

U.S. NUCLEAR REGULATORY COMMISSION

DIRECTIVE TRANSMITTAL

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To: NRC Management Directives Custodians

Subject: Transmittal of Management Directive 10.46, "Credit Hours"

Purpose: Directive and Handbook 10.46 consolidate and update guidance on NRC's credit hour program that is now found in the Collective Bargaining Agreement as well as a number of memoranda.

Office and Division of Origin: Office of Human Resources

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Part: 2 Position Evaluation and Management, Pay Administration, and Leave

Directive: 10.46 Credit Hours

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Credit Hours

Directive

10.46

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U. S. Nuclear Regulatory Commission

Volume: 10 Personnel Management

Part 2: Position Evaluation and Management, Pay
Administration, and Leave

HR

Credit Hours

Directive 10.46

Policy

(10.46-01)

It is the policy of the U.S. Nuclear Regulatory Commission (NRC) to establish a credit hour program that is consistent with legal requirements and operational effectiveness.

Objectives

(10.46-02)

- To adopt a credit hour program that is permitted by law and follows implementing guidance promulgated by the Office of Personnel Management (OPM). (021)
- To permit employees to participate in NRC's credit hour program when such participation supports the operational and mission requirements of the organization. (022)

Organizational Responsibilities and
Delegations of Authority
(10.46-03)

Chairman, Commissioners, Inspector
General, Executive Director for Operations
and Deputy Executive Directors, Office
Directors, Regional Administrators, and
Executive Directors of Advisory Committees
(031)

Approve participation in NRC's credit hour program for their immediate staffs. This authority may be redelegated to positions no lower than first-level supervisors or team leaders.

Deputy Executive Director for
Management Services (DEDM)
(032)

Provides general guidance and direction to the Director of the Office of Human Resources (HR) on NRC's credit hour program.

Director, Office of Human Resources (HR)
(033)

Issues policy and provides employees guidance on NRC's credit hour program.

Organizational Responsibilities and Delegations of Authority (10.46-03) (continued)

Director, Division of Accounting
and Finance (DAF), Office of the
Chief Financial Officer (OCFO)
(034)

- Performs periodic time and labor reviews that include determining compliance with NRC's credit hour program. (a)
- Provides guidance to timekeepers and certifying officials on the proper procedures for reporting and certifying credit hours in the Time and Labor (T&L) reporting system. (b)

Applicability (10.46-04)

The policy and guidance in this directive and handbook apply to all NRC employees who work flexible work schedules (the definition of flexible schedules under the law does not include compressed work schedules), with the exception of Senior Executive Service (SES) employees who, regardless of work schedule, are prohibited from earning credit hours pursuant to OPM regulation. (041)

Where provisions of the "Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union" are in conflict with this directive and handbook, the provisions of the agreement govern with respect to bargaining unit employees. (042)

Definitions

(10.46-05)

Credit hours - Hours within a flexible work schedule that an employee elects to work with supervisory approval in excess of his or her basic work requirement so as to vary the length of a workweek or workday.

Flexible work schedule - A schedule under which an employee may vary his or her starting and quitting times in the workday within limits set by the agency. Since compressed work schedule (CWS) is not a form of "flexible work schedule" as defined in the law, employees on CWS are not eligible to participate in the credit hour program.

Handbook

(10.46-06)

Handbook 10.46 contains the criteria and procedures for participating in NRC's credit hour program.

References

(10.46-07)

United States Code

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011, et seq.).

Energy Reorganization Act of 1974, as amended (42 U.S.C. 5801, et seq.).

Inspector General Act of 1978, as amended (5 U.S.C. App. 3, et seq.).

References

(10.46-07) (continued)

Title II, "Family and Medical Leave Act of 1993 (FMLA)," (Public Law 103-3, February 5, 1993).

Title 5, "Government Organization and Employees"; Chapter 61, "Hours of Work"; Subchapter 2, "Flexible and Compressed Work Schedules"; Section 6122, "Flexible Schedules Agencies Authorized to Use."

Nuclear Regulatory Commission

"Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union," October 5, 2001.

Management Directive 10.42, "Hours of Work and Premium Pay," Appendix 4136, Part II E, "Flexitime Program."

Office of Personnel Management

United States Office of Personnel Management Handbook on Alternative Work Schedules, December 1996.

Credit Hours

Handbook

10.46

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Part I General

Purpose of This Handbook (A)

This handbook contains the criteria and procedures for participating in NRC's credit hour program. (1)

Where provisions of the "Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union" are in conflict with this directive and handbook, the provisions of the agreement govern with respect to bargaining unit employees. (2)

Eligibility Criteria (B)

By law and/or regulation, Senior Executive Service (SES) employees and employees working **non-flexible** work schedules are ineligible to earn or use credit hours. Non-flexible work schedules include CWS, first-40 work schedules, and schedules in which employees are **directed** to work the official hours of the agency (e.g., at headquarters, official hours are from 7:30 a.m. to 4:15 p.m.). Employees who choose to work the official hours of the agency versus being directed to work those hours are considered to be working flexible work schedules.

