



2016 FAA-NATCA CBA Joint Guidance



ARTICLE 34

Q1: Is a Flexible Work Schedule (FWS) required to have a flexible start time in order to be eligible to earn credit time?

A1: No. However, with prior approval, bargaining unit employees on a Maxiflex-40 FWS are eligible to earn credit hours during time periods outside their normal shift with or without a flexible start time.

Q2: Can a 4-10 Alternative Work Schedule (AWS) without flexible start and stop times be coded as and considered a Maxiflex-40 FWS?

A2: Yes. Effective 9-4-16, all bargaining unit employees that are currently working a 4-10 Compressed Work Schedule (CWS) will be converted to a Maxiflex-40 or Maxiflex-80 (Flight Service only) FWS. Affected employees will continue to have the same RDOs, shift rotation, shift start/stop times, etc., for the remainder of the 2016 Basic Watch Schedule (BWS). The conversion does not alter any employee's voluntary election to participate in an Alternative Work Schedule (AWS).

Q3: Does an employee working a 4-10 AWS Maxiflex-40 schedule receive 10 hours of holiday pay when working a holiday and/or 10 hours of holiday leave when excused on a holiday?

A3: Yes. Holidays are covered in Article 28 of the Collective Bargaining Agreement.. Article 28 Section 3 provides holiday pay for all hours worked and Article 28 Section 4 provides holiday leave for all hours excused on a holiday.

Q4: Can bargaining unit employees switch between FWS and CWS to be paid credit hour balances?

A4: No. In accordance with Article 34, Section 13, employees are expected to participate in their AWS schedule for the duration of the annual schedule and may only be relieved on cases of hardship.

Q5: Can schedules be developed to accommodate fatigue mitigation?

A5: Yes. When negotiating the BWS, the Parties can agree to develop Alternative Work Schedules where employees assigned a mid- shift are working a variation of the following shift lengths for the purposes of fatigue mitigation:

Example: 1500-2300 (8Hr) – 1400-2300 (9Hr) – 0800-1600 (8Hr) – 0700-1400 (7Hr) – 2300-0700 (8Hr)

This type of schedule would be considered a Maxiflex-40.

Q6: Can an employee be approved to earn credit hours beyond 10 hours in a day if they are not performing operational duties?



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A6: Credit hours are considered the same as work hours and may only be approved in accordance with FAA Order 7210.3. If non-operational duties are allowed and the required time off between shifts is met, the request can be considered for approval.

Q7: Can an employee request to earn credit hours during time that is otherwise designated as flexible?

A7: Yes. Employees may request to earn credit hours during time that is otherwise designated as their flexible time. However, approval is not automatic, as flexible time is not intended to increase the length of a shift.

Q8: Can an employee be approved to substitute credit hours earned in lieu of an overtime assignment? (Answer supersedes Joint Q&A dated 7-22-16)

A8: No. Once assigned as overtime, the assignment cannot be converted to credit hours.

Q9: Can an employee elect to split an 8-hour overtime assignment between credit hours and overtime? For example, if an employee is assigned 8 hours of overtime on an RDO, can the employee request to earn 4 credit hours and 4 overtime hours? (Answer supersedes Joint Q&A dated 7-22-16)

A9: No. Once assigned as overtime, the assignment cannot be converted to credit hours.

Q10: Can an employee request and be approved to earn credit hours before overtime is assigned?

A10: Yes, if approved prior to the decision to assign overtime. However, overtime already scheduled should not be canceled as a result of a subsequent request to earn credit hours.

Q11: If a determination is made that overtime is necessary, can employees be solicited to earn credit hours instead of overtime?

A11: No. The solicitation of credit hours is not intended as a substitute for overtime.

Q12: Can credit hours be earned on an RDO to participate in Flight Deck Training?

A12: Yes, subject to the same requirements as duty time including the 8-hour limitation, advance approval, cannot be in conjunction with leave, etc.

Q13: Can employees earn credit hours on their RDOs if they are engaged in an activity that is eligible for excused absence, e.g., blood donation, union-sponsored retirement briefing, etc.?

A13: Employees may request to change their RDOs to be eligible for the excused absence, but they cannot earn credit hours away from the facility for activities that are not otherwise eligible for duty time.



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Q14: Can a union representative request to earn credit hours on their RDO and use that day as part of their Article 2, Section 15 time?

A14: No. The negotiated time provided in Article 2, Section 15 is for employees that are otherwise in a duty status. However, employees shall not be denied union representation on the basis that the union representative is earning credit hours. .

Q15: Can an employee use WMT Scheduler (“Web Schedules”) to request and be approved for credit hours?

A15: Employees may only use Web Schedules to request credit hours if the approval of the request would not result in the employee exceeding the 24-hour limit in Article 34, Section 11. Employees are responsible to know their credit hour balances and assume responsibility for ensuring the 24-hour cap is not exceeded when making a request in Web Schedules.

Q16: Can an employee request and be approved to work credit hours on a Sunday RDO and then request to change that to a regular workday and move the credit hours to another regular scheduled day to allow them to earn Sunday pay?

A16: The answer to this question is multi-step with different decision points. In this scenario, the employee requested and was approved to earn credit hours on a specific day (Sunday). Requests to earn credit hours are approved or denied based on the circumstances of the day/shift the credit hours are requested for and do not automatically carry to another shift or RDO. If the employee no longer desires to earn credit on this date, the employee may request to be relieved of the assignment. If relieved of the assignment, the employee may request an RDO change, which would be handled in accordance with Article 32, Section 8. If the RDO change is approved, the employee may make a new request earn credit hours, which will be approved or denied based on the circumstances of the new date requested.

Q17: Can the Parties’ enter into a local agreement that prohibits the solicitation of credit hours?

A17: The Parties at the local level cannot enter into agreements that increase, diminish or waive a contractual right. Either Party may choose not to exercise their respective contractual right, however contractual rights cannot be waived in a local agreement.

Q18: Can an employee request to use credit hours before they are earned?

A18: No. Employees must have a sufficient credit hour balance to cover the request at the time of the request.

