



USAID
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ADS Chapter 479

Hours of Duty

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ADS Chapter 479 – Hours of Duty

479.1 OVERVIEW

Effective Date: 01/17/2024

This chapter establishes the basic workweek during any given six-day period (Monday–Saturday) for full-time and part-time employees with a domestic assignment. It provides options for an irregular workweek and alternative work schedule (AWS), including flexible work schedule (FWS) and compressed work schedule (CWS), for all U.S. direct hire (DH) employees who have a regularly scheduled administrative workweek. This chapter provides the policy and procedures around “when” an employee conducts work for the Agency (see [ADS 405, Telework and Remote Work Program](#) for the policy and procedures around “where” an employee conducts work for the Agency).

All USAID overseas Missions and Operating Units (OUs) must establish workweeks and work schedules for personnel at post, adhering to the guidance of the Chief of Mission (see [3 FAM 2333](#)).

479.2 PRIMARY RESPONSIBILITIES

Effective Date: 01/17/2024

- a. **Supervisors** are responsible for:
1. Ensuring there is adequate coverage during USAID work hours and that customer service and work requirements are not adversely affected by employee participation in an AWS (see section **479.3.4**) or any other irregular schedules;
 2. Complying with all requirements for certifying time and attendance and work schedules;
 3. Communicating with employees on work schedules;
 4. Approving/denying an employee's proposed work schedule and recommending approval/denial of an employee's proposed work schedule to the designated approving official;
 5. Adjusting an employee's AWS to address operational needs;
 6. Informing employees, as soon as practicable, of any modifications to their work schedule;
 7. Certifying, through USAID’s automated time and attendance system, transmitted to the Bureau for Management, Office of the Chief Financial Office, Payroll Division (M/CFO/P) each pay period, that each employee’s reported hours are correct and accurately reflect the hours worked, leave taken, and that any, overtime or compensatory time earned or used, have been properly recorded.

b. Timekeepers are responsible for:

1. Maintaining the proper time and attendance data for each assigned employee;
2. Ensuring that employees' Time and Attendance Reports are validated and maintaining other daily time and attendance records for each biweekly pay period, in accordance with office procedures and established timeframes;
3. Processing and signing the final Time and Attendance Report at the end of the pay period; and
4. Maintaining all supporting documents, including approved Requests for Leave or Approved Absence, approved overtime requests, and approved [Form AID 479-1, Work Schedule Requests](#).

c. Employees are responsible for:

1. Complying with all requirements regarding recording and validating time and attendance and work schedules to which the employee is assigned;
2. Communicating and seeking approval from their supervisors regarding their work schedules;
3. Submitting a preferred work schedule to their supervisors by completing [Form AID 479-1, Work Schedule Request](#), and when possible, requesting any permanent or temporary schedule changes in advance of the effective date of any proposed change of schedule;
4. Maintaining records of their daily time and attendance, in accordance with office procedures and established timeframes;
5. Validating time and attendance, using the automated time and attendance system, to ensure that it accurately reflects hours worked, leave taken, **credit hours**, and any, overtime, or compensatory time earned or used during the pay period; and
6. Attending required briefings and training related to the implementation and administration of work schedules.

479.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

479.3.1 USAID Work Hours
Effective Date: 01/17/2024

For domestically assigned employees, work hours are between 12:00 a.m. and 11:59 p.m., Monday through Saturday. In other words, supervisors can approve an employee's request to work duty hours at any time during the day, any day of the week

(other than Sunday). Employees must not work more than 12 duty hours per day. Night pay differential is not authorized.

Supervisors or operational units may set a block of time for employees during a day or days when employees are required to either be on duty or on leave. This is known as “core hours.” If the supervisor approves an employee’s request for an FWS, the supervisor must set core hours before the FWS is approved (see section **479.3.4.2**).

Days with core hours are known as “core days.” Supervisors or operational units can set core hours and core days to meet their operational needs. For example, a supervisor or operational unit may establish core hours of 9:00 a.m. to 12:00 p.m. EST Wednesdays and Thursdays, in order to facilitate scheduled meetings. Core hours should be limited to as small a window of time as practicable. Core hours should not, barring exigent circumstances, begin before 6:00 a.m. or extend past 6:00 p.m.

