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|  Southwest Virginia Community College | Southwest Virginia Community College – Human Resources | |
| | Contact Information: | Associate Vice President for Human Resources |
| | Revision: | 1.0 |
| | Effective Date: | March 12, 2020 |
| | Alternative Work Arrangement Policy | |

Southwest Virginia Community College (SWCC) gives everyone the opportunity to learn and develop the right skills so lives and communities are strengthened. As such, the SWCC encourages its employees to continue their development throughout their careers and makes investments in its employees through the Educational Assistance & Continuous Learning policy.

PURPOSE:

This policy provides a framework for alternate work arrangements for Southwest Virginia Community College. The intent of this policy is to promote arrangements that 1) support operational efficiency, 2) ensure high quality, continuity service to all constituencies, 3) are cost neutral, 4) ensures that departments are staffed, trained and operated in an integrated manner that assures work continuity, and 5) ensures employees are properly oriented to their positions and the VCCS way of doing business.

PRINCIPLES:

- Alternate work arrangements will be used only when it is in the best interest of the Southwest Virginia Community College and supports the attainment of the VCCS mission.
- Decisions made about the feasibility of an alternate work arrangement will be based on the work being performed and departmental operations before any other factor is considered.
- Alternate work arrangements are operational considerations not employee rights or benefits, therefore decisions to utilize such arrangements are based on the position, not the person.
- Alternate work arrangements should not change the terms and conditions of employment or the required compliance with all state, federal and VCCS policies and procedures.

DATES:

Initial Agreements: Initial alternative work and/or teleworking agreements are subject to a 120-day pilot period. Upon successful completion, it may be extended, at the supervisor’s discretion, for up to one year from the original start date or through December 31st of that year, whichever comes first.

Annual Agreements: Alternative work and/or teleworking agreements are subject to annual approval each January.

TYPES OF ALTERNATIVE WORK ARRANGEMENTS AND ELIGIBILITY:

Alternate work schedule: Positions in a department may work a schedule other than 8:00 to 5:00. Actual schedules will be based on the duties and responsibilities of the position and the needs of the

clients it serves. The immediate supervisor may determine the position incumbent's work schedule following the DHRM Hours of Work Policy 1.25.

Compressed Work Week: A department or individual positions may work longer than 8 hours per day resulting in a shorter work week. For situations where the proposed schedule would result in all positions in a work unit working the same compressed work schedule, the final decision will be made by the Chancellor. For position requests, the appropriate Vice Chancellor or Cabinet member will make the final decision at the request of the supervisor. The following will apply:

- i. Non-exempt employees will not work more than 40 hours in any seven day work week. The provisions of the Fair Labor Standards Act will apply.
- ii. Use of accrued leave will reflect the actual hour work day. For example, an absence for sick leave or annual leave will be charged as 10 hours of leave.
- iii. Holidays and Official Closings: State holidays or official closings each count as eight (8) hours of holiday leave. An employee whose compressed work day falls on an observed holiday will either need to work additional hours or take additional leave in that work week in order to achieve 40 hours.
- iv. An employee who is not scheduled to work on an observed holiday may take the 8 hours of holiday time over the course of the pay period.

Telework: Occasional and Full-time Telework

- i. Eligibility: The determination of whether a position is eligible for alternate work arrangements or telework is made based upon the duties and requirements of the position and is normally made at the time the position is established. The eligibility of the position does not change unless the duties, responsibilities, or the requirements for the position change.
- ii. Non-exempt positions are not normally eligible for alternate work arrangements, however, any such arrangements must be consistent with the provisions of the Fair Labor Standards Act may not require the use of overtime for the normal execution of work.
- iii. Managing the operations of each department is a dynamic and evolving challenge, therefore, decisions that govern alternative work arrangements are subject to change. When establishing eligible positions, identifying designated positions, and granting permission for individuals to be assigned to an alternate work arrangement, the principles indicated above and the following operational considerations are guiding considerations:
 1. Eligible positions should:
 - include work objectives and tasks that are clearly defined with measurable results, project-based work or similar activities,
 - have a low requirement for direct contact with customers,
 - have a lower requirement for direct supervision,
 - have a minimal need to use specialized materials and equipment,
 - be cost neutral in their implementation and maintenance of alternative arrangements,
 - are not normally supervisory positions charged with managing staff, supporting customers or maintaining departmental continuity.
 2. Approved employees should:
 - have demonstrated a thorough understanding of their position responsibilities,

