

POPA PART-TIME PROGRAM AGREEMENT 2021

Date: August 24, 2021

This agreement between the United States Patent and Trademark Office (USPTO or Agency) and the Patent Office Professional Association (POPA) supersedes the POPA Part-time program agreement dated November 20, 2013 and the amendment to the POPA Part-time Program dated January 19, 2017.

As used herein, “USPTO office” is defined as the Alexandria office and regional offices.

1. General: The part-time program consists of two separate components:

- A. Childcare and Eldercare - specifically designed to meet the demand for part-time work for employees with childcare or eldercare responsibilities. The childcare component has two subgroups:
 - i. parents with preschool-aged children (one who has not begun first grade) and
 - ii. parents with school-aged children (children in first grade through the school year in which they turn age 16).
- B. Retention - specifically designed to enable the Agency to retain experienced employees who wish to work a part-time schedule for other reasons. Employees do not need to disclose their reason for working a part-time schedule under this component.

2. Number and Allocation of Participants:

- A. The part-time program will have 600 slots:
 - i. 325 slots for the Childcare and Eldercare Component,
 - ii. 200 slots for the Retention Component, and
 - iii. 75 interchangeable slots.
- B. For the childcare and eldercare component:
 - i. If the cap of 325 is reached and the cap of 75 interchangeable slots is also reached, an employee with a preschool-aged child or an elderly relative or equivalent may still be accepted into the part-time program; however there will be no open slots for an employee with a school-aged child until the number of total participants in this component goes back below 325 or until the number of interchangeable slots goes back below 75.
- C. For the retention component:

- i. If the cap of 200 is reached and the cap of 75 interchangeable slots is also reached, an employee who is retirement eligible may still be accepted into the part-time program; however, there will be no open slots for a non-retirement eligible retention participant until the number of total participants in this component goes back below 200 or until the number of interchangeable slots goes back below 75.
- ii. Retirement eligibility will be determined by the [Civil Service Retirement System \(CSRS\)](#) or [Federal Employees Retirement System \(FERS\)](#) requirements. Currently, the minimum eligibility requirements are:
 - a. CSRS: at least 55 years old and at least 30 years of service
 - b. FERS:
 - 1. at least 62 years old and at least 5 years of service; or
 - 2. minimum retirement age (varies based on date of birth – between 55-57 years old) and at least 10 years of service.

D. Interchangeable slots:

- i. The 75 interchangeable slots may be used for either component as needed after the cap is reached in either component.

3. Duration of Participation:

- A. Each participant will be eligible to serve a minimum of three (3) months and a maximum of eighteen (18) months in the program.
- B. Participants are eligible to reapply in 3-18 month increments.
- C. At the end of the agreed upon period of part-time status, the employee shall revert to full-time status or may reapply to the part-time program by following the application process in Section 7 below and submission of a new [Part-Time Program Request form](#).
- D. The Agency shall allow earlier conversion to full-time status at an employee's request consistent with the needs of the Agency.

4. Schedule of Work:

Program participants will work a flexible schedule consistent with the following:

- A. Participants must submit a schedule of work containing a minimum of thirty-two (32) hours to a maximum of sixty-four (64) hours per biweek.

- B. Participants must follow the schedule of work on their approved part-time program request form.
- C. The schedule of work must indicate the days during the biweek that the participant will work and the number of hours that will be worked on each day.
- D. The schedule of work will be used to determine benefits such as health insurance premiums.
- E. Participants must schedule a minimum of four (4) hours to a maximum of ten (10) hours each day.
- F. Participants must work at least two (2) days per week, Monday through Friday, with one day being a Tuesday or Thursday, for a total of at least sixteen (16) hours per week.
- G. The core hours are from 12:00 p.m. to 2:00 p.m. on either Tuesday or Thursday of each week.
- H. The schedule of work does not need to be the same each week, but must be the same for each biweek (e.g., work Monday and Thursday of the first week and Tuesday and Thursday of the second week).
- I. On a scheduled work day, arrival and departure times are flexible, but at least sixteen (16) hours each week must be completed between 5:30 a.m. and 8:00 p.m., Monday through Friday, and include core hours from 12:00 p.m. to 2:00 p.m. on either Tuesday or Thursday of each week.
 - i. If the participant schedules more than sixteen (16) hours in a week in their schedule of work, the employee may work the additional hours between 4:30 a.m. and 11:30 p.m. Monday through Saturday.
- J. Hours worked in excess of those in the schedule of work may only be worked between 4:30 a.m. and 11:30 p.m. Monday through Saturday.
- K. Participants with contact hour requirements for internal or external customers may be required to work fixed hours, but the fixed hours will be limited to those hours required to meet the customer service obligations.
- L. Participants will earn prorated annual and sick leave based on the number of actual hours worked.
- M. In limited instances and with prior supervisor's approval, a part-time program participant may request a change in their schedule of work (see Section 9 below).

5. Eligibility Requirements to Enter and Renew Participation in the Program

- A. Childcare and Eldercare Component

- i. have completed the first year of employment at the USPTO;
- ii. have a rating of record of at least Marginal;
- iii. have current performance at least at the Marginal level in all critical elements of the PAP based on the last full quarter;
- iv. for quarters 2-4, year-to-date production at the end of the biweek before starting the program at least at the Marginal level; and
- v. for employees without a rating of record, most recent one full quarter of performance at least at the Marginal level.

