

College Operating Procedures (COP)



Procedure Title: Flexible Work Arrangements for Non-Instructional Employees
Procedure Number: 05-0508
Originating Department: Office of Human Resources

Specific Authority:

Board Policy 6Hx6:1.01
Florida Statute n/a
Florida Administrative Code

Procedure Actions: Adopted: 4/22/2022;05/08/2025

Purpose Statement: To promote a work environment that will enhance FSW's ability to service students and other key constituents, the College shall establish conditions of employment for non-instructional employees to include work schedules and/or work location(s) based on position and job characteristics.

1. Work Location Decision Process

- A. Each Vice President shall consult with their leadership teams to review and make decisions on the work location option for each position within their respective division. Work location options generally include:
1. **Fully On-Site:** Employee performs all job duties at FSW location(s), with flexibility in the work schedule, if appropriate.
 2. **Primarily On-Site:** Employee performs the majority of job duties on-site and may occasionally work remotely.
 3. **Primarily Remote:** Employee performs the majority of job duties remotely and may occasionally work on-site, based on operational needs with advance notice when possible.
 - a. Primarily remote employees are not guaranteed dedicated College office space or a workstation while on-site. The supervisor will identify an office(s) and/or workspace(s) available to employees when working on-site (generally a shared office or workspace). It is the employee's responsibility to bring their work-issued laptop when working on-site.
 4. **Fully Remote:** Employee performs all job duties off-site, typically at home or another suitable location. The fully remote employee may occasionally be required to work on-site, with advance notice when possible.
 - a. Fully remote employees are not guaranteed a dedicated College office space or a workstation while on-site. The supervisor is responsible for identifying an office(s) and/or workspace(s) available to employees when working on-site (generally a shared office and/or workspace). It is the employee's responsibility to bring their work-issued laptop when working on-site.
 - b. A Remote Work Agreement must be completed for positions designated as anything other than fully on-site.
- B. Department leadership will work to determine specific work schedules for primarily on-site and primarily remote positions each semester or otherwise as deemed appropriate.

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Job Responsibilities

- Discuss the employee's job responsibilities and determine if their position is appropriate for a FWA arrangement.
- Examples of jobs that may be suitable for FWA arrangements include those that have minimal face-to-face interaction, heavy data entry tasks, or specific objectives and performance standards that can be measured.
- Examples of jobs that may not be suitable for FWA arrangements include those that require frequent face-to-face interaction, onsite customer support or the need for access to onsite confidential documents.

Department and Employee Suitability

- Supervisors together with the department head will examine the needs of the department, including frequency of meetings, department goals and projects, other departments' schedules, and space constraints.
- Supervisors together with the department head will assess the performance of the employee to ensure that the employee is in good standing and to determine if the employee's work habits display the traits customarily recognized as appropriate for successful FWAs, such as reliability, responsiveness, and the ability to work independently. Employees who are not in good standing (e.g., have performance related or attendance issues), are not eligible.

Schedule

- The supervisor and employee will discuss and agree upon the number of FWA days allowed each week, the work hours and schedule that the employee will customarily maintain, and the manner and frequency of regular communication (i.e. via phone, video conferencing, and/or in person, etc.) with the supervisor and others in the department, College, vendors, etc.
- FWA workers must be as accessible as their onsite counterparts during their agreed-upon regular work schedule, regardless of work location. FWAs may be required to work at their onsite location for meetings, events, and other situations deemed necessary by their supervisors.
- Remote workers may be required, at any time, to commute to their onsite work location. This is considered commute time, and remote workers are not eligible to receive reimbursement for this travel.
- Remote workers may be required to forfeit use of personal offices or workstations at their onsite work location to maximize utilization of office space.
- Time Worked - remote workers who are not exempt (hourly) from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked following FSW's payroll procedures. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the supervisor. Failure to comply with this requirement may result in the immediate termination of the Remote Work agreement.

Equipment

- FSW may assess the alternate work location, including workspace design and equipment needs. FSW may determine the appropriate equipment needs for each FWA arrangement at the alternate work location on a case-by-case basis consistent with FSW's ITS policies and procedures. FSW reserves the right to make determinations as to appropriate equipment, subject to change at any time. Remote workers **must** use the equipment provided by FSW.

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- Use of personal computing devices is not permitted while performing work for FSW.
- When FSW's equipment is used at alternate work locations, remote workers must exercise reasonable care for the equipment and should take appropriate action to protect the items from damage or theft. Remote workers may be held liable for damage caused by negligence. FSW equipment should be used for business purposes only and will be maintained by FSW.
- Like their onsite counterparts, remote workers must adhere to FSW's IT Information Security Procedures.

Alternate Work Location

- FWA workers must establish an appropriate work environment within their alternate location for work purposes. FSW is not responsible for costs associated with the setup of FWA's alternate office spaces, such as remodeling, furniture, or lighting, nor for repairs or modifications to alternate office spaces.
- Employees are solely responsible for the configuration of and all the expenses and services associated with remote workspace. This includes ensuring and maintaining an ergonomically appropriate and safe remote worksite. Employees will utilize this resource for the purpose of assessing and maintaining their remote worksite in a safe and ergonomically appropriate manner.
- Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Employees who remote work are responsible for notifying their supervisor of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.
- To support a workers' compensation claim off-site, employee injuries must arise out of and in the course of employment as defined by applicable laws, rules, and regulations governing workers' compensation. Employees are still expected to immediately report the injury to their respective supervisor and a representative of the Human Resources Office. For more information on reporting an employee injury, see College Operating Procedure (COP 05-????) Workers' Compensation.
- The College is not responsible for ensuring the adequacy and ergonomic correctness of the remote workplace.
- If an employee has their own business or any other employment, remote work may not be performed at their business location.
- Remote workers should not hold business visits or in-person meetings at their alternate work location unless approved by their supervisor or unless they are traveling and conducting college business.
- Remote workers must take all precautions necessary to secure privileged information in their alternate work location and prevent unauthorized access to any FSW system, consistent with the FSW's expectations of information asset security for employees working at any FSW office. Remote workers will be expected to ensure the protection of proprietary FSW information and information accessible from their alternate work location. Please refer to FSW's IT'S Acceptable Use Procedure for more information.
- Remote work is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective remote workers are encouraged to discuss expectations of remote work with family members prior to entering an FWA arrangement.
- Remote workers are responsible for notifying their employer of any injuries sustained while

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at their alternate work location and in conjunction with their regular work duties in accordance with FSW's workers' compensation procedures.

