	<p><b>City of Albany</b>  <b>Administrative Policy</b>  Benefits &amp; Compensation  Policy #: HR-BC-18-002  Title: Alternative Work Schedules Program</p>	<p><b>Human Resources</b></p>
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**Purpose**

The City of Albany is dedicated to excellence in public service. The City is also committed to assisting employees in finding a work-life balance to meet employee’s needs where possible. The purpose of this Policy is to provide flexibility in work schedules without impacting the business needs of the City. Each department should determine whether the Alternative Work Schedules Program would be effective in meeting their business needs. Participation in the City’s Alternative Work Schedules Program is at the sole discretion of the employer and not an employee entitlement. It should be understood that not every job is adaptable to an alternate work schedule. This Policy provides opportunities for efficiency, potential expanded hours for customer service, and a recruiting tool to attract new talent.

Nothing in this Policy supersedes Collective Bargaining Agreements and Fair Labor Standards Act (FLSA) regulations.


**Policy**

**Eligible Employees:**

All City of Albany departments may, upon approval of their Department Director and Human Resources, provide alternative work schedules and/or telecommuting agreements to employees. Each participating department shall determine which alternative work schedules, if any, are available for employees. Such determinations shall be made on a case-by-case basis and based upon business needs, staffing and coverage requirements, hours of operation, etc.

Alternative work schedules are not appropriate for all employees or positions. For an alternative work schedule to be approved, the employee must have a satisfactory attendance record, meet all performance expectations in their current role and consistently demonstrate the ability to complete tasks and assignments on a timely basis with limited direct supervision. The nature of the employee's work and responsibilities must be conducive to the alternative work schedule without causing significant disruption to their job performance, the activities of the employee’s work group, and/or City service delivery. Positions with limited need for direct supervision and access to hard copy files or limited need for face-to-face contact with other employees and the public will be the most suitable under this Policy. Alternative work schedules shall generally be reserved for an employee who is outside of her/his new-hire training period, with exceptions requiring approval from the Human Resources Director.

Alternative work schedules and telecommuting agreement shall be memorialized in writing using the appropriate City forms, and any changes or modifications to the schedule shall also be in writing with acknowledgement from both the supervisor/manager and employee. Alternative work schedules and telecommuting agreements will be reviewed at least annually to assess the impact and effectiveness of the arrangement thereafter to ensure continued success. The alternative schedule and/or telecommuting agreement may be canceled at any time and for any reason by the City. An employee wishing to change or cancel an alternative work schedule or telecommuting agreement must obtain written approval from their director/manager.

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This Policy does not apply when the schedule change request is originated by the department for operational or seasonal needs. Short-term schedule changes of less than two weeks do not trigger the requirements of this Policy. Any schedule changes must be communicated and approved by the employee’s direct supervisor.

**Procedures**

Any alternative work schedule must further the City’s commitment to excellence in public service and meet the business needs of the department. Alternative work arrangements may include, but are not limited to, the following:

**Compressed Work Week-** An employee completes a 40-hour workweek in less than five full workdays.

Examples of compressed schedules include:

- 7:00 a.m. to 6:00 p.m. (T, W, Th, F; four 10-hour days with one-hour meal breaks)
- 8:30 a.m. to 7:00 p.m. (M, T, Th, F; four 10-hour days with half-hour meal breaks)
- 7:00 a.m. to 5:00 p.m. (M, T, W, Th with one-hour meal breaks) and 7:00 a.m. to 11:00 a.m. (F, no meal break) *[four 9-hour days and one 4-hour day]*


**Flexible Working Hours (Flextime)-** A 40-hour workweek (for full-time employees) is completed but an employee is given flexibility in daily start and quit times. Days of the workweek may have varying start and quit times, but the pattern should recur predictably over each workweek.

Examples of flextime schedules include:

- 7:00 a.m. to 4:00 p.m.; 9:00 a.m. to 6:00 p.m.
- 7:30 a.m. to 4:30 p.m.; 9:15 a.m. to 6:15 p.m.
- 7:00 a.m. to 4:00 p.m. (M, W, F); and 9:00 a.m. to 6:00 p.m. (T, TH)
- Four 10-hour days each week (4/10’s)
- Four 9-hour days and one 4-hour day each week
- Eight 9-hour days, one 8-hour day, and one day off each pay period

**Job Sharing-** Two employees share the duties of one full-time position (FTE). Work hours of each employee may vary, and benefits will be according to budgeted FTE/regular scheduled work hours.

**Reduced Work Schedule-** Employees work less than full time for a period of time as determined appropriate for business needs. Note: Public Employee Retirement System (PERS) contributions, accruals, and other benefits may be impacted due to reduced hours. (This schedule will not take the place of a leave of absence or the requirement to use paid leave to take time away from work.)

