

Effective Date:
01/30/2004 Revised:
06/23/2017

Telecommuting Policy

PURPOSE:

It is the policy of the Commonwealth to promote general work efficiencies by permitting agencies to designate employees to work at alternate work locations for all or part of their workweek as required by § 2.2-2817.1 of the Code of Virginia.

The purpose of this policy is to set forth the Commonwealth’s philosophy and administrative guidelines for telework programs in state agencies. Its intent is to promote telework as a means of achieving administrative efficiencies (e.g., reducing office and parking space), reducing traffic congestion and transportation costs, supporting Continuity of Operations Plans, and sustaining the hiring and retention of a highly qualified workforce by enhancing work/life balance.

The Administrative Procedures for the consistent administration of this policy are attached.

This policy is in compliance with DHRM’s teleworking policy.

DEFINITIONS:

Alternate Work Location	Approved work sites other than the employee’s central workplace where official state business is performed. Such locations may include, but are not necessarily limited to, employees’ homes and satellite offices. Employees conducting business under this definition shall be considered as teleworking.
Central Workplace	An employer’s place of work where employees normally are located.
Intermittent Teleworker	An employee who, under written agreement with his/her agency, performs his/her usual job duties in an alternate work location without a specific telework schedule.
Employee	An employee who works away from his/her central workplace either at home or at another agency-designated or approved remote work location.
VDFP Employee Eligible to Telework	A VDFP employee is eligible to telework if they meet the following criteria: Have a Satisfactory or higher EWP rating for the current year; Meet the DHRM specified employee chart of

Telework	characteristics needed to Telework; Position is contained on the current DHRM issued positions eligible to telework listing; and must be a VDFP Director, VDFP Manager, VDFP Chief (Division, Branch or Program), VDFP Regional Engineer, Chief Deputy State Fire Marshal, or a VDFP At Will employee. Additionally, an employee must be employed with VDFP 6 months before they will be eligible for the Teleworking program. A work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their central workplace, in accordance with work agreements.
Teleworker	An employee who, under formal agreement with his/her agency, performs his/her usual job duties in an alternate work location with or without a specific telework schedule at least one day per week or at least 32 hours per month.
Work Agreement	The required, written agreement between the employer and employee that details the terms and conditions of an employee's work away from his or her central workplace. Work agreements are required for Teleworking. Employees are required to re-sign their Telework Agreement each year. The telework agreement should be re-signed after the employee's yearly evaluation is completed.
Work Schedule	The employee's hours of work in the central workplace or in alternate work locations. (See DHRM Policy 1.25, Hours of Work)
Field Work	An employee conducting official VDFP business in the field, which is a location outside of their assigned office location, shall not be considered teleworking, but will be considered conducting/completing field work. Examples of these activities include, but are not limited to: teaching a VDFP training program or completing an inspection.

GENERAL PROVISIONS:

Management is responsible for managing the affairs and operations of state government; thus, agencies have the sole discretion to:

- a. Ensure employees are productive during teleworking;
- b. Develop telework programs that support their business cultures and missions;
- c. Designate positions that are eligible for fulltime, intermittent, or occasional telework; and
- d. Designate and approve employees for telework.

Conditions of Employment:

Telework assignments do not change the conditions of employment or required compliance with policies.

To the extent possible, the agency and the employee should agree mutually to teleworking arrangements. However, agencies may establish teleworking as a condition of employment, based on the agency's business needs.

In such cases, this requirement should be included when the position is advertised and in correspondence offering employment.

Compensation and Benefits:

An employee's compensation and benefits will not change as a result of teleworking.

Hours of Work:

The total number of hours that employees are expected to work will not change, regardless of work location. Employees agree to apply themselves to their work during work hours.

Agencies must ensure that procedures are in place to document the work hours of employees who telework, in particular ensuring compliance with the Fair Labor Standards Act.

Teleworking is not intended to serve as a substitute for child or adult care. If children or adults in need of primary care are in the alternate work location during employees' work hours, some other individual must be present to provide the care.

