

## Flexible Work Policy

<b>Section:</b>	University-wide Policies
<b>Effective Date:</b>	November 1, 2021
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<b>Approved Date:</b>	October 2021 by Senior Staff
<b>Responsible Department/Division:</b>	University Administration

This policy allows Franklin Pierce University to provide workplace flexibility for staff. Flexible work offers alternative practices to managing people, time, workspace, and workload. Appropriate work flexibility can increase productivity and performance, and enhance employee recruiting and retention efforts, while advancing the University mission and support for student success through greater work-life balances. Flexible work also creates opportunity for relief for on-campus space constraints, reduced utilities expenditures, improved environmental sustainability efforts, and help reduce our carbon footprint.

Flexible work is not an entitlement or an institution-wide employee benefit. The request for flexible work arrangements may come from the employee or the University/supervisor and can be based on a crisis response or deemed necessary or advantageous by the University. Flexible work can be for an indefinite or finite period. Position eligibility will be determined by the supervisor, Vice President/Dean, and Human Resources.

### Purpose:

To establish protocol and practices for University staff to promote work-life balance for the Franklin Pierce community, when and where possible. The intent is to provide the procedural framework for both employees and their supervisors to establish flexible work arrangements.

### Scope:

This policy applies to eligible part- and full-time staff positions.

### Definitions:

**"Flexible Work Arrangement:"** a mutual scheduling agreement between the University and the employee that allows for part, or all, of the work to be performed outside of the traditional work schedule or location/office of the department. These include:

- **Flexible Location:** some or all of the hours work at an off-campus work location.
- **Flexible Time:** start/end times differ from standard office hours agreed to between supervisor and employee.
- **Alternative Hours:** allowing for different structure hours of work or days, depending on the need of the employee or the University.
- **Compressed Schedule:** working agreed hours during a shorter timeframe, including working longer hours per day (i.e. four 10-hour days).
- **Revised Workweek:** working a 40-hour workweek that differs from the typical Monday to Friday schedule.

**"Eligible Positions:"** all non-faculty employees are eligible to request a flexible work arrangement; however, not all positions are suitable for flexible work. Employees should speak with their supervisor about their position and any potential flexible working arrangements. When necessary or adventitious to the University/Department, an employee may be approached to engage in a flexible work arrangement. Eligibility will be based on the needs, requirements, and constraints on the employee or the department.

Employees in a corrective action or on a performance improvement plan may not be eligible for flexible work arrangements.

### **General Expectations and Conditions:**

- Flexible work arrangements must meet the operational service requirements of each department and will be adjusted/amended depending on the needs of the University. No employee is entitled to or guaranteed the opportunity of flexible work arrangements.
- Flexible work arrangement must follow all policies and work practices established by the University.
- Flexible work arrangements will maintain the same work performance measures and expectation as when on-campus.

**Note:** It is important to understand that changes requiring a flexible work arrangement are due to employee-driven or University-driven needs. If your need is based on FMLA requirements and/or Short Term Disability needs, please contact Human Resources.

### **Processes and Procedures:**

#### **Employee Request a Flexible Work Arrangement:**

1. Employee must request flexible work arrangements from their supervisor. (*Flexible Work Arrangement Request Form*)
2. The supervisor and employee will meet to discuss the flexible work arrangement and document proposed final agreement including the new terms and schedule. (*Flexible Work Arrangement Agreement*)

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#### **University Initiated Request for a Flexible Work Arrangement:**

1. Upon Supervisor's review of department/University needs of the position, the supervisor will notify employee of change to include a flexible work arrangements with employee. (*Flexible Work Arrangement Request Form*)
2. The supervisor and employee will meet to discuss a flexible work arrangement and document proposed final agreement including the new terms and schedule. (*Flexible Work Arrangement Agreement*)
3. The supervisor will discuss the new arrangement with Human Resources.

