



Policy Title: FLEXIBLE WORKPLACE POLICY

Policy # 0001

Original approval date: 2017-03-01

Version: 2017-03-01

Category: General Institutional

Responsible Office: Human Resources

Table of Contents:

Scope

Summary

Policy

Definitions

Other Related Information

Procedures

Forms

Authority

History

Appendices

Scope

This policy applies to exempt and non-exempt full-time staff employees.

Policy Summary

The College recognizes the growing demands on employees to continually develop innovative ways to serve students, meet the College's strategic plan goals, and also balance their personal needs. Paul Smith's College supports flexible work arrangements to create an engaging and productive work environment that is responsive to the demands and challenges facing employees. The College expects that a flexible workplace policy will increase the retention and recruitment of highly qualified employees, enhance productivity, and promote greater engagement.

Although not all positions can be considered for a flexible work arrangement, all proposals will be reviewed. Approval will be on a case-by-case basis, taking into account department and College needs and the employee's ability to effectively complete all requirements of the position. A flexible work arrangement must be approved in advance by the employee's supervisor and Cabinet member.

Policy

General Information and Guidelines for all Flexible Work Arrangements

Flexible Work Arrangements are discretionary based upon the operational needs of the department and the College and must have prior supervisor and Cabinet member approval. Either the employee or the supervisor may initiate discussion of flexible work arrangements. General factors to be considered when evaluating feasibility of flexible work arrangements include:

- Employee is maintaining satisfactory performance and attendance.
- Employee's ability to work independently, including desire to be successful in a flexible schedule.
- Employee's communication skills.
- Nature of the work to be performed.
- Impact on the department's operations and other employees.

All flexible work arrangements will be reviewed by the supervisor and evaluated for continuation, based on effectiveness, at least semi-annually.

If a flexible work arrangement is desired, the employee will submit a completed Flexible Work Arrangement Request form to the supervisor and Cabinet member for approval. The following elements must be specified:

- The specific details of the flexible work arrangement.
- Duration of the trial period to determine effectiveness of the arrangement.

Flexible work arrangements may be modified as needed or terminated for any reason to ensure that the arrangement does not negatively impact the employee's or department's work quantity, quality, or productivity.

All flexible work arrangements must conform to all overtime, recordkeeping, meal break, and other provisions of the Fair Labor Standards Act and other relevant federal and state laws. Lunches and/or scheduled rest periods are not eliminated when employees work a flexible arrangement. An employee may not use any of the College's grievance procedures to grieve a decision made with regard to a flexible work arrangement request. The only means of appeal is to the Cabinet in the event of a denial and upon the employee's written request.

In certain cases, taking family or medical leave is more appropriate than utilizing a flexible work arrangement. For more information about these options, contact Human Resources.

Guidelines for Flex Time and Compressed Work Week

In addition to the factors listed in the general guidelines above, for flex time and compressed workweek schedules, supervisors should consult with Human Resources and Payroll to ensure

that time worked will be recorded correctly in the Payroll system and to address any impact on leave.

Guidelines for TeleWork

TeleWork may not be suitable for all employees and/or positions. Approval is on a case-by-case basis, taking into account department and College needs and the employee's ability to effectively complete all requirements of the position. A TeleWork arrangement must be approved in advance by the employee's supervisor and Cabinet member.

The employee must complete the Flexible Work Arrangement Request Form and the TeleWork Self-Certification Checklist, and discuss details with the supervisor. The TeleWork Self-Certification Checklist will help to determine whether the proposed off-site work setting is appropriate for the work requirements and meets accepted health and safety standards.

Supervisors should consider the following when considering an employee's request to TeleWork:

- There are sufficient resources available for the department to support the TeleWork request (e.g. the office has fully trained and available resources on campus during all normal work hours).
- Position tasks are portable and can be performed away from the main worksite with no impact on stakeholders.
- Employee demonstrates satisfactory performance.
- Employee does not need close supervision.
- Employee possesses a high degree of skill and knowledge of the job.
- Employee is computer literate and has a designated space at the off-site location with no distractions.
- Work of the employee can be monitored with measures of quantifiable tasks and quality.
- An excellent level of service can be maintained without hardship for customers and coworkers.
- A TeleWork arrangement is a key factor in securing a particular candidate.

The remote work site must be free of distractions including demands on the employee's time and attention.

The College reserves the right to inspect the alternative work site designated in the employee's Flexible Work Arrangement Request.

The employee must be reachable during agreed upon hours.

Conditions of Employment

The TeleWorker's conditions of employment remain the same as for non-TeleWorking employees. Employee salary, benefits, and employer-sponsored insurance coverage will not change as a result of TeleWorking.

Data Confidentiality and Security

Employees are expected to ensure the confidentiality and security of all College data accessed from or transported to the remote work site. All College policies on Information Technology, the Internet, and other technology apply to TeleWorking the same as they would in the primary workplace.

Remote Work Space

As a condition of permission to TeleWork, the employee must verify that remote facilities used for TeleWork are safe and suitable for purposes of the employee's work. The supervisor may deny an employee the opportunity to TeleWork if the remote worksite is not conducive to productive work.

An employee approved to TeleWork shall be responsible for setting up an appropriate work environment within her/his home or remote location. The College will not be responsible for any cost associated with the setup of a home/remote office. The TeleWork agreement requires the employee to confirm that she/he has met all health and safety standard requirements (including an ergonomically sound workstation) and promises to maintain these conditions for the duration of the TeleWork period.

