


<p style="text-align: center;"><b>SOLANO COUNTY CALIFORNIA PROBATION DEPARTMENT</b></p>	<p><b>POLICY NUMBER:</b></p> <p style="text-align: center;">510</p>	<p><b>EFFECTIVE DATE:</b></p> <p style="text-align: center;">June 1, 2016</p>
	<p><b>SUPERSEDES:</b></p> <p style="text-align: center;">February 6, 2007</p>	
<p><b>APPROVED BY:</b></p>  <p><b>CHIEF PROBATION OFFICER</b></p>	<p><b>TITLE:</b></p> <p style="text-align: center;">Modified Work Schedules</p>	

### Modified Work Schedules

#### 1. Policy

- A. This policy applies to bargaining units that have reached agreement on modified work schedules. Work schedules are made to meet the needs of the Department and are subject to the final approval of the Chief/Chief Deputy Probation Officer, who may delegate to the respective Probation Manager. The Department will consider a schedule for **eligible classifications** which includes **8 or 16 hours of flexibly staffed time in a pay period, generally referred to as 9/80 or 4/10 schedules**. Requests for other than these hours to be flexibly staffed on a regular basis will not be considered. Use of vacation time will be considered in these cases.

Work schedules, including requests to work a 9/80 or a 4/10 plan, will be approved by immediate supervisors after they have considered Department needs, unit coverage, specific program needs, impact on workload, the employee's development and level of performance.

The request will then be forwarded to their manager who will make the final decision to approve or disapprove the request.

1. The 9/80 or 4/10 work schedule is not an employee entitlement or right, but an option to be considered on a case by case basis.
2. Under this arrangement, the following remain the same: terms and conditions of employment; salary, health and welfare benefits, and County-sponsored retirement programs(s); job responsibilities, expectations, performance standards and appraisal cycle; compliance with County policies, practices and procedures.
3. Holidays-When paid holidays occur, an employee is required to use accrued available leave (e.g., administrative leave, compensatory time off, or vacation) for the difference between his/her normally scheduled work hours and eight hours of holiday pay. (For example, a 9 hour work day requires 1 hour of accrued available leave.) For those staff on an alternative work schedule who are not scheduled to work on a day when a paid holiday occurs, an alternative day or holiday compensatory time off will be granted in accordance with that employee's collective bargaining agreement or, if applicable, the Personnel and Salary Resolution.

4. When changing work schedules, the employee understands that the FLSA work week may also change. Any change to the FLSA work week may necessitate the employee's use of available accrued leave (in this order as available, administrative leave, compensatory time off, or vacation) in order to receive a full paycheck (80 hours for full-time employees) during the County's pay period in which this work schedule change occurs. Alternatively, the change to the FLSA work week may result in FLSA non-exempt employee with overtime and the employer agrees that the employee may elect their preferred method of overtime payment (i.e. cash or accrue compensatory time off to the employee's leave bank) consistent with the provisions specified in their memorandum of understanding.
5. The 9/80 or 4/10 work schedule will be rescinded when an employee changes job assignment due to promotion, voluntary demotion or voluntary lateral transfer unless a request for modified work schedule is submitted for the new position and approved by the manager (see 4 below for procedure).
6. The 9/80 or 4/10 work schedule once granted may be rescinded based on the needs of the Department or employee performance problems. If the modified work schedule is rescinded, the employee shall receive a minimum of two weeks notice.
7. At a supervisor's discretion, a modified work schedule may be temporarily converted to a standard work schedule when temporary unit changes occur, such as vacancies or extended absences staff in a unit. The supervisor will provide the employee with a minimum of two weeks notice of such a schedule conversion unless circumstances require otherwise. The employee will not have to submit a modified work schedule request to revert back to the original modified schedule.
8. An employee may need to adjust their modified work schedule during a specific pay period should there be a mandatory training or a subpoena that falls on their regular day off.

## 2. Definitions

The 9/80 or 4/10 schedule will be considered only after an employee has passed the probationary period in the respective classification.

A. Exceptions to the General Policy (in which a 9/80 or 4/10 schedule may be granted):

1. A current Department employee who voluntarily demotes into a different classification series, the 9/80 or 4/10 schedule may be considered on a case by case basis.

## 3. Exceptions

Situations in which a 9/80 or 4/10 work schedule is not an option:

- A. Staff requesting an alternative schedule are under a Performance Improvement Plan, have received a Counseling Memo, or have been formally disciplined within the last six months.  
\*Exception: If the division manager determines that an alternative schedule is essential to effective operations, the manager may override this provision.

- B. If the required duties or the unit operation would be effected negatively by a 9/80 or 4/10.

**4. Procedures**

A request for a 9/80 or 4/10 work schedule is to be made by submitting "*Appendix A*" to the immediate supervisor who will review the request and make a recommendation to the division manager using the same form. If approval is recommended, the supervisor will explain how the employee's work will be covered on their day off. The manager will approve or disapprove the request using the same form, a copy of which will be provided to the employee and the supervisor. The supervisor is to place a copy in the employee's journal. If the request is approved, the employee shall complete the Work Schedule form (template available on the NAS) and submit this form for supervisor signature. The supervisor will obtain the manager's signature, submit the form to payroll and provide a copy to the employee. In addition, the staff will need to submit the Employee User Schedule Form (template available on the NAS) in order to change their schedule in Intellitime. The form must be signed by the staff and supervisor and submitted to the Manager for approval prior to submitting to the Department head for final signature.



**REQUEST FOR MODIFIED WORK SCHEDULE**

*(Form must be completed when initially requesting a modified schedule or when a work assignment has changed and the employee wishes to retain a modified schedule)*

Employee name/signature: \_\_\_\_\_ / \_\_\_\_\_

Date requested: \_\_\_\_\_ Schedule requested: \_\_\_\_\_

Description of how modified schedule will benefit the Department / work assignment:

\_\_\_\_\_  
Supervisor comments/recommendation:

☐ I agree with the employee's description of the schedule's benefits and recommend approval of modified schedule (*explain below how employee work will be covered on day off*):

☐ I disagree with the employee's description of the benefits of the modified schedule and/or work cannot be covered on day off – the request is disapproved (*explain below*):

Supervisor name /signature: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_

**Manager review**

☐ Request approved

☐ Request disapproved (*state reasons below*)

Manager name/signature: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_

Copy of final form to employee and employee journal

Misc. Policies/Modified Schedule Request 10-04