East Stroudsburg University Flexible Work Arrangements

Program: Flexible Work Arrangements

Responsible University Office: Office of Human Resources

Effective Date: September 7, 2020

I. SCOPE OF PROGRAM: This program addresses the University’s flexible work arrangement options and applies to all eligible employees as defined below.

II. DEFINITIONS: As used in this program, the following terms shall have the meanings indicated.

A. “Employee” for the purposes of this policy, means any benefited exempt and non-exempt University employee who is paid by the University through its payroll system.

B. “Department” means the department in which an employee is employed.

C. A flexible work arrangement (“FWA”) is an arrangement that is different from a department’s normal work schedule and/or location that accommodates the needs of employees and their departments.
   1. An FWA may include working different hours or schedules from the norm (for example, 6:00 am to 2:30 pm instead of 8:00 am to 4:30 pm) or telecommuting or working at a location remote from the office.
   2. A compressed workweek schedule must include a minimum of eight out of ten workdays over a two-week period and comply with the terms of the CBA for covered employees.
   3. An employee and supervisor do not need to enter into an FWA arrangement if the employee’s adjusted start time is within two hours of the department’s regularly scheduled start time.
   4. An FWA must still equate to the same standard hours an employee currently works, (if there is a change in standard hours please contact the Office of Human Resources to determine if the proposed schedule is available, askhr@esu.edu ).

III. PROGRAM STATEMENT: East Stroudsburg University of Pennsylvania recognizes the growing demands on employees that have both professional and personal responsibilities, as well as the increasing challenge of finding new and better ways to manage people, time, space, and workload effectively. Flexible work arrangements are a critical means of maintaining job satisfaction and quality of life among University employees. Flexible work arrangements provide employees with the flexibility needed to balance work and personal responsibilities. Flexible work arrangements can promote productivity, enhance job satisfaction, enable recruitment and retention of valuable employees, contribute to environmental sustainability, and strengthen the University’s position as an employer of choice.

The University permits the use of flexible work arrangements when they are pre-approved, accommodate the personal or family needs of employees, assist in meeting operational needs and requirements, and are consistent with the maintenance of a high level of service by the University. Flexible work arrangements are approved on a case by case basis and this policy does not guarantee
that all requests will be approved. The University reserves the right to revoke approval of a flexible work arrangement and require the employee to revert to normal work hours/locations.

IV. PROGRAM STANDARDS AND PROCEDURE

A. FWA Application Procedures.

1. An employee seeking an FWA must complete the FWA request form (see attachment) and submit it to his or her supervisor and department head. If an employee is seeking accommodations under the Americans with Disabilities Act or the Rehabilitation Act, the employee should be directed to the Human Resources Office for assistance.

2. The supervisor and department head must review the FWA request and either approve it, approve it with additional provisions or modifications, or deny it. If a request for an FWA includes a request for telecommuting and the supervisor and department head wish to approve that request, the employee and the supervisor shall enter into a telecommuting agreement using the form below.

3. If a request for an FWA is denied, the reasons must be communicated to the employee and the decision will be final.

4. Approved FWA requests must be forwarded to the Human Resources Office for inclusion in the employee’s personnel file and updating the work schedule/location.

5. The Office of Human Resources is available as a resource to staff and departments in assessing and resolving potential FWA issues that may arise.

B. The Process for Approving an FWA

1. Assessing the feasibility of an FWA should be a collaborative effort between employee and supervisor. The goal is to arrive at an arrangement that will be productive for the employee, other employees in the department, and the department itself. An FWA will be deemed feasible only if it results in no reduction in a department’s service, quality of work, productivity or security, and does not pose an unacceptable risk to the information accessed, processed, stored, or transmitted under the FWA.

2. The employee’s supervisor and department head must approve the FWA. Once approved by the supervisor and department head, the FWA must then be submitted to the Human Resources Office.

3. If an FWA is approved, it will be implemented for a specified, predetermined period of time (not to exceed one year) that can be extended only by mutual agreement of the employee and supervisor. The department will evaluate the effectiveness of the FWA after six months and at every annual performance appraisal. If changes are made to the FWA or the employee returns to the original schedule/location, the designated HR Liaison must alert the Human Resources Office to this change.

4. If the supervisor or department head that approved the FWA leaves his or her position, the new supervisor or department head, in his or her discretion, will review and then either continue or cancel any FWA in that area.
5. An FWA may be discontinued at any time if it is determined by the supervisor or department head to no longer meet the operational needs of the department. In the event an FWA is discontinued, the department will notify the employee as far in advance of the discontinuation as is feasible under the circumstances.

6. An employee covered by a collective bargaining agreement shall be eligible for an FWA only to the extent permitted by the collective bargaining agreement between the applicable union and the University.

C. Special Employee Requirements under FWAs.

1. An employee with an FWA may, on occasion, need to work a regular schedule, attend an important meeting at the regular location, or participate in a training session outside of FWA hours/location. The employee’s supervisor will give reasonable notice when special meetings or limited-duration alterations in FWA hours are necessary, and it will be the responsibility of the employee to make appropriate arrangements to attend.

2. The University may establish flexible work hours/locations as a condition of employment, based on its operational and business needs. In such cases, this requirement will be specified when the position is advertised and in correspondence offering employment. All employees with FWAs must abide by all policies of the University, regardless of the location of the work, and all employees must accurately record all working time.

D. Benefits and Pay Implications of FWAs.

1. Employees with an FWA will receive the same pay and benefits as they would if they were working the same number of hours per year without the FWA. Under no circumstances may an FWA result in additional overtime obligations.

E. Holidays and Other Paid Leave When the FWA Involves a Compressed Work Schedule.

1. Paid holidays, vacation, and sick days are based on a workday of 7 ½ or 8 hours. When a paid holiday falls on an employee’s regularly scheduled workday on a compressed work schedule, the employee will be paid 7 ½ or 8 hours of holiday pay. If the employee’s regularly scheduled workday is greater than 7 ½ or 8 hours, the employee may:
   a. Elect to use vacation or other paid time off to make up for the time in excess of the 7 ½ or 8 hours the employee was scheduled to work;
   b. Elect to forego compensation for the difference (unpaid time off);
   c. Work additional hours during the same workweek in lieu of using accrued paid time off, with prior supervisory approval.

2. When a paid holiday falls on an employee’s regularly scheduled day off on a compressed work schedule, the employee will be paid 7 ½ or 8 hours of holiday pay and will be given an alternate workday of 7 ½ or 8 hours off during the same workweek as the holiday. If the alternate scheduled workday is greater than 7 ½ or 8 hours, the employee may:
a. Elect to use vacation or other paid time off to make up for the time in excess of the 7 ½ or 8 hours the employee was scheduled to work;

b. Elect to forego compensation for the difference (unpaid time off);

c. Work additional hours during the same workweek in lieu of using accrued paid time off, with prior supervisory approval.

3. If an employee whose regularly scheduled workday on a compressed work schedule is greater than 7 ½ or 8 hours takes vacation or sick time during a regularly scheduled workday, the employee’s vacation or sick time balance will be deducted by the number of vacation or sick hours used, up to the number of hours in the employee’s regularly scheduled workday.

F. Employee Information Security Responsibilities under FWAs.

1. All employees, including those with FWAs, are responsible for adhering to policies, laws, and regulations for information security and confidentiality. Employees must exercise due care in protecting the University’s IT resources—including its data, devices, and systems—irrespective of work location or arrangements.

2. An employee with an FWA is responsible for ensuring that all hardware, software, and other equipment used to perform work according to an FWA are properly configured and maintained and that they are sufficient for the University’s business needs, including security and quality of work.