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# HRDG 4610 - Tours of Duty - Section J

Last Modified:

## **Subchapter 4610**

### **Tours of Duty**

#### **Section J - Mixed Tours of Duty**

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### **Mixed Tour**

An employee on a mixed tour is subject to changes in work schedules from full-time(FT), to part-time(PT), or intermittent. Typically, such a schedule is made a condition of employment. Making it a condition of employment in advance, allows an Agency to make decreases in hours of work when necessary without using adverse action procedures. Pay and leave benefits are not based on the term “mixed tour” but rather the specific work schedule to which an employee may be assigned each pay period. An employee under “mixed tour” who is working a FT or PT schedule is entitled to the same pay/leave benefits as an employee on a standard FT or PT schedule.

**Full-time** means the 40-hour workweek (5 CFR 610.102). A full-time employee's tour of duty is scheduled and assigned before the beginning of the administrative workweek.

**Intermittent** means a work schedule without a defined tour of duty or guaranteed number of work hours within an administrative work week. The work schedule is assigned after the beginning of the administrative work week.

**Mixed tours of duty** means annually recurring periods of full-time, part-time, or intermittent duty as long as the employee does not work part-time more than 6 pay periods per calendar year (5 CFR 340.202 [c]). Appointments not subject to the 6 pay period limitation are described in the chart below. When assigned to a part-time schedule, mixed tour employees are not required to work 16 - 32 hours per week but instead may be regularly scheduled to work between 1 - 15 or 33 to 39 hours per week.

A mixed tour employee in tenure group (TG) 1 or 2 who works more than 6 pay periods as part-time within a calendar year is considered a permanent part-time employee. This means the employee is no longer "mixed tour" and the rules for part-time (see below) must be followed.

**Part-time** means regularly scheduled work of 16 to 32 hours per week performed by an employee in TG 1 or 2 (as defined in 5 U.S.C. 3401 [a] through [f]) and (5 CFR 340.202 [a]) (**see the chart below**). The work is scheduled and assigned **before** the beginning of the administrative work week.

**Note:** Exceptions to the definition of "part-time" may be made by the Office of Human Capital Management (OHCM), U. S. Department of Agriculture, for employees in TG 1 or 2 who perform regularly scheduled work of between 1 to 15 hours per week (5 CFR 340.202[b]). Contact your servicing Human Resources (HR) office if interested in obtaining an exception. In instances where OHCM grants an exception, the Part-time Career Employment rules requiring a 16 - 32 weekly work requirement generally do not apply (5 USC 3402 [a] [3] and 5 CFR 340.202 [b]).

TG 1 and 2 consists primarily of employees on:

- Career, or
- Career-conditional appointments in the competitive service.

	Is the employee eligible for / to ...	Full- time	Part- time	Intermittent
<b>Mixed Tour Premium Pay/Leave Entitlements at a Glance</b>	<b>Overtime</b>	Yes	Yes	Yes
	<b>Night Differential</b>	Yes	Yes	No
	<b>Holiday Pay</b>	Yes	Yes	No
	<b>Sunday Pay</b>	Yes	Yes	No
	<b>Annual/Sick Leave Accrual</b>	Yes	Yes	No
	<b>Excused Absence</b>	Yes	Yes	No
	<b>Donated / Restored Annual Leave</b>	Yes	Yes	No

**Advantage of a Mixed Tour Work Schedule** Employees assigned to the mixed tour program may be changed to FT, PT, and/or intermittent work schedules to accommodate workload requirements.

A mixed tour schedule also ensures that these employees are assigned proper work schedules and receive benefits appropriate to their appointment and work schedule.

Before working mixed tours, employees are required to certify that they have read this section of Subchapter 4610, have had their questions answered, and understand that a mixed tour work schedule may involve alternating periods of FT, PT, and/or intermittent work during the year (see Sample Certification Form below.) A completed Official Personnel Folder (OPF) copy of the certification must be returned by the employee to the servicing HR office. The certification form will be filed in the employee's OPF, along with other required documents.

**Mixed Tour  
Work Schedule  
Certification**

The employee's certification and the issuance of an SF-50, Notification of Personnel Action, officially document the employee's assignment to the mixed tour.