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

Attendance at Meetings:

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

Use of Leave:

Teleworking is not intended to be used in place of sick leave (DHRM Policy 4.55), Family and Medical Leave (DHRM Policy 4.20), leave used under the Virginia Sickness and Disability Program (DHRM Policy 4.57), Workers' Compensation leave (DHRM Policy 4.60), or other types of leave.

However, agencies may determine whether or not it is appropriate to offer teleworking as an opportunity for partial or full return to work based on agency policy and the criteria normally applied to decisions regarding the approval of teleworking.

Workers' Compensation Liability:

Agencies may be liable for job-related injuries or illnesses that occur during employees' established work hours in their alternate work locations.

EQUIPMENT AND MATERIALS:

The state may provide equipment and materials needed by employees to effectively perform their duties. In cases where full-time telework is a condition of employment the state should provide the necessary equipment and materials. However, where agreements specify, employees may be authorized to use their own equipment.

Commonwealth-Owned or Issued Equipment:

a. Commonwealth-owned or issued Equipment

- Commonwealth-owned or issued equipment may be used only for authorized state purposes by authorized employees.
- Employees are responsible for protecting Commonwealth-owned or issued equipment from theft, damage and unauthorized use.

b. Maintenance

- Commonwealth-owned or issued equipment used in the normal course of employment will be maintained, serviced and repaired by the state.
- Agencies should stipulate who is responsible for transporting and installing equipment, and for returning it to the central workplace for repairs or service.
- When employees are authorized to use their own equipment, agencies will not assume responsibility for the cost of equipment, repair, or service.

Note: While the use of non-Commonwealth-owned or issued equipment is permissible, Teleworkers and their agencies must be in compliance with the Virginia Information Technologies Agency's (VITA) Information Technology Standard "Use of Non-Commonwealth Computing Devices to Telework". (SEC511-00) (07/01/2007)

VDFP employees eligible for telework must bring any teleworking equipment to their assigned office location for service and repair. Submission of VITA trouble tickets should be in compliance with the agency's IT Policy.

Employee-Owned Equipment:

When employees are authorized to use their own equipment, VDFP will not assume responsibility for its cost of equipment, repair, or service.

The use of an employee's personal equipment to perform agency business is at the risk and discretion of the employee. However, it is recommended that all agency related work be performed using state issued equipment.

COSTS ASSOCIATED WITH TELEWORKING:

Agencies are not obligated to assume responsibility for operating costs, home maintenance, or other costs incurred by employees in the use of their homes or other alternate work locations for telework. Agencies may use appropriated funds for telework costs as described below if there is a business need and funding permits:

- a. Installation and basic telephone service in employee's alternate work location;
- b. Cell phones or personal digital assistants (PDAs) for business use. If cell phones or PDAs are not provided, agencies may reimburse employees for business-related long distance calls made from their personal telephones.
- c. Internet access and related services by using technologies such as cable modem, cellular service (including Broadband Air Cards), Digital Subscriber Line (DSL), Fiber-Optic cable (FIOS), Integrated Services Digital Network (ISDN), Satellite data service, Wireless Fidelity (Wi-Fi), Worldwide Interoperability for Microwave Access (WiMAX), dial-up modem access, etc.

Note: Agency reimbursement procedures must comply with those published by the Virginia Department of Accounts and must be consistently applied to all similarly situated employees.

VDFP assumes no responsibility for costs associated with an employee teleworking from an alternative location. However, if an employee is required to telework due to a state mandated emergency or deployment; an employee will be reimbursed for travel related expenses as dictated by state policy and VDFP's COOP.

Since all VDFP managers are provided cell phones, all business calls must be made using the VDFP issued cellular phones.

Security of Agency Information:

Employees must safeguard agency information used or accessed while teleworking.

Agency supervisors must grant permission according to agency procedures for employees to work on restricted-access information or materials at alternate work locations. Employees must agree to follow agency-approved security procedures in order to ensure confidentiality and security of data.

Note: See VITA's Information Technology Standard "Use of Non-Commonwealth Computing Devices to Telework".

AGENCY RESPONSIBILITIES:

Work performed in alternate work locations is considered official state business; therefore, agencies may establish specific conditions that apply to employees working in alternate locations.