#### **Consideration of Request:**

1. Approval decisions should be based on potential impact on the team members and department, workload and productivity, interaction with other faculty, staff and/or students, and the business needs.
2. Once support of an approval decision is made, the supervisor will document the reasons for the decision, forward, and consult with Human Resources.
3. If Human Resources supports approval decision, supervisors are to meet with the employee again to communicate expectations to the employee and discuss the agreement including when they should be on campus and when and how the employee should be available when working remotely. Availability should be communicated with the rest of the team/department, as appropriate.
4. Supervisors will need to manage the flexible work arrangements with employees on an ongoing basis to ensure the success of the employee and the team/department.
5. The supervisor and employee should have regular ongoing discussions regarding the flexible work agreement, to assess the continued feasibility of the arrangement.

The final flexible work agreement and all supporting documents must be forwarded to the Human Resources Office. Final approval for a flexible work agreement will be determined by Human Resources.

#### **Additional Considerations:**

- **Compliance** – Employees are expected to continue to comply with University rules, policies, practices and instructions while working remotely. Employees understand that any violation of such may result in disciplinary actions up to and including dismissal.
- **Hours of Work** – Employees are expected to work their normal work schedule, unless the arrangement includes documented alternative work hours. The University expects that employees will remain productive and responsive during their scheduled work hours. The University expects employees to maintain a continued presence within their department while working remotely. This presence can be achieved by using appropriate technology including computer, email, messaging applications, video conferencing, text messaging, etc.

Non-exempt employees must conform to the overtime, record-keeping, and meal break provisions of the Fair Labor Standards Act and where relevant, appropriate state labor laws, respectively, for staff members covered by those provisions.

Employees should continue to make arrangements for child/dependent care as necessary for the normally scheduled working hours.

- **Equipment and Access** – The University will provide equipment and materials that allow employees to continue to effectively perform their duties. Employees will protect University-owned equipment from damage and unauthorized use. The University will remain responsible for maintaining, servicing and repairing employer owned equipment used in the normal course of work.

Employees must have access to suitable technology including internet and working phone.

- **Paid Leave** – Employees will be able to request and use Paid Time Off, as per policy.
- **University Information** – Employees must agree to safeguard all University information accessed and used while working remotely.

#### **Responsibilities:**

##### **Supervisors –**

It is the responsibility of supervisors to:

- Determine if a flexible work arrangement request is feasible and discuss with employees who make a request.
- Document requests, discussions, decision process, approval or denial, and expectations for any requests. Send to Human Resources for personnel files.
- Consult with Human Resources to identify and/or implement a flexible work agreement.
- Be consistent and transparent with all flexible work requests.
- Provide oversight of any arrangements to make sure that operations and performance standards are maintained and are effective and efficient.
- Provide clear expectations to employee of work to be completed and levels of productivity.
- Communicate clear expectations of hours of work, times of availability and any adjustments.
- Define any on-campus requirements.

- Ensure accurate recording of hours worked in the StarGarden HR/Payroll software. For non-exempt staff members, supervisors must pre-approve all hours that are going to be worked in excess of 40 in any workweek.
- Provide original documents to Human Resources for final approval determination.

### **Employee –**

It is the responsibility of the employee to:

- Request a flexible work arrangement, as needed.
- Be available to meet and discuss the request with supervisor.
- Identify and submit to supervisor, and be collaborative in finding flexible work solutions.
- Maintain a safe work environment outside of the work site, maintain performance and productivity standards, and abide by all University policies.
- Be available and responsive to meet regularly with supervisor to discuss continued feasibility of the flexible work arrangement.
- Notify supervisor of the need to make any changes or adjustments to the agreement.

### **Discontinuing Flexible Work Arrangement:**

Any flexible work arrangement can be discontinued at any point based on:

- Request from employee to end the arrangement;
- Performance issues; and/or
- Changing needs of the department.

As much notice should be given to both parties, where possible.

### **Modifications to Work Remote:**

The supervisor, in consultation with Human Resources, may require that the work remote arrangement be paused, adjusted, or permanently ended. Modifications could be for position changes, a need for on-campus work, changing of operational needs, performance concerns, or other non-discriminatory needs. Where possible, a two-week advance notification of change will be given.

All University policies are applicable while working remotely.

### **Policy Administration**

Human Resources Department is responsible for administering and enforcing this policy. If you have any questions regarding this policy, please contact the Human Resources Department.

### **Policy Modification**

Franklin Pierce University reserves the right to modify this policy at any time in its sole discretion to adapt to changing circumstances and business needs, consistent with its commitment to maintaining a safe and healthy workplace.