

**BY ORDER OF THE  
SECRETARY OF THE AIR FORCE**

**AIR FORCE INSTRUCTION 36-807**

**25 AUGUST 2015**



**Personnel**

**SCHEDULING OF WORK, HOLIDAY  
OBSERVANCES, AND OVERTIME**

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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This instruction implements Air Force Policy Directive (AFPD) 36-8, *Employee Benefits and Entitlements and Work/Life Programs*. It provides guidance and procedures on weekly and daily scheduling of work, holiday observances, overtime, compensatory time, and alternative work schedules (AWS). It applies to individuals at all levels who are responsible for scheduling appropriated fund employees for work, holiday observances and overtime, including the Air Force Reserve Command and Air National Guard (ANG) Title 5 United States Code (USC) civilian employees. It does not apply to non-US citizen employees employed outside the United States and the District of Columbia or to Title 32 ANG Technicians. In collaboration with the Chief of Air Force Reserve (AF/RE) and the Director of the Air National Guard (NGB/CF), the Deputy Chief of Staff for Manpower, Personnel, and Services (AF/A1) develops personnel policy for scheduling of work, holiday observances, and overtime policy. This publication may be supplemented at any level: MAJCOM-Level supplements must be approved by the HSB prior to certification and approval. Refer recommended changes and questions about this publication to the OPR listed above using the AF Form 847, *Recommendation for Change of Publication*; route AF Forms 847 from the field through the appropriate chain of command. The authorities to waive wing/unit level requirements in this publication are identified with a Tier number (“T-0”, “T-1”, “T-2”, “T-3”) following the compliance statement. See Air Force Instruction (AFI) 33-360, *Publications and Forms Management*, Table 1.1 for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the Publication OPR for non-tiered compliance items. Ensure that all records created as a result of processes prescribed in this

publication are maintained IAW Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of IAW the Air Force Records Disposition Schedule (RDS) in the Air Force Records Information Management System (AFRIMS). The use of the name or mark of any specific manufacturer, commercial product, commodity, or service in this publication does not imply endorsement by the Air Force.

### ***SUMMARY OF CHANGES***

This document has been completely revised and must be thoroughly reviewed. Major changes include: addition of a provision for nursing mothers; holiday observation with regards to work schedules; addition of detailed guidance on scheduling, approving, and monitoring overtime, compensatory time and credit hours; compensatory travel time guidance; and guidance for establishing flexible and alternative work schedules.

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## Chapter 1

### OVERVIEW

**1.1. The Air Force relies** on a large civilian workforce to accomplish its mission. There is a mutual employee-management responsibility to plan and schedule work to meet mission requirements.

**1.2. The Air Force will administer** work schedules and overtime without unlawful discrimination because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or prior EEO activity.

**1.3. The Air Force is committed** to collaborative labor-management relationships and will adhere to the provisions of collective bargaining agreements (CBA). Refer to applicable CBA for local procedures for administering work schedules and overtime for bargaining unit employees. Contact the servicing Civilian Personnel Section (CPS) for guidance or questions.

**1.4. The Fair Labor Standards Act (FLSA) prescribes standards for wages and overtime pay for certain types of employment.** The Air Force will comply with provisions of the FLSA.

## Chapter 2

### ROLES AND RESPONSIBILITIES

**2.1. Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MR).** Serves as an agent of the Secretary and provides guidance, direction, and oversight for all matters pertaining to the formulation, review, and execution of plans, policies, programs, and budgets addressing the scheduling of work, overtime, and compensatory time off, alternative work schedules, and holiday observances.

**2.2. The Deputy Chief of Staff of the Air Force, Manpower, Personnel and Services (AF/A1).** Develops, coordinates, and executes personnel policy and essential procedural guidance for the management of scheduling of work, overtime, and compensatory time off, alternative work schedules, and holiday observances.

**2.3. Director, Force Management Policy Directorate (AF/A1C).** Directs the development of policy for scheduling of work, overtime, and compensatory time off, alternative work schedules, and holiday observances to ensure compliance with this Instruction and consistency across the Air Force.

**2.4. Air Force Personnel Center Integration Division (AFPC/DPI).** Provides operational oversight, instructions, and guidance to Major Commands, Combat Commanders, and Civilian Personnel Sections (CPSs) regarding provisions of this Instruction.

**2.5. Major Command (MAJCOM), Combatant Command (COCOM), Field Operating Agency (FOA), and Direct Reporting Unit (DRU) Commanders and Directors.**

2.5.1. Establish standards, administrative requirements, processing procedures, and justification formats consistent with this Instruction. **(T-1)**

2.5.2. Approve alternative work schedule (AWS) program. This responsibility may be further delegated in writing. **(T-1)**

**2.6. Installation Commanders.**

2.6.1. Establish the hours for opening and closing the installation. **(T-1)**

2.6.2. Ensure self-inspection of the overtime and compensatory time program is conducted. **(T-1)**

2.6.3. Ensure labor relation obligations are satisfied prior to allowing implementation of this instruction. **(T-1)**

**2.7. Organization and Tenant Commanders.**

2.7.1. Establish the daily hours for beginning and ending work and the basic 40-hour tour of duty including uncommon tours of duty and AWS as well as rest and lunch periods for their respective organizations when delegated by Installation Commander. **(T-1)**

2.7.2. Establish work schedules for the installation. **(T-1)**

2.7.3. Establish regularly scheduled tours of duty of more than 40 hours within the administrative workweek when such action is part of an approved AWS or is essential to

mission accomplishment, and when other administrative action such as changes in authorized staffing or detail of personnel is neither feasible nor desirable. **(T-1)**

2.7.4. Extend the regularly scheduled administrative workweek to any length exceeding 40 hours or the number of hours in the AWS when emergency conditions exist and it is necessary for mission accomplishment. The extension of the tour of duty will be subject to the requirements of applicable laws and regulations. **(T-1)**

2.7.5. Provide an exception to notification requirement for assigning employees to different tours or hours of duty when circumstances preclude compliance, (i.e., when a change in shifts by a contractor requires immediate corresponding change in the tour of inspectors, or when normal operations are interrupted by events beyond the control of management, such as, fire, flood and breakdown of equipment). **(T-1)**