Supervisor Expectations for Flexible Work Arrangements:

- A. Regardless of work arrangements, supervisors are expected to provide employees with appropriate work schedules, to communicate clearly defined work expectations, to periodically check in on employees regarding their progress and status, and to conduct check-ins and feedback per FSW policy.
- B. Supervisors are responsible for coordinating the issuance of College equipment and resources for employees with flexible work arrangements to complete their work on-site and/or from their remote location.
- C. Supervisors are responsible for reviewing the effectiveness of flexible work arrangements with employees and adjusting address concerns/challenges as needed. This review should occur more frequently toward the beginning of the arrangement and no less than annually thereafter. After periodic reviews, supervisors may recommend to leadership any future adjustments to position location and/or work schedule as deemed appropriate for approval.

Employees are expected to:

1. effectively perform their job duties and responsibilities free from distraction or other competing expectations including but not limited to the care of others;
2. be accessible during normal or otherwise agreed-upon work hours; and
3. regularly communicate with their supervisor(s) and colleagues, ask questions, and communicate concerns in a timely manner, and provide and receive feedback

Required training:

Prior to remote work, employees must complete training on use of technology to assure a seamless transition. Topics will include:

1. Remote Work Certification

- a. Annual Security Awareness Training
- b. Remote technical support
- c. Technology Training- See list of technology below. Training is provided on each of these technology tools.

2. Technology Requirements (note that it is the expectation that when an employee is provided with these technologies and training to use them, the employee must use them in order to maintain FWA status.)

- a. FSW Provides:
 - i. Dual Monitors
 - ii. Laptop
 - iii. Webcam
 - iv. All necessary software related to your position at FSW
 - v. Phone software
 - vi. Remote computer access - Virtual Private Network (VPN)
 - vii. File and Document Storage
 - viii. Adobe sign
 - ix. Microsoft Teams

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b. Employee Provides

- i. High Speed Internet Access
- ii. Comfortable and distraction free work environment

Supervisors who have employees who are doing FWA are required to take Managing Hybrid Teams Training.

Compressed Work Week-A compressed workweek allows full-time employees to work longer days for part of the week or pay period, in exchange for shorter days or a day off each week or within the same pay period. In the event that an employee's position does not allow for FWA or where the employee requests consideration for a compressed work week, the supervisor may allow for an employee to work less than an 8-hour day, 5 days per week. Business need and staffing requirements will be considered when reviewing a request for a compressed work week.

DEFINITIONS

Compressed Work Schedule is defined as an alternate work schedule completed in fewer than five (5) full workdays per week.

Core Business Hours is defined as the fixed block of time during which all Professional Staff Members are expected to be engaged in work. The primary expectation is that when meetings, calls or chats, and emails occur, staff will be available to respond during core hours. Each department will determine core hours for staff.

Department Head is defined as the administrator that oversees the day to day operation of a department, center or school within the College (e.g., director, dean).

Exempt Professional Staff Member is defined under the Fair Labor Standards Act (FLSA) as a Professional Staff Member holding a *bona fide* executive, administrative or professional position that is not subject to the overtime provisions of the FLSA. Exempt Professional Staff Members are considered salaried and cannot be docked for anything less than a full day's work.

Flex Schedule is defined as an alternate work arrangement during remote work, outside of the standard workday (each area may have a different work day such as 7a-3p, 8a-4p, 9a-5p, etc.)

Flexible Work Agreement (FWA) is a written agreement between the Professional Staff Member and the immediate supervisor that details the terms and conditions of the Professional Staff Member's Flexible Work Arrangement. It must be signed by the department head, vice president/senior executive/dean.

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Flexible Work Arrangement as defined as a non-traditional work arrangement with varied start and stop times or locations; and can include 1) Compressed Work Schedule, 2) Flex Schedule, or 3) remote work. The total numbers of hours worked during a pay period (for hourly employees) and productivity for all employees are expected to remain the same.

Non-exempt Professional Staff Member is defined under the Fair Labor Standards Act (FLSA) as a Professional Staff Member holding a position that is subject to the provisions of the FLSA.

Professional Staff Member is defined as an individual employed in any non-faculty category by FSW, including an individual who is deemed to be either exempt or non-exempt under the provisions of the Fair Labor Standards Act (FLSA) and/or applicable state law.

Other

- FWA workers' employment terms and conditions are not affected by changing to or from a remote work schedule.
- FWA is not a replacement for dependent care.
- If employees will be remote working outside of Florida, they must notify the following people prior to performing any services for FSW outside of Florida (except in the case of temporary business travel of 14 days or less):
 - a. Payroll
 - b. Human Resources
- c. Supervisor

The availability of FWA as a flexible work arrangement for FSW employees can be modified or discontinued by FSW at any time. Additionally, employees or their supervisors and department heads can discontinue FWA working arrangements at any time. Every effort will be made to give reasonable advance notice of such changes. There may be instances, however, when no notice is possible.