

Michelle M Schoenecker

From: Alexa Van Dalsem <alexa.vandalsem@colorado.edu>
Sent: Monday, February 18, 2019 10:09 AM
To: Michelle M Schoenecker
Subject: FW: RESADM-L Digest - 14 Feb 2019 to 15 Feb 2019 (#2019-43)

Hi Michelle -

CU Boulder's Office of Contracts and Grants' flexible work arrangement information is here:
<https://www.colorado.edu/ocg/ocg-staff-resources/flexible-work-arrangements>.

We allow one-off remote days, too, for weather and personal things and approval is done by the direct supervisor.

Also - to pitch an NCURA session - Dennis Paffrath from University of Maryland Baltimore and I are presenting a session at annual NCURA on managing flexible work arrangements. Both of our organizations are proponents of flexible work arrangements, but how we manage and the requirements are a bit different.

Good luck with this! Being able to work remote is a great benefit to offer employees. Let me know if I can answer any questions.

Regards,
Alexa

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-----Original Message-----

From: Research Administration List <RESADM-L@LISTS.HEALTHRESEARCH.ORG> On Behalf Of RESADM-L automatic digest system
Sent: Friday, February 15, 2019 10:00 PM
To: RESADM-L@LISTS.HEALTHRESEARCH.ORG
Subject: RESADM-L Digest - 14 Feb 2019 to 15 Feb 2019 (#2019-43)

There are 19 messages totaling 5400 lines in this issue.

Topics of the day:

1. Yale University seeks Portfolio & Grant Analyst
2. Washington's Birthday Federal Holiday Question (7)
3. extension of 120 day close out?
4. Input regarding IND submissions to the FDA
5. Telecommute/Remote Work Policies (3)
6. Boston College seeks Fiscal & Grant Administrator
7. NSF Rebudget Question (4)
8. Subcontract

Date: Fri, 15 Feb 2019 15:46:05 +0000



Effective Date:	Review of Agreement Date:
Employee Name:	Employee ID:
Job Title:	

Non-exempt University Staff

Non-exempt Classified Staff

Exempt University Staff

Exempt Classified Staff

Arrangement (check all that apply):

Change to standard start/end time (complete and sign page 1 only)

Remote Work (complete and sign pages 1-3)

Compressed work schedule (complete and sign page 1 only)

Instructions:

1. Details of arrangement, including employee proposal attached to form
2. Employee and supervisor retain a copy of this agreement and attachments
3. Supervisor provides copy to OCG's HR Liaison for filing in the employee's file
4. Supervisor must schedule an agreement review with the employee and evaluate effectiveness of agreement and make modifications as necessary

Scheduled Work Hours

	Standard Work Hours	New Hours	Change to start/end time	Work Remotely	Compressed Schedule
Sunday					
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					

Details of the arrangement including employee proposal are attached (Required)

This agreement is made with the understanding that the flexible work arrangement will not adversely affect the work and client services provided by the Office of Contracts and Grants or productivity and work quality. Employee remains obligated to comply with all federal, state and university laws, rules, policies, and instructions. Employee understands and agrees that s/he has no right to continue this flexible work arrangement, and the University, at its discretion, may alter or terminate the flexible work arrangement at any time.

I have read the policy, understand it, and agree to the conditions in this Flexible Work Arrangement Agreement Form.

Employee Name (printed)

Employee Signature

Date

Supervisor Name (printed)

Supervisor Signature

Date

Director or Deputy Director Name (printed)

Director or Deputy Director Signature

Date

This agreement is written to adhere to the University of Colorado Boulder's ["Work at Home Procedure" policy](#).



Appendix A. Remote Work Arrangement

Location of remote work arrangement (address): _____

This location is: Employee's residence Off-site location established by CU Boulder

Alternative phone number: _____ Alternative email address: _____

Begin Date: _____ Review Date: _____

Terms of Agreement

The duties, responsibilities, and conditions of employment remain unchanged. The staff member must comply with all university policies and procedures while working off-site.

Salary and benefits remain unchanged and Workers Compensation benefits will apply only to injuries arising out of and in the course of employment as defined by Workers Compensation law.

