

University of California, Riverside - Local Procedure
Compressed Workweek – Non-Exempt Employees
October 2018

I. Summary

This guideline is designed for departments to use as a tool to efficiently implement compressed schedules that are equitable, clearly understood, and to the mutual benefit of the unit/department and employee, while ensuring compliance with applicable regulations, personnel policies/procedures and/or collective bargaining agreements. Whenever a non-exempt employee participates in a compressed workweek schedule, the department will need to ensure that FLSA regulations are strictly adhered to.

II. Related Policies and References

[Personnel Policy 30](#) – Compensation

[Alternative \(Flexible\) Work Schedule Considerations](#)

[Alternative \(Flexible\) Work Schedule Agreement](#)

III. Definitions

- A.** Alternate Work Schedules: A full-time work schedule that consists of 40 hours in one designated workweek, or 80 hours in two consecutive workweeks. On our campus, alternate work schedules consist of flextime and compressed workweeks.
- B.** Compressed Workweek: Compressed workweeks are alternative work arrangements where a standard workweek is reduced to fewer than five days, and employees make up the full number of hours per-week by working longer hours. The most common type of compressed workweek schedules are:
 - 1. 4/10 schedule (four 10-hour days per week).
 - 2. 9/80 schedule (80 hours in a two-week period worked over nine days instead of ten).
- C.** Core Work Hours: Core work hours are the hours when all employees must be at the worksite. Core hours may vary depending upon the requirements of the position and operational needs of the department.
- D.** Fair Labor Standards: A federal regulation is used to determine whether a position is either eligible for overtime pay for hours worked in excess of 40 per week (non-exempt) or is paid a flat sum for hours worked, even if they exceed 40 hours within a workweek (exempt).
- E.** Standard Workweek: The standard workweek is from midnight Sunday to midnight the following Sunday and is typically eight (8) hours per day on five (5) consecutive days from 8:00 a.m. to 5:00 p.m. with one (1) hour for a meal period.

IV. Eligibility

All non-exempt employees with the understanding that:

- A.** A compressed workweek is not appropriate for all positions, or in all settings, or for all employees.
- B.** A compressed workweek during the probationary period is not advisable because of the need to clarify job responsibilities, establish relationships with co-workers and clients, and assess suitability for continued employment.

- C. Employees who have problems with punctuality, attendance, and/or performance, or who require close supervision, are not good candidates.

V. Procedures

A. Determining if Compressed Workweeks are Appropriate

1. Review the [Alternative \(Flexible\) Work Schedule Considerations document](#).
2. A compressed workweek schedule should not negatively affect the workload or productivity of coworkers either by shifting burdens or creating delays and additional steps in the workflow. The supervisor/department head should ensure that other employees in the same unit/department understand how and why compressed workweek schedules function.
3. In the event that more employees request compressed workweek schedule arrangements than a unit/department can reasonably manage, the supervisor/department head shall respond to requests that are consistent with these guidelines in ways that are equitable to all employees and in the best interest of the University. Among the measures that might be adopted are rotating turns between employees, staggering schedules, and establishing core work hours.

B. Managing Compressed Workweek Schedules

1. The employee should initiate a request for a compressed workweek by submitting a proposal to her/his supervisor/department head.
2. If the employee and supervisor/department head agree to a compressed workweek arrangement, the employee and supervisor shall:
Determine which day will be the flex day:
 - a. a 4/10 compressed workweek schedule is straightforward to administer and is subject to all components of this guideline except those specifically designated for 9/80 schedules.
 - b. a 9/80 is much more complex to administer and is subject to all components of this guideline including those specifically designated for 9/80 schedules.
 - c. complete a written [Alternative \(Flexible\) Work Schedule Agreement](#).
3. Agreements shall be time-specific with a date set for review and reconsideration.
4. The employee shall work the hours agreed upon and obtain approval from the supervisor/department head in advance of working alternate hours or overtime working any overtime.
5. The supervisor/department head shall maintain open communication, ensure that the employee's hours of work do not fall below the normal workweek hours and discuss with the employee any concerns as they arise.
6. Modifications and/or renewals also shall be documented appropriately.
7. The employee must note their specific compressed workweek schedule (i.e., 9/80, 4/10, etc.) on their timesheet each month.
8. The original [Alternative \(Flexible\) Work Schedule Agreement](#) shall be maintained in the employee's personnel file, with copies to the employee and the supervisor/department head.