B. Retention Component

- i. be a non-probationary grade GS 11 or higher employee;
- ii. have completed at least 1 full year of continuous service with the USPTO immediately prior to applying for this program. Participants must have completed all required training in the PTA; and
- iii. normally, have:
 - a. a rating of record of at least Fully Successful;
 - b. current performance at least at the Fully Successful level in all critical elements of the PAP based on the last full quarter; and
 - c. for quarters 2-4, year to date production at the end of the biweek before starting the program at least at the Fully Successful level.

At its discretion, management may allow employees with current performance at the marginal level to participate. If an employee is permitted to participate without meeting the criteria set forth in section 5.B.iii.a-c, approval will be given for three (3) months, which may be extended by mutual agreement of the parties.

6. Holidays:

- A. If a participant's approved schedule of work includes scheduled hours on a Federal holiday, the participant is entitled to claim the number of hours the participant is scheduled to work (see 4c), up to a maximum of eight (8) hours (even if scheduled to work more than eight (8) hours), and record the hours as holiday leave in their timesheet (WebT&A or equivalent) per [USPTO policy](#).
 - i. Participants scheduled to work more than eight (8) hours on a Federal holiday may work the scheduled excess hours during the biweek

(including on the holiday as regular time per USPTO's [Holiday Leave and Working on a Holiday policy](#)), take annual leave, or take leave without pay to make up the difference.

- B. Participants who are not scheduled to work on a Federal holiday are not entitled to holiday leave, unless otherwise directed by the Agency.

7. Application Process:

- A. Applicants must fill out the latest [Part-Time Program Request form](#).

- i. The request form must be signed by the employee, the employee's first line supervisor, and Director (or other Agency official having delegated authority). Electronic signatures are permitted.

- B. When applying, each employee will specify:

- i. whether they are new applicant or a current part-time program participant;
 - a. Current part-time program participants can renew their participation in the program and/or request a change in schedule/hour. A single Part-Time Program Request form can be used for both, renewing participation and for requesting a change in schedule/hours, if necessary.
 - ii. the desired length of participation (3-18 months);
 - iii. the component of the program under which employee is applying or renewing;
 - iv. requested start and end dates (retroactive dates are not permitted);
 - a. For new applicants, the requested start date is the first Sunday of a biweek.
 - b. For current participants who are:
 - 1. renewing participation, the requested start date of the renewal is the following day after their current term ends; and/or
 - 2. requesting a change in schedule/hours, the requested start date of the change in schedule/hours is the first Sunday of a biweek.

When requesting both (i.e., a renewal and a change in schedule/hours), the requested start dates for each may be different.

- v. daily schedule indicating the number of hours to be worked and the day on which they will be worked.
- C. Submit the completed [Part-Time Program Request form](#) to the [Part-Time Program Administrator](#)'s electronic administrative mailbox (Part-TimeAdministrator@uspto.gov) for review and final approval at least one (1) biweek before the requested start date. Employees should work with their supervisor to ensure that the completed form has been sent to the Part-Time Program Administrator.
- D. The Agency will provide written notification (via email from the [Part-Time Program Administrator](#)) of acceptance or non-acceptance into the program. Written notification of non-acceptance will include the reason for non-acceptance. The written notification will be sent to the employee, the employee's supervisor, and director.

8. Selection of Participants:

- A. The Agency will select participants based on the order of receipt of the requests by date to the appropriate Director (or other Agency official having delegated authority).
- B. In the event that two or more requests from eligible employees are submitted on the same date for the Childcare and Eldercare Component and there are not enough slots for all, the service computation date for leave will determine who gets to participate with preference going to the most senior employees.
- C. In the event that two or more requests from eligible employees are submitted on the same date for the Retention Component and there are not enough slots for all, grade level, then degree of signatory authority, and then, time-in-grade will determine who gets to participate.

9. Changes to the Schedule of Work:

- A. In limited instances, to help meet the needs of the participant or the agency, the supervisor and participant may agree to change the schedule of work (hours or days) that the participant will work in a biweek (see section 4 above).
 - i. No changes to the schedule of work can be made that results in an amended scheduled workday falling on a Federal holiday or on a government closure.
 - ii. Such changes may not be used to habitually change the participant's approved regular schedule of work as stipulated in their part-time program request form.

- iii. Agreed upon changes may be for a single biweek or to the regular schedule of work for the duration of the participant's participation in the program.
- B. For changes to the schedule of work that are to be effective for the duration of the employee's participation in the program, a revised [Part-Time Program Request form](#) must be completed indicating the change in schedule and forwarded to the part-timeadministrator@uspto.gov for approval at least one (1) biweek prior to the beginning of the biweek in which the change will be effective and prior to the participant working the new schedule of work (see Section 7 above).

10. Information provided to POPA:

The Agency shall provide POPA with a cumulative list of employees requesting part-time employment and the disposition of each on a quarterly basis. This list will include employees on the part-time program and any denials during that quarter.

