

**SOUTH CAROLINA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

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**HR014.00**                    **Alternate Work Schedule Policy and Guidelines**

**EFFECTIVE:**                **February 12, 2010**

**APPLIES TO:**             All Eligible South Carolina Department of Health and Human Services (the Department) Workforce Members

**POLICY**

It is the policy of the Department to offer alternate work schedules for eligible employees. The current standard work schedule for the Department is 8:30 a.m. to 5:00 p.m. Monday through Friday each week. This policy is written in accordance with the South Carolina Code of Laws § 8-11-15 which allows the Department to vary an employee's work schedule through the use of alternative scheduling strategies that meet the needs and service delivery requirements of the agency.

**PURPOSE**

The Department offers eligible employees the option of working an Alternate Work Schedule as a means of meeting the business and service delivery needs of the constituents of the Department. Alternate work schedules must not interfere with an employee's ability to provide its clients and constituents with efficient and effective services. Alternate work schedules are not guaranteed and are considered a work-life balance benefit to eligible employees that must be approved by Bureau Chiefs. This policy cancels and supersedes the Department's Alternate Work Schedule Human Resources Policies and Procedures (21.00) issued December 2000.

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**14.01 Work Schedule Options**

- A. The minimum full-time standard workweek for all Department employees is thirty-seven and one-half hours (37.50). Employees must work a minimum of seventy-five (75) hours in a two-week work cycle. The Department’s employee work day may not begin prior to 7:30 a.m. or after 9:00 a.m. or conclude before 4:00 p.m. or after 6:00 p.m.
- B. Exceptions or extended core business hours must be approved by the Deputy Director or designee.

**STANDARD WORK SCHEDULE**

<b>Work Day Begins (M, T, W, Th, &amp; F)</b>	<b>Lunch Break</b> <small>(One hour between 11:00 a.m. and 2:00 p.m.)</small>	<b>Work Day Ends (M, T, W, Th, &amp; F)</b>
8:30 a.m.	12:00 p.m. to 1:00 p.m.	5:00 p.m.

- C. There are two (2) Alternate Work Schedule options available to eligible employees. Both options are subject to approval and the limitations set forth in these guidelines. The options are Flexible Work Schedule and Compressed Work Schedule.
- Flexible Work Schedule** – An arrangement that enables an eligible employee to work outside of the standard business hours of 8:30 a.m. – 5:00 p.m. to achieve the 7.5 hours for each business day (Monday through Friday). **Employees must have the same arrival and departure times each day.** The Department’s employee work day may not begin prior to 7:30 a.m. or after 9:00 a.m. or conclude before 4:00 p.m. or after 6:00 p.m. and must not exceed ten (10) hours per day.

**EXAMPLES OF FLEXIBLE WORK SCHEDULES**

<b>Work Day Begins (M, T, W, Th, &amp; F)</b>	<b>Lunch Break</b>	<b>Work Day Ends (M, T, W, Th, &amp; F)</b>
7:30 a.m.	12:00 p.m. to 1:00 p.m.	4:00 p.m.
8:00 a.m.	11:30 a.m. to 12:30 p.m.	4:30 p.m.
8:30 a.m.	12: 30 p.m. to 1:00 p.m.	4:30 p.m.
9:00 a.m.	1:30 p.m. to 2:00 p.m.	5:00 p.m.
9:00 a.m.	1:00 p.m. to 2:00 p.m.	5:30 p.m.

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2. **Compressed Work Week** – An arrangement that must be observed over a two-week work cycle. An employee extends the daily schedule to meet the minimum seventy-five (75) hour requirement in a two-week work cycle. **Employees must have the same arrival and departure times each day.** The Department’s employee work day may not begin prior to 7:30 a.m. or after 9:00 a.m. or conclude before 4:00 p.m. or after 6:00 p.m. and must not exceed ten (10) hours per day. There are two choices:
- a. **Partial Day Off** – Enables an employee to work more than 7.5 hours per day during the course of a two-week (10 days) work cycle to allow for a shorter work day. An employee works an additional twenty-five (25) minutes each day for nine (9) days and is off half a day, or three and three quarter (3.75) hours on the tenth day.

