***Disclaimer: This SOP template is created as a guide to aid departments/units in the creation of their Flexible Work Arrangement SOPs. Departments/units may alter this template to any extent necessary to meet the needs of the department/unit. Information highlighted in blue are intended to provide guidance for the information to be entered into each section of the SOP.***

**Flexible Work Arrangement Standard Operating Procedure**

**Department of (XX)**

**Effective Date:**

**Revised Date:**

University Flexible Work Arrangements and Remote Work Regulation (“Regulation”) requires that each unit have its own documented Flexible Work Arrangements standard operating procedures to complement, while remaining fully compliant with, the Regulation. Any such standard operating procedures must be reviewed and approved by the respective Division Office/Vice Chancellor in collaboration with the Director of Employee Relations. No employee shall be approved for a Flexible Work Arrangement unless/until the unit to which the employee is assigned has received a formal review of its standard operating procedures as indicated above.

In compliance with the Regulation, this procedure provides (a). The department/unit’s philosophy on approved Flexible Work Arrangements (“FWA”), including the type of FWA allowed, who is eligible for FWA, and how FWAs are approved; (b). an overview of the responsibilities of supervisors and approved FWA employees to ensure that FWAs do not inhibit the unit’s ability to continue to provide the same level of service to the university, its external customers, and students that would otherwise be provided without the approval of FWA; (c). A summary of the expectations for FWA approved employees, with respect to their communications, performance, scheduling, etc.; (e). an overview of how equipment will be provided and tracked to employees on approved FWA to utilize at an alternate work location; and (f). any additional guidelines a unit has for the approval and practice of FWAs in their unit.

**Section I: Flexible Work Arrangements (“FWA”)**

1. *Overview of Department/Unit FWA Philosophy*

*In this section, department/unit leadership should outline the philosophy regarding FWA within the department/unit. This philosophy should include at a minimum: a) the department’s/unit’s expectations for onsite/in person presence for all faculty and staff, b) the department’s/unit’s operational rationale as to why onsite/in person presence is required, c) whether FWAs are allowed as full-time, part-time, and/or hybrid arrangements, d) which classifications or groups of faculty and/or staff are eligible for FWA, and e) an overview of how FWA are reviewed and approved within the department.*

1. *Types of Allowed FWA*

*In this section, department/unit leadership should outline the types of FWA that will be allowed. Examples of FWA allowable include Full telework/remote work (no on campus presence), Partial telework/remote work (working both on and off campus), Flexible work schedule (working varied work hours outside of the unit’s standard business hours). If full telework/remote work is not allowed but partial telework/remote work is, the maximum number of days/hours per week of telework allowed should be defined. If flexible work scheduling is allowed, you will need to define the time frames that employees will be allowed to flex their work hours, such as mornings, evenings, and weekends, with the understanding that the services that the unit provides during its normal business hours are not diminished due to flexible work arrangements.*

* + Full telework/remote work requests will only be approved on a case-by-case basis in limited position-based situations based on industry standards and/or recruitment/retention of positions requiring unique and/or scare skills. All full telework/remote work requests must have the written approval of the appropriate Vice Chancellor.

1. *Eligibility Criteria*

*In this section, department/unit leadership should outline the criteria used to establish if an employee in the unit is allowed to use FWA. If the criteria vary between telework/remote work and Flexible work scheduling, the criteria for both should be defined. Some possible considerations could be the positions conducive to FWA, past performance of the employee, probationary status or days from hire, types of employment (part-time, full-time, time-limited, temporary, etc.), and whether the position is supervisory.*

* + Employees who have active written warnings, disciplinary actions, or who received a “Does not meet expectations” on their most recent performance evaluation or other similar applicable documentation in their personnel files are generally not eligible for flexible work arrangements (unless given special approval by the Human Resources Department in consultation with departmental leadership).
  + Consideration for flexible work arrangements will be administered equitably based upon applicable factors and without regard to an employee’s race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, or veteran status.

