

3.4.7 Flexible Work Arrangements (FWA) (Previous Policy Created 12/14/15)

Effective Date: August 1, 2022

ADMINISTRATIVE RESPONSIBILITY: Associate Vice President and Chief Human Resources Officer

PURPOSE

To define authorized Flexible Work Arrangement (FWA) components and how they are administered by the University. The University reserves the right to terminate, continue, or modify this offering and policy at any time, with or without notice.

SCOPE

This policy applies to all employees and supervisors involved in Flexible Work Arrangements, approvals, related policies, and procedures.

DEFINITIONS

Terms	Definitions
Supervisor	Employee’s immediate supervisor of record to whom the employee reports.
Flexible Work Arrangements (FWA)	Work schedules and work locations that fall outside of a department’s established schedule and location(s). See the FWA options listed in the Definitions below
Remote Work & Hybrid Work**	Remote Work is working from home or other locations outside of the campus. Hybrid Work is a combination of on-campus and off-campus working usually based on a pre-approved schedule. The University reserves the right to specify a required minimum number of weekly on-campus work days. This number may vary based on position type and other criteria, to include critical needs and peak academic and operational times (Please refer to #1 In POLICY for further details).
Flex Time	Flexible work hours in which starting and ending times can vary by the day at the employee’s choice with supervisor approval of the arrangement, but with noted core business hours of operation during which the employee must work. Core hours are determined by the department leadership based on operational and academic needs. For example, core hours could be from 10am to 3pm – Monday - Friday. The employee still works their regular number of total scheduled hours (full or part time) per week plus any approved overtime. Employees cannot utilize lunch periods and break time to meet their daily/weekly work hour requirements.
Alternative Schedule	A schedule adjustment allowing the employee to change their start and end times, and this becomes their regular work schedule. This applies to full-time schedules 37.5 hours (or 40 hours). Example: A schedule of 7:30 a.m. - 4:00 p.m. as opposed to 8:30 a.m. – 5:00 p.m. (37.5 hours). Once agreed upon, the schedule remains consistent until an approved change is made. Employees cannot utilize lunch periods and break time to meet their daily/weekly work hour requirements.
Compressed Workweek	A 37.5-hour (or 40-hour) work week compressed into fewer than five work days; typically 4 days. This FWA type is usually offered for department wide usage for specified periods (summer months, as an example), but could be used by individuals as well. If it is a department-

Terms	Definitions
	wide initiative, individual employees may opt out. Compressed work weeks can be modified or cancelled in whole or in part at management’s discretion due to holidays or other operational and academic needs. Employees cannot utilize lunch periods and break time to meet work day/week hour requirements.
FWA Guidelines & General Information	Guidelines established to provide further information and expectations for leadership and employees for establishing, approving, working with, and managing FWAs.
FWA Decision Criteria Guide	Guide to assist managers in determining an employee’s or a position’s eligibility for an FWA and the type(s) of FWAs that are appropriate.
Flexible Work Arrangement Request Form	Web-based form to be completed by the employee to request an FWA. This form is submitted to and reviewed by the employee’s supervisor. The supervisor makes the decision to approve/deny, or modify the request. Once complete, the form is submitted for electronic recordkeeping.

POLICY

The University reserves the right to establish work schedules and determine staffing resources based upon the needs of individual departments, however, to provide flexibility to balance an employee’s professional and personal work needs, the University allows a Flexible Work Arrangement (FWA) program. FWAs are subject to management’s approval and it is management’s discretion to determine if a job is suitable for an FWA. Management also has the authority to modify the manner and/or timing of how/when job duties are performed to accommodate an employee’s FWA request, subject to compliance with any applicable collective bargaining agreement (CBA) and university policies, so that employees may have the opportunity for an FWA, even if on a periodic basis.

Eligibility This policy applies to full-time and fractional-time university employees including non-faculty academic staff.

