

# Introduction

Because we are driven to create a diverse workforce of the future where people are engaged, connected, thriving, and achieving, the University supports a flexible work culture. Our Flexible Work guidance addresses both where and when work takes place for faculty, staff, and student workers.

The guidance has been developed jointly by Human Resources Leads and the Office of Human Resources with input from University senior leaders and governance groups. This document is intended as a resource to guide leaders in making decisions about flexible work arrangements that align with federal and state law, University policies and procedures, employee group governance (i.e., exempt versus non-exempt), and HR research and best practices.

Campus, college and unit leaders should make plans for flexible work arrangements within the bounds of these guidelines and should be guided by the principles below. Their plans should fit the needs of the work they carry out, balanced with the employee perspective. HR should provide counsel to their leaders and supervisors in decision-making. Leadership is accountable for equity within their campus or unit.

Flexible work arrangements work best when processes and decisions are transparent and clearly communicated. Listening to faculty and staff and making their input a part of the process will lead to the best initial model. Training and other tools from OHR are available to support supervisors and leaders as they foster employee engagement and productivity among teams with flexible work arrangements.

# Flexible Work Operational Guidelines Details

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# Flexible Work Guiding Principles

These principles were used to develop parts of this operational guidance and can serve the HR community and leaders as they develop their local implementation of flexible work:

- **The work drives decisions about where and how it should be done.**
  - Consider both individual and collective productivity.
  - Prioritize highly effective advancement of our mission.
  - Assess the impact of flexible work arrangements on responsiveness to the needs of students, staff, faculty and/or community members.
  
- **Broad University-level operational, legal, and policy guidelines inform local solutions.**
  - Administrative leaders define how best to adopt the University guidance at the local level to meet the needs of their campus, college, unit, or department.
  - Enhance leadership development to help leaders manage/supervise groups of employees that they don't see face-to-face as frequently.
  
- **Equity, diversity, and inclusion are considered at every step.**
  - Honor our commitment to community and belonging by recruiting and retaining diverse students, faculty, and staff and reducing disparities among underrepresented groups as outlined in MPact 2025.
  - Use flexible policies to attract and retain people with disabilities or different living circumstances.
  - Normalize flexibility to enhance wellbeing.

## Flexible Work Definitions

These are defined individually but can be combined for any individual work arrangement:

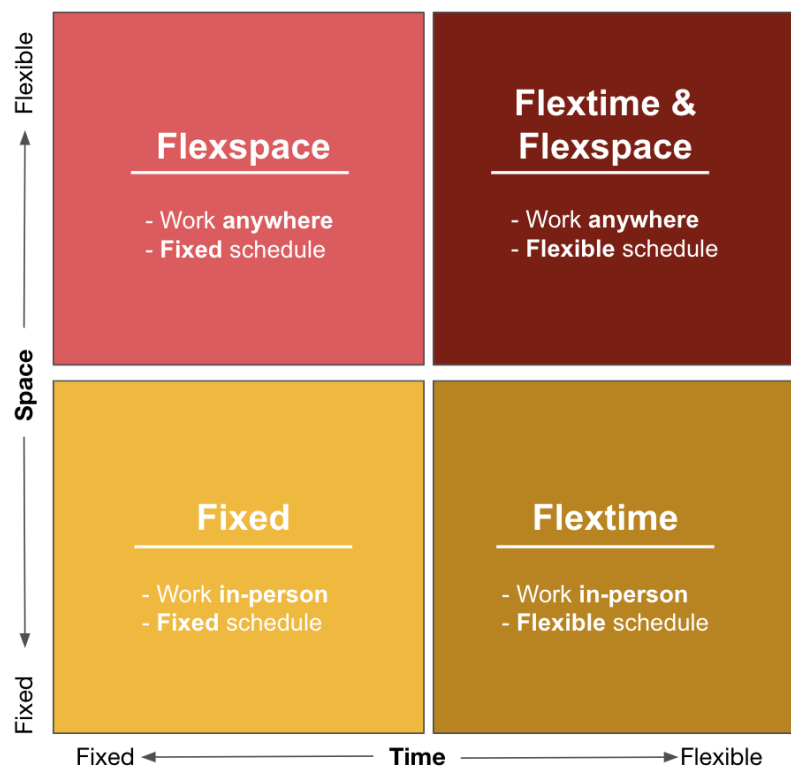
- **Flex Schedule/Flex Time.** A flex schedule/flex time refers to an arrangement that permits variations in starting and departure times, but does not alter the total number of hours or days worked in a work week.
  
