



# FINAL POLICY

## POLICY APPROVAL TEMPLATE

<b>Policy Name</b>	Flexible Work Arrangements and Teleworking Policy
<b>Policy Category</b>	Human Resources
<b>Policy Approved By</b>	Senior Vice President
<b>Responsible Division Head or VP</b>	Senior Vice President for Student and Campus Life & Chief Health Officer
<b>Responsible Department</b>	Human Resources
<b>Responsible AVP or Director</b>	Director of Human Resources
<b>Original Policy Date</b>	1/1/2021
<b>Last Known Revision Date</b>	1/1/2021
<b>Current Policy Effective Date</b>	8/1/2021
<b>Recommended Policy Review Date</b>	7/1/2023
<b>Policy Applies To</b>	All Employees
<b>Additional Authority/References</b>	Business Expense Reimbursement Policy, Confidentiality Policy, <a href="#">Information Retention Policy</a> , <a href="#">Acceptable Use Policy</a> , <a href="#">Administrative Data Management and Access Policy</a>

### POLICY PURPOSE

The purpose of this policy is to define flexible work arrangements and telework and outline the requirements and responsibilities of both the employee and the College.

### BACKGROUND

Albright College is a residential college and is committed to having students experience regular community on campus. At the same time, the College recognizes the importance of allowing flexible work arrangements when it is mutually beneficial to both the College and the employee and supports continuity of operations.

The College allows flexible work arrangements in order to recognize the varied and changing personal needs of employees, to support staff and faculty as they encounter work/life concerns, and as a means to promote productivity and increased efficiency, job satisfaction, and staff recruitment and retention. Flexible work arrangements can look different for every employee and include options such as starting or ending the day earlier or later or working remotely for a portion of the work week.

Telework is one form of a flexible work arrangement that allows employees to work at home, on the road (when a secure network is available), or in a satellite location. Telework can look different based

on the individual employee’s situation. It can be informal, such as working from home for a short-term project, during a college designated closure, illness, pandemic, or on the road during business travel. It can also be a formal, set schedule of working away from the office. Either an employee or a supervisor can suggest telework as a possible work arrangement.

**DEFINITIONS**

TERM	DEFINITION
<b><u>Flexible Work Arrangement</u></b>	A work schedule that allows an employee to work their standard number of weekly hours at non-standard times during a five-day work week, or to telework for a portion of the work week, while fulfilling the requirements of the staff member’s position at the College and maintaining an appropriate level of service during the College’s standard operating hours.
<b><u>Telework</u></b>	A form of a flexible work arrangement, in which some of the work is performed at an off-campus work site, such as the home or in office space near home. Communication may be by one of several means, such as phone or computer.

**POLICY TEXT**

**A. Introduction**

FLEXIBLE WORK ARRANGEMENTS allow for flexibility in arrival, departure and/or lunch times. A FLEXIBLE WORK ARRANGEMENT will not result in a change in the number of weekly hours or days of the week worked by a staff member before the FLEXIBLE WORK ARRANGEMENT is put in place. Because business needs and services within each department vary, not every position or department will be able to participate in FLEXIBLE WORK ARRANGEMENTS.

The College considers TELEWORK to be a viable form of a FLEXIBLE WORK ARRANGEMENT when both the employee and the job are suited to such an arrangement. TELEWORKING may be appropriate for some employees and jobs, but not for others. As a residential campus, no employee should be teleworking 100% of the time. Any employee that requests a FLEXIBLE WORK ARRANGEMENT that involves TELEWORK must be on campus at least 60% of their normal weekly hours. Exceptions to this 60/40 rule may be made on an individual basis with approval of department managers and cabinet members. Employees who are given permission to TELEWORK more than the 60/40 rule will be required to make arrangements to be on campus for specific meetings and events at the request of their supervisor regardless of the TELEWORK arrangement.

For those positions that are not approved to TELEWORK or utilize a FLEXIBLE WORK ARRANGEMENT, employees should notify Human Resources if they have a need for a reasonable accommodation due to a qualified disability under the Americans with Disabilities Act Amendments Act (ADAAA).