Equipment and Supplies

Office supplies (for example, pens and paper) will be provided by the employee's department and should be obtained during the TeleWorker's in-office work period.

The employee is expected to use his/her own furniture, telephone lines, and other equipment. Any use of private facilities of the employee will be at the employee's discretion and not at the behest or expense of the College. This applies to all physical improvements and conveniences as well as services.

In no situation should College-owned equipment be installed in an employee's home. The College may, however, provide written permission for certain equipment such as a computer, to be checked out and used at the alternate worksite.

Work Hours

Each employee who TeleWorks shall develop a work schedule with the employee's supervisor. The supervisor must agree in advance to any changes to the employee's work schedule. Nonexempt employees must ensure that all hours are entered into the Payroll system or on a timesheet each week. All overtime hours must be approved in advance. Failure to secure advance approval for overtime may cause the supervisor to terminate the TeleWorking agreement. In the same manner as if the employee was working on campus, the employee must obtain supervisory approval in advance before taking leave during a designated TeleWork day.

The employee must maintain contact with the department as specified in the work schedule, department policy, and the TeleWork agreement. An employee's activities outside the time of work or outside the place designated for work will be deemed to be in the employee's own personal time and place, unconnected to work activities.

Phone Expenses

Work-related long-distance phone calls should be planned for in-office days. At the discretion of the supervisor, expenses for business-related long-distance calls and cell phone calls, which must be made from a TeleWorker's home, may be reimbursed if the reasons and costs for the calls are documented and approved. The TeleWorker is responsible for the cost of maintenance, repair, and operation of all personal equipment.

Liability

When used for TeleWork, the employee's home or remote workspace is an extension of the department workspace. The College's liability for job-related accidents will continue to exist during the approved work schedule and in the employee's designated work location. The TeleWorker is covered under New York State Workers' Compensation Law for injuries occurring in the course of the performance of official duties at the alternate workplace.

If an injury occurs during TeleWorking work hours, the employee must immediately report the injury to her/his supervisor and Human Resources. An incident report should be completed by both the employee and supervisor and submitted to Human Resources within 24 hours.

The College is not responsible for any injuries to family members, visitors, and others in the employee's home. The TeleWorker may not have business guests at the alternate workplace.

To the extent permitted by law, the employee will not attempt to hold the College responsible or liable for any loss or liability in any way connected to the employee's non-work-related use of his or her own home.

The TeleWorker is responsible for contacting the TeleWorker's insurance agent, a tax consultant, and consulting local ordinances as necessary for information regarding home workplaces.

Responsibilities for TeleWork Arrangements

Employees and supervisors are responsible for ensuring the appropriate use of TeleWork. Their duties are defined in this section.

- Employees are responsible for requesting and participating in a voluntary TeleWork Arrangement according to the procedures outlined in this document. Employees must adhere to all policies, rules, and regulations of the College while TeleWorking.

- Supervisors who choose to consider TeleWork for employees are responsible for:
 - Establishing expectations and monitoring employee performance.
 - Determining if equipment will be provided to the employee to use at home.
 - Establishing how the TeleWorker will maintain regular contact with office coworkers and supervisors.
 - Determining how the department will handle restricted-access materials, security issues, and removal of necessary electronic or paper records from the primary work place.
 - Ensuring that individual work schedules and reporting for non-exempt employees are in compliance with all federal and state employment and labor laws.
 - Ensuring that each employee's request to TeleWork is considered in relation to the department's operational and customer needs.
 - Ensuring that the employee's Flexible Work Arrangement Request form and TeleWork Self-Certification Checklist are complete before TeleWorking commences.
 - Approving, continually evaluating, and discontinuing TeleWork Arrangements when necessary.

Responsibilities for all Flexible Work Arrangements

Employees and supervisors are responsible for ensuring the appropriate use of the Flexible Workplace Policy. Their duties are defined in this section.

- Employees are responsible for requesting and participating in a voluntary flexible work arrangement according to the procedures outlined in this document.

- Supervisors are responsible for recognizing the need for and managing the oversight of their employees' flexible work arrangements. In accordance with the procedures outlined in this document, they are responsible for consulting with employees that request flexible work arrangements, and approving, continually evaluating, and discontinuing flexible work arrangements as necessary.

EFFECTIVE DATE

This policy is effective March 1, 2017.

Definitions

Flexible work arrangements include flex time, compressed work week, job share, and TeleWork.

Flex Time – A daily work schedule that varies from the daily standard schedule for the department (for example, working from 10:00 a.m. until 6:30 p.m. rather than from 8:00 a.m. until 4:30 p.m.). The flex schedule may be fixed for a period of time or it may vary from day to day.

Compressed Work Week – Working regularly scheduled hours over fewer than five days per week (for example, working four 10-hour days rather than five 8-hour days).

TeleWork – Performing a portion of the job off-site (typically in a home office) on a regular, recurring basis.

Job Share – Two employees share the responsibilities of one full-time position, with each employee working part-time and sharing a specific portion of the full-time position.

Other Related Information

3/1/17 None

Procedures

3/1/17 Employee submits application to Supervisor

Forms

Flexible Work Arrangement Request Form – See G Drive, Policies and Procedures, General Institutional, Flexible Work Place Policy Folder

TeleWork Site Self-Certification Checklist - See G Drive, Policies and Procedures, General Institutional, Flexible Work Place Policy Folder

Authority

Recommended by President's Cabinet for approval.

3/1/17 Approved by Cathy S. Dove, President

History – Document Version

2017-03-01

Appendices

See note above regarding forms.