- **Compressed Work Week.** A compressed work week refers to a schedule where the total number of hours worked each week are conducted in fewer than five full workdays. The most common compressed schedule is four 10-hour workdays per week.
  
- **Reduced Work Week (Part-time)/Reduced Work Year.** A reduced work week or reduced work year is an arrangement that allows an employee to reduce their time commitment to the University on a permanent or temporary basis (e.g., reduction from 1.0 FTE to .75 FTE or a 12-month to 9-month appointment). Consultation with an

Employee and Labor Relations representative in OHR is available to assist in determining feasibility, duration of time, and impact on pay, benefits, and/or taxes, as well as if there are other policies that may apply to the request.

- **Remote Work/Flex Space.** Remote work refers to an arrangement that allows an employee to work at home or from another off-site location. This could include working from a remote location all of the time, on an occasional basis, or a hybrid arrangement where the employee’s schedule includes a blend of remote work and work at a University location.
- **Job Sharing.** Job Sharing refers to a form of regular part-time work in which two people share the responsibilities of one regular full-time position. Job responsibilities, tasks, and hours may be split evenly or unevenly between the two individuals. Consultation with an Employee and Labor Relations representative in OHR is required to assist in determining feasibility, duration of time, and impact on pay and benefits, as well as if there are other policies that may apply to the request.

## Flexible Work Options

Flexible work arrangements considers both the space and time options, from fixed to flexible, which can be summarized in four quadrants:



## Individual Options

### Space

**Fixed space:** work in-person on-site in a traditional workplace

**Flexspace:** work anywhere (home, other designated space) using virtual technology; also known as remote work or work from home

**Hybrid space:** combine fixed and flexible space options

### Time

**Fixed time:** work a fixed, consistent schedule

**Flextime:** work can be completed using flex schedule/flex time, compressed work week, reduced work week, reduced work year, or job sharing. It can include setting work hours that might differ from the official business hours for a campus, college, or unit, including, but not limited to:

- Set hours worked, such as 7:00 a.m. to 3:00 p.m., 9:00 a.m. to 5:00 p.m.
- Adding break times to the day, such as working from 7:00 to 11:00 a.m. and 1:00 to 5:00 p.m.

**Hybrid time:** combine fixed and flexible time options, such as a five-day schedule during the academic year and compressed four-day work week during the summer

## Team or Department Options

The type of work that needs to be accomplished may result in some members of a department or unit having different space and time options across its members

**Traditional team:** everyone in the department works in-person on the same schedule

**Flex team:** everyone in the department uses flextime and flexspace options

**Hybrid team:** the unit has a variety of fixed, flexspace/flextime, and hybrid space and time options within the same team or department

# Working Outside of Minnesota

## Out-of-State Employees

Because we are a land-grant institution that serves the state, the University will continue to—in most cases—expect employees to live in Minnesota. There are some exceptions in which employees may work outside of Minnesota:

- When the employee is living out of state temporarily and plans to move or return to Minnesota.
- When the unit or college is able to demonstrate that the skills/talents of that employee are difficult to find in Minnesota.
- When the nature of the work requires it to be carried out somewhere other than Minnesota.

Current employees who live in bordering states may continue to do so without an exception, however depending on the amount of work performed out of state, local HR may be required to update the employee's Payroll Tax and Work Location information in PeopleSoft. An employee's choice to continue working mostly out of state or to relocate out of state may impact their medical benefits options.

Employees interested in exploring working out-of-state are responsible for researching and sharing tax information implications, such as state and/or municipality income tax and other required withholdings, with their HR professional. Not all positions are eligible to work out-of-state. The first step in the process is to reach out to the unit HR professional for an exploratory conversation.

## Employment Law

Employees are typically subject to the laws that apply in the state where they work, including those who are there temporarily.

## Unemployment

Unemployment varies by state; please consult with Employee Relations [erc@umn.edu](mailto:erc@umn.edu).

