

POPA Part-Time Program Help Guide 2021

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).