AUHR 4.04 TELEWORKING

Purpose

Telework is a management tool that may be used to increase productivity, reduce employee commute trips, and accommodate special needs of employees. This option allows work arrangements to be tailored to each division's unique requirements. The Auditor's Office encourages the use of telework in situations where it will work to the mutual benefit of employees, the Auditor's Office, and the Auditor's Office's customers. Telework is not a benefit. It is one of several work options used at the supervisor's discretion, such as flexible work schedules and job sharing. The purpose of this administrative rule is to define telework guidelines and procedures.

Applicability

All Auditor's Office Employees.

Definitions

Telework is defined as working arrangements in which the workplace is located at least part time at an alternate location, such as an employee's residence, or a satellite office located closer to the employee's residence than the employee's regular office.

Routine telework is defined as telework which is a regular and recurring part of the employee's work schedule.

Ad hoc telework is defined as occasional telework.

Alternate work site is defined as a workplace other than the employee's regular work location.

Home office is defined as any alternate work site provided by the employee.

General Provisions

Employees are not authorized to work at home without prior approval of their supervisor.

Routine telework will be permitted for employees only under the terms of a written Telework Agreement (see Attachment) reached between the employee and the employee's supervisor and approved by the City Auditor.

Ad hoc telework will be permitted with the authorization of the employee's supervisor, subject to the City Auditor's or a designee's review, on a case by case basis. Telework lasting seven days or less will not require the pre-approval of the City Auditor. The terms of ad hoc telework must be clarified in a written agreement that defines telework expectations and parameters.

Telework Agreement

The Telework Agreement must clearly define the following:

Telework schedule: Which hours the employee will work on City premises and which will be worked off City premises.

Location: The location of the off-premises work and the means by which the employee can be reached during off-premises work.

Use of City resources: Any City-owned resources the employee will use off-premises, and the terms and conditions under which such resources will be used.

Use of employee's resources: Any employee resources that will be used and the costs, if any, that will be compensated by the Auditor's Office. Generally the Auditor's Office does not reimburse costs associated with teleworking.

Eligibility for Telework

Employees are eligible for telework with the approval of their supervisor and the City Auditor provided their job requires minimal direct supervision and in-person interaction or where such interaction can be successfully scheduled to permit telework.

Supervisors are encouraged to use the following guidelines in selecting employees for telework:

- Employees can accomplish their job without being on premises for some portion of their regular work schedule without detrimental impact on the productivity of the work group.
- Clear work objectives can be set, tasks can be clearly defined, and results are measurable.
- Employees can provide the appropriate equipment in the alternate work site, including at minimum a telephone where the employees can be reached, a suitable workspace, and, as necessary, a computer, printer,

modem, and other equipment as appropriate to the employees' job. The Auditor's Office may provide a computer to the employees to enable telework arrangements, particularly for those employees needing remote access to data, systems and networks beyond internet access to City email.

- Employees shall have demonstrated, to the supervisor's satisfaction, their capability to work productively without direct supervision. Indicators include consistent high performance, excellent attendance, a positive attitude toward assigned work, and absence of discipline problems in the employee's work history.
- The employee shall have demonstrated their understanding, willingness and ability to properly protect the confidentiality of sensitive City data and software, which may be protected from disclosure by public records and/or copyright laws. This includes the ability to protect such sensitive data and software from all unauthorized individuals including but not limited to the employee's family and friends.
- The employee shall have demonstrated a willingness to participate in telework to the supervisor.

City Visits

The employee agrees that a supervisor or supervisor's designee may visit the employee's non-City work site to inspect the work site during normal work hours to ensure that it is safe from hazards and sufficient to conduct Auditor's Office business. The supervisor or supervisor's designee may repeat such visits.

Reimbursable Expenses

Any variable expenses accrued as a result of the employee choosing to telework will be borne by the employee. The Auditor's Office will reimburse the employee for expenses it would have borne if the employee were working in the office. Supplies required to complete assigned work at the telework work site shall be obtained from the office during the teleworker's in-office work periods. Out-of-pocket expenses for materials and supplies, which are otherwise available at the office, will not be reimbursed.