2.7.6. Authorize premium pay (overtime, compensatory time, and holiday work). This responsibility may be further delegated in writing to the designated representative(s) who are premium pay authorizing officials. **(T-1)**

2.7.7. May require employees covered by a Compressed Work Schedule (CWS) program assigned to a temporary duty station using a different work schedule (i.e. traditional or AWS) to continue using the schedule used at their permanent work site (if suitable) or require the employee to change the schedule to conform to operations at the temporary duty location. **(T-1)**

2.7.8. Has the discretion to determine the amount of time that qualifies as “usual waiting time” for civilians traveling on official time. See Definitions for situations that qualify for time in a travel status. **(T-1)**

## **2.8. Supervisor.**

2.8.1. Set work schedules and assign overtime and holiday work to balance mission requirements, efficiency and economy of operations, and employee needs. **(T-3)**

2.8.1.1. Generally schedules employee's work on the same hours each day. Breaks in excess of one hour during a day should not be permitted unless on approved flexible work schedule. **(T-3)**

2.8.2. Schedules rest periods and lunch periods. See paragraph 3.2.3. and paragraph 3.2.4. **(T-3)**

2.8.3. Informs employees of work schedules for all uncommon tours of duty in the work area, with the names of the assigned employees, and maintains a copy of employees work schedules in their operating office or automated timekeeping system. **(T-3)**

2.8.3.1. Informs employees of actual work requirements for standby tours of duty. **(T-3)**

2.8.3.2. Provides employees with regularly scheduled 60-hour or 72-hour standby tours of duty 30 calendar-day notice of any reduction in the percentage of premium pay resulting from a change in work requirements. **(T-3)**

2.8.3.3. Provides employees with regularly scheduled 40-hour tours of duty plus scheduled standby time as much notice as possible when changing their duty schedule. **(T-3)**

2.8.3.4. Reviews work requirements periodically for changes that may affect the payment of premium pay and revises work schedules accordingly. **(T-3)**

2.8.4. Notifies employees prior to the start of the administrative workweek when they are to be assigned to a different tour of duty or to different hours of duty. **(T-3)**

2.8.5. Ensures changes in established work schedules are kept to a minimum and made only when necessary to mission accomplishment or to resolve operational problems. **(T-3)**

2.8.6. Obtains approval from the overtime authorizing official before ordering overtime (AF Form 428, Request for Overtime, Holiday Premium Pay, and Compensatory Time). EXCEPTION: In an emergency, the supervisor may order overtime without authorization but must document the overtime no later than the following workday. **(T-3)**

2.8.7. Verifies and certifies all hours worked by employees. **(T-0)**

2.8.8. Considers changing tours of duty involving the assignment of overtime when the requirement conflicts with an employee's religious obligations or practices by permitting the employee to perform the overtime on another day or to excuse him or her from the assignment. EXCEPTION: If failure to perform the overtime will prevent accomplishment of the mission, the employee is expected to perform the overtime. Any decision regarding what legally constitutes "preventing mission accomplishment" and justifies not granting a religious accommodation should be made in conjunction with the local Staff Judge Advocate (SJA). **(T-1)**

2.8.9. May release employees from overtime if the additional work would impair health or efficiency or cause extreme hardship. Such release may be required as a reasonable accommodation for a disability. **(T-3)**

2.8.10. Schedules temporary duty (TDY) travel within an employee's regularly scheduled tour of duty to the maximum extent possible to avoid paying overtime or compensable time off. **(T-3)**

2.8.11. Review and certify Defense Civilian Pay System (DCPS) reports to identify trends in excessive overtime usage. Perform quarterly self-inspection of overtime and compensatory time usage and documentation. **(T-2)**

2.8.12. Coordinate with finance to ensure funds are available prior to ordering overtime. **(T-3)**

2.8.13. Supervisors must adhere to applicable labor management agreements if there are provisions for granting these notices. **(T-0)**

2.8.14. Supervisors have the responsibility to ensure that payment of overtime as a result of comp time is minimized when possible. **(T-3)**

## **2.9. Employees.**

2.9.1. Be present for duty unless authorized to be absent.

2.9.2. Maintain a complete and accurate record of all hours worked and leave taken and document accordingly on their timecard.

2.9.3. May not work overtime that is not officially ordered or approved by a supervisor or authorizing official.

## Chapter 3

### TOURS OF DUTY AND SCHEDULING WORK

#### 3.1. Tours of Duty.

3.1.1. Tours of Duty. A 40-hour basic workweek scheduled Monday through Friday where the hours of a day and the days of a workweek constitute an employee's regularly scheduled administrative workweek.

3.1.2. Uncommon Tour of Duty. Any 40-hour basic workweek scheduled to include Saturday and/or Sunday, or one that is scheduled for four workdays or less but no more than six days of the administrative workweek. An uncommon tour of duty may be established when necessary for efficient operations or when the cost of operations can thus be reduced without imposing undue hardship on employees.

3.1.3. Tours of Duty for Educational Purposes. Special tours of duty of not less than 40 hours may be established by the supervisor for off duty educational purposes to permit an employee to take one or more courses, related to current and anticipated needs of the Air Force, in a college, university, or other educational institution.

3.1.3.1. Courses taken by the employee are not training under chapter 41 of title 5 U.S.C.

3.1.3.2. The rearrangement of the employee's tour of duty will not appreciably interfere with the accomplishment of the mission of the position.

3.1.3.3. Employees cannot be paid premium pay solely because the rescheduling of the tour of duty causes them to work on a day, or during the hours of a day, when premium pay would otherwise be required.

3.1.3.4. Supervisors may assign an employee to a regularly scheduled shift requiring premium pay, for example, night pay IAW this authority, since no additional costs are incurred.

3.1.3.5. Supervisors must ensure appropriate time and attendance accounting and notification is made when an employee is assigned to or changed from a special tour of duty to prevent inadvertent payment of premium pay. **(T-3)**

3.1.4. Standby Duty. An employee is on duty, and time spent on standby duty is hours of work (compensable) if, for work-related reasons, the employee is restricted by official order to a designated post of duty and is assigned to be in a state of readiness to perform work with limitations on the employee's activities so substantial that the employee cannot use the time effectively for his or her own purposes. A finding that an employee's activities are substantially limited may not be based on the fact that an employee is subject to restrictions necessary to ensure that the employee will be able to perform his or her duties and responsibilities, such as restrictions on alcohol consumption or use of certain nonprescription medications.

