

1415.01 FLEXIBLE WORK OPTIONS PROCEDURE

This is an overview of various flexible work options:

1. **Flex Time** A scheduling program for full-time employees permits them to choose their starting and quitting times within limits set by management. The flexible periods are usually at either end of a "core time" (as established by the unit service levels) during which all employees must be at work. Flex time is explained in greater detail in Section I.
2. **Compressed Workweek** A standard workweek is condensed into fewer than five days. The most common options are four 10-hour days, three 12-hour days, or a week of five nine-hour days followed by a week of four nine-hour days and one day off. Contact Human Resources for more information.
3. **Job Sharing** Two people voluntarily share the responsibilities of one full-time position, with salary and benefits prorated. This option requires a team approach to the job responsibilities and allows the partners more continuity because they can trade time or fill in for each other. Job sharing creates regular part-time employment opportunities where a full-time position is needed. For more information on job sharing go to www.nmc.edu/hr, click on Policies & Procedures, 1417.00 and 1417.01.
4. **Telecommuting** For all or part of the employee's regularly scheduled hours, work is performed at home or from a satellite office. Telecommuters stay in contact with the main office by using various means such as the telephone, computer, and fax machine.
5. **Voluntary Reduced Contract/Work Schedule** Voluntary reduction of contract or hours worked. Can be a permanent or temporary change. This program allows employees to make time/income trade-offs by pre-arrangement rather than having to make ad hoc arrangements with their supervisors. Full-time employees may work fewer hours for a specified time period with a corresponding reduction in compensation and with prorated benefits. The supervisor and executive officer may agree to a request, subject to a review period. If the arrangements are not working satisfactorily, an employee may be required to return to the original working hours.
6. **Phased Retirement/Partial Retirement** These options allow experienced employees to reduce their hours for a period of time before retirement. Phased retirement plans generally set a specific schedule that reduces the employee's full-time commitment gradually over several years. Partial retirement refers to senior employees working part time, with no set time limit; they may or may not be filing for retirement benefits. Contact Human Resources for more information.

7. **Unpaid Professional Leave of Absence** An unpaid leave of absence of up to one (1) year may be granted when the leave of absence is desirable and agreeable to the administration. Such requests shall be made to the executive officer ninety (90) days prior to the commencing day of the leave. Unpaid leaves of absence will not accrue MPSERS service credits. The member will be eligible to pay the CORE purchase price for medical/dental benefits while on unpaid leave. No other benefits apply.

I. FLEX TIME

When considering a flex time arrangement for Support Staff, a supervisor needs to be aware of the Fair Labor Standards Act (FLSA).

At NMC, the FLSA applies to Support Staff (non-exempt, which means these employee groups are not exempt from the FLSA) personnel. Key points that must be kept in mind when developing flexible work options:

A. The FLSA, Flexible Work Options, and Support Staff

Support Staff must report and be paid for all hours worked in the actual pay week. If employees work 40 hours in a week, they must be paid for 40 hours' work. If they work 45 hours, they must be paid for 47.5 hours' worked (5 hours at 1.5 overtime rate = 7.5 hours plus the 40).

Overtime hours cannot be accumulated and used for time off in another pay period.

It is possible to comply with the FLSA and continue to pay employees their "normal checks" each two-week pay period, even though the employees work overtime in one week and not in another within the two-week pay period. In other words you can balance (but not average) overtime in one week against *under time* in another week. This results in employees getting their normal paychecks from their base hours, even though they worked differing hours in the two pay weeks. In order to do this, the FLSA requires that this understanding be reached prior to the performance of work. For examples of this, please refer to the end of this procedure, and for guidance contact Human Resources.

B. Flexible Work Options for Salaried Staff

1. Salaried staff are exempt from the FLSA and are not eligible for overtime payment.
2. These employee groups are expected to work a 40-hour workweek.

II. REQUESTS, APPROVAL, AND AGREEMENT

Requests for participation in a flex time program must be approved by the employee, supervisor, and executive officer. The decision to establish a flex time program will be based on the needs of the area or unit, other related/impacted areas of the College, and the ability to be responsive to customers.