Emergencies

In case of an emergency, such as a power failure, that affects the employee's ability to work off City premises but not on City premises, the employee will be

required to report to the employee's regular office location on City premises. If the employee is excused from work, the employee will be required to use vacation time, compensatory time, or take time without pay. If an office closure or emergency excuses other employees from working and work can proceed at the alternate worksite, teleworkers are not excused from working.

Computer Support

Computer support provided by the Bureau of Technology Services (BTS) staff will only be performed on City premises, on City-owned equipment and by appointment. Such support will be limited to installing and removing City-owned software on a City-owned computer as well as diagnosis and resolution of problems with BTS supported software and/or hardware.

BTS support staff will be responsible for maintaining and troubleshooting any City-owned computer equipment, such as laptop computers. BTS will not be responsible for maintaining or troubleshooting non-City-owned computer equipment or software.

City Hardware and Software

The Auditor's Office is not required to provide a computer, printer, monitor, networking & telephone equipment or office furniture to the employee. The employee's supervisor may determine the Auditor's Office will supply City-owned computer equipment to allow the employee remote access to office systems. If City equipment is not provided, the employee must provide all computing equipment, telephone equipment, and furniture necessary to perform duties on non-City premises. Requirements for use of Secure Remote Access to City systems, via City equipment or non-City equipment, are described in the BTS Service Catalog and BTS Administrative Rule 2.04.

The employee is responsible for ensuring that software used on non-City premises is compatible with City standards. The employee is responsible for converting files to City standard formats. The employee is responsible for protecting the integrity and confidentiality of copyrighted software, and sensitive City and Auditor's Office data, and following policies, procedures, and practices to the same extent applicable in the regular office.

Teleworkers are expected to adhere to all Auditor's Office and applicable City rules while teleworking as they would if working at their regular office location on City premises. This includes, but is not limited to the Administrative Rules on the Use of City Resources and Information Technologies.

For telework jobs that have security and/or confidentiality requirements, procedures must be established and followed to guarantee protection of confidential information. Procedures may include a locked or secure workplace, computer access passwords, or restricted use of files at the telework site. Security and/or confidentiality issues shall be addressed in the attached Telework Agreement.

Telework Product, Document Retention and Public Records

Products, documents, and records used and/or developed while teleworking shall remain the property of the Auditor's Office and are subject to Auditor's Office and City rules regarding confidentiality and records retention requirements, which may make employee-owned computers and storage devices subject to public records and evidentiary requests.

Travel, Overtime and Leave

Auditor's Office Administrative Rules, collective bargaining agreements, and the Fair Labor Standards Act (FLSA) shall apply to teleworkers. Requests for overtime must receive advance approval from the supervisor. Requests for leave shall be approved by the supervisor, in a manner consistent with Auditor's Office rules.

When teleworking, the employee's regular Auditor's Office location is the official station for travel expense voucher purposes, except that travel to and from the employee's regular Auditor's Office location and alternate work site shall not be a reimbursable expense.

Worker's Compensation

Employee Injuries. The Auditor's Office will have the same responsibility for job-related accidents or injuries to the employee at the alternate worksite that it has at the employee's regular Auditor's Office location. See Administrative Rule on Workers' Compensation.

Family and Visitor Injuries. The Auditor's Office does not assume responsibility for injury to any persons at the employee's residence or alternate workspace within it.

Work Hours and Accessibility

Work Hours and Scheduling. The number of hours worked by the employee will not change because of telework. Work hours will be scheduled and any changes must be approved by the supervisor in advance.

Adequate Time in Office. The amount of time spent teleworking during a work week may vary according to each job, equipment needs and the individual Telework Authorization. Minimally, the telework schedule must allow adequate regular office time for meetings, access to facilities and supplies, and communication with other employees and with customers.

Accessibility. Teleworkers will maintain accessibility via email, telephone, mobile phone, or as otherwise agreed to by their supervisor during agreed-upon work hours or specific core hours of accessibility. Only the teleworker and the teleworker's supervisor will designate who will be given the teleworker's home office phone number.

Family Care and Duties. While telework may facilitate employees working around family responsibilities, employees who telework must have in place day care or other supervision for any member of the household requiring care through the workday.

Human Resources Rule Information and History

Questions about this administrative rule may be directed to the Management Services Division of the Auditor's Office.

