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Control Over Work Hours and Alternative Work Schedules

Abstract
[Excerpt] Alternative work schedules encompass work hours that do not necessarily fall inside the perimeters of the traditional and often rigid 8-hour workday or 40-hour workweek. Such schedules allow working people to earn a paycheck while having the flexibility to take care of children, older relatives and other needs. Examples of such schedules include: limits on mandatory overtime, flexible work day, compressed workweek, shift swap and telecommuting. Changes in the workforce and the economy are making alternative work schedules increasingly important for working families trying to balance jobs and family responsibilities.

Keywords
workforce, worker rights, hours, schedule, child care, AFL-CIO

Comments

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BARGAINING FACT SHEET

Control Over Work Hours

AND ALTERNATIVE WORK SCHEDULES

WHAT ARE ALTERNATIVE WORK SCHEDULES?

Alternative work schedules encompass work hours that do not necessarily fall inside the perimeters of the traditional and often rigid 8-hour workday or 40-hour workweek. Such schedules allow working people to earn a paycheck while having the flexibility to take care of children, older relatives and other needs. Examples of such schedules include:

- Limits on mandatory overtime,
- Flexible work day,
- Compressed workweek,
- Shift swap and
- Telecommuting.

Changes in the workforce and the economy are making alternative work schedules increasingly important for working families trying to balance jobs and family responsibilities.

SOME IMPORTANT FACTS

- More than 1 in 4 working women (28 percent) work evening or weekend shifts.
- Nearly 1 in 5 full-time workers works nonstandard hours. More than 1 in 3 are women.
- Workers who are pressured into working overtime suffer significantly higher rates of alcohol use, stress and absenteeism.
- Among working parents, 66 percent of fathers and 51 percent of mothers are unhappy with the amount of time they dedicate to their children.
- Some 46 percent of women married or living with someone work a different schedule than that of their spouse or domestic partner.

NEEDS ASSESSMENT

Before bargaining for alternative work schedules, it is important to identify the actual schedule needs of the members. This information can be gathered through a needs assessment survey or in a bargaining survey.

For help, refer to the sample *Bargaining Questions on Work and Family* by the Labor Project for Working Families or contact one of the organizations listed in the Resources section at the end of this fact sheet.

CONTRACT LANGUAGE

Below are examples of recently won family-friendly provisions in union contracts. For actual contract language or more examples, please contact the Labor Project for Working Families (see Resources).

Limits on Mandatory Overtime

For many working families, being forced to stay at work past the regularly scheduled end time can be very stressful. Many working parents do not have backup arrangements for child care or cannot afford backup care. Provisions in union contracts making overtime voluntary protect employees from this loss of power over their daily schedules.

Contract Example

- *Communications Workers of America and Verizon Inc.:* CWA successfully negotiated a cap on mandatory overtime of 7.5 hours per week for service reps and 8 hours per week for members working in the plant. Any voluntary overtime is counted toward the buildup of the 7.5- to 8-hour maximum mandatory amounts.

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Flexible Work Hours

Flextime agreements allow employees to vary the start and end of their workday as long as each employee works within a specific range of "core" hours and works the prescribed number of hours each day or each week.

Contract Example

- *International Brotherhood of Electrical Workers Local 1245 and San Francisco Computer Center Output Processing:* IBEW Local 1245 negotiated a flextime policy with the employer, which runs a 24-hour-a-day, seven-day-a-week operation. For first shift, the workday consists of 7.5 hours, beginning between 6:30 a.m. and 8:30 a.m. and ending between 3:00 p.m. and 5:00 p.m. For second shift, the workday consists of 7 hours, beginning between 11:00 p.m. and 1:00 a.m. and ending between 7:00 a.m. and 9:00 a.m.

Compressed Workweek

Two common examples of this are schedules that allow workers to work four 10-hour days for an extra day off per week or eight 9-hour days and one 8-hour day for an extra day off every two weeks.

Contract Example

- *National Treasury Employees Union and U.S. Food and Drug Administration:* NTEU successfully negotiated language around compressed work schedules that gives employees the option to work nine 9-hour days in a two-week period with every 10th day off or four 10-hour days per week with one day off. Compressed schedules must be within the hours of 6:00 a.m. and 6:00 p.m.

Part-time with Benefits

Part-time work can give working people flexibility to take care of family needs while still receiving an income. It is important to maintain benefits when negotiating for part-time work.

Contract Example

- *UNITE Local 14A and Xerox Corp.:* UNITE Local 14A won benefits equal to 50 percent of benefits of full-time workers for part-time members who work 20–30 hours per week. Part-time members who work at least 30 hours per week on a regular basis receive full benefits.