11. Working Additional Hours:

- A. Subject to prior supervisory approval, a participant will be eligible to schedule and work additional regular paid hours when necessary to meet the needs of the Agency or the participant (assuming work is available).
- B. A participant cannot work over 64 regular hours for two consecutive biweeks.

12. Overtime and Compensatory Time:

- A. Participants will be allowed to work overtime and/or compensatory time consistent with law and the provisions of this agreement.
- B. There shall be no limits to earning overtime and compensatory time that do not apply to full-time employees.

13. Completion of Work Assignments When Converting to a Part-Time Schedule:

Upon conversion from a full-time to a part-time work schedule or from a part-time schedule to a part-time schedule of fewer hours, in some instances an examiner's part-time work schedule may not include sufficient hours to allow the timely completion of cases within the prescribed docket management time periods. If requested by the examiner, during the first 120 days of the new schedule, the supervisor will remove a portion of the cases from the examiner's docket. The number of cases removed should be proportional to the change in examining hours. The cases may be stored on the supervisor's docket for eventual return to the examiner or reassigned to other examiners. In a given quarter, if cases are removed or reassigned, the examiner will not be eligible for a docket management award for that quarter. Additional aspects of the docket management element and the pendency award as it pertains to employees on a part-time schedule are discussed in the PAP guidelines.

14. Training and Activities:

Training and participation in Agency-sponsored activities shall be equally available to full-time and part-time employees. However, eligibility for USPTO-subsidized training outside of the employee's scheduled working hours, such as non-duty time technical training, are addressed in those provisions of the training program. Participants may be required to temporarily convert to full-time status to attend Agency-provided training.

15. Special Requests:

- A. Employees may request part-time schedules in hardship situations.
 - i. Each request will be considered at management's discretion on a case-by-case basis.
 - ii. Employees should contact their supervisor if they have questions about hardship situations. Additional questions can be directed to the [Part-Time Program Administrator](#).
 - iii. Employees requesting a part-time schedule in hardship situations should follow the application process in section 7 above and select "Special Request – Hardship Situations" in the [Part-Time Program Request form](#).
- B. Requests for part-time schedules based on "reasonable accommodations" are outside of the scope of this agreement.

Approval of these special requests in hardship situations is not a "reasonable accommodation"; it is separate and independent of the Agency's Reasonable Accommodation Process. Nothing in this section precludes or limits the ability of employees to request a reasonable accommodation nor limits the ability of supervisors to refer employees to the Reasonable Accommodation Program Office/Office of Equal Employment Opportunity and Diversity (OEEOD) for assistance when appropriate.

16. Current Participants:

Current program participants will be able to complete their current term (3 to 18 months) without having to reapply for the program on implementation of this agreement. If current participants want to change the number of hours they are working on a day, they will need to submit a schedule of work in accordance with Sections 4 and 9 to the [Part-Time Program Administrator](#) and their supervisor before adjusting their schedule.

17. Work Space:

For the purpose of this program:

- A. participants who do not have signed a telework agreement will maintain the status quo regarding their USPTO office space, pending space availability.

- B. participants who have a signed telework agreement under the Patents Fulltime Telework Program (PFTP) will relinquish their USPTO office space;
- C. participants who have a signed telework agreement under the Patents Partial Telework Program (PPTP), will maintain the status quo regarding their USPTO office space, pending space availability.

18. Participation in the Patents Fulltime Telework Program (PFTP) or Patents Partial Telework Program (PPTP):


Part-time program participants who also participate in the Patents Partial Telework Program (PPTP) or the Patents Fulltime Telework Program (PFTP) are subject to the requirements of the applicable program, unless a requirement is directed to work schedule or is inconsistent with this part-time program.

- A. Requirements for PPTP:
 - i. Participants may telework up to fifty percent (50%) of their regular schedule of work, rounded up to the next full hour.
 - ii. Participants may telework on one Saturday per biweek.
 - iii. A participant may work at both the alternate worksite and the USPTO office on the same day.

19. Miscellaneous

- A. Information on this program, including the name of a designated electronic administrative mailbox managed by the management official in charge of administrating the program (i.e. Part-TimeAdministrator@uspto.gov), and the [Part-Time Program Request form](#), will be kept up-to-date on the USPTO Intranet site.
- B. POPA will be notified if the Part-Time Program Administrator changes.

Signatures:

Users, Faile, Andrew	Digitally signed by Users, Faile, Andrew Date: 2021.08.24 10:25:48 -04'00'		8/24/2021
Andrew Faile Deputy Commissioner for Patents U.S. Patent and Trademark Office	Date	Kathleen Duda President Patent Office Professional Association	Date

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SCHEDULE

1. Are there restrictions on when a part-time employee can start work each day?

Yes, at least sixteen (16) hours each week must be completed between 5:30 a.m. and 8:00 p.m., Monday through Friday, and include the part-time program core hours from 12:00 p.m. to 2:00 p.m. on either Tuesday or Thursday of each week. If the employee schedules more than sixteen (16) hours in a week in their approved schedule of work, these hours may be worked between 4:30 a.m. and 11:30 p.m. Monday through Saturday.

While, within the above restrictions, POPA part-time program employees can vary their starting and ending times each day, they are encouraged to communicate their expected schedule to their supervisor.