9. Compressed workweek arrangements shall be initiated on a trial basis, and may be discontinued at any time at the request of either the employee or supervisor/department head. The unit/department reserves the right to suspend the arrangement in the event of unanticipated circumstances regarding employee performance or operational needs, provided termination of the Agreement is in compliance with relevant contract (for represented) provisions, which are typically found in the “Articles of Work” article.
10. Holidays – Occurring on an Employee’s Regularly Scheduled Workday: When a paid holiday falls on an employee’s regularly scheduled workday, the employee will be paid eight hours (or the prorated amount if less than full time) holiday pay. No additional day will be given. If the regularly scheduled workday is greater than 8 hours, the employee may:
 - a. elect to use either vacation or compensatory time earned to make up for the time in excess of the 8 hours that the employee was scheduled to work; or
 - b. elect to forego compensation for the difference; or
 - c. if the department director approves, an employee may work additional hours during the same workweek as the holiday, in lieu of using accrued leave.
11. Holidays – Occurring on an Employee’s Regularly Scheduled Flex Day: When a paid holiday falls on an employee’s regularly scheduled day off, the employee will be paid eight hours (or the prorated amount if less than full time) holiday pay *and* be given an alternate 8-hour day off during the same workweek as the holiday. If the alternate scheduled workday is greater than 8 hours, the employee may:
 - a. elect to use either vacation or compensatory time earned to make up for the time in excess of the 8 hours that the employee was scheduled to work; or
 - b. elect to forego compensation for the difference; or
 - c. upon supervisor approval, an employee may work additional hours during the same designated workweek as the holiday, in lieu of using accrued leave.
12. Vacations and Sick Leave – Partial Day Absences: Partial day absences that occur as a result of vacation or illness will require charging the number of hours (to the nearest ¼ hour) the employee was absent.
13. Vacations and Sick Leave – Absences of at Least One Full Day, But Less Than a Full Week: Full-day absences that occur as a result of vacation or illness will require charging the number of hours the employee was normally scheduled to work on the specified day (e.g., an employee is scheduled to work 10 hours and is absent due to a vacation or illness, must have 10 hours of vacation or sick time deducted from his/her leave accruals).
14. Vacations and Sick Leave – Absences of a Full Standard Workweek: When leave time is taken for an entire standard workweek, the employee may make an advance request to temporarily revert back to a traditional schedule to ensure no more than 40 hours in any given week is docked from leave accruals. However, in this instance employees will need to transition back to their compressed workweek schedule in the same manner as they did when they initially began their compressed workweek schedule.
15. Jury Duty – Occurring on an Employee’s Regularly Scheduled Workday: Jury duty shall be paid for the number of hours in the day that the employee was actually on jury duty, but no more than the number of hours in the employee’s regularly scheduled workday. If jury duty continues for an extended period (longer than one week), the employee will revert back to a standard workweek.
16. Jury Duty – Occurring on an Employee’s Regularly Scheduled Flex Day: Jury duty shall not be paid for time spent during an employee’s regularly scheduled flex day, since the employee is not scheduled to work on that day.

VI. Special Rules for Non-Exempt Employees on a 9/80 Compressed Work Schedule

1. Restrictions on Switching Flex Days: Non-exempt employees are required to take the same alternating “flex” day off for the length of their compressed workweek schedule (e.g., regular flex day is Monday, cannot switch to Tuesday or any other day) to comply with the definition of a workweek under the FLSA (Fair Labor Standards Act). If a non-exempt employee is ill on his/her scheduled flex day, the flex day absence cannot be covered with accrued vacation or sick leave.
2. A unique workweek that accommodates the chosen flex day must be developed and adhered to (see example below), as follows:
 - a. On the first week of the new schedule, the employee works 36 hours (example: work Tuesday - Friday and off on Friday).
 - b. The employee does not work on the first flex day. Thus, the work week begins mid-day on the first flex day (example = Monday) at noon and ends at 11:59 a.m. on the same day the following week (example = Monday).
 - c. The employee’s work schedule becomes one day–8 hours, preferably the selected weekday of the non-flex week (sample = Monday), and eight days @ 9 hours each day.

VII. 9/80 Compressed Workweek Schedule: Workweek begins at 1:00 p.m. on Monday and ends at 12:59 p.m. on the following Monday (1-hour lunch)

	1st Week	2nd Week	3rd Week
Monday	FLEX – OFF (4 hours in a.m. assigned to previous calendar week. 4 hours in p.m. assigned to this workweek)	8 HOURS (4 hours assigned to each workweek)	FLEX – OFF (4 hours in a.m. assigned to previous calendar week. 4 hours in p.m. assigned to this workweek)
Tuesday	9 hours	9 hours	9 hours
Wednesday	9 hours	9 hours	9 hours
Thursday	9 hours	9 hours	9 hours
Friday	9 hours	9 hours	9 hours
Saturday/Sunday	Off	Off	Off
Total “Workweek” Hours	40	40	40
Total “Calendar” Hours	36	44	36