Flexible Work Program

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| Rhea Dever x2333 |
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| This policy has a related procedure. [Click to view the procedure below.](https://nmu.edu/policies/1350/Procedure/nojs) |  |

Purpose

The purpose of this Policy is to provide uniform guidance for eligible employees regarding NMU’s Flexible Work Program (FWP). For the purposes of this policy, the Flexible Work Program includes Alternate Work Schedules, Hybrid Work and 100% Remote Work.

Applicability

1) Regular, non-represented and Administrative/Professional (A/P) employees whose job duties may be performed in whole or in part from an off-campus location OR

2) Regular, non-represented and Administrative/Professional (A/P) employees whose job duties may be performed outside of standard business hours and/or days.

**Exclusions**

This policy does not apply to the following:

1)  ADA medical accommodation requests. [See Process for Requesting a Medical Accommodation.](https://nmu.edu/hr/reasonable-accommodations)

2)  Remote work that may be required as a result of state or federal mandates.

3)  Approved ad-hoc work that may be done remotely as a result of quarantine requirements or other unplanned circumstances.

4)  Positions/employees that are hired to work in a specific off-campus location (for example, Regional Admissions Counselors).

Although not covered by this policy, some aspects of the policy, including issues related to confidentiality, appropriate workspace, etc. may apply in the above situations. Supervisors should work with their employees and the Human Resources department, if appropriate, to address any relevant issues.

Policy

**Definitions**

100% Remote Work: University work that had previously been completed on campus that has been approved to be completed entirely at an on off-campus location.

Alternate Work Schedule: a work schedule which differs from the standard business hours or days that the work would typically be completed. Standard hours for full-time employees are 8:00 a.m. – 5:00 p.m. during the academic year. Standard days for full-time employees are Monday through Friday. This does not apply to positions that are expected to work variable hours and/or days or to part-time or full-time employees that were hired to work alternate hours or days.

Eligible Employee full-time and part-time, regular, non-represented and A/P employees who are able to work remotely or work an alternate schedule as established under federal law, state law, and University policies. An employee must have worked at NMU for at least one year as a regular employee (not just as a student or temporary employee) and have demonstrated effective performance in order to be considered for a flexible work arrangement.

Flexible Work Agreement (Agreement): An Agreement signed by the employee and their supervisor/manager, department head, and NMU Human Resources that specifies the terms and conditions of the Flexible Work Arrangement.

Flexible Work Program (FWP): A program designed to allow eligible employees to work either a portion or all of their normally scheduled work hours from an off-campus location or to work an alternate work schedule on campus.

Hybrid Work: University work arranged and scheduled to be completed partially on-campus and partially off-campus based on an established, approved work location and schedule.

**Policy**

A Flexible Work Program is a cooperative arrangement between the University, the Eligible Employee, and their supervisor/manager. The University recognizes that these work arrangements can be of benefit to both the University and the employee, however, they may not be appropriate in all situations.  Approval of these arrangements is based on specific job responsibilities, work assignments, equipment required, and the employee’s demonstrated work performance. Employees who are approved to work under the FWP must ensure they meet their work and work schedule responsibilities in the same way they would if they were working in their on-campus work environment, and they must demonstrate they understand the importance of the obligations the University has to our students, community and other stakeholders.

Flexible work arrangements are not an organization-wide benefit that is available to all employees and in no way changes the standard employment policies and other terms/conditions of employment.

If there is a scheduling conflict, departmental requirements take precedence over the schedule specified in the Agreement. The supervisor/manager reserves the right to temporarily or permanently rescind the Agreement if there are changes in job responsibilities that might conflict with the Agreement or if there are job performance concerns. Supervisors/managers will make every effort to provide reasonable advance notice if changes to the Agreement are needed.

All approved flexible work arrangements must have a signed Agreement in place and on file with the Human Resources Department. Agreements must be reviewed by the supervisor and employee at least every six months to determine whether the Agreement should continue and/or what, if any, changes to the Agreement should be made.

**Related Policies:
Acceptable Use Policy
Employee Use of University Resources Policy**

Flexible Work Program

Procedure

**Employee Requirements and Responsibilities**

Eligible Employees whose job duties may be fulfilled on an alternate work schedule or who duties may be partially or completely performed from an off-campus location may request to be considered for the Flexible Work Program. (See Employee Guide: Considering a Flexible Work Arrangement).  Employees must complete a Flexible Work Program Request Form and discuss their interest with their immediate supervisor/manager, explaining the nature of the FWP and the extent of the work that may be completed remotely. If the request is initially approved by their immediate supervisor and Human Resources, the Employee and the supervisor/manager will complete and sign a Flexible Work Agreement. The Agreement is not considered approved until all required signatures have been secured.

By signing an Agreement, the employee and supervisor/manager agree to an alternate work schedule or specific schedule for on-campus work and/or off-campus work.  Under the Agreement, the employee must verify that the alternate work location provides a workspace that is ergonomically correct and safe and free from hazards.  It also documents the responsibilities for both the employee and the manager and establishes expectations regarding scheduled work hours and performance including the following:

1)  Eligible employees working under an FWP will be required to attend in-person meetings and events as determined by the manager.

2) Employees must maintain the confidentiality and security of University information, ensuring compliance with FERPA, HIPAA and all other relevant policies and federal and state regulations. This may require using headsets/earbuds and ensuring a completely private space for all University-related meetings and conversations. The Employee must comply with the policies and guidelines of proper use of information technology and any other University policies or guidelines, and must work with IT support to set up proper safeguards. Breaches of information confidentiality or security, whether intentional or unintentional, must be reported promptly.

