

# Oakland University Flexible Work Arrangements Guideline

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## I. Program Objectives

Oakland University recognizes the growing demands on employees and the increasing challenges of finding new and better ways to provide services and meet university goals. Workplace flexibility provides ways to successfully manage time, space, and workload. The university supports Flexible Work Arrangements, when feasible, to achieve a highly productive work environment that enables employees to balance work and personal needs while providing workforce predictability and stability. Workplace flexibility is a strategy for using resources most efficiently and providing the best environment for talent. These guidelines outline Flexible Work Arrangement options and procedures at Oakland University.

Oakland University is committed to supporting employees' work-life balance while also fulfilling University goals and providing a high performance work environment. Flexible Work Arrangements facilitate the achievement of these objectives whenever possible.

## II. Terms and Definitions

Flexible Work Arrangements are work schedules that fall outside of a unit's usual work schedule and will have a plan, such as an expected start date or length of time. Additionally, supervisors are encouraged to support reasonable, non-disruptive, and occasional Schedule Adjustments, at management discretion. Oakland University offers the following types of Flexible Work Arrangements:

| Term                   | Definition  |
|------------------------|---|
| Adjustable Meal Period | Using up to two hours of a meal period to take care of personal business while still working a full work day  |
| Compressed Work Week   | 40-hour work week compressed into fewer than five work days<br>80-hour work schedule compressed into fewer than ten days  |
| Flex Time              | Fixed starting/ending in which the employee works a 40-hour workweek on a schedule other than 8am - 5pm over a five-day week. Day-to-day start and end times may vary.  |
| Shift Swaps            | Employees can exchange shifts with each other and exercise some control over when they work. In some cases they may also be empowered to take extra shifts and/or give shifts away  |
| Remote Work            | All positions have a primary campus work location designation of an Oakland University owned or leased facility. Alternative locations may be supported for short periods and do not change the primary work location for a position. Employees may work from alternative locations, such as their home, for part of their regular work week. |

### III. Scope

This guideline applies to all employees in non-represented (academic or non-academic) classifications at Oakland University. The scope of this guideline is to provide procedures for an alternative work schedule for eligible employees. Collective Bargaining Agreement (CBA) employees (i.e., represented) must comply with rules outlined in their respective Collective Bargaining Agreements.

### IV. Occasional Schedule Adjustments

Occasional Schedule Adjustments are outside the scope of formal Flexible Work Arrangements, but are encouraged. The Flexible Work Arrangement Form does not need to be completed for these adjustments. Supervisors are encouraged to support reasonable, non-disruptive, and occasional Schedule Adjustments, at management discretion. Schedule Adjustments are not within scope of formal Flexible Work Arrangements, but contribute to the overall goals of workplace flexibility. Schedule Adjustments are simple and unusual start and end time adjustments coordinated with the supervisor; a full work day is completed, but with different start and end times. Another type of Schedule Adjustment is changing an employee's work schedule to handle university events, such as Commencement.

### V. Flexible Work Arrangement Guideline Details

1. This guideline applies to Flexible Work Arrangements for university employees.
2. Eligibility
  - a. All eligible employees can request Flexible Work Arrangements; however, not all positions lend themselves to flexible work.
  - b. The request for a Flexible Work Arrangement must meet the needs, requirements, and constraints of both the unit and the employee. Units should be consistent in the decision-making process regarding Flexible Work Arrangement requests.
  - c. 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 are not be eligible for Flexible Work Arrangements.
3. Guiding Principles
  - a. Successful leadership involves maximizing two top priorities for Flexible Work Arrangements:
    - i. Optimize operations and academics, and
    - ii. Shift to a more progressive work culture to recruit and retain talent.
  - b. 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.
  - c. Supervisors should collaborate to develop Flexible Work Arrangements for individuals and units.
  - d. Supervisors are encouraged to support, whenever possible, requests for Flexible Work Arrangements to take a university course or otherwise participate in professional development activities during their regularly scheduled work hours.
  - e. Supervisors should look for ways to implement flexible work in their units.
  - f. Supervisors must implement Flexible Work Arrangements consistent with the Affirmative Action, Equal Employment Opportunity and Nondiscrimination/Harassment policy.

