

# Flexible Work Arrangements

## A. **POLICY STATEMENT**

Converse recognizes that some of its employees may seek ways to achieve better work/life balance, reduce commuting costs or address other issues that affect their ability to work onsite at Converse facilities or work traditional work schedules. As such, Converse supervisors have the ability to utilize flexible work arrangements, when appropriate, to meet departmental needs while at the same time providing enhanced flexibility to employees.

## B. **PURPOSE**

Converse supports the principle of flexible work arrangements for its employees to provide for more efficient utilization of the abilities of its employees, improved service to the Converse community, and adaptable working conditions for employees.

## C. **SCOPE**

Full-time, part-time, and temporary employees.

Nothing in this document alters the at-will nature of the employment relationship or creates contractual obligations of any kind. Both Converse and employees retain the right to end the employment relationship at any time, for any reason, with or without notice.

## D. **DEFINITIONS AND ACRONYMS**

**Core Hours:** All offices and departments must be open and staffed to deliver services during established standard working hours of Converse and each department.

**Flextime:** a schedule permits variation in the daily start and/or end times for an employee but does not alter the employee's total work effort for a given week. A four-day, ten hours per day schedule is an example.

**Teleworking:** an arrangement that permits an employee to work part of the employee's schedule or the employee's full work schedule from an Offsite Work Location.

**Offsite Work Location:** the employee's teleworking work address Primary Work Location

**Supervisor:** the supervisor of record or appropriate authority (examples may be President, Vice President, Chair, Dean, Manager, etc.).

## E. **POLICY**

Converse recognizes that some of its employees may seek ways to achieve better work/life balance, reduce commuting costs or address other issues that affect their ability to work onsite at Converse or work traditional work schedules. As such, Supervisors can utilize flexible work arrangements, when appropriate, to meet departmental needs while at the same time providing enhanced flexibility to employees.

Departments are strongly encouraged to be open to alternative work arrangements with the understanding that this flexibility must be accompanied by appropriate employee accountability measures and be compatible with the operational and staffing needs of the work unit. Supervisors are expected to make sound judgments that balance the individual employee's needs with the department's needs and grant flexible work arrangements equitably for similarly situated positions within a particular work unit. Not every Converse position lends itself to flexible work arrangements, nor may every proposed arrangement be accommodated.

Beyond the benefits afforded to individual employees, additional policy considerations include balancing workplace flexibility against the needs, interests, and mission while ensuring that Converse can remain competitive relative to other employers and provide supervisors with an important tool to meet environmental and budgetary requirements challenges.

### **Types of Flexible Work Arrangements**

(1) flexible work schedules; and,

(2) flexible work locations ("teleworking" or "telework," remote work).

Below is a description of the expectations and obligations associated with each of these flexible work arrangements.

1. **Flexible Work Schedules**

- A **compressed workweek** schedule allows you to work four working days instead of five, but you must still work at least 37 hours per week.
- **Temporary Change in Work Hours**
- This change may include modifying normal work start and end times or allowing work missed one day to be made up on another. The flexibility helps the employee avoid taking leave or other paid time off that would otherwise have to be accounted for in a given week.
- A **variable workweek** allows you to work five working days, but with work hours other than 8:00 a.m. – 5:00 p.m.\*

*\*Standard hours are in place at Converse, which permits employees to work Monday through Thursday from 8:00 a.m. – 5:00 p.m., Friday 8:00 a.m. – 1:00 p.m.*

2. **Flexible Work Locations (“Teleworking” or “Telework”)** Teleworking is a work arrangement where a supervisor allows employees to perform some of their usual job duties away from their central workplace, in accordance with a work agreement. This type of arrangement is beneficial to both the employee and the employer. It can improve work performance, increase employee retention, reduce commuting costs, reduce departmental costs, allow temporary or permanent job modifications for return-to-work and/or the Americans with Disabilities Act compliance, and improve an employee’s quality of work life.

Converse makes the sole determination of which positions or employees are eligible for teleworking. Teleworking does not change the basic terms and conditions of employment. It is a management option and not a universal employee benefit or right. Some positions have job responsibilities or unique functions that do not lend themselves to teleworking (e.g., front desk receptionist, building and grounds maintenance staff, service-oriented staff, and supervisory staff).

