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| SUBJECT: FLEXIBLE WORK ARRANGEMENTS | Effective Date: 8-1-22 | Policy Number: 7.3 | |
| | Supersedes: New | Page 1 | Of 6 |
| | Responsible Authority: Vice President, Administrative Affairs Department of Human Resources | | |

APPLICABILITY:

This policy applies to all staff who are in good standing with the University. New hires may be eligible. Not every job, role or position is suited for a flexible work arrangement, especially those that require primarily in-person interactions on campus during core business hours to be most effective. Employees under H-1B or other work visas may not be eligible for some flexible work arrangement options. This policy does not modify the University’s procedures for submitting and approving Family Medical Leave Act (FMLA), Americans with Disability Act (ADA), Worker’s Compensation, and personal, annual and sick leave related requests. Such requests will be considered separately outside of this policy.

DEFINITIONS:

Compressed Work Schedule: A schedule with a reduction in the number of workdays in a work week and changes to an employee’s starting and departure times that are outside of a unit’s usual or standard shift. The total number of hours worked on campus in a workweek are not altered.

Flexible Work Agreement (FWA): A document that memorializes/establishes the terms of a flexible work arrangement.

Flexible Work Arrangement: A schedule that falls outside of the unit’s usual schedule or university workplace. Flexible work arrangements are not the same as an occasional need for flexibility.

Flextime Schedule: A schedule with variations in which an employee’s starting and departure times fall outside of a unit’s standard shift. The total number of hours worked on campus in a workweek are not altered.

Good Standing: An employee who is not on a probationary period, not currently on a Performance Improvement Plan, has not received less than a 3-Good on their last evaluation, and has not received a notice of discipline in the preceding two (2) calendar years.

Hybrid Schedule: A schedule that permits eligible employees to perform work both on-campus and remotely.

Temporary Alternate Workplace (Flexplace): A work location other than the employee's University Workplace on-campus, such as an alternate office, building, campus, location for a defined period of time.

Remote Work Schedule: A work arrangement in which the employee's work as assigned occurs 100% from an off-campus location.

University Workplace: An employee's workplace on any University campus or site.

POLICY STATEMENT:

Carefully planned flexible work arrangements can have many benefits, including increased productivity, competitive recruitment and retention, improved environmental sustainability and effective space utilization, and streamlined financial efficiency. These benefits aid the University with maintaining vibrant campuses and sites with effective staffing to support students and other key University constituencies.

This policy establishes a framework and criteria for flexible work arrangements that advances the mission and strategic vision of Florida Atlantic University while ensuring the stability, continuity, safety and security of University operations.

An arrangement is not a contract or guarantee of employment. The University reserves the right to modify or discontinue flexible work arrangements as the University's operations, strategy or vision changes.

Flexible Work Arrangements consist of the following:

- Compressed Work Schedules
- Flextime Schedules
- Hybrid Schedules
- Temporary Alternate Workplace (Flexplace)
- Remote Work Schedules (in limited exceptions)

Employees are expected to remain at least as productive as if they were onsite and/or during regularly scheduled hours. All arrangements are subject to periodic review to ensure that the work performed meets operational needs, objectives, and service level expectations aligned with the broader university strategy and priorities.

Arrangements shall not be used as a substitute for dependent and/or childcare. Employees participating in flexible work arrangements may not provide personal care for children/dependents during scheduled work hours.

For Hybrid, Temporary Alternate Workplace (Flexplace) or Remote Work arrangements, devices or supplies needed to perform work must be pre-approved by the unit head/Chair. All technical, technological, and other operational systems and services needed to perform the work must be readily accessible or in place. Expenses and incidental costs to work effectively such as, but not limited to, off-campus office maintenance, office furniture, equipment and internet service, shall be borne by the employee.

University regulations, policies and standard workplace practices, including, but not limited to, information and data security, apply to all flexible work arrangements.

Employees must be ready to respond to emergencies and other urgent or unexpected matters that require work, support or coverage onsite and/or during regularly scheduled hours.

Units may implement more restrictive controls than what is outlined in this policy.

RESPONSIBILITIES:

Unit Heads/Chairs:

1. Responsible for ensuring that departments and supervisors are adhering to the policies and procedures in a manner consistent with meeting operational needs, objectives, and service level expectations aligned with the broader university strategy and priorities.
2. Shall be consistent in the decision-making process regarding flexible work arrangements based on the entire unit's needs.
3. Retains the right to terminate, or modify the flexible work arrangement.

Supervisors:

1. Responsible for maintaining an appropriate level of on-campus staffing to ensure operational service excellence consistent with university goals and priorities.
2. Shall assess (periodically and as needed) the needs and suitability of flexible work options and arrangements for their teams.
3. Retains the right to terminate, or modify the flexible work arrangement in consultation with their Unit Head/Chair.

Employees:

1. May **request** a flexible work arrangement consistent with the nature of their role.
2. Have the responsibility to fulfill their job functions, perform at expected professional levels, and follow all University regulations, policies, and procedures regardless of flexible work arrangement.
3. Remain accessible, productive, and operational during their schedule and/or unit's schedule.
4. Maintain a safe and secure designated alternate workplace.
5. Notify supervisor of any change in circumstances that may require a change to the FWA.
6. Non-exempt employees: will continue to report all hours worked and leave used in the University's personnel management system, including any hours worked in excess of 40 hours in a workweek. **Employees are required to obtain their supervisor's pre-approval prior to working overtime.**
7. Exempt employees: Will continue to report leave in the University's personnel management system. **Employees are required to obtain their supervisor's pre-approval prior to taking leave.**

Applicable Vice President (for divisions other than Academic Affairs)/Dean (for colleges):

1. Shall be available to consult on the feasibility of implementing flexible work arrangements.
2. Shall approve or deny flexible work arrangement requests.

