

## Guide to Flexitime

### **1. General**

- 1.1. The Commission considers more flexible working arrangements to be an important part of its administrative reform. It has therefore decided to encourage the use of flexitime by improving access to this provision for all staff, within the general framework of the Staff Regulations and based on a 37½-hour week, while ensuring that the interest of the service is fully taken into account.

The Commission believes that flexitime can be a very effective tool in allowing staff to balance their professional and private commitments. The Commission's interest in the use of flexitime is the higher motivation of its staff resulting from their greater responsibility for the organisation of their time.

- 1.2. The present Guide replaces the "Guide to flexitime" last published for Brussels in 1991 (IA 672 of 25-4-1991) and the comparable guides for other places of employment.
- 1.3. The principles contained in this Guide apply to all Commission staff covered by the Staff Regulations or by the Conditions of Employment of Other Servants, regardless of function group or grade, and to seconded national experts. The working hours and core times apply to Brussels and Luxembourg. For other places of employment, different hours and times may be determined by the Director-General concerned, taking into account local requirements and circumstances.

The principles described below ensure a uniform and practical approach to flexitime in all Commission DGs and Services.

- 1.4. Flexitime is available in all Commission DGs and Services. However, certain units, parts of units or groups of staff may be excluded from applying flexitime or be subject to restricted use of flexitime owing to particular service requirements. Such cases have to be justified and submitted to DG ADMIN for approval, which will inform the CSC prior to doing so.
- 1.5. The purpose of flexitime is to allow staff to decide when they wish to start work, take lunch and go home in the general context of a 37½-hour week. This flexibility is limited to the hours defined as flexitime in point 2.5 below and has to take account of the interest of the service. Compensation in the form of full or half-days off (thus including core time, see point 2.4) will be granted under the conditions set out in point 3.6 below.

### **2. Working time**

- 2.1. The number of working hours is 37½ hours per week, spread over 5 working days. Thus, the standard working time is 7½ hours for a day and 3¾ hours for a half-day. The required monthly working time is 7½ hours multiplied by the number of working days in the month.

- 2.2. To ensure continuity of service, an adequate presence of staff must be ensured in each department every day from 8:30 to 17:30 (16:30 on Fridays), with a break between 13:00 and 14:15
- 2.3. The period encompassing the working day is Monday to Friday from 7:00 to 20:00. Under exceptional circumstances and subject to prior approval from the hierarchical superior, work done outside this period may be taken into consideration by the department concerned.
- 2.4. The period during which all staff must be present, called core time, is from 9:30 to 12:00 and from 15:00 to 16:30 (16:00 on Fridays).
- 2.5. Flexitime, which is the period during which members of staff are free to choose their arrival, lunch break and departure times, runs from 7:00 to 9:30, from 12:00 to 15:00 and from 16:30 to 20:00. Departments may impose restrictions on this choice in order to ensure an adequate presence of staff during the standard working hours specified in point 2.2 above.
- 2.6. The duration of the working day may not exceed 10 hours (8½ hours for staff working part-time) and a lunch break of not less than 30 minutes must be taken when working time is more than 5 hours.
- 2.7. Core time as defined in point 2.4 above is binding for all Commission DGs and Services. Derogations to take account of the specific needs within certain Directorates-General may be allowed subject to the agreement of DG ADMIN, which will inform the CSC before giving its approval. In particular, derogations may be given where necessary to ensure the operation of mechanisms designed to ensure the continuity of services and the delivery of required services.
- 2.8. Managers must ensure that flexitime is used in a way which takes into account the interest of both the department and the members of staff. They will try to solve any possible problem by dialogue.

### **3. Time management**

- 3.1. Daily working times are recorded following the procedure established for this purpose by the management.
- 3.2. The time worked is compared to the standard working time specified in 2.1. Where a staff member has worked more than the standard working time, he/she is credited with the corresponding amount of time (credit), but if he/she has worked for less than the standard time, the corresponding amount is debited (debit).
- 3.3. The balance of debits and credits is calculated at the end of each month. The credit or debit balance may not exceed 15 hours.
- 3.4. At the end of the month, any credit balance in excess of 15 hours will be automatically reduced to 15. For a debit balance in excess of 15 hours, the excess hours will be considered as unauthorised absence and will be offset by a corresponding deduction of half a day or a full day from annual leave.

- 3.5. However, a credit or debit balance exceeding 15 hours at the end of the month may exceptionally be accepted where service reasons, sick leave or *force majeure* prevented the person concerned from adjusting the balance appropriately. In this case, the balance must be corrected in the following month.
- 3.6. In general, a credit balance is offset by shorter working periods compared with the daily average of 7½ hours, while a debit balance is offset by longer working periods.

