College of The Albemarle

Policy Number: 3.4.7

Title: Flexible Work Schedule

Related Policy and Procedures:

Division of Responsibility: Human Resources

The College supports flexible and alternative work schedules when they promote the effective delivery of academic, student, and administrative services and are consistent with operational needs. Flexible work schedules may be approved at the College's discretion and may also be established or modified by the College when necessary to meet operational, emergency, or other institutional needs.

An employee-approved flexible work schedule is not an entitlement or a guarantee of continued employment and may be modified or discontinued at any time based on operational needs, employee performance, departmental coverage, or the best interests of the College.

I. DEFINITIONS

A. Compressed Work Week means a work schedule under which an employee completes the employee's regularly scheduled weekly work hours in fewer than five (5) workdays.

B. Flex time means an approved work schedule that permits variations in an employee's established starting and ending times while maintaining the employee's required work hours and necessary departmental coverage.

C. Telework means an approved work arrangement under which an employee performs assigned job duties from an approved remote work location rather than a College worksite.

II. EMPLOYEE REQUIREMENTS

Part-time employees are not eligible to telework unless the president has approved an exception.

Unless otherwise approved by the President or designee, an approved telework schedule is limited to one (1) remote workday per workweek, with the employee working onsite for the remaining four (4) workdays. The supervisor shall determine the remote workday based on departmental coverage, operational requirements, and the needs of the College.

Flexible work schedule options may not be combined.

Eligibility for a flexible work schedule shall be determined based on the duties and responsibilities of the position, employee performance, departmental staffing and coverage, service to students and the public, operational requirements, security and confidentiality considerations, and the employee's ability to perform assigned duties effectively under the proposed arrangement.

Approval of a flexible work schedule for one employee does not require approval of the same or a similar arrangement for another employee when job duties, departmental needs, performance, staffing, or other relevant circumstances differ.

Flexible work schedules require advance written approval from the employee's supervisor. Additional approval from the appropriate Vice President or President may be required as established by College procedure.

Nonexempt employees participating in an approved flexible work schedule must accurately record all hours worked and remain subject to applicable meal-period, overtime, and timekeeping requirements. Nonexempt employees may not work outside their approved schedule without prior authorization from their supervisor. All hours actually worked must nevertheless be reported and compensated in accordance with applicable law and College policy.

III. EMPLOYEES WITH DISABILITIES

Nothing in this policy limits an employee's rights under the Americans with Disabilities Act (ADA), the Pregnant Workers Fairness Act (PWFA), or other applicable law. Requests for modifications to an employee's work schedule or work location as a reasonable accommodation shall be evaluated through the College's applicable reasonable accommodation process and are not governed by the discretionary eligibility requirements of this policy.

Legal References: Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101 *et seq.*; 29 C.F.R. Part 1630; Pregnant Workers Fairness Act, 42 U.S.C. §§ 2000gg *et seq.*; 29 C.F.R. Part 1636; Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §§ 201 *et seq.*

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