# BPA Human Resources Desk Reference Hours of Duty and Credit Hours HR Desk Reference: 410-06-02

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## 1. Purpose & Background

This HR Desk Reference implements BPA HR Directive 410-06: Employee Leave, Work Schedules, and Telework.

#### A. Introduction:

1. **Governance model:** This HR Desk Reference is part of a tiered approach to BPA's Human Resources governance model. The first tier is the BPA Human Resources Policy, which provides broad BPA-wide guidelines and standards for making specific human resources-related decisions and specifies who in BPA is delegated the authority to make them.

The second tier consists of HR Desk References covering more detailed instructions concerning program administration and processes. These second tier documents will be authorized in the "Related HR Desk References" section of the BPA HR Directive when they are published as an extension of a specific HR Policy.

The third tier consists of Standard Operating Procedures applicable to a specific business process. Standard Operating Procedures may stand alone or be encompassed in an HR Desk Reference.

- 2. **Design of the HR Desk Reference:** In order to support the overarching guidance contained in the relevant HR Policy, this HR Desk Reference provides a standardized and consistent approach to HCM's and BPA Management's administration of the programs and processes contained in this HR Desk Reference.
- 3. Using the HR Desk Reference: Recorded information is an integral part of all business functions at BPA and as such, is an asset of the agency that is handled and managed based upon content and the circumstances surrounding the function. Users of this Desk Reference are likely to reference a specific function or procedure rather than reading it in its entirety and it is therefore structured to reflect this type of use.
- B. Purpose/Objectives: This HR Desk Reference supplements BPA HR Directive 410-06: Employee Leave, Work Schedules, and Telework and provides information and guidance regarding the hours of duty during an administrative workweek that employees are scheduled to work and includes types of work schedules, core hours, meal/break periods and use of credit hours. Additional guidance for employees covered by a collective bargaining agreement may be found in the respective agreement. Link to bargaining agreements.
- C. **Background:** Alternative work schedules (AWS) can help both employees and managers meet their program goals while, at the same time, allowing employees to help balance work and family life. BPA annual employees are generally authorized to work a flexible work schedule, unless a different type of schedule has been authorized.

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## 2. Applicability

The information and guidance in this HR Desk Reference is applicable to all annual employees (General Schedule or equivalent, Senior Executive Service, and senior level – SL/ST). Guidance concerning work schedules or hours of duty for hourly employees is covered by the BPA-CPTC collective bargaining agreement.

## 3. Terms & Definitions

- A. **Administrative workweek:** An administratively established period of 7 consecutive calendar days designated in advance, normally from 0000 hours Sunday to 0000 hours the following Sunday. A variance from this standard workweek may be authorized in writing by a Tier I manager or equivalent or by any Vice President.
- B. **Basic work requirement:** The number of hours excluding overtime hours that must be regularly accounted for on the time and labor report. Completion of the basic work requirement includes hours reported as work, leave, or credit hours used.
- C. **Basic workweek:** For full-time employees not on a compressed work schedule, the regularly scheduled 40-hour workweek. For full-time employees on a compressed work schedule, the regularly scheduled 80-hour bi-weekly work schedule specified in the published compressed work schedule. For all part-time employees, the hours specified on their current SF-50, Notification of Personnel Action.
- D. **Compressed work schedule:** Annual employees who are not on a flex schedule may work a compressed work schedule, such as 4 10-hours shifts, with a memorandum of understanding in place.
- E. **Credit hours earned for annual employees:** Hours the employee elects to work with prior managerial approval during established flexible time bands that are in excess of the employee's basic work requirement and are worked so as to vary the length of a workweek or workday. Credit hours earned are regular work hours and not overtime hours.
- F. Fixed schedule: Annual employees who are not on a flex schedule or on a compressed work schedule, have a tour-of-duty of 7:30 am – 4:15 pm, including a 45-minute lunch period. This is on a Monday through Friday basis.
- G. **Flex schedule:** System of work scheduling which splits the workday into two kinds of time: (1) core time when all employees are present; and (2) flexible time when employees may work different hours provided they complete their basic work requirement.
- H. Intermittent employee: An employee without a prescribed work schedule.
- I. **Part-time schedule:** A regular schedule of 16-32 hours per week (not including students).

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- J. **Regularly scheduled administrative workweek:** The period within an administrative workweek when full-time employees are regularly scheduled to work. For part-time employees, the prescribed days and hours within an administrative workweek during which such employees are regularly scheduled to work.
- K. **Regularly scheduled:** Work that is scheduled in advance of an administrative workweek.
- L. **Tour-of-duty:** The hours of a day (a daily tour-of-duty) and the days of an administrative workweek (a weekly tour-of-duty) that are scheduled in advance.