- have an established track record of success and solid work performance,
 - have demonstrated self motivation, self discipline, and the ability to work independently,
 - not have been subject to disciplinary action within the past two years,
 - normally not be new employees who are yet to be oriented, trained and acculturated in the VCCS way of doing business.
- iv. Approval: Immediate supervisors may approve their staff to work alternate work schedules or flex-time arrangements as the work permits.
 - v. Work arrangements other than alternate work schedules or flex-time require a documented work agreement which must be reviewed by the Associate Vice President for Human Resources and approved by the appropriate vice chancellor or cabinet member. Decisions to approve or deny alternate work arrangements by a vice chancellor or cabinet member are not subject to appeal.
 - vi. Exceptional Approvals: The following alternate work arrangements require approval of the President: a) any alternate work arrangement that incurs upfront or ongoing costs, b) that necessitates changes to the compensation or benefits of staff members, c) that affect an entire function or department, or d) that change the terms and conditions of employment of a position or person.

GENERAL PROVISIONS FOR TELEWORK

Work Agreements:

- i. Initial work agreements become effective only after the written agreement has been reviewed by Human Resource Services, signed by the supervisor and the employee and both parties have completed Telework training.
- ii. Pilot Work Agreement: All alternate work arrangements that require a work agreement will be initially established for a 120-day pilot period. After the successful completion of a 90-day review period, and within the subsequent 30 days, a regular work agreement will be established for a 12- month period.
- iii. Regular Work Agreement: Regular work agreements will be established for 12-month periods and are not subject to automatic renewal.
- iv. Renewal: Regular work agreements must be reviewed after each 12- month period by the supervisor and the Associate Vice President for Human Resources. At this time, the following considerations, among others, must be taken into account, A) changes in the duties and requirements of the position, b) changes or additions to the work requirements of the department, c) personnel changes in the department, d) initiatives, priorities and changes in work requirements of the System Office, and e) the performance of the incumbent.
- v. New Supervisors: The presence of a new supervisor may cause a work agreement to be suspended or retracted by the appropriate vice chancellor, in order to ensure the proper coordination of work requirements and business continuity

- vi. Southwest Virginia Community College reserves the right to terminate the telework agreement at its discretion. Generally, an employee will be given advance notice of termination but advance notice is not required. Employees may request to terminate the telework agreement, but the work requirements of the position take precedence over individual preference.

Leaves Holidays and Absences

- i. Alternate work arrangements are not intended to change the terms and conditions related to leave, holidays or other absences.
- ii. Annual Leave: Employees who work from an alternate work location are required to take annual leave when they are not present and working at their alternate work location during their established work hours. Employees who work an alternate work schedule, such as a ten-hour work day, will take leave in the appropriate increment that reflects their work day (such as 10-hours for a day of leave).
- iii. Sick Leave: Employees who work under an alternate work agreement must utilize sick leave when sick and unable to work their normal work schedule.
- iv. Other Absences: Alternate work arrangements are not intended to be used in place of Family and Medical Leave, leave used under the Virginia Sickness and Disability Program, Workers' Compensation leave or other types of leave.

Alternate Work Locations:

- i. Alternate work locations must be suitable spaces that support the active engagement of work and have appropriate access to technology, equipment and other necessary related business tools.
- ii. Security of Agency Information: Employees must safeguard Southwest Virginia Community College information used or accessed while teleworking and they must agree to follow all applicable security procedures in order to ensure confidentiality and security of data.
- iii. Child and Adult Care: Telework 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.
- iv. Safety and Distractions: Alternate work locations must be safe, free from physical hazards, conducive to efficient work, and free from distractions.
- v. Costs: Alternate work location arrangements should not require the VCCS to incur costs that it would not normally incur if the work is completed onsite.
- vi. Call-In Provisions: Work agreements for any employees who have designated alternate work arrangements will include provisions for employees to report to the System Office for planned or ad hoc work-related meetings, special events, or other operational needs.