3.1.4.1. An employee is not considered restricted for "work-related reasons" if, for example, the employee remains at the post of duty voluntarily, or if the restriction is a natural result of geographic isolation or the fact that the employee resides on the agency's premises. For example, in the case of an employee assigned to work in a remote area or

on a ship, the fact that the employee has limited mobility when relieved from duty would not be a basis for finding that the employee is restricted for work-related reasons. Deviations from this tour should be kept to a minimum.

3.1.5. On-Call Status. An employee will be considered off duty and time spent in an on-call status shall not be considered hours of work (compensable) if:

3.1.5.1. The employee is allowed to leave a telephone number or to carry an electronic device for the purpose of being contacted, even though the employee is required to remain within a reasonable call-back radius; or

3.1.5.2. The employee is allowed to make arrangements such that any work which may arise during the on-call period will be performed by another person.

### 3.2. Scheduling Work.

3.2.1. The work of employees will be scheduled to accomplish the mission of the organization and will correspond with the employee's actual work requirements. **(T-3)**

3.2.2. Distributing Work Schedules. Copies of work schedules for uncommon tours of duty will be distributed in the work area or to employees (e.g., by email, posting paper copy) and will include the names of the assigned employees. **(T-2)**

3.2.3. Scheduling Rest Periods. For FLSA non-exempt employees, schedule short rest periods, not exceeding 15 minutes during each four hours of continuous work, when the employee is not able to leave the work site as needed and the supervisor believes the rest periods will be of benefit to the service and mission. Criteria in determining the justification for granting or directing rest periods are:

3.2.3.1. Protection of employee's health by relieving them from hazardous or very physical work.

3.2.3.2. Reduce the accident rate by removing the fatigue potential.

3.2.3.3. Relieve those who work in confined spaces.

3.2.3.4. Increasing or maintaining a high quality or quantity production.

3.2.4. Scheduling of Lunch Periods. Scheduled lunch (or other meal) periods are not considered duty time for which compensation is paid. Lunch periods normally range from 30 minutes to 1 hour. The employee is entirely free of the duties of their position during the lunch period.

3.2.4.1. Lunch periods should not be scheduled to delay the start of the workday or shorten the workday.

3.2.4.2. Lunch periods should be scheduled when more than one shift is in operation.

3.2.4.3. On-the-job lunch periods. When supervisors schedule more than one 8-hour shift in a 24-hour period and an overlapping of shifts to permit time off for lunch is not possible, supervisors may authorize an on-the-job lunch period of 20 minutes or less. When employees are required to spend their on-the-job lunch period at or near their workstations under these conditions, the time covered by the 20 minute on-the-job lunch period is compensable.

3.2.4.4. Employees given duty free lunch periods during periods of overtime work do not receive compensation for that time.

3.2.5. Break Time for Nursing Mothers. Provide a reasonable break time for nursing mothers to express breast milk for up to 1 year after the child's birth. **(T-0)**

3.2.5.1. The frequency of breaks as well as the duration of each break will vary according to the needs of the individual employee.

3.2.5.2. Organizations may, but are not required to, compensate the employee for breaks taken under this provision.

3.2.5.2.1. An exempt employee who uses the organization-provided compensated break period (see paragraph 3.2.3.) to express milk must be compensated in the same manner as other employees for the break period. **(T-0)**

3.2.5.2.2. An employee who is not provided a compensated break must be allowed to use current workplace flexibilities to provide reasonable break time (i.e., work schedule adjustments, earned credit hours or compensatory time, annual leave, or leave without pay (LWOP)). **(T-0)**

3.2.5.3. Suitable Space for Nursing Mothers. Organizations must provide a suitable place which may be used by the employee to express milk, other than a bathroom, that is shielded from view and free of intrusion from coworkers and the public. **(T-2)**

3.2.6. Scheduling Make Ready and Clean-Up Time. Incidental duties that are directly connected with the performance of a job, (i.e., obtaining and replacing working tools or materials, undergoing inspections), are considered part of the job requirements within the employee's established tour of duty.

3.2.6.1. Arrange work shifts so time required for incidental duties will be part of the regular workday. **(T-3)**

3.2.6.2. When incidental duties cannot be part of the regularly scheduled workday, the extra time will not exceed 30 minutes a day. **(T-3)** Overtime or compensatory time may be authorized and approved to be paid when time spent performing incidental duties exceeds 10 minutes.

## Chapter 4

### WORK SCHEDULES

#### 4.1. Alternative Work Schedule (AWS).

4.1.1. AWS Policy. Alternative work schedules offer employees a measure of personal control over their work hours which allows employees to accomplish work, personal, and family responsibilities (e.g. educational programs, wellness programs, volunteer work, or dependent care). This privilege is accompanied by a high degree of personal responsibility. Maximum cooperation between employees and their supervisors must be exhibited to ensure participation in an AWS does not result in an adverse impact on the command or function of the employee's office. **(T-3)** The paramount consideration in allowing AWS shall be the maintenance of a balanced work force, ensuring a mix of both numbers and skills, to provide effective and efficient accomplishment of the mission, including timely responses to emergency situations.

4.1.2. Use of AWS. Organizations are to adopt a policy permitting AWS, as long as doing so does not interfere with mission accomplishment. AWS includes both flexible work schedules and compressed work schedules. Employee participation in AWS, when established, is voluntary. Each employee will have an established arrival and departure time. **(T-3)**

4.1.2.1. Employees with a disability may be approved AWS as a reasonable accommodation.

4.1.3. Approval of AWS. An AWS may not be appropriate for all positions (e.g. requiring customer interface, availability during core hours or other mission demands). Managers and supervisors are required to maintain sufficient mission/program coverage at all times. Employees must request and obtain supervisory approval prior to working an AWS. **(T-3)**

**4.2. Compressed Work Schedule (CWS):** A CWS provides for an employee to complete their biweekly basic work hours' requirement in fewer workdays than a Regular Tour of Duty.