**EXAMPLES OF COMPRESSED WORK SCHEDULES PARTIAL DAY OFF**

Work Day Begins	Lunch Period	Work Day Ends
<b>Week 1 M, T, W, Th, &amp; F</b> 7:30 a.m. <b>Week 2 M, T, W, Th, &amp; F</b> 7:30 a.m.	1:00 p.m. to 2:00 p.m.	<b>Week 1 M, T, W, Th, &amp; F</b> 4:25 p.m. <b>Week 2 M, T, W, &amp; Th</b> 4:25 p.m. <b>Week 2 Friday 11:15 a.m.</b>
<b>Week 1 M, T, W, Th, &amp; F</b> 8:00 a.m. <b>Week 2 M, T, W, Th, &amp; F</b> 8:00 a.m.	1:00 p.m. to 1:30 p.m.	<b>Week 1 M, T, W, &amp; Th</b> 4:25 p.m. <b>Week 1 Friday 11:45 a.m.</b> <b>Week 2 M, T, W, Th, &amp; F</b> 4:25 p.m.
<b>Week 1 M, T, W, Th, &amp; F</b> 8:00 a.m. <b>Week 2 M, T, W, Th, &amp; F</b> 8:00 a.m.	12:30 p.m. to 1:30 p.m.	<b>Week 1 M, T, W, Th, &amp; F</b> 4:55 p.m. <b>Week 2 Monday 11:45 a.m.</b> <b>Week 2 T, W, Th, &amp; F</b> 4:55 p.m.

- b. **Full Day Off** – Enables an employee to work more than 7.5 hours per day during the course of a two-week (10 days) work cycle to allow for a full day off after the required seventy-five (75) hours has been worked. Employees covered under the

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Fair Labor Standards Act (FLSA Nonexempt) cannot work over forty (40) hours per week; therefore, cannot work the Compressed Work Schedule with a full day off. An employee works an additional fifty (50) minutes each day for nine (9) days and is off the tenth day.

**EXAMPLES OF COMPRESSED WORK SCHEDULES FULL DAY OFF**

<b>Work Day Begins</b>	<b>Lunch Period</b>	<b>Work Day Ends</b>
<b>Week 1 M, T, W, Th, &amp; F</b> 7:30 a.m. <b>Week 2 M, T, W, Th, &amp; F</b> 7:30 a.m.	1:00 p.m. to 2:00 p.m.	<b>Week 1 M, T, W, Th, &amp; F</b> 4:50 p.m. <b>Week 2 M, T, W, &amp; Th</b> 4:50 p.m. <b>Week 2 Friday</b> OFF
<b>Week 1 M, T, W, Th, &amp; F</b> 8:00 a.m. <b>Week 2 M, T, W, Th, &amp; F</b> 8:00 a.m.	11:30 a.m. to 12:30 p.m.	<b>Week 1 M, T, W, Th, &amp; F</b> 5:20 p.m. <b>Week 2 Monday</b> OFF <b>Week 2 T, W, Th, &amp; F</b> 5:20 p.m.
<b>Week 1 M, T, W, Th, &amp; F</b> 9:00 a.m. <b>Week 2 M, T, W, Th, &amp; F</b> 9:00 a.m.	1:30 p.m. to 2:00 p.m.	<b>Week 1 M, T, W, Th, &amp; F</b> 5:50 p.m. <b>Week 2 M, T, W, &amp; Th</b> 5:50 p.m. <b>Week 2 Friday</b> OFF

**14.02 Eligibility**

- A. At the discretion of the supervisor and Bureau Chief, full time equivalent and temporary grant employees are eligible to participate in an Alternate Work Schedule.
- B. Employees must complete a minimum of twelve (12) months of satisfactory employment with the Department before being able to participate in the Compressed Work Schedule option.
- C. Employees who are covered by the Fair Labor Standards Act (FLSA Nonexempt) and are approved to work an alternative work schedule may not work more than forty (40) hours in

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any workweek. Employees who are in a nonexempt status under the FLSA are not eligible to work a Compressed Work Schedule that includes a full day off. Supervisors are responsible for ensuring schedules are designed appropriately.

