OM 3.1.19 Flexible Work Schedule (flextime) and Working Remotely

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About This Policy

Effective Date: November 2016
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Responsible University Office: Human Resources
Responsible University Administrator: Chief Inclusion and Human Resources Officer
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Policy Purpose

The University is committed to the promotion of a healthy work-life balance and service and operational motivation for its entire staff.

Flextime will allow participants to work in effective ways that will benefit the University as well as the employee. Moreover, a flexible work schedule can be initiated by either the manager or the employee and can be temporary (less than a month) or a longer duration (more than a month). If longer than a month, a written agreement (form) is required with a copy sent to the Director Human Resources Operations.

Remote working arrangements allows an employee to work at home, on the road, or in a satellite location for all or part of their regular workweek. Remote employment is a voluntary work alternative that may be appropriate for a number of employees and certain jobs. It is not an entitlement; it is not a University-wide benefit; and it is in no way changes the terms and conditions of employment with the University.

To be eligible to work remotely, employees must (1) have portable job duties, (2) have a work site and equipment suitable for working at home or a designated location and (3) to be able to work independently and productively. Employees who are eligible to work at home include, exempt employees and non-exempt professional staff.

Policy Summary

The University endorses the concept and use of flexible scheduling of employee work hours (Flextime):

- To promote employee morale.
- To provide opportunities for employees to conduct personal business without taking either paid or unpaid time off.
- To maximize employee productivity.
- To accommodate individuals for whom rigid work hours constitute a hardship or even a barrier to employment.
- To minimize employee tardiness and short term absences.
- To allow greater employee participation in family and community activities.
- To increase flexibility in meeting irregular scheduling business needs.

In establishing Flextime, both management and employees recognize that the use of Flextime cannot prevent or interfere with the accomplishment of the mission, goals, and tasks of the University and its various units, nor can Flextime cause a reduction in the levels of service presently being provided. Managers have the authority to make changes to an employee’s core business hours from 8:00 a.m. - 4:30 p.m. to flex hours that can occur within the hours of 7:00 a.m. - 7:00 p.m. It is also recognized that the success of Flextime depends entirely upon the cooperation and good faith efforts of all parties involved, and on a mutual understanding and acceptance of the benefits and limitations of Flextime. Management must be open to alternative and creative approaches to the scheduling and accomplishment of work, while employees must fulfill their commitments in a trustworthy and productive manner for Flextime to succeed.

University’s workweek is Sunday – Saturday and Flextime must occur within that work week.

Definition of Terms

- **Alternate Work Schedules**: full-time work schedule that consists of 37.5/40 hours in one designated workweek, or 75/80 hours in two consecutive workweeks. On campus, alternate work schedules consist of flextime and compressed workweeks.
- **Core Work Hours**: core work hours are the hours when all employees must be at the worksite. Clarkson Core hours are 8:00 a.m. - 4:30 p.m. Core hours may vary depending upon the requirements of the position and operational needs of the department.
**Flextime**: Flextime is an arrangement that allows an employee to alter the start and end times of her/his work day around the normal schedule of 7:00 a.m. to 7:00 p.m. Flextime does not reduce the total number of hours worked in a given workweek and can occur between the hours of 7:00 a.m. - 7:00 p.m.

**Department Head**: is defined as the highest ranking administrator in a department, center or college/school within the University (e.g. Vice President, Chief Officer, Dean, Cabinet level Director, or Department Chair).

**Home Based Work**: performance of University work for agreed hours from the home base.

**Home Based Worksite**: an agreed area in the staff member's private dwelling.

**Mobility**: the ability of staff members to access a selected range of online services from a variety of supported platforms and devices which are generally accessible from various locations using standard network technologies.

**Non-exempt Professional Staff Member** is defined under the FLSA as a Professional Staff Member holding a position that is subject to the provisions of overtime.

**Remote location**: location outside of the employees' assigned office.

**Staff Members**: a person employed by the University who has an ongoing or fixed term employment offer.

**Standard Workweek**: The standard workweek is from midnight Sunday to midnight the following Saturday and is typically eight (7.5/8) hours per day on five (5) consecutive days from 8:00 a.m. to 4:30 p.m. with one (1) hour for a meal period.