## Employee Benefits

An employee's choice to work fully or mostly outside of Minnesota may impact their health benefit options. Generally, the medical plans available for such employees are Medica Choice National and Medica HSA. It is important that employees and candidates considering a work arrangement where the majority or all of their work will be performed outside of Minnesota be informed that their benefits options may be impacted or limited. Employees/candidates should consult the [OHR Benefits](#) webpage for more information. Additionally, the OHR Contact Center may be a resource for specific questions.

# Worker's Compensation

The University is committed to making the workplace safe and healthy for all workers, to include those working remotely. Generally, in order to be covered under [Workers' Compensation](#), the employee must sustain an injury or illness arising out of and in the course and scope of their employment. Each worker's comp situation is unique and will be evaluated on a case-by-case basis.

Worker's Compensation for remote work taking place outside of Minnesota has two components:

- The University must have a mechanism in place to determine who and where the employee is, what they are doing (very broadly), and their annual wage.
- The University is required to purchase workers compensation insurance in the states where employees permanently work.

# Technology, Equipment, and Ergonomics

## Technology

The employee is responsible for adequate internet and phone service when working remotely. Academic and support units will determine the equipment they will provide to those with flexible work arrangements based on the work being performed and [purchasing guidance](#) outlined by purchasing services. The University's [Technology Help service desk](#) is open 24/7 and available via email, phone, and chat to support all employees.

Employees are expected to comply with all University data security requirements regardless of where they are working.

## Ergonomics

Proper ergonomics while working remotely are critical for wellbeing. All employees should make certain their workstations are set up to ensure comfort and safety.

The [Department of Environmental Health & Safety](#) (DEHS) can assist with ergonomic guidance, training and assessments.

Use the links below for more information:

- [Common Injuries in the Office Environment](#)
- [Ergonomics Tips for Working from Home](#)
- [How to Design a Home Office that Works \(video\)](#)

Refer to the [Remote Work Business Expenses guidance](#) for equipment outlined by Purchasing Services.

## University Equipment Use

The University has outlined [Acceptable Use of Information Technology Resources](#). Equipment, supplies, and other property provided by the University are provided exclusively for use in providing services to the University. University equipment may not be used by any person not employed by the University (including household members), except as may be required for business-related reasons.

## Health Safety on Campus/University Offices

Information on [Safe Return to Work](#) has been released by the University Health and Safety. There you can find information about interacting with co-workers, cleaning and disinfection, face coverings, ventilation, physical distancing, and more.

## Flexible Work Arrangements and Disability Accommodations

An employee with medical concerns may request an FWA as an accommodation.

If the college or unit has concerns about the potential operational impact of a requested FWA, they must provide the employee an opportunity to [make a formal request](#) for the FWA as an accommodation.

Under such circumstances, in order to ensure compliance with our obligations under the Americans with Disabilities Act, the Disability Resource Center, or appropriate campus resources, will be responsible for reviewing the request, directing the interactive process, and consulting with the unit to determine whether the requested accommodation is reasonable or an undue hardship.

The [Disability Resource Center](#), or appropriate campus resources, can help employees who need to continue working remotely due to an underlying medical condition.

Employees who are concerned about exposure to COVID-19 can consult with the DRC/UReturn or their campus resource regarding appropriate PPE.



# Fair Labor Standards and Timekeeping

## Time Tracking for Exception-Hourly Employees

- If an hourly employee works on site or remotely, it is critical that they track all hours worked and are paid for those hours.
- Non-exempt employees who are exception-hourly have a timesheet in MyU (or another absence management system) on the MyTime tab that reflects their regular schedule.
- Exception-hourly employees are not required to log hours worked in MyU or another absence management system unless they have some exception to their regular schedule such as overtime or a shift differential.
- For those who use MyU, [training links](#) are available within MyU on the My Time tab and will provide answers to common time tracking questions.