Human Resources

1. Will be available to consult on the feasibility of implementing flexible work arrangements.
2. Will serve as a clearinghouse for requests and established arrangements, ensuring compliance with this policy.

PROCEDURES:

- 1) Determining Eligibility of Employees For Flexible Work Arrangements:
 - A. Supervisor should consider factors to include, but not limited to,
 1. Consistency with unit's approach to arrangements, and impact to the unit's overall work or functioning;
 2. Ability to effectively perform functions given the duties and responsibilities of the position and essential job functions;
 3. Duration of arrangement request;
 4. Ability of the employee to adhere to all university regulations, policies and standard workplace practices; and
 5. Ability of supervisor to effectively manage employee's performance.
 - B. Periodic review of arrangements must be conducted by the supervisor to ensure that it remains to the benefit of the unit and University.
 - C. If the employee holds a non-immigrant work visa (such as H-1B, O-1, TN, J1), the department should contact the Center for Global Engagement (Global Academic Services) to verify whether the proposed flex schedule is feasible for the non-immigrant worker.
- 2) Establishing a Flexible Work Arrangement (except Remote Work Schedule):
 - A. Employee and supervisor discuss to determine flexible work arrangement options, workplaces and suitability of job role or position.
 - B. Employee initiates the request/agreement and submits for approval.
 - C. Documented and approved flexible work agreements shall be included in the employee's personnel file.
 - D. Once established, the employee may commence working according to the flexible work arrangement.
 - E. Specifics:
 1. Compressed Work Schedule:
 - a. These schedules must be set (not varying from pay period to pay period), and may be approved in a two-week pay period as follows:
 - a. Four ten-hour days and one workday off each workweek.
 - b. Four nine-hour days and one four-hour workday off each workweek (one afternoon or morning off each week).
 - b. Non-exempt employees cannot set up a schedule that exceeds 40 hours in a workweek and are required to obtain their supervisor's pre-approval prior to working overtime.
 - c. If a State or University holiday falls on an employee's regularly scheduled day off, employees who have a regular, approved schedule of more than 8 hours will earn holiday or special compensatory leave, based on the number of regularly scheduled work hours for the day of the observed holiday.
 - d. The employee has the option of reverting to the regular schedule during that pay period in which the holiday falls or use vacation leave to supplement their compressed schedule with the supervisor's approval.

2. Hybrid Schedule:
 - a. These schedules must be set with a minimum of 3 days onsite for any given work week.
 3. Flextime Schedule:
 - a. Schedules must be set and not fluctuate from week to week.
 - b. Flexible hours may occur before or after the employee's regular schedule.
 - c. Hours cannot be extended beyond an employees' schedule that could potentially result in a shift differential for non-exempt employees.
 4. Temporary Alternate Workplace (Flexplace):
 - a. Supervisor and unit head will review and may approve in alignment with the Unit/College practices and needs.
 - b. Upon supervisor and unit head approval, the form is routed to the applicable Dean or Vice President for approval, and then Human Resources for processing.
- 3) Remote Work Schedule (Off-campus 100% within the State of Florida): All arrangements require VP/Dean approval.
- A. Employee and supervisor discuss remote option suitability.
 - B. The supervisor should consult with unit head/chair to determine suitability of the position for fully remote work.
 - C. Employee initiates the request/agreement and submits..
 1. Supervisor, unit head/chair and Dean may approve in alignment with the Unit/College/Division practices and needs.
 2. Upon Vice President/Provost approval, the request/agreement is routed to Human Resources for processing.
 - D. Employee may begin working the approved remote schedule.
 - E. The documented and approved flexible work arrangement will become part of the employee's file.

Remote work outside of the United States or State of Florida requires additional review and considerations and is contingent on the nature of the role and location. The supervisor or hiring authority shall consult with appropriate university units such as, but not limited to, Human Resources and Payroll. VP/Dean approval is required.

- 4) Discontinuing or Modifying a Flexible Work Arrangement:
- A. Modifications to an approved work arrangement shall only address revisions to the established parameters (such as, but not limited to, work hours and work days). Moving from one work arrangement schedule to another, such as compressed to hybrid, does not constitute a modification, and instead a new request must be submitted and approved.
 - B. Any agreed upon modifications to established agreements must be documented and filed with the agreement.

- C. A supervisor shall terminate/modify an established arrangement with advance written notice of at least 15 calendar days.
- D. In the event of a campus emergency or other matter that requires an employee to report to their assigned campus/location, notice of less than 15 days is permitted.

INITIATING AUTHORITY: Vice President, Administrative Affairs

RELATED INFORMATION AND DOCUMENTS:

Flexible Work Arrangements Website: https://www.fau.edu/hr/employee_relations/flexwork.php

POLICY APPROVAL
(For use by the Office of the President)

Policy Number: 7.3

Initiating Authority

Signature: _____ Date: _____
Name: Stacy Volnick

Policies and Procedures

Review Committee Chair

Signature: _____ Date: _____
Name: Donovan Diaz

President

Signature: _____ Date: _____
Name: Dr. John Kelly

Executed signature pages are available in the Office of Compliance