2. Do participants have to select set hours to work?

No, under the POPA Part-Time Program, participants need to choose how many hours they want to work on a day, but the starting and ending times are not fixed. Participants may also “mid-day flex” during their work day. For example, a participant who is scheduled to work eight (8) hours on a Monday may work from 4:30 a.m. to 8:30 a.m. and from 6:00 p.m. to 10:00 p.m. Note that only five (5) of these hours would count toward the sixteen (16) hours requirement as explained in Question 1.

3. Is the part-time program’s flexible schedule the same as the Increased Flextime Policy (IFP)?

No, part-time program participants must follow the schedule of work on their approved part-time program request form. When applying for the program, the schedule of work must indicate the days during the pay period that the participant will work and the number of hours that will be worked on each day. The days worked may vary between the first and second weeks of a pay period, but the days from one pay period to the next may not vary. The part-time program’s flexible schedule only allows the employee to have a flexible arrival and

departure times on a scheduled work day. Part-time employees cannot work on Sunday, work IFP credit hours, or, unless previously approved by their supervisor, change the amount of hours they work on a given day. See question 8 for additional information.

4. Are part-time employees eligible for IFP credit hours?

No, the part-time program’s flexible schedule of work is not the same as IFP. IFP credit hours cannot be earned or used under the POPA Part-Time Program.

5. Can a part-time program employee work regular hours on Sundays?

No. A part-time program participant cannot work regular hours on a Sunday. See Question 1 above.

6. If a part-time program participant works more hours than the approved schedule of work with supervisory approval, is the additional work hours credited as overtime?

Not necessarily. The additional hours worked must first be recorded as regular hours until the employee meets the overtime requirements, after which, any additional hours may be recorded as overtime. See question 13 for additional information.

7. Can a part-time program employee schedule and work extra regular paid hours?

Subject to prior supervisory approval, an employee will be eligible to schedule and work additional regular paid hours when necessary to meet the needs of the Office or the employee (as long as work is available for the employee). The additional regular paid hours in excess of the employee’s approved regular work schedule must be worked between the hours of 4:30 a.m. and 11:30 p.m. Monday through Saturday.

However, part-time program participants are prohibited from working over 64 regular hours for two (2) consecutive pay periods.

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8. Are there limits on an employee's ability to modify their regular approved schedule of work?

Upon approval by the employee's supervisor, an employee may modify their approved regularly scheduled hours as long as the change does not result in an amended scheduled workday falling on a Federal holiday or government closure. The change may not be used to habitually change the employee's approved regular work schedule.

For changes that are to be effective for the duration of the employee's participation in the program, a revised [Part-Time Request Form](#) must be completed indicating the change in schedule and forwarded to the [Part-Time Program Administrator](#) for final approval at least one (1) biweek prior to the beginning of the pay period in which the change will be effective and prior to the participant working the new schedule of work. In addition, when the permanent schedule change also includes a change to the total number of hours to be worked in a pay period, then a Personnel Action Request (PAR), should be completed by the employee's supervisor and forwarded to the Office of Human Resources.

9. If a part-time employee works more than 64 regular hours in a pay period, is that employee considered to be on a full-time schedule?

No, the status of the employee is determined by the Personnel Action Request (PAR) in the employee's official personnel folder. As a reminder, a part-time program employee is not permitted to work over 64 regular hours for two (2) consecutive pay periods.

10. What if the participant needs to make a change to the approved part-time schedule for the remainder of their term?

If the employee wishes to make a permanent change to their approved work schedule, a revised [Part-Time Request Form](#) must be completed and signed by the employee, the employee's supervisor, and director (or designated Agency official), and submitted to the [Part-Time Program Administrator](#) for approval at least one (1) biweek prior to the beginning of the pay period in which the change

will be effective and prior to the participant working the new schedule of work..

Note: When the change results in a change of total hours worked in a bi-week, a new Personnel Action Request (PAR) must be submitted to the Office of Human Resources indicating the total hours to be worked. In addition, the employee's timesheet's (WebT&A or equivalent) timekeeper must also be notified in order to record the new hours into the system.

COMPENSATORY TIME AND OVERTIME

11. Do the rules controlling compensatory time and overtime differ for part-time and full-time employees?

The regulations are the same for part-time and full-time employees as far as earning compensatory time and overtime. Carryover compensatory time has to be prorated for participants. Please refer to the comp-time and overtime agreement for further information.

12. Can a part-time employee work compensatory time on weekends?

A part-time program participant may work compensatory time on any day, but only if the compensatory time requirements are satisfied (i.e. must have advance supervisory approval and work minimum required hours). See question 13 for more information.

13. What are the compensatory time and overtime requirements for part-time employees?

POPA part-time programs participants are allowed to work overtime and/or compensatory time consistent with eligibility requirements. In general, a POPA part-time program employee must work:

at least eight (8) regular hours in a day to be able to earn overtime or compensatory time for that day; or

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forty (40) regular hours in a week to be able to earn overtime or compensatory time for that week.

Depending on the employee's approved part-time schedule, the employee may not be eligible to work compensatory time or overtime on certain days without the employee's supervisor first authorizing a schedule change.