## Tips to Improve Time Tracking

Below are five tips that can help hourly employees accurately record time while working remotely:

1. Hourly employees should track their time as if they were working on site using the unit's time tracking system. [Job aids for hourly and exception-hourly employees](#) are available online.
2. Supervisors should remind hourly workers to record, review, and submit all hours shortly after they are worked to ensure accuracy.
3. Hourly employees are allowed two paid 15-minute breaks per work day if working in Minnesota. Hourly employees should ensure that all unpaid breaks are recorded accurately.
4. Encourage non-exempt workers to work their regularly scheduled hours (e.g., 8:00 a.m. to 4:30 p.m.). Managers should not ask non-exempt employees to work outside of their regular hours. Any time a non-exempt employee spends reading work-related information or responding to work emails constitutes "work" and should be accurately recorded in the time-keeping system.
5. Remind hourly employees working in Minnesota that they need their supervisor's approval before working more than 40 hours in a week to avoid the need for overtime payment. If overtime appears on the employee's timecard that was not pre-approved, it must be paid, but supervisors should address this immediately and stress that future overtime needs to be approved before the work is performed. If this pattern of working unapproved overtime continues, further performance discussions should be considered.

NOTE: This guidance is based on employees working in Minnesota. Consult with unit Human Resources to understand out of state wage and hour requirements.

## Shift Differential

A [shift differential](#) is a payment associated with specific hours that an employee is regularly scheduled to work.

An employee is not eligible for shift differential pay if they request to flex or change their typical hours as a matter of convenience or preference.

## Exempt employees

Campus, collegiate, and unit leaders need to recognize that exempt employees have inherent differences around how their time doing work is tracked or monitored when developing a plan for flexible work.

Leaders should consider the following in developing plans that consider the needs of exempt employees:

- **Making decisions on flexible work.** The decision on hybrid work arrangements for exempt work is based on the types of work that must be accomplished and how to best do so, just as with non-exempt work.
- **Adapting to find creative solutions.** Campuses and units have flexibility as to when and where exempt work is done, so long as the needs of the University are being met. Employees' preferences may also be considered, but the work itself is the most important consideration in determining time and space.
- **Focusing on their performance and tracking goals.** Supervisors should set goals with each employee through the University's performance management process, and frequently discuss these goals throughout the year. These routine conversations should ensure that progress is made towards goals, manage expectations, and allow adjustment of goals when necessary and strategic.
- **Recognizing the nature of exempt work.** Unlike non-exempt work, though, with exempt work there is no need to track specific hours or schedules for individual employees.
- **Agreeing on a core set of hours.** Whether staff is working remotely or in-person, agreeing on a core set of hours is also recommended. This intentional planning will allow for presence and support during collaborative or collective work, as well as facilitate work requiring regular interactions between employees. A core set of hours can establish a reasonable expectation of availability that would support these needs, regardless of employees' locations.

## Transportation Costs

University employees are responsible for costs to commute to their primary campus or office location regardless of their FWA.

[Parking and Transportation Services](#) has released parking changes and parking and transportation options for faculty and staff commuting to campus.

# Caregiving Considerations

- We recognize that school, childcare, and other caregiving arrangements are unique to each family.
- While remote or hybrid work is not a substitute for childcare, units should attempt to afford all employees the flexibility to meet intermittent childcare needs such as during illness, snow days, etc.
  - Approved sick leave may be used for Civil Service and AFSCME employees to care for or arrange care for an employee's child, including medical and dental appointments. Approved sick leave to care for an employee's sick child is not limited. Up to two (2) days per incident of approved sick leave may be used to care for an employee's child in case of an unscheduled school or daycare closing. [See bargaining unit contracts for details.](#)
- Employees requesting remote or hybrid work arrangements are responsible for ensuring ongoing childcare arrangements to allow for uninterrupted work time and focus.

State and local resources related to childcare and schools:

- [Families / State of Minnesota Covid-childcare](#)
- [Safe Learning Plan / COVID-19 Updates and Information - State of Minnesota](#)
- [Child Care Complicates Return to Work](#)

# Unexpected University Closures

Follow Policy References

- [Policy: Campus and Building Closing](#) describes the process of closing a campus, canceling classes, or canceling or postponing activities in the event that a situation poses a serious risk to the health, safety, or security of the University community, research animals, or other mission-critical assets.
- [Pay Provisions During Emergency Closings or Reduced Operations](#) identifies the process for compensating employees and it is an appendix to the Campus and Building Closing Policy.

# Supervisor Support

Leadership and Talent Development in the Office of Human Resources has developed resources to help supervisors build the skills needed to make decisions about working with flexibility and managing flexible teams.

