

<b>CODE:</b>	<b>PSL - 716</b>
<b>SUBJECT:</b>	<b>Alternative Work Arrangement Policy</b>
<b>ADOPTED:</b>	<b>May 18, 2020</b>

The purpose of this policy is to set the standards for a consistent process and treatment of employees regarding alternate work arrangements at Independence Community College (ICC). Availability of an alternate work arrangement is at the discretion of the college and subject to change with or without notice.

This policy applies only to non-faculty employees and any future references to employees in this policy refer to non-faculty employees.

### **Definitions**

- Telecommuting - A work arrangement in which a supervisor authorizes an employee to perform their usual job duties away from their central workplace in accordance with an active alternative work agreement.
- Flex Time – An adjusted work schedule in which a supervisor authorizes an employee to perform their usual job duties outside of normal working hours of 8am to 5pm in accordance with an alternative work agreement.
- Central Workplace – Independence Community College campuses.
- Employee - A person employed by the college pursuant to the Board of Trustees policies.
- Alternate Work Arrangement Agreement (Work Agreement) - The written agreement between the college and the employee that details the terms and conditions of an employee's work schedule whether away from or at the central workplace. Work agreements are required for any alternate work arrangement.
- Work Schedule - The employee's hours of work in the central workplace and/or in the alternate work location.

### **Procedures**

Alternate work arrangements are not to be considered a universal employee benefit or right. No employee is entitled to or guaranteed the opportunity to an alternate work arrangement. Administration is responsible for the continued successful operations of the college and thus has the sole discretion to designate positions and/or individuals for an alternate work arrangement.

Alternate Work Arrangements do not change the conditions of employment or required compliance with laws and policies. Employees working on an alternate work arrangement are subject to the same policies, statutes, and procedures applicable to all employees including, but not limited to, time and attendance and leave policies. Divisions must ensure that procedures are in place to document the work hours of employees in alternate work arrangements ensuring compliance with the Fair Labor Standards Act.

Supervisors may require employees to report to a central workplace or video conference as needed for work-related meetings or other events or may meet with employees in the alternative work location as needed to discuss work progress or other work-related issues.

If a holiday falls on an employee's scheduled day off as a result of an alternate work arrangement, the employee's supervisor will make appropriate schedule adjustments to accommodate the holiday.

Requests for alternate work arrangements should be initiated by the employee's supervisor and should establish the business justification for the alternate work arrangement.

The supervisor should consider material and equipment needs when drafting a proposal for an alternate work arrangement with the goal of making the arrangement cost-neutral, i.e., no more equipment, supplies or expense should be necessary as a result of the alternate work arrangement than would be needed in the original work location.

Approved alternate work arrangements must be initiated through a formal alternate work arrangement agreement. At a minimum, this agreement will establish:

- 1) That the agreement may be revoked any time without cause by written notification of the college or upon request by the employee;
- 2) That the agreement will be reviewed periodically for compliance and to insure the continued business justification for the work agreement;
- 3) The employee's work schedule;
- 4) The employee's work location(s);
- 5) How communications between the employee, supervisor, colleagues and others will be maintained;
- 6) Exclusions of liability for the college and the State related to injury or property damage to third persons at employee maintained home-based work locations;
- 7) An indemnification and hold harmless clause releasing the college and the State from any and all claims, demands, judgments, liabilities, losses, damages, or expenses resulting or arising from any injury or damage to any person, corporation or other entity caused directly or indirectly by the employee's acts, omissions, bad faith, willful misconduct or negligence excluding acts within the scope of the employee's employment;
- 8) The employee's status during emergency or weather-related closings.

If approved for an alternate work arrangement, the employee is expected to maintain appropriate levels of productivity and quality of work. If working from a home-based location, the employee will be expected to make arrangements which allow the work site to be a productive work environment during the agreed upon work hours. Alternate work locations are considered extensions of the employee's central work location during the time period outlined in the Alternate Work Arrangement Agreement.

The college will not be responsible for any additional costs associated with alternate work locations such as utilities, home maintenance, etc. The employee will be responsible for any tax implications of a home-based work location. For a home-based work location, the employee will be responsible for providing insurance coverage for equipment, supplies, etc. provided by the employee. The employee will be responsible for compliance with any local zoning

ordinances or other restrictions related to maintaining a home-based work site. The college will not be liable for any fines, penalties, taxes or other expenses that may accrue as a result of any violation of applicable restrictions.

Employees must follow college approved data security policies and procedure for protecting confidential information.

The employee will be responsible for securing any materials, documents and/or equipment transported from the college.

The supervisor will use the college's normal performance management system to clearly define the performance expectations and to assess the employee's performance. If a decline in performance is noted, the arrangement will be canceled.

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