4.2.1. Examples of CWSs may include "5/4-9 compressed plan" and the "4-10 compressed plan."

4.2.2. The regular day off (RDO) for an employee on a CWS is a fixed day(s) of each pay period that the employee is not scheduled to work. Employees on an RDO are not in a pay or leave status.

4.2.3. The employee should establish arrival and departure time.

**4.3. Flexible Work Schedule (FWS).** A FWS provides employees the option to select and vary their arrival and departure time within the established limits, (e.g., core hours) set by the AWS approving official.

4.3.1. Under FWS, an employee's work day typically begins between 0600 and 0900 and ends between 1500 and 1800; Core hours are normally 0900 to 1500, Monday through Friday. The employee has the option to select the starting and quitting times within the limits established by AWS approving official (e.g. 0700 to 1600 or 0830 to 1730). Lunch periods normally range from 30 minutes to 1 hour.

4.3.2. Examples of FWSs include, but are not limited to, flexitour, gliding schedule, maxiflex schedule, variable day schedule, or variable week schedule.

**4.4. Terminating AWS.** AWS may be terminated due to an adverse agency impact or due to mission needs and workload.

4.4.1. When operational priorities require a change in an AWS schedule, supervisors will normally give one (1) pay period advance notice. **(T-3)** Exceptions may be made for unusual circumstances such as short notice special projects, military action, natural disaster, TDY, training, furlough, etc.

4.4.2. Participation in AWS may be discontinued at any time by the supervisor if there are any concerns regarding performance, misconduct or in response to changing work conditions.

4.4.3. Employees will be provided written notification stating the reason for termination of AWS. **(T-3)**

4.4.4. Supervisors must adhere to applicable labor management agreements prior to terminating an AWS schedule for bargaining unit employees. **(T-0)**

## Chapter 5

### OVERTIME, COMPENSATORY TIME, AND CREDIT HOURS

#### 5.1. Overtime.

5.1.1. Overtime is hours of work that are ordered or approved by management (and for FLSA covered employees also includes work that is “suffered or permitted”). All overtime work should be ordered and approved in advance and is normally applicable to special projects or peak workloads pursuant to mission needs. It is not applicable to day- to- day routine assignments. Anyone directed to work overtime must be compensated. **(T-0)**

5.1.1.1. If an employee works a Regular Tour of Duty or flexible work schedule, then overtime work is in excess of 8 hours in a day or 40 hours in an administrative workweek.

5.1.1.2. If an employee works a compressed work schedule, then overtime work is in excess of the basic work requirement for the compressed work schedule.

5.1.2. Only when the mission requires should the supervisor or appropriate level commander establish tours of duty which require the payment of premium pay (e.g., night work, Sunday work, overtime, and holiday).

5.1.3. Supervisors must not permit employees to work extra hours that are not ordered or approved. **(T-0)** Such work, when performed by FLSA non-exempt employees with the supervisor’s mere knowledge or reasonable belief that the work was performed, is compensable ‘suffered or permitted’ overtime work and non-exempt employees must be paid through overtime pay or compensatory time. **(T-0)**

5.1.4. Supervisors will release employees from overtime if additional work would impair health, efficiency or cause extreme hardship. **(T-3)** Such release may be required as a reasonable accommodation for a disability.

5.1.5. Senior Executive Service (SES) and Defense Intelligence Senior Executive Service (DISES) employees are excluded from earning overtime.

#### 5.2. Overtime Approval.

5.2.1. Before ordering overtime, supervisors must obtain approval from their overtime authorizing official. **(T-1) EXCEPTION:** Only in an emergency may the supervisor order overtime without prior authorization. The supervisor must document the overtime no later than the following workday. **(T-3)**

5.2.2. When an overtime requirement conflicts with an employee's religious obligations or practices supervisors should consider changing tours of duty involving the assignment of overtime by permitting the employee to perform the overtime on another day or to excuse him or her from the overtime assignment. **(T-3) EXCEPTION:** If failure to perform the overtime will prevent accomplishment of the mission, the employee is expected to perform the overtime. Any decision regarding what legally constitutes “preventing mission accomplishment” and justifies not granting a religious accommodation should be made in conjunction with the local Staff Judge Advocate (SJA).

### **5.3. Overtime Hours of Work for Travel.**

5.3.1. Travel time is considered hours of work for nonexempt FLSA employees only when:

5.3.1.1. The travel involves the performance of actual work while traveling (e.g., is required to drive a vehicle, or perform other work, while traveling.)

5.3.1.2. The employee is required to travel as a passenger on a one-day assignment away from the duty station.

5.3.1.3. The employee is required to travel as a passenger on an overnight assignment away from the duty station during hours on non-workdays that correspond to the employee's regular working hours.

5.3.2. Travel time is considered hours of work for most exempt FLSA employees if the travel is ordered or approved, and meets one of the following conditions.

5.3.2.1. The travel involves the performance of actual work while traveling (e.g., motor vehicle operator is required to drive a loaded truck; pilot an airplane.)

5.3.2.2. The travel is incident to travel that involves the performance of work while traveling (e.g., is required to drive an empty truck back to the point of origin.)

5.3.2.3. The travel occurs under arduous and unusual conditions (e.g., travel is under extremely severe weather conditions.)

5.3.2.4. The travel results from an event that could not be scheduled or administratively controlled (e.g., a job-related court appearance required by a court subpoena.)

5.3.3. Do not adjust an employee's normal regularly scheduled administrative workweek solely to include travel hours that would not otherwise be considered hours of work.

### **5.4. Overtime Hours of Work for Training.**

5.4.1. Time spent in training outside of regular duty hours are considered hours of work and are compensable.

5.4.2. The fact alone that the Air Force funds all or part of the training expenses does not establish an entitlement for overtime pay for hours of work. The Air Force must also have directed participation in the training. **(T-3)**

### **5.5. Administratively Uncontrollable Overtime (AUO).**

5.5.1. Employees may be eligible to receive premium pay for AUO on an annual basis. The supervisor must demonstrate the need exists to pay AUO and document the AUO request in writing. **(T-2)**

5.5.2. AUO requests are initiated by the supervisor through the chain of command and through the MAJCOM/COCOM to AF/A1CP for AUO approval. Requests should include:

5.5.2.1. Position title, pay plan, occupational series, and grade or level of the position.

5.5.2.2. A copy of the Core Personnel Document (CPD). Include a detailed description of the duties and responsibilities of the position that address the specific requirement for overtime, what is expected, and why adjustments to the workweek or other administrative controls are insufficient to accommodate the overtime need.

