Flexible Work Arrangements Program

Scope
This program applies to all regular employees.

Program Statement
RIT supports flexible work arrangements (FWAs) as a means to facilitate a desirable and productive work environment that is responsive to the changing professional and personal needs of employees in addition to meeting the business needs of the university and supporting RIT’s sustainability initiatives.

The primary criterion for determining eligibility is whether an FWA meets the business needs of an employee’s workplace. The best arrangement is the one that most effectively addresses the employee's personal needs or preferences while balancing the department's need to provide best in class services that are effective and efficient. Not all job circumstances lend themselves to FWAs, and the final decision in each case is that of the employee's manager. As applicable, managers are encouraged to seek alternatives if an employee’s original request cannot be accommodated.

FWAs do not change the basic terms and conditions of employment with RIT or the at-will nature of employment as defined by applicable federal and state law. All RIT employees are subject to RIT’s employment policies and procedures, including those set forth in the university’s governance policies, which can be found at http://www.rit.edu/academicaffairs/policiesmanual/. Responsibility for the day-to-day coordination and management of all employees will rest with the applicable department in which the individuals are assigned.

FWAs are voluntary and may be terminated by either the employee or the manager at any time. RIT reserves the right at any time, with or without advance notice, to return an employee participating in an FWA to his or her standard schedule/workplace. Every FWA will be reviewed annually.

Definitions
Flexible Work Arrangements may include (but are not limited to):

- **Flexible Hours**: the employee works a set schedule that may deviate from “traditional” business hours. Example for full-time employees (40 hours/week): Employee works from 7:00 to 4:00 Monday through Wednesday and 9:00 to 6:00 Thursday and Friday.

- **Compressed Workweek**: the employee’s standard weekly hours worked in fewer days. Example for full-time employees (40 hours/week): four ten-hour days.

- **Alternate Workweek**: fixed hours per day, but days are other than Monday through Friday. Examples: Wednesday through Sunday; or Monday through Saturday with Wednesdays off.

- **Reduction in hours** – the responsibilities of the position can be completed in fewer standard hours per week

- **Job-sharing** – two employees share one full-time position
• **Telecommuting** - A work arrangement in which some or all of the work is performed at an off-campus work site such as the home or in an office space near home. Telecommuting does not include work at home due to temporary special conditions such as inclement weather. Personal tax implications that may arise related to the off-site work space shall be the employee’s responsibility and should be researched by the employee prior to making a final decision.

• **Other arrangements that meet the needs of the department and are mutually agreed upon by employee and supervisor.**

**Eligibility**
The primary criterion for determining eligibility is whether an FWA meets the business needs of an employee’s workplace. Eligibility may vary for different types of FWAs, as some FWAs may not be appropriate for particular jobs or for certain employees. All proposals should be treated equitably, regardless of the employee’s reason for requesting flexibility. The following are a few suggested guidelines to consider when determining the propriety of an FWA:

- In any FWA, employees will be expected to meet the same performance standards as they did previously, and supervisors/managers will be expected to use the same measurement criteria that were previously in place.
- An employee will not be granted flexibility unless his or her prior performance has demonstrated the skills and qualities necessary to succeed in the proposed FWA.
- New employees may be hired into an FWA if the arrangement meets the business needs at the time of hire, with the understanding that such an arrangement may be changed if business needs change or upon the sole discretion of RIT.