Adopted by the City Auditor December 11, 2017.

Adapted from City of Portland Human Resources Administrative Rule 4.04 Teleworking.

Adopted by Council March 6, 2002, Ordinance No. 176302.

Last revised April 25, 2016.

AUHR 6.01 GENERAL LEAVES OF ABSENCE

Approval

The City Auditor may grant leaves of absence to employees on the showing of good cause. No employee may be granted a general leave of absence for more than 12 months in any five-year period. Employees must exhaust all appropriate accrued leave prior to going on unpaid leave, except in accordance with the Administrative Rules on Family Medical Leave and Military Leave.

Unless otherwise required by law, leaves of absence for general or personal reasons shall be no more than 12 months from the beginning date of the approved leave. For a general or personal leave of absence, there are no automatic position return guarantees.

However, the Auditor may hold the employee's position open pending their return at the conclusion of the leave of absence. The commitment for such a "held" position must be in writing, signed by the Auditor, and provided in advance of the commencement of the general leave of absence.

Blood Donation

Employees wishing to donate blood or participate in the registry for stem cell and bone marrow transplant during work time shall be given a period, not to exceed two hours, to do so without a reduction in accrued leave.

Separation from Employment

An employee granted a leave of absence will be considered separated from the city as a voluntary quit if there is no vacant position to return to at the expiration of their leave, unless the Auditor agreed to hold their position as noted above. Any employee who fails to return to duty at the end of their approved leave will also be treated as a voluntary quit. If the original leave of absence was approved for less than 12 months, an extension may be granted, providing that the total leave does not exceed 12 months. Any extension must be approved in writing by the Auditor.

Any employee wishing to return after separation may pursue reinstatement, if applicable, or hire through the competitive recruitment process.

Human Resources Rule Information and History

Questions about this administrative rule may be directed to the Management Services Division of the Auditor's Office.

Adopted by the City Auditor December 11, 2017.

Adapted from City of Portland Human Resources Administrative Rule 6.01 General Leaves of Absence.

Adopted by Council March 6, 2002, Ordinance No. 176302.

Last revised April 25, 2016.

AUHR 7.05 SEPARATION FROM SERVICE

Resignations

Employees wishing to leave service in the Auditor's Office in good standing shall file a written resignation with their supervisor and provide a copy to Management Services. This notice shall be given at least two weeks before leaving, stating the date the resignation shall become effective and the reason for leaving. Unless unforeseen circumstances intervene, or as otherwise agreed to by the division manager in consultation with Management Services, failure to give proper notice of resignation will render an employee ineligible for reinstatement under the Administrative Rule on Reinstatement.

Retirement

Employees retiring under PERS are encouraged to submit their Application for Service Retirement 90 days before the effective retirement date. Visit the PERS website for information about the procedure and documents that must be submitted to apply for retirement. Employees should notify their supervisor at the time they submit their application to PERS to complete the appropriate paperwork required by the Auditor' Office. Once notified, the timekeeper will submit a Notice of Separation from a PERS Covered Position to Payroll and all necessary information will be forwarded to PERS.

Employees covered under the Police & Fire Pension Fund should consult the plan documents for information regarding retirement and follow notification procedures outlined above.

See Administrative Rule on Employment of Retirees for continued employment following retirement.

Appointment Ended

An Appointment Ended separation occurs when a limited duration employee's appointment has ended or a limited term position has expired. If the employee voluntarily resigns before the date the appointment ends, it will be considered a resignation rather than an expiration of the term. See Administrative Rule on Types of Appointments.

Employee Separation Procedures

1. Management Services prepares a Separation Checklist and Off-Cycle Check Request and submits the original to the Central Time Administrator before 10:00 a.m. for same day payment.
2. Management Services completes a personnel action in SAP.
3. Employee or Timekeeper completes the employee's timesheet in SAP.
4. Employee's supervisor in consultation with Management Services completes the Employee Separation Notice and Checklist, including but not limited to, notifying the Bureau of Technology Services to disable network access, the Facilities Services Division to disable the employee's identification card and the Procurement Card Program Administrator to cancel the employee's procurement card.
5. Management Services refers questions on benefits to the Bureau of Human Resources Benefits Office.