5.5.2.3. Justification for payment of AUO. Include actions management has taken to control the requirement for AUO. Explain the nature of the work which prevents hours of duty from being controlled administratively; the necessity for the employee being generally responsible for recognizing, without supervision, circumstances which require remaining on duty; and the pertinent conditions such as frequency and duration of the irregular or occasional overtime work required.

5.5.2.4. Requests for AUO for positions in Services must contain a brief explanation why effective scheduling of the employee under the organizational structure cannot eliminate the need for AUO. **(T-2)** Requests must be coordinated through the installation's respective MAJCOM/A1 or equivalent and Services Director or equivalent prior to submission to HQ USAF/A1CP. **(T-2)**

## **5.6. Maximum Earnings Limitations on Overtime**

5.6.1. General Schedule (GS) and other covered employees may receive overtime premium pay for a biweekly pay period only to the extent that the sum of basic pay and premium pay for the pay period does not exceed the greater of the biweekly rate payable for the GS-15, step 10 (including any applicable locality payment or special rate supplement), or the rate payable for level V of the Executive Schedule.

5.6.2. In certain emergency or mission critical situations, the Major Command (MAJCOM), Combatant Command (COCOM), Field Operating Agency (FOA), and Direct Reporting Unit (DRU) Commanders and Directors may apply an annual premium pay cap instead of a biweekly premium pay cap.

5.6.3. Under 5 U.S.C. 5547 the premium pay cap provisions may be waived for certain employees working overseas. **(T-3)** There is no other authority under law to waive the annual premium pay limitation. **(T-0)**

5.6.4. When the biweekly (or annual, if applicable) cap on premium pay is reached, exempt employees may still be ordered to perform overtime work without receiving further compensation.

## **5.7. Compensatory Time.**

5.7.1. Non-exempt employees must not be directed to receive compensatory time for overtime worked instead of receiving overtime pay. **(T-2)** The following categories of employees must be allowed the choice of being compensated by either overtime pay or compensatory time: 1) FLSA non-exempt employees; 2) prevailing rate (federal wage system) employees, even if FLSA exempt; 3) FLSA exempt employees whose rate of basic pay is equal to or less than the rate for GS-10, step 10. **(T-2)** Management may require that FLSA exempt employees whose basic pay exceeds the maximum rate for GS-10 receive compensatory time for overtime worked instead of receiving overtime pay.

5.7.2. Management may require that FLSA exempt employees whose basic pay exceeds the maximum rate for GS-10 receive compensatory time for overtime worked instead of receiving overtime pay.

5.7.3. Obtain approval prior to ordering compensatory time on AF Form 428.

5.7.4. Employees should use previously earned compensatory time before using accrued annual leave.

**5.7.5. Senior Executive Service (SES) and Defense Intelligence Senior Executive Service (DISES) employees are excluded from earning compensatory time.**

**5.8. Compensatory Time for Travel.**

5.8.1. Employees who perform officially authorized travel must be credited compensatory time off for authorized time in a travel status. **(T-0)** Travel time is not otherwise compensable hours of work. Compensatory time off for travel is credited and used in increments of one-quarter of an hour (15 minutes).

5.8.2. Supervisors should ensure employees schedule temporary duty (TDY) travel within an employee's regularly scheduled tour of duty to the maximum extent possible and consistent with mission requirements. Only where this is not practicable will the employee earn compensatory time for travel.

5.8.3. Senior Executive Service (SES) and Defense Intelligence Senior Executive Service (DISES) employees are excluded from earning compensatory time off for travel.

5.8.4. Supervisors or managers authorized to direct travel and/or approve time and attendance may approve requests for compensatory time off for travel.

5.8.5. Supervisors may require employees requesting compensatory time for travel to submit documentation in support of the request.

5.8.5.1. Time spent in an official travel status includes:

5.8.5.1.1. Time spent traveling between the official duty station and a temporary duty station or between two temporary duty stations.

5.8.5.1.2. Time spent traveling outside of regular working hours between the employee's home and the temporary duty station or a transportation terminal that is outside the limits of their official duty station. The employee's normal home-to-work and work-to-home commuting time must be deducted. **(T-1)**

5.8.5.1.3. The "usual waiting time" preceding or interrupting such travel (e.g., waiting at the airport or train station prior to departure). An "extended" waiting period-i.e., an unusually long wait during which the employee is free to rest, sleep, or otherwise use the time for his or her own purposes-is not considered time in a travel status.

5.8.5.2. Meal periods are not creditable travel time. For every eight and one-half (8 ½) hours of compensatory time for travel claimed, ½ hour must be deducted as a bona fide meal period. **(T-1) EXCEPTION:** In a situation where the employee is continuously traveling in a conveyance (aircraft, train, automobile) the deduction does not apply.

5.8.6. Compensatory time off for travel should be used within 26 pay periods from the date it was credited IAW 5 CFR 550.1407(a). Unused compensatory time off for travel is forfeited if not used by the end of the expiration period. Unused compensatory time off for travel is forfeited when an employee transfers to another agency (outside of Air Force) or separates from federal service prior to the expiration period. Unused compensatory time off for travel is forfeited upon movement to a non-covered position. Payment for compensatory time off for travel is prohibited. Use of the AF Form 428 to document travel compensatory time is not necessary.

## 5.9. Credit Hours.

5.9.1. Credit hours are non-overtime hours an employee on a FWS voluntarily requests to work in excess of their basic work requirement (e.g., 8 hours a day) during flexible hours (e.g., Mon-Fri 0600-0900 and 1500-1800 and Sat or Sun 0600-1800) so as to vary the length of a workday or workweek. Only employees on FWSs may elect to work credit hours, with supervisor approval, or IAW labor agreements permissance, in excess of the basic work requirements. Employees on a CWS are not eligible for credit hours.