- D. An employee's performance must meet performance expectation standards of each of their job functions. Any employee that does not meet minimum performance or behavior standards may not participate in an Alternate Work Schedule.
- E. Alternate Work Schedule privileges will be revoked from an employee that does not meet performance or behavior standards. Reinstatement of Alternative Work Schedule privileges may be considered at the discretion of the supervisor and Bureau Chief.
- F. Employees who voluntarily elect to discontinue an Alternate Work Schedule will not be allowed to renew participation for six (6) months. All work schedules will default to the standard work schedule.
- G. Employees who telecommute must observe the same guidelines described in this policy for standard work hours and Alternate Work Schedules.

**14.03 Minimum Requirements**

- A. The standard business hours of the Department are 8:30 a.m. to 5:00 p.m., Monday through Friday. The Department is closed on observed state holidays and days state offices are closed by executive order of the Governor.
- B. Nonexempt employees must not work more than forty (40) hours per week without approval from the Deputy Director. Any unauthorized overtime worked may be subject to disciplinary action up to and including termination.
- C. Employees must adhere to the following work schedule parameters:
  - 1. Alternate Work Schedules (either Flexible or Compressed) may not begin before 7:30 a.m. or after 9:00 a.m. or conclude before 4:00 p.m. or after 6:00 p.m.
  - 2. Any employee that works more than four (4) hours per day must take at least a thirty (30) minute lunch break.
  - 3. Lunch periods should be scheduled between 11:00 a.m. and 2:00 p.m.
  - 4. Lunch periods do not count as work time and employees will not be paid for them.

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5. Breaks are not mandatory and shall not be used to allow an employee to come in late, leave early or extend the lunch period.

**14.04 Leave and Holidays**

- A. When entering leave time, employees using an Alternate Work Schedule must use the assigned start and stop times exactly as agreed upon in the Work Schedule Agreement.
- B. When taking sick or annual leave time, employees using a Compressed Work Schedule must account for the whole day if the daily work schedule requires more than the standard 7.5 hours per day. Employees must make up the additional time or submit the appropriate leave time based on prior approval by the supervisor.
- C. On a designated state holiday, employees earn a total of 7.5 hours per day. Employees working Compressed Work Schedules with daily hours that vary from the standard 7.5 hours must adjust the time on the designated state holiday. All adjustments must be preapproved by the supervisor.
  1. If an employee is scheduled to work less than 7.5 hours on a day that falls on a state holiday, the employee may use the excess time as holiday compensatory time.
  2. If an employee is scheduled to work more than 7.5 hours on a day that falls on a state holiday, the employee must take annual leave for the additional hours over 7.5 or make up the difference during that two-week pay period.
  3. If an employee's time off falls on a designated state holiday, the employee may change their work schedule with prior supervisory approval.

**14.05 Approval Guidelines**

- A. Participation in the Alternate Work Schedule program is voluntary. Employees who do not participate in an Alternate Work Schedule will maintain a standard work schedule of 8:30 a.m. to 5:00 p.m. with one (1) hour for lunch. Employees who elect not to participate in an Alternate Work Schedule should not be required to adjust their work hours to accommodate employees who are participating in the program.