Establish an Agency Policy:

Each agency must establish internal policies and procedures related to teleworking. Such policies should maximize the appropriate use of teleworking without diminishing employee performance or service delivery.

Agency policies also should:

- Identify positions that are appropriate for teleworking (See Identification of Ineligible Employees and Attachment A);
- Require work agreements between the agency and employees;
- Require compliance with local zoning regulations.

Identification of Ineligible Employees:

Each agency is responsible for identifying broad categories of positions that are ineligible for teleworking and for providing appropriate justification for that determination.

VDFP has identified the following employees as being eligible to participate in the Teleworking Program. Please note that an employee shall meet all criteria in order to be eligible to telework.

VDFP has determined employee teleworking eligibility based on the DHRM issued positions eligible to telework list as of 7-23-07 (latest revision). Based on the DHRM issued list, only full time employees are eligible and must be contained on the DHRM list, meet the DHRM skill sets required to telework and have a satisfactory EWP rating for the current year, and must be a VDFP Director, VDFP Manager, VDFP Chief (Division, Branch or Program), VDFP Regional Engineer, Chief Deputy State Fire Marshal, or a VDFP At Will employee. Additionally, an employee must be employed with VDFP 12 months before they will be eligible for the Teleworking program. Only a senior member can grant approval if less than 12 months employed.

Employees are required to re-sign their Telework Agreement each year. The telework agreement should be re-signed after the employee's yearly evaluation is completed. An employee must maintain an evaluation rating of 'Contributor' or higher in order to telework.

EMPLOYEE TELEWORKING WORK AGREEMENTS:

Develop Work Agreements:

Agencies and employees must agree to the terms of teleworking before an employee may work at an alternative work location.

Agency agreements must be reviewed and approved by the Office of the Attorney General prior to use.

The following are requirements of VDFP's teleworking work agreement:

- the duration of the agreement;
- the work schedule and how it can be changed;
- how leave is to be requested and approved by the supervisors;
- status of employees during emergency or weather-related closings affecting the central or alternate workplace under DHRM Policy 1.35, Emergency Closings;
- how routine communication between the employee, supervisor, co-employees, and customers will be handled;
- employee's performance plan/expectations;
- the equipment and/or supplies that will be used, and who is responsible for providing and maintaining them;
- any applicable data security procedures;
- safety requirements (see Attachment C for sample checklist); and
- a requirement that employees permit supervisor access to the alternate work location during normal work hours as defined by the teleworking agreement.
- comply with all state and agency rules, policies, practices and instructions;
- use agency-provided equipment/supplies only for business purposes, and to notify agency immediately when equipment malfunctions;
- notify their supervisors immediately of any situations which interfere with their ability to perform their jobs;
- maintain safe work conditions and practice appropriate safety habits;
- notify their supervisors immediately of any injury incurring while working;
- absolve the agency from liability for damages to real or personal property resulting from participation in the teleworking program; and
- be responsible for the security of information, documents, and records in their possession or used during teleworking, and not take restricted-access material home without the written consent of their supervisors.
- Monday and Friday will not be approved as an AWS or telework day.

- In the event a State holiday/closure falls during the work week, employees participating in the telework program will not be granted a telework day within that week.

A copy of VDFP's current teleworking work agreement is available at Attachment B.

VDFP TELEWORKING EMPLOYEE'S RESPONSIBILITIES:

Beginning July 1, 2008, it is incumbent for each VDFP employee to complete the following tasks:

- The employee (with the exception of senior staff) will send their supervisor/manager an email to indicate they have begun their work day.
- The employee (with the exception of senior staff) will provide their immediate supervisor/manager with a teleworking activity report upon the conclusion of their telework day.
- The telework activity report should include a high level overview of the activities/tasks completed by the employee while working in the teleworking capacity.

Work hours for all VDFP telework employees shall remain the same as regular office hours unless prior approval to modify the employee's work hours has been granted.

Employees **will not** be granted approval to participate in both the teleworking and Alternative Work Schedule (AWS). Employees will only be approved to participate in one or the other program.