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**Telecommuting-** Work on one or more days each week is completed off-site by substituting telecommunications technology for commuting to the employee’s primary work location.

See General Provisions for Telecommuting (Exhibit A).

**Additional Requirements:** A department may determine a set number of hours that must be worked on site to meet business needs.

An employee working alternative schedules who is covered by the FLSA or who is eligible for overtime pursuant to a labor agreement may not be scheduled to work more than 40 hours in any week. Any hours worked over 40 in a workweek will be considered overtime. Overtime must be pre-approved by the employee’s supervisor/manager. Unauthorized overtime will result in disciplinary action up to and including termination.

An employee requesting to work an alternative work schedule, including one that results in working from home, shall enter into a written agreement providing the details of the alternative work schedule and/or telecommuting arrangement. The agreement(s) shall be signed by the employee, the employee’s supervisor, the Department Director and Human Resources. The original agreement must be sent to Human Resources and will be placed in the employee’s personnel file. Any modification to the alternative work schedule must also be made in accordance with this process.

The City may require the employee to return to the standard work schedule at any time as the needs of the business require or for other work-related reasons, including employee performance. Employees may not change the approved schedule from one alternative work schedule to another alternative work schedule without written agreement.

If an employee is covered by a Collective Bargaining Agreement, alternative work schedules may be permitted that are consistent with work schedules negotiated as part of the Collective Bargaining Agreement. Provisions in Collective Bargaining Agreements take precedent over this Policy if there is a conflict between the agreement and this Policy.

Leave usage and accruals, including City holidays, will be charged based on the approved work schedule.

Each alternative work schedule agreement shall provide for the specific treatment of holidays to ensure that employees are not afforded holiday pay in excess of the equivalent standard eight hours per holiday.

Management reserves the right to temporarily revert the schedule to a normal workweek or to a special flexible schedule in order to accommodate training, attendance at conferences, other special events, or staff coverage needs.



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An employee working an alternative work schedule who receives an unsatisfactory performance evaluation or is subject to disciplinary action may be returned to their normal work schedule.

Compensatory time is governed by applicable rules and regulations such as FLSA, Collective Bargaining Agreements, and other City policies.

The agreement to flex a schedule may be withdrawn at any time if in the view of the supervisor it is no longer in the best interest of the City to continue the arrangement. (There will be no less than five (5) days' notice given to the employee when their alternative work schedule is canceled.) All flexible scheduling arrangements must not negatively impact City business or the City's budget.

Failure to comply with the terms of an approved Alternative Work Schedule, Telecommuting Agreement, or this policy will result in immediate termination of the agreement. The City maintains the right to terminate an Alternative Work Schedule or Telecommuting agreement at any time.

<b>Responsible Party</b>	<b>Action</b>
Employee	As part of the alternative work schedule application process, employees must complete: <ul style="list-style-type: none"><li>• Alternative Work Schedule Request Form and/or</li><li>• Telecommuting Agreement</li></ul>
Supervisor/Director	Review forms submitted by employee and approve/deny. If approved: <ul style="list-style-type: none"><li>• Review telecommuting requirements with employee (Exhibit A), if applicable.</li><li>• Forward final Alternative Work Schedule and/or Telecommuting Agreement to the Human Resources Director to approve/deny.</li></ul>
Human Resources	Review Alternative Work Schedule Request and/or Telecommuting Agreement and approve/deny.
Employee	If approved for telecommuting, the employee will: <ul style="list-style-type: none"><li>• Contact the City's IT Helpdesk for any City-provided computer needs and VPN and remote desktop connection or configuration needs. <a href="mailto:helpdesk@cityofalbany.net">helpdesk@cityofalbany.net</a> 541-917-7599</li></ul>



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**Definitions** N/A

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**References** Specific Collective Bargaining Agreements  
FLSA guidelines

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**Review and Authorization**


Supercedes: HR-BC-18-001	Created/Amended by/date: HR; 12/13/2021	Effective Date: 12/13/2021
HR Director: <i>Signature on File</i>	City Manager: <i>Signature on File</i>	

1. Form or worksheet revision related to this document? No  Yes

If yes, attach a copy of the revised form or worksheet.