Placement on a Flexible Work Schedule (C)

Employees who are not on a flexible work schedule but who wish to participate in such a schedule to enable them to participate in the credit hour program must first request and gain supervisory approval to be placed on such a schedule via NRC Form 707, "Hours of Work Request" (which can be found on InForms).

Part II

Earning Credit Hours

Documentation (A)

To earn credit hours, employees must request prior supervisory approval, via NRC Form 710, "Credit Hour Plan and Certification" (which can be found on InForms). Credit hours may be requested only one pay period at a time. (1)

If it is impractical to obtain prior written approval, oral approval may be obtained, subject to subsequent written confirmation via NRC Form 710. (2)

Approval Criteria (B)

The supervisor's approval to earn credit hours will be based on whether the workload supports the requested credit hours, that is, whether the request supports the operational and mission requirements of the organization.

Work Location (C)

Credit hours may be earned at the employee's worksite whether it is on the agency's premises, at a temporary duty location, or at an alternate work location under an approved Flexiplace Program arrangement.

Earning Days and Times (D)

Employees may earn credit hours by working earlier than their scheduled arrival time and/or by working later than their scheduled

Earning Days and Times (D) (continued)

departure time, but only between 6:00 a.m. and 6:00 p.m. on non-holidays from Monday through Friday. (1)

Employees may **not** earn credit hours— (2)

- Between 6:00 p.m. and 6:00 a.m. (a)
- During lunch breaks. (b)
- During any hours on Saturdays, Sundays, and/or holidays. (c)
- While traveling (e.g., as a driver or a passenger in a car or an airplane). (d)

Employees who are otherwise eligible may earn credit hours for performing work at the destination to which the employee traveled. (3)

Earning Increments (E)

Employees may not earn credit hours of less than one-half hour per earning event (i.e., each time credit hours are earned) and, after the minimum is met, may continue to earn credit hours in 6-minute increments consistent with Section (F) below.

Maximum Earnings (F)

Employees may earn a maximum of— (1)

- Three hours and 18 minutes of credit hours per workday. (a)
- Ten credit hours per workweek. (b)

Maximum Earnings (F) (continued)

Full-time employees may carry over a maximum of 24 credit hours from pay period to pay period, and part-time employees may carry over a maximum of one-quarter of their scheduled biweekly tour of duty. (2)

Any excess credit hours will be forfeited (i.e., credit hours worked in excess of a 6-minute increment, in excess of 3 hours and 18 minutes per workday, in excess of 10 hours per workweek, and/or in excess of 24 hours total). Employees may not be reimbursed for excess credit hours worked. (3)

Combining Credit Hours With Premium Pay and/or Leave (G)

An employee may earn credit hours, earn overtime, earn compensatory time, and/or take leave (including leave without pay), during the same day, workweek, or pay period, if appropriate and approved.

Premium Pay Limitation (H)

Overtime pay and compensatory time (as well as premium pay for Sunday work, holiday work, and night work) are subject to a maximum limitation on earnings (i.e., basic pay + premium pay) equal to the higher of step 10 of GG-15 or EX-V. Credit hours earned are not subject to this limitation since credit hours earned are not viewed as overtime or time that may otherwise be compensated with premium pay. Accordingly, an employee affected by the maximum earnings limitation who cannot earn overtime or compensatory time can earn credit hours.

Part III Using Credit Hours

Documentation (A)

To take time off and use credit hours, employees must obtain supervisory approval via NRC Form 710, "Credit Hour Plan and Certification." (1)

If it is impractical to obtain prior written approval, oral approval may be obtained, subject to subsequent written confirmation via NRC Form 710. (2)

Approval Criteria (B)

Supervisory approval or disapproval of the employee's use of credit hour time off will be based on the same criteria that apply to annual leave.

Usage Days and Times (C)

Employees may use credit hours only for those hours they are regularly scheduled to work. (1)

Employees may not substitute credit hours for leave without pay under the Family and Medical Leave Act but may use earned credit hours in addition to their entitlement to leave under the act. (2)

Using Before Earning (D)

With supervisory approval, employees may use credit hours before earning them but must subsequently earn the credit hours in the same pay period that they are used. Employees are expected to substitute appropriate leave hours for any negative credit hour balance at the end of the pay period.

Part IV

Payment for Credit Hours Earned But Not Used

Rate (A)

Employees will be paid (at their current rate of pay) for accumulated and unused credit hours only upon switching to a non-flexible work schedule or upon leaving the agency.

Limitation (B)

Employees may not be paid for more credit hours than they are permitted to earn (see Section (II)(F) of this handbook), for example, for more than a total of 24 credit hours for full-time employees. (1)

Payment for accumulated and unused credit hours is not subject to the premium pay limitation (step 10 of GG-15 or EX-V) discussed in Section (II)(H) of this handbook. (2)

Part V

Reporting Credit Hours in the Time and Labor System

Credit Hours Earned (A)

For credit hours earned, select TRC (Time Reporting Code)
"CREDE."

Credit Hours Used (B)

For credit hours used, select TRC "CREDU."