Flexible Work Arrangement
Guidelines & Procedures

Purpose

West Virginia University may permit flexible work arrangements for its employees with the approval of the respective supervisor and dean or director.

Providing flexible work arrangements can improve customer service by either extending the length of business hours or by matching business hours to the needs of customers. In addition, providing the opportunity to have such flexibility can improve employee morale and provide an important non-monetary benefit to employees.

Managing flexible work arrangements requires an understanding of federal law (requirements for overtime payment); knowledge of WVU's designation of positions into exempt (not eligible for overtime) and non-exempt (eligible for overtime) categories; compliance with WVU policies about work schedules; and implementation of flexible work arrangements in a way that is considered fair and equitable. The following guidelines are designed to help supervisors and employees evaluate the feasibility of flexible work arrangement requests. Employees in positions which do not lend themselves to flexible work arrangements are not eligible to utilize these options.

Eligibility

These guidelines pertain to work scheduling for classified, non-classified, faculty equivalent and academic professional (FEAP) employees as well as Mountaineer Temps. The opportunity to work a flexible work arrangement is a privilege, not a right. The needs of the University and the specific department must be met while considering the request by the employee to alter his/her schedule. Flexible Work Arrangements are not appropriate for all positions within the University.

Types of Flexible Work Arrangements

- **Flextime** - Schedules that permit employees to alter their starting and quitting times from the standard starting and quitting times within limits set by management. Employees must work "core time" (see definition on page 2) and work their regularly scheduled number of days during the work week.

  Example: an employee may start at 7:45 a.m., take one half hour for lunch and leave at 3:45 p.m.

- **Compressed Work Week** - A standard workweek compressed into fewer than five days:
  - ***4 day work week*** – 9 1/2 hours per day for 3 days and 9 hours worked the 4th day (37.5 hours per week; exempt employees may be required to work more) with 1 day off during the same week (in addition to weekends or other scheduled days off in place of weekends).

Example: An employee works 7:30 a.m. to 5:30 p.m. with a half hour lunch three days a week and works 7:30 a.m to 5:00 p.m. with a half hour lunch the 4th day. The employee would then get another day off during the week.

- **4 ½ day work week** – employee works 37.5 hours (exempt employees may be required to work more) in 4 ½ days during the week. The employee gets an additional ½ day off during the work week.

Example: An employee works 8:00 a.m. to 4:45 p.m. with a half hour lunch 4 days that week and works 8:00 a.m. to 12:30 p.m. with no lunch the 5th day. The employee leaves work at 12:30 p.m. one day during that week.

Note: If an employee is working a full day, it is not intended to allow him/her to work through lunch to leave early.

- **Voluntary Reduced Work Time** - With the agreement of the supervisor, the employee may reduce his/her hours, with a corresponding reduction in compensation. Usually, this is for a specific period of time (for example, reduced summer work load). **This option will affect the employee's benefit accruals**, contact the Classification & Compensation unit (293-5700) for more information regarding this option.

Setting Unit Business Hours and Employee Schedules

In general, University business hours are Monday through Friday, 8:15 a.m. to 4:45 p.m. during which time the unit must be open for business. Some University functions require 24 hour coverage, seven days per week, through an otherwise defined shift.

- **Core time** is generally regarded as the time when employees must be present for work. Although each college/department must maintain the above University business hours, the dean or director may establish core time for the group when employees must be at work; e.g. 9:00 a.m. to 3:00 p.m. The same core time concept may apply to other shifts. The primary consideration in setting unit business hours and employee schedules should be meeting the needs of students, visitors, faculty, other employees and customers served by the unit.

- Members of a work team and the supervisor of that group typically work similar schedules.

- Flexible schedules are not unpredictable schedules. The employee needs to establish starting and quitting times with approval from the supervisor and needs to have approval for schedule variations. Failing to meet those standards can be a cause for disciplinary action.

- When on-going flexible work arrangements are approved that result in a schedule greater than 8 hours per day for an employee (e.g., four 9 1/2 -hour days), the Expert Business Office (EBO) must be notified of that schedule change in writing and special attention must be paid to reporting holiday time and sick or annual leave when it occurs.

- Overtime hours are paid at the straight time rate from 37.5 to 40 hours. Overtime is paid at 1 ½ times for hours worked over 40 in the week. Supervisors may offer compensatory time off (CTO) per University policy WVU-HR-6.

- Timesheets must accurately reflect time worked on an hourly basis for non-exempt employees. Supervisors are prohibited from setting up informal tracking systems that are different than the time reported on the timesheets.