Call-in provisions will normally include an expected time frame for reporting of at least one-hour.

- vii. **Workers' Compensation Liability:** A job-related injury or illness that occurs in the employee's alternate work location during established hours should be reported within 24 hours to the System Office Human Resource Services Office.

REQUIREMENTS:

- Approved active work agreement approved by the supervisor and Human Resources Office
- Employee must complete the Telework training course located in the Learning Center
- Employee's supervisor must complete the Telework training course for managers located in the Learning Center.
- Employee's performance must be satisfactory to the supervisor.

STEPS:

1. Supervisor or manager must review job duties to determine if an alternative work or telework arrangement is appropriate for the position. The ability to have an alternate work arrangement should be noted on the position's Employee Work Profile.
2. Supervisor should review the Department of Human Resource Management (DHRM) handout Quick Guide: Managing Teleworkers and complete the Tele-Eligible Checklist.
3. Supervisor should discuss the request or option to telework with the employee, explaining the expectations of the employee.
4. Supervisor must complete the MVP Telework training course in the Learning Center and print out the certificate of completion.
5. Employee must complete the employee Telework training course in the Learning Center and print out the certificate of completion.
6. The supervisor must complete the work agreement and review with the employee, who must also sign.
7. The work agreement request and both the employee's and supervisor's training completion certificate must be sent to the Human Resources department for review and approval. Note: The department head reserves the right to review and approve requests prior to submittal to the Human Resources department.
8. The Human Resources department will review the request, the Employee Work Profile, and ensure the appropriate information is recorded in the State's Personnel Management Information System (PMIS). Once approved, the Human Resources department will provide a final approval notice to the supervisor.

RETENTION:

Requests are valid for up to one year or December 31st of that year, whichever comes first. The Human Resources department will retain the requests for an additional year. Supervisors and employees are encouraged to keep a copy for their records.

REFERENCES:

- DHRM policy 1.61, Telework.
- DHRM policy 1.25 Hours of Work
- DHRM Employee Handbook

DESCRIPTION/DEFINITIONS:

Alternative Work Arrangement: Any non-traditional work circumstance wherein the employee is not engaged in routine work during normal work hours and co-located with their supervisor in a normal workweek.

Alternative Work Location: Any work location other than the employee's normal workspace where their supervisor and coworkers are located (i.e. Arboretum, Shared Services Center, a community college, other approved sites, or the employee's home).

Alternative Work Schedule: Schedules that differ from the standard 40-hour workweek schedule. Alternative work schedules may include, but are not limited to, four 10-hour days, rotational shifts, flexible hours, and job sharing.

Central Workplace: The principal place of business or designated business headquarters for an organization. For the System Office, the principle place of business is either the Arboretum or the Shared Services Center facility as designated.

Compressed Work Week: A schedule where either the number of days per week is usually shortened, but the number of hours a day is increased in order to achieve the same total number of scheduled work hours over a pay period (i.e. A four day, ten hour work week, eight 9-hour days and one 8-hour day).

Emergency Work: Previously designated positions and persons who are authorized to work at alternate locations, to telecommute, remote work, or other alternate work arrangement in the event of a declared emergency for 12 hours to 30 days.

Emergency Work Location: A previously designated or temporary work facility where approved employees are authorized to work for up to 30 days. Emergency locations are either hot (ready for work immediately, or cold (previously identified but requires installation of equipment/furniture or activation)

Essential Personnel: Employees who are designated as being required to work during authorized closings.

Flex-Time: Any non-routine work schedule where in the number of hours per day and days per week varies according to the needs of the work, the academic schedule, the season, or other approved pattern or routine.