A POPA part-time program employee can work compensatory time or overtime as follows:

A) Once an employee has worked a combination of regular hours (defined as hours included in the employee's approved regular schedule of work) and supervisor pre-approved additional regular hours totaling eight (8), nine (9), or ten (10) hours on a day, then up to four (4), three (3), or two (2) hours, respectively, of compensatory time or overtime may be worked on that day. For example,

a. If employee decides to work six (6) regular hours on Monday, employee will first need pre-approval from the supervisor to work two (2) additional regular hours that Monday. Once the eight (8) regular hours have been worked that Monday, then, up to four (4) hours of compensatory time or overtime may be worked that same Monday.

b. If employee decides to work eight (8), nine (9), or ten (10) regular hours on Monday, then up to four (4), three (3), or two (2) hours, respectively of compensatory time or overtime may be worked that same Monday.

B) On a work day (Monday-Saturday) that the employee does not have any scheduled regular hours, employee will first need pre-approval from the supervisor to work eight (8) additional regular hours that day. Once the eight (8) additional regular hours have been worked that day, then, up to four (4) hours of compensatory or overtime may be worked that same day.

C) Once the employee has worked a combination of regular hours and supervisor pre-approved additional regular hours totaling forty (40) hours in a week (Monday to Saturday). For example, if the

employee decides to work thirty (30) regular hours in a week, the employee will have to request pre-approval from their supervisor to work ten (10) additional regular hours that week. Once the forty (40) hours have been worked that week, then, the employee will be able to work compensatory time or overtime hours that same week, including on Sunday.

a. If an employee works on the 1st Sunday of the biweek as compensatory time or overtime, the employee must work forty (40) regular hours and supervisor pre-approved additional regular hours during the rest of that same week (1st Monday – 1st Saturday) in order for those 1st Sunday hours to be claimed as compensatory time or overtime. If forty (40) regular hours are not worked in that same week, the hours worked on the 1st Sunday cannot be claimed.

b. If an employee works on the 2nd Sunday of the biweek as compensatory time or overtime, the employee must work forty (40) regular hours and supervisor pre-approved additional regular hours during the rest of that same week (2nd Monday – 2nd Saturday) in order for those 2nd Sunday hours to be claimed as compensatory time or overtime. If forty (40) regular hours are not worked in the same week, the hours worked on the 2nd Sunday cannot be claimed.

HOLIDAY

14. Can a part-time employee work on a holiday? If so, is it regular pay, holiday pay plus regular pay, or overtime pay?

Hours worked on a holiday should be worked in accordance with the approved schedule of work and in accordance with the USPTO's [Holiday Leave and Working on a Holiday policy](#). Part time employees who are required or authorized to work on the holiday and entitled to holiday leave will receive holiday premium pay for up to the number of hours the employee was scheduled to work on that day, no more than 8 hours. If the employee was scheduled to work more than 8

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hours, the additional hours worked may be recorded as regular time.

15. Can a part-time employee be paid for a holiday that is not part of the regular schedule if they work the day before or the day after the holiday?

No. A part-time program employee is only paid for a Federal holiday if it falls on a scheduled workday and may only claim as holiday leave the number of hours stated in their approved schedule of work, up to a maximum of eight (8) hours (even if scheduled to work over eight (8) hours). Employees scheduled to work more than eight (8) hours on a holiday may work the excess hours during the pay period (including the holiday), take annual leave, or take leave without pay (LWOP) to make up the difference. See USPTO's [Holiday Leave and Working on a Holiday policy](#), as well as sections 6 and 9 of the [POPA Part-Time Program Agreement](#).

ELIGIBILITY AND APPLICATION

16. What are the performance requirements to participate in the part-time program?

The performance requirements to enter the part-time program differ for the Retention component (at least Fully Successful) and the Childcare/Eldercare components (at least Marginal). For more information, please see section 5 of the [POPA Part-Time Program Agreement](#) for specific eligibility requirements.

17. What procedures should a supervisor follow when an employee requests part-time status?

To request participation in the program, the supervisor must:

- receive from the employee a completed [Part-Time Request Form](#);
- verify the employee's eligibility requirements on the form; and
- if the information on the form is accurate, sign the form and submit to the Director for signature. Completed form must be forwarded to the [Part-Time Program Administrator](#) (parttimeadministrator@uspto.gov).

Electronic forms are preferred. Electronic signatures are permitted.

If the request for part-time is approved by the Part-Time Program Administrator, the Part-Time Program Administrator will notify the employee, their supervisor, and director. After which, the supervisor should complete a Personnel Action Request (PAR) noting the employee is converting to part-time and indicating the total number of hours that the employee will work each pay period.

In addition, the employee and their supervisor must ensure that the timekeeper makes an entry in the employee's timesheet (WebT&A or equivalent) reflecting the employee's part-time status and number of hours worked each pay period.

18. Is the receipt date for a part-time request form the date received by a Group Director or the date received by the Part-Time Program Administrator?

The date signed by the Director is the request form receipt date. Applicants should allow at least one full pay period for processing and must wait for approval from the Part-Time Program Administrator prior to beginning to work a part-time schedule. The employee should work with their supervisor to ensure that the form is submitted to the Part-Time Program Administrator.

19. What are the eligibility requirements to request a part-time schedule based on Special Request – hardship situations?

