

# 520 Flexible Work Arrangements (Non-Academic Staff)

## General

Consistent with its initiative to strengthen supports and foster a community of wellness for its employees, the University has adopted the following policy relative to flexible work arrangements. This policy provides a broad overview of the various types of flexible work arrangements available to University employees upon their request, operational requirements permitting, and the framework within which they are to be administered.

## Application

This Policy applies to all University of Guelph employees who have successfully completed their probationary period and whose positions, by their nature, lend themselves to a flexible work arrangement as provided for under the terms of this policy. For those employees that are covered by a subsisting Collective Agreement, other terms and conditions regarding flexible work arrangements may also apply, including requiring consultation or agreement with the applicable union.

## Policy

Flexible work arrangements may be established at the request of the employee, where such an arrangement is appropriate and would not interfere with University operations. Nothing in this policy or its procedures will prevent a department head, or their designate, from establishing flexible work arrangement when filling a vacancy, where there is an operational benefit to doing so. Where a department head establishes such an arrangement, the terms of this policy and its procedures will also apply.

## Flexible Work Arrangements Available

Types of flexible work arrangements available are:

- **Flextime**
  - Varying the normal working hours of the University while maintaining the normal regularly scheduled number of hours worked per week.
- **Compressed Work Week**
  - Reducing the number of days worked bi-weekly by working longer shifts each day (e.g., working nine (9) longer workdays in a ten (10) workday period to allow for one (1) day off).
- **Reduced Workload**
  - Reducing the number of hours worked (with salary and benefits commensurately reduced). Please refer to [HR Policy 501](#) [1] for further information.
- **Telework Arrangement**
  - Performing work from a non-University location (e.g., a home office) for one or more agreed upon days per week, generally for a defined period of time.

## Procedures

Employees who wish to request a flexible work arrangement are required to first discuss such an arrangement with their immediate supervisor. Flexible work arrangements are not a right or entitlement and may not be suitable for all positions or circumstances. Employees that are approved for a flexible work arrangement are required to fulfill their job responsibilities, in full. Employees may request a flexible work arrangement; however, approval of the request is not guaranteed, and will be based upon several factors. Approval of an employees' flexible work arrangement request is at the sole discretion of their immediate supervisor and may be discontinued at any time. The

discontinuance of a flexible work arrangement does not constitute termination of the employment relationship, constructive or otherwise.

In consideration of the request, the employee and their supervisor will discuss the type of flexible work arrangement sought, the proposed duration, the reasons for the request (e.g. to support work life balance), and any immediate concerns that may arise as a result of entering into such arrangement. The sole discretion to approve or reject a flexible work arrangement rests with both the employee's supervisor and their department head or designate. Employees and their supervisors are encouraged to utilize the [Flexible Work Self-Assessment Checklist](#) [2] when developing a flexible work arrangement (Appendix "A") as part of the review process.

## The Request

Following the initial discussion with their immediate supervisor, provided no immediate concerns preventing the flexible work arrangement are identified, the employee must submit their request, in writing. Such request must be signed off by their immediate supervisor and provided, to their department head or their designate for approval. The request must include the following:

- The employee's name, employee number, and position.
- The type of flexible work arrangement sought.
- The duration of the requested flexible work arrangement.
- The reasons for the request:
  - **Flextime request**
    - The new schedule or working hours as proposed by the employee.
  - **Compressed work week request**
    - The proposed modification to the daily and weekly hours as a result of the compressed work week.
  - **Reduced workload and compensation**
    - The percentage by which the employee proposes to reduce their workload and compensation (as per [HR Policy 501](#) [1]).
  - Telework arrangement not on University premises[1]
- The proposed location the employee wishes to conduct their work and their contact information at that location.
- The amount of time each week the employee wishes to work remotely (generally, not to exceed three (3) days per week or sixty percent (60%) absent the express approval of the Associate Vice President, HR or their designate.
- The equipment that the employee may require in order to perform their work remotely.
- The employee's consent to allow the University's CCS Department to perform any necessary updates to or install any required programming upon their remote computer to ensure the safe and secure performance of work.
- The employee's consent to allow the University's EHS / OHW Department or other units as may be applicable to inspect their remote work location and perform any required modifications to assist with the safe performance of work, as may be required.
- Written verification from the employee that they have a work location that is suitable to support the arrangement (e.g., ergonomically appropriate workspace, secure storage of University files, etc.).