#### M. Acronyms

- 1. AWS: Alternative Work Schedule
- 2. CFR: Code of Federal Regulations
- 3. **GS**: General Schedule
- 4. HCM: Human Capital Management
- 5. HL: Holiday Leave
- 6. HRD: Human Resources Director
- 7. MOU: Memorandum of Understanding

## 4. Responsibilities

A. Labor-Management Coordination: Changes in administrative workweeks, changes in tours of duty that vary from those established in this issuance, changes in lunch periods, and establishment of any compressed work schedule will require consultation with one of BPA's bargaining units if bargaining unit employees are affected. Coordination of such changes is handled by the Labor Relations staff and must occur prior to such changes being effected.

#### B. BPA Managers and Supervisors:

- 1. Managers should, to the extent the nature of the work permits, grant employees maximum flexibility in arrival and departure times and in earning and using credit hours. Managers should also assure that adequate staff is available during core hours to handle substantive matters which may arise. If possible, this coverage should be worked out cooperatively and informally among the work group.
- 2. Managers, who report directly to a Tier 1 or equivalent manager, as well as to any Vice-President, may permanently deny the credit hour feature of Flexi-schedule. Management must provide a valid business reason, in writing, to permanently deny this feature. They may also deny or restrict flexible arrival and departure times for any employee or group of employees when, in their judgment, work demands will

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not be met under that schedule. Such decisions must be made in writing, on BPA memo letterhead, with copies provided to affected employees.

- 3. Based upon a need for office coverage or other essential work demands, managers may temporarily deny or restrict Flexi-schedule to an employee or group of employees. If the temporary periods are frequent or lengthy, such action must be approved at the organizational level specified in the written justification and should state exactly how and why operations would be hampered if the employee(s) were allowed to remain on Flexi-schedule. Prior approval at the same organizational level is also required in writing if the manager decides to withdraw or modify the Flexi-schedule privilege from an employee who is abusing it. Management must provide a valid business reason in writing on BPA memo letterhead.
- 4. Managers should grant flexi-schedule to employees to provide maximum flexibility in arrival and departure times and in earning and using credit hours to the extent the nature of the work permits.

## 5. Program Administration Requirements & Guidance

All BPA employees must use the HRmis Time and Labor Reporting System. In all timekeeping matters, it is essential that managers be able to certify that the employee is entitled to the recorded hours of attendance or leave. As needed, other BPA-approved time recording methods may be used when approved by a Tier 1 or equivalent manager or by any Vice-President.

## 5.1 Tours of duty for annual employees

## A. Full-time employees (fixed schedule):

- 1. The regularly scheduled administrative workweek, exclusive of any regularly scheduled overtime, is 8 hours each day, Monday through Friday. The working hours are the same for each day of the workweek.
- 2. For employees who are not on Flexi-schedule or a compressed work schedule, will be on a fixed schedule, unless otherwise specified.
- 3. Managers may approve exceptions to this daily tour-of-duty in writing and on BPA memo letterhead. Changes to the regularly scheduled administrative workweek noted above may be authorized by managers to meet work requirements as long as they consist of 5 consecutive days scheduled within the 7 days of the administrative workweek, 8 hours of daily work, and the same working hours in each day of the workweek.
- 4. Workweeks that do not meet these requirements must be approved in writing by a Tier I manager or equivalent or by any Vice-President. BPA Form 2220.21e, Schedule Change Worksheet, is required to document tour-of-duty changes and is submitted

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to Payroll Disbursements. If the change needs to be documented in the HRmis Time and Labor Reporting System, forward a copy to the Payroll Disbursements.

- 5. To change an established tour-of-duty, the manager should advise the affected employee(s) of the days and hours of the new tour at least one pay period in advance.
- 6. Meal periods: Normally, work shifts are scheduled to allow a mid-shift meal period. However, where uninterrupted services are in the best interest of BPA, managers may schedule a tour-of-duty without a mid-shift meal period; this must be documented in writing.

## B. Part-time employees:

- The appointment papers of part-time employees specify the days and hours of duty. This established tour-of-duty must be between 16-32 hours per week (except for students) and is used as the basis for leave approval, excused absence, employeepaid health insurance premiums, and holiday pay.
- 2. A daily tour-of-duty in excess of 6 hours must include provisions for a meal break, unless uninterrupted services are in the best interest of BPA. BPA Form 2220.21e, Schedule Change Worksheet, is completed at least one pay period prior to document the tour-of-duty and a copy submitted to Payroll Disbursements.

