



4.7.6 Flexible Work Arrangements

Chapter 4 - General Personnel	Original Effective Date: December 2000
Section: 4.7 Work and Leave Administration	Date Last Reviewed: June 2024
Responsible Entity: Vice President and Chief Human Resources Officer	Date Last Revised: June 2024

I. Purpose

This policy provides criteria for flexible work arrangements and, outlines responsibilities, requirements and expectations for employees and supervisors in establishing a flexible work arrangement (FWA).

II. Scope

This policy applies to eligible classified and administrative & professional (A&P) staff positions and non-student hourly positions based on supervisor or departmental approval, excluding law enforcement personnel eligible for hazardous duty pay. This policy does not apply to faculty positions or positions that require student status as a condition of employment.

This policy is not intended to address occasional or unplanned schedule changes within a workweek. It is intended to address formal arrangements when an employee routinely works a flexible schedule, or a telecommuting arrangement is either required or requested and approved according to this policy. Further, this policy does not address requests for accommodations under the Americans with Disabilities Act (ADA) or the ADA Amendments Act (ADAA) of 2008, please refer to [IHOP policy 4.2.3 Requests for Accommodations Under the ADA and the ADA Amendments Act of 2008 \(ADAA\)](#) for additional guidance.

III. Policy

For the purposes of this policy, flexible work is broadly defined and may include an arrangement where an employee works different hours than The University of Texas Health Science Center at San Antonio's standard hours of operation, 8:00am to 5:00 pm Central Standard Time (CST), and/or a different schedule than the standard work week of Monday through Friday, except for regularly scheduled holidays and/or works remote from their designated worksite.

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An employee's designated worksite is the office or other location where an employee most frequently conducts official business, inclusive of a UT Health San Antonio campus, clinic, hospital or affiliated location where an employee would normally report in person for work or where related work is performed (i.e., the place where an employee would normally report in person for work absent a FWA Agreement).

A. General Provisions

1. UT Health San Antonio, also called UT Health San Antonio supports flexible work arrangements when it is in the best interest of the health science center, feasible based on job responsibilities, and when it is mutually beneficial for employee and supervisor.
2. UT Health San Antonio may require employees to temporarily work from an alternate worksite in an emergency situation.
3. The expectations and details of a flexible work arrangement should be mutually agreed upon by the employee and their supervisor in advance and documented in a signed [Flexible Work Arrangement Agreement \(Agreement\)](#) maintained by the supervisor. The Agreement should be reviewed at least once a year as a part of an employee's annual performance review and remain in effect until terminated by either party.
4. All forms of flexible work arrangements imply an employer-employee relationship, with the employee receiving the same benefits and having the same responsibilities as an employee without a flexible work arrangement. Employee benefits including leave time, holidays, compensation, etc., are not affected by a flexible work arrangement.
5. The operational needs of UT Health San Antonio take precedence over any flexible work arrangement. An employee must forego a flextime schedule or regularly scheduled telecommuting day if requested by their supervisor to report for an in-person meeting, training or other on-site work. The employee should be given as much advance notice as possible (minimum of 24 hours) considering the employee's work location and/or other arrangements (e.g., travel) that may need to be made to attend an in-person meeting.
6. A supervisor may allow for flexibility in scheduling the specific days of the week used for telecommuting to meet department/unit needs.
7. All equipment, records and materials provided by UT Health San Antonio remain the property of UT Health San Antonio.
8. A flexible work arrangement is not a substitute for dependent care. Unless otherwise approved, someone other than the employee must care for members of the household who need regular attention while the employee is working from home. Arrangements must be made so that dependent care does not interfere with work, and personal disruptions such as non-business calls and visitors are kept to a minimum.
9. Flexible work arrangements are a privilege and a department/unit decision, not an employee right; therefore, an employee may not demand nor expect a request for a

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flexible work arrangement to be granted. Eligibility for a flexible work arrangement is based on position, performance and organizational need.

B. Types of Flexible Work Arrangements

There are two main categories of flexible work arrangements: Flex Time and Telecommuting.

1. Flex Time

Flex time is an alternative work schedule option that is determined between a supervisor and employee. A flex time schedule may include fixed arrival and departure times outside of standard UT Health San Antonio business hours, 8:00am to 5:00pm CST. A flex time work schedule may also include a compressed workweek different than the standard work week of Monday through Friday. For example, a 40-hour workweek that allows an employee to work four 10-hour days per week.