For formal teleworking arrangements, the primary work location is the Converse worksite to which the employee is assigned. The offsite work location is the employee’s teleworking work address.

Teleworking arrangements for short-term projects, typically less than one month, brief illnesses, or an emergency situation do not require a formal teleworking agreement but follow the same general guidelines of this policy.

Work activities by those employees who are not subject to the overtime provisions of the Fair Labor Standards Act (FLSA) and those who choose to accomplish part of their job duties outside of their normal work hours, such as, but not limited to, checking email, grading papers, reading work-related documents, and returning calls, are **not covered** by this policy.

Typically, telework arrangements involve the employee regularly or primarily working from home and are sometimes referred to as “virtual” or “remote” work arrangements. The teleworking arrangement must continue to support the operational needs of the work unit and also provide for appropriate oversight of the employee’s work. Supervisors may revise or revoke a flexible work location arrangement at any time; however, supervisors are expected to provide reasonable advance notice to the employee of such revision or revocation to permit the employee to make alternate arrangements. A minimum of ten (10) business days of notice is generally considered appropriate unless employee conduct or safety issues necessitate a shorter notice period, at the discretion of management.

**Emergency Conditions**

There may be emergency conditions requiring a telework policy to be implemented by

Converse administration on a more widespread basis. In such cases, employees may be required to work from alternate sites off campus (including their homes) to meet Converse's operational needs.

The President has the authority to determine whether special circumstances exist to implement the telework policy on a required and more widespread basis. The decision will be communicated to the entire campus community.

The implementation of this provision would typically occur for no more than thirty (30) days. If Converse determines that a special circumstances provision should last longer than thirty (30) days, renewal decisions will be made in increments up to thirty (30) days. This will give both Converse and the affected employees with reasonable notice of the duration of this provision. (For example, a Category Three (3) hurricane may require three (3) weeks of teleworking, whereas a pandemic may require a longer period of time.)

In the event of special circumstances, as described in this section, employees will not be required to sign teleworking agreements. (Each department will develop and maintain updated rosters of those job duties that are deemed as mandatory and which positions qualify for teleworking under special circumstances. Departments must plan for cross-training and redistribution of "available" employees in order to prepare for contingencies likely to emerge during catastrophic or special situations.)

## F. **PROCEDURES**

Departments are encouraged to accommodate the reasonable requests of employees for flexible work arrangements when consistent with Converse's and department's objectives. Flexible work arrangements may include flextime and teleworking. Converse provides work alternatives through flexible work arrangements and teleworking. Supervisors and staff have worked together to find creative ways of meeting business needs while providing greater flexibility than traditional work arrangements.

### **1. Flexible work schedule procedure:**

Employees may request, and supervisors may grant a change in an employee's regular work schedule that is not permanent or ongoing in order to adjust for an unplanned, short-notice, or sporadic event. Supervisors have the discretion to grant temporary changes in work hours as long as the department's operational needs are satisfied and to discontinue such arrangements when deemed necessary.

Supervisors are advised to ensure that adequate supervision is provided for situations in which adjusted work schedules fall outside core operating hours. Supervisors may revise or revoke flexible work schedules at any time; however, supervisors should provide reasonable advance notice to the employee of such revision or revocation to permit the employee to make alternate arrangements. Ten (10) business days of notice is generally considered appropriate, unless employee conduct or safety issues necessitate a shorter notice period, at the discretion of management.

For flexible work schedules greater than two (2) weeks in consecutive duration, employees must complete the **Flexible Work Arrangement** request and submit it to the supervisor for approval. The supervisor will send all recommendations of approval to the Vice President or Dean for final approval.

Regardless of whether the request is approved or not, all requests must be sent to the Director Reviewed/Revised July 2022 of HR and kept in the central HR file for the employee. For complete information regarding flexible work schedules, please review the guidelines provided on the [request form](#).