## C. Intermittent employees:

These employees do not have prescribed tours of duty. They are employed as the workload requires and are paid only for actual hours worked without leave and certain other benefits. The appointment papers specify the intermittent status of employment and a formal personnel action is required to change this status to full-time or part-time employment.

#### D. Compressed work schedules:

- 1. Compressed work schedules are typically established by means of documenting a work group's coverage and provisions in a MOU for bargaining unit employees.
- 2. A compressed work schedule, e.g., a fixed schedule of four 10-hour days, or 9 hours a day for 8 days and 8 hours on the ninth day with the tenth day off may be established for a workgroup if work requirements make it more suitable.
- 3. A request for a work group's compressed work schedule requires approval by a Tier 1 or equivalent manager or by any Vice-President and negotiation with the appropriate bargaining units. The request must be in writing and on BPA memo letterhead. Decisions on compressed work schedules must be coordinated with the Labor Relations staff.
- 4. Individual employees not covered under an official agreement (MOU or policy) may not be approved to work a compressed work schedule. If a critical project or unique reason requires an employee to work a compressed work schedule, the manager

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must submit the written request for an individual employee to work a compressed work schedule. The request, with the duration and justification is submitted to Labor Relations prior to the assignment of the work.

## 5.2 Flexi-schedule for annual employees

- A. Annual employees, including those who are non-exempt from the Fair Labor Standards Act, are authorized to work a flexi-schedule work schedule unless specific management action is taken in writing with a valid business reason to either deny a flexi-schedule to any employee or group of employees or to establish another form of alternate work schedule that will meet work requirements, as provided above.
- B. Flexi-schedule is a system of work scheduling which splits the workday into two kinds of time: (1) core time when all employees are present; and (2) flexible time when employees may work different hours, provided they complete their basic work requirement.
- C. Flexible arrival and departure ground rules:
  - 1. Flexible arrival and departure time bands for full-time personnel located in Portland and Vancouver are as follows:

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6 a.m. to 9 a.m. Flexible arrival9 a.m. to 3 p.m. Core time with a regular 30-minute lunch3 p.m. to 6 p.m. Flexible departure
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- A flexi-schedule tour-of-duty is 8 hours for regular time or use of approved leave, credit hours/compensatory time used, holiday leave, or other leave or unpaid leave and may not: (a) begin earlier than 6 a.m. or begin later than 9 a.m.; (b) end earlier than 3 p.m.; or (c) end later than 6 p.m.
- 3. Flexible arrival and departure time bands for employees outside of Portland and Vancouver are established by the senior manager with administrative responsibility at the duty station. These time bands must be in writing and must fall within the limits established in C.1. above. In the absence of any documentation, the provisions of C.1 apply.
- 4. For workdays of less than 8 hours in a part-time tour-of-duty the manager may, if the work situation and the employee's official tour-of-duty permit, allow the employee to vary arrival and departure times by up to 1 hour from the official tour-of-duty for the day. This flexibility must be exercised within the time limits for flexible arrivals and departures on 8 hour workdays. (For example, a part-time employee whose official tour-of-duty for the day is 6:30 a.m. to 11:30 a.m., would not be permitted to flex arrival a full hour earlier because 6:00 a.m. is the earliest allowed arrival time.)

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- 5. Lunch breaks are only taken between 11:00 a.m. and 1:30 p.m. The minimum standard lunch time is 30 minutes. With prior notice to the manager, an employee may take an extended lunch period of up to 2-1/2 hours. However, the employee should work with the manager to ensure that the employee's arrival time will permit fulfilling the core time requirement and that the full workday and duties will be completed during the flexible time band.
- 6. Meetings should be held within core time, whenever possible. If work requires meetings to be held outside core time, employees may be required to alter their work schedules.
- D. **Temporary duty assignments:** Employees on temporary duty assignments within BPA or in travel status may continue to use Flexi-schedule unless a different schedule is set by the official in charge. Employees on assignment outside BPA will conform to the hours of duty at the place of assignment.

## E. Training:

- 1. Employees in training will conform to hours established by the instructor.
- 2. Credit hours cannot be earned if the extra hours constitute training or homework that is required because such time does not constitute hours that an employee elects to work with managerial approval (see definition of credit hours).
- 3. Managers may place employees on a standard work schedule (8 hours a day, 5 days a week, Monday through Friday) during a period of training or on a work schedule that corresponds to the hours of training. Employees must be notified of changes in their basic work schedule in advance of BPA's administrative workweek.

