

JACKSONVILLE STATE UNIVERSITY
Manual of Policies and Procedures

POLICY NO.: I:02:27

DATE: Jun 2020

REVIEW/REVISION DATES: Apr 2023, Sep 2023

SUBJECT: Remote and Flexible Work Policy

APPROVED: Dr. Don C. Killingsworth, Jr., President

PURPOSE

The purpose of this policy is to provide guidelines for establishing and managing possible flexible work arrangements, which include: (1) flexible work schedules, and (2) flexible work locations for regular, benefits eligible staff. Remote and flexible working arrangements are voluntary work arrangements between management and an employee, and are based on the needs of the job, work group, and organization. Remote and flexible arrangements are not entitlements for any position, unless the positions was intentionally established as flexible. When an employee participates in remote or flexible work arrangements, the position's job duties, obligations, and responsibilities will remain unchanged. This arrangement is not an institution-wide benefit, and in no way changes the terms and conditions of employment with the Jacksonville State University (JSU).

This Remote and Flexible Work policy sets minimum requirements. Departments or business units within JSU may adopt more stringent requirements for remote and flexible working. This policy applies to all JSU staff as well as faculty in administrative roles, and JSU reserves the right to amend this policy in whole or in part at any time, without notice.

POLICY

Remote Work means working from home or from a remote location on a basis consistent with the Remote Classification Structure outlined below. While working pursuant to an approved Remote Work arrangement, covered employees are expected to work the same general hours that they were originally hired to work, and to perform their responsibilities as they otherwise would at a JSU work site, unless otherwise noted.

Flexible work arrangements are alternative work schedules on campus that differ from JSU's regular business hours of 8:00 a.m. to 4:30 p.m., Monday through Friday or other regularly scheduled hours in those instances where departments and units are regularly scheduled to be open prior to or after the noted times.

Eligibility

Several factors will be used when considering the feasibility of flexible work arrangements for regular, benefits eligible staff. Campus, students, and workforce needs must be the primary and first considerations. Administration will determine in its sole discretion which position(s)/and or employees, under their supervision, which meet the criteria necessary for remote or flexible working. For remote work, specifically, employees must be exempt employees. Other factors to consider should include, but not be limited to, the:

- Successfully completed their probationary period (unless remote work is a condition for accepting employment);
- Position's ability to be performed independently of others with minimal need for support; A record of satisfactory job performance;
- Work responsibilities that can be performed remotely without adversely affecting quality, productivity, or the needs of JSU;

- Ongoing and reliable access to telephone and internet remotely which allow the employee to accomplish work tasks such as video training, video conferencing, or more;
- A dedicated workspace that meets privacy and ergonomic requirements;
- Ability to ensure the arrangement can comply with applicable state and federal laws.

Deans, department heads, and supervisors should also evaluate business needs to ensure an appropriate level of staffing is maintained within the department. While a specific minimum or maximum number of employees or percentage of required on-site staff will not be identified in this policy, it is important to understand that a “one-size-fits- all” plan will not work for all departments. Supervisors will be responsible for ensuring continuity of on-site business processes understanding that the positive and effective execution of these duties are instrumental to the education of JSU’s students.

REMOTE WORK

Remote Classification Structure

Job duties are the primary consideration in establishing the appropriate classification of remote designation for any job. The Remote classification framework includes three categories as outlined below:

1. ***Fully On-Site:*** *Job duties are highly local in nature and require on-site presence to be performed. Not eligible for remote classification.*
2. ***Intermittent Remote Eligible*** *(on-site most of the time, assigned workspace): Job duties are conducive to being performed either in person, or remotely at least part of the time.*

3. *Mostly Remote* (*Occasional onsite presence; remote more than 80% of time, no assigned space*):

- Generally, for the limited instances in which job duties require minimal in-person interactions.
- The school or unit, in consultation with the appropriate JSU administration, have received approval to reduce their space allocation which necessitates the classification of some or all jobs within the unit as Mostly Remote.
- All positions classified as Mostly Remote require advance review and approval by the Personnel Action Committee (PAC).
- Employees in Mostly Remote positions are responsible for commuting costs to their departmental office locations- any expenses associated with travel to their departmental office locations are generally not reimbursable.

General Considerations for Remote Work Approval

Cabinet Level Division Leaders are charged with ensuring the JSU campus remains a student-centered academic community that fosters quality, in-person engagement among faculty, staff, and students whenever possible and appropriate. As such, Cabinet Level Division Leaders should factor this expectation into all decision-making when considering flexible work arrangements.

Factors other than job duties may impact the availability of Remote Work options as noted below. In addition, employees are expected to reside within commuting distance to their assigned JSU work location unless otherwise approved.

Factors that may impact the availability of Remote Work options are:

- Operational Needs (remote arrangements can be modified with advance notice to the employee, generally 30 days (less notice may be provided if the need is not foreseeable)).
- Departmental Staffing.
- Employee Probation.
- Employee Performance.

