



Flexible Work Arrangement Policy

SCOPE

All types of City employees (full-time and part-time, union and non-union) may be considered for a flexible work arrangement, depending on their job duties.

RATIONALE

This policy establishes the guidelines for flexible work arrangements to situations that fall outside of the typical City work schedule and last longer than two months. The City of Bloomington recognizes that flexible work arrangements can help the organization retain valuable employees and reduce turnover costs by providing a way for staff to more effectively meet the demands of their work and personal responsibilities. Such arrangements offer an alternative approach to completing work through non-traditional work hours and worksites. The City supports workplace flexibility to promote a highly productive work environment that allows employees to balance their work and professional needs while offering workforce dependability and consistency.

While not all positions will be suitable for flexible work arrangements, requests will be reviewed on a case by case basis taking into account the departmental needs and the employee's ability to maintain a high level of service. A flexible work arrangement is a business and workplace strategy, not an employee benefit or employee right.

FLEXIBLE WORK OPTIONS

- A. **Flextime:** Agreed-upon starting and departure times that differ from the standard schedule for the department, division or work group. Flextime does not reduce the total number of hours worked in a given workweek. Flextime options can include fixed starting/ending times that change periodically; starting and ending times that can vary daily and variations in the length of days (e.g. six-hour day followed by a 10-hour day).
- B. **Compressed workweek.** A traditional 40-hour workweek condensed into fewer than five workdays (e.g. four 10-hour workdays).
- C. **Teleworking:** A regular, routine work arrangement that allows the employee to perform a portion of the job outside of City facilities. This type of arrangement specifies the number of hours to be

worked outside of the office and the specific time in which it will occur. Employees must be self-disciplined, self-motivated, and comfortable working away from the office setting. Positions suited for teleworking are those that can be successfully performed remotely and require minimal supervision and limited face-to-face contact.

CRITERIA

Flexible work arrangements are discretionary based upon the operational needs of the department, division or work group and must have prior approval by the supervisor, department head and Human Resources Manager. In some cases, a request for family and medical leave or a reasonable accommodation related to a disability may be more appropriate than a flexible work arrangement.

Requests for flexible work arrangements will be evaluated on the following criteria:

1. Can the employee's job duties, tasks and responsibilities be performed remotely or independent of co-workers or team members?
2. Can the work be monitored with quantifiable tasks, quantity and quality measures?
3. Is there likely to be an adverse impact on customers or coworkers?
4. Will working remotely expose private or confidential data to an unacceptable level of risk?
5. Has the employee successfully completed the new hire probationary period?
6. Has the employee demonstrated a high degree of skill and job knowledge?
7. Does the employee have a proven record of satisfactory job performance and attendance?
8. Has the employee consistently demonstrated appropriate self-discipline, self-motivation and the ability to work independently?
9. Has the employee consistently demonstrated strong communication skills and the ability to communicate with others in an appropriate form, time and level of detail?
10. Are there sufficient funds available to acquire needed resources?

GUIDELINES

GENERAL GUIDELINES

- A. A flexible work arrangement is a business and workplace strategy, not an employee right or universal employee benefit.
- B. A flexible work arrangement is not a substitute for paid time off. Flexible work arrangement requests are not the same as the occasional need for flexibility. Flexible work arrangements generally last longer than two months and are a regular and predictable part of the employee's work schedule.

- C. Not all requests will be accommodated and not all positions are appropriate for flexible work options.
- D. The operational needs of the department, division or work group must be met even when an employee has a flexible work arrangement.
- E. Performance expectations remain the same regardless of the employee's work schedule or location.
- F. Flexible work arrangements are not guaranteed or permanent – they may change as the needs of the department, division or work group change.
- G. The supervisor may temporarily adjust work schedule or location as needed to meet the operational needs of the work group.
- H. Flexible scheduling is limited to a two-week pay period. For example a work arrangement may not include a two-week period where 88 hours is worked followed by a two-week period where 72 hours is worked. Flexible scheduling options that include unequal work weeks (i.e. 32 hours in one week and 48 hours in the next) may be limited by the requirements of state and federal law and must be approved by Human Resources prior to implementation.
- I. Flexible work arrangements must not result in additional work for other staff.
- J. Customers and other staff should not be adversely affected by a flexible work arrangement. If a flexible work arrangement creates adverse effects, the City and the employee shall work to eliminate them. The City retains the right to end the arrangement if the adverse effects continue.
- K. Flexible work arrangements must be in compliance with the City's information security and data policies as well as all other City policies.
- L. The employee should receive approval for temporary deviations in his or her established work schedule from the supervisor in the same manner that he or she would without a flexible work arrangement.
- M. Flexible work arrangements may be modified or discontinued for any reason as needed to ensure that the arrangement does not negatively affect the quality, quantity or productivity of the employee or the work group.
- N. Supervisors should consult with Human Resources about recording time on timecards for holidays, vacation and other leaves.
- O. All flexible work arrangements are subject to the City's Employment Rules and must conform to the overtime, record keeping and other provisions of the Fair Labor Standards Act and other relevant laws. Lunches and breaks should be provided for in a flexible work arrangement.
- P. Eight hours of pay is the maximum allowed per holiday. If a holiday falls on a day that an employee is scheduled to work more than eight hours, the employee must use vacation or personal leave to supplement the rest of the scheduled workday or flex the time by working another day not to exceed 12 hours as approved by the supervisor.
- Q. An employee may appeal a decision on a flexible work arrangement to their department head or, if the employee's supervisor is a department head, to Human Resources.