Death of an Employee

In the unfortunate event of the death of an employee, Management Services shall process a personnel action in SAP and inform the Bureau of Human Resources. Once the Benefits office receives notification, Benefits will verify employee beneficiary designation and a letter and death claim form will be sent to the beneficiary for filing with Standard Insurance. The Benefits office will send COBRA insurance information as well. Central Payroll will process any reconciliation of PERS. A surviving spouse or beneficiary should contact PERS and Standard Insurance directly regarding benefits.

Management services will arrange to transfer any of the employee's personal items located in the Auditor's Office to a surviving spouse or beneficiary, in consultation with the City Attorney's Office or the Bureau of Human Resources.

Family members of the employee are welcomed and encouraged to access the Employee Assistance Program (EAP) for any personal assistance they may need.

See Administrative Rule on the Employee Assistance Program.

Layoff

See Administrative Rules on Layoff & Recall and Medical Layoff.

Termination

All Terminations will be in accordance with the Administrative Rule on Discipline.

Job Abandonment

Any unauthorized absence from work may result in discipline up to and including discharge. Depending on its length, an unauthorized absence could be determined to be job abandonment resulting in discharge.

Exit Checklists

Exit Checklists shall be used to insure City property is returned, including access badges, phones, laptops/tablets, keys, procurement cards, etc. Managers must also ensure that departing employees' data, including emails and electronic files, are properly retained or disposed of. Contact Archives and Records Management with questions. It is the responsibility of the hiring manager, in consultation with Management Services to ensure an exit checklist is completed for all employees separating from the City. Employees should contact Management Services for information about unused leave and pension eligibility and the Benefits Office for information on life and health insurance benefits.

Human Resources Rule Information and History

Questions about this administrative rule may be directed to the Management Services Division of the Auditor's Office.

Adopted by the City Auditor December 11, 2017.

Adapted from City of Portland Human Resources Administrative Rule 7.05 Separation from Service.

Adopted by Council March 6, 2002, Ordinance No. 176302.

Last revised November 4, 2011.

AUHR 7.06 LAYOFF AND RECALL

Layoff Overview

A layoff is defined as the separation of a non-represented employee in the Auditor's Office classified service caused by the elimination of a position, lack of funds or curtailment of work. Represented employees are covered by HRAR 7.06.

In the event of a layoff, it is the goal of the Auditor's Office to minimize the negative effect on operations and maximize employment opportunities for potentially laid-off regular employees by offering the opportunity to accept part time, seasonal and temporary positions, if available and appropriate.

All layoffs must be in compliance with this Administrative Rule and approved by the City Auditor.

Employees in positions exempt from the Auditor's Civil Service do not have layoff, recall, or bumping rights.

Seniority for Represented and Non-Represented Employees

Definition

For the purpose of layoff, seniority shall mean the length of service in a permanent appointment to a specific job class in the classified service. Seniority begins on the date of permanent appointment to that class and shall include all time on approved paid leaves of absences. An officially approved absence from duty without pay because of military leave, Family Medical Leave, or injury in the line of duty shall also be included in determining seniority.

Effect of Dismissal or Resignation on Seniority

Dismissal, voluntary resignation or retirement cancels all accrued seniority and if on the Recall List, their name will be removed and all recall rights canceled. Demotion (voluntary or disciplinary) from a class cancels seniority entitlement to that class except as defined in the Administrative Rule on Reinstatement. An employee returning from medical layoff shall be entitled to retain their seniority.

Accrual of Seniority

In order to accrue seniority in any classification, an employee must have been permanently appointed to that classification from an eligible list, or by an alternative hiring process such as training plan, demotion, expanded transfer or redeployment or have been granted status through a classification action. No seniority is accrued by virtue of having performed the work of, or being qualified for appointment to, a classification. Placement on an eligible list, without

permanent appointment to a classification, does not result in seniority accrual, nor does temporary appointment to a classification. Persons serving in premium pay assignments or who receive special pay assignments do not accrue seniority in these assignments.

Employees will not lose accrued seniority in one class by accepting permanent appointment to another class where the maximum pay is equal to the class from which the employee transferred. In such cases the employee's seniority in the classes previously held under permanent appointment shall be frozen.

