

ARTICLE 33

Working Hours for Flight ~~Inspection Services~~ Program Operations

Section 1.- This Article applies to full-time employees normally working a traditional work schedule and aircrews assigned flight duty. ~~Working hours shall be administered in accordance with HRPB LWS-8.14-LWS-8.14~~ Leave and Work Schedules, and this Agreement.

Section 2.- A traditional work schedule is Monday through Friday, with working hours representing an eight and a half (8½) hour workday inclusive of an unpaid meal break and Saturday and Sunday as their Regular Days Off (RDO).

Section 3.- At an employee's request, the Agency may consider non-consecutive working hours. ~~The additional time may or may not coincide with an employee's unpaid meal break.~~

Section 4.- Instead of a traditional schedule, an employee may elect to work a Compressed or Flexible Work Schedule (CWS or FWS) as defined in HRPB ~~LWS-8.15, LWS-8.15,~~ Alternate Work Schedules. ~~An employee's Alternative Work Schedule (AWS) election shall be authorized provided any such schedule would not have an adverse Agency impact. Non-exempt employees will be limited to a forty (40) hours workweek. Employees must fulfill their basic work requirement.~~

Adverse Agency impact is defined as:

- a. a reduction of the level of productivity of the Agency;
- b. a diminished level of service furnished to the public by the Agency; or
- c. an increase in the cost of Agency operations (other than a reasonable administrative cost relating to the process of establishing a compressed schedule).

The authorization for an ~~employees~~ employee's election to work an AWS may be temporarily affected if the Agency determines that working a AWS schedule will negatively impact his/her training. ~~All employees who volunteer and subsequently participate will be expected to participate until such time as the employee provides reasonable notice of his/her desire to terminate participation in AWS.~~

Section 5. -The Agency may temporarily suspend individual AWS assignments in the event an impact to staffing and workload requirements is expected to occur for a period in excess of thirty (30) days and less than ninety (90) days. -The affected employee(s) will normally be given thirty (30) days notice of such change.- When the Agency determines that the impact to staffing and workload no longer exists, the affected employee(s) will be afforded the opportunity to return to his/her AWS assignment.

Individual AWS assignments may be suspended for ninety (90) days or longer in cases of an adverse Agency impact as defined in this Agreement.

Upon the Union's request, the Agency will provide the reason(s) for the suspension of AWS in writing.

Section 6. -Travel or training away from an employee's office shall not, in and of itself, justify suspension of an AWS. -A temporary adjustment of an employee's work schedule, or the use of leave at the option of the employee, may be appropriate under the following circumstances:

- a. travel or training hours do not coincide with the employee's schedule and performance of normal duties is not possible; or
- b. adherence to an AWS will create additional overtime or travel compensation entitlements.

Section 7. -When as a result of disciplinary action, the Agency has determined that closer supervision is required, an employee may have his/her scheduled work hours adjusted, including the suspension of AWS, to provide such closer supervision. -Work hours may also be adjusted, including the suspension of AWS, to provide remedial training in connection with documented job performance deficiencies. -In no event will denial or termination of AWS be used as a disciplinary measure.

Section 8. - Should the Agency require an employee to work outside of his/her normal schedule for an assignment not requiring overtime, the Agency shall make every effort to provide the employee a minimum of seven (7) days advance notice of the change in work schedule. -These assignments will be offered to qualified volunteers. In the absence of qualified volunteers, the assignments will be made on a fair and equitable basis.

Section 9. -The Agency shall approve an individual employee's request for a change of working hours; or the exchange of working hours and/or days off by employees possessing required qualifications and/_or certifications; provided the exchange is consistent with staffing and workload requirements of the losing workday, does not result in an inefficient use of resources on the gaining workday, does not result in overtime or an increase in

premium pay costs, or a violation of the basic workweek.

Section 10. -A flight duty schedule is Sunday through Saturday, consisting of five (5) eight and a half (8½) hour flight periods, inclusive of an unpaid meal break. -A straight eight (8) hour shift is authorized when the Pilot in Command (PIC) elects to fly through lunch for operational/mission reasons or when no reasonable accommodations exist. -The normal workweek shall consist of five (5) consecutive workdays followed by two (2) consecutive days off. -The duty day begins when the crew arrives at the home station or the Fixed Base Operator (FBO) and ends when the crew leaves the home station or the FBO.

- a. The Parties recognize that crewmember participation in the maxiflex work schedule is beneficial. -Therefore, all flight crewmembers may be required to participate in a maxiflex schedule when assigned flight duties. -While on a flight schedule the duty day start and stop times and the length of day within the 6:00 am – 6:00 pm basic work day will be determined by the Agency.
- b. Duty day start and end times will be established by the Agency using the flight authorization process and will be based on the time zone the duty day begins. -When facilities require flight inspection during periods of darkness, the PIC may request adjustments to the duty day to fly early or late to accomplish the flight inspection. The entire aircrew will start their duty day at the same time unless specifically authorized due to operational demands. -A crewmember must coordinate approval from the Flight Inspection Central Operations (FICO) in advance for any non-standard duty day start/end times. -Requests for Extended Duty Day (EDD) during a flight duty week must be requested in advance to the FICO for approval.
- c. The Parties recognize that due to the NAS-critical nature of the flight inspection mission, flight duty periods may need to be adjusted. -Such adjustments are subject to consultation between FICO and the PIC and shall be limited to those necessary to meet staffing and workload requirements. -While in a travel status, the duty day start time can be changed up to a maximum of four (4) hours due to weather, maintenance, or ground-based equipment concerns. -When flying out of the home station, the duty day start time can be changed up to a maximum of two (2) hours. Flight duty period adjustments should start no earlier than 6:00 am and end no later than 6:00 pm. - Notification of any duty period adjustment will be made before the end of the previous duty day.