A remote work arrangement is a voluntary work alternative that is appropriate for some staff members and positions, but not all. Whether a remote work arrangement is appropriate for a particular staff member is a case-by-basis determination, considering the nature of the position and the likely ability of the employee to succeed in a remote environment. Considerations include:

- ☐ *Compliance with Policies.* Employees approved for remote working must agree to and abide by a Remote Working Agreement. Remote working does not in any way negate an employee's obligation to abide by all other JSU policies and procedures. Remote working employees remain subject to all JSU policies and procedures. Violation of the Remote Working Agreement or any other JSU policy or procedure may subject the employee to disciplinary action, up to and including termination.

- *Position responsibilities.* The employee and supervisor will discuss the position responsibilities and determine if the position is appropriate for a remote working arrangement. When evaluating a remote work request, the supervisor should take into account specific position requirements, the service needs of the community, impact on a team, the need for in-person meetings, consultations, and other factors impacting whether the position duties can effectively be performed while working remotely. Student and/or public-facing positions may not be suitable for a remote working arrangement. The need for specialized material, equipment, or materials secured at JSU, must either be minimal or flexible.

- *Work schedule/Hours of Work.* Remote work arrangements will generally provide for remote work on one day per week, but no more than two days in appropriate cases, unless specific circumstances warrant a different arrangement. More or less flexibility may be temporarily appropriate based on unit-specific situations, such as seasonal variations in the nature of the unit's work. The employee and supervisor should agree upon a work schedule that meets the needs of the department and complies with applicable wage and hour laws. The employee's remote work schedule likely needs to be consistent with the schedule of the department in order to facilitate necessary communication and collaboration.

The employee must be available and reachable through agreed-upon methods during agreed-upon work hours while working remotely. The employee and supervisor shall agree on turnaround time and the medium for responses. Employees and supervisors must ensure accurate recording of hours worked.

- *Employee suitability.* The employee and supervisor should take into account the conditions and circumstances that are customarily recognized as appropriate for successful remote work in determining whether an employee can effectively perform their duties in this manner. For instance, in some circumstances, employees on performance improvement plans or with recent disciplinary action will not be eligible candidates for remote work.
- *Tax and other legal implications.* Remote working employees will be subject to any city or municipality tax associated with their Remote Work Location. Remote working employees may be required to provide daily work location logs to their supervisor. Each employee is encouraged to consult with a tax professional for any specific guidance.
- *Work Site.* The remote worker must establish and maintain a workspace that is quiet, clean, safe, and secure with adequate lighting and ventilation. The remote worker will not hold in-person business visits or meetings with professional colleagues, students, or others at a remote worksite.
- *Personal business.* Employees shall not perform personal business during hours agreed upon as work hours.

- *Role and Compensation.* Remote working employees' classification, compensation, and benefits will not change solely based upon their acceptance of a Remote Working Agreement.
- *Primary Care.* Remote working is not designed as a substitute for child or adult care. If children or adults in need of care are present at the Remote Work Location during the remote working employee's working hours, another individual must be present to provide the primary care.
- Remote workers shall make or maintain dependent care arrangements to permit concentration on work assignments and availability for on-campus meetings that may be required at relatively short notice.
- *Expenses.* JSU is not responsible for operating costs, such as electric bills, WI-FI, phone, home maintenance, or other costs incurred by remote working employees in the use of their homes as a Remote Work Location.
- *Internet Liability.* The remote working employee remains responsible for all files, links, and data they transmit via the Internet. The employee agrees to follow guidelines and rules of conduct regarding data and the internet as if they were working from an assigned workspace on campus. JSU will not assume responsibility for virus attacks or other intrusions via the Internet to remote working employee-owned equipment.

- *Termination of the Remote Working Agreement.* JSU administration reserves the right to end the Remote working arrangement at any time. Remote working employees may be required to return to their on-campus workplace immediately upon violating any policy or procedure, if deemed as having performance problems, or if management feels it is in the best interest of JSU or the remote working employee to end the arrangement, either permanently or temporarily.

Requirements for in-person attendance (e.g., group training, team meetings, retreats, etc.) can override regular remote work schedules. Supervisors should discuss such instances with the employee.

Remote work arrangements can be discontinued at any time, at the initiative of either the employee or the supervisor. Employees and supervisors should agree on any applicable performance indicators relevant to remote work. Repeated and significant failure to meet expectations due to factors related to working remotely may be a basis for requiring the employee to discontinue remote working.

Limitations for Remote Work

- Remote work is only allowed one day during work weeks when JSU recognizes a holiday and is closed.

Process and Procedure

A conversation about remote work may be initiated by either a staff member or supervisor. The following process must be followed:

1. Discussion by employee and supervisor regarding suitability and potential terms of a remote work arrangement.
2. Completion of the [Remote Work Agreement \(Form 70\)](#).
3. Supervisor review and approval.

4. Director/Dean review and approval.
5. Cabinet Level Division Leader review and approval.
6. President review and approval.
7. When and if approved, the Remote Work Agreement is sent to Human Resources to be included in the Employee's Personnel File and to Payroll.

