



2009

# Statements Illustrating the Legislative Intent of These Laws

Workplace Flexibility 2010, Georgetown University Law Center

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## Statements Illustrating the Legislative Intent of These Laws

*Flexible work schedules and part-time career opportunities “go to the central question of the work environment in today’s complex society, and the need to increase employee morale and productivity and hence, decrease absenteeism, tardiness, and high turnover rates.”<sup>vii</sup> (Rep. Henderson)*

Based on statements in the legislative history, these laws were meant to provide:

- **Overarching Benefits in the Current Economy** -- “Economic and social changes during the last decade demand the use of Alternative Work Schedules [AWS] . . . Values and goals have shifted, people want more time with their families. They want to further their education, and they want more leisure and recreation time. Couple these trends with the economic facts—the cost-of-living is outstripping disposable income and the economy is progressively more restrictive, creating an atmosphere in which everyone must be gainfully employed to survive or achieve even minimal growth. This tremendous stress on workers will, by nature, spill over to the workplace. It is, therefore, in the self interest of all to understand this stress and to relieve it in anyway possible. The flexibility of AWS is a proven way to reduce the burden on the worker, the commuter, and the consumer.”<sup>viii</sup> (Rep. Schroeder)
- **Benefits to Families** -- “[A] married couple will be able to coordinate their schedules to facilitate the care of their children without outside help.”<sup>ix</sup> (Rep. Abzug)

“Flexible schedules allow the needed leeway for working parents to be there when their children most need them. . . Family priorities can be scheduled along with work priorities without sacrificing either. Also, compressed schedules allow longer continuous blocks of time in which to conduct family activities. Flexible and compressed schedules give both women and men the chance to spend more time and better quality time with their families.”<sup>x</sup> (Rep. Dymally)

- **Benefits to Management** -- “If flexible scheduling is instituted, significant benefits can also accrue to Federal managers, and through the increase in efficiency, savings to all of us taxpayers. Among the most commonly noted advantages to management are increases in productivity, decreases in the use of leave for personal reasons, and the virtual elimination of tardiness.”<sup>xi</sup> (Rep. Abzug)

“Employers benefit from the ability to choose from a larger pool of talent and from gaining access to a source from which they can fill shortages in fields requiring specialized skills. Other advantages to hiring part-time workers, according to the evaluations, include their low turnover rates, their high productivity, their greater maturity, and their stronger motivation.”<sup>xii</sup> (Rep. Y.B. Burke)

- **Equality for Women** -- “[F]lexibility in work schedules is a critical step toward equal opportunity’ for women. There are many women in our society who must fill the roles of breadwinner, mother, and housekeeper. For these women, flexible hours have obvious advantages. Child care arrangements can be more easily made, and mothers can schedule their hours of work around the time their children either leave for or return from school.”<sup>xiii</sup> (Rep. Abzug)

“Our society must accommodate itself to the many women who want fulfillment in a range of roles-as mother, wives, and as productive members of our work force. I urge . . . approv[al of] both these bills as one step towards ensuring this fulfillment.”<sup>xiv</sup> (Rep. Schroeder)

- **Protection of the Environment** -- “It was evident that a range of other potential benefits could result as well: Everything from lengthened hours of service to the taxpayers; less congested traffic patterns; possible reduction in energy consumption in cases where the 4-day work week proved viable.”<sup>xv</sup> (Sen. Eagleton)

“Also the staggered rush hour has resulted because employees were able to tailor their work schedules to avoid heavy traffic and have thereby helped reduce traffic congestion.”<sup>xvi</sup> (Rep. Wolf)

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<sup>i</sup> 5 U.S.C. § 6121(1).

<sup>ii</sup> Federal Employees Flexible and Compressed Work Schedules Act of 1978, Pub. L. 95-390, 92 Stat. 755 (1978) [hereafter FEFCWA 1978]; Federal Employees Flexible and Compressed Work Schedules Act of 1982, Pub. L. 97-221, 96 Stat. 227 (1982).

<sup>iii</sup> FEFCWA 1978 § 304.

<sup>iv</sup> Pub. L. 95 – 437, 92 Stat. 1055, 5 U.S.C. § 3401–3408. President Clinton strengthened the part-time initiative with a 1994 memorandum directing executive departments and agencies to “establish a program that would encourage and support the expansion of flexible family-friendly work arrangements, including part-time arrangements.” William Jefferson Clinton, Memorandum for the Heads of Executive Departments and Agencies: Expanding Family-Friendly Work Arrangements in the Executive Branch, July 11, 1994; William Jefferson Clinton, Memorandum for the Heads of Executive Departments and Agencies: Implementing Federal Family Friendly Work Arrangements, July 11, 1994. He followed with another directive in 1996 requesting executive agencies to “review and further utilize flexible policies already in place.” William Jefferson Clinton, Memorandum for the Heads of Executive Departments and Agencies: Implementing Federal Family Friendly Work Arrangements, June 21, 1996.

<sup>v</sup> 5 U.S.C. § 3402(a)(1).

<sup>vi</sup> 5 U.S.C. § 3402(b)(2).

<sup>vii</sup> Hearing on *Alternative Work Schedules and Part-Time Career Opportunities in the Federal Government* Before the Subcommittee on Manpower and Civil Service of the House Committee on Post Office and Civil Service, 94th Cong. 1-2 (Sept. 29, 30, and Oct. 7, 1975) (Statement of Representative Henderson) [hereafter Hearing on AWS and PTC] (further noting, “the impact of this legislation is felt in other areas which are of immediate concern to the country. We are particularly interested in the effect of [AWS] on energy consumption by way of altered commuter patterns and the use of utilities.”).

<sup>viii</sup> Hearing on *Federal Employees Flexible and Compressed Work Schedules Act* Before the Subcommittee on Human Resources of the Committee on Post Office and Civil Services, 94th Cong. 12 (March 28, Apr. 24, 1985) (Statement of Rep. Patricia Schroeder) [hereafter Hearing on FEFCWA].

<sup>ix</sup> *Id.* at 2 (Statement of Representative Bella Abzug).

<sup>x</sup> *Id.* at 31 (Statement of Representative Mervyn M. Dymally).

<sup>xi</sup> Hearing on AWS and PTC at 5 (Statement of Representative Bella Abzug).

<sup>xii</sup> Hearing on FEFCWA at 18 (Statement of Representative Yvonne Brathwaite Burke).

<sup>xiii</sup> Hearing on AWS and PTC at 4-5 (Statement of Representative Bella Abzug).

<sup>xiv</sup> Hearing on FEFCWA at 23 (Statement of Representative Patricia Schroeder).

<sup>xv</sup> 97 Cong. Reg. 15414 (June 30, 1982) (Statement of Senator Thomas Eagleton).

<sup>xvi</sup> Hearing on FEFCWA at 3 (Statement of Representative Frank Wolf).