- g. A request for family and medical leave or a reasonable accommodation in regard to a disability may be more appropriate than a Flexible Work Arrangements.
- h. Flexible Work Arrangement requests are not the same as an occasional need for flexibility. For example, Flexible Work Arrangements generally last over time, such as over two months.
- i. Flexible Work Arrangements must be considered.
- j. Supervisors cannot take adverse action against employees for asking for a Flexible Work Arrangement or accessing the guideline.
- k. Flexible Work Arrangements are not guaranteed; they can change or be discontinued.
- l. Decision making processes regarding Flexible Work Arrangement requests must be transparent.
- m. Flexible Work Arrangements must be in compliance with university information technology security and data policies, as well as all other university policies.

## VI. Governing Laws and Regulations

Non-exempt (hourly) salary is protected by [Fair Labor Standards Act](#), (FLSA) which is a regulation that governs working hours, minimum wage, and overtime compensation. Non-exempt (hourly) employees are paid for the number of hours they work per week up to 40 hours at a determined rate. Per federal law, hourly workers are entitled to [overtime pay](#) for hours worked over 40 hours per workweek or over 8 hours in a workday, depending on CBA . Non-exempt employees are entitled under the FLSA to time and one-half their "regular rate" of pay for each hour they actually work over the applicable FLSA overtime threshold in the applicable FLSA work period.

Exempt positions are excluded from minimum wage, overtime regulations, and other rights and protections afforded nonexempt workers. Employers must pay a salary rather than an hourly wage for a position for it to be exempt, overtime does not apply.

## VII. Flexible Work Arrangement Descriptions

Oakland University offers the following types of Flexible Work Arrangements:

### A. Adjusted Meal Periods

An Adjusted Meal Period is an arrangement that allows a full-time employee to work a full workday with an extended meal period of up to a maximum of two hours.

The adjusted meal period schedule allows a regular, full-time, exempt or non-exempt employee to extend his or her meal period to take care of personal business while still working a full workday. An employee can take an extended meal period of up to two hours.

In order to create an Adjusted Meal Period, you and your manager will need to complete the Flexible Work Arrangements Request Form.

### B. Compressed Work Week Arrangements

Compressed work week schedules are arrangements that allow a full time employee to work 40 hours in less than five working days (exempt and nonexempt) or to work an 80-hour compressed work schedule during nine days and have the tenth day off (exempt only).

### 4/40 Compressed Work Week

A compressed workweek allows regular, full-time exempt, non exempt and hourly employees to work a full week's schedule in less than five working days. The most common example is an employee working four 10-hour days in a workweek. This is categorized as a 4/40 Compressed Work Week.

### 9/80 Compressed Work Schedule

Compressed two-week work periods are an option for exempt employees' only. They allow a regular full-time exempt employee within the 10 workdays of a two-week work period to work 9 days, totaling 80 hours, and have the tenth day off. This is categorized as a 9/80 compressed work schedule. Exempt employees are expected to follow departmental guidelines regarding meal periods and to work the number of hours required to fulfill their responsibilities.

With the 9/80 Compressed Work Schedule, in the first week, the employee would work five 9 hour days for a total of 45 hours; in second week, the employee would work three 9 hour days and one 8-hour day for a total of 35 hours; or vice versa; combined, the two workweeks result in a total of 80 hours worked in the two-week work period. However, managers and employees must keep in mind that exempt employees are expected to work whatever number of hours is required in order to meet the expectations of their jobs and to follow departmental guidelines regarding meal periods.

The following is an example of a 9/80 Compressed Work Schedule; managers and employees may agree upon other workday configurations:

| Day of the Week | Mon | Tues | Wed | Thurs | Fri | Hours Worked |
|-----------------|-----|------|-----|-------|-----|--------------|
| WEEK ONE        | 9   | 9    | 9   | 9     | 9   | 45           |
| WEEK TWO        | 8   | 9    | 9   | 9     | 0   | 35           |
| TOTAL HOURS 80  |     |      |     |       |     |              |

### Leave Reporting

(Exempt and Nonexempt Employees)

- An employee who is unable to work due to illness must request and use accrued sick leave in accordance with university policy and departmental procedures. Managers should be careful to confirm the number of hours of leave taken in light of the longer day worked. For example, an employee on a 4/40 compressed workweek who needs to take a day of sick leave is taking 10 hours of sick leave, as opposed to an employee on a regular work week who is taking 8 hours of sick leave.
- An employee who wishes to be relieved of responsibility for work on a particular day or days for reasons other than illness must request and use available annual leave in accordance with university policy and departmental procedures. The amount of annual leave charged will be equivalent to the hours the employee was scheduled to work and managers should calculate the leave based on the considerations noted above under the sick leave explanation.