The Teleworking program is a privilege for eligible employees and it is incumbent upon each employee to follow the guidelines set forth within the program. A failure to comply with the guidelines of this policy may result in a supervisor revoking or suspending an employee's ability to participate in this program.

In an effort to conserve state resources, employees conducting out of office business may choose to return to their home and telework to complete their business day if their home location is closer than a VDFP office. In this event, prior approval from the employee's supervisor should be received. For employees that regularly complete field work, teleworking from the field location or from an alternative workplace location is acceptable given the alternative work location is closer than the employee's central workplace/office. Please see the definitions section for the official definition of an intermittent Teleworker.

The intent of the Teleworking program is to reduce the Agency's vehicle gas consumption and total in-office natural resource consumption. As such, it is not advantageous for an employee to begin their work day in the office and then return home to Telework, unless the need for teleworking is necessitated by a business need. If this situation occurs, an employee's supervisor/manager shall approve the modified/revised work schedule.

- As of 06/08/2017 VDFP eligible Telework employees are eligible to telework one (1) day a week with the exception of Monday and Friday. In the event a State holiday/closure falls during the work week, employees participating in the telework program will not be granted

a telework day within that week.

In the event an employee eligible for teleworking is in need of an extended Telework schedule to complete an Agency assigned project, the Agency's Executive Director shall approve an extended telework schedule, but the extended telework schedule will only be applicable to the employee's project and will expire upon completion of the project/assignment.

Each VDFP employee must complete a telework agreement prior to beginning the telework program. Additionally, each VDFP employee participating in the telework program must renew their telework agreement during their Annual Employee Evaluation.

TERMINATION OF TELEWORKING AGREEMENT:

The agency may terminate the teleworking agreement at its discretion. Agencies should give employees advance notice if a decision is made to terminate a teleworking agreement; however, advance notice is not required.

MANAGERS AND SUPERVISORS TRAINING:

Agencies should encourage the successful and appropriate use of teleworking within the agency by providing training to supervisors and managers in effectively managing Teleworkers.

VDFP has a Managing Teleworker training course available through the Virginia Learning Center (VLC)-portal. All Managers with teleworking employees are encouraged to take this course.

REPORT IN PMIS:

Agencies must determine which positions are appropriate for teleworking and enter the information into the Personnel Management Information System when they:

- establish a position (PSP 130),
- re-establish a position (PSP 131), or
- change the designation of the position (PSP 160, Field Change).

Reporting:

The agency head or designee shall annually report to the Secretary of Administration on the status and efficiency of teleworking and participation in alternative work schedules, including

specific budget requests for information technology, software, or other equipment needed to increase opportunities for teleworking and participation in alternate work locations.

AUTHORITY:

The Director of the Department of Human Resource Management (DHRM) is responsible for the official interpretation of this policy pursuant to the authority provided § 2.2-1201 of the Code of Virginia. DHRM reserves the right to revise or eliminate this policy as necessary.

The Virginia Personnel Act, Code of Virginia § 2.2-2900 et. seq. specifies that agency heads shall be the appointing authorities of their respective agencies and shall establish methods of personnel administration within their agencies.

Agencies may supplement this policy to accommodate specific business needs. Supplemental policies must be consistent with the provisions of DHRM policy and must be communicated to all agency employees.

INTERPRETATION:

The Director of the Department of Human Resource Management is responsible for official interpretation of this policy, in accordance with §2.2-1201 of the Code of Virginia.

Questions regarding the application of this policy should first be directed to VDFP's Senior Staff. Additional questions can be directed to the Department of Human Resource Management's Office of Agency Human Resource Services.

The Department of Human Resource Management and VDFP reserves the right to revise or eliminate this policy at any time.