REMOTE WORK AGREEMENT

This Agreement is intended to ensure that both the supervisor and the employee have a clear, shared understanding of an employee's remote work arrangement. This Agreement is not a contract of employment and does not provide any contractual rights to continued employment. It does not alter or supersede the terms of the existing employment relationship. The employee's employment with JSU remains at-will. JSU may terminate the employment relationship or remote work agreement at any time. This Agreement and the remote work arrangement are in the context of and subject to JSU Remote and Flexible Work Policy.

REMOTE WORK RESPONSIBILITIES

Remote working employees are responsible for:

- ☐ Establishing an appropriate work environment within his/her home for work purposes if the home is the Remote Work Location. JSU will not be responsible for costs employed with initial setup of the remote working employee's home office such as remodeling, furniture, lighting, nor for repairs or modifications to the home office space.
- ☐ Complying with the Remote Working Policy, the Remote Working Agreement, and all JSU policies and procedures.

- ☐ Meeting productivity and service quality goals and objectives as required by administration.
- ☐ Completing all required JSU training.
- ☐ Notifying administration of change in address.
- ☐ Submitting time worked timely and accurately.
- ☐ Providing to HR successful completion of the campus designated working remotely training course.
- ☐ Communicating at a level consistent with employees working on-campus or in a manner and frequency that is appropriate for the job and the individuals involved.

Supervisors of Remote working employees are responsible for:

- Striving to ensure that the remote working employee meets productivity and service quality goals and objectives;
- Establishing and scheduling on-going, regular, periodic reviews with the remote working employee to evaluate and monitor the success of the remote working arrangement;
- Establishing how the working employee will maintain regular contact with office coworkers and supervisors;
- Ensuring that individual work schedules and reporting for non-exempt employees are in compliance with FLSA regulations;
- Complying with the Remote Working Policy, the Remote Working Agreement, and all JSU policies and procedures;
- Providing to HR successful completion of the campus designated managing working remotely training course;

- Administration shall meet with each remote working employee prior to the start of the remote working assignment to set and document appropriate performance goals (productivity, accuracy, responsiveness, etc.).

Information Technology is responsible for:

- Providing IT support (where applicable) and VPN access.
- Administering and monitoring system access and IT equipment use as directed by JSU IT procedures.

Human Resources is responsible for:

- Providing consultation to administration and employees regarding the contents of the Remote Working Policy and the Remote Working Agreement and its application at JSU.
- Providing assistance to remote working employees and administration regarding the remote working arrangement as needed.

FLEXIBLE WORK

Determining Eligibility For A Flexible Work Arrangement

Supervisors can use the following guidelines to determine if a flexible work arrangement would be appropriate for a specific position or individual employee.

1. Eligible Position: A position is eligible for a flexible work arrangement if the job duties can be performed during hours other than regular business hours; and, the job duties can be performed independent of others who may not be working the same shift.

2. Eligible Employee: An employee is eligible for a flexible work arrangement if he or she has been identified by the supervisor as meeting the performance standards and conditions of their employment and has no active disciplinary action on file.

Best Practices

- Either the employee or the supervisor can initiate a conversation about utilizing a flexible work arrangement.
- It is the Department's obligation to ensure that the flexible work arrangement provides appropriate employee accountability and in no way compromises the productivity and quality of the work of the employee.
- The flexible work arrangement must be compatible with the operational needs of the department or office. Offices that require staff to be present during certain hours must not suffer because of the flexible work arrangement.
- A supervisor should always use reasonable judgment when evaluating a request for a flexible work arrangement, balancing the needs of the department and the needs of the individual employee.
- Flexible work arrangements should be granted equitably for similarly situated individuals within a work unit.

- If several employees will be affected by the flexible work arrangement, the supervisor should consider meeting with the entire team to talk about communication, workflow, timing, etc.

Trial Period

Supervisors are encouraged to allow a 30-day trial period for employees who are on a flexible schedule. A trial period would allow all members of the staff to adjust and for the employee on the flexible schedule to work through any issues. After the trial period, supervisors are encouraged to evaluate the employee's performance on the flexible schedule.

Review

A review should be conducted annually or at the timing of the employee's annual performance evaluation (whichever comes first) for all employees on a flexible work arrangement to ensure that the level of service offered by the unit and the performance of the employee has not deteriorated. The supervisor or employee has the right to ask for a review of the flexible work arrangement at any time.

Termination

The supervisor has the right to terminate the flexible work arrangement at any time. However, if possible, supervisors are encouraged to give the employee 10 working days' notice.

Administration

The department is responsible for monitoring all flexible work arrangements.

Limitations for Flexible Work

Flexible work is not allowed during work weeks when JSU recognizes a holiday and is closed.

Process and Procedure

All flexible working arrangements must:

- Be documented and approved by a Cabinet level Division Leader,
- Services must be provided during regular business hours,
- Customer service standards must be met,
- Employees must work 37.5-40 hours per week while flexing schedule.

Any exceptions to this policy must be approved by the appropriate Cabinet member and the President.

RESPONSIBILITY

The Director of Human Resources is responsible for this policy.

EVALUATION

This policy will be reviewed every five (5) years.