



TSA Office of
**Human
Capital**

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Handbook

TSA MD 1100.61-2 Handbook

Hours of Duty for Special Operational Needs

Effective: August 8, 2008



Transportation
Security
Administration



TSA Office of
**Human
Capital**

This Handbook and all related Attachments and/or Appendices contain stipulations to implement the provisions of TSA MD 1100.61-2, Hours of Duty for Special Operational Needs. Until such time as TSA MD 1100.61-2 is rescinded, the Management Directive, Handbook, and any Attachments or Appendices are considered TSA policy, and must be applied accordingly.

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A. Definitions

- (1) Administrative Workweek: Any period of seven consecutive 24-hour periods designated by the Assistant Secretary, or an appropriate designee. Generally, the administrative workweek begins on Sunday and ends on Saturday.
- (2) Basic Workweek for Full-Time (FT) Employees: A 40-hour workweek that does not extend over more than six of any seven consecutive days.
- (3) Basic Workweek for Part-Time (PT) Employees: A set number of hours between 16 and 32 that do not extend beyond six consecutive days. For PT TSOs hired after April 2, 2007, work schedules consisting of between 16 and 25 hours per week (32 and 50 hours per pay period).
- (4) Basic Work Requirement: The numbers of hours employees are required to work or to account for by charging leave, excused absence, holiday hours, compensatory time off, or time of as an award. The basic work requirement does not include overtime hours.
- (5) Biweekly Pay Period: The 2-week period for which employees are scheduled to perform work.
- (6) Compressed Work Schedule (CWS): For FT positions, work schedules consisting of less than 10 days and no more than 80 hours per pay period. For PT positions, work schedules consisting of less than 10 days and no more than 64 hours per pay period. For PT TSO positions (PT TSOs hired after April 2, 2007), work schedules consisting of five days per week, no more than five hours per day, no more than 25 hours per week, and no more than 50 hours per pay period.
- (7) Core Hours (for non-shift work employees): The time periods during which all employees covered by Flexible Specialized Work Schedules (FSWS) are required to be at work
- (8) Conventional Work Schedule (ConWS): For FT positions, work schedules consisting of five days per week, eight hours per day, and 40 hours per week (80 hours per pay period). For PT positions, work schedules consisting of five days per week, no more than 32 hours per week, and no more than 64 hours per pay period. For PT TSO positions (PT TSOs hired after April 2, 2007), work schedules consisting of five days per week, no more than five hours per day, no more than 25 hours per week, and no more than 50 hours per pay period.
- (9) Employees: Individuals occupying position covered by the scope of the accompanying MD.
- (10) Flexible Specialized Work Schedule (FSWS): CWS and variable work schedules created for the employees assigned to positions covered by the scope of the accompanying MD, that help to facilitate a balance between the critical security needs of TSA and the needs of our employees.
- (11) Managers: Executive such as the Assistant Secretary, Deputy Assistant Secretary, Assistant Administrators (AAs), Office Directors (ODs), Area Directors (ADs), Special Agents in Charge (SACs), Federal Security Directors (FSDs), or designees (subordinate managers and supervisors).

- (12) Organization: An entity within TSA that is headed by an official with the authority to establish tours of duty, e.g., Assistant Secretary, Deputy Assistant Secretary, AAs, ODs, ADs, SACs, FSDs, or designees.
- (13) Premium Pay: Compensation in the form of overtime, compensatory time off in lieu of overtime, holiday pay, night pay differential, split-shift differential, Sunday pay, and Law Enforcement Availability Pay.
- (14) Regularly Scheduled Administrative Workweek: For FT employees, this is up to six days of any consecutive 7-day period for which employees are regularly scheduled to work. For PT employees, it means the officially prescribed days and hours within a 7-day period during which employees are regularly scheduled to work.
- (15) Regularly Scheduled Work: Work that is scheduled in advance of the administrative workweek.
- (16) Split-Shift: Any two shifts, lasting at least two hours each, in one 24-hour period with a break of at least two hours between shifts. One approved exception is additional shifts needed to support morning, midday, and afternoon or evening operations.
- (17) Tour of Duty: The hours of a day (a daily tour of duty) and days of an administrative workweek (a weekly tour of duty) that constitute employees' regularly scheduled administrative workweeks.
- (18) Variable Work Schedule (VWS): An established work schedule that allows managers to vary the number of hours in the work day and the number of days in the workweek based on the needs of the organization.

