

Revised Policy

Replaces and Rescinds existing and all previous versions of the Flexible Work Arrangements Policy in order to comply with the UNC Policy Manual § 300.8.6[R] Regulation on Flexible Work Arrangements and Remote Work, effective April 29, 2021.



NORTH CAROLINA A&T STATE UNIVERSITY

CHAPTER 100 - PERSONNEL POLICIES

UNIVERSITY POLICY 106, FLEXIBLE AND REMOTE WORK ARRANGEMENTS

SECTION 106.1 POLICY STATEMENT

North Carolina A&T State University (N.C. A&T or University) shall make reasonable efforts to facilitate flexible and remote work arrangements where practicable, while meeting the University's operational needs. The establishment of a flexible or remote work arrangement shall not create a guarantee, right, or entitlement to flexible or remote work by any employee or groups of employees.

SECTION 106.2 PURPOSE

N.C. A&T recognizes that flexible work arrangements and remote work may be appropriate to meet employees' personal needs and/or the needs of the University. Circumstances include, but are not limited to public health or emergency declarations, economic instability, transportation challenges, and other circumstances that may impact employees. Departments are encouraged to permit flexible work arrangements when appropriate.

SECTION 106.3 SCOPE

This policy applies to all permanent SHRA, faculty and EHRA non-faculty employees. Depending on departmental needs and management's decision, temporary, intermittent, or part-time (less than half-time) employees may be ineligible for flexible work arrangements.

SECTION 106.4 DEFINITIONS

- (1) "Duty station" means an employee's designated on-site University work location (building, city, town, state) for the position of record where the employee would regularly perform the employee's duties.
- (2) "Flexible work hours" means flexibility for hours worked, such as part-time work and job shares.
- (3) "Flexible work location" means flexibility in the place of work, such as remote work from home or at a designated satellite location.

- (4) “Flexible work schedule” means adjustment to an employee's regular work schedule in the scheduling of hours worked, such as alternative work schedules (e.g., flex time and compressed workweeks) and arrangements regarding shift and break schedules.
- (5) “Reasonable commuting distance” will vary with local and industry conditions. Factors considered in determining what a reasonable commuting distance is are geographic accessibility of the place of work, the quality of the roads, customarily available transportation, and the usual travel time.
- (6) “Remote work” or “telecommuting” refers to an arrangement that allows an employee to work at home or from another off-site location.
- (7) “Work site” means the place where an employee’s desk or workstation is located, or at which the employee’s activities are based as determined by the Chancellor or designee.
- (8) “Reduced Work Week (Part-time)/ Reduced Work Year” refers to a reduced workweek or reduced work year that allows an employee to reduce their time commitment to the university on a permanent or temporary basis (e.g. reduction from 1.0 FTE to .75 FTE or a 12-month to 9-month appointment). Consultation with an Employee Labor Relations representative is required to determine feasibility, duration of time, and impact on pay, benefits, and/or taxes, as well as to determine if there are other policies that may apply to the request.
- (9) “Job Sharing” refers to a form of regular part-time work in which two people share the responsibilities of one regular full-time position. Job responsibilities, tasks, and hours may be split evenly or unevenly between the two individuals. Consultation with an Employee Labor Relations representative is required to determine feasibility, duration of time, and impact on pay and benefits, as well as to determine if there are other policies that may apply to the request.

SECTION 106.5 TYPES OF FLEXIBLE WORK ARRANGEMENTS

Flexible work arrangements are intended to benefit employees and the University. The three major types of work arrangement flexibility are flexible work hours, flexible work locations, and flexible work schedules.

Although flexible work arrangements may be inappropriate for some organizational units or positions, employees may engage in flexible or remote work arrangements if appropriate to the needs of the department or organizational unit as authorized by the Chancellor or designee.

Section 106.5.1 Flexible Work Hours

Flexible work hours may allow employees to avoid working more than 40 hours in a workweek or coding leave or other paid time off for an absence. Management may revise or revoke flexible work hour adjustments at any time.

Section 106.5.2 Flexible Work Location

Flexible or alternate work location arrangements must meet the University's operational needs and allow for appropriate oversight of an employee's work. Management may revise or revoke flexible work location adjustments at any time.