- No exempt or nonexempt employee is eligible for more than 8 hours of pay per holiday or day of University closure. If the holiday falls on the employee's regularly scheduled workday, the employee will be credited with 8 hours of holiday pay for that day. Nonexempt employees may use annual leave to maintain their hours of pay for that day, or they may opt to work additional hours sometime during the workweek. For exempt employees, managers need to take into consideration the exempt employee's status of "paid to get the job done" when determining whether the exempt employee needs to utilize annual leave for the difference between the hours of holiday pay and their typical hours for that day.

In order to create a compressed workweek schedule, you and your manager will need to complete the Flexible Work Arrangements Form.

### **C. Flex Time**

Flex Time is an arrangement that allows a full time exempt or non-exempt employee to work with his or her manager to set workday starting and ending times that may differ from others in the unit. For non-exempt employees, it must include a bona fide meal period.

Flex time schedules allow regular full-time exempt and nonexempt employees, with the concurrence of their manager and within certain limits, to set their starting and ending times for the workday. All employees are required to work a standard eight-hour day defined by the department.

In order to create and Flex Time schedule, you and your manager will need to complete the Flexible Work Arrangements Request Form.

### **D. Shift Swaps**

Regular employees who work on a shift schedule may switch shifts to accommodate their needs outside of work. Shift swaps must be approved by both employees' supervisors ahead of time [with the exception of emergencies such as sudden illness] and [must follow the overtime policy and averaging agreement].

### **E. Remote Work**

Remote Work allows an employee to work from an alternative work location, such as their home, for part of their regular workweek. It is an arrangement that may be appropriate for some employees in some positions when job, employee, and manager characteristics are best suited to such an arrangement.

#### **Steps to Developing a Remote Work Arrangement**

1. Explore the many benefits of remote work

The university confirms its commitment to assisting employees in developing a work-life balance by supporting the use of remote work. Remote Work can also benefit the university in numerous ways, including, potentially reducing costs as well as improving employee productivity and morale.

2. Assess eligibility for a remote work arrangement

In order to determine if an employee’s position is appropriate for a Remote Work Arrangement, an employee’s manager will need to first assess the responsibilities of the employee’s position.

**Remote Leave Time Reporting**

Remote workers are categorized as either exempt or non-exempt (hourly) under (FLSA). Federal law mandates the reporting of hours worked by non-exempt (hourly) staff for both in-house and remote work employees. All hours worked, including regular pay and overtime hours, must be well documented. Just as they would in the office, non-exempt (hourly) employees are expected to use the university’s Time Reporting System to clock in/out using SAIL or UltraTime. Managers should regularly review their employees’ payroll records and address any concerns immediately.

**Duties/Responsibilities for Assessment of Remote Work**

These are considerations for evaluating whether a Remote Work Arrangement is appropriate/possible for a given situation. This is not an exhaustive list. Contact UHR if clarification is needed.

| <b>Appropriate</b>  | <b>Not Appropriate</b>   |
|---|--|
| Technical/analytical writing                                      | Anything requiring face-to-face contact with internal or external personnel (front-line support) |
| Communications development, graphic design                        | Anything that requires hands-on contact with onsite equipment                                    |
| Individual work (non-collaborative)                               | Interviewing prospective employees or vendors  |
| Software development  | Clerical support (e.g., receptionist, file clerk)  |
| Online data entry/data processing                                 | Hardware-related services  |
| Administrative tasks (e.g., email, status reports, budgets, etc.) | Training new staff   |
| Web development, programming                                      | Conducting meetings related to performance reviews   |
| Certain research (e.g., online)                                   | Close supervision of staff   |

[Source](#)

**Security Issues**

The protection of confidential data is of the utmost importance. All employees, including remote workers, are expected to comply with applicable policies, including the Information Security Policy #860 Information Security. Any files that contain confidential data should not be kept on local computers or external media (e.g., CD-ROMS, external hard drives, USB flash drives, zip drives, DVDs, personal clouds, etc.) These files should be stored in a secured network folder that is only accessible by authorized personnel. Email is inherently insecure and confidential data should never be sent via email unless encryption software is used.