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- B. An employee, who meets the eligibility requirements to work a Flexible or Compressed Work Schedule, must complete and submit the Alternate Work Schedule Agreement Form to their direct supervisor for approval.
- C. An Alternate Work Schedule Agreement Form is not complete until the direct supervisor approves the schedule by signing the form. The approved form will be used to ensure the employee's work schedule is properly recorded for pay purposes.
- D. Exceptions or extended core business hours must be approved by the Deputy Director or designee as recommended by the Bureau Chief.
- E. Supervisors must forward the fully executed agreement form to the Office of Human Resources immediately. Work schedules will be recorded for pay purposes and placed in the employee's official personnel file.
- F. An Alternate Work Schedule is to be maintained for a period of no less than six (6) months. An approved schedule may not be changed until approved by the employee's supervisor and Bureau Chief via the agreement form. Any change to an employee's work schedule should be reported to the Office of Human Resources.
- G. Business needs may limit the opportunities for some positions to be approved for an Alternate Work Schedule. Supervisors must consider all employees' requests; however, all positions are not approved for the use of Alternate Work Schedules because of job requirements. Supervisory considerations include, but are not limited to: office coverage, employee supervision, access to the building (security) and availability of technical support.
- H. When multiple employees request overlapping time or days off, the supervisor must determine an equitable resolution. Adequate staffing must be provided during the standard business hours of 8:30 a.m. to 5:00 p.m., Monday through Friday.
- I. A supervisor may change an employee's approved work schedule (temporarily or permanently) at any time for cause to include, but not limited to: changes in personnel requirements, changes in work demands, changes in supervision, disciplinary action, substandard performance, emergencies, or failure to adhere to the agreed upon schedule. The supervisor must notify the employee and the Office of Human Resources of the

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revocation of the Alternative Work Schedule. A new Work Schedule Agreement Form must be completed to reflect all changes.

- J. Denial of an employee's Alternate Work Schedule is not considered an adverse employment action and is not appealable or grievable. General Complaint Forms will not be investigated as a result of the denial of an alternative work schedule.
- K. An employee may seek approval from his or her supervisor to adjust his or her work schedule for infrequent changes in arrival or departure time. The employee must still work the required number of hours for that day or take the necessary amount of leave.
- L. Any Alternate Work Schedule request for reasons of medical or religious accommodation must be approved by the Office of Human Resources prior to supervisory approval.
- M. The Bureau Chief or designee maintains the right to limit the use of Alternative Work Schedules within their Division(s) at any time with or without notice. The supervisor and the Bureau Chief must consider workloads, work distribution, and similar factors when deciding whether or not to approve a request for an Alternate Work Schedule.
- N. Under no circumstances will any Department official deviate from the Department's Affirmative Action policy in making any decisions concerning Alternate Work Schedules.
- O. Management maintains the right to terminate this policy and any agreements resulting from this policy at any time with or without notice.
- P. Failure to comply with any of the aforementioned terms of this Alternate Work Schedule Policy will result in immediate termination of the agreement and could result in a loss of wages.

**14.06 Definitions**

- A. Exempt Employee – An employee who is exempt from both the minimum wage and overtime requirements of the Fair Labor Standards Act (FLSA) due to employment in a bona fide executive, administrative, professional, or outside sales capacity.
- B. Full Time Equivalent (FTE) Employee – Any person in the service of an agency in a full time equivalent position who receives compensation from the agency and where the agency has the right to control and direct the employee in how the work is performed.

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- C. Grievance – A complaint filed by a covered employee in an FTE position or the employee’s representative regarding an adverse employment action taken by the Department, as defined by the State Employee Grievance Procedure Act.
- D. Nonexempt Employee – An employee who is covered by the Fair Labor Standards Act (FLSA) and who is, therefore, subject to both the minimum wage and overtime requirements of the law.
- E. Office of Human Resources – An office of the Department responsible for personnel administration for full time equivalent employees, temporary grant employees, state temporary employees, interns, and volunteers.
- F. Temporary Grant Employee (TGE) – A full-time employee who does not occupy an FTE position and is hired to fill a position specified in and funded by a federal grant, public charity grant, private foundation grant or research grant and who is not a covered employee.
- G. Time-Limited Project Employee – A full-time employee who does not occupy an FTE position and is hired to fill a project-specific position funded by a federal grant, public charity grant, private foundation grant or research grant and who is not a covered employee.