Related DHRM Policies:

Policy 1.25, Hours of Work

Policy 1.35, Emergency Closing

Policy 1.40, Performance Planning and Evaluation

Policy 1.60, Standards of Conduct

Policy 4.20, Family and Medical Leave

Policy 4.55, Sick Leave

Policy 4.57, Virginia Sickness and Disability Program

Policy 4.60, Workers' Compensation

Resources

Teleworking Guide to Best Practices and related resources
<http://www.otpba.vi.virginia.gov/telework.shtml>

Telework Assistance and Guidance for Agencies
<http://www.dhrm.virginia.gov/resources/telecommute/information.html>

ATTACHMENT A

An employee wishing to telework must receive their manager's authorization prior to starting a teleworking schedule. The manager will make the determination if an employee is eligible to telework. In order for an employee to meet the teleworking requirements 1) the employee's position must be contained on the DHRM Positions Eligible to Telework; and 2) the employee must possess the following characteristics stated below; 3) the employee must have a satisfactory EWP review for the current year; and 4) must be either a: VDFP Director, VDFP Manager, VDFP Chief (Division, Branch or Program), VDFP Regional Engineer, Chief Deputy State Fire Marshal, or a VDFP At Will employee. Additionally, an employee must be employed with VDFP 12 months before they will be eligible for the Teleworking program. Only a senior member can grant approval if less than 12 months employed.

Determining positions that are appropriate for teleworking

In making decisions about which positions are appropriate to designate or approve for teleworking, agencies should thoroughly analyze the duties of positions and how the work is performed.

Generally, the following types of positions may be appropriate for teleworking:

- Require independent work
- Require little face-to-face interaction
- Require concentration
- Result in specific, measurable work products
- Can be monitored by output, not time spent doing the job

Employee qualities that are appropriate for teleworking

In making decisions about which employees are designated or approved for teleworking, agencies should review the work qualities of employees, in addition to ensuring that their positions are appropriate for teleworking.

Generally, employees who are successful in teleworking:

- Are able to work productively on their own
- Are self-motivated and flexible
- Are knowledgeable about the job

- Have a low need for social interaction
- Are dependable and trustworthy
- Have above average performance records
- Are organized
- Have good communication skills

Please contact Senior Staff for a listing of positions that are currently eligible for teleworking (DHRM list as of 7-23-07).

ATTACHMENT B

The following constitutes an agreement on the terms and conditions of telework between:

Agency: _____ Date: _____

Employee: _____ Date: _____

1. Employee agrees to participate in telework and to adhere to applicable guidelines and policies. ____ YES ____ NO
2. Agency concurs with employee participation and agrees to adhere to applicable guidelines and policies. ____ YES ____ NO
3. Employee agrees to participate in telework for an initial period not to exceed one year, beginning _____ and ending _____.

NOTE: This agreement may be extended beyond the initial one year period, if agreeable to the agency and to the employee. In such case, the terms of this agreement should be reviewed and updated as necessary.

4. A copy of the Telework Policy has been given to the employee. ____ YES ____ NO

WORK LOCATION/SCHEDULE

1. Employee's central workplace is: _____
2. Employee's alternate work location is: _____

Describe in detail the designated work area at the alternate work location.

3. At the central workplace, employee's work hours will normally be from _____ to _____, on the following days: _____.

4. At the alternate work location, employee's work hours will normally be from _____ to _____, on the following days: _____.

5. Supervisors will maintain a copy of the employee's telework schedule.

6. Employee's time and attendance will be recorded the same as if performing official duties at the central workplace.

SAFETY

1. Employee is covered by the Commonwealth's Workers' Compensation Program or the Virginia Sickness and Disability Program (VSDP), as appropriate, if injured while performing official duties at the central workplace or alternate work location.
2. Employee agrees to bring to the immediate attention of his/her supervisor any accident or injury occurring at the alternate work location.
3. Supervisor will investigate all accident and injury reports immediately following notification.

SAFETY CONFIRMATION

The employee confirms that the alternate work location is, to the best of his/her knowledge, free of recognized hazards that would cause physical harm (such as frayed or loose electrical wires; clean, dry

and level floor surfaces; phone lines and electrical cords are properly secured; etc.) The employee further confirms that, to the best of his/her knowledge, the space is free of asbestos-containing materials. If asbestos-containing materials are present they are undamaged and in good condition.