## **Support of Remote Work Arrangement**

In assessing the viability of a remote work arrangement, it is important to determine how well an employee's clients or customers will accept such an arrangement. Clients/customers should still be able to easily communicate with a remote work employee and feel their needs are being met.

Managers should consider clients/customers' needs when deciding how many days a week an employee is able to remote work. An employee may need to start with a limited remote work arrangement. An employee can always modify their remote work agreement in the future based on experience and feedback from clients/customers.

## **VIII. Flexible Work Arrangement Request Procedures**

### **A. Establishing a Flexible Work Arrangement**

- a. A staff member must request a Flexible Work Arrangement from their supervisor via a Flexible Work Arrangement Request Form.
- b. Supervisor must review the proposal and consult with others for guidance when necessary (supervisor, unit head, IT, HR representative). If an employee proposal involves ongoing family medical care concerns, always consult with HR first.
- c. The supervisor and employee review the proposal together. At this time, remaining details should be discussed and concerns should be addressed.
- d. The Supervisor should communicate the decision to the employee
- e. Flexible Work Arrangements must be documented when they are established, using the Flexible Work Arrangement Request Form online. Both the employee and supervisor should retain a copy for their records. The completed form will also be routed to University Human Resources. Some areas may have additional approval steps.
- f. The Supervisor and employee should routinely review the arrangement to make adjustments and address any concerns or challenges.
- g. Ensure there are no conflicts with CBAs.

### **B. Determining Feasibility of and Managing Flexible Work Arrangements**

- a. Supervisors should consider the impact on the unit and other units' workload and productivity.
- b. Supervisors should communicate with the staff member(s) whether or not the Flexible Work Arrangement is feasible and document the rationale for the decision.
- c. If the Flexible Work Arrangement is approved, supervisors should specify when staff are expected to be present at the work site, how they are to be available during their off site work time, and how they are to communicate their specific availability.
- d. Supervisors need to manage the Flexible Work Arrangement to ensure success of the unit and the continued feasibility of the arrangement.
- e. Supervisors should discuss the Flexible Work Arrangement with the staff member on an ongoing basis.

### **C. Discontinuing a Flexible Work Arrangement**

- a. Flexible Work Arrangements may be discontinued based on performance or the changing needs of the unit or staff member.
- b. As much notice should be given as possible when discontinuing a Flexible Work Arrangement, preferably two weeks.

### **D. Additional Considerations**

- a. Staff are to provide an appropriate workstation when working remote.



- b. University policies and standard workplace practices apply to Flexible Work Arrangements, including those at a location different from the regular work site (e.g., IT policies, department call-off procedures, etc.)

## **IX. Employee Communication**

Employees participating in flex time arrangements are accountable for maintaining sufficient communications with their colleagues and supervisors. Therefore, sharing work schedules and/or setting up recurring check-in meetings is recommended as part of all Flexible Work Arrangement plans.

## **X. Trial and Review Procedures**

Employees who received approval for FWAs may be subject to a trial period. All Departments and units are encouraged to have open dialogues regarding flexible work and integrate it as standard business practice. The determination of whether a staff member will be allowed to participate in a Flexible Work Arrangement will be made on a case-by-case basis in accordance with the needs, requirements, and constraints of the units as well as employees.

## **XI. Termination of a Flex Time Arrangement**

Flexible Work Arrangements may continue or be altered or discontinued by discretion of the manager based on the employee's performance and Oakland's business needs. Oakland University reserves the right to discontinue the arrangement at any point if the arrangements become unfeasible.

Employees wishing to terminate Flexible Work Arrangements are required to speak to their supervisor to ensure that the termination is in the best interest of Oakland.

## **XII. Non-Compliance**

Violations of these guidelines will be treated like other allegations of wrongdoing at Oakland University. Allegations of misconduct will be adjudicated according to established policies and procedures.