

Work schedule guidelines for examiners in the Patent Training Academy

The following work schedule guidelines are for patent examiners in the USPTO Patent Training Academy. It does not apply to examiners in the Technology Centers.

Based on training needs at the Academy, the work schedules for the Academy examiners are as follows:

IP Experienced Examiner program – 2-phase program with an initial 25-day residence in the Academy

- Due to the short duration of the program and concentrated nature of the training, the work schedule will be an 8-hour day, 5 days per week.

Entry Level Examiner program - 2-phase 12 month program with an initial 4-month residence in the Academy

- Weeks 1 and 2 --- 8:30 A.M. to 5:00 P.M.
- Week 3 to the week of transition to the TCs --- Choice of one of the two work schedules identified below.

The purpose of selecting one of the schedules below is to maximize the training benefit for patent examiners and to provide opportunities for interaction with fellow employees during the time they are in the Academy. Examiners at the Academy can elect to work either of the two schedules outlined below once the majority of their time is spent on examining patent applications on production. Note that election of the schedule is set on a quarterly basis and SPE/Trainers have the flexibility of mandating that the employee start at a specific designated time, as early as 7:30A.M., or end at a specific designated time, as late as 5:00 P.M., if needed, to attend training sessions and/or to allow the close supervision required to understand and perform the duties of their position.

Compressed 5/4/9 Schedule (fixed schedule):

- Examiners will work eight 9-hour days and one 8-hour day per pay period.*
- Day off will be the first Friday of the pay period.

- Examiners will start the working hours between 5:30 A.M. and 9:30A.M.
- The working hours must be set for each day for the entire bi-week. Examiners should review the training schedule prior to selecting the working hours for that bi-week.
- Holiday hours will be determined by the scheduled set hours for that day.

Modified Increased Flexitime Policy (IFP):

- Examiners must work between the hours of 9:30 A.M. and 3:00 P.M., Monday through Thursday (excluding Federal Holidays).*
- Examiners may start between the hours of 5:30 A.M. and 9:30 A.M., assuming that there is no scheduled lecture before that time.
- Holiday hours will be 8 hours.
- No work will be available on the first Friday of the pay period, holidays or weekends.
- In addition to the first Friday of the pay period, examiners may take the second Friday off unless there is a lecture scheduled for that day.
- Examiners may not work more than 10 hours in a work day.
- Examiners may work as late as 8:00 P.M.**
- Minimum number of hours per day is 6 hours, Monday through Thursday.*
- Examiners are responsible for managing their time if there is a required second Friday training/event; i.e. not to work 80 hours prior to the second Friday.
- Other than during the required hours, examiners may use mid-day flex. For example, an examiner may work from 9:30 A.M. to 3:30 P.M. and then work from 6:00 P.M. to 8:00 P.M. to complete an 8-hour day.**

* Employees on a fixed schedule wWorking more than 6 hours on a given day requires a ½ hour unpaid break. Employees on a flexible schedule are not required to take a lunch; if one is taken then the time is treated as mid-day flex

** Examiners, to the extent possible, should limit work hours outside the hours of 7:30 A.M. and 6:00 P.M. to ensure resources are available for needed help and they can perform the work without direct supervision. GS 5

and 7 examiners are reminded that it is against the Fair Labor Standards Act (FLSA) to work uncompensated overtime.