#### F. Credit hour ground rules:

- 1. A full-time annual employee on a flexible work schedule can earn up to 2 credit hours a day (earned in ½ hour increments). Credit hours are earned within the flexible arrival and departure time as provided in section 08.02.C.
- 2. A maximum limit of 24 credit hours can be accumulated and carried over from one pay period to the next, without time limit, provided that the employee remains covered by the provisions of a flexible work schedule. It is the responsibility of each employee to ensure that his/her credit hour balance does not exceed 24 hours at the end of the bi-weekly pay period. Credit hours earned in excess of 24 hours will be forfeited.
- 3. Part-time annual employees may also earn a maximum of 2 credit hours a day on regularly scheduled workdays. Part-time employees are limited to earning and carrying over from one pay period to the next pay period a maximum of ¼ of the hours in their biweekly work schedule. For example, an employee scheduled to work 20 hours per week can earn, and carry over from one pay period to the next pay period, up to 10 credit hours a pay period.

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- 4. Earning and using credit hours does not obligate the employee to work a fixed work schedule. Earning credit hours is also not overtime work. When credit hours are used, the hours are applied to fulfilling the employee's basic 8 hours work requirement.
- 5. The earning of credit hours requires managerial approval based on management's determination that such time worked will be at least as beneficial to the organization as time worked during regular hours.
- 6. With supervisory approval, an employee under flexi-schedule may simulate an alternative work schedule (such as a 4-10 schedule, by earning two credit hours per day for four days of the week and using eight hours on the fifth day).

A Federal employee may be covered by a flexible work schedule. Flexible schedules are voluntary work schedules that are approved by supervisors or managers.

- 7. Managers, who are direct reports to a Tier 1 or equivalent manager as well as to any Vice-President may permanently or temporarily deny the credit hour feature of a flexible work schedule. They may also deny or restrict flexible arrival and departure times for any employee or group of employees when, in their judgment, work demands will not be met under that schedule. Such decisions are made in writing, with copies provided to affected employees at least 1 pay period prior.
- 8. Credit hours should not be authorized if the workload requirements are likely to result in a need to order the employee to work overtime during the current workweek.
- 9. Credit hours cannot be earned on a non-workday or holiday or during a period of group dismissal, e.g., a dismissal due to hazardous weather conditions.
- 10. Using credit hours earned is requested and approved using the appropriate leave request approval procedures. Using credit hours is limited to the number of hours previously earned in a prior pay period.
- 11. Employees are expected to use all accrued credit hours before leaving BPA employment or moving to a position not having a credit hour privilege. Managers should, to the extent practicable, provide employees time to use all accumulated credit hours.

#### G. Credit hours and travel:

- Credit hours may not be earned for travel, i.e., the act of traveling itself) because travel is always ordered and the employee cannot "elect" to travel. Managers should consider placing an employee on a standard work schedule during an extended period of travel.
- 2. Under certain conditions, a manager may permit an employee to earn credit hours for performing productive and essential work while in a travel status. For example,

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while traveling, an employee may use a laptop computer to write speeches and draft or edit reports and other correspondence. Since travel itself does not generally constitute hours of work, the work that is done must be approved and verified by the manager. All of the following conditions must be met and verified by the manager in order to approve the earning of credit hours while in a travel status:

- a) The employee must be under Flexi-schedule;
- b) The employee must perform work within designated hours when credit hours may be earned under BPA's flexible work schedule policy;
- c) The employee must elect to perform the work voluntarily;
- d) The hours of work must be in excess of the employee's basic work requirement; and
- e) The travel must be scheduled during the regularly scheduled working hours for the employee to the maximum extent practicable.
- 3. If work is required by the manager (as opposed to the employee electing to work with managerial approval) during travel time that is in excess of the employee's basic work requirement, please refer to the appropriate overtime/compensatory time HR Desk Reference for further guidance and to determine whether such work is compensable as overtime or compensatory time off earned.

## H. Credit hour time reporting and cash-out procedures:

- 1. Time and Labor Report Entries: The earning and use of credit hours must be entered into the Time and Labor Reporting System. The manager approves the Time and Labor Report to affirm that the earning and use of credit hours has been approved.
- 2. An employee who ceases to be covered by Flexi-schedule and is unable to use accrued credit hours shall be paid for accumulated credit hours at the employee's then current rate of basic pay.