B. Establishing the Basic Workweek

- (1) Managers, or designees, shall establish basic workweeks that identify specific days, hours or bands of hours. Basic workweeks are scheduled on no more than six of seven consecutive days.
- (2) Employees' basic workweeks may include regular overtime hours. In these instances, the days and hours outside the basic work requirement must be specifically identified in advance of the administrative workweek.
- (3) In rare cases, managers, or designees, may establish the first 40 hours of duty as the basic workweek. This type of schedule would be used when it is impracticable to prescribe a regular schedule of definite hours of duty for each workday. A first 40-hour work schedule requires employees to work 40 hours within a 6-day period without the requirement for specific days and hours and these hours are all considered regularly scheduled work for premium pay and hours of duty purposes. Any additional hours of officially ordered or approved work within the administrative workweek are considered overtime work for premium pay purposes.

C. Establishing Work Schedules

- (1) Managers, or designees, shall schedule the work of employees to accomplish the mission of the organization. TSA does not have a standardized workweek or work schedule for all employees.
- (2) Managers, or designees, shall provide that:
 - (a) Assignments to tours of duty are scheduled in advance of the administrative workweek over periods of not less than 1 week, unless doing so would hinder the mission of the airport and/or TSA;
 - (b) Working hours in each day in the basic workweek are generally the same but may vary when combined with overtime; and,
 - (c) Occurrences of holidays may not affect the designation of the basic workweek.
- (3) Breaks in working hours of more than one hour may not be scheduled in a basic workday, unless a split shift has been established at a transportation terminal, in which case a break between shifts may be no less than two hours.
- (4) When it is known in advance of an administrative workweek that the specific days and/or hours of a day actually required of employees will differ from the current to the subsequent administrative workweek(s), the appropriate managers, or designees, shall reschedule the employees' regularly scheduled administrative workweeks to correspond with the change(s). Affected employees shall be advised of the change(s) in advance of the administrative workweek, and the change(s) shall be officially documented, in accordance with TSA policy, and recorded in TSA's timekeeping system.

D. Procedures for Establishing Flexible Specialized Work Schedules (FSWS)

- (1) FSWS shall be tailored to specific staffing needs. Compressed Work Schedules (CWS) and Variable Work Schedules (VWS) are types of FSWS used in TSA. (See sample work schedules (attached).) Managers have the authority to direct employees to work specific schedules and participate in an FSWS when TSA mission requirements dictate. Managers are responsible for implementing an appropriate FSWS for their respective airport/field and/or headquarters locations for mission-related purposes only and not solely for the personal benefit of employees.
- (2) Managers, or designees, may establish procedures for employees to request specific shifts or work hours (see [TSA MD 1100.61-4, *Seniority and Scheduling*](#)).
- (3) Employees' work schedules must incorporate meal periods and rest breaks, as appropriate. (See [TSA MD 1100.63-1, *Absence and Leave*](#) and [TSA OD-400-30-5, *Screening Meal and Rest Breaks*](#).)

E. Types of FSWS

(1) CWS

- (a) CWS are fixed schedules. FT employees are required to work 80 hours per biweekly pay period. The work must be scheduled for fewer than 10 workdays. PT employees are scheduled to work no more than 64 hours per pay period; however, the work must be scheduled for fewer than 10 workdays. TSOs hired after April 2, 2007, must be scheduled to work no more than four days per week and no more than 50 hours per pay period. (See Section E(3) below for additional information on PT TSO schedules.)
- (b) As with other work schedules, employees' schedules and/or scheduled days off may be changed for operational reasons. Schedule changes must be documented and should be communicated to employees in advance of the start of the administrative workweek.
- (c) Managers, or designees, may change or stagger the arrival and departure times for employees on CWS. Employees must adhere to the established arrival and departure times and have no flexibility to unilaterally adjust their starting or quitting times under a CWS program.
- (d) Employees working a CWS may be required to work more than eight hours per day.

(2) VWS

- (a) Under VWS, employees' basic work requirements must be completed within a designated band of hours each day. The scheduled hours of each workday may vary based on the work needs.
- (b) FT employees working a VWS are required to work 80 hours per pay period. Employees may work up to six days in an administrative workweek and the workday may be more than eight hours in duration.
- (c) PT employees working a VWS have a work requirement of no more than 64 hours per pay period. (See Section E(3) of this handbook for additional information concerning PT TSO work schedules.) The basic work requirement and administrative workweek may be up to six days in an administrative workweek.
- (d) Employees working a VWS may be required to work more than eight hours in a day.

- (3) The AA for Security Operations has established PT TSO work schedules between 16 and 25 hours per week (32-50 hours per pay period) for PT TSOs hired after April 2, 2007. PT TSOs hired before that date may have PT work schedules between 16 and 32 hours per week (32-64 hours per pay period). FT and PT split shift work schedules may also be used by FSDs, if applicable. The TSA generally accepted standard schedule for PT TSOs shall consist of 20-hour base workweeks. PT TSOs who wish to voluntarily request FT split shifts should complete [TSA Form 1174, Split-Shift Election](#).

