Federal employees to balance their work and family responsibilities in a better way and allow the Federal Government the opportunity of hiring and/or retaining the highest level of a workforce. Congress also supported this objective.

On August 9, 2000, the FLRA issued a Flexiplace Pilot Program Instruction (FLRA Instruction 3530.1.) The instruction implementing the Alternative Work Schedule to accommodate employees needs for work schedule flexibility without impacting FLRA's

mission accomplishments was issued on October 1, 1995. The AWS refers to both fixed and flexible work schedules and requires full-time employees to maintain an 80 hour biweekly pay (or leave) status. FLRA AWS employees must be in work status during FLRA's core time (9:30 AM to 3:30 P.M.) The FLRA established two types of fixed work schedules. A compressed work schedule involves a 5-4/9 biweekly work schedule and allows the employee one day off in the biweekly pay period. The second fixed work schedule is called a Fixed Tour Work Schedule which is based on the employees selected pattern of arrival time prior to the morning core time. These employees must work 8 hours per day from the time they begin their work status. Similar to the Fixed Tour Work schedule except that employees may flex their daily schedules without prior supervisory approval. The Gliding Work Schedule employees must work (or be on leave) 8 hours a day and 40 hours for each week. Once the supervisor approves an employee's request for working under a gliding work schedule, the employee is not required to obtain approval for day to day changes of arrival time within the morning flexible time band. The second flexible schedule is the Variable Day Work Schedule. This schedule includes the requirements of the Gliding Work Schedule with an additional feature allowing full time employees to vary the number of hours worked each day as long as each day of the biweekly pay period are scheduled to be worked. The core time must be included and no credit or leave hours can be taken during the core hours. Also, no more than 10 scheduled hours per day can be worked. Flexible work scheduled employees have the discretion to change arrival time, number of hours worked per day as long as they work the required 40 hours per week. They do not have to have supervisory approval these changes but are required to be at work during the core hours. When a supervisor determines that it is necessary to change or terminate an employee's AWS schedule, the supervisor must provide the employee with a reasonable advanced notice and the specific reasons for such a decision. Disapproval or suspension of an eligible employee's use of Fixed or Flexible work hours must be supported by:

- a. Disruption in maintaining assigned office functions to provide customer service, and
- b. Abuse of or falsification of sign in and sign out requirements.

Supervisors are required to maintain files on written approvals or changes in employees' AWS as well as written records of credit hours and use. Employees who are on flexible work schedules or fixed work schedules must be accountable for their proper arrival and departure time work schedule. Fixed work employees must schedule their arrival and departure times in 15 minute intervals within an hour. Employees who are registered on Gliding or Variable Day Work Schedules may arrive (without approval) at any time within the morning flexible time band and depart at any time within the afternoon flexible time band. Employees are not permitted to schedule more than 10 hours per work day because working longer than 10 hours usually causes fatigue and the reduction of productivity.

Flexible employees may earn credit hours in increments of 15 minutes and not more than two credit hours a day. The maximum carryover of credit hours per pay period is 24 credit hours. Credit hours may be used the same way annual and sick leave are

used and supervisory approval is required before credit hours are used. It is up to each individual supervisor as to whether approval is required prior to the employee's earning of credit hours is conducted. As of March 31, 2005, the FLRA has 52 employees registered for AWS Fixed Work Schedule 56 employees used the Flexible Gliding or Variable schedules.

Finding of Facts

1. The FLRA currently has 52 employees who are registered for AWS Fixed Work Schedules (5/4/9) and employees registered for Flexible Gliding Work Schedules. FLRA Headquarters components, with the exception of Member Armendariz's Office, and Regional Offices, with the exception of the Boston Regional Office, have AWS 5/4/9 employees. The Washington Regional Office and the Chicago Regional Office have the most amount of employees (9) registered with AWS Fixed Work Schedule (5/4/9.) Most FLRA Headquarters subcomponents have employees registered for Flexible Gliding/Variable Work Schedules.
2. Interviews with FLRA supervisors did not reveal any inappropriate actions by their AWS fixed scheduled registered employees. The majority of supervisors stated that most of their AWS fixed schedule employees actually worked beyond the required 5/4 9 hour day.
3. Virtually all supervisors have read the FLRA's AWS Regulation but only one Regional Office Director stated that all of the previous and new employees were provided the AWS instruction by him when they came on board. All other supervisors stated that they assumed that all AWS employees read the FLRA AWS instruction prior to applying for it, or were previously provided training for AWS. This investigation affirmed that the Office of the General Counsel provided its employees AWS information/internal training up to FY 2001. All new (appointed FY 2001 to current time) supervisors "assumed" that their employees were previously provided information on AWS before they registered for it.
4. With the exception of one, all supervisors stated that they did not require their AWS fixed scheduled employees to sign in and out (not required by the FLRA instruction) but that they maintained sign in/out sheets for their Flexible Gliding and Variable work employees (required by FLRA instruction). All involved FLRA supervisors required their approval for AWS fixed scheduled employees changes to their biweekly schedules. Most involved FLRA supervisors (or their Deputies if they were not present) placed the responsibility for comparing approved leave with the biweekly statements of work to their Office Managers prior to the supervisor's approval and the submission online to the Department of Interior National Services Division.