### **2. Teleworking Procedure**

#### **Employee Eligibility and Selection/Approval Criteria**

For positions appropriate for teleworking,

- A. To be eligible for teleworking, an existing employee must have completed six (6) months of satisfactory employment with Converse. This six-month requirement may be waived at the president's discretion or their designee and in emergency circumstances. Employees in a warning notice of substandard performance are not eligible for teleworking.
- B. Initiation of a teleworking arrangement can be at the request of either the department or the employee. If requested by the employee, a [Teleworking Request Form](#) must be submitted for review and approval by the appropriate authority before teleworking may begin. If the supervisor initiates the teleworking arrangement, only the Teleworking Request form's Safety and IT Security sections need to be completed and must be reviewed before the teleworking may begin. If teleworking is a condition of employment, the employee will be notified at the time of hire.
- C. The supervisor, department chair, or dean/director will review the Teleworking Request form (if requested by the employee) for approval, considering the following factors:
  - 1. Needs of the department/unit and the employee;
  - 2. Employee's work duties and the ability to measure or assess work performed;
  - 3. Availability and costs of needed equipment;
  - 4. Employee's current and past job performance, as documented in performance evaluations, including time management, organizational skills, self-motivation, and the ability to work independently;
  - 5. Assessment of other employees in the immediate work unit performing similar responsibilities to determine interest;
  - 6. Effect on service and the remaining employees of the unit or department;
  - 7. Measurable objectives and results mutually agreed to by the employee and the supervisor; and
  - 8. Other items deemed necessary and appropriate.
- D. If approved, the employee and supervisor will complete a [Teleworking Agreement](#) prior to the employee beginning the teleworking program.
- E. Copies of these documents are to be kept in the department and sent to Human Resources to be placed in the employee's permanent HR file. The Teleworking Agreement should be reviewed and updated as conditions change but, at a minimum, will be reviewed annually.
- F. The supervisors, Department Chairs, or Human Resources decision of whether to grant a request to telecommute is final. If there is a disagreement between those individuals, the President's decision is final.
- G. Human Resources may grant exceptions to portions of this policy.

### **Conditions of Employment**

- A. The employee's duties, responsibilities, and conditions of employment remain the same as if the employee were working at the employee's Converse work location. The employee will continue to comply with all federal laws, state laws, and Converse policies and procedures while working at the offsite work location. Teleworking will not adversely affect an employee's eligibility for advancement or any other employee rights or benefits.
- B. The employee will be compensated for all time worked to include overtime, if applicable, leave, and travel. Travel between Converse and the employee's offsite location are not reimbursable travel expenses. Travel is a reimbursable expense when the primary work location is offsite (as a condition of employment) with the alternative work location as a Converse Office to which the employee is assigned. Required work hours, compensatory time, performance evaluations, and leave benefits will not change as a result of teleworking.
- C. Requests to work overtime, accrual of compensatory time, or use sick, annual, or other leave must be approved in the same manner as when the employee works at the primary work location and will be subject to the same rules and regulations.
- D. The actual work schedule of the teleworking employee will be determined by the supervisor and will be documented in the Teleworking Agreement. Converse must be able to contact the employee by telephone and email during the scheduled work hours.
- E. Regular communication through weekly or monthly meetings, teleconferencing, or in office days is required. The employee may be directed to report to the Converse office work location on a

scheduled or an as-needed basis. The interval and the means by which the teleworking employee should check-in with their supervisor should be documented in the teleworking agreement (i.e., face-to-face meetings, deliverables, a status report on a weekly/monthly basis).

- F. A supervisor may require a test period of up to six (6) months to evaluate the success of the teleworking arrangement.
- G. The teleworking agreement does not continue when the employee moves to a different job unless arrangements have been made to allow teleworking in the new position.