F. Holidays

(1) Holidays

- (a) For purposes of pay and leave, the day to be treated as a holiday is the observed day when the holiday falls during an employee's basic workweek or basic work requirement. The following are legal public holidays:
- New Year's Day, January 1;
 - Birthday of Martin Luther King, Jr., the third Monday in January;
 - Washington's Birthday, the third Monday in February;
 - Memorial Day, the last Monday in May;
 - Independence Day, July 4;
 - Labor Day, the first Monday in September;
 - Columbus Day, the second Monday in October;
 - Veterans Day, November 11;
 - Thanksgiving Day, the fourth Thursday in November; and,
 - Christmas Day, December 25
- (b) Employees assigned to positions covered by the scope of MD 1100.61-2 may be required to work on a holiday or on the day designated as an "in lieu of holiday" because of operational needs. FT and PT employees will receive holiday pay if they are required to work on a holiday. Only FT employees will receive holiday pay if they are required to work on an "in lieu of holiday."

(2) Holiday Pay (When No Work is Performed)

- (a) Under an FSWS program, FT employees who are relieved or prevented from working on days designated as a holiday (or an "in lieu of holiday") are entitled to their rate of basic pay on that day for the number of hours designated in a CWS or VWS.
- (b) If a holiday falls on a day during PT FSWS employees' tours of duty and the employees are relieved or prevented from working on that day, the employees are entitled to their rate of basic pay for the typical, average, or scheduled number of hours the employees would have worked for that day (not to exceed eight hours). If PT FSWS employees have maintained reasonably consistent schedules for several pay periods, the employees may be paid for the number of hours they would have worked had the holiday not relieved or prevented the employees from working. The holiday pay may not exceed the number of scheduled hours or the average number of hours worked in prior weeks on days corresponding to the holiday to determine employees' pay entitlements for that holiday.
- (c) Work schedules submitted in advance of the administrative workweek also may be used as the basis for determining the number of hours to pay PT employees on a holiday. However, managers should ensure that there is no abuse of entitlement. For example, an employee should not schedule or be scheduled for more hours of work on a holiday than he or she has worked in prior weeks on days corresponding to the holiday.

(3) Determining “In Lieu of” Holidays when Holidays Fall on Non-Workdays

- (a) For employees whose basic workweek is Monday through Friday, when a holiday falls on a Saturday, the Friday immediately before is a legal holiday for those employees. When the holiday falls on a Sunday, the Monday immediately following is a legal holiday.
- (b) For employees whose basic workweek is other than Monday through Friday, when a holiday falls on a regularly scheduled non-workday, the workday immediately before that regularly non-workday is a holiday.

Example 1: John’s regular days off are Tuesday and Wednesday. If the holiday falls on Tuesday, Monday will be John’s in lieu of holiday.

Example 2: Jane’s regular days off are Wednesday and Thursday. If the holiday falls on Thursday, the preceding Tuesday will serve as Jane’s in lieu of holiday.

- (c) For employees under an FSWS, managers, or designees, may select a workday for the holiday that preferably is in the same biweekly pay period as the date of the actual designated holiday.
- (d) PT employees are not entitled to an “in lieu of” holiday when a holiday falls on a non-workday for the employee.

Example: Mary’s basic work requirement includes nine hours on Monday, Wednesday and Friday. If the holiday falls on Tuesday, Mary is not entitled to an “in lieu of holiday” because she does not work on Tuesdays.

(4) Holiday Pay (When Work is Performed)

- (a) FT employees under an FSWS program who perform non-overtime work on a holiday (or a day designated as the “in lieu of” holiday) are entitled to their rate of basic pay plus premium pay equal to their rate of basic pay for the holiday work.
- (b) Holiday premium pay for employees on FSWS is paid for the total number of hours in the employee’s regular workday.
- (c) Employees will receive holiday pay for their entire daily tours of duty even if only part of the daily tours of duty is performed on the holiday.
- (d) PT employees under an FSWS program are entitled to holiday premium pay only for worked performed during their basic work requirement on a holiday. This does not include overtime hours.
- (e) PT employees, scheduled to work on a day designated as an “in lieu of” holiday for FT employees, are not entitled to holiday premium pay for work performed on that day.

- (f) FT and PT employees may receive holiday premium pay for hours spent in training on a holiday as long as they were regularly scheduled to work that day.
- (g) Only FT employees may receive holiday pay for hours spent in training on an in lieu of holiday).

