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United States Department of Agriculture  
Marketing and Regulatory Programs  
Animal and Plant Health Inspection Service

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**Administrative  
Notice**

APHIS 23-01

05/01/2023

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**Length of Workday Agency Policy**

The Animal and Plant Health Inspection Service's (APHIS) mission requirements and focus vary among programs; however, the importance of employee health and safety on-the-job does not. As APHIS moves to a post-pandemic work environment, we are applying the lessons learned over the past several years to craft policy that promotes work-life balance, on-the-job safety, and overall employee well-being. We believe that these values are critical to our success as an Agency. Therefore, as of the effective date of this notice, all APHIS employees will adhere to the following policy on the length of the workday.

1. The maximum workday length that will be approved *as part of a regular work schedule* is 10 hours. The maximum workday length applies to all non-emergency assignments and to all work schedules (e.g., standard, compressed, or flexible).
2. First level supervisors may approve up to a 12-hour workday *on an ad hoc basis*, including all base hours, credit hours, compensatory time, and overtime, for mission-related reasons and/or to allow employees under maxiflex to make up time in lieu of a charge to leave.
3. Workdays greater than 12 hours are expected to occur infrequently but may be approved on an occasional basis due to documented, unique mission-related circumstances.
  - a. A workday longer than 12 hours may be approved *on an ad hoc basis* but requires the written approval of the first Senior Executive Service (SES) member in the employee's chain of command.
  - b. The first SES in the employee's chain of command may re-delegate this authority, in writing, to the employee's second level supervisor. This authority may not be further re-delegated, but programs may choose to retain it at a higher level.
  - c. This re-delegation may be granted for an individual employee or for groups of employees for a specific timeframe e.g., for a defined project or performing seasonal mission critical work. As with all management and supervisory personnel, second level supervisors are accountable for employees' safety and health and must be fully aware of workload and its impact on employees within their organization.

- d. The first SES member within the employee's (or units for blanket requests) chain of command with oversight responsibilities, must review the situation within the pay period it occurs acknowledging, in writing, their awareness of the situation.
  - e. The [APHIS Form 372, Approval & Documentation for Exceeding a 12-Hour Workday](#) has been developed to assist with the request, approval/denial, and acknowledgment process. While use of the form is not required, it will support data collection for future policy evaluations. The first line supervisor is responsible for maintaining this documentation.
4. The workday length includes all:
- a. Base hours,
  - b. Overtime and compensatory time off in lieu of overtime pay under Title 5 United States Code (U.S.C.) Chapter 55 subchapter V, Premium Pay, and Title 5 Code of Federal Regulations Part 551 Subpart E, Overtime Pay,
  - c. Overtime and Sunday work under Title 7 U. S. C. Import/Export Work,
  - d. Compensatory time off for travel, and
  - e. Credit hours, if under maxiflex.
5. The workday length policy excludes:
- a. The required unpaid meal break of at least 30 minutes,
  - b. The daily required normal home-to-work commute,
  - c. Commuted Travel Time (CTT) under Title 7 U.S.C. Import/Export work,
  - d. Foreign Service personnel who are overseas, and
  - e. Bargaining unit employees, until bargaining obligations are met.
6. The [APHIS Emergency Mobilization Guide](#) states that the Incident Command (IC) will establish daily work schedules for all mobilized employees. The IC will determine the length of an employee's workday based on the parameters of the emergency and/or the response level.

This new policy is in effect for one year or until superseded by an APHIS or MRP directive, whichever occurs first. Please refer questions to your program's servicing [Leave and Compensation Specialist, Human Resources Operations](#). Refer policy questions to the Human Resources Division Policy Branch's [Pay, Leave and Tours of Duty Specialist](#).

/s/

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