

**PRAIRIE VIEW A&M UNIVERSITY
UNIVERSITY ADMINISTRATIVE PROCEDURE**



33.06.01.P0.01 Flexible Work Arrangements

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UAP Purpose

In accordance with System Regulation [33.06.01 Flexible Work Arrangements](#), Prairie View A&M University (PVAMU) may authorize and support flexible work arrangements, including remote work, when it mutually benefits the university and the employee; it is consistent with the efficient operations of the university; and it maintains effective delivery of services to the campus community and the public. Flexible work arrangements include partially/fully remote alternate work locations (AWLs) and flexible work schedules. While any university employee may request an AWL, not all positions may be eligible for remote work.

This University Administrative Procedure (UAP) governs flexible work arrangements, which may involve, but are not limited to, alternate locations, work schedules or job types. Additionally, this UAP also outlines and explains specific terms and conditions that must be followed if an AWL is approved. This UAP does not apply when the university requires employees to work at an alternate work location for special circumstances.

Definitions

Alternate Work Location (AWL) - A location apart from the traditional primary duty station (i.e. office, laboratory, etc.) affiliated with the geographic location/facility associated with any PVAMU property.

Designated Work Location - A fully remote work assignment where work duties are regularly performed as specified by employer and suitable for an AWL because of the nature of the functions and business needs associated with the location of the position. Serves as the primary work location on file.

Fully Remote Work - A designation of an AWL which allows an employee to fulfill all their job duties from an AWL. This arrangement does not require the employee to report to the primary duty station and allows them to fully function in their role leveraging technology to work and communicate. Remote work requests for outside the state of Texas must be approved by the Office of Human Resources. Additional approvals by the system offices of General Counsel and Budgets & Accounting are needed for international remote requests; a process managed by the Office of Human Resources.

Partially Remote or Hybrid Work - A designation of an AWL which allows an employee to fulfill all of their job duties at the assigned primary duty station while also providing flexibility to work from an AWL. In this type of AWL arrangement, an employee may work from an AWL part of the work week.

Primary Duty Station - The place of employment associated with a traditional university campus facility or university owned/leased property/space serving as the worksite or physical location where employees actually perform their job duties.

Flexible Work Schedule - A work schedule that permits or requires an employee to work a predetermined and approved variation of the employee's standard work schedule. This may include working in an alternate location, job sharing, or adjustments to scheduled working hours.

Official Procedures and Responsibilities

1. GENERAL

1.1 Conditions of Employment

1.1.1 A partially or fully remote AWL must not alter the employee's duties, obligations, responsibilities, and conditions of employment or required compliance with any relevant federal or state laws, System Policies or Regulations, and University Rules or Administrative Procedures while working at the AWL. Job responsibilities, standards of performance, and performance appraisals remain the same as when working at the primary duty station.

1.2 Hours of Work

1.2.1 An employee must have an approved work schedule in accordance with this UAP. Supervisors must ensure proper compliance and documentation of work hours, in particular, ensuring compliance with the Fair Labor Standards Act (FLSA), [System Regulation 31.01.09 Overtime](#), and [UAP 31.01.09.P0.01 Overtime](#). The employee is expected to maintain the same level of availability, production, and quality of work as expected when working at their primary duty station. Additionally, the employee may need to report to their primary duty station for meetings or special events as deemed necessary by management. Working hours cannot coincide or overlap with any other type of employment.

1.3 Use of Leave

1.3.1 A partially or fully remote AWL arrangement may not be used in place of paid or unpaid leave. If at any time an employee is unable to perform official duties, the employee must utilize the appropriate leave category to record the absence. A request to use leave must be approved in accordance with [System Policy 31.03 Leaves of Absence](#) and its governing System Regulations, and [UAP 31.03.03.P0.01 Leave of Absence with Pay](#).