The staff member must report any such work-related injuries to his or her supervisor immediately. CU Boulder is not responsible for injuries or property damage unrelated to such work activities that might occur in the remote work setting.

Overtime compensation (for non-exempt staff) and vacation and health and personal leave will continue to be based on hours paid during the remote work arrangement as per existing procedural language.

Requests to work overtime, declare vacation or take other time off from work must be pre-approved in writing by the staff's supervisor.

According to the terms of this Agreement, the off-site work schedule is detailed in this agreement and attachments. For non-exempt staff, this specification must be in accordance with the Fair Labor Standards Act (FLSA) guidelines. If the staff member needs to change his or her schedule, he or she agrees to obtain advance written approval from the supervisor.

The staff member's use of equipment, software, and all other resources provided by CU Boulder is limited to the purposes of remote work and is not intended for the staff's personal use. The decision to remove or discontinue use of the resources listed in this agreement shall rest entirely with CU Boulder.

CU Boulder does not reimburse the staff member for the cost of off-site related expenses such as telecommunications equipment, computers, printers, residential insurance and utility costs that are incurred by the employee.

The employee must have and maintain VPN connectivity during work hours.

The staff member has responsibility for maintaining the security and confidentiality of university files, data and other information that are in the off-site work place. Staff member must review [CU's IT Security Office guidance on Working Away from the Office](#).

Remote work is not to be regarded as a substitute for ongoing child care or adult care. If applicable, the staff member will attach a general description of caregiving arrangements that will be in effect during the remote work hours. If the staff member needs to modify these arrangements, they will inform the supervisor and obtain the necessary approvals to continue the remote work arrangement.



Verifications

Date	Supervisor Initials	Employee Initials	Description
			Attached to this Agreement Form is a detailed description of the employee's responsibilities and the projects to be worked on as well as methods for verifying performance accountability
			Attached to this Agreement is a detailed plan for how the employee will maintain accessibility with the office and customers including telephone, email, Skype or other means during the agreed-upon work hours
			Employee has demonstrated an ability, over time, to work independently with little direct, daily supervision and employee is fully trained in all aspects of the position held
			Employee has demonstrated an ability to work electronically in a fully paperless environment
			VPN access established and functional
			Employee is providing adequate equipment and software to perform the Work or has been issued a CU Boulder laptop
			Office is providing a reasonable quantity of office supplies to support Employee's Work
			Employee has a current and complete Performance Plan on file, with metrics to measure performance
			Employee has a designated workspace off-site that is clean, safe and free of hazards and distractions

I have read and understand the above terms of agreement and certify that the above verifications for a remote work arrangement set forth in the Flexible Work Arrangement Agreement Form and accompanying attachments. I understand that the remote work arrangement may be withdrawn at any time, if in the supervisor's view; it is no longer in the best interest of the office to continue.

Employee Name (printed)

Employee Signature

Date

Supervisor Name (printed)

Supervisor Signature

Date

Director or Deputy Director Name (printed)

Director or Deputy Director Signature

Date

This agreement is written to adhere to the University of Colorado Boulder's ["Work at Home Procedure" policy](#).

Office of Contracts and Grants

Flexible Work Arrangements

The Office of Contracts and Grants (OCG) will consider alternative work arrangements that allow employees to balance work and personal commitments while ensuring the operational needs of OCG are met. Alternative work arrangements are agreed upon between the employee and supervisor and subject to approval of the Director and/or Deputy Director through the [Flexible Work Arrangement Agreement Form](#).

[Types of Flexible Work Arrangements](#)

Alternative Work Schedule – a variation from the employee's core hours in starting and departure times, but does not alter the total number of hours worked in a week. CU Boulder standard hours are 8am-5pm during the academic year and 7:30am-4:30pm during the summer.

Remote Work (Telecommuting) – work conducted at home or another off-site location, for a specified number of hours per week or month, on a consistent basis.

Compressed Work Schedule (Flex) – a traditional 40-hour workweek is completed in less than the standard number of workdays (typically 5).

Occasional Use Flexibility – temporary change to start/end times or a work location that is agreed upon between a supervisor and an employee to accommodate working on a short-term project, during inclement weather, emergency or other situations.

