

Title 360 - General Manual
PART 427 – HOURS OF DUTY
SUBPART B – WORK SCHEDULES

NM-427.11(c)(1)(ii)

NM427.11 Establishment of work schedules.

- (a) It is the policy in New Mexico that the following work schedules are available:
 - (1) Basic 40-hour week under traditional or flexible work schedule arrangements
 - i. Traditional - Designated hours and days when an employee must be present for work.
 - ii. Flexible - A starting and stopping time is established for each day (tour of duty). Employees may (within core hour requirements of 9:30 a.m. to 2:30 p.m.) change the starting and stopping times of their work day within one-half hour of their established tour of duty without requesting a formal work schedule change. Employees may (with prior supervisory approval) work more than 8 hours in a day and work less than 8 hours on another day as long as the regularly scheduled 80 work hours in the pay period are performed.
 - (2) Compressed Work Schedule - An 80-hour biweekly basic work requirement that is scheduled for less than 10 workdays
 - i. 5/4/9 Workweek
 - ii. Four-day, 10 hour workweek
- (b) The following items must be considered prior to approval of a work schedule.
 - (1) Offices with only one person will NOT be authorized to participate in a compressed work schedule.
 - (2) Offices must be open and staff available to members of the public Monday through Friday from 8:00 a.m. through 4:30 p.m.
- (c) The following are New Mexico conditions and requirements to be met in addition to National criteria in establishing tours of duty:
 - (1) General.
 - (i) No work schedule shall begin prior to 6:00 a.m. nor extend beyond 6:00 p.m.
 - (ii) Scheduled work hours before 7:00 a.m. and after 5:30 p.m. are allowed only under special circumstances; i.e., to facilitate safety and health activities and under unusual personal circumstances. The State Conservationist's approval is required. Submit work schedule requests in writing, through proper channels, for approval consideration. An adequate explanation of the special circumstances must be attached with the request.

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- (iii) Temporary or permanent work schedule changes designating Saturday or Sunday as part of an employee's administrative work week must be submitted prior to the effective pay period to the State Conservationist, State Administrative Officer or the Area Conservationist for approval.
- (iv) Area Conservationists and State Office principal staff will approve traditional or flexible 40 hour work schedules for their staff. The State Conservationist will approve compressed work schedules. Tours within an office may vary as long as requirements in NM427.11(b) are met.
- (v) Rest or break periods of short duration are on duty time and employees remains subject to the assignment of work. Since management is able to call employees back to work, should the need arise, and because these periods are on duty time, employees must remain on the premises during these rest periods. Leaving the premises during duty hours for any reason other than official business is not permitted. Employees should notify their supervisor (or other personnel in their work area if their supervisor is not available) when leaving their immediate assigned work area for accountability purposes in cases of emergencies such as fire.

(2) 5-4/9 Compressed Work Schedule

- (i) Within an 80 hour pay period, an employee may work 9 hours per day for eight days in a pay period, 8 hours for one day, and have a regularly scheduled day off. The supervisor establishes the tour of duty (the starting and stopping times when the employee is expected to be at work). The regularly scheduled day off is always the same day within the two week pay period. Flexible work schedules and credit hours are NOT available to employees on a 5-4/9 compressed work schedule.
- (ii) Part-time and WAE (Intermittent) employees do NOT have the option of working the 5-4/9 work schedule and may only work a maximum of 8 hours per day.

(3) Four day, 10 hour Compressed Work Schedule

- (i) The 4-day, 10 hour work schedule is reserved for only those employees required to work over 9 hours per day due to uncontrollable work situations.
- (ii) Any office or employee not presently approved for this work schedule must request written permission to the State Conservationist through the appropriate channels. A justification of benefit to the government must be included.

360-GM, Amend. NM51, March 2005

Subpart B – Work Schedule

NM427.12.(d)

- (iii) The supervisor establishes the tour of duty (the starting and stopping times when the employee is expected to be at work). This schedule is fixed until it is changed by the supervisor and is limited to four 10 hour days per work week. The regularly scheduled days off are always the same days within the two week pay period. Flexible work schedules and credit hours are NOT available to employees on a four day, 10 hour compressed work schedule.
- (iv) Part-time and WAE (Intermittent) employees do NOT have the option of working the four day, 10 hour work schedule and may work only a maximum of 8 hours per day.

NM427.12 Changing Tour of Duty and Work Schedules

- (a) Employees may not arbitrarily change their established work hours (tour of duty) or work schedules.
- (b) Change in regularly scheduled tours of duty (work hours)
 - (1) Field employees make requests through proper channels to their Area Conservationist for approval.
 - (2) State Office employees make requests to immediate supervisors for approval.
- (c) Changes in work schedule (from a regular, five day traditional or flexible work week to a 5-4/9 or a 4/10 compressed work schedule and vice versa).
 - (1) Normally, no more than two changes per year will be allowed.
 - (2) Written requests for a change in schedules should be submitted to the State Conservationist, through proper channels, for approval consideration.
- (d) Change in non work day. Changes must be in the best interest of the government and require supervisory approval.

(360-GM, Amend. NM51, March 2005)

NM427-6(3)