**Benefits**

Removed 01/07

Increases and decreases in the workload will determine which work schedule is appropriate. Supervisors or scheduling personnel will notify employees in advance of the administrative workweek when it becomes necessary to change their work schedules. (Employees may also be notified prior to the beginning of a pay period if the tour is known for the entire pay period.)

Mixed tour employees assigned to PT tours are generally exempt from the career employment rules (5 C.F.R. 340.202). These rules affect [health benefits proration](#) (15.09 KB) and PT employment as regularly scheduled work of between 16-32 hours per week and 32-64 hours per pay period.

### **Establishing Work Schedules**

Note: TG 1 and 2 employees assigned to PT tours for 6 pay periods or less per calendar year are NOT subject to the [health benefits proration](#). Follow the chart below to request reimbursement:

#### **Steps**

#### **Procedure**

##### **Step 1**

At least three pay periods before the tax year ends, the employee makes a written request to his/her regional administrative office (AO) to be reimbursed.

##### **Step 2**

The regional AO reviews and certifies the employee's calendar year work schedule to ensure eligibility for reimbursement of premiums that were withheld on a prorated basis.

##### **Step 3**

At least three pay periods **before** the tax year ends, the regional AO submits the request, with supporting documentation, to HR Benefits.

Note: The tax year normally ends pay period 24

The work schedules of mixed tour employees will be changed using the Time and Attendance system. This recording automatically will generate an SF-50 to document the change in work schedule; a copy will be provided to the affected employees.

**Documentation**

Exception: When the scheduled hours of a mixed tour PT or a regular PT employee increase or decrease, the time and attendance system cannot generate a "change in hours" action. An SF-52 must be submitted to the servicing HR office to make this change if the change in PT hours will be in effect for 2 or more pay periods.

## **Holidays**

A mixed-tour employee assigned to a FT work schedule is entitled to holiday excused absence (Transaction Code [TC] 66) if he/she is in pay status either the day before OR the day after the holiday.

A mixed-tour employee assigned to a PT work schedule is entitled to be excused from work on any holiday that falls on a day included in his/her regularly scheduled tour of duty (i.e., it would have been part of his/her basic work schedule).

However, if the holiday normally would have been a non-workday ( i.e., not included in the basic work schedule), the PT employee would NOT be entitled to a day off (e.g., the plant runs Tuesday through Friday, with the Monday holiday as a regular non-production day and the mixed tour employee's PT work schedule is Tuesday through Friday). Whether the PT employee would have been scheduled to work is the basis for entitlement to holiday excused absence; his/her pay status the day before or after the holiday is irrelevant.

If either a FT or PT employee, who also is entitled to holiday excused absence, actually works the holiday, he/she will also be entitled to holiday premium pay ( TC 31) for the actual number of hours worked during the employee's scheduled tour of duty not to exceed 8 hours. Any hours worked over 8 hours will be overtime hours only.

A mixed-tour employee assigned to an intermittent work schedule is NOT entitled to holiday excused absence (TC 66) or holiday premium pay ( TC 31). He/she is, however entitled to basic pay ( TC 01) if he/she works on a holiday, as well as overtime ( TC 19/ 21), if applicable.

**Sunday  
Differential  
(Code 04)**

A FT employee whose basic work schedule includes Sunday (i.e., tour of duty is 5 days, Sunday through Thursday) will receive Sunday differential for nonovertime hours worked that do not exceed 8 hours. (Hours of work over 8 will be paid at the overtime rate only.) In other words, an employee cannot receive both Sunday differential and overtime pay for the first-8 hours of Sunday work. By regulation, a mixed tour intermittent employee is not entitled to Sunday differential.

**Leave  
Provisions  
for Full-time/  
Part-time  
Mixed Tour  
Employees  
Temporary  
Mixed Tour  
Employees  
FEHB Benefits**

Mixed tour employees assigned to FT/PT schedules are entitled to the same leave benefits as a full/part-time employee on a standard tour.

Removed 01/07

**Overtime**

A mixed tour employee may be eligible for overtime if he/she works over 8 hours in a day (TC-19) or 40 hours in an administrative workweek (TC-21).

**Night  
Differential**

A mixed tour employee with a FT or PT tour of duty who has been pre-scheduled to work night hours (night hours are defined as being between 6 p.m. and 6 a.m.) is entitled to night differential. A mixed tour employee on an intermittent tour of duty is never entitled to night differential because, by definition, he/she has no prearranged tour.