III. SCHEDULES

Flex time schedules may vary, depending on area or unit needs. Each area or unit must maintain adequate coverage during normal operational hours and must consider other related/impacted areas of the College.

Scheduling considerations include the following:

- A. Adequate staffing, as defined by the supervisor in consultation with other NMC related/impacted areas, will be maintained.
- B. All employees will work (or account for) their base hours each pay period.
- C. Hours worked over 40 per week by non-exempt employees will be paid as overtime.
- D. Existing policies concerning snow days, excused and unexcused absences shall apply.
- E. All leave days (vacation, holiday, sick, snow days, etc.) will be provided based on the hours the employee was scheduled to work, up to 7.5 or 8 hours (depending on level) for support staff or 8 hours for professional staff, but not more than the number required to complete a normal work week. If needed, the employee may need to work additional hours within a week in order to complete a normal workweek.
- F. Employees are responsible for monitoring their own hours to ensure they complete a full workweek.
- G. Overtime must continue to be approved, in advance, by the supervisor.
- H. If the flextime arrangement does not meet the needs of the area or unit, significantly affects related areas or units of the College, or is abused by the employee, the arrangement may be cancelled at any time at the discretion of the supervisor.
- I. In accordance with NMC's Conflict of Interest Policy, D-506.01, it is understood that employment at NMC is an employee's primary job. Flextime schedules will not be approved for purposes of maintaining other employment.
- J. Employees on flextime may be required to attend certain meetings during their normal unscheduled hours. If salaried, there will be no additional pay or compensatory time for these hours.

IV. FLEX TIME EXAMPLES FOR SUPPORT STAFF EMPLOYEES**A. Example A – no overtime**

This employee is on Level 4, Step 4, which has a rate of \$13.71 per hour, and is scheduled to work 37.5 hours. Her two-week rate is 75 hours x \$13.71 hour, or \$1,028.25 per pay.

In the first week of the pay period, she works 4 10-hour days, for a total of \$548.40. There is not overtime due since overtime is not due until working over 40 hours in a pay week. The next week the manager would need to schedule her 35 hours, which would equate to a paycheck of \$479.85. This schedule would equal her normal paycheck of \$1,028.25.

B. Example B – with overtime

If the same person in a different payroll period worked 45 hours in the first week of a two-week payroll period, that would equate to 40 hours at \$13.71 (\$548.40) plus 5 hours overtime at \$20.57 (\$102.85) for a total pay for this week of \$651.25. This would mean that the second week of the payroll period cannot exceed \$377. In this example the manager could only schedule the employee for 27.5 hours ($\$377/\13.71) to stay within the budget.

V. TELECOMMUTING

Telecommuting is the practice of working off-site instead of physically traveling to a central workplace. NMC may offer this work alternative to some employees when it would be beneficial to both the College and the employee.

Employees who believe telecommuting may enhance their ability to accomplish work should submit a written request to their supervisors proposing how it will benefit NMC and the employee. Please contact the Office of Human Resources for a Flex-time Agreement form or print one from the shared drive S:\Human Resources\Public\Forms\Flex-Time Agreement.

The decision to approve a telecommuting arrangement will be based on factors such as position and job duties, performance history, related work skills, and the impact on the College.

The employee's compensation, benefits, work status, work responsibilities, and the amount of time the employee is expected to work per day or per pay period will not change due to participation in the telecommuting program (unless otherwise agreed upon in writing).

The employee's off-site work hours will conform to a schedule agreed upon by the employee and his or her supervisor. If such a schedule has not been agreed upon, the employee's work hours will be assumed to be the same as they were before the employee began telecommuting. Changes to this schedule must be reviewed and approved in advance by the employee's supervisor.

During working hours, the employee's at-home workspace will be considered an extension of NMC's workspace. Therefore, workers' compensation benefits may be available for job-related accidents that occur in the employee's at-home workspace during working hours. All job-related accidents will be investigated immediately.

NMC assumes no responsibility for injuries occurring in the employee's off-site workspace except during the agreed-upon work hours. The employee agrees to maintain safe conditions in the off-site workspace and to practice the same safety habits as those followed on NMC's premises.

