Flexible Work Arrangements

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**Scope**
This policy applies to full-time and part-time administrators and staff, depending on the type of work arrangement.

**Policy**
The University is aware of the challenges that many employees face as they try to balance their personal and professional responsibilities. The University also recognizes the ongoing need to enhance service delivery to its students, improve the efficiency of its operations, and retain valuable employees. Flexibility in the workplace can provide a way to manage people, time, space, and workload more effectively, efficiently, and responsively.

Specific flexible work arrangements covered in this policy include:
- Telecommuting
- Job Sharing
- Flextime
- Compressed Workweek
- Reduced Schedule

**Eligibility**
To be eligible to request a flexible work arrangement, an employee should have at least one (1) year of full-time service with the University, fully satisfactory performance, a job that can accommodate such a request, and a demonstrated work ethic that can support the flexible work arrangement.

**Request and Approval Process**
Requests for flexible work arrangements are considered on a case-by-case basis, and determinations are made in accordance with the needs, requirements, and constraints of both the department and the employee. Employee and supervisor must complete a Flexible Work Arrangement Agreement form specific to the type of arrangement being requested. Forms are available from the Human Resources Services office.

Approval for a flexible work arrangement must come from the department head, upon recommendation of a supervisor. All arrangements for flexible work schedules covered by this policy are at the discretion of the University.

Supervisors must submit a completed and approved Agreement form, attached to a Personnel Change Notice (PCN), to the Human Resources Services office. Human Resources Services must be notified of all work schedule changes at least two weeks prior to a change. HR Services is responsible for notifying the benefits and payroll offices, as necessary.
If any element of the Agreement does not comply with the University policy on Flexible Work Arrangements, the agreement shall not be valid.

**Trial Period and Periodic Reviews**

All flexible work arrangements are subject to an initial three-month trial period, during which the effectiveness of the arrangement will be evaluated. Either the employee or the University can decide to discontinue the work arrangement upon completion of the three-month trial, or at any time prior to three months if it is determined to be against the best interests of the University.

Periodic reviews of ongoing flexible work arrangements are conducted to evaluate whether the arrangement continues to meet the needs of the population being serviced (i.e.: students, parents, alumni, department, University employees, etc.). The schedule for periodic reviews is established by the supervisor, but should be conducted at least annually.

**Compliance**

All flexible work arrangements must conform to the overtime, recordkeeping, and meal break provisions of the Federal Fair Labor Standards Act (FLSA) and New York State labor law for employees covered by those provisions. Refer to policy #310, Overtime, in the Compensation section of this manual for specific provisions.

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**TELECOMMUTING**

**Definition:** This type of flexible work arrangement allows an employee to work at home or at another off-site location for a specified number of hours per week. A combination of on-site and off-site work may also be arranged under this option.

**Eligibility:** This option applies to full-time and part-time administrators and staff. Employees should have at least one (1) year of full-time service with the University, fully satisfactory performance, a job that can accommodate such a request, and a demonstrated work ethic that can support the telecommuting work arrangement.

**Considerations:** When considering a telecommuting arrangement, supervisors should weigh the following:

1. How well suited the job is for telecommuting, considering the impact on the population being serviced.
2. The employee’s demonstrated time-management skills, productivity, and independent work performance.
3. The needs of the unit or department, its available resources, and its ability to support telecommuting objectives.
   - What equipment the employee would require to perform the position off-site (i.e.: computer, telephone, fax machine, file cabinet, etc.).
   - The department’s financial ability to support the equipment needs.
4. The supervisor’s own management style and if it is conducive to telecommuting objectives and successful outcomes.

**Expectations:** To ensure that the employee and the University have a mutual understanding of the terms of the flexible work arrangement, clear expectations should be
agreed to in writing in advance. Examples of criteria that should be addressed specifically include, but are not limited to:

- The work schedule, including the starting and ending dates (for temporary arrangements) of the telecommuting arrangement.
- Equipment and supplies needed.
- The work setting.
- Frequency and scheduling of onsite time at the University.
- Method and criteria for performance evaluations.
- Care-giving arrangements, if applicable.
- The timing for periodic reviews of the telecommuting arrangement.

**Benefits:** For full-time employees the status of benefits will not be affected by participation in a telecommuting work arrangement, unless the hours per week are reduced. In this case, health and other insurance, retirement contributions, tuition remission, and eligibility for paid and other leave may be affected. Employees should contact the Benefits Office for specific information regarding their individual case.

**New York Tax Policy on Nonresident Employees:** Pursuant to New York’s “convenience of the employer” test, a University employee who resides outside of New York State but who performs services for the University is subject to New York State tax when the work performed is done out-of-state for the employee’s convenience and not the employer’s necessity.