**Employee Copy  
and Official Personnel Folder Copy  
(Right Side Document)**

U.S. Department of Agriculture  
Marketing and Regulatory Programs  
Mixed Tour Work Schedule Certification

Name of Employee (Last, First, Middle) \_\_\_\_\_

Organization (Program, Branch, Region) \_\_\_\_\_

Duty Location (City and State) \_\_\_\_\_

**USDA, MRP  
Mixed Tour  
Work Schedule  
Certification  
Form**

I have reviewed Section J of Human Resources Desk Guide Subchapter 4610 and have had my questions answered : \_\_\_\_\_ Yes \_\_\_\_\_ No

I understand that under the mixed tour program I may be required to work on alternating periods of full-time, part-time and/or intermittent work schedules: \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ I **agree** to the conditions of the mixed tour program and **wish** to be assigned to it.

\_\_\_\_\_ I **do not agree** to the conditions of the mixed tour program and **do not wish** to be assigned to it. I fully understand that this means I will be without a regularly scheduled tour of duty and will work solely on an as-needed (intermittent) basis.

\_\_\_\_\_

Signature of Employee Date of this Certification

The optional "Mixed Tour Work Schedule Assignment Form" may be used prior to the beginning of a pay period to notify employees of their assignment to a FT/PT work schedule for the upcoming pay period. This form is only to be used if the tour is known for the entire pay period.

### **Mixed Tour Work Schedule Assignment Form**

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_

For pay period \_\_\_\_\_, you will be assigned to the following work schedule (check one):

Full-time \_\_\_\_\_ Part-time \_\_\_\_\_

\_\_\_\_\_ Intermittent (if checked, do **NOT** fill in the blocks below)

**Optional Mixed  
Tour Work  
Schedule  
Assignment  
Form**

The days and the number of hours you will be scheduled to work is as follows:

**Week 1:**

**Sunday Monday Tuesday Wednesday Thursday Friday Saturday**

**Week 2:**

**Sunday Monday Tuesday Wednesday Thursday Friday Saturday**

**Note:** This work schedule indicates the guaranteed number of hours you will work on the above specified days for the pay period; leave may be granted in lieu of the guaranteed work hours. This work schedule will remain in effect until you are otherwise notified. If needed, you may be required to work additional hours. Working additional hours will not change your assigned work schedule (Full-time, Part-time or Intermittent) for the pay period.

**1. Does the "work" need to be scheduled and assigned or does just the work schedule (PT or FT) need to be known in advance?**

If the work schedule (FT/PT) is known in advance, then that includes the days and number of hours to be worked. To be "scheduled" means that this information is put into writing and relayed to the employee before the beginning of an administrative workweek. The work location may be changed once the workweek begins. If you know the tour (FT/PT) for the entire pay period, then you may advise the employee prior to the beginning of the pay period. If you send a FT/PT employee home due to a lack of work, you are still obligated to pay him or her for the number of hours scheduled to work on that particular day.

**2. If an employee is scheduled and assigned to work a FT schedule in advance of the first week of the pay period, but the second week cannot be determined in advance, is that an intermittent work schedule?**

If the first week is scheduled in advance but the second week cannot be determined, the employee is considered intermittent for the pay period. To keep the employee as FT for the pay period, the Program may consider allowing the employee to take annual leave or LWOP (not enforced leave) the second week of the pay period. The employee may submit a leave request prior to the beginning of the pay period. This principle also applies if the first week is scheduled as FT (i.e., 40 hours) but the second week is scheduled as PT (e.g., 10 hours). The employee is considered PT for the pay period (remember the 6 pay period rule for employees in TG 1 and 2).

In addition, if it is determined during the first week of the pay period that the employee is needed to work for all or part of the second week, any leave scheduled for the second week may be cancelled.

**3. If a mixed-tour employee is not scheduled to work a FT work schedule in advance of the upcoming workweek for both weeks of a pay period, would the "lesser" work schedule (intermittent or PT) be coded on the T&A?**

Yes. For example, if the first week is **scheduled** as FT (i.e., 40 hours), but the second week is **scheduled** as PT (e.g., 8 hours), the employee

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