



**University of Pittsburgh
Interim Flexible Work Arrangement
Policy ER 20**

Implementing Executive: Senior Vice Chancellor for Business and Operations
Responsible Unit: Human Resources
Category: Employment Related
Effective Date: July 15, 2021

I. Purpose

From time to time, the University may direct employees to work utilizing a Flexible Work Arrangement based upon the needs of the University. Likewise, from time to time, employees may request permission to utilize a Flexible Work Arrangement based on their own personal needs and preferences.

The objective of this Policy is to outline the requirements for implementing a Flexible Work Arrangement in both situations, as well as to demonstrate the University's commitment to supporting employees' work-life balance, efficient management of space and resources, employee recruitment/retention, sustainability initiatives, and financial management.

II. Scope

This Policy applies to all full- and part-time staff, including temporary employees and student employees. This Policy does not apply to Faculty.

Supervisors will be given the ability to request that their department be excused from application of this Policy on an annual basis (the "Opt Out"). For information regarding the Opt Out, please consult the Interim Flexible Work Arrangements Procedures Guide. Note that, even in the event that an employee's department has been granted an Opt Out, the University shall nonetheless comply with federal, state, and local laws, including but not limited to the Americans with Disabilities Act ("ADA"). This means that when an employee requests a Flexible Work Arrangement for health-related reasons, the employee must be directed to Disability Resources and Services ("DRS"), even in situations where the employee's department has been granted an Opt Out.

III. Definitions

1. **Flexible Work Arrangement.** A Flexible Work Arrangement describes a situation in which: (a) an employee is permitted and/or directed to work remotely (from home or another

approved location); (b) an employee is permitted and/or directed to work outside of the employee's normal working hours/days; and/or (c) a combination of the above.

2. Flexible Work Location. A Flexible Work Location is the employee's home or another approved location off of the University's campus where the employee is permitted and/or directed to work as part of a Flexible Work Arrangement.

3. Flexible Work Time. Flexible Work Time describes the work hours and/or work days on which an employee is permitted and/or directed to work in a manner that deviates from the employee's typical work schedule. For example, Flexible Work Time may mean that an employee who typically works 37.5 hours in a 5-day work week, may be permitted and/or directed to work 37.5 hours in a 4-day work week. Flexible Work Time may mean that an employee who typically works standard daytime University hours from 8:30 AM to 5:00 PM may be permitted and/or directed to work from 7:00 AM to 3:30 PM.

IV. Policy

Flexible Work Arrangements can provide a way to successfully manage people, time, space, and workload. The University supports Flexible Work Arrangements that will promote a highly productive work environment that enables employees to balance work and personal needs while also allowing the University to provide workforce stability, efficiency, and predictability.

Flexible Work Arrangements may occur in two ways: (1) at the direction of the University; and/or (2) at the request of an employee.

1. Flexible Work Arrangements at the Direction of the University

The University reserves the right to direct an employee to operate in a Flexible Work Arrangement, including the use of a Flexible Work Location, Flexible Work Time, or both. In the event that an employee is directed to operate in a Flexible Work Arrangement, the employee will be notified by their Supervisor and presented with a document outlining the requirements and anticipated duration of the Flexible Work Arrangements.

A Supervisor desiring to direct an employee to operate in a Flexible Work Arrangement must first obtain written approval from the Supervisor's Head of Responsibility Center (RC) or the RC's designate

Employees who believe they are unable to operate in a Flexible Work Arrangement as directed by the University due to health-related reasons will be directed to DRS.

Employees who believe they are unable to operate in a Flexible Work Arrangement as directed by the University due to personal reasons (other than health-related reasons) should consult with their Supervisor. In limited instances, and subject to prior written approval by a Responsibility Center Head or the RC's designate, the University may provide an employee with an alternate Designated Work Area.

Employees who otherwise refuse to operate in a Flexible Work Arrangement as directed by the University and/or who fail to abide by the terms of their Flexible Work Arrangement may be subject to discipline, up to and including separation of employment.

2. Flexible Work Arrangements at the request of an employee

Employees may request a Flexible Work Arrangement for any reason, including health-related reasons. If an employee wishes to request a Flexible Work Arrangement for a health-related reason, the employee should contact DRS. For all other, non-health related reasons, the employee must proceed by submitting their request, in writing, to their Supervisor. All employee requests for Flexible Work Arrangements will be considered. The University reserves the right to deny and/or modify an employee request for a Flexible Work Arrangement, in a manner consistent with federal, state, and local law.

In situations involving requests for Flexible Work Arrangements due to an employee's health, DRS will follow its normal interactive process.

For all other situations, upon receipt of an employee's request for a Flexible Work Arrangement, the Supervisor will consult the Flexible Work Arrangement Checklist (which will help to guide the Supervisor's decision regarding granting, denying, and/or modifying the request). The Supervisor will then submit a recommendation to grant/deny/modify to the Supervisor's Head of Responsibility Center or RC's designate for final approval. The Head of Responsibility Center, RC's designate, and/or Supervisor will communicate the University's decision to the employee in writing.

If a Flexible Work Arrangement is approved for a non-health related reasons, the employee will be required to sign a Flexible Work Agreement, setting forth the terms and approved duration of the Flexible Work Arrangement. The University reserves the right to rescind and/or modify the Flexible Work Agreement based upon the University's needs, the employee's behavior, and/or the employee's job performance.