TELEWORKING is not an entitlement; it is not a college-wide benefit, and it in no way changes the terms, conditions, or at-will status of employment with Albright College. TELEWORKING employees

must continue to abide by all federal, state, local, and college policies, just as if they were working on-campus and must abide by the College's Acceptable Use Policy and Administrative Data Management and Access Policy, found in the Additional Authority/Reference section of this policy above.

Managers that have employees with FLEXIBLE WORK ARRANGEMENTS or an approved TELEWORKING schedule must ensure that their department has on-campus coverage during the College's core business hours of Monday through Friday from 8:30 am to 4:30 pm and must ensure their employees are in compliance with the College's Acceptable Use Policy and Administrative Data Management and Access Policy, found in the Additional Authority/Reference section of this policy above.

## **B. Eligibility**

### FLEXIBLE WORK ARRANGEMENT or TELEWORK

Individuals requesting informal FLEXIBLE WORKING ARRANGEMENTS or TELEWORK on occasional days, due to inclement weather, special projects, or other emergency situations where the College does not close, must be considered in good standing for performance and not classified as essential personnel or emergency essential personnel, as per the employee handbook. These temporary arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance, and will not exceed 90 days, except in emergency situations.

The manager and employee must agree to the days, times, and work to be done on the requested days of flexibility or TELEWORK. A FLEXIBLE WORK ARRANGEMENT/TELEWORK Request and Agreement form should be completed by the employee and approved by the supervisor. Other documentation may be required as determined on an individual basis. Employees are expected to abide by the safety, security, dependent care, attendance and time tracking requirements laid out in this policy.

### Long-Term/Formal FLEXIBLE WORK ARRANGEMENT or TELEWORK –

Individuals requesting a formal FLEXIBLE WORK ARRANGEMENT or TELEWORK arrangement for more than 90 days must be employed with Albright College for a minimum of 90-days of continuous, regular employment and must have a satisfactory performance rating of their introductory performance review. This 90-day service requirement may be waived, if the employee is newly hired into a role that is considered immediately eligible for TELEWORK. As Albright College's main business is as a residential college campus, employees are generally not permitted to TELEWORK more than 40% of their normal weekly hours, in order to ensure that excellent service is being provided to our residential campus community.

Before entering into any long-term FLEXIBLE WORK ARRANGEMENT or TELEWORK arrangement, the employee and manager, with the assistance of the human resource, finance, and payroll departments, and the concurrence of the divisional cabinet member, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability: The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful teleworkers.
- Job responsibilities: The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a teleworking arrangement.

- Departmental considerations/staffing levels during core business hours; all departments must have on-campus staff during core business hours and all departments must demonstrate commitment to the College's main business as a residential college campus community.
- Equipment needs, workspace design considerations and scheduling issues: The employee and manager will review the physical workspace needs and the appropriate location for the telework. The manager ensures their employees are in compliance with the College's Acceptable Use Policy and Administrative Data Management and Access Policy, found in the Additional Authority/Reference section of this policy above.
- The employee will establish an appropriate work environment at their home location for work purposes. In addition, the employee will be responsible for providing access to high-speed internet on a secure, private network, as well as being connected to the college's VPN for an additional layer of security. Albright College will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, internet access, phone service, or repairs or modifications to the home office space, or for other expenses such as utilities or cleaning.
- Tax jurisdiction nexus: because all employees are required to spend at least 60% of their working hours on campus, the taxing nexus will be the main campus (or one of the SPS sites). Even if an exception is granted to the 60/40 rule, the expectation of the College is that all employees, regardless of where they live will be on campus at least once per week, to meet the state and local tax nexus requirements.

If the employee and manager agree, and the divisional cabinet member and the Human Resources and Payroll departments concur, a Long-Term FLEXIBLE WORK ARRANGEMENT/TELEWORK Request and Agreement must be submitted by the employee and approved by all parties, and a three-month trial period will commence. If a manager does not approve the arrangement, an appeal may be made to the divisional cabinet member.