In the case of an injury while working off-site, the employee will immediately report the injury to the direct supervisor to get instructions for obtaining medical treatment.

Telecommuting is an alternative method of meeting the needs of the College and is not a universal employee benefit. As such, NMC has the right to refuse to make telecommuting available to an employee and to terminate a telecommuting arrangement at any time.

VI. VOLUNTARY REDUCED CONTRACT/ WORK SCHEDULE PROCEDURE PHASED/ PARTIAL RETIREMENT

Each request for voluntary reduced contract/phased/Partial Retirement will be considered individually, first by the supervisor, and then by the appropriate executive officer in consultation with the Executive Director of Human Resources. Whether an application is approved or not will depend upon the individual circumstances of each case.

When reviewing a request, the supervisor and executive officer will need to consider the effects on the employee's service area as well as related or potentially impacted areas. The supervisor and executive officer will have to be satisfied that the nature of the work allows for a reduction in hours, or that the duties can be carried out by making other arrangements.

Consideration may be given to arrangements which allow an employee to either permanently reduce hours of work, involving a change in contract, or to temporarily reduce hours involving a short- or long-term change in contract, whichever is appropriate.

Pay will be reduced on a pro-rata basis to the voluntary reduced hours. Annual leave time (where applicable) will be awarded on a pro-rated basis of the percent of full-time hours worked where the working week is reduced from full time. Part-time faculty and staff regularly appointed to at least 50 percent or more of an annual full-time position are eligible to participate in the core plan medical/dental.

NMC will fund a prorated portion of coverage based on the appointment percentage of a full-time appointment. The employee will pay the remaining percent of coverage on a bi-weekly, pre-tax basis. NMC tuition benefit will also be pro-rated on the basis of the appointment percent for the employee and eligible legal dependents.

Benefits not available to part-time faculty and staff are term life insurance, long-term disability, and NMC's self-funded short-term disability (Wage Continuation).

A. Job Changes

Voluntary reduction arrangements are an agreed variation to the employment contract or work schedule. If an employee changes jobs and wishes to maintain the arrangement, he or she will need to re-apply.

B. Notification

1. An employee requesting a voluntary reduction of contract for exempt staff or a voluntary reduction of work schedule for classified staff may submit a request at any time.
2. An employee should give as much notice as possible when requesting a voluntary reduction of contract.

C. The Request for Voluntary Reduction of Contract is available at *S:\Human Resources\ Public\ Forms/*. A completed form must be accompanied by a memo that includes:

1. How the key responsibilities of the employee's job will be affected if the reduction is granted.
2. How related areas will be impacted by the reduction.
3. Proposed work schedule and expected date of return.

D. Forms must be returned to the employee's supervisor to be reviewed and signed by:

1. Immediate supervisor
2. Appropriate executive officer
3. Executive Director of Human Resources

E. Written documentation will be maintained in employee personnel files, including both approved and nonapproved applications and the reasons for approval or nonapproval. Examples of reasons may be:

1. Workload issues
2. An essential employee who performs a singular function

Schedule must be approved by the immediate supervisor and the executive officer.

F. Implementation Process

1. The Office of Human Resources will reduce pay from the approved requests for temporary voluntary contract reductions. Benefits may be reduced depending on the employee's category after the reduction in contract/work schedule.
2. Amended employment contracts will be issued for approved permanent reductions in contracts and pay will be reduced accordingly. Benefits may be reduced depending on the employee's category after the reduction in contract/work schedule.

3. The Office of Human Resources will reduce pay accordingly for classified staff from the approved requests for reduction in work schedule. Benefits may be reduced depending on the employee's category after the reduction in contract/work schedule.

Note: For classified employees requesting a reduction in work schedules, if the reduced scope of work involves the removal of elements of their jobs which justify the existing classification, the employee could be reassigned to a lower classification.

Please call Human Resources for guidance regarding forms for any of the flexible work options outlined in this procedure.

AUTHORIZATION OF STAFF PROCEDURE

Executive Director of Human Resources' authorization: William L. Hendry

Date Authorized: September 13, 2004,
Revised March 7, 2007