*(Form available electronically through Laserfiche Forms.)*

2. Training required? No

	<b>Exhibit A</b> General Provisions for Telecommuting	HR-BC-18-002
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## General Provisions

- 1. Communication.** Employee is responsible to maintain timely communications with his/her customers, workgroup, and supervisor. Employee must remain accessible during their agreed-upon telecommuting hours, even if outside of regular business hours for the department. Employee and Supervisor shall agree on expected turnaround times and the medium for responses (email, phone, Teams meetings, etc.)
- 2. Conditions of Employment.** Employee's conditions of employment shall remain the same as for non-telecommuting employees; wages, benefits, and leave accruals shall continue as outlined within the applicable collective bargaining agreement or City policy. The employee understands that all terms and conditions of employment with the company remain unchanged, except those specifically addressed in this agreement. Employee has no right to a telecommuting arrangement. This agreement may be revised or terminated at any time by the supervisor at their discretion in order to maintain productivity and service levels. Employee will comply with all wage and hour laws; abide by all applicable City of Albany Administrative Policies, standards, practices, instructions, and collective bargaining agreements that would otherwise apply if the employee were working at their regular, in-person work location.
- 3. Performance & Evaluations.** Approval of telecommuting may include an employee who has consistently demonstrated work habits that are well-suited to telecommuting including but not limited to self-motivation, self-discipline, the ability to work independently, the ability to manage distractions, the ability to meet deadlines, and a demonstrated record of meeting established performance expectations. The supervisor and telecommuter will formulate objectives, expected results, and evaluation procedures for work completed while the employee is telecommuting. The supervisor will monitor and evaluate performance by relying more heavily on work results rather than direct observation. The supervisor and the telecommuting employee will meet at regular intervals to review the employee's work performance. All work shall be performed according to the same high standards as would normally be expected at the primary worksite.
- 4. Remote Work Site.** The telecommuter must establish and maintain a dedicated workspace that is quiet, clean, safe, provides ergonomic efficiency, and with adequate lighting and ventilation. The telecommuter will not hold business visits or meetings with professional colleagues, customers, the public, or other City staff at the remote worksite. Employee will report to his or her regular, in-person work location (e.g., City Hall, Operations, Station 11) upon directive from his or her supervisor.
- 5. Hours of Work and Leave.** The telecommuter will have regularly scheduled work hours agreed upon with the supervisor, including specific core hours and telephone accessibility. The agreed upon work schedule shall comply with FLSA regulations. Overtime work for a non-exempt employee must be pre-approved by the supervisor. Employee's telecommuting work schedule will be consistent with their regular work schedule unless the employee receives prior written approval by their supervisor, in accordance with the City's Alternative Work Schedule policy, HR-BC-18-001. Nonexempt employees will record all hours worked and meal periods taken in accordance with regular timekeeping practice and will comply with the requirement for supervisory approval prior to any overtime being worked. The telecommuting employee must obtain supervisory approval before taking leave in accordance with City policy.



**Exhibit A**  
General Provisions for Telecommuting

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6. **Personal Business.** Telecommuting employees shall not perform personal business during hours agreed upon as work hours.
7. **Meetings and Trainings.** The telecommuter will attend on-site job-related meetings, training sessions, and conferences as requested by supervisors. In addition, the telecommuter may be requested to attend “short-notice” meetings. The supervisor will use telephone conference calling when possible as an alternative to requesting attendance at “short-notice” meetings.
8. **Inclement Weather.** If the primary worksite is closed due to an emergency or inclement weather, the supervisor will contact the employee. The telecommuter may continue to work at the telecommuting site. If there is an emergency at the telecommuting site, such as a power outage, the telecommuter will notify the supervisor as soon as possible. The telecommuter may be reassigned to the primary worksite or an alternate worksite.
9. **Equipment**
  - a. **Furniture and Minor Equipment.** Home worksite furniture and equipment shall generally be provided by the telecommuter. Should furniture or equipment be provided by the City at the employee’s remote work location, such furniture and equipment shall be used exclusively by the telecommuter and for the purposes of conducting City business. The employee may consult with their supervisor regarding the availability of furniture or equipment for loan. If City provides furniture or equipment, the telecommuter is responsible for safe transportation and set-up of such items as well as the safe return of those items upon termination of this telecommuting agreement or employment with the City.
  - b. **Telework Systems.** Employee is only to conduct City business on City-provided telecommuting equipment in accordance with City policy. City business shall not be conducted on employee’s personal equipment. The employee agrees that City equipment will not be used by anyone other than the employee and only for business-related work. The employee will only visit work related websites and use the email system for work related emails. The employee will not make any changes to security or administrative settings on City equipment. The employee understands that all tools and resources provided by the City shall remain the property of the City at all times.
  - a. **Return of Equipment.** The employee agrees to return company equipment, telework systems, and City documents within 72 hours of the expiration of this agreement or no later than the last day of employment in the event of resignation or termination. The City reserves the right to pursue any and all legal remedies to recover the replacement costs of any equipment not returned by employee at the expiration of City employment. Cost recovery methods may include, but are not limited to, the use of a collection agency or pursuit of judgement in small claims court.
  - b. **Equipment liability.** Information Technology staff will repair and maintain, at the primary worksite, any equipment loaned by City to the telecommuter. Surge protectors must be used with any City computer made available to the telecommuter. The City may pursue recovery from the telecommuter for City property that is deliberately, or through negligence, damaged, destroyed, or lost while in the telecommuter’s care, custody, or



**Exhibit A**  
General Provisions for Telecommuting

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control. Damage or theft of City equipment that occurs outside the employee's control will be covered by City. Telecommuters should check their homeowner's/renter's insurance policy for incidental office coverage. The City does not assume liability for loss, damage, or wear of employee-owned equipment. The employee will be responsible for:

- i. any intentional damage to the equipment;
- ii. damage resulting from gross negligence by the employee or any member or guest of the employee's household;
- iii. damage resulting from a power surge if no surge protector is used; and
- iv. maintaining the current virus protection for software.