**Remote Work Arrangement Agreement**: an approved arrangement for a staff member to carry out defined duties from their home based worksite during the agreed working from home hours on an ongoing basis or for a specified period of time, the terms of which are set out in a "Working from designated location agreement entered into between the staff member and the University.

**Work Schedule Agreements**: arrangement agreed to by the employee and their manager/supervisor to work within the core business hours.

**Comp-time**: carrying any hours worked over 40 hours in a work week over to another work week. This is not allowed by the University.

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**Policy Statement**

Flextime is an alternative to having a single, fixed schedule of working hours for an entire department. Flexible working schedules can help a staff member meet personal needs by allowing them to choose arrival and departure times during the course of completing the full work day while continuing to meet the operational needs of the office. Granting staff member’s request for work schedule is through the sole discretion of the manager/supervisor and approval from the department head.

Remote Work Arrangement can be initiated by the employee or the supervisor/manager on behalf of Clarkson.

Flextime/ Remote work schedules cannot interfere with daily business operations. For nonexempt professional staff, the employee will document all time worked and if eligible for overtime, must receive supervisor authorization before working overtime.

The use of Flextime is approved for up to 4 hours per week around the normal schedule of 7:00am – 7:00pm.

**Guidelines**

The following guidelines apply:

- Supervisors must keep the following in mind prior to approving an employee working from home:
  - The nature of the job requires the employee's physical presence (e.g. working from home may not be appropriate where the employee must supervise the work of other employees), or efficiency is compromised when the employee is not present.
  - The employee's performance evaluations do not indicate sustained high performance - Right on Track or higher.
  - The employee's observed productivity levels are problematic.
  - The employee requires close supervision as indicated, for example, by the employee's consistent need for guidance on technical matters.
  - The employee's current assignment requires frequent supervision, direction or input from others who are on-site.
  - The employee has received disciplinary action or has a demonstrated attendance problem.

The request can be initiated by either the manager or the employee.

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**Procedures**

**Determining if Flextime Schedules are Appropriate**

A flextime schedule should not negatively affect the workload or productivity of coworkers either by shifting burdens or creating delays and additional steps in the workflow. The supervisor/department head should ensure that other employees in the same unit/department understand how and why flextime schedules function.

In the event that more employees request flextime schedule arrangements than a unit/department can reasonably manage, the supervisor/department head shall respond to requests that are consistent with these guidelines in ways that are equitable to all employees and the University while looking at seniority. Among other measures that might be adopted are rotating work schedules between employees, staggering schedules and establishing core work hours.

Please note- flex time /hours cannot carry over from one pay work week to the next. The University cannot offer “Comp time” to its employees. Comp – time is defined as carrying any hours worked over 40 hours in a workweek over into another workweek.

**Managing Flextime Schedules**
Remote Working Arrangements:

- The employee or the manager/supervisor could initiate a request for a flextime schedule by submitting a proposal to their supervisor/department head.

- If the employee and supervisor/department head agree to a flextime schedule arrangement, the employee and supervisor shall:
  a. determine the specifics of the flextime schedule
  b. complete a written plan

- Agreements shall be time-specific with a date set for review and reconsideration.

- The employee shall work the hours agreed upon and obtain approval from the supervisor/department head in advance of working alternate hours or overtime.

- The supervisor/department head shall maintain open communication, ensure that the employee’s hours of work do not fall below the normal workweek hours and discuss with the employee any concerns as they arise.

- Modifications and/or renewals shall be documented appropriately and an update provided to HR.

- Flextime schedule arrangements shall be initiated on a trial basis and may be discontinued at any time at the request of either the employee or supervisor/department head. The unit/department reserves the right to immediately suspend the arrangement in the event of unanticipated circumstances regarding employee performance or operational needs.

Example — Flextime Schedules:

Depending on your schedule either 37.5 hours per week or 40 hours per week. Examples below are based on 40 hours per week.