## Eligibility Considerations

**Requests for a flexible work arrangement will be subject to the following considerations:**

- Whether the employee has successfully completed their probationary period.
- Whether there are any performance concerns or unresolved workplace issues that may prevent the arrangement from being successful and lead to the rejection of a flexible work arrangement request.
- The extent to which the type of work performed by the employee is conducive to a flexible work arrangement. Certain duties may not be appropriate for a flexible work arrangement (particularly with

respect to a remote work arrangement). Such duties may include but are not limited to:

- those performed by front line staff where “in person” interaction is required.
- work that cannot be completed off site of University premises.
- work that is required to be performed onsite during peak operational periods.
- Whether the employee will be able to meet the performance requirements and service standards that are required in their position. This includes the quality and quantity of their work within the flexible work arrangement.
- Whether the work performed by the employee within the flexible work arrangement will be able to be sufficiently monitored and assessed.
- Whether the telework location, where applicable, is sufficiently equipped for the safe and effective performance of work and, if not, whether modifications can be made, within reason, to satisfy the University of the remote work location's safety.
- Whether the request is reasonable in the circumstances.
- Whether the flexible work arrangement will result in any additional costs incurred by the University. A key and underlying condition for the approval of such an arrangement, is that no additional costs will be incurred by the University, except for those reimbursable expenses associated with pre-approved equipment or supplies as otherwise provided for in this Policy.
- Although not all roles are appropriate or eligible for flexible work arrangements, Managers should seek to ensure that all requests are assessed fairly, that operational needs are met and that no bias exists when approving flexible work arrangements or determining supports required.
- All flexible work arrangements must be consistent with the requirements of any relevant collective agreement/employee group agreement provisions.

## Terms & Conditions

### Flexible work arrangements will be:

- Made in writing, approved by the employee's Supervisor/Manager, and approved by department head or their designate.
- Flexible work arrangements are expected to have a specified beginning and end date and will be reviewed not less than once every twelve (12) months. An employee and a department that are initially entering into a flexible work arrangement are encouraged to establish a trial period to assess its efficacy, prior to entering into a longer-term arrangement.
- Established with the assistance of Human Resources as circumstances dictate.
- Sent to Human Resources to be recorded in the employee's Human Resources File.
- Adhered to by the employee in accordance with the written arrangement. Any significant deviations from the flexible work arrangement must be discussed and agreed to in advance with the employee's immediate supervisor and forwarded to the department head, or their designate for approval.
- Consistent with the regular weekly scheduled hours the employee normally works, recognizing that those hours may not always coincide with the normal operating hours of the University.
- Reviewed in accordance with the terms of the arrangement, but no less than annually.

### Telework arrangements:

- Must be within the Province of Ontario. Out of province or international remote work arrangements are not permitted by the University under this policy or its procedures except in exceptional circumstances and must be discussed with your Human Resources Consultant in advance and approved by the Dean/AVP and the Associate Vice-President (Human Resources).
- Are generally not to exceed three (3) days per week, absent express approval by the Associate Vice-President (Human Resources) or designate.

### Flexible work arrangements do not:

- Alter the employee's basic terms and conditions of employment with the University. Applicable collective agreement / employment agreement, laws and University policies and procedures will continue to apply.
- Represent a guarantee of employment for the duration of the flexible work arrangement. The University retains all contractual rights to assign work, organize and reorganize the workforce and/or terminate the employment relationship pursuant to the applicable collective agreement, contract, and/or laws.

### Duties and Obligations of Employees during the Flexible Work Arrangement

For the flexible work arrangement to proceed, several considerations must be taken into consideration. Employees approved to work under a flexible work arrangement must be aware of the following:

- Employees are expected to perform their full regular work duties or assigned project(s) and tasks. Employees will be expected to maintain contact and communicate regularly with their colleagues, clients, direct reports and supervisors, keeping them up to date on the work being performed under the flexible work arrangement. This includes participating in regularly scheduled meetings, conference calls, team meetings, maintaining availability during the normal operating hours of the University, etc.
- From time to time, employees working under an approved flexible work arrangement may be required to attend meetings, training, or other events on University premises. It is expected that, where required, employees will be available and attend at the University in such circumstances.
- Employees will typically be responsible for the costs associated with their remote workspace and any necessary equipment and supplies. Requests for supplies and equipment the employee may require must be directed to their supervisor, who will consider requests for reasonable reimbursement costs on a case-by-case basis, consistent with University policies and procedures.
- Employees will be responsible for the cost of internet and telephone at their remote work location. Expenses resulting from pre-approved long-distance calls will be reimbursed by the University, except where technology has been provided to the employee to perform this function (e.g., online collaboration platforms, XMPP devices).
- Flexible work arrangements are not intended to be a substitute for short or extended periods of childcare, eldercare, care for sick relatives or to perform other personal obligations during their working hours. Employees should refer to the existing leave of absence provisions contained in their applicable collective agreement or HR Policy should these obligations arise during their flexible work arrangement, in a manner that prevents the employee from being able to fulfill their job responsibilities.
- Normal departmental processes will continue to apply should an employee request approval for overtime, vacation, personal days, or other absences that arise during a flexible work arrangement. Any questions regarding the suitability of an absence request in the context of the specific flexible work arrangement can be directed to Human Resources for clarification, as may be appropriate. The flexible work arrangement itself does not trigger overtime obligations. Consistent with normal processes, any overtime needs to be first approved in advance by the employees' supervisor.
- Employees are solely responsible for ensuring the suitability of their remote workspace, taking into consideration safety, ergonomics, privacy, and confidentiality.
- Employees are solely responsible for any insurance that may be required to work at their telework location.
- Employees must provide their supervisor with contact information where they can be reached at their remote workspace.
- Employees will not be permitted to host meetings or receive other University staff, students, etc. at their remote work location, to conduct University business, except for exceptional circumstances approved in writing by their Department Head. The University will not be liable for any accidents or loss to third party residents or visitors due to the employee's remote work location.
- Any University-issued equipment and supplies must be used solely for the purposes of the employee's duties and remain the property of the University. Employees will be required to return all University equipment, supplies, documents, and materials at the end of the remote work arrangement, or earlier upon request.
- Normal reporting obligations will continue throughout the flexible work arrangement. Employees are expected to notify their supervisor as soon as possible in the event of equipment or connectivity concerns. Employees are also expected to follow normal departmental practices with respect to illness or other inability to work during their working hours (e.g., medical appointments or other personal obligations).
- Employees must immediately report any injuries or accidents that occur in the course of their employment to their supervisor as soon as possible, but no later than 24 hours after the injury/accident and complete an Illness or Injury Incident Reporting Form. Employees acknowledge and agree that University representatives may be required to visit their remote workspace to investigate any such injury or accident and agree to facilitate such visits.
- Employees will not keep confidential files in telework locations and must take all reasonable steps to protect the confidentiality of all University documents and information throughout the course of their flexible work arrangement. Employees must immediately report any breach of privacy or confidentiality to their supervisor. Guidelines and policies regarding acceptable use and information technology continue to apply.

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- Employees must adhere to all University policies and procedures, including any applicable legislation throughout the flexible work arrangement.

### Ending the Flexible Work Arrangement

Flexible work arrangements may be terminated by either party, at any time, upon the provision of reasonable notice, which shall be no less than two (2) weeks. Where an employee changes positions at the University, the flexible work arrangement will be deemed terminated. Should the employee wish to continue their flexible work arrangement, the employee is required to submit a new request to their new immediate supervisor for consideration in accordance with this policy.

### Accommodations

Flexible work arrangements are not meant to be a substitute for an accommodation for those employees who may require an accommodation in the workplace, nor are they meant to be a substitute for child or eldercare arrangements. It is expected that the accommodation process will be administered in accordance with the applicable Accommodation Policy or Program and that employees who require an accommodation will advise and work with their immediate supervisor with respect to their needs.

In the event of any inconsistency between this policy and a collective agreement between the University and one of its employee groups, the collective agreement shall govern.

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- [\[1\]](#) It is expected that individuals conduct their work within the Province of Ontario and preferably within a distance of the campus to attend work as required. For out of province requests, requests of this nature will only be considered on an exceptional basis and in consultation with your Human Resources Consultant.

**Page category:** [Policy](#) [3]

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#### Links

[1] <https://www.uoguelph.ca/hr/node/4132/>

[2] [https://www.uoguelph.ca/hr/system/files/2021.06.17%20-%20Flexible%20Work%20Self-Assessment%20Checklist%20Fillable%20for%20HR%20Policy%20520\\_0.pdf](https://www.uoguelph.ca/hr/system/files/2021.06.17%20-%20Flexible%20Work%20Self-Assessment%20Checklist%20Fillable%20for%20HR%20Policy%20520_0.pdf)

[3] <https://www.uoguelph.ca/hr/page-category/policy>