TELEWORKING GUIDELINES

- A. In order to ensure continuity of operations, employees may not work remotely more than 50% of their work week.
- B. Teleworkers who work from home are responsible for having a designated work area that allows them to report to the office with one hour's notice or within the employee's normal commute. The work area should be suitable to complete the work assigned, safe, ergonomically appropriate and located in an area free from noise such as barking dogs. It should provide sufficient security for data, phone conversations, etc. Teleworkers who require home adjustments are responsible for any costs associated with remodeling and the initial setup of a designated work space.
- C. Equipment needs for teleworking are determined on a case-by-case basis between the supervisor and employee. The City of Bloomington will not provide teleworking equipment unless it is justified depending on the needs of the department, division or work group and the nature of the work assignment. The decision as to type, nature, function and/or quality of electronic hardware, software, systems access, data and phone lines rests with the supervisor in coordination with the City's Information Systems Division. Equipment provided by the City is limited to authorized persons for City-related purposes.
- D. Provisions of the Minnesota Government Data Practices Act and data privacy policies must be followed when performing work at a remote location. Employees will be expected to ensure the confidentiality and security of all City data accessed from or transported to the remote work site.
- E. A teleworking arrangement cannot substitute for dependent or child care. The remote work site must be free of distractions including demands on the employee's time and attention by dependents. Employees must have the same dependent care arrangements in place when they are teleworking as they would if they were working at a City office.
- F. Any work-related accident, injury, or illness that occurs while teleworking should be reported immediately to the employer's supervisor so that a first report of injury can be completed. An employee is covered by Worker's Compensation laws while teleworking.
- G. An employee's existing insurance policy(ies) may not include coverage for liability arising out of the use of a residence for a business purpose. Employees are solely responsible for determining an appropriate level of insurance based on their own circumstances.
- H. Federal and state tax implications of teleworking and use of a home office are the responsibility of the employee.
- I. The teleworker's schedule, including number of teleworking days per week, normal teleworking hours and use of vacation, personal or compensatory time will be discussed with the employee prior to finalizing the teleworking agreement.
- J. Unless other arrangements are made, the employee will be expected to attend all assigned office meetings related to the performance of the job, including those held on a teleworking work day. Reasonable attempts will be made to accommodate the teleworker's schedule.

- K. The supervisor retains the right to call a teleworker into the office as needed. As such, a teleworking employee must have a designated work area that allows them to report to the office with one hour's notice or within the employee's normal commute.
- L. Teleworkers and supervisors are expected to develop an effective communication strategy. Teleworkers must be reachable via telephone or e-mail during agreed-upon work hours.
- M. Teleworkers must notify their supervisor if they are unavailable for more than one hour.
- N. Travel to and from a City office for the purposes of meetings or other work requirements are not considered eligible for compensation and mileage will not be reimbursed.
- O. Ongoing interaction between the employee and his or her work unit should be maintained daily by phone and/or emails.
- P. The teleworking employee should be as accessible as they would be in City offices. The only difference is where the work occurs. The arrangement must be seamless to customers.

PROCESS

- A. The employee must complete a flexible work arrangement request form and submit it to his/her supervisor.
- B. The employee and supervisor must discuss the flexible work arrangement request.
- C. The work group's operational needs must be considered (e.g., impact on work group, co-workers, customers, budget, business needs, etc.)
- D. Supervisors should specify when the employee is expected to be present at the office, how they are to be available during their offsite work time and how they are to communicate their specific availability, if the flexible work arrangement is approved.
- E. Flexible work arrangement agreements must be in writing and approved by the supervisor, department head and Human Resources Manager before taking effect.
- F. Supervisors should evaluate an employee's flexible work arrangement with him/her on an ongoing basis.
- G. The City will assess the flexible work arrangement policy on a periodic basis.

PERFORMANCE STANDARDS

- A. The City of Bloomington's policies and procedures as stated above apply to all flexible work arrangements.
- B. A flexible work arrangement will start with a pilot period of three months during which the employee and supervisor will regularly discuss how it is going, whether productivity is being maintained, and whether adjustments are needed or if the arrangement should be amended or

discontinued. The arrangement may continue after the trial period if deemed successful by both the employee and the supervisor.

- C. Flexible work arrangements sunset at the end of each calendar year; they may be renewed depending upon an assessment of the arrangement by the employee and the supervisor. An application for a flexible work arrangement is required each year.
- D. Whenever possible, weekly face-to-face check-ins should occur between the supervisor and employee to discuss work progress.
- E. Any changes of work hours or work location should be reviewed and approved by the supervisor in advance.
- F. Either the employee or the supervisor may terminate a flexible work arrangement at any time and for any reason as needed with reasonable notice.