The lunch break for domestic full-time employees is no less than 30 minutes or more than 60 minutes, which is in addition to the established workday requirement. Lunch breaks of more than 60 minutes require supervisory approval. For overseas employees, the lunch break is established in coordination with officials at post. Lunch breaks are non-compensated time. There are no other official break periods. A lunch break is not required for part-time employees with an official work schedule of less than eight hours per day.

For overseas employees, the basic workday is established in coordination with officials at post (see [3 FAM 2333.1-2](#)).

479.3.2 Regular Basic Workweek

Effective Date: 07/13/2023

The regular basic workweek for full-time employees is the established 40-hour workweek within each administrative workweek. Full-time employees have a daily work requirement of eight hours and must work 80 hours during a biweekly pay period.

Part-time employees must work between 16 and 32 hours each week (or between 32 and 64 hours during a biweekly pay period) on a prearranged schedule, which is specified in the remarks section of their [Form SF-50, Notification of Personnel Action](#).

479.3.3 Irregular Basic Workweek

Effective Date: 07/13/2023

Domestic and overseas supervisors have the authority to establish a short-term irregular basic workweek, when necessary or due to extremes of climate; local customs, traditions or practices; differences in time zones; or other factors, per [3 FAM 2333.2](#).

479.3.4 Alternative Work Schedules

Effective Date: 07/13/2023

Participation in an AWS, instead of traditional fixed work schedules (e.g., eight hours per day, 40 hours per week) is subject to approval by an employee's supervisor. The supervisor must take into account the need for monitoring and supervision in establishing work hours for the employee under an AWS. Supervisors are responsible for tracking the hours of work performed by their employees and may establish record-keeping procedures to facilitate this task. It is the supervisor's responsibility to ensure that the rules and regulations are followed and to take corrective actions, if necessary.

AWS includes both compressed work schedules (CWS) and flexible work schedules (FWS), as follows:

- **CWS:** Under [5 U.S.C. 6121\(5\)\(A and B\)](#), a CWS is a fixed work schedule in which an employee's basic work requirement of 80 hours in a biweekly pay period is scheduled in less than ten workdays.
- **FWS:** Under [5 U.S.C. 6122\(a\)\(1 and 2\)](#), an FWS includes designated hours during which an employee may elect to work in order to complete the employee's basic (non-overtime) work requirement. An FWS also includes designated hours (core hours) and days when an employee must be present for work.

USAID allows for a fully FWS known as maxiflex. As agreed upon between an employee and supervisor, a maxiflex work schedule allows employees to vary their starting and ending times on a daily basis, yet in a predictable way. Employees may also vary the length of the workday and the workweek. An employee may work less than ten workdays biweekly. Similar to a regular basic workweek, a full-time employee must have 80 basic work hours in a biweekly pay period comprised of work time and/or leave.

An approved AWS becomes an employee's regularly scheduled administrative workweek. Employees attending training sessions must adjust their schedule to conform to the hours of the training course. Utilization of an AWS has no bearing on an employee's telework or remote work eligibility and agreement.

479.3.4.1 Compressed Work Schedules

Effective Date: 07/13/2023

A CWS enables employees to fulfill their basic work requirements in less than ten days during the biweekly pay period. Although employees may change or stagger their arrival and departure times, in agreement with their supervisor, starting and ending times under a compressed work schedule are fixed.

The following CWS may be available to employees but are not exhaustive:

- **The four-day workweek:** A fixed schedule in which a full-time employee must work ten hours per day for four days in a workweek for a total of 40 hours per week, and 80 hours per biweekly pay period. A part-time employee must complete the part-time weekly work requirement in four days; and

- The 5/4-9 plan: A fixed schedule in which a full-time employee must work eight nine-hour days and one eight-hour day for a total of 80 hours in a biweekly pay period. A part-time employee must work a fixed part-time biweekly work requirement in less than ten days.