Telecommuting

Telecommuting is working from a site other than the central worksite, usually at home. Unions traditionally have opposed telecommuting because work done at home is difficult to regulate and easily could become "sweatshop" labor. Another union objection is that workers who telecommute can become isolated from one another and are difficult to organize. However, unions have been successful in bargaining for telecommuting provisions that benefit workers.

Contract Example

- *AFSCME Council 31 and Local 3368 and Clerk of the Circuit Court of Cook County:* AFSCME successfully negotiated for a work-at-home assignment pilot program allowing members with infant care needs to work at home one day per week. The program is for members with infants less than 1 year old. Participants in the program are chosen by a labor-management committee on the basis of hardship. While participating in the program, members may work one work day at home each week for up to six months. The program will not result in any layoffs or reduction in hours.

Job Sharing

Under a job-share agreement, two part-time employees share one full-time job. The two employees divide the full-time salary between them according to hours worked. Benefits and seniority often are prorated according to hours worked, although in some job-share situations both may receive full benefits and/or seniority. Union contracts can protect employees' right to enter into a job-share arrangement and can establish standards for job shares.

Contract Example

- *AFSCME Local 2505 and Executive Department of the State of Oregon:* AFSCME Local 2505 bargained with the State of Oregon to allow any eligible employee to request approval to participate in job sharing. Employees sharing a job accrue vacation, sick leave

and holiday pay on a prorated basis. Two employees sharing a job also are entitled to share health insurance benefits for one full-time position on a prorated basis.

Shift Swap

A shift-swap provision in a union contract allows workers to voluntarily exchange shifts or workdays to accommodate such family needs as attending school events or medical appointments.

Contract Example

- *Teamsters Local 445 and St. Luke's Hospital:* IBT Local 445 in Newburgh, N.Y., bargained with St. Luke's Hospital to allow employees to switch scheduled work days with other employees provided approval of the employer is obtained.

Shorter Workweek

Unions have bargained for shorter workweeks for their members with full compensation. Some unions also have used shorter workweek provisions with less compensation as an alternative to layoffs.

Contract Examples

- *International Brotherhood of Electrical Workers Local 1060 and Thomas Industries:* IBEW Local 1060 successfully negotiated a shorter workweek, consisting of three 12-hour days, with the employee receiving 40 hours of pay. The hours of work are 7:00 a.m. to 7:00 p.m. or 7:00 p.m. to 7:00 a.m. on Friday, Saturday and Sunday. All hours worked on the scheduled days in excess of 12 are voluntary only and are paid at time and one half.

- *SEIU Local 616 and Alameda County Medical Center:* SEIU Local 616 successfully negotiated a 12-hour shift program. Full-time staff members work three 12-hour shifts (36 hours) and are compensated for 40 hours of work. Vacation and sick leave accruals are equivalent to those of full-time employees. Employees scheduled to work a recognized holiday are compensated at time and one half and receive 12 hours banked holiday in lieu time.

Voluntary Reduced Time

Voluntary reduced time allows an employee to reduce the number of hours she or he works in a week in order to have extra time to take care of personal or family needs.

Contract Examples

- *SEIU Local 715 and Santa Clara County:* SEIU Local 715 won a voluntary reduced time policy under which members may request a reduction in their work hours of 1 percent, 2 percent, 5 percent or 20 percent. This reduction in hours may last for up to six months. While working reduced hours, employees keep their full-time status for the purpose of benefits and seniority.

- *AFT Local 3695 and the University of Connecticut:* AFT negotiated part-time return to work after the birth or adoption of a child. Parents may work half-time for up to six months and may request half-time work for up to 12 months; leave beyond the first six months is subject to management approval. In addition, there is six weeks of paid leave for child bearing and up to six weeks of paid accrued time for both the mother and father without management approval.

RESOURCES

AFL-CIO Working Women's Department
Provides information on issues that face women in the workplace.
Website: www.aflcio.org/women
Phone: 202-637-5064

Labor Project for Working Families
Maintains a national database of family-friendly bargaining contract language. Works with unions and labor-management committees on implementing work and family provisions.
Website: http://laborproject.berkeley.edu
Phone: 510-643-7088

Coalition of Labor Union Women (CLUW)
Provides educational tools on a variety of topics of concern to union women.
Website: www.cluw.org
Phone: 202-223-8360

National Child Care Information Center
A national resource that provides information on child care and contains links to state child care programs.
Website: www.nccic.org
Phone: 800-616-2242

The National Council on the Aging
A group of organizations and professionals dedicated to promoting the dignity, self-determination and well-being of older persons.
Website: www.ncoa.org/caregiving
Phone: 202-479-1200

New Ways to Work
Provides information on flexible and alternative work schedules to employers and unions. Based in San Francisco.
Website: www.nww.org
Phone: 415-995-9860