



#HR 6.024

Flexible Work Arrangements Policy

Authority: Human Resources

Effective Date: 03/25/2022

Last Revision: 03/04/2024

POLICY STATEMENT:

Fletcher Technical Community College recognizes the growing demands on our employees while at work and the increasing challenges in finding new and better ways to provide service and meet College goals. Fletcher supports Flexible Work Arrangements (FWAs) to foster a highly desirable and productive work environment that is responsive to those demands and challenges. Fletcher expects that flexible work arrangements will improve the retention and recruitment of highly qualified employees, decrease employee stress, and increase employee productivity, engagement, morale, and loyalty.

I. POLICY RATIONALE AND SCOPE

Many Fletcher departments currently have informal systems in place that support flexibility on an occasional basis. Sometimes, with supervisory approval, employees adjust their hours to tend to a “life” matter. Such informal, temporary flexibility exists where there is respect and trust between a supervisor and employee – trust that the job commitments and responsibilities will be met regardless.

This policy, however, is intended for employees and supervisors who want to institute a regular arrangement that consistently differs from their department’s standard hours or work location, also known as a flexible work arrangement (FWA). The purpose of this policy is to promote work-life balance for the Fletcher community, when possible, and to establish guidelines and procedures related to the eligibility criteria, proposal, consideration, and approval of FWAs. This policy should assist management and employees in understanding FWAs; provide a general framework for employees approved for FWAs; and provide an alternative for continuing operations and essential functions in times of crisis.

FWAs can facilitate accomplishing several objectives: achieving greater administrative efficiency; addressing current environmental concerns; improving employee productivity and performance; enhancing employees’ work-life balance; supporting business continuity plans; and sustaining the hiring and retention of a highly qualified workforce.

While not all positions will be amenable to FWAs, consideration of flexible work schedules will be reviewed on a case-by-case basis taking into account the departmental needs and the

employee's ability to maintain a high level of service. Fletcher expects that implementation of FWAs will enhance the quantity, quality, and productivity of the employee's level of service.

II. POLICY AUDIENCE

This policy applies to all full-time staff and 12-month faculty at all sites of Fletcher. All supervisors and employees should be familiar with the contents of this policy and its supporting guidelines.

III. POLICY COMPLIANCE

Employee violations of any of the terms outlined in this policy shall result in the revocation of the employee's flexible work arrangement privileges and may result in disciplinary action, up to and including termination of employment. Supervisors/authorized officials who violate the provisions of this policy, especially those pertaining to non-discrimination, may be subject to disciplinary action, up to and including termination of employment.

Approved FWAs do not create a contract for employment nor do they change any conditions of employment or required compliance with Fletcher's policies and procedures, LCTCS policies and procedures, or any other federal or state laws, policies, and procedures.

IV. POLICY DEFINITIONS

Authorized official – All supervisor levels are responsible for approving flexible work arrangements for employees in their divisions. Please contact Human Resources to determine the authorized official in the affected department.

Flexible Work Arrangement (FWA) – Work schedules that vary from the standard schedule of the department in which the employee works and that last longer than two (2) months. FWAs include compressed workweeks, flextime, and telecommuting.

- Compressed Workweek – 40-hour workweek compressed into fewer than five (5) work days
- Flextime – Employee's set scheduled starting and ending times differ from the standard schedule of the department. Employees must work 40 hours per week (80 hours per pay period for Dean/Director and above).
- Telecommuting – Allows an employee to regularly perform job duties at an alternate location, typically a home office, for a specified number of hours per week. A combination of onsite and off-site work may be arranged under this option.

Exempt Employee – An individual employed in a position determined to be "exempt" per the Fair Labor Standards Act (FLSA). Exempt employees do not earn "time and a half" compensation for working greater than 40 hours per workweek.

Non-Exempt Employee – An individual employed in a position determined to be "non-exempt" per the Fair Labor Standards Act (FLSA). Non-exempt employees earn compensation at "time

and a half” (or 1.5 times) their usual hourly pay rate for each hour worked over 40 hours per workweek.

Primary Work Site – The place of work where an employee is normally located (e.g., campus office, station, etc.).