**Procedures for Proposing, Reviewing and Approving FWAs**

**Employee:**
The employee submits a proposal for an FWA to their immediate manager in writing. The proposal should consider and include:

- Type of FWA being proposed (see above for descriptions)
- Current and proposed work schedule
- Reasons for the proposed FWA
- How the expectations for the position will be met under the proposed arrangement
- Effect the proposed FWA will have on: customers (external and internal), co-workers, managers, direct reports and department or office (e.g., space, cost, savings, morale, sustainability)
- How customer needs will be handled in the employee’s absence, if applicable (e.g., coverage, voicemail)
- How regular communications will be handled
- Equipment/technology the FWA requires

**Manager:**
- The manager reviews the proposal with the employee and then with the next level of supervision. Consultation with the appropriate Human Resources Manager is recommended. The determination of whether an employee will be allowed to participate in an FWA will be made on a case-by-case basis and in accordance with the needs, requirements, and constraints of both the department and the employee. Alternatives may be offered to the employee if the original proposal cannot be approved. If the FWA involves an off-campus worksite, the manager should also ensure that remote access of necessary IT systems is possible prior to approval.
• If the proposal is approved, the FWA form is completed and signed by the employee, immediate manager, and any other level of supervision required by that division or college. Additional documents may also be required.

• A copy of the FWA form and all supporting documents should be submitted to Human Resources to be kept in the employee’s file.

• If the FWA continues beyond one year, an Annual Review of Flexible Work Arrangement form should be completed each year and submitted to Human Resources.

• Any changes to the FWA must be approved in writing by the employee’s manager.

Hours of Work and Overtime
Non-exempt employees who work remotely must record their actual time worked and obtain pre-approval from the immediate manager to work any overtime. Non-exempt employees who work remotely must also take required breaks and meal periods during the workday. Non-exempt employees who work unauthorized overtime or fail to take required breaks or keep accurate time sheets shall be subject to disciplinary action, including but not limited to cancellation of participation in the FWA.

Employees who work remotely must obtain manager approval before taking vacation or sick/personal time in accordance with established department procedures. Employees working remotely who are sick and unable to work are required to report those absences when they are unable to work as they would if they were working on campus.

Non-exempt employees with an FWA should record sick/personal, vacation and holiday time as follows:

Sick/Personal - Sick/Personal time for all Non-exempt employees is calculated based on the employee’s standard hours per week. The employee is responsible for budgeting the use of this time throughout the fiscal year. Sick/Personal hours used should be no more than the number of hours scheduled for the work day missed. For example, if an employee works 4 ten-hour days and takes one of those days off due to illness, 10 hours of sick time should be entered into Kronos. If another employee only works four hours on Fridays, and takes a Friday off due to illness, only 4 hours of sick time should be entered into Kronos.

Vacation – use of vacation is subject to manager approval and should be scheduled in advance. For purposes of calculating vacation for non-exempt, extended part-time and part-time employees, the vacation is based on the employee’s standard hours; therefore, the number of hours of vacation per fiscal year is the number of vacation weeks allotted multiplied by the number of the employee’s standard hours per week. The employee is responsible for budgeting the use of this time throughout the fiscal year. Vacation hours used should be no more than the number of hours scheduled for the work day missed (see examples under Sick/Personal).

Holidays - please refer to RIT’s Holiday policy for the calculation and use of Holiday hours. https://www.rit.edu/fa/humanresources/time-off

Exempt employees who work remotely are not required to maintain timesheets, but need to keep a record of vacation and holiday time. Additional information on holiday time is available at https://www.rit.edu/fa/humanresources/time-off. Exempt employees who work remotely are required
to work a set schedule, as established by their immediate manager, although hours of work are not tracked for payroll or overtime purposes.

Employees who work remotely agree to be accessible during their scheduled work hours. RIT operational needs take precedence over telecommute schedules, therefore employees agree to forgo telecommuting if needed in the office or elsewhere on a regularly scheduled telecommuting day (e.g. meetings, training, coverage). Employees entering into an FWA may be required to forfeit use of a personal office or work station in favor of a shared arrangement to maximize the organization’s office space needs.

**Health and Safety**
Employees who work remotely are responsible for designating and maintaining a workplace that is free from recognized hazards and which complies with all occupational safety and health standards, rules, and regulations and all building codes. Among other things, home offices must be clean and free from obstructions. RIT shall be provided with access to the off-campus work site for purposes of ascertaining compliance with these health and safety rules and may deny an employee the opportunity to work off-campus or may rescind an FWA based on the safety of the workplace or any suspected hazardous materials in the workplace. For more information please refer to RIT’s Telecommuting Safety Checklist.