NOTE: See [TSA MD 1100.55-8, *Premium Pay*](#), for further guidance concerning pay for holiday work.

G. Excused Absence

- (1) Managers may grant excused absence (also referred to as administrative leave) to employees covered by an FSWS under the same circumstances, as excused absence would be granted to employees working a ConWS. Use of excused absence must be administered with extreme care and only for events and activities considered in the best interest of TSA and/or the Federal government as a whole. (See [TSA MD 1100.61-1, *Emergency Dismissals and Closures*](#) and [TSA MD 1100.63-1, *Absence and Leave*](#)).
- (2) The decision to grant excused absence is a matter of supervisory discretion. Excused absence may be approved only for employees who would otherwise be in a duty status or on paid leave.
- (3) For employees on an FSWS, the number of hours of excused absence to be granted shall be based on the employees' established basic work requirement in effect for the period covered by the excused absence.

Example: Mary works an FSWS that requires her to work 10 hours a day. If the airport is closed before the start of the workday, Mary will receive 10 hours of excused absence.

- (4) When employees who would otherwise be required to report to work are excused from work because of a facility closure due to a weather emergency or other type of emergency, other employees who do not have a scheduled workday or who have a regular day off under an FSWS may not be granted another non-workday.

Example: Jane works a compressed schedule that allows her to have every other Tuesday as a regular day off. On Jane's regular day off this pay period, the airport is shut down because two feet of snow fell in the area. All employees on duty or scheduled to work that Tuesday were excused from duty. Because Jane was not scheduled to work that day she does not receive excused absence or another day off.

- (5) Excused absence may be used to the extent warranted by good administration for short periods of time when brief disruptions occur and are expected to last not more than two days.
- (6) Excused absence is not authorized for use as an award for superior performance or perfect attendance.
- (7) Excused absence is not authorized for periods of interrupted or suspended operations that would be covered by the appropriate requesting and approval of leave. Long term work

disruptions should be addressed through furlough or the assignment of other work (which may include the offer of assignment to another TSA location where work is available).

- (8) It may be appropriate to excuse employees from duty without charge to leave or loss of pay when:
 - (a) Normal operations of an organization are interrupted by events beyond the control of management or employees;
 - (b) For managerial reasons, the closing of an establishment or portions thereof is required for short periods; or,
 - (c) It is in the public interest to relieve employees from work to participate in civil activities that TSA is interested in encouraging.
 - (d) [TSA MD 1100.61-1, *Emergency Dismissals and Closures*](#), authorizes FSDs, or designees, to grant excused absence to TSOs even though they are designated as emergency employees.

NOTE: Emergency employees are not automatically excused from duty due to an airport or facility closure. Employees in emergency positions who are not excused from duty and do not report to duty or do not continue on duty during an emergency must be charged as absent without leave (AWOL).

H. Overtime Work Determination

- (1) For full-time employees under an FSWS, overtime hours are all hours of work in excess of 80 hours in a biweekly pay period which are officially ordered and approved, in advance of being worked, by managers with delegated approval authority. For part-time employees under an FSWS, overtime hours are all hours of work in excess of the FSWS for a day (must be more than 8 hours) or for a week (must be more than 40 hours).
- (2) Overtime and compensatory time are earned in accordance with the TSA's premium pay policy provided in [TSA MD 1100.55-8, *Premium Pay*](#).
- (3) Managers may order employees who are covered by an FSWS program to work hours that are in excess of the basic work requirement.
- (4) For full-time employees, hours of work in excess of eight per day or 40 per week are not eligible for overtime compensation under the FSWS program. For full-time employees covered by an FSWS program, only work approved and worked that is in excess of 80 hours per pay period is eligible for overtime or compensatory time off in lieu of overtime, as appropriate. For part-time employees under an FSWS, overtime hours are all hours of work in excess of the FSWS for a day (must be more than 8 hours) or for a week (must be more than 40 hours).

I. Scheduling of Overtime

- (1) There is no right to work overtime. All overtime must be ordered and approved in advance of the shift in which the overtime is to be worked.
- (2) Generally, employees who take sick leave may not work overtime during the same 24-hour period that employees are claiming sick leave, unless the sick leave was approved in advance of the start of the shift.
- (3) Employees charged as AWOL, during a biweekly pay period, may not be scheduled to work overtime during the same biweekly pay period.