Remote Work Site – For telecommuters, the alternate location from which the employee works, such as a home office, which has the necessary access and tools for telecommuting.

Workweek - The College's normal workweek is forty (40) hours per week, including lunch periods, beginning at 12:00:01 a.m. on Monday and ending at 12:00:00 (midnight) the following Sunday. The normal workweek consists of five 8-hour days.

V. POLICY IMPLEMENTATION PROCEDURES

General Eligibility

1. All full-time staff and 12-month faculty are eligible to request flexible work arrangements; however, not all positions lend themselves to flexible work.
2. Individuals who meet or exceed performance standards are typically good candidates for flexible work arrangements. Individuals in corrective action or on a performance improvement plan (PIP) are not eligible for flexible work arrangements.

Guidelines for All Flexible Work Arrangements

1. Flexible work arrangements are not an entitlement or benefit of employment. FWAs are not a college-wide or department-wide benefit. FWAs must meet the needs, requirements, and constraints of both the department and the employee. In other words, FWAs are discretionary based primarily upon the operational needs of the department.
2. Flexible work arrangements do not change an employee’s terms and conditions of employment, including required compliance with or the application of College policies. An employee’s compensation and benefits do not change because of an FWA.
 - a. Position has tasks which are portable and can be performed away from the main worksite;
 - b. Position requires limited face-to-face interaction with managers, colleagues, students, subordinates, or other customers;
 - c. Employee possesses a high degree of skill and knowledge of the job;
 - d. Employee demonstrates satisfactory performance, including but not limited to, being successful in meeting goals, objectives, timelines, and deadlines;
 - e. Employee is an independent worker needing minimal supervision;
 - f. Employee is an effective communicator;
 - g. Employee is computer-literate and has a designated space to work at home, such as a home office;
 - h. Employee’s work can be monitored with quantifiable tasks, quantity, and quality measures;
 - i. Excellent level of service can be maintained without hardship on students, colleagues, visitors, and other customers;
 - j. There are sufficient resources available for the department to support requests to telecommute; and
 - k. Flexible work arrangement is a key factor in securing a desirable candidate.

3. **Flexible work arrangement requests are not the same as an occasional need for flexibility.** FWAs typically last longer than two (2) months.
4. An employee's first responsibility is to fulfill their job responsibilities. **Performance expectations for employees remain the same regardless of work schedule or location, and supervisors have a responsibility for managing employee performance.**
5. Proposals for FWAs should focus on results, predictability, reciprocity, and how the work will be accomplished without negative impact on colleagues, students, and other customers.
6. General factors to be considered by supervisors when evaluating the feasibility of flexible work arrangements include:
 - a. Employee is maintaining satisfactory performance and attendance;
 - b. Employee's communication skills;
 - c. Nature of the work to be performed; and
 - d. Impact on the department's operations and other employees
7. FWAs must have the approval of the employee's direct supervisor and vice chancellor prior to commencement of the FWA.
8. All FWAs must conform to the overtime, record keeping, meal break, and other provisions of the Fair Labor Standards Act (FLSA) and other relevant laws. Lunches and/or scheduled rest periods shall not be eliminated when employees work a FWA.
9. In certain circumstances, a request for family and medical leave (FMLA) or a reasonable accommodation related to a disability as defined by the Americans with Disabilities Act (ADA) may be more appropriate than a flexible work arrangement. For more information, please see the FMLA and/or ADA policies or contact Human Resources.
10. Flexible work arrangements must be considered regardless of the reason for the request.
11. Supervisors cannot take adverse action against employees for requesting a flexible work arrangement or accessing the policy.
12. Flexible work arrangements are not guaranteed; they can be changed or discontinued at any time.
13. Departments should be consistent in the decision-making process regarding flexible work arrangement requests. Decision-making processes must be as transparent as possible.
14. Supervisors must implement flexible work arrangements consistent with the Fletcher Equal Opportunity/Discrimination Policy #6.009 and the LCTCS Equal Opportunity Policy.
15. Flexible work arrangements must comply with College information technology policies, as well as all other College policies.
16. Employees may not use the College's grievance procedure to grieve a decision on a request for a flexible work arrangement.