Full-Time Teleworker: Employee has an active telework agreement on file and teleworks all or a clear majority of their planned schedule from a defined and agreed upon alternate worksite(s). Employee will normally not have permanently assigned office space at an agency facility, but may be assigned to work from an alternate agency facility close to their residence if insufficient Internet access is not available at their residence; or where needed systems access is only available at the agency site; or where a personal situation precludes residence based telework. Employee may from time to time travel for work activities, meetings, or conferences when approved by management, but is expected to spend a clear majority of their time teleworking at the agreed upon alternate worksite(s). Employee may be required to telework in support of continuity of operations during emergency closings and crisis management situations.

Hybrid Teleworker: Employee has an active telework agreement on file and consistently teleworks a minimum of 32 hours or more per month (but less than full-time), typically teleworking from a defined alternate worksite(s) one to two days a week and on a consistent and regular basis. Employee has an assigned or shared workspace at an agency worksite(s) and functions as an Office/Facility Worker when not teleworking. With management approval, may sometimes travel to other state agency or institution work sites for meetings or other work - or from time to time to non-agency sites for reasonable and necessary conferences or meetings. Employee may be required to telework in support of continuity of operations during emergency closings and crisis management situations.

Limited Teleworker: Employee has an active telework agreement on file and teleworks consistently less than 32 hours a month on a limited, sporadic, or task driven basis in response to a specific agency need(s). Needs could include, but are not limited to special projects, continuity of operations, emergency closings, and crisis management situations. Employee has an assigned or shared workspace at an agency worksite and functions as an Office/Facility Worker when not teleworking. Employee may from time to time travel off-site for work activities, meetings, or conferences when approved by management. Employee may be required to telework in support of continuity of operations during emergency closings and crisis management situations.

Mobile Worker: Employee works a clear majority of their planned schedule in a mobile mode away from agency offices/facilities out in the “field.” Employee may be required to report to an agency worksite(s) to attend meetings, record time, or receive assignments. May include limited work from the employee’s home and the employee may from time to time travel away for normal work area(s) for meetings or conferences when approved by management.

Office/Facility Worker: Office, campus, or facility based employee who reports to and works from a defined central agency workplace(s). Employee may from time to time travel off-site for work activities, meetings, or conferences when approved by management, but spends a clear majority of their time working at an assigned agency worksite(s).

Remote Work(er): A work arrangement wherein the supervisor and employee are not located in the same regular work facility (i.e. Arboretum and Shared Services Center; Arboretum and VCCS college).

Standard Workweek: The regular workweek for full-time positions, which consists of a five-day, 40-hour per week schedule for every seven calendar-day period. The System Office standard workweek is Sunday through Saturday.

Telecommuting/Telework: Practice that enables designated positions to conduct some of their work from their homes or from a site other than the central workplace.

Teleworker: An employee who, under formal agreement, 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 Schedule: The employee’s regularly scheduled hours of work in the central workplace and/or in alternative work locations.

WORK AGREEMENT FOR TELEWORKING

Southwest Virginia Community College

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

Employee Supervisor

GENERAL AGREEMENT

- 1. Check One:
 Regular Telework arrangement with VPN Access
 Regular Telework arrangement without VPN Access
 Limited Telework arrangement with VPN Access
 Limited Telework arrangement without VPN Access

- 2. Check One:
 Employee volunteered to telework
 Employee agreed to telework as a condition of initial employment

- 3. A copy of the SWCC's Teleworking Policy has been given to the employee

WORK LOCATION/SCHEDULE

- 1. The employee's central workplace is _____
- 2. The employee's alternate work location is _____
- 3. Describe the designated work area at the alternate work location: _____
- 4. At the central workplace, the employee's workdays and hours will be: _____
- 5. The employee's workdays/hours at the alternate location will be: _____

RATIONALE

- 6. In accordance with the established purpose of the policy, how will this telework arrangement promote general work efficiencies within the department? _____

LIST ALL COLLEGE-OWNED OR LEASED EQUIPMENT THAT HAS BEEN ISSUED TO THE EMPLOYEE:

COMMENTS: _____