5.9.2. A full-time employee may carry up to 24 credit hours over to the next pay period. For a part-time employee, only the hours in the employee's biweekly basic work requirement may be carried over to the next pay period.

5.9.3. Credit hours are paid out at the employee's current rate of pay only if Federal employment ends, if the employee is no longer subject to a FWS (e.g., changes to a compressed work schedule) or the employee transfers to another agency.

5.9.4. Credit hours are generally not earned during lunch, on days when leave (annual, sick, credit hours, compensatory time, time-off award) or excused absence is used. Employees must obtain verbal approval from their supervisor prior to working credit hours on a non-workday. **(T-3)** Supervisors will consider the amount of leave taken, if any, during the pay period, prior to approving a request for credit hours on a non-workday.

5.9.5. GS employees, wage employees, senior level or scientific professional employees (SL/ST) under flexible work schedules may be permitted to earn credit hours. Members of the Senior Executive Service (SES) and Defense Intelligence Senior Executive Service (DISES) may not earn credit hours.

## Chapter 6

### HOLIDAY OBSERVANCES

**6.1. Holidays.** Federal law (5 U.S.C. 6103) establishes the public holidays for Federal employees. Holidays may also be established by Executive Order.

6.1.1. Most employees work a Monday through Friday tour of duty so that when a holiday falls on a Saturday, the holiday usually is observed on Friday; or when a holiday falls on a Sunday, the holiday usually is observed on Monday.

6.1.2. Duration of a Holiday. The full 24 hours of a calendar day are normally considered as the duration of a holiday.

6.1.2.1. When an employee's regular workday begins on a holiday and extends into the next calendar day, the entire shift is considered as a holiday to determine the employee's entitlement to holiday premium pay or time off for observance of the holiday.

6.1.2.2. When an employee's regularly scheduled tour of duty includes two shifts beginning on a holiday, the first shift is considered as a holiday to determine holiday benefits.

**6.2. Holiday Work.** Employees assigned to positions where scheduled holiday work is required are entitled to pay at their rate of basic pay plus holiday premium pay.

6.2.1. Supervisors must not require employees, assigned to positions where holiday work is not scheduled or required, to work on holidays or days designated as observed holidays, unless the work is justified by unusual circumstances or the maintenance of usual essential services is involved. **(T-3)**

6.2.2. Supervisors may order holiday work when required and have it approved in writing by an official designated to authorize holiday work; approval must be obtained in advance before work is performed, except in cases of an emergency, because it constitutes authority for expenditure of funds and certification that funds are available to pay the employee. **(T-3)** Supervisors ordering work on a holiday or employees required to remain on duty during an emergency will not require advance approval for the work but must document the holiday work no later than the following workday. **(T-3)**

6.2.3. Supervisors record the reasons for the holiday work and the hours worked by the employees and necessary approvals on AF Form 428. **EXCEPTION:** This requirement does not apply to employees engaged in essential services such as firefighters, police, hospital employees, or other service personnel whose tours of duty includes scheduled holiday work.

**6.3. Observed Day.**

6.3.1. When a holiday falls on a regularly scheduled workday, observe that day as the holiday.

6.3.2. When employees with a 40-hour basic workweek and an uncommon tour of duty of other than Monday through Friday have a holiday that falls on a Sunday, observe the next regularly scheduled workday as the holiday.

6.3.3. When employees with a 40-hour basic workweek and an uncommon tour of duty of other than Monday through Friday have a holiday that falls on their non-workday, observe the next regularly scheduled workday as a holiday.

6.3.4. For employees with an uncommon tour of duty, when a holiday (designated observed day) falls on an employee's non-workday (Monday through Saturday), the workday immediately preceding the day is observed as the holiday.

#### **6.4. Compressed Work Schedule**

6.4.1. When full-time employees on a CWS are relieved (e.g. absences of less than 1 hour excused by the supervisor) or prevented (e.g. inclement weather) from working on a day designated as a holiday, they are entitled to basic pay for the number of hours they are regularly scheduled to work on that day.

6.4.2. When a holiday falls on the regularly scheduled day off of the employee's compressed work schedule and:

6.4.2.1. Is a Sunday, the employee's in lieu of holiday is the first regularly scheduled workday following the Sunday holiday; or

6.4.2.2. Is not a Sunday; the employee's in lieu of holiday is the last regularly scheduled workday preceding the holiday.

6.4.3. If the President issues an Executive order granting a "half-day" holiday, a full-time employee on a compressed work schedule is entitled to basic pay for half the number of hours he or she would otherwise work on that day.

#### **6.5. Flexible Work Schedule.**

6.5.1. Holiday observances for employees who work a flexible schedule are the same as those for full-time employees with a regularly scheduled 40-hour basic workweek.

6.5.2. A full-time employee on a flexible work schedule is only entitled to 8 hours of pay on a holiday when the employee does not work. (See 5 U.S.C. 6124.) Full-time employees on flexible schedules under which employees work more than 8 hours a day must make arrangements to work extra hours during other regularly scheduled workdays (or take annual leave or use credit hours or compensatory time off) in order to fulfill the 80-hour biweekly work requirement. **(T-3)**

6.5.3. If the President issues an Executive order granting a "half-day" holiday, a full-time employee on a flexible work schedule is credited with half the number of hours he or she was scheduled to work, not to exceed 4 hours.

#### **6.6. Part Time Employee.**

6.6.1. When a holiday falls on a part-time employee's regularly scheduled workday, the employee is entitled to be excused with pay for the number of hours he or she is scheduled to work on the actual day of the holiday.

6.6.2. When a holiday falls on a part-time employee's non-workday, and that day is observed by full-time employees, the employee is not entitled to the holiday.

6.6.3. When a part-time employee is on a flexible work schedule and is relieved or prevented from working on a day designated as a holiday, the employee is entitled to receive basic pay for the number of hours the employee would have worked on that holiday up to eight hours.

6.6.4. When a part-time employee is on a compressed work schedule and is relieved or prevented from working on a day within the employee's scheduled tour of duty that is designated as a holiday, the employee is entitled to basic pay for the number of hours of the compressed work schedule on that day.