1.4 Workspace, Equipment and Expenses

- 1.4.1 Partially or fully remote work employees must maintain a safe, secure, and ergonomic workspace and ensure that they have a designated workspace conducive to a professional environment. Additionally, to prevent unauthorized access to the network and protect computer and data security, without exception, all remote work should be done utilizing university or agency owned equipment. To the extent possible and at the discretion of the department, the university will provide the necessary office supplies that are needed for the specific AWL arrangement. The use of equipment provided by the university is limited to authorized persons and for purposes relating to university business. Employees are responsible for maintaining access to secure networking and/or internet service with sufficient bandwidth as necessary to perform their duties at the AWL.
- 1.4.2 Prairie View A&M University will not provide office furniture to facilitate the partially or fully remote AWL arrangement. The university will not be responsible for home maintenance, utilities, or any other operating or incidental costs associated with the use of a residence as an AWL. Employees at a designated work location may request reimbursement for authorized expenses (such as business travel) specifically incurred in connection with the remote work in accordance with applicable policies.

1.5 Tax and Other Legal Implications

- 1.5.1 Income taxes for employees will generally be withheld as required by the state where the employee is physically located when performing their work duties. The employee is responsible for personal tax consequences, if any, resulting from the AWL arrangement. The employee should seek independent professional advice for any questions or concerns regarding tax issues. AWL requests outside of the state of Texas will require additional levels of approval and the employing unit must notify the Executive Director of Human Resources.

1.6 Termination of AWL Arrangements

- 1.6.1 Alternate Work Location arrangements are contingent upon approval in accordance with this UAP. A supervisor reserves the right to end an AWL arrangement at any time. Employees may be given reasonable notice of termination of the agreement. Failure to comply with provisions of this UAP may result in termination of the AWL arrangement and/or disciplinary action, up to and including termination of employment in accordance with the [System Policy 32.02 Discipline and Dismissal of Employees](#) and [System Regulation 32.02.02 Discipline and Dismissal of Nonfaculty Employees](#).

1.7 Special Circumstances

- 1.7.1 The University will announce campus closings, delayed openings, or modification of operations due to a serious and/or unexpected event or situation requiring an immediate need for fully or partially remote work often in response to a campus crisis or inclement weather. In these instances,

employees functioning at an approved AWL will continue to work at the designated AWL, while employees that typically work on campus will enact arrangements with their managers to perform their duties at an AWL, if possible. Such arrangements are for special circumstances and do not supersede requisite AWL evaluation and approval processes.

1.8 Delegation of Authority

1.8.1 The President of PVAMU has delegated authority to approve employee requests for flexible work arrangements to the employee's respective vice president in coordination with their supervisor. The President retains sole authority to authorize changes in a department's or unit's normal operating hours.

2. ELIGIBILITY REQUIREMENTS

2.1 Eligible Employees

2.1.1 An employee is eligible for an AWL arrangement if the employee is in a regular budgeted position as defined in [System Regulation 31.01.01 Compensation Administration](#). The employee must minimally be employed at 50 percent effort (20 hours per week) for an employment period which is expected to reach four and one-half months.

2.2 Eligible Positions

2.2.1 Positions suitable for an alternate work location are those that are computer-based, not dependent on continual physical presence or face-to-face customer interactions, and largely self-directed. Therefore, positions are ineligible for a partially or fully remote alternate work location if they are not computer-based, are dependent on continual physical presence, require face-to-face customer interactions, and/or if the position is not largely self-directed.

3. FLEXIBLE WORK SCHEDULES

3.1 A flexible work schedule permits an employee to work a predetermined and approved variation of the employee's standard work schedule. A nonexempt employee must maintain a 40-hour workweek. An employee who is exempt under the FLSA must maintain either a 40-hour workweek or an 80-hour schedule over two consecutive workweeks. A flexible schedule does not limit the hours that an exempt employee must work to complete the job requirements.

3.1.1 Supervisors may implement flexible work schedules if approved by their respective vice president. The university can also require an employee to work a flexible schedule when required by the job duties. This includes requiring shift work, work on weekends and other schedules as required.

3.1.2 The standard work schedule for nonexempt employees will consist of eight (8) work hours, five days per week with one hour off for lunch. The flexible work schedule may include four 10-hour days or four 9-hour days plus one

4-hour day to equal a 40-hour workweek. The schedule must be clearly defined and approved by the supervisor and respective vice president.