479.3.4.2 Flexible Work Schedule: Maxiflex

Effective Date: 01/17/2024

USAID allows for a maximum FWS known as a maxiflex work schedule. A maxiflex work schedule contains core hours on fewer than ten workdays in the biweekly pay period. As a minimum requirement, an FWS must have two designated core workdays within a biweekly pay period and at least two core hours for each core workday. With this schedule, a full-time employee has a basic work requirement of 80 hours for the biweekly pay period. During the biweekly pay period, an employee may vary the number of hours worked on a given workday or the number of hours each week within the limits established by their supervisor.

479.3.4.3 Credit Hours

Effective Date: 01/17/2024

Credit hours are the hours an employee voluntarily works, with supervisory approval, in excess of the employee's basic work requirement under an FWS (see [5 U.S.C. 6121\(3\) and \(4\)](#)). Credit hours are distinguished from overtime and compensatory time in that they are not paid basic pay or overtime pay for credit hours when earned (see [ADS 472, Premium Pay](#), for information regarding overtime). An employee may use credit hours earned, with supervisory approval, to be absent from an equal number of hours of the employee's basic work requirement with no loss of basic pay. Credit hours are limited to a maximum of 24 hours and do not expire.

a. Eligibility

General Service (GS) employees, foreign service (FP and FO) employees, and senior level or scientific professional employees (SL/ST) on an approved FWS are eligible to earn credit hours with supervisor's approval.

Full-time employees may earn credit hours once they have worked 80 hours in a pay period. Part-time employees may earn credit hours, once they have worked their scheduled basic work requirement.

Employees with the Pay Plans of Executive (EX), Senior Executive Service (ES), Administratively Determined (AD)-18, or Senior Foreign Service (FE), are not eligible to earn credit hours (see 5 U.S.C. 6121(2) and 5 CFR 610.408).

b. Approval to Work Credit Hours

Supervisors may limit or restrict the earning and use of credit hours. Supervisors have the authority to set a limit on the number of credit hours an employee may work each day or pay period or elect to approve credit hours on a case-by-case basis.

Every position may not be suitable for earning credit hours. Positions that may not have sufficient work for more than eight hours per day, positions that may only be busy at certain times of the day, or the requirements for office coverage may prevent an employee from working credit hours.

Employees must obtain supervisor's approval prior to working the extra hours.

c. Maximum Credit Hours Carryover

Full-time employees may carry over a maximum of 24 credit hours from one pay period to the next.

For part-time employees, the maximum number of credit hours, which may be earned and carried over, is one-fourth the total of the employee's scheduled work hours per pay period (see [5 U.S.C. 6126\(a\)](#)).

d. Credit Hours Upon Separation or Change in Work Schedule Eligibility

Credit hours are paid out at the hourly rate they were earned when an employee separates from the Agency. When an employee is no longer subject to an FWS, the employee must be paid for accumulated credit hours at the rate of pay at which they were earned. Payment for accumulated credit hours is limited to a maximum of 24 hours for a full-time employee. For a part-time employee, the limit is one-fourth the total of the employee's scheduled work hours per pay period (see [5 U.S.C. 6126\(b\)\(1\) and \(2\)](#)). An employee may not be compensated for credit hours for any other reason (e.g., excess, unused credit hours over the maximum allowed that cannot be carried forward into the next pay period) (see [5 U.S.C. 6123\(b\)](#)).

479.3.4.4 Flexible Work Schedules and Premium Compensation

Effective Date: 07/13/2023

An employee on an FWS who elects to work before 6:00 a.m. or after 6:00 p.m. is not eligible to earn a night differential. AWS provisions for premium pay and overtime pay provisions of the Fair Labor Standards Act of 1938, as amended (FLSA), are specified in [5 U.S.C. 6123\(a\)](#), [5 U.S.C. 6123\(c\)](#), [ADS Chapter 472, Premium Compensation](#), and in the [U.S. Office of Personnel Management \(OPM\), Handbook on Alternative Work Schedules](#).