Requests for a part-time schedule in hardship situations will be considered at management's discretion on a case-by-case basis. Eligibility criteria directed to the retention or childcare/eldercare components of the program are inapplicable to hardship situations. See section 15 of the [POPA Part-Time Program Agreement](#) for more information.

ADMINISTRATION

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20. What procedures should an employee follow to request participation in the POPA Part-Time Program?

See section 7 of the POPA Part-Time Agreement 2021. Applicants must fill out the latest [Part-Time Request Form](#). The request form must be signed by the employee, the employee's first line Supervisor, and Director.

The completed form must be forwarded to the [Part-Time Program Administrator](#) for review and approval at least one (1) bi-week before the requested start date.

The [Part-Time Program Administrator](#) will provide written notification (via email) of acceptance or non-acceptance into the program.

21. How are the hours worked by a part-time employee recorded for timesheet purposes?

The available hours should be adjusted to reflect the regularly approved work schedule for the employee. For example, if an employee is on a part-time schedule working twenty (20) hours per week, the available hours for the bi-week should be adjusted to forty (40) hours.

The WebT&A (or equivalent) timekeeper should adjust the hours in pay status based on the employee's part time schedule. Accordingly, it is important that the employee's timekeeper be kept apprised of any permanent changes to an employee's work schedule throughout their participation in the program, including when the employee returns to a full time schedule. The employees must work with their supervisor to ensure that the timekeeper makes an entry in the employees' timesheet (WebT&A or equivalent) reflecting the employees' part-time status and number of hours worked each pay period.

22. Is the difference in the part-time schedule of work and a full-time schedule recorded as LWOP on the employee's Web T&A?

No. A part-time program employee's WebT&A (or equivalent) is adjusted to their approved schedule of

work. The difference from the days and hours of a full-time schedule are simply left blank on the employee's timesheet. If hours are mistakenly recorded as LWOP, this must be corrected because it could create delays when the employee is eligible for their next within-grade increase.

23. Who should be contacted to solve WebT&A (or equivalent) problems for part-time program employees, e.g. reporting overtime?

The employee, the supervisor, and the timekeeper should work together to solve any timekeeping issues.

24. I want to apply for the part-time program, how soon can I apply?

See question 19 on the procedures on how to apply. The completed form must be forwarded to the [Part-Time Program Administrator](#) for review and approval at least one (1) biweek before the requested start date.

25. In the Part-Time Program Request form, can I put any date as the "requested start date"?

For new applicants, the requested start date should fall on a first Sunday of a future bi-week.

For current participants who are:

- renewing participation, the requested start date of the renewal is the following day after their current term ends; and/or
- requesting a change in schedule/hours, the requested start date of the change in schedule/hours should be the first Sunday of a bi-week.

When requesting both (i.e., a renewal and a change in schedule/hours), the requested start dates for each may be different.

Retroactive dates are not permitted.

26. I am a part-time program participant and I want to return to a full time schedule, how can I revert to full time schedule?

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Current part-time program participants must provide notification to their supervisor and to the Part-Time Program Administrator of their intent to revert to full time status. The notification must include the effective date to return to full time status (usually, the 1st Sunday of a future biweek).

In order to complete the process, the supervisor will need to:

- a. complete a Personnel Action Request (PAR) indicating that employee has reverted to a fulltime status of 80 hours per biweek and the effective date;
- b. Forward the completed Personnel Action Request (PAR) to the Office of Human Resources;
- c. update DAV/SMD to list employee as a fulltime employee;
- d. notify the WebT&A (or equivalent) timekeeper of the change to eighty (80) base hours per pay period;
- e. send an email to the Part-TimeAdministrator@uspto.gov confirming the effective date the employee reverted to full time.

Employees should work with their supervisor to make sure these final steps are completed.

The Part-Time Program Administrator will update the part-time program records accordingly.

27. I am a part-time program participant and I noticed that my current term expires in the middle of a biweek. If I don't reapply for the part-time program, does that mean that I will revert to a fulltime schedule in the middle of a bi-week?

Part-time program participants whose terms expire in the middle of the biweek are able to continue their part-time schedule until the end of that bi-week and revert to full-time on the 1st Sunday of the following biweek.

For procedures on how to revert to a full time schedule, please see Question 26.

28. At the end of a part-time term (between 3-18 months), a participant must reapply in order to remain in the program. If a participant reapplies and all slots are already taken, what happens with that participant?

A current participant who reapplies at the expiration of their term retains their slot in the applicable part-time program component if:

- a. they are participating in either the Childcare/Eldercare component with a preschool age child or elderly relative or the Retention component and meet the retirement exception; and
- b. they meet all other eligibility requirements at time of renewal.

If the current reapplying participant is participating in either 1) the Childcare/Eldercare component with a school age child; 2) the Retention component and does not meet the retirement exception; or 3) is moving from one component of the part-time program to a different component, their request form status will be the same as that of any new applicant. That is, if no slots are available, they will be placed on a wait list and shall revert to full-time status until a slot again becomes available.

29. If a part-time program employee's current term is about to expire or has already expired and they have inadvertently not reapplied, what happens to their status in the program?