- 3.1.3 Customer needs must be considered in determining adequate staffing. Staff coverage and supervision must remain sufficient to meet the operational requirements of the department and ensure quality service. Offices designated by the President shall remain open during regular office hours with at least one person on duty to accept calls, receive visitors, or transact business.
- 3.1.4 Work that requires regular supervision or essential interaction with other staff must be scheduled when supervisors and staff are available.
- 3.1.5 All employees, both exempt and non-exempt, in applicable positions as per Section 2.2.1 above, are eligible to apply for a flexible work schedule that constitutes a 40-hour workweek.
- 3.1.6 The alternate schedule will be reviewed for continued feasibility at the end of the term specified in the request.

4. RESPONSIBILITIES

- 4.1 Employees and supervisors will adhere to the following process:
 - 4.1.1 An eligible employee must initiate a Request for Flexible Work Arrangement Alternate Work Location in Workday which routes to their supervisor. The supervisor verifies the employee's eligibility and considers the operational impact of the AWL agreement on the department (e.g. staffing, customer service, timely handling of tasks, phone coverage, team responsibilities, and service commitments).
 - 4.1.2 The AWL approval or denial determination is made by the employee's supervisor on a case-by-case basis. This determination should be made based on the supervisor's assessment of the employee's suitability for an AWL arrangement. The supervisor will ensure flexible work schedules are administered and meet the operating requirements of the department.
 - 4.1.3 Once the supervisor recommends approval, the AWL request routes through the appropriate administrative channels in Workday.

5 ADMINISTERING AN ALTERNATE WORK LOCATION

- 5.1 Ongoing permission to continue the AWL agreement will be evaluated on an ongoing bases to ensure the employee is meeting the essential functions of the job and the work quality and productivity are not compromised.
- 5.2 The AWL arrangement must be evaluated every six months (or sooner if the work requirements change) by the supervisor and the employee to determine if continuation of the AWL is mutually beneficial to both the employer and the employee.

- 5.3 No AWL agreement may extend beyond one fiscal year without evaluation and reapproval.
- 5.4 If an AWL arrangement is being requested as a reasonable accommodation under the Americans with Disabilities Act Amendment Act (ADAAA), the employee will need to contact the Office of Human Resources for additional guidance. Please review [System Reg 08.01.02 Civil Rights Protections for Individuals with Disabilities](#) for additional information.

6. BREAK TIME FOR NURSING MOTHERS

- 6.1 In accordance with the [Patient Protection and Affordable Care Act](#), which amended the [Fair Labor Standards Act](#) (FLSA, 29 U.S.C. 207), employers must provide a nursing mother reasonable break time to express breast milk after the birth of a child. A reasonable accommodation for employees who wish to express milk during work hours will be made for up to one year after the child's birth. For additional information, please visit: <https://www.pvamu.edu/hr/office-of-equal-opportunity-diversity/pregnancy-accommodations/>.

7. HOLIDAYS

- 7.1 An employee in a FLSA exempt or nonexempt position who works on a scheduled holiday will be entitled to equivalent time off with pay to be taken during the twelve (12) month period following the end of the workweek in which the holiday occurred and on such day(s) as may be mutually agreed to by the employee and his/her supervisor.
- 7.2 Each holiday is equivalent to eight hours. Consequently, if an employee works a flexible work schedule that includes more than eight (8) hours per day, and the holiday falls on one of those days, the employee is only entitled to eight (8) hours of holiday pay for that day.

Related Statutes, Policies, Regulations and Rules

[System Policy 33.06 Hours of Work for Full-time Salaried Employees](#)

[System Regulation 33.06.01 Flexible Work Arrangements](#)

Texas Workforce Commission: https://www.twc.texas.gov/news/efte/nursing_mothers.html

Texas Government Code: <https://statutes.capitol.texas.gov/Docs/GV/htm/GV.619.htm>

Contact Office

Office of Human Resources 936-261-1730