**Equipment**
If equipment is needed for employees to work remotely, the supply of / payment for the equipment will be outlined in the FWA document. Equipment may include, but is not limited to computers, printers, internet connections, telephones and office furniture. If RIT provides the necessary equipment, the employee agrees to use all RIT-owned equipment for its intended purpose, in accordance with the manufacturer’s instructions and in a safe manner. The employee also agrees to use RIT-owned equipment for business purposes only. The Receipt of RIT Information and Information Resources form (included in this package) should be completed and attached to the FWA document when the employee takes possession of RIT property for remote use.

RIT shall be responsible for the repair and maintenance of all RIT-owned equipment, office equipment, and furniture. The employee agrees to promptly notify RIT if any of the office equipment described above malfunctions or performs improperly or unsafely. If repairs will take some time, the employee may be required to report to and work from the RIT campus until such time as the equipment is repaired or replaced.

All RIT-owned equipment, furniture or any other items used in the performance of RIT business shall be located within the work space designated by the employee and shall be used only by the employee and other authorized RIT employees.

If the employee provides their own technology for remote use, the employee must first ensure that it meets the minimum requirements to be supported for remote work arrangements and complies with RIT security standards. Contact the ITS Helpdesk at 475-4357 to discuss technology/systems needs prior to entering into a telecommuting FWA.

RIT bears no responsibility for maintenance of and repairs to equipment owned by the employee unless specifically mentioned in the FWA document. Maintenance of and repairs to equipment owned by the employee shall be the responsibility of the employee. If repairs will take some time, the employee may be required to report to and work from the RIT campus until such time as the
equipment is repaired or replaced. Moreover, RIT shall not be liable for any loss, damages, or wear of any equipment, furniture, or supplies owned by the employee. RIT bears no responsibility for any tax implications related to the setting up of the employee’s home office or for the purchase or depreciation of equipment owned by the employee. RIT will not be responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities), associated with the use of the alternate workplace.

RIT will supply the employee with appropriate office supplies (pens, paper, etc.) for successful completion of job responsibilities.

Confidentiality
As with all employees, employees working remotely are expected to adhere to RIT policies pertaining to security and confidentiality of RIT data, its computer systems, and any other information handled by the employee in the course of his or her work.

Liability for Injuries
Employees working under an FWA are covered by RIT’s Workers’ Compensation program for injuries occurring at remote locations while performing work for RIT. Injuries that occur at a remote location will be investigated and evaluated on a case-by-case basis to determine work-related compensability in accordance with the New York State Workers’ Compensation law. The employee agrees to comply with all RIT policies with respect to reporting of workplace accidents and injuries including notifying their manager immediately (by the end of the work shift in which the accident/injury occurred). In addition, the employee agrees to complete all necessary and/or requested documents in conjunction with the injury and follow RIT’s protocol for medical treatment through RIT’s Preferred Provider Organization (PPO). Failure to adhere to these work-related injury requirements may subject the employee to discipline, including but not limited to, cancellation of participation in the FWA program.

The employee is not authorized and agrees not to invite third parties to visit their remote workplace for the purpose of conducting RIT business. All work related meetings shall take place on the RIT campus or online. The employee shall hold harmless and otherwise indemnify RIT for any injuries that occur to third parties, including members of employee’s family, at the employee’s off-campus workplace, regardless of whether these injuries occur during the employee’s normal business hours.

In the Event of Termination of Employment
Upon termination of employment with RIT, the employee agrees to return all RIT-owned property (including, but not limited to RIT-owned office equipment, furniture, business records, files, and supplies) and to either deliver or make these items available for pickup by RIT on a regularly scheduled workday between the hours of 8:00 a.m. and 5:00 p.m.