If the current term is about to expire, the employee must reapply to continue on the part-time program or revert to full-time status. Employee must submit a completed [Part-Time Request Form](#) as a renewing applicant.

If the current term has already expired, the employee must submit a [Part-Time Request Form](#) and be placed in the queue of new applicants if a slot is not available.

30. If a current part-time program employee is leaving the agency, should the Part-Time Program Administrator be notified?

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Yes. The employee, the employee's supervisor, or director should notify the POPA Part-Time Program Administrator of any part-time program employee that will no longer be part of the program. This would allow the part-time program's records to be updated accordingly, opening a slot for a future participant.

31. I need to request a part-time schedule based on a reasonable accommodation, do I need to apply to request the schedule via this POPA Part-Time Program?

No. Requests for part-time schedules based on reasonable accommodations are outside the scope of this program. Please contact the USPTO's [Office of Equal Employment Opportunity and Diversity \(OOEOD\)](#) for information on the [reasonable accommodation process](#).

32. I am a current POPA Part-Time Program participant and was recently granted a part-time schedule based on a reasonable accommodation. Should the POPA Part-Time Program Administrator be notified?

Yes. Part-time schedules based on reasonable accommodations are outside the scope of this program. Current POPA Part-Time Program participants must notify the Part-Time Program Administrator if they were granted a part-time schedule based on a reasonable accommodation in order to be removed from POPA Part-Time Program.

33. I was granted a part-time schedule based on the agency's reasonable accommodation process. Does that mean that I am a participant of this POPA Part-Time Program and that my schedule must adhere to the rules of this program?

Part-time schedules based on reasonable accommodations are outside the scope of this program. Employees granted a part-time schedule based on a reasonable accommodation (RA) must follow their schedule as set forth in their reasonable accommodation. However, in some instances, the reasonable accommodation may refer to the Part-Time Program and may state that the part-time

schedule granted must comply with the rules of the Part-Time Program.

PROMOTION AND WITHIN-GRADES

34. Is an employee's within-grade increase delayed when the employee converts to part-time?

No, if the time is recorded correctly. If the non-scheduled time was mistakenly recorded as LWOP, and, as a result, the within-grade increase was delayed, contact the Office of Human Resources.

35. Does converting to part-time increase the minimum waiting period for a promotion?

Part-time employees receive a full year service credit for every calendar year worked (regardless of tour of duty) for the purpose of computing service for completion of a probationary period and time-in-grade restrictions for career ladder promotions.

For promotions, employees must meet a time-in-grade requirement and a qualifying experience requirement for the next higher grade. For part-time employees, the time-in-grade requirement does not change. However, for the experience requirement, the employee's work would be prorated to determine when the employee will meet the qualifying experience requirement. For example, to meet the one year experience requirement for a promotion, a part-time employee would need to accumulate hours in pay status equivalent to that of a full-time employee, or 2080 hours.

Lastly, for examiners on the Signatory Authority Program, the program permits part-time employees to be on a twenty (20) pay period trial period instead of the thirteen (13) pay period trial required for full time employees. Please check with your supervisor for further details.

EMPLOYEE RESPONSIBILITIES

36. What are an employee's responsibilities when going part-time?

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POPA Part-time program participants are expected to comply with the [Policy on Time and Attendance Tools, Communication, and Collaboration](#).

Participants should indicate in their voice mail greeting their schedule of work and the name and phone number of someone to contact (presumably your supervisor) if immediate assistance is needed on one of your unscheduled workdays. A similar notification should also be included in all Office actions sent by part time employees.

37. How does part-time status affect assigning office space?

The Office will take into account each employee's seniority, work schedule, and any telework program agreements when assigning office space. Part-time program employees may be required to share an office when space needs dictate. Two employees within a Tech Center may request to share an office and the request will be honored, if reasonable.

HEALTH/LIFE INSURANCE AND LEAVE

38. How does part-time status affect health/life insurance coverage and premiums?

A part-time employee who participate in the Federal Employees Health Benefits Program receive the same coverage as full-time employees but pay a greater percentage of the premium because the Government's share is prorated based on the number of hours the employee is regularly scheduled to work each week. For example, an employee on a regular 20-hour-per-week schedule receives one-half the Government contribution towards the premium.

A part-time employee who participates in the Federal Employee Group Life Insurance Program's bi-weekly rates and life insurance coverage amount reduces based on the new part time salary and the tour of duty on record (as shown on your most recent Standard Form 50 Notification of Personnel Action or equivalent document). Please check with Office of Human Resources for specific information.

39. How does part-time status affect annual and sick leave?

A part-time employee with less than three (3) years of service earns 1 hour of annual leave for each twenty (20) hours in a regular pay status. A part-time employee with three (3) years but less than fifteen (15) years of service earns one (1) hour of annual leave for each thirteen (13) hours in a regular pay status. A part-time employee with fifteen (15) or more years of service earns one (1) hour of annual leave for each ten (10) hours in a regular pay status.

A part-time employee earns one (1) hour of sick leave for each twenty (20) hours in a regular pay status. For more information, please contact the Office of Human Resources.

RETIREMENT

40. How does part-time status affect retirement?

A part time employee receive full time credit for retirement eligibility (years of service) however the retirement pension will be pro-rated based on the length of service of the federal career. Please contact the Office of Human Resources for more information.