Guidelines for Flextime and Compressed Workweek

1. In addition to the factors listed in the general guidelines above, for compressed workweek schedules, supervisors should consult with Human Resources for potential changes in recording time on timesheets and impact on leave and/or holidays.
2. Operational needs, staffing patterns, space considerations, and health and safety issues may preclude granting a request for flextime and/or a compressed workweek.

Guidelines for Telecommuting

1. In emergencies, these criteria may be temporarily relaxed when an employee's function is necessary for the department to continue critical functions, operations, and services.

2. **Not all positions are suitable for telework, and not all eligible employees will be suitable for telecommuting.** Suitability for telecommuting is based upon the individual employee as well as the employee's position. Supervisors are encouraged to consider the following factors when considering a request for telework:
3. Employees approved for telecommuting are required to sign a Telecommuting Agreement prior to the start of telecommuting. Please refer to the agreement for additional details and requirements.
4. A telecommuting employee shall be as available for communication and contact during the scheduled telecommuting time as they would be if working at the primary work site.
5. Exceptions may be made for special circumstances or events if approved in advance of the hours worked.
6. Supervisors may require employees to report to the primary work site if business needs require it. Refusal by the employee to do so may be considered insubordination and subject to disciplinary action.
7. Employees are expected to attend all assigned meetings related to the performance of their job, including any held on a telecommuting day. Mileage is not reimbursable for being asked to report to the primary work site on a telecommuting day.
8. In-person business meetings with colleagues, students, or other customers shall not be held at the remote work site.
9. Employees must agree to establish an appropriate work environment within his/her home for work purposes. Important considerations when setting up the telecommuting workspace are:
 - a. The remote work area should be quiet and free of distractions, including demands on the employee's time and attention by dependents.
 - b. The floor should be clear of any obstacles and hazards that may cause slips, trips or falls.
 - c. Lighting should be adequate without glare.
 - d. The desk should be adequate and designed to safely accommodate the equipment that you must use such as a computer, printer, fax, etc.
 - e. Employee should have a comfortable chair with adequate back support.
 - f. Equipment that is used must be available for the employee's exclusive use while telecommuting and must be compatible with the equipment used at the primary work site.
 - g. Fletcher will not be responsible for costs associated with the initial setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.
2. Employees must provide their own computer, telephone, telephone service, internet connections, and any other equipment necessary to facilitate the telecommuting arrangement, unless otherwise expressly agreed to and approved.
3. Fletcher may provide equipment to support the work of its telecommuters; however, Fletcher does not guarantee the availability of state equipment for remote use. Equipment supplied by Fletcher will be maintained by Fletcher. Equipment supplied by the employee will be maintained by the employee. Fletcher is not responsible for insuring employee-owned equipment and accepts no responsibility for damage or repairs to this equipment. Fletcher reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment provided by Fletcher is to be used for business purposes only. Employees will be required to sign an inventory of all office property, and the employee is responsible for protecting it from theft, damage, and

unauthorized use. Any equipment, supplies, software, hardware, etc., purchased by Fletcher remains Fletcher property and must be returned at termination of employment, the conclusion of a telecommuting arrangement, or when requested by Fletcher management.

4. Fletcher will supply employees with appropriate office supplies (pens, paper, etc.) for successful completion of job duties. Fletcher will reimburse employees for business-related expenses when agreed upon in advance. Out-of-pocket expenses for supplies normally available at the employee's primary work site will not be reimbursed.
5. Employees are expected to ensure the confidentiality and security of all Fletcher data accessed from or transported to the remote work site.
6. Telecommuting shall not be used for child or adult care, to perform personal business during work hours, to have time to work at other jobs, or for any purpose for which leave should be requested. Employees must take leave as appropriate when not performing official duties during scheduled work hours.
7. Should circumstances arise whereby the telecommuter cannot work at home (e.g., loss of electricity, loss of internet, etc.), the employee must contact their supervisor, and they may be required to report to the primary work location or appropriate leave may be granted depending on the specific circumstances.
8. Fletcher reserves the right to monitor work product and inspect remote work sites. Prior to approval by Fletcher of the telecommuting agreement, Fletcher staff should inspect the area to be used as the employee's home office/work area. If that is not feasible, Fletcher staff may request that the employee provide photos of the area that the employee plans to use as their home office/work area. Fletcher may monitor email, electronic review of work performed, conduct unannounced visits or inspections during normal business hours, and/or any other method used to adequately document and judge the work product and performance of the telecommuter.
9. Injuries sustained by the employee while at their remote work location and in conjunction with their regular work duties are normally covered by Fletcher's Workers' Compensation policy. Employees are responsible for notifying Fletcher of such injuries in accordance with Fletcher safety and workers' compensation procedures. The College is not responsible for any injuries to family members, visitors, and others in the employee's home workspace.
10. In general, telecommuting should not change the regular days and hours that an employee is expected to be working; however, if a telecommuting employee will be performing work outside of the employee's normal workday and hours, those workdays and/or hours must be set forth in the Telecommuting Agreement. If it is found that an employee is not performing work during the telecommuting hours, the Telecommuting Agreement can be revoked, and the employee may be subject to disciplinary action as appropriate.
11. Because telecommuting is based on a combination of job, employee, and supervisor characteristics, a change in any one of these elements may require a revision or discontinuation of the telecommuting agreement.

Procedure

1. Establishing a Flexible Work Arrangement
 - a. Employee must request an FWA from their supervisor.
 - b. Employee and supervisor must discuss the FWA request.
 - c. FWAs must be documented when they are established.
2. Determining Feasibility of and Managing Flexible Work Arrangements

- a. Supervisors should consider the impact on the department and other departments' workloads and productivity; other faculty, staff, students, and customers; cost; and business needs.
 - b. Supervisors should communicate with the employees(s) whether or not the FWA is feasible and document the rationale for the decision.
 - c. If the FWA is approved, supervisors should specify when employees are expected to be present at the work site, how they are to be available during their offsite work time, and how they are to communicate their specific availability.
 - d. Supervisors need to manage the FWA to ensure success of the department and the continued feasibility of the arrangement.
 - e. Supervisors should discuss the FWA with the employee on an ongoing basis.
3. Discontinuing a Flexible Work Arrangement
- a. FWAs may be discontinued based on performance or the changing needs of the department or employee.
 - b. As much notice should be given as possible when discontinuing a FWA, preferably 30 days, if feasible.
4. Additional Considerations
- a. Employees must provide an appropriate work station when telecommuting.
 - b. Fletcher policies and standard workplace practices apply to FWAs, including those at a location different from the regular work site (e.g., IT policies, etc.)
 - c. Scheduling may affect the application of holiday pay.

Responsibilities

- 1. Employee
 - a. Request FWAs as needed.
 - b. Help identify and co-create flexible work solutions.
 - c. Understand and adapt to colleagues' various work schedules and locations.
 - d. Maintain safe work environment.
 - e. Maintain safe computing procedures.
 - f. Maintain performance standards.
 - g. Maintain Work Log per day and per hour
 - h. Adhere to all aspects of this policy.
- 2. Supervisor
 - a. Recognize the need for and think creatively about FWAs.
 - b. Consult with employees who request FWAs.
 - c. Decide and document feasibility of FWA requests.
 - d. Consult with Human Resources to identify FWAs.
 - e. Be consistent in the review process when approving or denying FWAs.
 - f. Assure operations are effective and efficient.
 - g. Assure performance standards are reviewed and communicated regularly.
 - h. Approve all Work Logs (judge the work product and performance)
 - i. Conduct audit (monitor email, electronic review of work performed, check phone logs, etc.)
 - j. Make decision process as transparent as possible.
 - k. Adhere to all aspects of this policy.
- 3. Human Resources
 - a. Consult with employees and supervisors regarding FWAs.
 - b. Provide training and guidance on this policy.
 - c. Make changes in Banner as necessary.

- d. Maintain documentation in personnel files.
- 4. Chancellor/Executive Team
 - a. Hold direct reports accountable for adhering to all aspects of this policy.

REFERENCE: LCTCS #6.003 Leave For Unclassified Employees Policy

DISTRIBUTION: Electronically via College’s email and website

APPROVAL:

Reviewing Council/Entity	Approval Date
Governance Council	02/15/2024
Leadership Group	03/04/2024