CONFIDENTIALITY/SECURITY

Employee will apply approved safeguards, in accordance with agency policy, to protect agency or state records from unauthorized disclosure or damage, and will comply with the privacy requirements set forth in the state law and the Department of Human Resources Policies and Procedures Manual.

WORK STANDARDS/PERFORMANCE

1. Employee will meet with the supervisor to receive assignments and to review completed work as the supervisor deems necessary or appropriate.
2. Employee will complete all assigned work according to work procedures mutually agreed upon by the employee and the supervisor, and according to guidelines and expectations stated in the employee's performance plan.
3. Supervisor will evaluate employee's job performance according to the employee's performance plan (on Performance Planning & Evaluation form).
4. Employee agrees to limit performance of his/her officially-assigned duties to the central workplace or agency-approved alternate work location. Failure to comply with this provision may result in loss of pay, termination of the Telework agreement, and/or appropriate disciplinary action.

COMPENSATION/BENEFITS

1. All salary rates leave accrual rates, and travel entitlements will remain as if the employee performed all work at the central workplace.
2. Employee who works overtime at the request of his/her supervisor and approved in advance will be compensated in accordance with applicable law and state policy.
3. Employee understands that supervisor will not accept unapproved overtime work. By signing this form, employee agrees that failing to obtain proper approval for overtime work may result in his/her removal from Telework and/or appropriate action.
4. Employee must obtain supervisory approval before taking leave in accordance with established office procedures. By signing this form, employee agrees to follow established procedures for requesting and obtaining approval of leave.

EQUIPMENT/EXPENSES

1. Employee who borrows agency equipment agrees to protect such equipment in accordance with agency guidelines. State-owned equipment will be serviced and maintained by the agency.
2. If employee provides own equipment, he/she is responsible for servicing and maintaining it.
3. Neither the agency nor the state will be liable for damages to an employee's personal or real property during the course of performance of official duties or while using state equipment in the employee's residence.
4. Neither the agency nor the state will be responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities) associated with the use of the employee's residence.

INITIATION AND TERMINATION OF AGREEMENT

1. The agency and employee understand that Telework employment shall be governed by the same state personnel policies as those applicable to employees at the agency's central workplace except as modified by this agreement.
2. Agency concurs with employee participation and agrees to adhere to applicable policies and procedures.
3. Employee may terminate participation in Telework at any time unless it was a condition of employment. Two weeks' notice to the agency is recommended.
4. Agency may terminate employee's participation in Telework at any time. (Employees may be withdrawn for reasons to include, but not limited to, declining performance and organizational benefit). Two weeks' notice to the employee is recommended when feasible.

HOLIDAY STATEMENT

For an employee participating in an AWS that allows one day off per each work week, In the event a State holiday/closure falls during the work week, all employees will use the state holiday as their day off for that work week and resume their AWS schedule the following week.

By signing below the Employee, Supervisor and Agency agree to adhere to the terms of this Telework Agreement:

Supervisor _____ Date _____

Employee _____ Date _____

Agency Head (or designee) _____ Date _____

State-owned or leased equipment has been issued to the employee and has been documented by the agency.

	Issued	Date	Documented	Date
	_____	_____	_____	_____
	_____	_____	_____	_____
Computer	_____	_____	_____	_____
	_____	_____	_____	_____
...				
other (list)	_____	_____	_____	_____
---	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

Supervisor Date

Employee Date

Agency Head (or designee) Date

- position? ___ YES ___ NO
11. Is all electrical equipment free of recognized hazards that would cause physical harm (frayed wires, bare conductors, loose wires, flexible wires running through walls, exposed wires fixed to the ceiling)? ___ YES ___ NO
12. Will the building's electrical system permit the grounding of electrical equipment? ___ YES ___ NO
13. Are aisles, doorways, and corners free of obstructions to permit visibility and movement? ___ YES ___ NO
14. Are file cabinets and storage closets arranged so drawers and doors do not open into walkways? ___ YES ___ NO
15. Do chairs have any loose casters (wheels)? Are the rungs and legs of chairs sturdy? ___ YES ___ NO
16. Is the work area overly furnished? ___ YES ___ NO
17. Are the phone lines, electrical cords, and extension wires secured under a desk or alongside a baseboard? ___ YES ___ NO
18. Is the office space neat, clean and free of excessive amounts of combustibles? ___ YES ___ NO
19. Are floor surfaces clean, dry, levels, and free of worn or frayed seams? ___ YES ___ NO
20. Are carpets well-secured to the floor and free of frayed or worn seams? ___ YES ___ NO

Employee Signature

Date

Supervisor or Designated Agency Representative

Date

* This form should be completed by the teleworking employee and returned to their supervisor with the telework agreement.