Evaluation of the teleworking 90-day trial period will include regular interaction by phone and e-mail between the employee and the manager to discuss work progress and problems. At the end of the trial period, the employee and manager will meet to discuss the existing arrangement and make recommendations for continuance, dissolution, or modifications.

Any formal, long-term FLEXIBLE WORK ARRANGEMENT or TELEWORK arrangement may be discontinued at will and at any time at the request of either the employee or the COLLEGE. Every effort will be made to provide 30 days of notice for such a change to accommodate commuting, childcare, and other issues that may arise from the termination of a FLEXIBLE WORK ARRANGEMENT/TELEWORK arrangement. There may be instances, however, when no notice is possible.

An appropriate level of communication between the employee and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the manager and teleworker will communicate at a level and frequency that is appropriate for the job and the individuals involved. Teleworking employees may not require other employees, vendors, or students to meet at their home location for meetings. If an in-person meeting is required, it should be done so on-campus or at a typical meeting location for the purpose of the meeting.

### **C. Authority**

Supervisors have the authority to establish flexible work or teleworking arrangements and are encouraged to give serious consideration to all reasonable requests, both temporary and long-term. However, arrangements should be authorized only when it is in the best interest of the College to do so. Additional approval of the divisional cabinet member, Human Resources, and Payroll are also required.

### **D. Equipment for Teleworkers**

Generally, college department positions are allocated one “standard computer set-up” to support that position’s work responsibilities. Since all employees are required to be on campus at least 60% of the work week, all equipment should remain in the office, except for devices that are meant for being mobile (i.e. laptop, tablet) and the employee is responsible for safely transporting those mobile items. The College will not issue additional equipment outside of what an employee needs for their office. Rarely, and on a case-by-case basis, with the approval of the divisional cabinet member, the College may provide specialized equipment that is required for certain special teleworking arrangements. The division must supply a budgetary source for the equipment, and the College will order the equipment to meet Albright’s standard specification requirements. Additional equipment should not be purchased using a College credit card, to maintain proper tracking, specification requirements, and approvals.

Equipment supplied by the College will be maintained by the College. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. Albright College accepts no responsibility for damage or repairs to employee-owned equipment. Albright College reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the College is to be used for business purposes only. The teleworker must sign an inventory of all Albright College property received and agree to take appropriate action to protect the items from damage or theft. The manager will be responsible for maintaining the inventory listing and for ensuring that upon the end of the FLEXIBLE WORK ARRANGEMENT/TELEWORK agreement or upon termination of employment, all College property is returned to the College, unless other arrangements have been made.

### **E. Travel and Expense for TELEWORKING Employees**

Requests for supplies should be placed through the normal Albright supply order process. This will ensure sales-tax exemption and internal controls. Any personal reimbursement for business-related expenses, not otherwise prohibited in this policy, will only be provided if it can be shown that the purchase was necessary, and solely for business purposes, or a proper accounting of personal vs. business usage is submitted. Any such reimbursement request should be submitted in accordance with the college’s Business Expense Reimbursement Policy.

Since the employee’s base location is defined as one of the College’s campus locations, no expenses/mileage for travel from home to campus will be permitted. All expenses related to travel for business needs or training opportunities that are not on the College premises, will follow prescribed IRS guidance and the Business Expense Reimbursement Policy and will be based off of the

mileage from the employee's base campus location. The employee is responsible for travel costs if the travel is not a requirement of the position.

#### **F. Security for TELEWORKING Employees**

Consistent with the College's expectations of information security for employees working at the office, TELEWORKING employees will be expected to ensure the protection of proprietary college, employee, and student information accessible from the home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment. The teleworker is responsible to ensure that non-employees do not access College data, in either print or electronic form. All documents that are no longer needed and are not required to be retained by the college's retention policy should be shredded for security purposes.

Employees must only use Albright-issued computing devices to perform Albright-related work. No personal devices or personal e-mail addresses are permitted be used for any type of work related to the College. When performing work remotely, employees must sign on to the VPN prior to starting that work.

Supervisors must ensure their employees are in compliance with the College's Acceptable Use Policy and Administrative Data Management and Access Policy, found in the Additional Authority/Reference section of this policy above.