479.3.5 Commuting Time

Effective Date: 01/17/2024

Normal commuting time from home to work and from work to home, also known as “home to work” travel, is not hours of work (see [5 CFR 551.422\(b\)](#)). This includes days when employees are required to work at the official worksite on a day that would otherwise be a telework day. For employees reporting to another official work site within the limits of the official work site, normal “home to work” travel is not considered hours of work. If an employee (whether FLSA-covered or exempt) is required to travel directly between home and a temporary duty location outside the limits of the employee's official work site, the time the employee would have spent in normal commuting must be deducted from any hours of work outside the regularly scheduled administrative workweek (or, for FLSA-covered employees, outside corresponding hours on a non-work day) that may be credited for the travel time.

In rare circumstances where the employee is officially ordered or approved by their supervisor to perform substantial work while commuting, commuting time from home to work and from work to home may be hours of work. Under the control and direction of the Agency, substantial work is productive work of a significant nature that is an integral and indispensable part of the employee's principal activities. Work under these circumstances must only be completed with supervisory approval. De minimis work (e.g., checking emails, listening to a meeting) would not qualify as work for these purposes.

For more information regarding telework and remote work employees and commuting time, see [OPM's Guidance on Hours of Work for Telework and Remote Work Employees](#).

479.3.6 Certification of Time and Attendance

Effective Date: 07/13/2023

To comply with time and attendance accounting requirements for work schedules set forth in [5 CFR 610.404](#), USAID employees and their supervisors must certify all hours worked, hours of leave taken, and any overtime or compensatory time off earned or used for each pay period. For more information, refer to [ADS 626, Payroll and Time and Attendance Transactions](#).

479.3.7 Holidays and Excused Absence

Effective Date: 01/1/2024

Employees are compensated for holidays and excused absence based on their work schedule as follows:

a. Regular Basic Work Schedule

- A full-time employee is entitled to pay for eight hours.
- A part-time employee is entitled to payment for those hours regularly scheduled on the holiday, not to exceed eight hours. Part-time employees

are not entitled to an "in lieu of" holiday if a holiday falls on a non-workday. Supervisors must not allow work schedule changes solely for the purpose of allowing part-time employees to be paid for a holiday.

b. CWS

- An employee is entitled to pay equal to the hours the employee was scheduled to work on the holiday.
- If an employee is working a CWS, and a holiday falls on the non-work day (or regular day off), the employee's "in lieu of" holiday is the workday immediately preceding the holiday. Example: Indigenous People's Day falls on Monday, the "in lieu of" holiday would be the preceding Friday.

c. FWS

- Holidays:
 - For an employee scheduled to work more than eight hours, the employee receives eight hours for the holiday. The time missed beyond eight hours must be covered. The employee may work the hours on a different day in the pay period or use accrued, compensatory time off, **credit hours**, or annual leave (see [ADS 480](#) and [ADS 472](#)).
 - If an employee is working a FWS, and a holiday falls on the non-work day (or regular day off), the employee's "in lieu of" holiday is the workday immediately preceding the holiday. Example: Indigenous People's Day falls on Monday, the "in lieu of" holiday would be the preceding Friday.
 - If a holiday falls on a Sunday when the employee was not scheduled to work; the next scheduled workday should be the day off, unless leadership determines that the day off could have an impact on service to the public, productivity, or cost.
 - If a part-time employee is relieved of or prevented from working on a day within the employee's scheduled tour of duty that is designated as a holiday by federal statute or Executive Order, the employee is entitled to basic pay, with respect to the holiday for the number of hours the employee is scheduled to work on that day, not to exceed eight hours. When a holiday falls on a non-workday of a part-time employee, they are not entitled to an "in lieu of" day for that holiday.

- Credit hours may be used on a holiday. However, they cannot be accrued on a holiday.
- Excused Absences: If an excused absence occurs on a day when an employee would have worked more than eight hours, the employee must receive the number of hours scheduled to be worked on that day. For example, if an excused absence falls on a day that the employee was scheduled to work nine hours, the employee will receive nine hours of excused absence.

479.3.8 **Appendix**
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Table 1: Work Schedules, Credit Hours, and Holiday Pay At-A-Glance

Work Schedules	Flexible Start/End Time	Earned Credit Hours	Holiday Paid Hours
Regular Basic	No	No	Eight hours paid
CWS	No	No	“Basic work requirement” hours established with the employee's schedule
FWS (Maxiflex)	Yes	Yes	Eight hours paid. Employees must make up hours if the holiday falls on a day they are scheduled to work more than eight hours.

