

**University of WI-Superior
Alternative Work Patterns Policy**

Policy subject: Alternative Work Patterns

Effective Date: February 1, 2013

I. Purpose

UW-Superior recognizes the value and benefit of the use of alternative work patterns or “flex-scheduling” by full-time and/or part-time employees when such patterns are consistent with the efficient and effective departmental operation.

The use of such alternative work pattern is a cooperative arrangement between the employer and employee and is based on the needs of the University and on the employee’s past and present levels of performance. It is not a basic right of all employees. All efforts to accommodate such requests must take into consideration the operational needs of the department.

II. Employee Eligibility

Employees eligible are administrative and professional unclassified and permanent and project classified employees.¹ Any employee may request to work an alternative work schedule unless the employee's position is excluded either by the operating unit due to operating needs or by university policy. This policy shall be subject to the appropriate collective bargaining agreements as they apply.

The policy does not apply to faculty, instructional academic staff, graduate assistants or limited term employees. These practices are already granted to teaching academic staff and faculty due to the nature of their positions.

III. Alternative Work Pattern Options

Alternative work patterns are those hours that vary or deviate from the standard work hours of the institution. Alternative work patterns may include, but are not limited to, the following:

1. **Flexible time** is defined as a work schedule structure requiring that all employees be in work status during a specific number of core hours or days, with scheduling flexibility allowed for beginning and ending times surrounding those core hours or days. For example, a department

¹ Wisconsin Statutes, Chapter 36.15, Academic staff appointments. (1) DEFINITIONS. In this section: (a) "Administrative appointment" means an academic staff appointment for a fixed or indefinite term granted to a system, campus, college, school or other divisional officer involved in policy development or execution and to persons involved in directing, organizing or supervising higher education related activities. (b) "Professional appointment" means an academic staff appointment for a fixed or indefinite term granted to a professional employee who is involved in the guidance or counseling of students, assisting the faculty in research, public service or in the instruction of students or who is involved in other professional duties which are primarily associated with institutions of higher education; including, but not limited to, such employment titles as visiting faculty, clinical staff, lecturer, scientist, specialist and such other equivalent titles as the board approves. (Accessed at <http://docs.legis.wi.gov/statutes/statutes/36/15/1/a.>)

may require an employee to be present between 9:00 a.m. and 11:30 a.m. and between 1:00 p.m. and 3:00 p.m. in order to meet the needs of the department or unit. These are the core hours. The employee may then vary his or her work schedule daily, as long as, he or she works the required number of hours per week.

The following are some of the possible variations in the use of flextime:

- **Fixed:** Fixed starting and departure times that are selected periodically. Agreed-upon starting and departure times continue for a specified period with the same number of hours worked each day.
- **Variable:** Starting and departure times that can vary daily. With such a personalized work schedule, a staff member may arrive at work and leave at a different time each day, provided the same number of hours is worked each day. The arrival/departure window may be a variable period of time, from hours to minutes on either end of the day, for example.
- **Compressed:** Variations in the length of the workday (e.g., a seven-hour day followed by a ten-hour day). This type of schedule may result in a “compressed workweek” whereby the total number of standard weekly hours is completed in fewer than five workdays. Such a schedule may involve the need for staff to be a present or accessible during a certain core number of hours each day.

Regardless of the variations chosen, a staff member must work the total standard number of hours each workweek.

2. **Permanent part-time employment** means employment of a continuous, recurring nature that requires the service of an employee for 1044 hours, but less than 2,088, on an annual basis.
3. **Job sharing** means the breaking down of one full-time position into one or more part-time positions.
4. **Variable Hours** means fixed schedules, which deviate from the 7:45 a.m. to 4:30 p.m. workday. The employee and the supervisor agree upon a fixed starting and ending time. The employee may also request to alter the lunch break from the standard 45 minutes. Unlike an employee on a flex-time schedule, the employee on a variable schedule does not have the flexibility to change the agreed upon daily begin and end time.
5. **Non-Standard Work Week** means a schedule which allows an employee to complete the basic work requirement of 40 hours per week in other than five eight-hour days. A work week of four ten-hour days is an example.

IV. Alternative Work Schedule Guidelines

Alternative work schedules should not adversely affect service to the university and its customers. Flexible scheduling should not be permitted if it causes a significant negative impact on service delivery, departmental staff, and other university units or state agencies. The following guidelines are applicable:

1. The decision to establish an alternative work schedule policy is at the sole discretion of the University. It is not required that alternative work schedules be uniformly available to all

positions in a department or operating unit. Not every position is conducive to such alternative scheduling because of the requirements of operating units. This should not deter supervisors from approving alternative work schedules for positions where such scheduling can be accommodated.