- Individualized start and end times that remain constant each work day (e.g., 7:00 a.m. to 4:00 p.m., or 9:00 a.m. to 6:00 p.m. with 1 hour lunch Monday through Friday);
- Individualized start and end times that vary daily with the same number of hours worked each day (e.g., 7:00 a.m. to 4:00 p.m. on Monday, Wednesday and Friday and 8:30 a.m. to 5:30 p.m. on Tuesday and Thursday with 1 hour lunch daily);
- Individualized start and end times with varied hours by day, but consistency in the total number of hours worked weekly (e.g., 7:30 a.m. to 5:30 p.m. on Monday, Tuesday and Thursday and 9:00 a.m. to 4:30 p.m. on Wednesday and Friday with 1 hour lunch daily);
- Extended lunch period offset by additional time at the start and/or end of the work day (e.g., 7:30 a.m. to 5:30 p.m. with 2 hour lunch);
- Compressed lunch period [not less than legally-mandated 30 minutes after 6 hours of work] offset by reduced time at the start and/or end of the work day, (e.g., 8:30 a.m. to 5:00 p.m. with ½ hour lunch Monday through Friday).

Remote Working Arrangements:

- The Human Resources Office is responsible for the administration, implementation, and interpretation of the policy.

- Human Resources and Payroll will audit and maintain records of Work Agreement, to ensure compliance with all University and the Human Resources (HR) policies, as well as state and federal laws. HR and Payroll will provide training and guidance on the application of the Remote Work Policy and Procedures, as well as maintaining all forms and documentation on the HR and Payroll website.

- Heads of Departments, Offices, and Activities are responsible for assuring approved remote work arrangement are within the scope of this policy and establishing the following terms and conditions, where applicable:
  - Work performed offsite is considered official business; therefore, all work objectives and tasks will be clearly defined. The supervisor will monitor deadlines and work produced and will measure and evaluate offsite work performance.
  - Annual performance evaluations of employees who engage in flexible time must indicate performance at a level of at least solid achiever or above.
  - Remote work duties will be arranged as neither to alter the essential job responsibilities nor to comprise the level of service provided to the customer, either by the employee or the department.
  - Remote workers must adhere to all University and the Human Resources policies, rules, practices, and instructions as well as State and Federal laws.
  - The approval of a position for remote work does not indicate that any employee who later may fill the same position would be authorized to work remotely.
  - Employees working from home during a University closing are expected to continue working unless it is not possible due to power outage or other conditions that prevent them from working. Employees working remotely from home during an authorized closing do not receive compensatory time.
  - Employees’ classification, compensation, benefits, and conditions of employment will not change upon their acceptance of any remote work agreement.
  - Subject to supervisor/manager and department head approval, remote work may be used as an opportunity for partial or full return to work, if appropriate, in cases of short—disability, workman’s compensation, family and medical leave and illness. Remote work is not intended to be used in place for leave taken for these reasons.
  - Supervisors/managers will ensure that employees who are working from an alternate work site do not take restricted access materials from the office without consent of their supervisor/managers.

- Employee Responsibilities
  - Employees working offsite must comply with all State and Federal laws, University policies, practices and guidelines. They must notify their supervisor/manager immediately of any situation that interferes with their ability to perform their jobs.
  - Employees working offsite are responsible for the security and confidentiality of any information, documents, records, or equipment in their possession. When the offsite work involves remote access of the University’s computer network, remote users must abide by the University’s security standards relating to remote access.
  - Supervisors may require employees to report to a campus location as needed for work-related meetings or other events or may meet with employee in an alternate work site as needed to discuss work progress or other work related issues.
  - Prior supervisory approval for overtime or flextime is required for all nonexempt professional positions.

- Supervisor and Employee Responsibility
  - The remote work arrangement policy does not provide for every contingency that may arise. Supervisors/managers and employees entering into a working remotely agreement based on this policy should endeavor to work together to resolve any unforeseen situation that may arise. Employees and supervisor/managers may start, modify or end the agreement at any time unless such agreement was a condition of employment.

- Compliance
  - All employees and departments utilizing working remotely will complete a remote working agreement. The agreement must be agreed to by employee, their supervisor/manager, and the department head and then reviewed by HR. The agreement must be completed and submitted to HR for review before beginning the remote arrangement.
Agreements will be reviewed after three months to establish if the needs of the department and customer service requirements are being met.

Agreements may be terminated at any time by either party unless condition of employment

Offices and departments are to be open during regular business hours (normally 8:00 am to 4:30 pm, Monday through Friday), but may be adjusted depending upon the department.

Remote work employees will not act as primary caregivers for dependents during the agreed upon work hours. Dependent care arrangements should be made to permit concentration on work assignments.

Costs

A remote working arrangement or flextime must be cost neutral to the University.

History

Approved November 2016