


MEMORANDUM OF UNDERSTANDING

The following constitutes an agreement between the Department of Education (“Agency”) and the American Federation of Government Employees, AFL-CIO (“AFGE”) on the Agency’s Work Schedules Policy (Policy). [A version of this document is available on ConnectED.](#)

1. Within ten (10) calendar days after the Agency and AFGE agree to the final Work Schedule Policy (the “Policy”), the Parties will jointly develop frequently Asked Questions (“FAQs”) on the Policy. The Agency will release the Policy and FAQ documents, and both will be posted on ConnectED. Paragraph 6 of the Parties’ Telework/Remote MOU will continue until the implementation of this Policy.
2. Within five (5) business days after Policy implementation, the Parties will schedule, at mutually agreeable times, joint trainings and/or office hours sessions with management and BUEs via Microsoft TEAMS on the Policy terms. The purpose of these sessions is to facilitate consistent application of the Policy.
3. If applicable, bargaining unit employees (BUEs) must elect and submit for approval a new work schedule, pursuant to Section VII(C) of the Policy, and, if applicable, telework/remote work agreement, (the “Request(s)”), in accordance with the final Policies within fifteen (15) business days of receipt of the Policy and FAQs.
4. The new work schedules for BUEs, and, if applicable, new Telework agreements, will be implemented no later than the first (1st) full pay period after receiving approval of their submission(s) of the above noted Request(s).
5. BUEs will have the option to elect the following alternative work schedules: Compressed Work Schedule (CWS) and a Flexible Work Schedule (Maxiflex only).
6. Maxiflex work schedules are only required to work core hours a minimum of three (3) days for each workweek; therefore, BU employees do not have to account for a minimum of a four (4) day workweek.
7. Upon execution of this MOU, BUEs will continue to have access to the emergency flexible work schedules and maximum telework (if they are not on a remote work agreement) until Thursday, March 31, 2022, via written notification that details one (1) or more exigent circumstance(s) to their supervisor.

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By my signature below, I attest that I am an Authorized Official duly authorized to sign on behalf of my organization.



On Behalf of the Department of Education
Kenneth Giacolone, Chief Negotiator & LRO

January 28, 2022
Date:



On Behalf of the American Federation of Government
Employees (AFGE)
Sheria Smith, President

January 31, 2022
Date:

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Examples of Flexible Work Schedule – Maxiflex:

- The following core hour timeframes are applicable to FWS: **(1)**: 7:00 a.m. to 11:00 a.m.; **(2)**: 10:00 a.m. to 2:00 p.m.; or **(3)**: 1:00 p.m. to 5:00 p.m. The basic work requirement for FWS can be completed Monday through Saturday: 12:00 a.m. and 11:59 p.m.
- Up to 24 credit hours may be accumulated by a full-time employee for carry-over from one pay period to another.
- A full-time employee on a Maxiflex schedule who is relieved or prevented from working on a day designated as a holiday by Federal statute or Executive order (or an “in lieu of” holiday) is entitled to pay on that day for eight (8) hours. When an employee on a Maxiflex is relieved or prevented from working on a day designated as a holiday, they may need to adjust their biweekly work schedule to ensure that the eighty (80) hours of workweek is met.

Day of Pay Period	Scheduled Hours*	Hours
First Monday	3:00 a.m. - 11:30 a.m.	8
First Tuesday	3:30 a.m. - 12:00 p.m.	8
First Wednesday	3:00 a.m. - 11:30 a.m.	8
First Thursday	4:00 a.m. - 12:30 p.m.	8
First Friday	3:00 a.m. - 11:30 a.m.	8
First Saturday		
	Total Hours First Week	40
Second Monday		
Second Tuesday	12:30 p.m. - 9:00 p.m.	8
Second Wednesday	12:30 p.m. - 9:00 p.m.	8
Second Thursday	12:30 p.m. - 9:00 p.m.	8
Second Friday	11:00 a.m. - 7:30 p.m.	8
Second Saturday	6:00 a.m. - 2:30 p.m.	8
	Total Hours Second Week	40
	Grand Total for Pay Period	80

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Day of Pay Period	Scheduled Hours	Hours
First Monday	3:00 a.m. - 1:30 p.m.	10
First Tuesday		
First Wednesday	12:00 p.m. - 10:30 p.m.	10
First Thursday		
First Friday	3:00 a.m. - 1:30 p.m.	10
First Saturday		
	Total Hours First Week	30
Second Monday		
Second Tuesday	12:30 p.m. - 11:00 p.m.	10
Second Wednesday	12:30 p.m. - 11:00 p.m.	10
Second Thursday	12:30 p.m. - 11:00 p.m.	10
Second Friday	12:30 p.m. - 11:00 p.m.	10
Second Saturday	4:00 a.m. - 2:30 p.m.	10
	Total Hours Second Week	50
	Grand Total for Pay Period	80

Day of Pay Period	Scheduled Hours	Hours
First Monday	3:00 a.m. - 2:30 p.m.	11
First Tuesday	12:30 p.m. - 7:00 p.m.	6
First Wednesday	5:00 a.m. - 11:30 a.m.	6
First Thursday	12:30 p.m. - 10:00 p.m.	9
First Friday	5:00 a.m. - 1:30 p.m.	8
First Saturday		
	Total Hours First Week	40
Second Monday		
Second Tuesday	12:30 p.m. - 8:30 p.m.	7.5
Second Wednesday	11:00 a.m. - 11:00 p.m.	11.5
Second Thursday	12:30 p.m. - 7:30 p.m.	6.5
Second Friday	12:30 p.m. - 8:30 p.m.	7.5
Second Saturday	12:30 p.m. - 8:00 p.m.	7
	Total Hours Second Week	40
	Grand Total for Pay Period	80

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Day of Pay Period	Scheduled Hours	Hours
First Monday	6:00 a.m. -10:30 a.m. 2:00 p.m. - 6:00 p.m.	4 4
First Tuesday	3:00 a.m. - 2:00 p.m.	10.5
First Wednesday	3:00 a.m. - 11:30 a.m. 8:00 p.m. - 10:30 p.m.	8 2.5
First Thursday		
First Friday		
First Saturday	6:00 a.m. -12:00 p.m. 2:00 p.m. - 6:00 p.m.	5.5 4
	Total Hours First Week	38.5
Second Monday	6:00 a.m. - 12:00 p.m. 4:30 p.m. - 11:30 p.m.	5.5 6.5
Second Tuesday		
Second Wednesday	6:00 a.m. - 5:30 p.m.	11
Second Thursday		
Second Friday	5:00 a.m. - 5:00 p.m.	11.5
Second Saturday	6:00 a.m.- 9:00 a.m. 2:00 p.m. - 6:30 p.m.	3 4
	Total Hours Second Week	41.5
	Grand Total for Pay Period	80