- While exempt employees can request a flexible work arrangement, it is management's expectation that exempt employees may need to regularly work beyond 37.5 hours per week to fulfill the responsibilities of their positions. The designation of **exempt employee** status means that the university is exempt from the obligation to provide overtime payment and/or an equal amount of time off for time worked in excess of the assigned schedule.

- Flexible work arrangements that would result in a loss of supervisory oversight should not be granted to any employee where there are performance concerns.

- The quality of work must remain satisfactory during the flexible work arrangement. Documented concerns about performance or conduct may be cause for withdrawing or denying flexible work arrangements.

Implementation Issues

- Before a flexible work arrangement is authorized for an individual, the supervisor should evaluate whether or not the proposed schedule change will create workflow complications.

- Flexible work arrangements are generally implemented upon a request from the employee. However, supervisors may also suggest flexible work arrangements for employees.

- **A pilot period is advised when trying out a flexible work arrangement prior to making a longer term commitment by either the employee or the supervisor.** Usually, a pilot period will not exceed 30 days, but may be extended.

- The supervisor and/or the dean or director can revoke alternative work arrangements if the needs of the unit change or if performance concerns develop. **No assignment of a flexible work arrangement is to be considered permanent by the employee or supervisor.**

- When employee requests out number available flexible work arrangements, the supervisor has the discretion to limit eligibility, as appropriate, based upon operational impact. The supervisor should use order of request, seniority, or some other method consistently applied as a means of allocating flexible work arrangement requests for similarly situated employees.

- The Human Resources - Employee Relations unit is available to assist managers in reviewing requests for flexible work arrangements and to answer questions from employees.

- Anyone currently working a flexible work arrangement must have this reapproved using the procedures outlined in this document.

Supervisor/Dean or Director Responsibilities

- Supervisors should make employees aware of flexible work arrangement options and what would be expected of them should they wish to participate. Not all positions are suited for these arrangements.

- Flexible work arrangements may limit the supervisor's ability to directly observe the employee's performance. In such instances, the supervisor must develop alternative methods for evaluating the employee's performance.

- The supervisor should clearly define for the employee what steps should be taken when a problem arises during the flexible work arrangement period if the supervisor is not present.

- It is the supervisor's responsibility to manage flexible work arrangements with other requests such as annual leave, compensatory time off (CTO) and sick leave to ensure proper coverage for the department. There may be times when a supervisor will have to temporarily adjust an individual's schedule in order to meet the operational needs of the department. In such cases, the employee will be given as much notice as possible, but may not receive a 15 day notice of a schedule change.

- After flexible work arrangements are initiated, the dean or director should periodically check to make certain that the flexible work arrangements are not causing a decrease in the service level.

Employee Responsibilities

- It is the responsibility of the employee to submit the request in writing using the Flexible Work Arrangement Form and to discuss the details of the arrangement with his/her direct supervisor.

- Once a flexible work arrangement is approved, it is the responsibility of the employee to make the arrangement a success. The employee must maintain satisfactory performance while on a flexible work arrangement. Failure to maintain this status may result in the withdrawal of the flexible work arrangement.

- If an employee desires to alter or discontinue a flexible work arrangement he/she must work with the supervisor to identify a transition plan. An employee should not expect the transition plan to be less than 15 calendar days, as the change may have an impact on other departmental schedules and services.

Flexible Work Arrangement Request Procedures

Flexible work arrangements are established by each unit, in cooperation with the respective dean or director. The immediate supervisor, with the approval of the dean or director, determines if a flexible work arrangement is appropriate for his/her unit and for which positions.

1. The employee initiates a request for a flexible work arrangement by completing the **Flexible Work Arrangement Form**.

2. The supervisor must authorize or deny the request based upon the operational needs of the unit and considering other requests. **It is recommended that the supervisor set a due date for all employees in his/her unit who wish to submit a flexible work arrangement request form upon first implementing the flexible work arrangement concept. This will allow the supervisor to consider all requests when deciding what arrangements will work for that department.**

3. If the proposal is approved, the supervisor and director/dean/designee signs the flexible work arrangement form. Copies are then given to:

    - the employee
    - the Expert Business Office (EBO)
    - Human Resources – Employee Relations Unit

4. Management reserves the right to end or modify the flexible work arrangement at any time for any reason and will give the employee at least 15 calendar days notice if possible.

Policies/Authority

1. WVU Board of Governors Policy 27 - Work Scheduling
   http://bog.wvu.edu/r/download/4232

2. WVU Flextime Guidelines Policy
   http://www.wvu.edu/~adminfin/policies/hr_policies/WVU-HR-14.html

For Assistance, Supervisors and Employees May Contact:

The Division of Human Resources – Employee Relations Unit
Phone: 304-293-8168
Email: EmployeeRelations@mail.wvu.edu