## 5.3 Tours of duty for hourly employees

- A. Full-time employees: Refer to the BPA-CPTC Collective Agreement for information.
- B. Part-time employees: The appointment papers of part-time employees specify the days and hours of duty. Part-time tours of duty require consultation with the bargaining unit, which is handled by the Labor Relations staff.
- C. Intermittent employees: These employees do not have prescribed tours of duty. They are employed as the workload requires and are paid only for actual hours worked without leave and certain other benefits. The appointment papers specify the intermittent status of employment, and a formal personnel action is required to change this status to full-time employment.

## 5.4 Rest periods (break)

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Rest periods, or breaks, improve efficiency on the job and contribute to employee morale. However, such privileges do not accrue to permit late arrival at work, extended lunch periods, or early departure from work. Lengthy breaks cannot be rationalized on the basis that official business is being conducted "over a cup of coffee." Abuse of this privilege can lead to its restriction or elimination. Managers are responsible for controlling set periods and breaks as follows:

- A. Employees who can be spared without detriment to work may take 15-minute morning and afternoon breaks;
- B. Fifteen minutes is the maximum time permitted for a break; and
- C. Employees should be allowed maximum freedom in deciding when to take rest/break periods, but offices and work areas must be adequately covered during working hours.

## 5.5 Holidays

#### A. The following are legal public holidays:

New Year's Day	January 1
Martin Luther King Day	3rd Monday in January
Washington's Birthday	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Christmas Day	December 25

- B. In addition, any other day may be designated as a holiday by Executive Order or Federal statute.
- C. An employee is entitled to holiday pay only if the employee was in a pay status either the day before or the day after the holiday.
- D. Determination of Holiday in Relation to Basic Workweek: Note: For employees on compressed work schedules please refer to the provisions of the published compressed work schedule.
- E. For full-time employees whose basic workweek is Monday through Friday:
  - 1. When the holiday falls on a Sunday, the employee is off on Monday.
  - 2. When the holiday falls on a Saturday, the employee is off on Friday.
  - 3. When the holiday falls on a workday in the employee's basic workweek, that day is the holiday.

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- F. For full-time employees whose basic workweek is other than Monday through Friday: When the holiday is on a workday in the employee's basic workweek, that day is the holiday. This includes Saturday and Sunday legal holidays.
- G. When the holiday falls on the employee's day off, the next regular workday is considered the holiday if:
  - 1. The holiday falls on Sunday; or
  - 2. The holiday falls on the day designated as the employee's day off in lieu of Sunday.
- H. When the holiday falls on the employee's day off, the preceding regular workday is considered the holiday if the holiday is not a Sunday or a day that has been designated as a day off in lieu of Sunday. NOTE: The employee's manager may designate any non-workday in the administrative workweek as the employee's day off in lieu of Sunday, except when Sunday is the employee's day off; in that case, no other day off in lieu of Sunday can be named. Provisions for hourly employees can differ.
- I. Part-time employees are entitled to holiday leave only for those holidays that fall within their prescribed tours of duty and during the actual hours they are scheduled to work.

## 6. Performance & Monitoring

HCM and/or Payroll Disbursements will run periodic time reporting code reports for pay periods that include federal holidays to determine if an employee has recorded the accurate amount of holiday paid (HL). If the employee is not on an authorized compressed work schedule and records 10 or 12 hours of HL, the manager will be notified of the need for a timesheet correction.

## 7. Authorities & References

- A. BPA HR Directive 410-06: Employee Leave, Work Schedules, and Telework
- B. 5 U.S.C., Chapter 61, Hours of Work
- C. 5 CFR, Part 610, Hours of Work
- D. U.S. Office of Personnel Management, Negotiating Flexible and Compressed Work Schedules (OPM/OLRWP-12, July 1995).
- E. OPM Handbook on Alternative Work Schedules (December, 1996).
- F. OPM Fact Sheet Flexible Work Schedule
- G. OPM Fact Sheet Compressed Work Schedule
- H. OPM Fact Sheet Credit Hours under a Flexible Work Schedule
- I. Related HR Desk References:
  - 1. 410-06-01: Leave Administration

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## 8. Contacts

- A. For information or assistance with information provided in this HR Desk Reference, please contact HCM's Leave Administration program coordinator through <u>HR Help</u>, 503-230-3230.
- B. Questions on hourly employees should be referred to the HCM's Labor Relations staff, through <u>HR Help</u>, 503-230-3230.

# 9. Revision History

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