Supervisors will be able to access these materials at [supervising.umn.edu](http://supervising.umn.edu):

- ***Preparing for Flexible Work Arrangements Worksheet***. This worksheet will help supervisors evaluate flexible work decisions.
- ***Flexible Work Arrangement Discussion Guide***. Supervisors can use this guide in discussions with their employees about the kind of flexible work their job responsibilities will

allow, as well as setting expectations and addressing potential challenges.

- **Quick Guide to Managing Flexible Teams.** This quick guide will help supervisors to identify and build the skills needed to successfully manage their flexible teams.
- **“Flexible Work Arrangements” webinar.** This webinar will help supervisors as they build the skills needed to work with flexibility and manage flexible teams.

## Optional Flexible Work Agreement

Colleges and Units may wish for their faculty and staff to engage in a documented flexible work agreement. Use this sample agreement or create one that aligns with your local guidance. For employees covered under Collective Bargaining Agreements, please review the contract language for Flexible Work Schedules to ensure compliance with those Agreements.

**Colleges and units are not required to use this or any other agreement and can customize this form to meet their needs.**

## Sample Flexible Work Agreement Form (Non-exempt/hourly)

Name \_\_\_\_\_ Employ ID \_\_\_\_\_ Job Code: \_\_\_\_\_

Title: \_\_\_\_\_ Department: \_\_\_\_\_

This Flexible work arrangement will begin [date] and reviewed [date]

### Work schedule\*

DAY	START TIME	END TIME
Sunday		
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		

\* Employee's work schedule may be amended from time to time by the employer or by mutual agreement.

Work location details: \_\_\_\_\_

### Agreement

The employee understands that all terms and conditions of employment remain unchanged, except those specifically addressed in this agreement.

### Reporting to Work

- The employee will be available and responsive during the work schedule agreed upon with their supervisor.
- Nonexempt (hourly) employees will record all hours worked and meal periods taken in accordance with regular timekeeping practices.
- Exception-hourly employees are not required to log hours worked in MyU or another absence management system unless they have some exception to their regular schedule such as overtime or a shift differential.
- Hourly employees working need their supervisor's approval before working more than 40 hours in a week to avoid the need for overtime payment.

- The employee will report to their campus work location as necessary upon directive from their supervisor.
- The employee will comply with all University rules, policies, practices and instructions that would apply if the employee were working at the campus work location.

**Safety**

- The employee will be responsible for the costs of establishing and maintaining a safe work-from-home area.
- The employee will report work-related injuries to their supervisor as soon as possible. ● The University assumes no liability for injuries to the employee that occurs outside of the remote work area or outside of working hours.

**Equipment**

- The employee is responsible for their internet and phone connection when working remotely. Colleges and units will determine the equipment they will provide to their remote and hybrid employees based on [purchasing guidance](#) outlined by purchasing services.
- Equipment, supplies, and other property provided by the University is provided exclusively for use in providing services to the University. University equipment may not be used by any person not employed by the University (including household members), except as may be required for business-related reasons.
- The employee is expected to notify their supervisor immediately of any equipment malfunction or failure. In the event of such a malfunction or failure, the department may, at its sole discretion, supply the employee with temporary use of department-owned equipment or require the employee to work at the office.
- In the event the Flexible Work Arrangement set forth in the agreement ends, the employee’s obligation to return University property continues.
- The employee agrees to return company equipment, supplies, and documents within five days of termination of employment.
- The employee understands that management retains the right to modify this agreement on a temporary or permanent basis for any reason at any time.

**Benefits for remote work outside of Minnesota**

- Employees and candidates considering a work arrangement where they will live and perform a majority or all of their work outside of Minnesota should review their medical and dental benefits to ensure their plan covers services and providers in that location. For more information visit the [Employee benefits website](#). Additionally, the OHR Contact Center may be a resource for specific questions.

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

Manager signature: \_\_\_\_\_ Date: \_\_\_\_\_

Human resources signature: \_\_\_\_\_ Date: \_\_\_\_\_

Other signatures as needed \_\_\_\_\_ Date: \_\_\_\_\_

# Optional Flexible Work Agreement

Colleges and units are not required to use this or any other agreement and can customize this form to meet their needs.

## Sample Flexible Work Agreement Form (Exempt/Salaried)

Name \_\_\_\_\_ Employ ID \_\_\_\_\_ Job Code: \_\_\_\_\_

Title: \_\_\_\_\_ Department: \_\_\_\_\_

This Flexible work arrangement will begin [date] and reviewed [date]

Work location details: \_\_\_\_\_

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### Agreement

The employee understands that all terms and conditions of employment remain unchanged, except those specifically addressed in this agreement.