Any changes to the approved offsite location must be approved by the employee’s manager in advance, including how the employee will meet confidentiality and other requirements of this policy in the alternate location (for example, if the employee plans to work at camp rather than at home). In this case, a new signed agreement may be required.

3) Employees must follow existing University policies for requesting and reporting approved leaves of absence, including annual leave, sick leave, FMLA and other leave categories.

4) Employees must be available during all established work hours. The employee agrees that non-work responsibilities shall not compete with work responsibilities except in the case of an emergency. In such situations, the employee should consult with their supervisor/manager regarding the circumstances and resolution.  If the situation prevents the employee from performing work, the employee must take and accurately report applicable leave time.

5) Remote/hybrid employees are responsible for all data, Internet, or telephone charges, and they must have a secure and pre-approved method to access NMU’s networks remotely.

6) The employee is responsible for maintaining availability, levels of production, and quality of work at the same standard while working off campus as they would be if working on-site. Inadequate availability, reduced work production and/or poor or reduced work quality may be cause for modifications or termination of the Agreement. In such instances, the University may require the employee to immediately return to on-site work.

7) Employees cannot use the approval of an FWP for another employee as justification to approve their own FWP request. Each request will be assessed on a variety of factors including the position, the employee’s performance and skills, and the specific operational and customer needs of the department.

8) For Hybrid Workers:  If the University is closed on a day that the employee would typically work remotely, the employee is not automatically entitled to work remotely on another day. If an employee has scheduled annual leave, personal leave or other planned leave time or if an employee is sick and unable to work on a day the employee would typically work remotely, the employee is not automatically entitled to work remotely on another day. An established, consistent work schedule is key to the success of the flexible work arrangement.

9) For Remote Work: If the University closes and on-campus employees are not required to work, the remote worker is also not required to work.

The employee’s compensation, benefits (including Workers’ Compensation coverage), work status and work responsibilities will not change due to participation in a Flexible Work Arrangement.  Workers’ compensation liability will be limited to work-related injuries at a designated work space at the off-site location as opposed to applying to all areas of the remote site.

New or reinstated Flexible Work Agreements should begin with a thirty-day trial period. At the end of the trial period, the supervisor/manager and employee should meet to evaluate whether the Agreement has been effective or needs revision, and to assess the employee's performance during the 30-day trial period.  At that time, a decision will be made and communicated to Human Resources regarding whether to continue the Agreement.

**Supervisor/Manager Requirements and Responsibilities**

1)  The supervisor/manager shall communicate in advance what assignments or tasks are appropriate to be performed at the remote site, and what assessment methods will be used to measure success in meeting performance standards.

2) The supervisor/manager must maintain department operations in accordance with University policies and procedures including ensuring offices are appropriately staffed during standard business hours of operations and that calls, emails and visitor/customer needs are responded to in a timely fashion.

3)  The supervisor/manager must approve any changes to the employee’s work schedule and/or work location and document the changes in the Agreement. Each supervisor/manager retains the right to require the employee to return to the University work site or return to a standard work schedule should the work situation or the employee’s performance warrant such an action or the job duties/responsibilities change in a manner that would not allow continuation of the existing Agreement.

4) Supervisors/managers may require employees to be on campus certain hours/days and may require employees to perform specific job duties during specific hours.  In situations where this may alter the current FWA schedule, the supervisor will make a reasonable effort to ensure as much advance notice as possible.

5) Supervisors/managers may not approve any Agreements that include remote work in a state other than Michigan without first reviewing the tax and other employment related implications in advance with Human Resources.

Supervisors/managers will review FWP requests on a case-by-case basis and complete the Flexible Work Arrangement Suitability Assessment for each request received. Length of assignment for each request will be individually assessed. In addition, supervisors/managers may need to adjust Agreements based on balancing the flexibility options for other employees in the department/division. Seniority within the department or university is not a determining factor on whether an employee is able to participate in the Flexible Work Program

**Equipment**

As part of the Agreement, the employee must verify that they have appropriate equipment, software and connectivity at their alternate work location to successfully complete their duties. NMU does not reimburse or provide additional funds to establish an off-site office, including funds for furniture, additional telephone lines, additional printers, additional monitors, telephone use or utilities charges, Internet Service Provider charges, etc.  NMU equipment is for university-related projects only.  NMU equipment may not be used for unlawful purposes or for work for other employers.  Employees should not allow family members or others to use NMU equipment for other purposes.

NMU will not be responsible for the cost, repair or service of the Employee’s personal equipment.

Any hardware or software purchased by NMU remains the property of NMU and will be returned to NMU on request; work products developed while working under the FWP are the property of NMU.

The University will maintain equipment it has provided. NMU is not responsible for the temporary loss of remote work days due to equipment maintenance or repair.  If the department has alternate equipment that may be used to maintain an employee’s ability to work remotely, the department may elect to provide it to the employee.  If the employee is unable to work remotely due to equipment issues, they are expected to report to the office or obtain approved leave for time they are unable to work due to equipment or connectivity down-time.

NMU equipment no longer used by the employee must be returned to NMU.

Any software used by the employee is subject to the same restrictions on duplication and unauthorized use as software used in on-campus settings. The employee is responsible for software and configuration for work at home on non-University-owned equipment. NMU IT support staff will provide general guidance but will not troubleshoot connectivity issues on non-University equipment.