1. *FWA Approval*

*In this section, department/unit leadership will outline the process for FWA approvals. This should include, at a minimum, what level of leadership approves telework for the unit’s employees, and the process for completing the FWA agreement and routing it for approval within the unit. Additionally, it is recommended to discuss any additional processes that must be followed to seek approval, and to discuss when FWA approvals are issued (IE: throughout the year or during a specific part of the fiscal calendar).*

* + FWAs will be determined separately from the accommodations process mandated by the ADA. FWAs are not intended to substitute for reasonable accommodations resulting from an interactive process under the Americans with Disabilities Act (ADA) or to meet the University’s ADA obligations.
  + Denials of FWAs are not grievable under university policy. Approvals of FWAs are at the discretion of the unit/department’s leadership.

**Section II: FWA Procedures**

1. *Supervisor Responsibilities*

*In this section, department/unit leadership will outline the responsibilities of supervisors of employees with FWA. This should include, at a minimum, the expectation for how supervisors will track the work and performance of employees when working outside of normal business hours and/or at an alternate work location, and how supervisors are expected to maintain active communication with employees using FWA.*

1. *Employee Responsibilities/Expectations*

*In this section, department/unit leadership will outline the responsibilities of employees utilizing FWAs. This should include, at a minimum, the expectation for how employees will communicate with their supervisors when working outside of normal business hours and/or at an alternate work location, and the expectations for employees on FWA to provide the same level of service they would if working at the on-campus duty station and how that is expected to be accomplished.*

* Employees must notify their supervisor of any changes to their scheduled FWA use prior the scheduled time of use. This includes changes to an employee’s planned work location or work hours.
* Employees using FWA must provide the same level of service they would otherwise provide if working at an on-campus duty station. This means that employees must not alter how they respond to emails, phone calls, meeting requests, etc. due to working from an alternate work location.
* FWAs cannot be used in lieu of personal leave, such as vacation or sick time. When an employee is scheduled to work using FWA, they must be actively working, regardless of their location. Employees using FWA who cannot work due to illness or personal conflicts, should follow the same call-out process used if they were scheduled to work at an on-campus duty station.

1. *FWA Equipment*

*In this section, department/unit leadership will outline the responsibilities of supervisors and employees in the issuance and tracking of university equipment given to employees using FWAs. This should include, at a minimum, how university equipment will be tracked after it leaves university property, the expectations for the care of university equipment used by employees at an alternate work location, and guidance regarding employees using equipment at multiple work locations.*

1. *FWA Department/Unit Guidelines*

*In this section, department/unit leadership will outline the relevant rules or practices regarding FWAs.*