### Reporting to Work

- The employee will report to their campus work location as necessary upon directive from their supervisor.
- The employee will comply with all University rules, policies, practices and instructions that would apply if the employee were working at the campus work location.

### Safety

- The employee will be responsible for the costs of establishing and maintaining a safe work-from-home area.
- The employee will report work-related injuries to their supervisor as soon as possible.
- The University assumes no liability for injuries to the employee that occurs outside of the remote work area or outside of working hours.

### Equipment

- The employee is responsible for their internet and phone connection when working remotely. Colleges and units will determine the equipment they will provide to their remote and hybrid employees based on [purchasing guidance](#) outlined by purchasing services.
- Equipment, supplies, and other property provided by the University is provided exclusively for use in providing services to the University. University equipment may not be used by any person not employed by the University (including household members), except as may be required for business-related reasons.
- The employee is expected to notify their supervisor immediately of any equipment malfunction or failure. In the event of such a malfunction or failure, the department may, at its sole discretion, supply the employee with temporary use of department-owned

equipment or require the employee to work at the office.

- In the event the Flexible Work Arrangement set forth in the agreement ends, the employee's obligation to return University property continues.
- The employee agrees to return company equipment, supplies, and documents within five days of termination of employment.
- The employee understands that management retains the right to modify this agreement on a temporary or permanent basis for any reason at any time.

**Benefits for remote work outside of Minnesota**

- Employees and candidates considering a work arrangement where they will live and perform a majority or all of their work outside of Minnesota should review their medical and dental benefits to ensure their plan covers services and providers in that location. For more information visit the [Employee benefits website](#). Additionally, the OHR Contact Center may be a resource for specific questions.

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

Manager signature: \_\_\_\_\_ Date: \_\_\_\_\_

Human resources signature: \_\_\_\_\_ Date: \_\_\_\_\_

Other signatures as needed \_\_\_\_\_ Date: \_\_\_\_\_



# Optional Remote Work Tracking for Teams

Colleges and Units may wish to document departmental flexible work plans. Use this sample form or create one that aligns with your local guidance.

**Colleges and units are not required to use this or any other form and can customize this form to meet their needs.**

## Sample Flexible Work Form for Teams or Departments

Department or Division (if applicable): \_\_\_\_\_

Work Group: \_\_\_\_\_

Department or Division Administrator: \_\_\_\_\_

### On-site Presence Needed

*Example: Need to have two staff on-site each day. Currently have five staff in the department, will assign two to each day for on-site support. Will essentially have 40% onsite, 60% remote.*

### On-site Work Plan for Department or Group

*Example: On-site work will include mail collection; attending to in-person faculty, leader, and student needs; keeping shared work spaces organized and functional.*

### Space/footprint Reduction

*Example: Currently all administrative staff have offices of their own in location x, y, z. Two dedicated workspaces will remain in location x. the others will be converted to shared space.*

### Technology Needs

*Example: All staff have laptops. May consider equipping shared space with meeting technology for departmental use.*

## Work. With Flexibility. Plan Summary

Employee Name and Job Code		Details
<b>Flexspace</b> (work anywhere, fixed schedule)	<u>Example: Jane Doe, 8323</u>	<u>On-site 60% Monday-Friday</u>
<b>Flextime</b> (work on-site, flexible schedule)	<u>Example: Jane Doe, 8323</u>	<u>Monday-Thursday, 8 a.m. - 6 p.m</u>
<b>Fixed</b> (work on-site, fixed schedule)	<u>Example: Jane Doe, 8323</u>	<u>On-site Monday-Friday, 8 a.m. to 4:30 p.m.</u>
<b>Flextime/Flexspace</b> (work anywhere, flexible schedule)	<u>Example: Jane Doe, 8323</u>	<u>On-site Monday-Wednesday, 8 a.m. to 4:30 p.m.</u> <u>Remote Thursday-Friday, 7 a.m. to 3:30 p.m.</u>

Dean/Vice President: \_\_\_\_\_ : \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head: \_\_\_\_\_ Date: \_\_\_\_\_