A flex time arrangement may be permanent, temporary or intermittently used and may be granted in conjunction with telecommuting work arrangements. A flex time arrangement does not reduce the required 40-hour workweek for a full-time employee

a. Requirements:

- i. UT Health San Antonio's designated core hours are 9:00am to 3:00pm CST. Employees may adjust the start time of their shift or work time between 6:00am to 9:00am CST and the end of their shift or work time between 4:00pm to 7:00pm CST. This may vary depending upon the requirements of the position and the operational needs of the department/unit.
- ii. Employees authorized to work a flex time schedule must take a minimum 30-minute unpaid lunch break each day.

2. Telecommuting

Telecommuting is defined as working from an alternate worksite, such as a personal residence, instead of commuting to an employee's designated worksite. Jobs acceptable for telecommuting are those that can be performed at an alternate worksite without diminishing the quality of the work or disrupting the productivity of an office or team. There are two primary types of telecommuting arrangements: Hybrid Work and Remote Work.

a. Hybrid Work Arrangements

A hybrid work arrangement allows an employee to work a portion of their regularly scheduled shift or work time at their designated UT Health San Antonio worksite and a portion at an alternate worksite (i.e., off-site), typically their personal residence. Job functions are performed in a combination of on and off-site locations. Employees with a hybrid work arrangement typically have a personal residence within driving distance of their designated worksite and could travel there the same day, if required.

- i. Requirements:

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- (1) The employee should have an established, predictable schedule for when they will work on-site or in-person and when they will work off-site. For example, the employee works on-site at their designated worksite 3 days per week, on set days (e.g., Monday - Wednesday) and works off-site at any alternate worksite 2 days per week, on set days (e.g., Thursday and Friday).
- (2) Telecommute days must be identified and agreed to by the employee and supervisor per an executed Agreement prior to the start of a hybrid work arrangement.

b. Remote Work Arrangements

UT Health San Antonio supports remote work arrangements as an alternative method of meeting workforce and operational needs when it makes sense to do so. A remote work arrangement allows an employee in an eligible position to work at an alternate worksite (i.e., off-site) other than their designated UT Health San Antonio worksite for 100% of their regularly scheduled shift or work time. Remote employees are not expected to report to their designated worksite on a regular and reoccurring basis. Remote work arrangements may be permanent or for a limited duration.

i. Requirements:

- (1) The position must be eligible for remote work. The work must not involve the provision of clinical care or require regular in-person contact with a supervisor, other employees, members of the UT Health San Antonio community (students, residents, faculty, etc.) or the public.
- (2) The employee should have an established remote work schedule and be readily accessible with adequate means of communication (phone, email, etc.) during scheduled shift or work time.
- (3) A remote employee is not expected to report to their place of employment on a routine basis but may be expected to report to their designated worksite on an occasional basis as needed for meetings and to conduct functions of their job.

ii. Out of State Remote Work Arrangements

- (1) As a state agency, UT Health San Antonio's primary objective is to employ individuals residing within the state of Texas. A permanent work location outside the state of Texas is only for positions that cannot be filled otherwise, or for which there is substantial justification for a remote position in an eligible state.
- (2) Certain conditions and employment laws must be considered when hiring an employee from outside the state of Texas. An employee's residence determines the state of jurisdiction regarding employment and tax laws (i.e., where the employee performs the work), not the employer's location. Compliance with employment laws in other states is not always possible due to laws in Texas. Refer to the [Guidelines for Out-of-State Remote Work Arrangements](#) for the most up-to-date list of states

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approved for remote work arrangements and consult with your [Talent Acquisition Specialist or Strategic HR Partner](#) for additional guidance.

