

3354-1-41-02.11 Flexible Work Schedule Procedure

- (A) Flexible Work Schedule (FWS) Benefit Statement
- (1) The College recognizes the positive impact flexibility in the workplace has on recruitment, retention, morale, engagement, and productivity. Given the mutually beneficial impact to both employees and the institution, supervisors and departments are encouraged to utilize flexible work schedules (FWS) whenever possible.
 - (2) The College believes in cultivating a progressive work culture which supports employees in their work-life balance to encourage creativity, productivity, and commitment to the organization. Fulltime, exempt and non-exempt employees may have the ability to utilize FWS. Specifically, they may request the following:
 - a. Alternative Hours: work a schedule different from normal business hours.
 - b. Compressed Work Week: work total number of hours expected per week in less than the standard five full workdays.
 - c. Remote: work from home.
 - (3) When determining FWS approval, the institutional needs of the College, students and the department take precedence. The decision to establish a FWS is at the sole discretion of the College. There is no guarantee a request for a FWS will be approved. FWS is not uniformly available to all positions in a department or division. Not every function is conducive to such flexible scheduling because of the requirements of the department.
 - (4) FWS do not alter the responsibility and authority of supervisors to establish and change work schedules. A department which has established a FWS may discontinue, temporarily suspend, or alter the arrangement if work needs change, if service is impaired or performance is unsatisfactory.
 - (5) A FWS is a special arrangement and a privilege available to all fulltime employees in good standing, depending on the staffing needs of the College. Good standing is defined as receiving a “Meets Expectations” for bargaining employees and “Accomplished” (4) or higher for non-bargaining employees.

- (6) Employees must successfully complete their applicable probationary period as determined by employee classification prior to requesting a flex work schedule.

Employees who are promoted or transferred into permanent positions and have a contractual requirement to serve a probationary period must complete the probationary period prior to continuing any FWS or requesting any FWS .

(B) Alternative Hours Work Schedule

- (1) An Alternative Hours Work Schedule is defined as any supervisor-approved practice of permitting eligible employees to alter the standard hours of their daily work schedule. Departments establish core hours when the employee must be present unless they are on an approved leave. Employees approved for Alternate Hours Work Schedule are not permitted to change their start and end times on a daily basis.
- (2) Supervisors must review and may, but are not obligated to, approve any deviations from the standard workday and must take the responsibility to ensure that time submitted by employees is an accurate record of time actually worked. In no event can someone work over 8 hours in one day unless approved for a Compressed Work Week Schedule as described in (C) below. Hours must be paid as they are actually worked.
- (3) All employees are required to work at a minimum the standard 7.5 hour or 8-hour day, as dictated by their position which includes core hours as defined by the department.
- (4) Alternate Hours Work Schedule will consist of 37.5 or 40 hours per week (based on employee classification) over seven (7) days, Monday through Sunday.
- (5) Non-Bargaining and AAUP only: The Alternate Hours Work Schedule may include an agreement to alter the lunch break from the standard one-hour lunch to 30 minutes. Lunch periods of less than 30 minutes may not be scheduled.

- (C) Compressed Work Week Schedule- Non-Bargaining and AAUP Only
- (1) A Compressed Work Week is defined as any supervisor-approved practice of permitting employees to complete their weekly work hours in less than five (5) days. Departments establish core hours when the employee must be present unless he or she is on an approved leave. Employees approved for a Compressed Work Week are not permitted to change their schedules on a weekly basis.
- (D) Remote Work Schedule
- (1) A Remote Work Schedule is defined as any supervisor-approved practice of permitting employees to work from home. Departments establish core hours when the employee must be on site unless he or she is on an approved leave. Employees approved for a Remote Work Schedule may not change their schedules on a weekly basis.
- (E) Additional Information applicable to FWS
- (1) Supervisors must ensure that appropriate coverage is maintained during College core work hours, to include normal office coverage including telephone coverage.
 - (2) Employees requesting a Remote Work Schedule must provide their own reliable Wi-Fi internet connection and telephone. Employees must be accessible by telephone and available to place and receive telephone calls throughout the entire work day.
 - (3) The FWS schedule agreement shall be initiated on a trial basis, and may be discontinued at any time at the request of either the employee or supervisor. A minimum of a two-week notice must be provided, unless an unforeseeable intervening event necessitates shorter notice.
 - (4) The employee must be willing and able to alternate her/his work days and hours as requested by the supervisor to attend to operational needs. There may be times when they are required to work or travel outside of the FWS scheduled work hours.

- (5) In the event more employees request an FWS than a department can reasonably manage, the supervisor shall consider staggering schedules or rotating periods of flexible work between employees.
 - (6) Supervisors are responsible for ensuring coverage at all times during the work week. Supervisors must communicate work schedules for their areas to Department Heads.
 - (7) Vacation, personal and sick leave days will apply as usual and must be recorded based on the agreed upon FWS daily scheduled hours. Employees may not adjust their flexible work schedule to avoid using accrued leave time.
 - (8) Employees requesting a Remote Work Schedule must be fully available to work their assigned work hours at their home with no anticipated interruptions. A Remote Work Schedule is not intended to be a substitute for securing required child care.
 - (9) An employee's failure to comply with any of the provisions of this FWS procedure may result in disqualification of the employee from the FWS and may subject the employee to corrective action.
- (F) Requests for flexible work schedules
- (1) To request a FWS, the employee must complete the *Flexible Work Schedule Request Form* available on KWeb, and submit it to their supervisor for consideration.
 - (2) An employee may request to work an Alternative Work Schedule unless the employee's position is excluded either by the department due to operating needs or by the respective Collective Bargaining Agreement.
 - (3) When an employee desires a change in working hours, the employee will submit the request in writing to the supervisor.
 - (4) The supervisor will make a reasonable effort to grant the request considering the criteria listed below.