### **Designating the Offsite Work Space**

- A. The employee must agree to designate a separate workspace in the remote site for the purposes of teleworking and maintain this area in a safe condition, free from hazards and other dangers to the employee, Converse equipment, and confidential information.
- B. To ensure the safety of the workspace, the employee agrees to complete the **Safety Checklist** section as part of the teleworking request form prior to the employee beginning the teleworking program. It is the employee's obligation to ensure the safety of the offsite workspace and compliance with all health, safety, and confidentiality requirements.
- C. The employee agrees that Converse shall have reasonable access to the designated offsite workspace for all reasonable purposes, including but not limited to inspection of the space, supervision of the employee, and retrieval of Converse-owned property and information.
- D. No employee engaged in teleworking will be allowed to conduct face-to-face Converse related business with non-personnel at the offsite work location, except for those employees with a primary work location designated as offsite as a condition of employment. The employee will be liable for injuries or damages in the offsite work location to the person or property of third parties or any members of the employee's family and agrees to indemnify Converse for any such claims.
- E. The employee understands that Converse will not reimburse the cost of designated work space expenses, including but not limited to heat, water, electricity, insurance, and telecommunications equipment and services.
- F. Employees who live in rented property should review their rental lease to ensure that the lease permits business use of the premises.
- G. Converse reserves the right to inspect the designated offsite workspace to investigate whether all requirements are met.

### **Workers' Compensation**

The offsite workspace, as approved, is considered an extension of the employee's Converse office work location; therefore, workers' compensation will continue to exist for the employee when performing official work duties in the defined, offsite work space during approved teleworking hours. Any work-related injuries must be reported to the employee's supervisor immediately, and the employee must complete all necessary or management requested documents regarding the injury. Converse's workers' compensation insurer may subrogate the claim against the employee or the employee's insurance.

### **Equipment Information**

Converse may provide all or part of the equipment necessary for accomplishing work assignments, as determined by the appropriate authority. However, where agreements specify, employees may be authorized to use their own equipment. Teleworking employees must abide by Converse's policies concerning information security, software licensing, and data privacy. All official Converse records, files, and documents must be protected from unauthorized disclosure or damage and returned safely to the Converse office work location whenever requested by Converse. The employee agrees to abide by any Converse rules concerning computer equipment (including protecting personal computers against "viruses"), agrees to follow Converse procedures for network access, and takes all necessary steps to protect the integrity of the systems. Specific guidance regarding security for remote access is provided at [Campus Technology Policies](#).

- A. Converse - Owned Equipment and Documents
  - 1. Converse established security controls and conditions for the use of the Converse-owned equipment for the Converse office location will also apply to the offsite work location.

2. Data must be backed up to Converse network on a regular basis, as noted in the teleworking agreement to ensure Converse's record-keeping requirements.
  3. Teleworking employees must abide by the Business Expense Policy for all purchases and expenditures incurred for teleworking equipment or services. The Teleworking Agreement will be required to document purchases and expenditures related to teleworking and must be attached to all transactions.
  4. Support, maintenance, and repair of Converse-owned equipment will be performed only by a Converse authorized technician. The employee will be responsible for notifying the supervisor and bringing the equipment to the employer-designated repair location. Necessary maintenance and repairs on Converse-owned equipment will be performed at the employee's expense. The teleworking arrangement may be suspended/modified until functioning equipment is in place.
  5. The employee will return all Converse equipment, files, documents, and supplies immediately upon termination of teleworking or the employee's employment.
- B. Employee-Owned Equipment
1. When employees are authorized to use their own equipment Converse will not assume responsibility for the cost of repair, maintenance, or service even if the employee is engaged in Converse work at the time of the malfunction. The purchase of software and installation and configuration on employee-owned equipment are the responsibility of the telecommuter. The employee must make repairs or arrangements for repairs as quickly as possible, and the teleworking arrangement may be suspended/modified until functioning equipment is in place.
  2. Telecommuters using their own equipment must use the same security controls and protect data privacy.

### **Termination of Participation**

- A. Converse may terminate the teleworking arrangement at any time with or without cause. This termination is final in terms of administrative review. The employee may request that the arrangement be terminated, but it is at Converse's discretion to end the arrangement.
- B. Converse will give two weeks' notice of termination, if possible.

### **G. RELATED RESOURCES**

- [FLSA Standards](#)
- [HR Policies & Handbook](#)
- [Campus Technology Policies](#)
- [Business Expense Policy](#)
- [OSHA Guidelines](#)
- [Telecommuting safely](#)
- [Holiday Schedule](#)
- [Technology Checklist for Remote Work](#)