Seniority will continue to accrue in a class where the employee has permanent status while the employee is temporarily filling a position in another class. This also applies to working out of classification and to premium pay or special pay assignments.

Upon promotion or permanent appointment to a classification with a higher maximum pay rate, the employee's seniority in the prior classification shall be frozen. If a regular employee fails to pass probation and elects to return to their most recently held classification and position, seniority in the higher classification will be cancelled. Upon appointment to a position that is exempt from the classified service the employee's seniority in the prior classification shall be frozen. Seniority for permanently appointed employees in permanent part time and job share positions will be prorated on the basis of regular hours worked. Seniority for permanently appointed employees to partial year positions shall also be prorated on the basis of regular hours worked and shall not continue to accrue during the portion of the year these employees are not working for the City.

Tied Seniority

If two or more employees possess the same seniority date, a tie in classification seniority shall be broken and greater seniority determined by:

1. Highest score/rank on the eligible list from which the appointment was made; if a tie still remains, then
2. Total length of service with the City; if a tie still remains, then
3. By whatever job-related method approved by the City Auditor in consultation with the Director of the Bureau of Human Resources.

Layoff of Non-represented Employees

A non-represented employee in the Auditor's Office who is scheduled for layoff shall be placed first in any declared vacancy in the affected employee's current classification, provided they are qualified and, if none, to any position in the affected employee's current classification occupied by a temporary employee.

Non-represented employees do not have the option to bump. Non-represented employees will be placed on the Recall List for their classification to be recalled only to vacancies in their laid off classification at time of layoff only.

If more than one non-represented employee in the Auditor's Office is in a classification for which a layoff is required, the Auditor's Office will consider the following factors when determining which employee will be impacted:

1. The needs of the organization in terms of the types of positions and the special knowledge, skills and competencies necessary to accomplish the work of the bureau, and the qualifications of employees in terms of needed special skills and expertise.
2. The overall performance of an employee.
3. The seniority of the affected employees as defined above.

Redeployment for Non-represented Employees

If Auditor's Office non-represented employees cannot be reassigned within the Auditor's Office, the Bureau of Human Resources will make an effort Citywide to re-deploy the affected employees into an existing vacant position in their current classification, or to any other vacant position in the City, provided the employee is qualified to perform the work. The employee has no guarantee, however, of a position in another bureau. Employees who receive a regular appointment to a regular position through the redeployment process have no recall rights to the Auditor's Office and classification. See Administrative Rule on Redeployment.

Exceptions to Bumping Order for Represented Employees

Upon written documentation by the Auditor's Office and approval of the City Auditor in consultation with the Director of Human Resources that the bumping employee does not possess the skills required to perform the duties of the position held by the least senior employee, has not demonstrated the aptitude to perform the duties and responsibilities of the position held by the least senior employee or is otherwise shown to be unqualified, the City Auditor may authorize the bumping employee to displace the next least senior employee. This may continue in sequential order as necessary until the Auditor determines that the bumping employee is able to perform the duties of the position after a reasonable period of orientation.

Specialty Classifications

Specialty classifications shall be handled in the layoff process as if they were separate classifications.

A selective certification to fill immediate needs for unique skills is not the same as a specialty classification. Represented employees in positions based on selective certification may bump into other positions in the same classification, and may be bumped by someone in that same classification with more seniority, provided, in either case, they are qualified to do the work.

Recall Lists

Affected employees, at their discretion, will be placed on the Recall List for their current classification. A confirmation letter will be sent by Management Services to the employee confirming their placement on the recall list.

The Bureau of Human Resources will maintain a list of employees who have been laid off in each bureau. Each employee who is placed on a list is responsible for providing the Bureau of Human Resources with their current mailing address and phone number(s).

Employees shall be placed on a Recall List for the classification from which they were laid off for the following period of time:

1. for a period equal to the length of their total City service, but in no event less than three (3) years or more than five (5) years; or
2. until recalled to the classification from which layoff occurred, or removal as defined in the "Recall From Layoff" section of this rule, providing in no event will an employee remain on the Recall List for more than five years.

The Director of Human Resources may remove from a Recall List any former employee for reasons that would have resulted in discharge from active employment.

Outplacement Services

Outplacement services may be available to assist employees who are facing a layoff. If layoffs become necessary, employees will be given information about available outplacement services.