479.4 **MANDATORY REFERENCES**

479.4.1 **External Mandatory References**
 Effective Date: 07/13/2023

- a. [3 FAM 2330](#)
- b. [3 FAM 2333.1-2](#)
- c. [3 FAM 2334](#)
- d. [3 FAM 2335](#)
- e. [5 CFR 610](#)

- f. [5 U.S.C. Chapter 61](#)
- g. [5 U.S.C. 5541 \(xiv and xv\)](#)
- h. [U.S. Office of Personnel Management, Handbook on Alternative Work Schedules](#)

479.4.2 Internal Mandatory References
Effective Date: 07/13/2023

- a. [ADS 472, Premium Compensation](#)
- b. [ADS 480, Leave](#)
- c. [ADS 626, Payroll and Time and Attendance Transactions](#)

479.4.3 Mandatory Forms
Effective Date: 07/13/2023

- a. [Form AID 479-1](#)
- b. [Form SF-50, Notification of Personnel Action](#)

479.5 ADDITIONAL HELP
Effective Date: 07/13/2023

There are no Additional Help documents for this chapter.

479.6 DEFINITIONS
Effective Date: 01/17/2024

See the [ADS Glossary](#) for all ADS terms and definitions.

Administrative Workweek

A period of seven consecutive calendar days, beginning on Sunday and ending on the following Saturday. (**Chapter 479** and [481](#))

Basic Work Requirement

The number of hours, excluding overtime hours, an employee is required to work or account for periods of absence by charging leave, holiday hours, excused absence, compensatory time, or leave without pay. A full-time employee must work 80 hours during a biweekly pay period. (**Chapter 479**)

Basic Workweek

The 40-hour workweek established for full-time employees within each administrative workweek. (**Chapter 479**)

Biweekly Pay Period

The two-week period for which an employee is scheduled to perform work. (**Chapter 479**)

Compressed Work Schedule (CWS)

An alternative work schedule that has an 80-hour biweekly basic work requirement for the employee to complete in less than 10 work days within a fixed work schedule. (**Chapter 479**)

Core Hours

The daily hours when employees on a flexible work schedule must be present for work. Supervisors and operational units may establish their own core hours. (**Chapter 479**)

Credit Hours

The hours within a flexible work schedule that an employee elects to work, with supervisory approval, in excess of their basic work requirement, so as to vary the length of a workweek or workday. (**Chapter 479**)

Flexible Hours

The time periods during the workday in which employees covered by a flexible work schedule may choose to schedule their arrival or departure times, subject to management approval. (**Chapter 479**)

Flexible Work Schedule (FWS)

An alternative work schedule that has an 80-hour biweekly basic work requirement which allows an employee to determine their own schedule within the limits set by the Agency; and in the case of a part-time employee, has a biweekly basic work requirement of less than 80 hours that allows an employee to determine their own schedule within the limits set by the Agency. (**Chapter 479**)

Lunch Break

The lunch break is in addition to the daily work requirement. For overseas Missions, the lunch break is established in coordination with officials at post. Lunch breaks are unpaid time. (**Chapter 479**)

Maxiflex Work Schedule

A type of flexible work schedule that contains core hours on fewer than ten 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 in which an employee may vary the number of hours worked on a given workday or the number of hours each week. (**Chapter 479**)

Regularly Scheduled Administrative Workweek

For a full-time employee, the period within an administrative workweek, established in accordance with Mandatory Reference, 5 CFR 610.111, within which the employee is regularly scheduled to work. For a part-time employee, the officially prescribed days and

hours within an administrative workweek, during which the employee is regularly scheduled to work. (**Chapter 479**)

Regularly Scheduled Work

Work that is scheduled in advance of the seven-day administrative workweek, including regular overtime and night work. (**Chapter 479**)

Schedule Change

A modification or adjustment in the established work schedule of an employee of a permanent or temporary nature which may be initiated by either the supervisor or employee. (**Chapter 479**)

Workday

Those hours which comprise in sequence the employee's regularly scheduled tour of duty within any 24-hour period, whether falling entirely within one calendar day or not. (**Chapter 479**)

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