### 10. Expenses

- a. **Incidental.** Unless otherwise stated in the Telecommuting Agreement, all incidental costs, such as residential utility costs or cleaning services, are the responsibility of the telecommuter.
- b. **Office Supplies.** The City shall provide any necessary office supplies, and telecommuting employees shall utilize the department's standard purchasing process for those supplies including purchase using the employee's p-card or through the department's purchasing agent to ensure that the City is receiving contract pricing and other relevant discounts on items purchased. Out-of-pocket expenses for supplies that would not normally be available in the office will not be reimbursed.
- c. **Telephone/Internet.** Any phone expenses incurred for long distance should be pre-approved. If reimbursement is approved, the telecommuter will submit an expense statement per City policy. Telecommuting employees must provide their own internet access at their own expense. The City does not reimburse employees for internet expenses.
- d. **Insurance.** Employee will ensure that City-owned property in employee's care is covered under employee's insurance policy as secondary coverage. Employee is solely responsible for any costs incurred as a result of this coverage requirement.
- e. **Travel.** The telecommuter will not be paid for time or mileage involved in travel between the telecommuting site and the primary work site.
- f. **Dependent Care.** Telecommuting is not a substitute for childcare or other dependent care. Telecommuters shall make or maintain dependent care arrangements to permit concentration on work assignments.
- g. **Taxes.** A "home office" is not an automatic tax deduction. Telecommuters should consult with a tax expert to examine the tax implications of a "home office" or other remote work site.

### 11. Safety.

Employee will maintain a safe and secure work environment at all times.

- a. **Injuries.** The employee will be covered by workers' compensation for job-related injuries that occur in the designated remote workspace, including the telecommuter's residence, during the defined work period. In the case of injury occurring during the defined work





**Exhibit A**  
General Provisions for Telecommuting

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period, the employee shall immediately report the injury to the supervisor. Workers' compensation will not apply to non-job-related injuries that might occur in the employee's home or other remote work location. The City of Albany does not assume responsibility for injury to any persons other than the telecommuter at the telecommuting site.

- b. **Inspections.** Employee agrees to allow employer to visit the employee's designated remote work location at mutually agreed-upon times to ensure that safe and secure working conditions exist. In case of injury, theft, loss, or tort liability related to telecommuting, the telecommuter must also allow agents of the City to investigate and/or inspect the telecommuting site.

**12. City Policies.** City of Albany administrative policies, rules, and practices shall apply at the telecommuting site, including those governing communicating internally and with the public, employee rights and responsibilities, facilities and equipment management, financial management, information resource management, purchasing of property and services, and safety. Failure to follow policy, rules, and procedures may result in termination of the telecommuting arrangement and/or disciplinary action.

**13. City Records and Work Product**

- a. **Security.** Security and confidentiality shall be maintained by the telecommuter at the same level as expected at all worksites. Restricted access or confidential material shall not be taken out of the primary worksite or accessed through a telework system unless approved in advance by the supervisor and the appropriate security access administrator. The Internet access router at the employee's remote work site shall be password protected.
- b. **Records Retention.** Products, documents, and records that are used, developed, or revised while telecommuting shall be copied or restored to City's computerized record system. Whenever possible, the telecommuter shall use a City network drive or OneDrive for records storage.
- c. **Public Disclosure.** Teleworking employees must protect City information from unauthorized disclosure or damage and must comply with federal, state, and City rules, policies, and procedures regarding disclosure of public and official records. Work done at an employee's telework site is regarded as official City business. All records, documents, and correspondence, either in paper or electronic form must be safeguarded for return to City. Release or destruction of records should be done only in accordance with statute and City policy and procedure, and with the knowledge of the employee's supervisor. Electronic/computer files are considered City records and shall be protected as such.
- d. **Intellectual Property.** Products, documents, and records developed while telecommuting are property of the City of Albany.

**14. Questions.** If you have questions about the City's telecommuting program, contact the City's Human Resources Department at [hr@cityofalbany.net](mailto:hr@cityofalbany.net) or 541-917-7506. If you have VPN or remote desktop connection or configuration needs, contact the City's Information Technology Help Desk at [helpdesk@cityofalbany.net](mailto:helpdesk@cityofalbany.net) or 541-917-7599.