Recall From Layoff for Non-represented employees

Non-represented employees are only eligible for recall to the bureau from which they were laid off. When the Auditor's Office wishes to recall an employee from the recall list that contains multiple employees in the classification of the vacancy, the Auditor's Office will use the following factors to determine which employee to recall:

1. The needs of the organization in terms of the types of positions and the special knowledge, skills and competencies necessary to accomplish the work of the bureau, and the qualifications of employees in terms of needed special skills and expertise.
2. The overall performance of an employee.
3. The seniority of the affected employees as defined above.

If no employee is recalled due to lack of specific skill or knowledge, the division manager is required to state in writing what qualification(s) the laid off employee lacks for approval by the City Auditor.

If approved, the employee will remain on the Recall List for the next declared vacancy during their term of eligibility.

Leave Quotas Upon Recall

Recalled employees are entitled to accrue and use leave quotas immediately upon rehire and are not required to exhaust the eligibility period pursuant to the Administrative Rules or their bargaining agreement. Any sick leave accruals carried on the books at the time of separation will be reinstated. Dependent Care leave hours are part of the employee's total sick leave accruals, so upon recall, the employee will be eligible for up to 40 hours of dependent care leave, depending on the total number of hours of sick leave reinstated. If an employee is recalled within the same calendar year, the number of available dependent care hours will be reduced by any hours previously used in the year. Upon recall, the employee will be credited with three Personal Holidays unless they are recalled during the same calendar year in which they separated. If that is the case, the employee will not receive any additional personal holidays for the year.

Human Resources Rule Information and History

Questions about this administrative rule may be directed to the Management Services Division of the Auditor's Office.

Adopted by the City Auditor December 11, 2017.

Adapted from City of Portland Human Resources Administrative Rule 7.06 Layoff and Recall.

Adopted by Council March 6, 2002, Ordinance No. 176302.

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AUHR 8.01 HOURS OF WORK AND SCHEDULES

Hours of Work

The Auditor's Office maintains the right to alter an employee's workday or workweek and to require an employee to work overtime or on a weekend or holiday. The normal business hours for transacting Auditor's Office business are from 8 a.m. to 5 p.m. Mondays through Fridays, inclusive. The working time of employees shall normally be 40 hours during each workweek. The City Auditor may establish not less than 36 hours in a week as the workweek for any full-time employees in the Auditor's Office. City Hall and other offices shall be closed all day Saturday and Sunday.

Except for employees on a nine/eighty workweek schedule, a "workweek" is defined as any combination of four (4) or five (5) workdays assigned to an employee for work within a period of seven (7) consecutive days. Employees are not entitled to three (3) consecutive days off but may be on a work schedule that provides three (3) consecutive days off. For FLSA covered employees with a nine/eighty workweek schedule, the workweek shall begin and end at the midpoint of an eight (8) hour day.

Days Off

Days off for employees working a 40-hour workweek normally will be Saturday and Sunday. The City Auditor may authorize other days off where necessary for efficient operation of the office.

Generally, all employees are entitled to 2 consecutive days off in each workweek. When an FLSA covered employee is assigned nonconsecutive days off, the time worked on the last scheduled day of the employee's workweek shall be compensated at time and one-half. Example: If an employee is assigned Sunday and Thursday as days off, all time worked on Saturday is paid at time and one-half. This provision does not apply when an employee agrees to a work schedule that does not contain 2 consecutive days off.

Variable Work Week Schedules Defined

Compressed Work Week schedules allow full-time workers to work all their hours in fewer than five days per week. Common examples of this are:

- Four 10 hour days with one day off during the workweek
- Four 9 hour days and one 4 hour day, allowing for one afternoon off

- Nine/earthy – employees work 80 hours in nine days with one additional day off every other week

Daily Flextime Schedules. A flexible schedule splits the workday into two types of time: core time and flexile time. During core hours, set by each division, the employee must be at work. With supervisory approval during the flexible time, the employee has the option of selecting and varying starting and quitting time within limits set by management. Example: Core hours are designated as those from 9:00- 4:00p.m. while flexible hours are those from 7:00 - 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. The employee is expected to work the daily hours designated under their approved schedule.