Reduced schedule options such as phased retirement, part-time or partial year appointment, medical leave/disability-related schedule adjustments, etc., all integrate flexible work practices.

[Eligibility to Propose Flexible Work Arrangements](#)

After a staff member is fully trained and working wholly independently, she or he may prepare a proposal for a flexible work arrangement.

Employees with performance ratings of “not meeting expectations” shall not be eligible for a telecommuting arrangement. Managers are eligible for flexible work arrangements, subject to the business needs of the office and the training needs of their staff members.

[Proposal Requirements to Request a Flexible Work Arrangement](#)

Employees initiate the request for a flexible work arrangement through a formal written proposal to their immediate supervisor detailing the proposed arrangement and how the proposed schedule will meet the requirements of their job description, impact on the office and the quality of customer service provided.

The proposal for remote work will identify the tasks to be accomplished and the performance measures/metrics that will be used to monitor accomplishments. The proposal should also describe how the staff member's home is conducive to a telecommuting arrangement. The employee's proposal must be appended to the [Flexible Work Arrangement Agreement Form](#).

Occasional Use Flexibility must be documented in email between the employee and supervisor. The email should address the dates/times of the work days and outline clear expectations about tasks, availability, reporting of work completed, etc. In addition, supervisors must confirm prior to approving occasional use flexibility for remote work that the employee:

- Has VPN established and functional
- Employee is providing adequate equipment and software to perform the Work or has been issued a CU Boulder laptop
- Employee will maintain accessibility with the office and customers including telephone, email, Skype or other means during the agreed-upon work hours
- Employee has a designated workspace off-site that is clean, safe and free of hazards and distractions

[Evaluation of Flexible Work Arrangement Proposals](#)

The needs of the university and OCG take first priority in evaluating a flexible work arrangement proposal. Alternative arrangements may not adversely affect the delivery of customer service, employee productivity, or the progress of individual or team assignments.

Position eligibility will be evaluated based on such factors as type of customer service provided, types of tasks performed, task interdependence and the operational and staffing needs of the office.

Performance criteria to be considered include, but are not limited to:

- Expertise and technological skills
- Conscientiousness about work time and productivity
- Limited need for feedback and the willingness to ask for feedback if necessary
- Self-motivation, discipline and ability to manage distractions
- Ability to set priorities, meet deadlines and adapt to changing routines

Off-site work environment that is conducive to a remote work arrangement will also be considered.

[Managing Flexible Work Arrangements](#)

Supervisors are expected to thoughtfully review flexible work requests and arrangements by evaluating the individual's performance, responsibilities and work style. Supervisors should coordinate with the Director and Deputy Director on flexible work arrangements to assure that practices are implemented and determinations made in a manner that is fair, equitable and transparent for our staff.

Occasional Use Flexibility may be implemented *ad hoc* to accommodate emergency closures, special situations or inclement weather. Temporary arrangements are made on a case-by-case basis and documented by an exchange of emails between the employee and direct supervisor. Additional approvals are not required but the supervisor shall notify the Deputy Director.

When issues related to workplace flexibility arise, the supervisor should address the issues promptly.

Managers of non-exempt employees should review the information regarding **Impact on Overtime**.

[Vacation, Sick Leave and Holidays in a Compressed Work Schedule \(Flex\)](#)

A staff member on a compressed work schedule (flex) who is granted paid leave time, such as vacation, health or personal leave, will deduct the full number of hours scheduled to work on the day(s) off. For example, 10 hours of vacation would be deducted if a staff member uses vacation on a day with 10 scheduled work hours. This applies to all paid leave time options.

All full-time employees, including those on compressed work schedules (flex) are entitled to an "in lieu of" holiday when a holiday falls on a flex day. In such cases, the employee's holiday is taken within the week that the holiday falls. Holidays are calculated as 8 hours.

When there is a holiday in your flex week, full-time employees will only receive 8 hours and part-time employees will be prorated for the holiday. If the employee's flex schedule reflects a longer work day on that scheduled holiday, they can either make adjustments to make up that time or take the additional time as leave. For example, if you are scheduled to work 10 hours on a Monday and there is a scheduled holiday that day, you will only be paid 8 hours. Employees need to

coordinate with their supervisor to make up 2 hours throughout the week or take leave for that 2 hours.