2. Administrative offices must remain open for the statutorily required hours from 7:45 a.m. to 4:30 p.m. and reasonable staffing must continue to be provided during those hours. The standard work week for full-time employees on alternative work schedules is 40 hours per week for non-exempt employees pursuant to the Fair Labor Standards Act. Proper supervision must be maintained.
3. Flexible scheduling may not create a need for additional staff, nor should it cause other employees to generate overtime. The quantity, quality and timeliness of employee work must be enhanced or maintained.
4. Rest periods (breaks) are a normal part of the work schedule and cannot be accumulated or otherwise included in computing lunch periods or starting/ending times.
5. Supervisors are responsible for ensuring that all hours are correctly tabulated and reported. Absences resulting from vacation, sick leave, personal holidays, or, in some cases, compensatory time, will require charging the number of hours the employee normally was scheduled to work on the day(s) of absence to the appropriate leave accounts. For example, when an employee scheduled to work 10 hours per day for four days a week is absent, 10 hours will be charged to leave.
6. Employees on a non-standard work week schedule cannot make-up absences by working on a usual day off. Absences are charged as vacation, sick leave, personal holiday, or, in some cases, compensatory time (in which case the absence can be made up).
7. If a holiday falls on a scheduled work day, an employee scheduled to work more than eight hours that day must charge vacation, personal holiday, or, in some cases, compensatory time, to account for the holiday time over eight hours. If a holiday occurs on an employee's scheduled day off, the employee is given credit for eight hours (or prorated hours based on appointment percentage) that may be used as a holiday at a later date.
8. No alternative work schedule will be implemented that results in an employee working less than or more than the position's budgeted FTE (or the designated percentage of FTE that applies to the position).
9. If a nonstandard work week is a requirement of the position, this policy is not applicable.

V. Request and Approval Procedures for Alternative Work Patterns

Alternate work schedules require written agreements. Although agreements may include various elements depending on the particular circumstances, agreements must always include the following items:

- Names and title(s) of covered employee(s).
- Hours of work under the alternative schedule, specifying core hours if the flex-time alternative is followed.
- Implementation plans for a trial period of a set duration followed by an evaluation period.

- Unclassified employees must also complete the *Standard Workweek Exception* form.

Department Heads are responsible for assessing the need and feasibility of implementing alternative work plans within their organizational areas. The Human Resources Office is available for assistance and is responsible for reviewing all proposed plans prior to implementation to ensure that any special statutory or regulatory requirements and provisions within collective bargaining agreements are met. Final implementation of alternative work plans is the responsibility of the appropriate supervisory staff in the affected area. The approval process is as follows:

1. Employee completes request form and submits the original request to his/her immediate Supervisor with a copy sent to Human Resources. If the employee has not received a response to the request within 30 days, the employee should notify Human Resources.
2. The Supervisor must review and consider the request in consultation with the Division Head and Human Resources (if needed). The Supervisor and Division Head will make a reasonable effort to accommodate the request. All requests must comply with Federal and State wage and hour laws and applicable Collective Bargaining Agreements. A copy of the Supervisor and/or Division Head's response to the employee must also be sent to Human Resources. A rationale for denying the request should be included in the response if applicable.
3. Upon approval by the Division Head, he/she forwards the request to the Cabinet Officer. The decision must take into account the operational needs of the department and is subject to final approval by the Cabinet Officer.
4. Upon approval by the Cabinet Officer, he/she forwards the request to Human Resources for filing and distribution.

VI. Termination of Agreement and Annual Evaluation of Alternative Work Schedule Agreement

Alternative work schedule experiments should be evaluated at least yearly or more frequently if the agreement requires. The performance review process should include discussion of any alternative work schedule. Regardless of the planned duration of the experiment, an alternative work schedule may be discontinued or modified at any time if the supervisor of the unit finds the experiment inconsistent with the needs of the work unit department. (For example, if service to the institutions or the general public deteriorates, a change would be required.) If the alternate work schedule is renewed, a memorandum confirming continuation of the alternate work schedule must be sent to Human Resources from the supervisor annually or the alternate work schedule will be deemed expired for purposes of the official work record.

STANDARD WORK WEEK EXCEPTION FORM

Approved by Chancellor 

Date 5/1/2014