3. Standards applicable to all employees operating in a Flexible Work Arrangement

A. *Confidentiality and Data Security.* All employees operating in a Flexible Work Arrangement are required to comply with all applicable University and departmental policies and procedures, including but not limited to the safeguarding of confidential information. For a list of policies, please refer to the Related Authorities section of this Policy.

All employees operating in a Flexible Work Arrangement must complete [security awareness online training](#) and be familiar with the disclosure of sensitive data and University Workstation Security Standards.

Employees accessing data that has been classified as "[high risk](#)" must use a University-owned and managed device.

B. *Designated Work Area.* All employees operating in a Flexible Work Arrangement must maintain an approved Designated Work Area (most typically in the employee's home). The employee must certify that this Designated Work Area is free of safety hazards and must agree to maintain equipment/supplies in a safe and appropriate manner within this area.

In the event that an employee wishes to change the Designated Work Area, the employee must obtain prior written approval from their supervisor. For example, if an employee's Designated Work Area is at their home, the employee cannot work remotely in another location (ex. working in another state) without the prior written approval of their Supervisor.

For additional information, please [refer to the Ergonomics section of the Environmental Health and Safety website](#).

C. *Workers' Compensation Reporting.* All employees operating in a Flexible Work Arrangement must report any work-related injuries to their Supervisor immediately, but no later than 24 hours after such injury, using the standard injury reporting process.

D. *Appropriate Child/Dependent Care Arrangements.* All employees operating in a Flexible Work Arrangement are expected to make appropriate child and dependent care arrangements as needed so as to ensure that child/dependent care responsibilities do not interfere with the employee's work and safety obligations.

E. *Change in Employee's Work Hours.* All non-exempt employees operating in a Flexible Work Arrangement must obtain prior written approval in order to change the employee's work hours from previously agreed upon with the University. This includes, but is not limited to, the employee obtaining prior written approval in order to work overtime hours.

F. *Equipment and Supplies.* The University may provide certain equipment to an employee operating in a Flexible Work Arrangement, such as a computer, hardware, and software deemed necessary to perform the employee's job. Any equipment provided to the employee is the sole and exclusive property of the University and is subject to the same business use restrictions as would apply on-site at the University. Equipment, supplies, and other property provided by the University are provided exclusively for use by the employee for work-related purposes. These equipment/supplies provided by the University may not be used by any person other than the employee (including household members). Any equipment/supplies provided by the University must be promptly returned to the University upon the conclusion of the Flexible Work Arrangement, the employee's separation of employment, and/or the University's request.

V. Governance/Responsibilities

1. Supervisor. Supervisors may request permission from their Responsibility Center Head or RC's designate to direct an employee to operate in a Flexible Work Arrangement and/or may receive requests from employees for permission to work in a Flexible Work Arrangement. Supervisors must utilize the Flexible Work Arrangement Checklist when considering Flexible Work Arrangements and must obtain prior written approval from their Responsibility Center Head or RC's designate prior to implementing Flexible Work Arrangements (either at the University direction and/or in response to an employee request).

2. Responsibility Center Head. Responsibility Center Heads or their designates shall review Supervisor requests to direct an employee to operate in a Flexible Work Arrangement, as well as employee requests to operate in a Flexible Work Arrangement. Responsibility Center Heads or their designates must review the terms and duration of all Flexible Work Arrangement and must provide final written approval thereof. Supervisors must forward copies of all Flexible Work Arrangement letters/agreements to the Employee and Labor Relations Department.

3. Employee and Labor Relations Department. The Employee and Labor Relations Department shall receive the letters/agreements outlining the terms/duration of all employees operating in Flexible Work Arrangements. The Employee and Labor Relations Department will, in turn, forward these items to the Payroll and Risk Management Departments. Employee and Labor Relations, in conjunction with Payroll/Risk Management must communicate with the employee regarding potential tax implications that may occur if the employee's Designated Work Area is located outside the Commonwealth of Pennsylvania.

VI. Contact Information

This Policy is posted under Employment Relations Policies on the Office of Policy Development and Management's website and can be found at: <https://www.policy.pitt.edu>.

For specific questions related to this Policy, please contact Office of Human Resources. Contact information can be found at: <https://www.hr.pitt.edu/contact-ohr>.

VII. Related Authorities

1. University Policies
 - Time Records/Attendance/Overtime and Compensatory Time
 - Workers Compensation
 - Personal Use of University Resource
 - Harassment by Telecommunication
 - Non-Discrimination Policy
 - Security of Electronic Medical Records – Compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

- University Identification Cards
- Access to and Release of Education Records
- Computer Data Administration
- Computer Access and Use
- University Administrative Computer Data Security and Privacy
- Use and Management of Social Security Numbers and University Primary ID Numbers

- University Network
 - Research Integrity
 - Research Copyrights
2. [Pitt IT Technology Use Policies](#)
- Acceptable Computing Access and Use Statement
 - Enterprise Network Security Controls
 - Mobile Device Terms and Conditions
 - Network Usage Standards
 - Online Survey System (Qualtrics): Acceptable Use Policy
 - Pitt eSignature (DocuSign) Legal Considerations
 - Residential Networking Acceptable Use Statement
 - Student Code of Conduct
3. [Other](#)
- Ergonomics