**Guidelines for a Safe Home Work Environment:** Telecommuters are responsible for maintaining a safe and functional home work environment and should follow common safety practices. Below are guidelines for maintaining a safe work setting at home:

- The workstation should be restricted to work, and away from the main flow of traffic.
- Adequate storage space should be conveniently located.
- The desk should have adequate work space. It should be at a comfortable work height and ergonomically correct.
- The chair should have an adjustable seat and back.
- The desk should be as close as possible to electrical outlets and telephones to avoid cables and extension cords.
- To prevent injury, loose rugs and other objects should not be left on the floor.
- To avoid overloading the power circuit, all equipment should not be plugged into a single outlet. A separate circuit breaker may be necessary.
- The telecommuter should have an evacuation plan and a safe exit pathway.
- A fire extinguisher and a working smoke detector should be located in or near the work area.
- The workstation should have good ventilation and adequate heat and cooling.
- If young children are at home, they should have on-site supervision.

**Discontinuation:** The flexible work arrangement may be discontinued by the employee or the University at any time if it becomes unfeasible. Reasonable notice of discontinuation
should be given in order to phase back into the on-site workplace. Normally, two weeks notice is recommended.

**JOB SHARING**

*Definition*: This arrangement is a form of regular part-time work in which two people share the responsibilities of one regular full-time position. Job sharing positions are regular part-time and as such must involve at least a 50% commitment from each member.

*Eligibility*: This option applies to full-time and part-time administrators and staff. Employees should have at least one (1) year of full-time service with the University, fully satisfactory performance, a job that can accommodate such a request, and a demonstrated work ethic that can support the job share arrangement.

*Considerations*: The supervisor and employee should consider, at a minimum, the following factors:

- The advantages of a job sharing situation.
- The ability to restructure the position for clear division of responsibilities.
- The impact, if any, on the population being serviced.
- The availability of space and equipment (a consideration if both individuals work at the same time or overlap).
- Scheduling and continuity.

Employees who wish to request that their current full-time position be modified to that of a job share should submit a written proposal to their supervisor that includes the following elements:

1. The advantage to the department.
2. The proposed work plan and how tasks/duties will be divided.
3. The proposed schedule and how work hours will be divided.
4. A plan for communication and cooperation among the members of the job share, the University, and co-workers.
5. A plan for continuity (e.g., address issues such as covering each other’s work schedule, if the need arises, or trading work schedules.
6. The proposed start date of the job share.

*Expectations*: Clearly communicated expectations should be put in writing by the supervisor and agreed to by the job share participants. Some elements to address include, but are not limited to:

- The specific time commitment of each participant.
- Methods of communication among the participants and with the supervisor and the department.
- Job description that clearly defines the division of duties between the participants.
- Timing for periodic reviews of the job share arrangement.
- What to do if one participant leaves the job share.
Benefits: Benefits eligibility for employees who participate in job sharing is the same as for all regular part-time employees. Specifically, no benefits, other than those required by law, are provided to part-time employees, with the exception of eligibility for participation in the retirement plan if the employee works 1000 hours or more in a year. Employees or their supervisor must contact HR Services at least two weeks prior to the effective date of a job share arrangement so that benefit and payroll changes can be initiated.

Discontinuation: If one of the participants in a job share arrangement leaves the position, it may be necessary, if the search for a replacement has failed, for the department head to require that the remaining employee choose between taking on the full-time responsibilities of the position or leaving it. Normally, the employee will be given at least a two-week notice of return to full-time work or termination.

FLEXTIME

Definition: This flexible scheduling arrangement permits variations in daily beginning and ending times, but does not alter the total number of hours worked in a day and in a workweek. For example: under the flextime option, an employee whose normal hours of work are from 8:30 a.m. to 4:30 p.m. may arrange to work 9:30 a.m. to 5:30 p.m. instead.

Eligibility: This option applies to full-time and part-time administrators and staff. Employees should have at least one (1) year of full-time service with the University, fully satisfactory performance, a job that can accommodate such a request, and a demonstrated work ethic that can support the flextime arrangement.

Considerations: Flextime scheduling may be useful to improve coverage in a department, enhance recruitment, extend service hours, or enhance staff morale. However, not all jobs are well suited for flextime, and the decision to accommodate a request lies with the University.

➢ The impact, if any, on the population being serviced should be considered.
➢ The needs of a department may require that employees be present or accessible during a core period of hours each workday, during peak workload periods, or on a particular day of the week.