6.6.5. When a part-time employee is on a compressed work schedule and a holiday falls on a non-workday, the employee is not entitled to an "in-lieu-of" day for that holiday.

6.6.6. If full-time employees observe an "in-lieu-of" day instead of the actual holiday and that "in-lieu-of" day falls within a part-time employee's work schedule, the part-time employee will not get that day off with pay.

6.6.7. When a holiday is observed by full-time employees on a day within the part-time employee's regularly scheduled workweek and the part-time employee is prevented (e.g. inclement weather) from working that day, the employee is entitled to the day off with pay for the number of hours he or she is regularly scheduled to work on that day.

#### **6.7. Holidays and Annual Premium Pay.**

6.7.1. The use of administrative leave is not appropriate for employees receiving annual premium pay under 5 USC 5545(c)(1) and 5 CFR Parts 410, 550, and 551. These employees who are absent on holidays, which occur within their regular tours of duty, must be charged leave for those absences. **(T-3)** They are not entitled to holiday time off because they receive a type of premium pay that includes pay for holidays.

6.7.2. When such an employee is scheduled to work on a holiday and is granted the day off for personal reasons, the employee will take leave (e.g., annual leave, earned compensatory time off, LWOP, sick leave.)

#### **6.8. Religious Observance.** There are no official observances of religious holidays outside of established federal holidays.

6.8.1. Consider adjustments to CWS or FWS to allow for religious observances.

6.8.2. Except in situations of potential mission failure, requests to take leave for religious observances should be granted (e.g., annual leave, earned compensatory time off, LWOP).

6.8.3. An employee may request to work compensatory time for the purpose of earning compensatory time off for religious observances. Compensatory time may be worked prior to or after the taking of the compensatory time off. The employee must request and receive approval to use the compensatory time off. **(T-3)** To the extent that such modifications in work schedules do not interfere with the efficient accomplishment of the mission, in each instance the employee shall be afforded the opportunity to work compensatory overtime and shall in each instance be granted compensatory time off for religious observances when the employee's personal religious beliefs require that the employee abstain from work during certain periods of the workday or workweek.

**6.9. State and Local Holidays.** State and local holidays, including local holidays in foreign areas, are treated as regular workdays. Employees working on such a day receive only their regular pay and are not entitled to holiday premium pay. See AFI 36-815, *Absence and Leave*, when all or part of the activity is closed by administrative order.

DANIEL R. SITTERLY, SES, Principal Deputy  
Assistant Secretary  
(Manpower and Reserve Affairs)

**Attachment 1****GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

- Executive Order 11582, *Observances of Holidays by Government Agencies*, 11 Feb 1971
- Title 5, United States Code, *Compressed Schedules; Computation of Premium Pay*, current edition
- Title 5, United States Code, *Flexible Schedules; Credit Hours; Accumulation and Compensation*, current edition
- Title 5, United States Code, *Holidays*, current edition
- Title 5, United States Code, *Holidays; Daily, Hourly, and Piece-work Basis Employees*, current edition
- Title 5, United States Code, *Hours of Work*, current edition
- Title 5, United States Code, *Limitation on Premium Pay*, current edition
- Title 5, United States Code, *Night, Standby, Irregular and Hazardous Duty Differential*, current edition
- Title 5, United States Code, *Pay for Sunday and Holiday Pay*, current edition
- Title 5, United States Code, *Training*, current edition
- Title 29, United States Code, *Maximum Hours*, current edition
- Title 5, Code of Federal Regulation, *Absence and Leave*, current edition
- Title 5, Code of Federal Regulation, *Hours of Work*, current edition
- Title 5, Code of Federal Regulation, *Pay Administration*, current edition
- Title 5, Code of Federal Regulation, *Pay Administration under the Fair Labor Standards Act*, current edition
- Title 5, Code of Federal Regulation, *Training*, current edition
- DoDI 1400.25-V550, *DoD Civilian Personnel Management System: Pay Administration (General)*, April 6, 2009
- DoDI 1400.25-V610, *DoD Civilian Personnel Management System: Hours of Duty*, November 28, 2014
- AFPD 36-8, *Employee Benefits and Entitlements and Work/Life Programs*, 24 Dec 2014
- AFI 33-360, *Publications and Forms Management*, 25 Sep 2013
- AFI 36-815, *Absence and Leave*, 8 July 2015
- AFMAN 33-363, *Management of Records*, 1 Mar 2008
- HAF MD 1-24
- HAF MD 1-36

*Prescribed Forms*

**AF Form 428**, *Request for Overtime, Holiday Premium Pay, and Compensatory Time*

*Adopted Forms*

**AF Form 847**, *Recommendation for Change of Publication*

*Abbreviations and Acronyms*

**AFI**—Air Force Instruction

**AWS**—Alternative Work Schedules

**CWS**—Compressed Work Schedule

**DRU**—Direct Reporting Unit

**EO**—Executive Order

**FLSA**—Fair Labor Standards Act

**FOA**—Field Operating Agency

**FWS**—Flexible Work Schedule

**IAW**—In Accordance With

**MAJCOM**—Major Command

**RDO**—Regular Day Off

*Terms*

**4-10 Compressed Plan**—Type of CWS where a full-time employee works 10 hours a day in 40-hour workweek and 80 hours in a biweekly pay period.

**5/4-9 Compressed Plan**—Type of CWS where a full-time employee works eight 9-hour days and one 8-hour day for a total of 80 hours in a biweekly pay period.

**Administrative Workweek**—Administrative workweek begins at 0001 Sunday and ends at 2400 on the next following Saturday. The calendar day on which a shift begins is considered the day of duty for that day even though the day of duty extends into the next calendar day or into the following administrative workweek.

**Administratively Uncontrollable Overtime**—Work in a job that unpredictably requires substantial amounts of irregular or occasional overtime, and in which the employees generally are responsible for recognizing, without supervision, circumstances that require them to remain on duty.

**Alternative Work Schedules (AWS)**—Work schedules made up of flexible or compressed schedules.

**Basic Workweek**—Days and hours of an administrative workweek that make up a full-time employee's regularly scheduled 40-hour workweek.