* Employees are required to come to campus for on-site meetings if directed by management to attend in-person, regardless of their FWA schedule. Supervisors may ask employees to plan to work the entire day on-site unless they can commute outside of work hours. Supervisors may change an employee’s scheduled FWA with reasonable notice to accommodate business needs.
* Employees using FWAs may be required by their supervisor to track their work performance/output while working outside of normal business hours or at an alternate work location.
* FWAs may be changed or revoked at any time by the University in its sole discretion, with notification to the appropriate Division Office/Vice Chancellor and the Director of Employee Relations. Reasons for changing or revoking flexible work arrangements can include, but are not limited to, changing business or operational needs or unsatisfactory employee performance or conduct.
* Employees may not alter their approved alternate work location, as documented in the FWA agreement, without prior approval from management through the completion, and approval, of a new FWA agreement.
* Employees are expected to use virtual conferencing/commuting software to ensure continued service while working from an alternate work location. This may include software such as Cisco Webex, Microsoft Teams, or Cisco Jabber. Employees will utilize virtual conferencing/community software as directed by their supervisor. Failure to use virtual conferencing/community software as directed may result in the rescinding of FWA privileges.
* Employees who routinely perform some of the essential functions of their position from an alternate work location may be asked to relinquish their designated personal office space/workspace on campus and be transferred to a shared office space/workspace to best utilize university property.
* Employees should use the university-owned equipment and other job-related materials primarily for university business only, and to protect them against unauthorized access, use, modification, destruction, theft, or disclosure. Incidental personal use of electronic equipment is permitted but it must not interfere with work assignments or communication, must not be used for personal gain (this includes use for an employee’s secondary employment, or an employee’s external professional activities for pay).
* Employees are responsible for all expenses incurred during remote work from an alternate work location, unless explicitly stated otherwise by unit/department management. This will include costs incurred for internet and phone services, costs for personal office equipment, and mileage expenses due to travel to and from the alternate work location and their on-campus duty station.
* Consistent with the UNC System Regulation on Flexible Work Arrangements and Remote Work, the University will principally employ individuals who reside within or live within a close proximity to the State of North Carolina to the greatest extent practicable and will avoid long term flexible work arrangements for employees who live outside a reasonable commuting distance, as defined by the Regulation.
* Travel between an alternate work location to an assigned duty station should occur prior to the start of or at the end of the workday, if possible. In the event an employee must travel from their alternate work location to an assigned duty station during the workday, that travel time is considered work time however the employee may not charge mileage for travel between their alternate work location and their assigned duty station. Supervisors may ask employees to adjust or change their scheduled remote workdays in order to avoid travel from their alternate work location to an assigned duty station during the workday.
* Employees who are working from an alternative work location may not charge mileage for travel between their alternate work location and their assigned duty station. Employees traveling for business to a location other than their assigned duty station or another on-campus location departing from their alternate work location will be reimbursed for mileage the distance between their on‐site duty station and the work destination, consistent with existing state policies.
* Sensitive information/data, defined as level 3 and level 4 data classifications in accordance with University data governance, must not be processed or stored on a personally owned computer or device, but instead must be processed on institutionally owned systems, stored in approved, secure remote storage, and accessed only by secure network access technologies. Employees must also ensure all Sensitive University Information stored on Covered Devices, as defined in the Mobile Computing Regulation, is encrypted, and the Covered Devices are secured in accordance with University policies, the ECU Information Security Standards, and applicable regulations, laws, and contractual requirements. All confidential hard copy data will remain on University property and shall not be taken to the Alternate Work Location as required by University Regulations regarding Protecting Sensitive Data unless prior written approval is sought and obtained by the employee’s Department and the appropriate data steward(s) responsible for the types of data and records being used.

**Section III: Related Policies, Forms, and Procedures**

* [University Flexible Work Arrangements and Remote Work Regulation](https://www.ecu.edu/prr/06/25/03)
* [University Flexible Work Arrangement Agreement Form](https://humanresources.ecu.edu/wp-content/pv-uploads/sites/21/2019/10/ECU_Telework_Agreement.pdf)
* [Information Security Regulation](http://www.ecu.edu/prr/08/05/08)
* [University Student and Employee Computer Use Regulation](https://www.ecu.edu/prr/08/05/04)
* [Mobile Computing Regulation](https://www.ecu.edu/prr/08/05/12)
* [HIPAA Policies and Standards](http://www.ecu.edu/HIPAA)
* [ECU Regulation on Social Security Numbers (SSN) and Personal Identifying Information (PII)](https://itcs.ecu.edu/ecu-regulation-on-ssn-and-pii/)
* [FERPA Policy](http://www.ecu.edu/PRR/02/40/01)
* [ECU Home Safety Checklists and Procedures](https://humanresources.ecu.edu/forms/)
* [ECU Property Assignment Form](https://humanresources.ecu.edu/forms/)
* [Generic Telework Status Report Form](https://humanresources.ecu.edu/forms/)
* [EH&S Ergonomics Webpage](https://oehs.ecu.edu/workplace-safety/ergonomics/)

Name of Department Head/Chair/Director Date

Title

Name of Responsible Vice Chancellor Date

Vice Chancellor