(G) Criteria for approving FWS

When considering requests for changes in work schedules, supervisors must comply with Federal and State wage and labor laws, as well as the following conditions:

- (1) No FWS will be implemented that results in an employee working less than the position's budgeted FTE.
- (2) FWS must not interfere with the efficient operation of the department or the College nor adversely affect the services that are provided to students, other departments, or the public.
- (3) The quantity, quality, and timeliness of employee work must be maintained.
- (4) Adequate supervision and employee accountability must be maintained.
- (5) FWS must not cause or contribute to the need for additional staff or overtime work and may not increase overall staff hours.
- (6) FWS for the employee should not negatively affect the workload or productivity of coworkers either by shifting burdens or creating delays and additional steps in the work flow.
- (8) If the employee is seeking any FWS as an accommodation under the Americans with Disabilities Act (ADA), the Office of Human Resources, Total Rewards should be contacted prior to or in conjunction with the request to the supervisor.
- (9) Supervisors must consider the unit operating needs, staffing levels, and all other pending/established FWS when determining if a new request will be approved.

(H) FWS Guidelines

(1) FWS

An agreement established between an employee and supervisor wherein the time, day and/or location of work performed is different from the customary schedule. An FWS is not intended to be used as, or in conjunction with, leave as provided for in the Human Resources Employee Handbook. An FWS is a part of the College work-life program that allows employees and departments some flexibility in defining when and where an employee's work is completed.

(2) Core Work Hours

The hours when all employees must be at the worksite. For the purpose of these policies, standard hours of operation for the College are Monday through Friday, 8:30am to 5pm on all nonholiday/closure days. Core hours may vary depending upon the requirements of the position and operational needs of the department. Departments are required to maintain at least minimum coverage during these times, but are encouraged to be as flexible as possible in meeting those coverage requirements, especially during peak vacation and holiday times.

(3) Fair Labor Standards Act (FLSA)

A federal regulation is used to determine whether a position is either eligible for overtime pay for hours worked in excess of 40 per week (non-exempt) or is paid a flat sum for hours worked, even if they exceed 37.5 hours within a workweek (exempt).

(4) Arrival/Departure

A schedule that permits a variation from the employee's standard hours in starting and departure times but does not alter the total number of hours worked in a day. For all employees, the lunch break must be a minimum of 30 minutes.

- (5) Extended Lunch Duration- Non-Bargaining Only
A schedule that allows employees to extend the duration of their lunch break (up to 150 minutes per week), but does not alter the total number of hours worked in a week. To grant this request, employees must make up these hours by arriving at an earlier time or departing at a later time on other workdays.
- (6) Overtime Pay: Non-Bargaining
The standard workweek for administrator, professional and support staff employee classifications consists of thirty-seven and one-half hours. The FWS should not result in overtime as outline in the [Policy 3354:1-41-01.2 Overtime Procedure](#).
- (7) Duration of FWS
The schedule must be reviewed minimally twice annually to assess that employee and College needs are being met. The review is recommended to coincide with mid-year and year-end reviews, or each December and June.
- (8) FWS Request Form
A form that asks employees specific questions intended to help supervisors determine how the request aligns with the employee's position responsibilities, their performance, and the business needs of the department. The supervisor and employee then work together to document the specific details of a schedule and establish a record via electronic signatures of agreement.
- (9) FWS Responsibilities
 - a. Employees
 - i. Complete the FWS Request Form and submit to supervisor for approval.
 - ii. Work with supervisor to document a mutually agreeable arrangement.
 - iii. Maintain performance standards.

- iv. Understand and adapt to colleagues' various work schedules
- v. Employees approved for a remote FWS must ensure their home address is always current to ensure city taxes are withheld correctly.
- vi. Review ongoing schedule with supervisor at least biannually. Review is recommended to occur more frequently.

b. Managers/Supervisors

- i. Provide equitable flexible work schedule opportunities whenever possible. Recognizing that front-facing roles are inherently more difficult to adjust with any flex schedule, departments are encouraged to promote strategies such as cross-training and rotational coverage schedules.
- ii. Complete review and approval process for FWS Request forms submitted by employees.
- iii. Make a determination whether the proposed schedule fits with business needs, communicate the outcome to the employee (and other employees as needed), and work with the employee to document the schedule.
- iv. Be consistent in the review process when approving or denying flexible work schedules, and make the decision process as transparent as possible.
- v. In situations where a request may be determined infeasible, consult with the Office of Human Resources, Employee and Labor Relations prior to issuing the denial.
- vi. Consider working out alternatives to unfeasible requests.

- vii. Review ongoing schedules with employees at least biannually.
- viii. Maintain an open communication to ensure employee's hours of work do not fall below the normal workweek hours and discuss with the employee any concerns as they arise.

c. Office of Human Resources/ Employee and Labor Relations

- i. Consult with employees and supervisors on procedure interpretation and best practices for integrating FWS.
- ii. Consult with a supervisor who makes the determination to deny an employee's flexible work proposal, prior to the denial being issued.

(I) The President or President's designee shall take all steps necessary and appropriate for the effective implementation of this procedure.

Effective date: April 12, 2022

Prior Effective date: September 13, 2021

Procedure amplifies: 3354:1-41-02