Where the balance is in credit, however, the member of staff may take off half a day or a full day as compensation for each ¾ or 7½ hours in credit; this compensation has to be taken in the form of half a day or a full day. No more than 2 full days or 4 half-days may be taken off as compensation each calendar month.

Any compensation or form of compensation involving absence during core time is subject to prior approval by the hierarchical superior, who for this purpose will take into account the interest of the service and the work of the staff member.

- 3.7. The current provisions apply on a pro rata basis to persons authorised to work part-time. In such cases, the standard working hours specified in 2.1, the time counted for absences under 4.1 and the maximum time credited or debited as described in 3.3 and 3.4 will be reduced in proportion to the reduced working time.

The exact definition of core time in such cases is decided by the head of unit after consultation of the person concerned and taking into account the interest of the service.

- 3.8. For staff authorised to telework, flexitime provisions apply only to that part of working time spent in the office. Days of telework are counted as standard working days.

#### **4. Specific situations**

- 4.1. Absences for annual leave, special leave and sick leave are accounted for on the basis of a standard working day of 7½ hours in the case of a full day and ¾ hours in the case of a half-day. For part-time work, the number of hours accounted for is proportionally lower.
- 4.2. A mission of one or more full days is accounted for as 7½ hours per day. Where real working hours or combined working and travel hours are higher, they may be counted up to a maximum of 10 hours per day. Such flexibility should in particular be applied in relation to missions lasting five working days or longer. A mission carried out within standard working hours or a mission beginning or ending during a day, with the remainder of the day being worked in the office, is accounted for as the combined mission and office work time, up to a maximum of 10 hours.
- 4.3. Compensation for travel at a weekend or on public holidays is 4 hours credit per day for missions inside the EU; higher compensation may be granted for missions outside the EU, up to a maximum of 7½ hours.

Where a mission finishes with an overnight flight and a morning return to the place of work, a special half-day's compensation will be granted for that day.

- 4.4. Where, owing to the particular characteristics of their duties and their work, specific and clearly defined groups of officials are constantly obliged to carry out missions involving one or more weekends spent at the place of the mission or on travel between different mission locations, the department in question may, with the agreement of DG ADMIN and after consultation of the CSC, adopt rules for crediting each day of such weekends up to a maximum of 7½ hours. Weekend travel at the beginning and end of missions may be credited on the basis of the actual travel time, up to a maximum of 7½ hours per day. Equally, where for clearly stated service reasons persons have to systematically work at weekends during such missions, the number of hours actually worked on each day of a weekend may be credited up to a maximum of 10 hours per day. For these groups of persons, e.g. inspectors,<sup>1</sup> who must be clearly identified in the specific rules, the maximum possible time credit defined in 3.4 above and the maximum compensation defined in 3.6 above may be increased, taking into account the particular characteristics of the service. Compensation must be taken as close as possible in time to the accumulation of such credits, and not later than 2 months following the month in which the mission ends.
- 4.5. Professional training approved in the training map is counted as working time.
- 4.6. For absences to attend medical appointments during core time a flexible approach must be taken for staff working full time, except in the event of manifest abuse.

## **5. Recording hours worked**

- 5.1. The head of unit has to ensure that the working hours of his/her staff are recorded following the procedure referred to in point 3.1.

For this purpose DGs and Services may use manual recording systems, electronic files, magnetic cards or similar systems. Any time recording system must be proportionate and in conformity with the Regulation (EC) 45/2001 on the protection of personal data processed by Community institutions and bodies.

- 5.2. A lunch break of at least 30 minutes must be taken (see point 2.6).
- 5.3. Staff may consult their time account at any time.
- 5.4. At the beginning of each month managers must check and approve the time sheets of each member of his/her staff, showing all the times recorded during the preceding month.

## **6. Other provisions**

- 6.1. More detailed rules and practical procedures for the application of these flexitime provisions may be adopted by the Director-General of DG ADMIN.
- 6.2. The present “Guide to Flexitime” enters into force on 1 January 2007 and has to be applied by all Directorates-General as of 1 April 2007 at the latest.

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<sup>1</sup> Inspectors may benefit from specific provisions to be established at a later stage within the framework of this point 4.4.

- 6.3. The system will be evaluated, taking account of experience gained with accounting systems, compensation, motivation of personnel and the use made of flexitime as a time management tool. A report will be presented by 31 December 2008, and, if necessary, proposed amendments will be submitted to the Commission.