To the greatest extent practicable, the University shall principally employ individuals who reside within or in close proximity to the State of North Carolina. Employees with flexible work arrangements shall maintain a place of residence within a reasonable commuting distance of their on-site duty station.¹

Employees authorized to work from an alternative location shall not charge mileage for travel between the alternate work location and their assigned duty station. Employees authorized to work from their place of residence shall not charge mileage for travel between their residence and their on-site duty station. Employees authorized to work from an alternative location or their place of residence who must travel for business will be reimbursed for mileage for the distance between their on-site duty station and the destination, consistent with the existing State policies.

Section 106.5.3 Flexible Work Schedules

Flexible work schedules must meet the University's and organizational unit's operational needs and allow for appropriate oversight of the employee's work. Management may revise or revoke flexible work schedule adjustments at any time.

SECTION 106.6 MANAGEMENT RESPONSIBILTiy AND AUTHORITY

Managers and supervisors shall be flexible in accommodating employees' needs and shall administer flexible and remote work arrangements equally and without regard to an individual's race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, or veteran status.

Supervisors and managers shall fairly and equitably set work assignments and work schedules for employees based on the operational needs and resources of the department or organizational unit. However, authorization for flexible or remote work arrangements are discretionary by management, not by any individual employee, and may be revised or revoked at any time with reasonable notice to the employee. N.C. A&T does not guarantee flexible or remote work arrangements for any employee.

SECTION 106.7 INFORMATION AND DATA SECURITY

¹ N.C. A&T may provide limited exceptions to the reasonable commuting distance based on operational needs, including but not limited to, recruitment of those with unique or scarce skills, arrangements for faculty who teach exclusively in distance education programs, or arrival or departure of employees for a transitional period of relocation. All such exceptions must have the prior written approval of the Vice Chancellor for Human Resources or designee. In matters involving on-line adjunct faculty, all such exceptions must have the prior written approval of the Executive Vice Chancellor for Academic Affairs/Provost or designee.

Employees shall protect the security, confidentiality and integrity of University records and information at all times and comply with all federal and state laws, University information security requirements, policies, standards, and guidelines in the same manner as applicable to the employee's duty station.

Confidential and sensitive information and data, as defined by the N.C. A&T's information classification structure shall not be processed nor stored on personal computers or devices. Employees shall access confidential and sensitive data via secure network access technologies processed on institutionally owned systems, and stored in approved, secure remote storage.

N.C. A&T's Chief Information Officer may clarify information security requirements and make exceptions or changes with notice to the University community in accordance with University Policy 1101, Policy on Policies.

SECTION 106.8 FACTORS TO CONSIDER

The Division of Human Resources can assist managers in reviewing requests for flexible work arrangements and finding strategies to implement employee requests based on the department's operational needs.

In reviewing requests for flexible work schedules, managers must consider the overall needs of the University, department and organizational unit, supervisor, and the employee, including:

- The operational needs of the University;
- The University's customers' needs;
- Federal and state laws;
- The nature of the work performed by the employee;
- The employee's work/life needs;
- Whether there are restrictions on when and where work must be performed;
- Task interdependence and whether the employee functions as part of a team that would require an identical or coordinating schedule of all team members or significant face-to-face communication;
- Whether the work unit is able to provide coverage for the employee's functions in the employee's absence without placing an undue burden on other employees in the unit;
- Whether requests for flexible schedules are being handled equitably;
- Whether management has sufficient budget to provide necessary office supplies and equipment for alternate work locations;
- Whether management can continue to effectively monitor employee work that occur outside the supervisor's regular schedule or work location;
- Whether management can effectively comply with federal wage and hour regulations regarding work that occurs outside the supervisor's regular schedule;
- Whether the arrangement results in continued or increased productivity for the employee, the manager, and/or the work unit; and
- The employee's performance evaluation in recent years and whether the employee's personnel file contain any reprimands or warnings.

SECTION 106.9 REASSESSMENT AND TERMINATION OF FLEXIBLE WORK ARRANGEMENT

Supervisors and/or managers shall meet with any employee approved for flexible or remote work within 60 days of approval to assess whether the department's and employee's needs are being met as a result of the adjustment. During the assessment, supervisors and/or managers and the employee should determine whether to adjustment or end the arrangement to meet the University's needs. Reasons to modify or discontinue a flexible work arrangement include, but are not limited to:

- Changes in business needs or coverage;
- Receipt of valid negative customer or stakeholder feedback;
- Deterioration of the employee's performance, productivity, or attendance;
- Occurrence of departmental or organizational unit staff shortages;
- Unreasonable and ongoing disruption to the work unit;
- Employee's dissatisfaction or changes in the employee's needs; and
- Funding availability or equity concerns make the arrangement prohibitive.