While most employees are considered eligible to request an FWA, all positions may not be eligible to participate due to the nature of their positions requiring specific work locations and schedules (e.g., critical infrastructure workers). Under normal circumstances, instructional employees and those with teaching responsibilities will not be eligible for an FWA. Individuals on probation, corrective action, a performance improvement plan, or with less than satisfactory job performance, may not be eligible for an FWA. Employees who have questions about FWAs or who may need special considerations should, first, contact their supervisor, and then their [Human Resources Consultant](#), if still needed, to discuss their needs. Employees who may need an FWA accommodation due to their own personal health concerns should contact the [Office of Equal Opportunity \(OEO\)](#).

- I. A maximum of 2 remote days/week will be allowed for positions whose work can be performed remotely.
- II. Additional on-campus work will be required during critical or peak times of the year or to participate in meetings, activities, and events. Department supervisors will determine those times and communicate staffing needs in advance of such scheduling changes.

- III. Supervisors may authorize an FWA, which may be outside of the normal guidelines, based on differences in positions, roles, employee class, or for temporary extenuating circumstances, as needed. This will be done on an individual basis and is dependent on the employee's request and the academic and operational needs of the unit. Such requests also require at least 10 working days' notice and the approval of the Dean, AVP, or VP. Shorter or longer notice periods may be appropriate depending on the needs of the department and employee. The [FWA Decision Criteria Guide](#) can be helpful to assess scheduling needs.
- IV. FWAs may be discontinued or modified by the supervisor, based on the changing academic and operational needs of the department and/or at the employee's request. Such changes should be reviewed by the Dean/AVP/VP. FWA's can also be discontinued or modified if the University changes or terminates its FWA program.
- V. Decisions to approve or deny FWA requests must be based on clear, business-based, non-discriminatory reasons.
- VI. Employees must complete the [FWA form](#) and submit it to their supervisor for review and approval. It is management's discretion to determine if a job is eligible for an FWA.
- VII. An FWA can include a combination of flexible days, flex time, and other alternate schedules with the supervisor's approval.
- VIII. All FWAs will be granted based on the academic year of August 1st to July 31st. New FWA forms only need to be completed and approved if FWAs change.
- IX. In cases of transfers and promotions, FWAs may be modified, reviewed, and approved by the supervisor based on the employee's new role, classification level, performance, and job/unit expectations.
- X. FWA requests should not be treated the same as an occasional need and request for flexibility, which a supervisor can consider/approve on a case-by-case basis. Documentation of these types of requests is also recommended to prevent confusion on the terms and/or duration of the FWA.
- XI. Employees are expected to comply with all University policies, procedures, and collective bargaining agreements at all times regardless of the status of an FWA.
- XII. Employees are required to inform their supervisor if their designated remote work location changes to a location other than originally approved.
- XIII. Employees working remotely may be required to work in-person, on campus, if requested by the supervisor. In such cases, a "replacement" remote work day may be requested, but is not required to be provided by the University. Employees will not be reimbursed for mileage if required to come to work on campus.
- XIV. The employee is required to maintain any equipment provided by the University for remote work, in compliance with the University's Acceptable Use Policy. Any hardware or software purchased by the University remains the property of the University and must be returned to the university upon request. Employees will be required to report timely any damage to university equipment.

The employee may be responsible for any damage, loss, or theft to university-owned equipment or property arising out of the employee's negligence. Please refer to <https://risk.wayne.edu/> for additional details.