- (3) The position must be exempt from overtime provisions under the Fair Labor Standards Act. See [IHOP policy 4.6.4 Fair Labor Standards Act \(FLSA\): Non-Exempt and Exempt Jobs](#) for further guidance. Exceptions to this requirement are rare but may be considered for certain positions with HR prior approval.
 - (4) A department/unit's [Talent Acquisition Specialist or Strategic HR Partner](#) must be notified when considering a candidate from outside the state of Texas for a remote position prior to extending an offer or prior to approving a remote work arrangement for a current employee relocating to another state who will be working from outside the state of Texas permanently or for a limited duration.
 - (5) If a currently remote employee plans to relocate to another state, they must notify their supervisor, director or department chair in advance. Approval to work from one state does not ensure approval to work remotely from another state.
 - (6) The position must be 100% remote from the same location, typically the individual's state of residency. Working remotely from multiple states is not authorized.
 - (7) Working remotely from another country is not permitted.
- iii. Reimbursement for Travel to Designated Worksite
- (1) Only fully remote employees who work 100% of the time from an alternate worksite AND live greater than 50 miles from their UT Health San Antonio designated worksite are eligible for allowable travel reimbursements related to expenses incurred for occasional travel from their personal residence to their designated worksite for business purposes.
 - (2) Fully remote employees who live less than 50 miles from their designated UT Health San Antonio worksite are not eligible for travel reimbursements related to expenses incurred for occasional travel from their personal residence to their designated worksite for business purposes.
 - (3) Employees with a hybrid flexible work arrangement, regardless of where they live, are not eligible for travel reimbursements related to traveling from their personal residence to their designated worksite for business purposes. See the [Flexible Work Arrangement Travel Reimbursement Guidelines](#) for additional details.
 - (4) Travel reimbursement requests must follow requirements established in [IHOP Section 6.2 Travel Policies and Procedures](#).
 - (5) All travel reimbursements must be mutually agreed upon in advance and officially documented (e.g., offer letter, FWA Agreement, etc.) and budgeted appropriately.

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C. Eligibility

Eligibility for a telecommuting arrangement will be determined by the employee's supervisor, director, department administrator or chair depending upon role and will be based on the position, the employee's performance and organizational needs.

1. Based on Position

In general, positions that may be considered for a hybrid or remote work arrangement are those that:

- a. Have job functions that can be performed offsite without diminishing the quality of the work or disrupting the productivity of a department/unit;
- b. Do not provide clinical care, require regular in-person contact with a supervisor, other employees, members of the UT Health San Antonio community (students, residents, faculty, etc.) or the public;
- c. Allow for the employee to be as effectively supervised as they would be if the job functions were performed on site at their designated UT Health San Antonio worksite;
- d. Have an emphasis on the electronic production and/or exchange of information by means of computers and phones;
- e. Involve a measurable or quantifiable work product; and
- f. Have a minimal or quantifiable work product; and
- g. Have a minimal or flexible need for specialized materials or equipment available only at their designated UT Health San Antonio worksite.

2. Based on Performance

Employee participation in a flexible work arrangement is considered a privilege and optional, unless otherwise specified in a job description. To be eligible for a hybrid or remote work arrangement, an employee must:

- a. Demonstrate the ability to successfully organize, manage time, work independently and productively with appropriate supervision and maintain a satisfactory work performance history;
- b. Be proficient in the use of technology (email, video conferencing (e.g., Teams, Zoom) and equipment required to work remotely; and
- c. Understand and abide by all UT Health San Antonio policies, guidelines, and standards of conduct.

3. Based on Organizational Need

In general, UT Health San Antonio supports flexible work arrangements when feasible and mutually beneficial in:

- a. Meeting the business needs of the department/unit;
- b. Maintaining overall productivity;
- c. Optimizing use of facilities and equipment; and

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- d. Increasing employee satisfaction and retention.

D. Employee Responsibilities

1. Abide by terms of their [flexible work arrangement agreement](#) and flexible work arrangement policies set forth by UT Health San Antonio;
2. Follow all UT Health San Antonio policies, standards and guidelines. Specifically, employees must adhere to policies regarding the acceptable use and security of information resources (e.g., computers, laptops, smart phones) as defined in [IHOP policy 5.8.10 Information Resources Acceptable Use and Security Policy](#).
3. Maintain a suitable workspace that is appropriately private and free of distractions and interruptions that may interfere with work;
4. Secure and maintain equipment, materials and other resources provided by and belonging to UT Health San Antonio in accordance with [IHOP Chapter 6 Fiscal Policies and Procedures, Section 6.3 Property Control](#);
5. Remain readily accessible with adequate means of communication (phone, internet, email, etc.) during regularly scheduled shift or work time, unless otherwise agreed. In the event of a personal internet/power outage an employee is expected to use leave accruals in order to maintain a 40-hour work week unless other flextime arrangements are made with the approval of their supervisor;
6. Be available to attend in-person scheduled work meetings, trainings or other on-site work as required by supervisor or role;
7. Maintain accurate documentation of hours worked and work product to provide routine status reports to their supervisor on tasks performed and/or projects completed; and
8. Request supervisor approval in advance of taking personal time off (PTO), extended illness bank (EIB) or other leave in the same manner as if working at their designated UT Health San Antonio worksite.