5. With the exception of two Directors, one Regional Office Acting Director and one Headquarters Acting Director, all other AWS fixed and flexible) employee supervisors periodically monitored their employees time sheets and were aware that their AWS
6. Employees complied with AWS requirements. The two that stated that they “trust their employees and assumed compliance also stated that if they became aware of any improper actions, they would immediately pursue them.
7. The majority of FLRA AWS (both fixed and flexible) employee supervisors felt that AWS was beneficial to FLRA employees. One Regional Office Director stated that he used FLRA’s work schedule options as part of his recruiting/ hiring tools.
8. All senior and line supervisors interviewed stated they did not have any problems with employees following their AWS requirements. They all stated that if they became aware of any problems, they would address them immediately. Two supervisors stated that they did have some issues several years ago, counseled the subject employee and corrected the problem (one was corrected by removing the employee from AWS.) No current problems were identified.
9. The majority of FLRA supervisors who had AWS Fixed Schedule employees also had Flexible Gliding or Variable employees. All of the Flexible Gliding and Variable employees were required to sign in and out each day. Fixed schedule employees do not have this requirement. The major issue related to Flexible Gliding or Variable employees is that a few of these employees did not sign in and out on each day but did fill their weekly requirements when they did decided to sign in and out. Their supervisors were not aware of this.
10. Three supervisors clearly stated they did not like having AWS and would support its elimination. Two supervisors felt it affected the FLRA mission in a negative manner. Most of the supervisors relied on their timekeepers to ensure that biweekly time statements equated with sign in/out sheets and leave slip approvals. Supervisors and/or their deputies signed all leave slips and trusted their time keepers.
11. This investigation revealed that an AWS Fixed Schedule employee (who is no longer employed by the FLRA) did abuse the AWS work schedule by leaving approximately a half hour earlier than the 9 hour day. The timekeeper notified the employee’s supervisor who did not take any action, and the timekeeper personally informed the employee. According to the timekeeper, there was no additional abuse of time by this individual from that time forward to the time of departure.
12. This investigation did not reveal any other AWS Fixed Schedule problems in the FLRA Headquarters or Regional Offices. In fact, this investigation revealed that

most AWS fixed schedule employees actually worked more than their biweekly requirement of 80 hours. Although the majority of FLRA AWS Flexible employees handled their time and attendance commitments properly, a few Gliding Schedule employees did not sign in and out on the same day and a few indicated credit hours which were not supported by their hour entries and/or were not approved by their supervisor.

13. This investigation revealed that all FLRA managers had a subordinate time keeper employee review leave sheets and biweekly time statement statements before they signed them.¹ All FLRA managers trusted their employees who were their component timekeepers and most signed the time keeper's reviewed biweekly times statements without comparing them with leave slips or the sign in/out sheets. All of these managers stated that if they became aware of a problem related to timekeeping, they would immediately address it. Three FLRA managers stated they did check the biweekly statements with leave slips prior to signing the biweekly time statements.
14. This investigation did not reveal any significant abuses of flexible work schedule by FLRA employees. The majority of Regional Office employees are signed up for flexible works schedules. Some employees did state that sometimes they did not sign in or out every day (especially if they were going to training or meetings held at other locations) but there was no indication of improper use of work time. FLRA components and subcomponents had various ways of collecting sign in/out sheets. Only one employee stated that she kept the sign in/out sheets and was not required to provide them to the timekeeper or supervisor. Most timekeepers collected the sign in/out sheets at the end of each pay period and used them to check each flexible employee's pay period statement of work. Some supervisors also reviewed them before approving the statements of work.
15. The Inspector General review of the FLRA Alternative Work Schedules and Flexiplace Pilot Program instructions revealed that they were prepared, properly and contained an extensive amount of information. All managers interviewed had read the subject instructions. Most FLRA AWS employees also read the related instructions. Those that didn't were provided detailed information by their timekeepers and/or supervisors as a result of this investigation.
16. This investigation revealed that the Human Resource Division did maintain a list of fixed scheduled employees but did not have a list of FLRA's flexible work scheduled employees. Since the flexible work scheduled employees also needed to be interviewed for this investigation, the FLRA Inspector General created an agency wide list of flexible employees and provided this list to Human Resources.

Conclusion:

Virtually all AWS (Fixed and Flexible) employees were grateful and enjoyed the opportunity to have the AWS. All AWS employees interviewed stated they had read the FLRA AWS instruction or obtained relative information from their office manager and/or supervisor before signing up for AWS. As a result of this investigation, a majority of supervisors directed their employees to re-read the FLRA AWS and Flexible instructions.

Most supervisors supported the AWS concept. Only a few stated that they wished it didn't exist because they felt it impacted their ability to address their workload in a timely manner. There were no statistics available to support those concerns.

This investigation did not reveal any serious problems with AWS Work Schedules. A few vulnerabilities were discovered with the Gliding Flexible Work Schedule employees from the time keepers. Some Gliding Work Schedule employees did not sign in and out each day and filled in the sign sheets later than the appropriate day. A few employees also indicated credit hours which did not match the daily numbers entered on the sign sheet.

However, associated time keepers brought these mistakes to the subject employees or their supervisors and they were corrected.

Recommendation:

In order to eliminate the issues revealed by this investigation:

1. Time Keepers and Managers should review biweekly statements of work and check sign in/out sheets of Gliding Flexible employees.
2. FLRA Management should consider preparing a standard biweekly sign in/out sheet for all employees (not just for Flexible employees) to ensure proper preparation of time statement sheets by all employees.