NON-DUTY TIME TRAINING

41. Can a part-time employee qualify for the non-duty hours technical training (i.e., tuition reimbursement)?

No, the Non-Duty Hours Technical Training agreement states that the employee must be a full-time employee.

42. Can a part-time employee qualify for non-duty hours legal studies program (i.e., law school tuition reimbursement)?

No, the Non-Duty Hours Legal Studies Program agreement states that the employee must be a full-time employee.

TELEWORK

43. Eligibility for the Patents Fulltime Telework Program (PFTP) and Patents Partial Telework Program (PPTP) programs differ from the

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eligibility for the POPA part-time program with respect to ratings. Are these different eligibility standards considered inconsistent?

No. Program participants must meet the eligibility requirements for each program in which they participate. These are not inconsistent requirements but are rather additional requirements for the particular program in which the examiner is participating.

44. If a part-time employee wants to participate in the Patents Fulltime Telework Program, what additional requirements must the employee satisfy?

A part time program employee must also meet all of the requirements for the Patents Fulltime Telework Program (PFTP) to participate in the PFTP with the exception that, instead of working a full-time schedule, the employee must agree to work a part time schedule of 32-64 hours per pay period.

45. If a part-time employee wants to participate in the Patents Partial Telework Program (PPTP), what additional requirements must the employee satisfy?

To be eligible to telework, a part time program employee must meet all of the eligibility requirements for the Patents Partial Telework Program except for the requirement of being a full-time employee. The number of telework hours worked cannot exceed 50% of the employee's regular part time schedule of work.

46. I am a part-time program employee who is also a participant in the Patents Partial Telework Program (PPTP). If my supervisor has approved me to work additional regular hours, will I be able to work at the alternate worksite (telework) for at least 50% of these additional regular hours?

No. The number of telework hours worked cannot exceed 50% of the employee's regular part time schedule of work. As additional regular hours are not part of the regular schedule of work, these additional hours cannot be worked at the alternate worksite (telework).

HELPFUL LINKS

[Part-Time Request Form](#)

[POPA Part-Time Program Agreement](#)

POPA PART-TIME PROGRAM REQUEST FORM

Employee Name: _____ **Employee Number:** _____
Org./Art Unit: _____ **E-mail:** _____

■ I am:

A Current Part-Time Program Participant

Renewing participation in the program

Requesting a change in schedule/hours

Note: If only requesting a change in schedule/hours, please only complete this section, the "Schedule Information" section and the "Daily Schedule" section

Requested start date for the change in schedule/hours: _____

Note: Requested Start Date should be the first Sunday of a bi-week; end date will be the end of the current term

A New Applicant

■ I am requesting participation in the POPA Part-Time Program under the following component:

(Please check one)

Childcare (Pre-School Age) Component
(Has child who has not yet begun first grade)

Childcare (School Age) Component
(Has child in school who has not yet turned age 16)

Eldercare Component
(Has an elderly relative, including parent/grandparent, in-laws, or equivalent relationships, who requires care)

Retention Component
 Retirement Exception Eligible
(MUST meet CSRS or FERS minimum retirement eligibility requirements)

Special Request - Hardship Situations
(Management's discretion on a case by case basis)

■ New Applicant / Renewing Participant Only

Please complete the following:

Requested Start Date: _____

New Applicants: Requested start date should be the first Sunday of a bi-week

Renewing Participants: Requested start date should be the day after your current term ends

Requested Term in Months (3-18): _____

End Date: _____

Note: At the end of the term, participant will revert to full-time status or may reapply

Years of USPTO service: _____
(at least 1 yr)

GS level _____ Grade Date _____
(at least GS-11 for Retention Component)

Signatory Authority: PSA FSA

■ Schedule Information

Work Hours per Bi-week: _____

Note: Indicate between 32-64 hours

■ I am a current participant of the:

Patents Fulltime Telework Program (PFTP)

Patents Partial Telework Program (PPTP)

Note: Must separately apply and be eligible for these programs.

Daily Schedule

Indicate the number of hours to be worked and the day on which they will be worked

	Week 1						Week 2					
	M	T	W	Th	F	S	M	T	W	Th	F	S
Hours	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

- * Must work at least 2 days and 16 hours per week (M-F)
- * May only work 4-10 regular hours per day
- * At least one core day (Tues or Thurs) must be worked each week between 12pm - 2pm

■ Employee's signature: _____ **Date:** _____

■ Supervisor's acknowledgement that the employee meets the eligibility requirements to request enrollment or renewal in a part-time program component. Employee does not have to meet eligibility requirements for Hardship Situations or when only requesting a change in schedule/hours.

Print Name: _____ Signature: _____ Date: _____

■ Director's signature: _____

Print Name: _____ Signature: _____ Date: _____

[Please forward the completed form to: Part-timeadministrator@uspto.gov for review and final approval.](mailto:Part-timeadministrator@uspto.gov)

■ Program Administrator's approval: _____ **Date:** _____

Applicants should ensure that their request forms are received by the Part-Time Program Administrator no less than one (1) biweek prior to the requested start date. Applicants will be notified if their request has been approved or, if no current slot is available, that they have been placed on a wait list.