[Part-Time/Reduced Time Additional Considerations](#)

Part-time work refers to a situation where an employee works less than a full workweek with compensation and benefits adjusted accordingly. A part-time employee may work fewer hours each day of the workweek or fewer days per week. Part-time/reduced time requests can be considered for phased-in retirement, as a transition period after a major life event or return from long-term medical leave, or if an employee requests, through a formal proposal, consideration for a reduced schedule.

A flexible work arrangement for part-time/reduced time has some additional considerations:

- The employee and supervisor should be aware that the department budget may be impacted, and therefore the employee may not be able to return to full-time should funding not be available.
- It is important to carefully analyze the requirements of the job and the employee's history of performance when assessing a proposal for part-time/reduced time.
- The business needs of the office, including the impacts on other team members, must be thoroughly evaluated when considering this arrangement. A detailed plan of what work will be accomplished in the employee's reduced hours and how the rest of that employee's work will be handled or redistributed must be included in all proposals for part-time/reduced time.
- Reduction in work hours and the subsequent adjustment in compensation may change an employee's exempt or non-exempt status, requiring potential changes in how an employee accounts for his/her time in accordance with the Fair Labor Standards Act.
- Employees working part-time/reduced time must maintain a consistent schedule. Schedules should not vary from week-to-week.

[Participating in a Flexible Work Arrangement](#)

Employees are expected to sustain their level of performance, promptly discuss challenges regarding the arrangement with the supervisor, and propose solutions. Flexibility is a privilege and therefore also requires employees to be adaptable to adjusting their flexible arrangements to accommodate the needs of the office.

[Ending Flexible Work Arrangements](#)

Any flexible work arrangement may be withdrawn at any time by the supervisor or employee.

[Injury, Theft and Personal Equipment](#)

In case of injury, theft, loss or other liability, the telecommuter must allow agents of the University to investigate and/or inspect the work site. Reasonable notice of inspection and/or investigation should be given to the employee.

Job-related incidents or accidents that occur during work at home hours are to be reported immediately to the supervisor.

Any telecommunications equipment, computers, printers, residential insurance and utility costs that are incurred by the telecommuter are the responsibility of the telecommuter.

[Public Records on Personal Devices](#)

All staff must be aware that university records stored on personal devices can be public records. The rule is that if a record relates to the performance of public functions or involves the receipt or expenditure of public funds, then it is a public record regardless of how it was created or where it is stored.

To the extent that telecommuting on a personal device creates such a record, then it would be public and accessible through a CORA request. Purely personal records (e.g. emails or other documents that have nothing to do with the employee's public functions) would not be a public record under any circumstance, and it does not matter where they are stored or created.

[Impact on Overtime](#)

Nonexempt employees are covered by the overtime and record keeping (e.g. electronic timekeeping) requirements of the Fair Labor Standards Act (FLSA). The FLSA defines overtime as any hours worked by a non-exempt employee that exceed 40 hours in a standard workweek. At CU Boulder, overtime pay is based on any hours paid that exceed 40 in a standard workweek. The standard CU Boulder workweek begins on Sunday 12:01 am and ends the following Saturday at 11:59 pm. If there is a holiday or you take leave in a work week you will be paid additional standard pay not overtime pay.

Therefore, as flexible work schedules are being considered, non-exempt employees and their supervisors must take these overtime implications into account. The employee and supervisor should clearly outline how time will be recorded in a flexible work arrangement. It is the supervisor's responsibility to ensure that the flexible work arrangement adheres to the requirements of FLSA and does not create overtime situations that have not been approved by the Director.

Exempt employees are not covered by the overtime and record keeping e.g. electronic timekeeping) requirements of the Fair Labor Standards Act. Therefore, there is inherent flexibility in work scheduling for them. Even though the law allows this latitude, exempt staff members still need to discuss specific scheduling arrangements with their supervisors and obtain their approval.

[University of Colorado Boulder](#)

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