**Compensatory Time Off**—Time off with pay in lieu of overtime pay for irregular or occasional overtime work. For the flexible work schedule programs, time off with pay in lieu of overtime pay for regularly scheduled or irregular or occasional overtime work.

**Compressed Work Schedule (CWS)**—Compressed work schedule is when a full-time employee, an 80-hour biweekly basic work requirement, is scheduled in less than 10 workdays. In the case of a part-time employee, it is a biweekly basic work requirement of less than 80 hours that is scheduled in less than 10 workdays.

**Core hours**—Time periods during the workday, workweek, or pay period within the tour of duty during which an employee covered by a flexible work schedule is required to be present for work.

**Credit Hours**—Hours that an employee elects to work, during the flexible hours, in excess of the employee's basic work requirement under a flexible work schedule. Organizations may require supervisory approval prior to working credit hours.

**Fair Labor Standards Act**—The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, and recordkeeping standards affecting full-time and part-time workers in the Federal government.

**First 40-Hours**—First 40 hours of duty performed within a period of no more than six days of the administrative workweek may be established as the basic workweek when it is impractical to prescribe a regular schedule of definite hours of duty each workday.

**Flexible Hours**—Times during the workday, workweek, or pay period within the tour of duty during which an employee covered by a flexible work schedule may choose to vary their times of arrival to and departure from the work site consistent with the duties and requirements of the position.

**Flexible Work Schedule**—Consists of workdays with flexible hours in which employees provide mission coverage. Flexible hours are the part of the workday when employees may (within limits) choose their time of arrival and departure. Flexible work schedules enable employees to select and alter their work schedules to better fit personal needs and help balance work, personal, and family responsibilities. Limits are set by installation level approving officials for AWS.

**Flexitour**—A type of FWS in which an employee is allowed to select starting and stopping times within the flexible hours. Once selected, the hours are fixed until the agency provides an opportunity to select different starting and stopping times

**Gliding schedule**—A type of FWS in which a full-time employee has a basic work requirement of 8 hours in each day and 40 hours in each week, may select a starting and stopping time each day, and may change starting and stopping times daily within the flexible hours.

**Holiday Work**—Non-overtime work performed during a regularly scheduled daily tour of duty on a legal holiday or the day observed as a holiday.

**Intermittent**—Work which is done on an irregular basis because it is not feasible to establish a prearranged (regularly scheduled) tour of duty.

**Irregular Shifts**—Exceptions to standard established shifts to provide accomplishment of unusual workload requirements. Irregular shifts may or may not involve uncommon tours.

**Maxiflex Schedule**—A type of FWS that contains core hours on fewer than 10 workdays in the biweekly pay period and in which a full-time employee has a basic work requirement of 80 hours for the biweekly pay period, but may vary the number of hours worked on a given workday or the number of hours each week within the limits established for the organization.

**Night Differential**—Regular scheduled work that is performed at night. This generally means work scheduled before the beginning of the administrative workweek. Overtime hours do not count toward an employee's entitlement to receive a night shift differential

**Night Work**—Work performed between the hours of 1800 and 0600 the following day.

**Observed Day**—Holiday in which employees are given paid time off on a day other than the date in which the holiday actually occurs.

**Overtime Work**—Hours of work that are officially ordered in advance and in excess of eight hours in a day or 40 hours in a week. *NOTE:* Overtime work for compressed work schedules is all hours in excess of the established compressed work schedule.

**Part Time**—In some circumstances, it is not possible to obtain or use an employee's service for the full 40-hour workweek. Part time tours of duty may be authorized when service on a regular, repetitive basis is required at least one day during each administrative workweek. However, additional service may be required during the remainder of the administrative workweek.

**Premium Pay**—Additional pay for overtime, compensatory time, night, holiday, and Sunday work that is officially ordered and approved by management.

**Regular Day Off (RDO)**—The scheduled day off for employees working a compressed work schedule.

**Regular Tour of Duty**—Regular tour of duty for Air Force employees is five 8-hour days, Monday through Friday.

**Special Tour of Duty for Educational Purposes**—A special tour of duty of no less than 40 hours in an administrative workweek which may be established by supervisors to permit employees to take courses at nearby educational institutions.

**Standard Day Shifts**—Standard day shifts begin between 0600 and 0900.

**Standard Graveyard Shifts**—Graveyard shifts commencing at 0000 hours begin the day for work scheduling purposes and for determining the holiday or the day observed in lieu of the holiday.

**Suffer or Permit to Work**— For a non-exempt employee, the standard under which an employee may become eligible for overtime pay. Time spent doing work not requested by the employer, but still allowed by it, is generally deemed hours worked, since the employer knows or has reason to believe that the employee is continuing to work and the employer is benefiting from the work being done. Supervisors and managers are required not to suffer or permit their employees to work overtime hours without proper approval.

**Sunday Work**—Regular scheduled tour of duty within a basic workweek when any part of that work is performed on Sunday.

**Tour of Duty**—Hours of a day and the days of an administrative workweek that constitute an employee's regularly scheduled administrative workweek.

**Uncommon Tour of Duty**—Any 40-hour basic workweek scheduled to include Saturday and or Sunday, for four workdays or less but not more than six days of the administrative workweek. An uncommon tour of duty may be established when necessary for efficient operations or when the cost of operations can thus be reduced without imposing undue hardship on employees.

**Usual Waiting Time**—The period of time a traveler is required to arrive at a transportation terminal prior to departure time or the intervening time spent between transportation, (i.e., between connecting flights, waiting for bus transportation). When there is an unusually long wait between actual periods of travel during which the employee is free to rest, sleep, or use the time for their own purposes, the extended waiting period is not creditable time in a travel status.

**Variable Day Schedule**—A type of FWS containing core hours on each workday in the week and in which a full-time employee has a basic work requirement of 40 hours in each week of the biweekly pay period, but may vary the number of hours worked on a given workday within the week within the limits established for the organization.

**Variable Week Schedule**—A type of FWS containing core hours on each workday in the biweekly pay period and in which a full-time employee has a basic work requirement of 80 hours for the biweekly pay period, but may vary the number of hours worked on a given workday or the number of hours each week within the limits established for the organization.