Weekly Flextime Schedules. Employees have daily core and flextime, but the flextime can be used within the workweek as well. Example: Employee works 10 hours on Monday and then works 7 hours on Wednesday and Thursday.

All flextime must occur in the same workweek for FLSA covered employees due to the payment for overtime requirements.

Use of Variable Work Schedules

Auditor's Office division managers may choose to allow variable work schedules at their discretion. In some divisions, work schedules and the need for team coordination may render variable work schedules impractical. Occasions may arise when variable schedules must be suspended because of workload, operational needs, vacations or other reasons. When this occurs, supervisors should give employees as much advance notice as possible. The use of any variable work schedule must be authorized by the division manager in consultation with the City Auditor prior to its use by an individual employee. Management Services must verify that the requested schedule exists in the timekeeping system or cause the new schedule to be programmed, if it does not exist.

Authorization of a variable work schedule may be revoked at any time at the division manager's discretion.

Approval for Variable Schedules

Approval must be obtained from the division manager for any variable schedule, including flextime.

How Flextime Differs from Compensatory Time

Compensatory time off is one way to compensate a Fair Labor Standards Act (FLSA) covered employee who works more than 40 hours in a workweek and is entitled to overtime. Flextime is a scheduling tool to enable managers to meet operational needs but also allow employees more flexibility in scheduling.

Flextime within the workweek is acceptable for non-exempt employees. Flextime cannot be accumulated or added to vacation or management accruals.

Meal and Rest Periods

Full time FLSA covered employees, even if on a variable schedule, are required to take an unpaid lunch break of at least 30-minutes. The meal period may be scheduled within the normal work hours to meet the needs of the employee and working unit, but may not be used to shorten the workday except on an occasional basis and with prior approval of the supervisor or division manager. A meal period is a span of at least 30 consecutive minutes during which an employee is completely relieved of duty. A meal period is not counted as hours worked.

FLSA covered employees are entitled to two 15-minute rest periods, one before the meal period and one after, that are counted in hours worked. FLSA covered employees are entitled to an additional 15-minute rest period for every substantial portion of four hours they work beyond their regular schedule.

Rest Period to Express Milk

Reasonable rest periods of no less than 30 minutes shall be provided to those employees (FLSA covered or exempt) who have a child 18 months or younger for the purpose of expressing milk. Whenever possible the 30-minute rest period should coincide with the employee's regular rest period. If the rest period to express milk does coincide with the employee's regular rest period, for FLSA covered employees, 15 minutes of each 30 minute rest period for expressing milk is paid. If the rest period for expressing milk does not coincide with the employee's regular rest break, the entire rest period for expressing milk is unpaid. With prior approval of their supervisor or division manager, employees may be allowed to work before or after their regular work shift to make up the amount of time used during the unpaid portion of the rest break.

The employee must be provided a private location, in close proximity to her work area, to express milk. The employee must be able to express milk concealed from view and without intrusion by other employees. A public restroom or toilet stall is not an acceptable location.

An employee who intends to express milk during work hours must provide her supervisor with reasonable oral or written notice of her intention to allow sufficient time to make the necessary preparations to comply with this rule.

Certain types of work may make it an undue hardship on division operations to allow an employee to express milk during work hours. If a manager or supervisor believes there is an undue hardship that would preclude such rest periods, they should consult with Management Services

Attendance at Training Sessions, Workshops and Meetings

Required or paid attendance at work-related training sessions, workshops and other meetings, whether before, during or after the employee's regular work schedule, is work time. Generally, voluntary attendance at training sessions, workshops and other meetings is not work time.

Travel Time

Whether travel time is considered as hours worked depends on circumstances and must be determined on a case by case basis. See the Administrative Rules on Travel and Teleworking for more information.

Inclement Weather

See Administrative Rule on Inclement Weather.

Rescheduling of Work Days

See Administrative Rule on Hours of Work and Overtime: FLSA Covered Employees.

Attendance

Employees are expected to report to work at their scheduled starting times on each scheduled workday and to follow all Auditor's Office and division work rules concerning attendance.

Human Resources Rule Information and History

Questions about this administrative rule may be directed to the Management Services Division of the Auditor's Office.

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Adapted from City of Portland Human Resources Administrative Rule 8.01 Hours of Work and Schedules.

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