E. Supervisor Responsibilities

1. Complete a [Flexible Work Arrangement Agreement](#) with each employee granted a flexible work arrangement;
2. Provide a copy of the executed Agreement to the employee and maintain a local copy;
3. Establish clear goals and expectations (e.g., performance, evaluation, remote workspace setup, communication, virtual meeting etiquette, etc.);
4. Apply performance management and review criteria that is consistent, equitable and fair regardless of work location or schedule;
5. Identify and authorize acceptable expenses for equipment, software, telecommunication/network and supply needs at an employee's alternate worksite; and
6. Review with the employee their flexible work arrangement annually, at a minimum, to determine if the arrangement is still feasible based on organization, department,

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and/or unit needs and employee performance. Document any necessary changes in an updated [Flexible Work Arrangement Agreement](#).

F. Alternate Worksite Requirements

1. An employee's alternate worksite is considered an extension of UT Health San Antonio and should be a professional, safe, and secure workspace.
2. Employees who have direct or indirect access to Protected Health Information (PHI), must ensure appropriate administrative, technical and physical safeguards are implemented and adhered to at their alternate worksite in order to protect PHI from intentional or unintentional unauthorized use or disclosure as required by [IHOP policy 11.1.6 Confidentiality of Patient Health Information](#).
3. UT Health San Antonio assumes no liability for injury to any other person who would not be in the work area if the duties were being performed at the employee's place of employment. Workers' compensation benefits will apply to injuries arising out of and in the course of employment. Injured employees must notify their supervisor immediately and complete all requested documentation regarding the injury as specified by [IHOP policy 4.8.6 Workers' Compensation Insurance](#).
4. UT Health San Antonio is not liable for damages to an employee's property resulting from participation in a telecommuting work arrangement.
5. UT Health San Antonio is not responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities, telephone, internet, insurance) associated with the use of an employee's residence as an alternate worksite, unless specifically provided in advance and documented in the [Flexible Work Arrangement Agreement](#).

G. Termination of a Flexible Work Arrangement

1. A flexible work arrangement may be modified or terminated at any time with ten (10) business days' written notice by either party. UT Health San Antonio reserves the right to modify or terminate a flexible work arrangement for cause without prior notice.
2. UT Health San Antonio will not be held responsible for costs, damages, or losses associated with the termination of a hybrid or remote work arrangement.
3. If an employee with a hybrid or remote work arrangement is terminated, the employee must immediately return all equipment, software, supplies, notes, data, reference materials, sketches, drawings, memoranda, reports, records, and any other UT Health San Antonio property in the employee's possession or control.

IV. Definitions

When used in this document, the following words have the meaning set forth below unless a different meaning is required by context.

Alternate Worksite - an approved work location other than the employee's designated worksite where UT Health San Antonio business is performed. Such locations may include but are not limited to an employee's personal residence.

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Designated Worksite – an office or other location where a state employee most frequently conducts official state business, inclusive of a UT Health San Antonio campus, clinic, hospital or affiliated work location when an employee would normally report in person for work or where related work is performed (i.e., the place where an employee would normally report to work absent a [Flexible Work Arrangement Agreement](#)).

V. Related References

[Flexible Work Arrangement Agreement](#)
[Managing your Employee \(sharepoint.com\)](#)

Institutional Handbook of Operating Policies (IHOP)

[4.7.1 Hours of Operation and Official Workweek](#)
[4.9.2 Management's Responsibilities](#)

VI. Review and Approval History

The approving authority of this policy is the University Executive Committee.

Effective Date	Action Taken	Approved By	Effective Date
11/2000	Policy Origination		
12/2001	Policy Revision		
06/2024	Policy Revision	Executive Committee	06/10/2024