Expectations: The work schedule that is agreed to should be put in writing so that both the University and the employee have a mutual understanding of the work arrangement. Any modifications to the schedule must be approved in writing by the supervisor. The timing for periodic reviews of the work arrangement should be established.

Benefits: For full-time employees in general, because a flextime work arrangement does not alter the total number of hours worked in a day, employees’ total benefits are not be affected by participating in flextime. Employees or their supervisor should contact HR Services at least two weeks prior to any work schedule change.

Discontinuation: If the flextime arrangement becomes unfeasible at any time, it may be discontinued at the discretion of either the employee or the University, with reasonable notice thereof. Normally, two weeks notice is recommended.
**COMPRESSED WORKWEEK**

**Definition:** The compressed workweek allows an employee to complete the standard full-time weekly hours in fewer than five days per week. This arrangement is most conducive to non-exempt employees who work a standard 35, 37.5 or 40 hour workweek.

An example of a compressed work arrangement for a 35-hour workweek might be Monday-Wednesday with hours from 8:30 a.m. to 6:30 p.m. and Thursday with hours from 8:30 a.m. to 4:30 p.m.

The compressed workweek option does not apply during summer months if the University is closed on Fridays.

**Eligibility:** This option applies only to full-time administrators and staff, and is most conducive to hourly employees. Employees should have at least one (1) year of full-time service with the University, fully satisfactory performance, a job that can accommodate such a request, and a demonstrated work ethic that can support the compressed arrangement.

**Considerations:** As a University, most positions require a five day presence, and perhaps even availability on weekends and evenings to meet student needs. However, the University may determine that certain positions can accommodate a compressed workweek.
- Consideration should be given to the impact on the population being serviced.
- Any core time/day requirements and peak work periods should be assessed.
- The employee’s demonstrated responsible behaviors, and ability to work independently and without direct supervision.

**Expectations:** The work schedule that is agreed to should be put in writing so that both the University and the employee have a mutual understanding of the work arrangement. Any modifications to the schedule must be approved in writing by the supervisor.
- A plan should be established for continuity of work and communication during non-working days.
- The timing for periodic reviews of the work arrangement should be established.

**Benefits:** In general, because a compressed workweek does not alter the number of hours worked in a week, employees continue to receive full benefits. However, holiday pay and the accrual rate of paid leave may be affected due to the impact of a non-working day during each week. Employees should contact HR Services to obtain specific information regarding their particular work arrangement.

**Discontinuation:** If the compressed workweek arrangement becomes unfeasible at any time, it may be discontinued at the discretion of either the employee or the University, with reasonable notice thereof. Normally, two weeks notice is recommended.

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**REDUCED SCHEDULE (Formerly, Academic Year Positions)**

**Definition:** In this arrangement an employee works full-time hours each week, but for a period less than twelve months per year (but not less than nine months). Typically, these positions extend through the academic year (September 1 through May 31) in a consecutive nine-month period; however, they may have other beginning and ending dates, depending on the particular needs of the job, the employee, and the department.
Eligibility: This option applies to full-time administrators and staff. Employees should have at least one (1) year of full-time service with the University, fully satisfactory performance, a job that can accommodate such a request, and a demonstrated work ethic that can support the reduced schedule arrangement.

Considerations: The following elements, though not all-inclusive, should be taken into consideration when a supervisor is considering a request from an employee for a reduced schedule:

- The reasons for the request.
- How well suited the job is for the proposed reduced schedule arrangement, and the impact on the department.
- The impact on the population being serviced (e.g.: students, parents, alumni, internal employees, etc.)
- The need or ability to restructure the job duties and responsibilities to accommodate a reduced schedule.
- Any core time requirements that may exist (i.e., peak workloads during the year).

Expectations: Expectations should be clearly communicated and put in writing so that both the University and the employee have a mutual understanding of the work arrangement. Any modifications to the work schedule must be approved in writing by the supervisor. Some elements to address should include, but are not limited to:

- The employee’s specific time commitment during the year.
- Any modification to job duties or responsibilities as a result of the reduced schedule.
- A plan for continuity during non-working periods.
- Method and criteria for performance evaluations.
- Timing for periodic reviews of the work arrangement.

Benefits: Full-time employees on a reduced schedule continue to be eligible for full health insurance and tuition remission benefits. Salary, paid leave, contributions to a University-sponsored retirement plan, and other benefits become prorated. Employees who are considering this type of flexible work arrangement should contact the Benefits Office for specific information about how their benefits would be affected.

Discontinuation: If the reduced schedule arrangement becomes unfeasible at any time, it may be discontinued at the discretion of either the employee or the University, with reasonable notice thereof. Normally, two weeks notice is recommended.