**MEMO**

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| **to**   Time Advisors |
| **fROM** Pam Andrews, Bureau of Employee Benefits |
| **DATE**  November 9, 2018 |
| **Re** Alternate Work Schedules (AWS) and Periods of Long-Term Absence |

Guidance related to the removal of an employee from their Alternate Work Schedule (AWS) during periods of long-term absence and work-related injury absence is provided below to ensure clarity and consistent application of existing processes.

**Importance of Communication and Coordination**

Communication and coordination between the FMLA, Military or Work-Related Injury (WRI) specialist (if involved), Time Advisor, Timekeeper and Supervisor is imperative prior to the date an employee begins leave and when the employee returns to work.

**Long-Term PAID Absences** **(Non-WRI)**

* Employees are not required to revert to a standard work schedule unless the AWS agreement states otherwise.
* Employees may choose to revert to a basic work schedule at the beginning of their AWS cycle in which the long-term paid absence begins.
* Absences are charged based on the employee’s daily work schedule.

**Long-Term UNPAID Absences** **(Non-WRI)**

**NOTE**: A long-term unpaid leave of absence is defined as an absence greater than one full pay period.

Begin Leave Without Pay (LWOP)

* Employees must be placed on a default work schedule (DFLT750/DFLT800) via work schedule substitution (IT2003), effective the first day after their last day in a compensable status which is also the effective date of the PA 40 Begin LWOP Action.
* If placed on a default work schedule in the middle of an AWS cycle, employees may have positive or negative hours in their AWS bucket:
	+ AWS OFF day not used - AWS hours accumulated are automatically paid to the employee at the regular hourly rate of pay.
	+ AWS OFF day used – Negative hours are automatically recouped for an AWS OFF day used before the hours required to earn the OFF day were accumulated.

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* If the need for a long-term unpaid absence is known in advance, employees may choose to revert to a basic work schedule at the beginning of their AWS cycle in which the long-term absence begins. This procedure is preferred because it eliminates the need to be placed on the default work schedule and payment for or recoupment of hours in the AWS bucket.

**Note**: If hours remain in the AWS bucket, research to identify the discrepancy. Corrective action is required.
* FMLA and Military Leave Specialists will follow the process described above for long-term unpaid absences.

Return Leave Without Pay (LWOP)

When an employee returns to work, end date the default work schedule substitution during the PA40 Return from LWOP action.

* For FMLA or Military cases, the assigned specialist will notify the Time Advisor in writing of the employee’s return and possible need to put the employee on a basic work schedule if their return is in the middle of their AWS cycle.
* The Time Advisor must obtain the correct work schedule from the Supervisor and transact the substitution on IT2003 or work schedule change on IT0007, if needed.
* For all long-term unpaid absences (other than FMLA or Military), this coordination must occur between the Time Advisor, the Timekeeper and Supervisor.

**Reminder:** An employee may **not** resume the AWS schedule until the beginning of an AWS cycle.

Military Absences Spanning Multiple Years & Return LWOP Actions

Military Leave Specialists will:

* return employees from long-term LWOP at the start of a new leave calendar year to apply yearly paid military leave entitlements; and
* communicate with the Time Advisor to determine the correct basic schedule employees should be placed on and who will be responsible for updating IT0007

Employees will remain on this basic schedule until they physically return to work. Military Leave Specialists should remind Supervisors and Time Advisors/Timekeepers to confirm employees are on the correct work schedule when they return to work.

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 **Work-Related Injury Absences**

Begin Paid WRI Absence or LWOP Action

* When using paid or unpaid injury leave, Act 632/534, or Heart and Lung Act, employees must be placed on a default work schedule (DFLT750/DFLT800).

	+ The only exempt absences are medical appointments (AM, SM, PM (for applicable bargaining units), IM, MA, MH, CM, SA).
* If a PA40 Begin Action is required to process a paid or unpaid work-related injury absence, place the employee on the default work schedule via a work schedule substitution (IT2003) during the PA40 Begin Action.
* The effective date of the default work schedule substitution must have the same effective date as the first date of disability and the PA40 Begin Action, when applicable.
* If a PA40 Begin Action is not required, the employee’s timekeeper/time advisor will assist with making the work schedule change to place the employee on a basic work schedule.
* If placed on a default work schedule in the middle of an AWS cycle, employees may have positive or negative hours in their AWS bucket:
	+ AWS OFF day not used - AWS hours accumulated are automatically paid to the employee at the regular hourly rate of pay.
	+ AWS OFF day used – Negative hours are automatically recouped for an AWS OFF day used before the hours required to earn the OFF day were accumulated.
* In most cases, work-related injury claims are approved retroactively. Therefore, retroactive work schedule changes as the result of an approved work-related injury claim are permissible and retroactive AWS bucket adjustments may occur.

Return Paid WRI Absence or LWOP Action

When an employee returns to work, end date the default work schedule substitution during the PA40 Return from LWOP action.

* The Work-Related Injury Specialist/Workers’ Compensation Coordinator will notify the Time Advisor of the employee’s return and possible need to put the employee on a basic work schedule if their return is in the middle of their AWS cycle.
* The Time Advisor must obtain the correct work schedule from the Supervisor and transact the substitution on IT2003 or work schedule change on IT0007, if needed.

**Reminder:** An employee may **not** resume the AWS schedule until the beginning of an AWS cycle.

Questions may be directed to me at ra-oaleave@pa.gov or 717.787.7892.