- XV. Employees will perform work only on University networks with University software. Employees will only access University networks through secure VPN access software.
- XVI. Performance expectations of employees with an FWA remain the same, regardless of the employee's type of work schedule or location. Likewise, supervisors continue to be responsible for managing and supporting an employee's success.
- XVII. Employees on FWAs must comply with university policies and standard workplace practices including information technology security and data policies, attendance standards, time reporting methods, etc. Non-exempt employees working remotely are required to adhere to all attendance and time reporting requirements including receiving approval to work overtime.
- XVIII. Dependent Care - Remote working cannot be used as an alternative method to provide dependent care. Employees need to ensure that dependent care responsibilities do not interfere with their agreed upon work schedule or completion of work.
- XIX. The employee will incur all costs associated with a remote work FWA including, but not limited to, travel, lodging and meals, internet connectivity, mobile devices and computer equipment, if not provided by the University. Some remote work expenses may be reimbursable the APPM section 1.3.1, "Expense Guidelines". Employees working remotely will not be eligible for mileage reimbursement if required to travel to campus on a day when they are scheduled to work remotely.
- XX. The University will provide computer and related equipment for a single workstation. The University will not be able to provide employees with duplicate equipment for remote work.
- XXI. Employees agree to maintain, for the purposes of Worker's Compensation liability, the hours and location of work stated in the agreement. The supervisor must be notified timely if there is a change. Employees also agree to maintain a reasonably safe remote work environment, free from known hazards that could cause an occupational injury/illness. Any work-related injuries or safety issues experienced when working remotely need to be reported timely to the Office of Risk Management following the reporting guidelines outlined at <https://risk.wayne.edu/>.
- XXII. The FWA program will be assessed for its effectiveness by Human Resources and Executive Leadership on an annual basis. Decisions to modify, continue or cancel the FWA program will be made by the University based on this assessment.
- XXIII. Neither this policy nor any formalized flexible work arrangement can override, supersede or violate any University policy, collective bargaining agreement, local, state, or federal law.

Nothing herein shall restrict or otherwise interfere with an employee's rights under the Family Medical Leave Act (FMLA) or the Americans with Disability Act (ADA). These policies do not apply to an employee's request for leave under the FMLA or a request for a reasonable accommodation for a medical condition under the ADA. Requests for FMLA leave must be made through [FMLA Source](#). Requests for a reasonable accommodation for a disability under the ADA must be made through the [Office of Equal Opportunity \(OEO\)](#).

Employees must have employment authorization for each proposed work location. For individuals who are on an Immigration status, (e.g. H-1B, TN, E-3 or J-1 status-holders), a change or addition of employment location (including permission to work remotely), may result in the need to update the individual’s immigration record or the filing of an amendment petition with United States Citizenship and Immigration Services (USCIS). If this applies, please contact the Office of International Students and Scholars (OISS) for further information.

PROCEDURE

For an FWA Request, Decision and Escalation

Responsibility	Actions
Employee and Supervisor	1. Review the FWA Policy, FWA Guidelines and General Information and FWA Request Form
Employee	2. Completes and submits the Flexible Work Arrangement Request Form to their supervisor for consideration.
Supervisor & Employee	3. Together, discuss the details and reason for the FWA request.
Supervisor	4. Reviews and approves or denies the FWA Request. This decision should be made within a reasonable period of time: Ten (10) workdays is a reasonable timeframe. Reference the FWA Guidelines and General Information for additional considerations.
Supervisor	5. Communicates to the employee their decision to approve or deny the FWA request and the rationale for, if the request is modified or denied.
Supervisor	6. Supervisor ensures the FWA Request form is completed and submitted.
Employee, Human Resources, Supervisor, 2nd Level Manager	7. Escalation of employee concerns if FWA request is not approved: If the employee cannot reach agreement with their supervisor, the employee may contact their HR Consultant to discuss the nature of the concern. The HR Consultant will discuss the employee’s concern with the supervisor and seek to facilitate a resolution. If a resolution is not achieved, the employee may request that the HR Consultant elevate the concern for resolution to the 2 nd level manager. The 2 nd level manager will review the concern and make their determination on the request and the decision will be final. Human Resources’ role is not as a decision maker in the process, but to advise and facilitate a potential solution.

APPENDICES/RELATED UNIVERSITY/BOARD POLICIES

EFFECTIVE DATE: August 1, 2022

REVISED DATE: TBD

REVIEWED DATE: *To be reviewed, at minimum, every three years and/or revised as needed by:*

NEXT REVIEW BY DATE: July 31, 2025

SUPERSEDES POLICY: 3.4.7 Flexible Work Arrangements

HISTORICAL DATES

The policy was new on 12/14/15

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