#### **G. Safety for TELEWORKING Employees**

Employees are expected to maintain the home workspace in a safe manner, free from safety hazards. Albright College will provide each teleworker with a safety checklist that must be completed with the formal arrangement document. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by Albright College's workers' compensation policy. Teleworking employees are responsible for notifying the College of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

#### **H. Dependent Care**

Flexible scheduling and teleworking are not designed to be a replacement for appropriate dependent care. Although an individual employee's schedule may be modified to accommodate dependent care needs, the focus of the FLEXIBLE WORK ARRANGEMENT/TELEWORK arrangement must remain on job performance and meeting business demands.

#### **I. Time and Attendance Requirements**

Since employees with a FLEXIBLE WORK ARRANGEMENT or TELEWORKING agreement in place will be expected to be on campus the majority of their working hours, a campus space (dedicated or shared) will be provided. Employees may be expected to attend certain on campus meetings and events, as required by their position, even if it falls on one of the days the employee would normally flex their time or telework.

Employees that are not exempt from the overtime requirements of the Fair Labor Standards Act (FLSA) will be required to accurately record all hours worked using Albright College’s time-keeping system. For these non-exempt employees, hours worked in excess of those scheduled per day and per work week, require the advance approval of the employee’s supervisor. Failure to comply with this requirement may result in the immediate termination of the FLEXIBLE WORK ARRANGEMENT or TELEWORKING agreement.

Additionally, employees who are not exempt from the overtime requirements of the FLSA, should clock out of Albright College’s time-keeping system when not actually performing work related to the general business of the college. Recording hours worked that were not for work related to the general business of the college is considered fraud and is subject to personnel action up to, and including, termination.

All staff and administrative employees who are on a FLEXIBLE WORK ARRANGEMENT or TELEWORKING agreement, either temporarily or permanently, should submit a time away from work request, using Albright College’s time-keeping system, for any hours or days where work was not able to be performed either due to personal reasons, vacation, employee illness, or limitations on essential duties while working from home.

TELEWORKING employees must make sure they are dressed appropriately to attend any virtual meetings while working remotely.

**J. Termination of a Formal FLEXIBLE WORK ARRANGEMENT or TELEWORK Agreement**

At the conclusion of a formal, long-term FLEXIBLE WORK ARRANGEMENT or TELEWORK agreement (whether the agreement has ended at the employee’s request or has been deemed to no longer be in the best interest of the college), a “FLEXIBLE WORK ARRANGEMENT/TELEWORK Completion” form should be submitted by the employee and approved by the manager, divisional cabinet member, with notification sent to Human Resources. Any equipment that was kept at home must be returned to the College at the end of the FLEXIBLE WORK ARRANGEMENT/TELEWORK agreement.

**ASSOCIATED PROCEDURE LOCATION**

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**REVISION LOG**

DATE OF REVISION	MAJOR CHANGES <i>(Note: electronic copies of the former versions of the policy must be maintained within the unit, department, or division)</i>
1/1/2021	Original Policy
6/1/2021	Updated to reflect a conceptual change to only allow up to 40% of an employee’s time to be done via telework. Consolidated the Flexible Work Schedule and the Telework Policy into 1 holistic policy.

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**IMPLEMENTATION PLAN** - For decision-making purposes only. This will not appear in the Final Policy that is posted to the Policy Repository.

As the campus begins to re-open after the Covid-19 pandemic closure, some employees will want to continue teleworking. These employees and their supervisors will be directed to this policy for guidance.

**DECISION** – For decision-making purposes only. This will not appear in the Final Policy that is posted to the Policy Repository.

<b>Date of Draft Policy Review</b>	6/10/2021	
<b>Name of Reviewing Committee/Individual</b>	Reviewed by Cabinet – May and June 2021 Reviewed by Pandemic Task Force – June 2021 Approved by President Fetrow – June 2021	
<b>Date Approved</b>	6/10/2021	Comments: approved by President Fetrow
<b>Date Rejected</b>	Click or tap to enter a date.	Comments:
<b>Date Draft Tabled or Further Review Needed (provide comments including plan for re-submission)</b>	Click or tap to enter a date.	Comments: