

### 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 with the understanding that providing high-quality service to students, colleagues, and any other applicable stakeholders takes priority over any benefits or convenience that the FWS affords.
  - (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, the department and the manager. 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 and/or the essential functions of a given position.
  - (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 eligible full-time employees in good standing, depending on the needs of the College. Good standing is defined as receiving a *Meets Expectations* for bargaining employees and *Stand Out, Well Done, or Moving Ahead* for non-bargaining employees.

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

Employees who are promoted or transferred into permanent positions must complete the probationary period as defined by their supervisor and/or applicable contractual requirement prior to continuing any FWS or requesting any FWS.

- (7) For the purpose of this procedure, the College defines frontline and student facing as those employees who directly interact with constituents; and guide, assist and support students with their academic, personal or professional development. Additionally, employees who provide support and back up to frontline and student facing employees are included in this category.
- (8) The flexible work schedule program is intended for altered schedules lasting longer than three (3) months.

(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 an Alternative Hours Work Schedule are not permitted to change their start and end times on a daily basis- the employees' schedules must be consistent on a weekly or bi-weekly 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 employees 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 required by their position which includes core hours as defined by the department.
- (4) Alternative 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 only: The Alternative Work Hours schedule may include an agreement to alter the lunch break from the standard one- hour lunch. Lunch periods of less than 30 minutes, or more than 90 minutes, may not be scheduled.

(C) Compressed Work Week Schedule- Non-Bargaining 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 will establish core hours when the employee must be present unless they are on an approved leave. Employees approved for a Compressed Work Week are not permitted to change their schedules on a weekly basis- the employees' schedules must be consistent on a weekly or bi-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 will establish core hours when the employee must be on site unless they are on an approved leave. Employees approved for a Remote Work Schedule may not change their schedules on a weekly basis- the employees' schedules must be consistent on a weekly or bi-weekly basis.

- (2) Frontline and student facing employees and managers are permitted to work remotely one (1) day per week maximum.

Non-frontline and non-student facing employees are permitted to work remotely two (2) days per week maximum.

Regardless of the stated maximum remote days per week permitted, supervisors may approve less than the maximum allotment in order to ensure high-quality service to students, colleagues, and any other applicable stakeholders.

- (3) An employee working remotely must be able to physically report to work on campus for both scheduled events/meetings or as same day/next day needs arise (i.e., due to staff outage, an employee may be required to report to campus as soon as possible on a previously scheduled remote day for operational purposes.) as required by the

department and their supervisor.

An employee's remote work location must be within commuting distance as outlined in the 3554:1-40-01.1 Recruitment and selection procedure.

(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 any required in-person and online presence.

Managers of frontline and student facing departments must ensure that 80% of their department staff are onsite with no more than 20% of staff working remotely each day. For smaller departments in which staffing levels are limited, managers should collaborate with other departments in close proximity to ensure appropriate coverage is available during the College's operational hours to deliver high-quality service to students, colleagues, and any other applicable stakeholders.

- (2) Employees requesting a Remote Work Schedule must provide their own reliable Wi-Fi internet connection. Employees must be accessible at their College-issued telephone number through Cisco Jabber, and available to place and receive telephone calls throughout the entire workday.
- (3) It is recommended that a FWS schedule agreement be approved by the supervisor on a trial basis first and then reevaluated after three (3) months to ensure the employee is maintaining performance standards and expectations and there has been no disruption to services.
- (4) A FWS 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.
- (5) The employee must be willing and able to alternate her/his workdays 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.
- (6) 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.
- (7) Supervisors are responsible for always ensuring appropriate onsite

coverage during the work week. Supervisors must communicate work schedules for their areas in the form of a Staffing Plan to their department heads and executive leadership (e.g., Executive Vice President or their designee) as determined by the division's executive vice president. The Staffing Plan should be resubmitted at least annually or as the Plan changes.

- (8) 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.
  - (9) 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 childcare or in lieu of family medical leave (FMLA).
  - (10) An employee's failure to comply with any of the provisions of this FWS procedure, or unauthorized deviation from an approved FWS, 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. Employees are expected to communicate with their supervisors regarding their request in advance of the request form being submitted.
  - (2) An employee may request to work a FWS unless the employee's position is excluded either by the department due to operating needs, the essential functions of their position, or by the respective Collective Bargaining Agreement.
  - (3) When an employee desires a change in their approved FWS, the employee will communicate with the supervisor and then submit a new FWS request form through OnBase.
  - (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, applicable stakeholders, 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 flow of work.
- (8) If the employee is seeking any FWS as an accommodation under the Americans with Disabilities Act (ADA), 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. A FWS is not intended to be used as, or in conjunction with, leave as provided for in the Employee Resource Guide. A FWS is a part of the College work-life program that allows eligible 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, 8:30 a.m. to 5 p.m. on all non-holiday/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. Minimum coverage for frontline and student facing departments is outlined in section (E)(1) of this procedure.
- (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) **Overtime Pay: Non-Bargaining**

The standard workweek for administrator, professional and support staff employee classifications consists of thirty-seven and one-half (37.5) hours. The FWS should not result in overtime as outlined in the [Policy 3354:1-41-01.2 Overtime Procedure](#).
- (5) **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 and a maximum of 90 minutes.
- (6) **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.
- (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. Initial/Change Form documents the specific details of the employee's schedule and establishes a record via electronic signatures of agreement. The form is routed to the supervisor for approval and the schedule is effective once approved by Payroll.
  
  - b. FWS Discontinuation Form  
It is the employee's responsibility to submit a Discontinuation Form when their FWS is ending. The form is routed to the supervisor for approval and the standard schedule is effective once approved by Payroll.
- (9) FWS Responsibilities
- a. Employees
    - i. Work with supervisor to document a mutually agreeable arrangement by submitting the FWS Request Form. The form must be approved by the employee's supervisor and Payroll prior to the start of the schedule.
    - ii. Maintain performance standards.
    - iii. Understand and adapt to colleagues' various work schedules, and be accessible and responsive to urgent needs that might arise including the need for onsite coverage.
    - iv. Employees approved for a remote FWS must ensure their permanent (home) address is always current to ensure city taxes are withheld correctly.
    - v. It is the employee's responsibility to regularly review their paystubs to ensure city taxes are accurately being withheld. Payroll should be contacted immediately with any questions or concerns.
    - vi. Review ongoing schedule with supervisor at least biannually. Review is recommended to occur more frequently.
    - vii. Employees approved for a remote FWS must ensure an appropriate workspace free from distractions. Remote meetings require clear and secure audio/video connections.

viii. Comply with [Remote Work Security Responsibilities](#).

b. Managers/Supervisors

- i. Strive to offer equitable opportunities for flexible work schedules whenever possible. While recognizing that frontline and student facing roles have limited flexibility, departments are encouraged to implement strategies such as cross-training, rotational coverage and collaboration with nearby offices to support flexibility without compromising delivery of services.
- ii. Complete review and approval process for FWS Request forms submitted by employees in a timely manner.
- iii. Determine whether the proposed schedule fits with business and student 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 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. Submit the unit's Staffing Plan to department and division leadership as directed. Resubmit the Staffing Plan on a regular basis and/or when changes occur.
- ix. Maintain open and ongoing communication to with employees to ensure scheduled hours of work do not fall below the standard workweek requirements, along with addressing any concerns or deviations promptly through direct discussion with the employee.

c. 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.

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Procedure amplifies: 3354:1-41-02