Different work units have different business needs and abilities to accommodate flexible work arrangements. Supervisors and employees should make reasonable efforts to reach an equitable resolution regarding continued flexible or remote work. The Division of Human Resources can assist managers and employees in identifying and evaluating the effectiveness of flexible work arrangements.

A flexible work arrangement is not an employee right, and the University may terminate the arrangement at its sole discretion. If a flexible work arrangement is regular or recurring, the arrangement should be reviewed with the employee at least annually.

SECTION 106.10 REQUESTING A FLEXIBLE WORK ARRANGEMENT

Employees may request a flexible work arrangement by completing the Request for Flexible Work Arrangement Form (FWAF) located in the Division of Human Resources and on its website at <https://hub.ncat.edu/administration/human-resources/forms/index.php>. The completed FWAF must be submitted to the employee's immediate supervisor.

SECTION 106.11 FLEXIBLE WORK ARRANGEMENTS TO CARE FOR SICK CHILD OR DEPENDENT

Dependent care needs are a common reason for a flexible work arrangement. In those cases, the child or dependent must not require the employee's primary attention during work hours or significantly reduce the employee's ability to perform work duties. In cases where the dependent requires greater care, Family and Medical Leave, Family Illness Leave, or other leave may be appropriate.

SECTION 106.12 FLEXIBLE WORK ARRANGEMENT AGREEMENTS

Section 106.12.1 Compensation and Benefits

An employee's compensation, benefits, work status, and work responsibilities will not change because of a flexible work arrangement agreement. The amount of time an employee is expected to work per day or pay period will not change unless the flexible work arrangement specifically alters these requirements.

Section 106.12.2 Condition of Employment

All legal protections and workplace policies relating to an employee's employment status that normally apply to the campus workplace will apply to an employee under a flexible work arrangement agreement. Flexible work arrangements do not change the conditions of employment or required compliance with applicable federal, state, or local laws, or workplace policies, and rules.

Section 106.12.3 University Property

Flexible work arrangement agreements shall include an inventory of the State or University's property authorized to be used from the employee's flexible work location. Off-site use of all University property shall comply with federal and state laws and University policies governing personal use, including software and technology licensing agreements.

Supervisors shall review information about equipment insurance with each employee approved for flexible work. Flexible work arrangement agreements shall clearly identify who will bear the risk of loss or damage to University property if a loss occurs.

Section 106.12.4 Workers' Compensation

Each flexible work agreement shall specify that approved employees are covered by workers' compensation insurance in accordance with N.C. Gen. Stat. § 97-1 *et seq.* for job-related injuries that occur in the course and scope of employment. Workers' compensation insurance shall not cover injuries to employees when the injuries are not job-related and were not incurred in the course and scope of employment.

SECTION 106.13 SPECIAL CIRCUMSTANCES THAT REQUIRE WIDESPREAD REMOTE WORK

The Chancellor or Chancellor's designee may implement this policy on a widespread basis in the event of a catastrophic weather incident, outbreak of a serious communicable disease, physical damage, destruction, or unavailability of the worksite due to fire or other condition, or other such significant emergencies. In such cases, the University will communicate the special circumstances to the University community, and may require employees to work from alternate sites off campus (including their homes) to meet the operational needs of the University.

In the event of special circumstances described in this section, the University may waive the requirement for employees working at alternate sites to sign and submit a flexible work arrangement agreement. In those cases, each work unit shall develop and maintain updated rosters of the job duties that are deemed mandatory, and which positions qualify for alternate work due to

special circumstances. Departments must plan for cross-training and redistribution of employees to prepare for contingencies likely to emerge during catastrophic or special situations.

POLICY HISTORY:

Eff: November 19, 2010

Revised: , 2021

AUTHORITY: Board of Trustees

POLICY OWNER: Vice Chancellor for Human Resources

RESPONSIBLE OFFICE: Division of Human Resources, Benefits Office

RESOURCES:

University Policy 131, Family and Medical Leave

University Policy 134, Family Illness Leave

[Workers' Compensation Act](#), N.C. Gen. Stat. § 97-1 *et seq.*

[UNC Policy Manual § 300.8.6\[R\]](#), Regulation on Flexible Work Arrangements and Remote Work

[UNC Policy Manual § 1400.2](#)