Effective Date:
01/30/2004 Revision Date:
9/22/2008

Flexible Work Schedule Policy

PURPOSE:

To establish a procedure and guidance for the application of the Agency's Flexible Work Schedule (FWS).

APPLICABILITY:

The Flexible Work Schedule may be used by an employee to ensure their hours of work for a given week are in compliance with their work schedule (i.e. 32, 36 or 40 hours a week). It is incumbent on the employee to work their required number of hours per work week.

The Flexible Work Schedule may be applied in the event an employee is required to work additional hours beyond their typical work week; needs to leave early; or needs to arrive to work past their normal start time.

In the event an employee is unable to utilize the Flexible Work Schedule, the appropriate leave (vacation, family personal, sick time or as lost time) should be used in accordance with State policies.

The FWS is applicable only for a one week work period and the hours accrued during the FWS may not be accrued and applied towards leave in a following work week(s). For employees wishing to utilize an alternative work schedule, please see the Agency's Alternative Work Schedule (AWS).

The Flexible Work Schedule may not be used by an employee to compensate for reoccurring tardiness.

All employees participating in the FWS must receive prior approval from their supervisor prior to participating in the FWS and it is incumbent on the employee to track their hours of work related to the FWS. It is incumbent on an employee to receive prior approval each time the FWS is applied or needed.

Per the Agency's Core Business Hour Policy, the Agency's work week begins at 12:01 am on Thursday and ends as midnight Wednesday.

Approved Flexible Work Schedule Examples:

Scenario 1: If an employee is required to work at night or after hours they may adjust their schedule for that work week only to ensure they work their designated work hours per week (i.e. 32, 36 or 40 hours a week).

Scenario 2: If an employee needs to leave early for a personal appointment, they may work additional hours to compensate for the hours in which they must leave early.

Scenario 3: If a wage (P-14) or non-exempt classified employee is required to work on a special project or has extended work day(s), once they reach their maximum number of work hours per week, they shall take the remaining work days off to ensure they stay within their hours per work a week (i.e. 32, 36 or 40), unless approval has been received to work overtime.

Non-Approved Flexible Work Schedule Examples:

Scenario 1: An employee works one additional hour each day of the month and then requests 20 hours of leave at the conclusion of the month.

Scenario 2: It is determined that an employee is chronically tardy and applies the FWS to their time after the fact.

RESPONSIBILITY:

It shall be the employee's responsibility to receive pre-approval prior to participating in the Flexible Work Schedule and it is incumbent on the employee to adhere to all Federal, State and Agency policies related to hours of work.

Employees may request flexible work hours with beginning times from 7:00 a.m. to 9:00 a.m. and with ending times from 3:30 p.m. to 7:00 p.m. In the event an employee needs to begin their work schedule prior to 7:00 am or needs to work past 7:00 pm, pre-approval from the employee's supervisor is required.

Employees must adhere to selected work schedules unless supervisory request or agency needs necessitate changes.

The Flexible Work Schedule is a privilege for employees and it is incumbent upon each employee to follow the guidelines set forth within the program. A failure to comply with the guidelines of this policy may result in a supervisor revoking or suspending an employee's ability to participate in this program.

It is incumbent on all FLSA Non-Exempt employees to receive pre-approval from their supervisor/manager prior to working any overtime.

Under certain circumstances exempt employees may receive Flex Time, but it must be pre-approved by their supervisor/manager.

In the event an Exempt classified employee is awarded Flex Time hours, those hours must be taken within that work week period or with supervisory approval the following work week period or else they will be forfeited to the Agency.