



PROCEDURE

Temporary Flexible Work Arrangements for COVID-19 Mitigation (Interim)

Procedure Administrator: Associate Vice President of Human Resources

Authority: N.J.S.A. 18A:64-8

Effective Date: March 17, 2020

Index Cross-References: [Procedure 4200](#)

Procedure File Number: 6370

Approved By: Harvey Kesselman, President

INTRODUCTION

In order to protect the health and well-being of employees of Stockton University during the public health emergency related to the outbreak of the novel Coronavirus (“COVID-19”), certain employees of the University may request or the University may direct certain employees to engage in flexible work arrangements that permit variations in starting and departure times (“flextime”) or in location of work (“telecommuting”). These variations shall not alter the total number of hours worked in a workweek and must conform to operational and safety needs of the work unit and University policies and procedures.

Regular communication between the supervisor of the work unit and the employee is required for flexible work arrangements.

The purpose of flexible work arrangements is to help employees accomplish work for the duration of the COVID-19 health emergency. Employees who must be physically present on campus to perform their job duties may not be eligible for certain flexible work arrangements, including telecommuting. The University will make all reasonable efforts to offer flexible work arrangements to all employees depending on the operational needs of the University.

This Procedure does not establish a precedent for flexible work arrangements and shall only be applicable during the COVID-19 health emergency.

DEFINITIONS

Telecommuting: an agreed-upon work arrangement between an employee and the supervisor whereby the employee regularly performs work at home after approval by their direct supervisor and Divisional Executive or designee. Telecommuting allows employees to work away from the University premises and accomplish tasks by computer, telephone or any other appropriate means.

Flextime: allows for flexible scheduling arrangements that permit variations in starting and departure times but does not alter the total number of hours worked in a workweek. All flextime arrangements must conform to the overtime, record keeping and break provisions of the Fair Labor Standards Act and the applicable bargaining unit contract.

Supplemental Equipment: any equipment required for an employee to perform duties under a telecommuting arrangement that has not already been issued to an employee in the normal course of business.

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Standards for All Flexible Work Arrangements

For the duration of the flexible work arrangement, the supervisor shall be responsible for determining and documenting: how performance will be assigned and measured; the work hours; how the arrangement will maintain expectations related to a high level of service and communication; the methods for adequate communication during specified hours. The employee shall report to work as needed at the discretion of the University.

For Telecommuting Arrangements

The employee shall be responsible for completing the job duties specified in their job description, including such other duties assigned by a supervisor, with any appropriate modifications necessary due to the COVID-19 health emergency. The employee shall remain accessible (by phone, videoconference and/or e-mail). The employee may be required to participate in meetings via conference call, Zoom or other electronic group meeting platform. The employee shall report to work as needed at the discretion of the University.

The following procedures also apply to telecommuting arrangements:

- a) Employee shall agree to return to the University all supplemental equipment, materials, files (paper and electronic), or other items required to be maintained on campus upon termination of the flexible work arrangement.
- b) Telecommuters shall be responsible for keeping their supervisors informed of progress on assignments worked on at home, including any problems they may experience while telecommuting. Regular communication with the supervisor is considered vital to the success and integrity of a telecommuting work arrangement.
- c) Employee must adhere to all University policies and procedures.
- d) Employee shall not duplicate any University-owned software.
- e) Employee shall not use University information for personal business.

Telecommuting Equipment

The University will provide necessary supplemental equipment and access to the University's computer network on an as-needed basis within the limits of available resources. Employees must agree in writing to replace the equipment or repay the University if the equipment is damaged, lost or stolen through the employee's negligence or abuse. A personally owned computer may be used but must comply with ITS Procedure 4200. The University is not responsible for supporting personally owned computers, including for flexible work arrangements. The University is not responsible for damage or loss to the personally owned equipment and, if used, such equipment is subject to the University's right of inspection. There will be no expectation of privacy as to work related files kept on any computer used during a flexible work arrangement. All files shall be subject to the New Jersey Records Retention Act.

University equipment in any off-site workspace shall be subject to the same inventory control and disposal procedures as that in the primary work site. The employee shall be responsible for bringing equipment to the primary work site for inspection, maintenance and repair. The University will repair, upgrade or replace the equipment unless it is lost, damaged or stolen through the employee's negligence or abuse.

Telecommuting – Employee Responsibilities

- a) The employee shall ensure University equipment and records in the off-site workspace are maintained in safe and secure conditions.

- b) The employee shall ensure University equipment is used for University business. University e-mail account shall be used for University business. The employee shall protect against unauthorized or accidental access, use, modification, destruction, loss, theft or disclosure of University owned equipment, records or materials. Any loss, damage, or unauthorized access to University equipment, records or materials shall immediately be reported to the supervisor.
- c) The employee shall, to the extent possible, guarantee that an appropriate space is available in the home (or other approved remote site) to provide for an effective work environment and data integrity. The employee should not telecommute from a public place.
- d) Although authorized to telework, the employee is expected to document any inability to work as expected through the University's online timekeeping system.

Telecommuting – University Responsibilities

- a) The University shall provide clear expectations for employees to fulfill their duties and responsibilities.
- b) Job performance will be measured using established University processes, procedures and forms.
- c) The University shall determine expectations for accessibility and accountability. Times for employee accessibility by phone and computer will be specified, i.e., during regular business hours or other.
- d) The University shall establish clear guidelines for reporting time worked. All University policies and procedures, including time and attendance reporting and leave time, continue to apply during flexible work arrangements.
- e) The University will compensate fixed workweek employees as required for hours worked. Supervisory approval for overtime for fixed workweek employees is required in advance and no overtime may be worked without such approval.

For Flextime Arrangements

To ensure that management and staff have a mutual understanding of the specifics of the flextime schedule, the requirements will be set forth in writing. Any modifications in the schedule may be made only with the prior consent of management.

Some of the possible variations of flextime are:

- a) Fixed starting and departure times that are selected periodically.
- b) Starting and departure times that can vary daily.
- c) Variations in the length of the workday which may result in a compressed workweek (i.e., a four-day work week similar to the University's normal summer schedule).

Flexible schedules may involve the need for staff to be present or accessible during certain core number of hours each day. All contractual entitlements for lunch and breaks must be adhered to by the employee.

Law, Regulations, Agreements and Policies

This Procedure shall be interpreted and applied consistent with all applicable federal and New Jersey state laws and regulations and the terms of any applicable collective bargaining agreement. Employees working under a flexible work arrangement pursuant to this Procedure, whether telecommuting or flextime, remain subject to all such laws and regulations and all other applicable policies and procedures of the University.

Employees are encouraged to be familiar with guidance related to the COVID-19 health guidance issued by the U.S. Centers for Disease Control, the World Health Organization, U.S. Department

of Education, New Jersey Department of Health, and Stockton University.

Modification or Termination of a Flexible Work Arrangement

Approved flexible work arrangements may be modified or terminated by an employee's supervisor or the University in its sole discretion at any time with notice to the employee.

Expiration of Procedure

This Procedure shall be in effect until the University determines there is no longer an operational need for flexible work arrangements.

Review History:

	Date
Associate Vice President Office of Human Resources	03/18/2020
General Counsel	03/18/2020
President	03/20/2020