J. Compensatory Time Off in Lieu of Overtime Pay

- (1) Compensatory time off is time off on an hour-for-hour basis in lieu of overtime pay.
- (2) Compensatory time off, in lieu of overtime pay, may not be directed by managers except for periods of initial classroom and on-the-job training for nonexempt TSO employees or for periods of irregular or occasional overtime for certain exempt employees (see Section J(3) of this handbook).
- (3) Managers may approve/disapprove compensatory time off in lieu of overtime pay at the written request of an employee under an FSWS. Granting of compensatory time off in lieu of overtime pay is at the discretion of managers. Employees may be granted up to 160 hours of compensatory time off in lieu of overtime pay in a leave year. Compensatory time off in lieu of overtime is not an employee entitlement.

NOTE: All nonexempt employees and exempt employees paid at or below \$56,973 (+applicable locality) must request, in writing, compensatory time in lieu of irregular and occasional overtime in all instances except for periods of training (see Section J(2) of this handbook). Exempt employees paid in excess of \$56,973 (+applicable locality) will receive compensatory time in lieu of overtime for periods of irregular or occasional overtime (see [TSA MD 1100.55-8, Premium Pay](#), for further guidance).

- (4) Employees and supervisors have a shared responsibility for requesting and scheduling compensatory time off as soon as practicable after it is earned, in accordance with MD 1100.55-8.

K. Night Pay Differential

- (1) Employees who are required to work an FSWS for operational purposes are entitled to night pay for all regularly scheduled and irregular hours worked between 6 p.m. and 6 a.m.
- (2) Employees who do not work an FSWS (i.e., work a ConWS or a voluntary CWS) are covered by [TSA MD 1100.55-8, Premium Pay](#), for purposes of entitlement to night pay.

L. Pay for Sunday Work

All FT TSA employees and PT employees covered by the scope of MD 1100.61-2, who perform regularly scheduled non-overtime work on Sunday, are entitled to Sunday premium pay only for those hours worked on Sunday.

M. Paid Time Off

- (1) Paid time off during employees' basic work requirement must be charged to the appropriate leave category, compensatory time off, or excused absence, if warranted.
- (2) Employees may apply no more sick leave, annual leave or compensatory time to a given day than the total non-overtime hours that they were scheduled to work on that day.
- (3) PT employees may not be approved time off for the sole purpose of having them accumulate 80 hours in a pay period.

N. Temporary Duty (Travel and Training)

- (1) When employees covered by an FSWS are assigned to temporary duty stations (i.e., airports or other temporary work sites) that utilize different work schedules, decisions must be made whether the employees will continue their FSWS or conform to the schedules of the temporary work sites.
- (2) Employees on a VWS or CWS may be required to convert to a ConWS (eight hours per day, 40 hours per week and 80 hours per biweekly pay period) during any pay periods that involve travel or training, if deemed appropriate by management.

**TSA HANDBOOK
HOURS OF DUTY FOR SPECIAL OPERATIONAL NEEDS
ATTACHMENT**

Sample Work Schedules

<i>4/10 Compressed Schedule</i>	<i>5/4-9 Compressed Schedule</i>	<i>Variable Schedule</i>
<p>Basic Work Requirement</p> <p>A FT employee must work 10 hours per day, 40 hours per week, and 80 hours per biweekly pay period.</p> <p>The manager determines the number of hours a PT employee must work in a 4-day workweek and the number of hours in a biweekly pay period</p>	<p>Basic Work Requirement</p> <p>A FT employee must work eight 9-hour days and one 8 hour day for a total of 80 hours per biweekly pay period.</p> <p>The manager determines the number of hours a PT employee must work in a 9-day biweekly pay period.</p>	<p>Basic Work Requirement</p> <p>A FT employee must work 80 hours per pay period. The manager determines the number of hours to be worked per day and the number of days to be worked per week, based on the staffing needs of the work location.</p> <p>The manager also determines the number of hours a PT employee will work per pay period.</p>
<p style="text-align: center;">Tour of Duty</p> <p>The tour of duty established by TSA (generally the AA, FSD or SAC) is limited to four 10-hour days.</p>	<p style="text-align: center;">Tour of Duty</p> <p>The tour of duty is established by TSA (generally the AA, FSD or SAC) and is less than 10 days per biweekly pay period</p>	<p style="text-align: center;">Tour of Duty</p> <p>The tour of duty is established by TSA (generally the AA, FSD or SAC), based on staffing needs at the airport or other location. There may be no more than 6 days worked per week.</p>
<p>Overtime Work</p> <p>For full-time employees, overtime work is hours of work ordered and approved in advance by management that is in excess of 80 hours worked in a biweekly pay period.</p> <p>For part-time employees under an, overtime hours are all hours of work in excess of the FSWS for a day (must be more than 8 hours) or for a week (must be more than 40 hours).</p>		