ALTERNATIVE WORK ARRANGEMENT B004

10/01/2004

PURPOSE

To provide guidelines regarding alternative work schedule arrangements as exceptions to normal work schedules. The options are designed to benefit both the employee and University, as appropriate, in achieving personal, departmental and University goals.

DEFINITIONS

Non-Exempt Staff

Individuals covered by the Fair Labor Standards Act of 1938 which regulates minimum hourly wage, overtime pay, record keeping requirements, etc. They are referred to as "biweekly" paid employees at the University of Miami.

POLICY

The University offers an alternative work arrangement option designed to assist full-time regular employees in balancing personal and family needs with job requirements. This policy provides guidelines regarding the use of nine and ten-month employment schedules.

Employees may request a specific schedule to be considered by their Supervisor. Alternative work arrangement options are not entitlements. They are exceptions to normal work schedules and may not be appropriate for certain departments or jobs, depending on departmental needs and job duties. The needs of the department are the highest consideration when determining how and if a particular alternative work arrangement can be accommodated. Possible considerations for granting this option include:

1. Organization and client/customer needs, including all relevant responsibilities;
2. Staffing requirements under the proposed arrangement, including the effect of the work-plan on fellow employees;
3. This individual's overall work performance; attendance record, supervision required;
4. The proposed length of the arrangement;
5. Remuneration and benefits for the proposed arrangement;
6. Costs associated with the proposal;
7. The potential for the arrangement to be changed with different circumstances (i.e., a return to full-time work);
8. Uniformity/parity effect with similar work units within the division, department and/or school.

This option requires an Agreement Form (and a written memorandum of understanding as applicable) between the employee and immediate supervisor and may require additional approvals by the department head, dean or vice president at their option. The arrangement requires approval by the appropriate Human Resources office which will assist the supervisor in preparing a memorandum which shall specify months to be worked, performance measurement criteria and any other specific condition(s). The Agreement form(s) applicable to each option can be obtained from the Human Resources Forms Website.
Termination of this arrangement can occur at the employees request or by withdrawal of approval by the University. Adequate notice is to be given by either party wishing to terminate the arrangement. Conditions which might lead to withdrawal of approval include unsatisfactory job performance, demonstrated adverse impact on departmental operations, and change in management or financial exigency.

**NINE/TEN-MONTH EMPLOYMENT SCHEDULES**

The Nine/Ten-Month work schedule is a deviation from the normal twelve-month schedule for full-time, regular employees. The period during which work is not scheduled must be taken in four-week increments starting at the beginning of a pay period and can occur at anytime during the year. This work arrangement can be temporary or permanent. Nonexempt staff will receive pay for hours worked for each biweekly period only during months actually worked. Nonexempt employees will accrue (pro rated) sick and vacation time and shall be compensated for the number of hours actually worked. Scheduled and floating holidays (as approved by supervisor) will be based on the employee’s assigned daily work schedule. However, the overtime pay requirement shall be in effect for a non-exempt employee who works 40 hours or more in a work week or who works on a scheduled holiday.

**PROCEDURE**

Several steps are required to implement this option. A request generally begins with an employee discussing the possibility with the supervisor. Approval may be granted by the supervisor, department head (dean or vice president as determined by those offices) and appropriate Human Resources office, who will coordinate the request for alternative option and a letter of Agreement concerning the initiation of alternative work arrangements. If there are any questions pertaining to benefits, the employees shall be instructed by the supervisor to contact Benefits Administration for a review and explanation of benefits.

If a department intends to terminate an alternative work arrangement, the appropriate Human Resources office must be notified in writing. Human Resources will assist in the preparation of any documents and a time schedule to return the employee to their previous normal work schedule. If the agreement is terminated prior to the anniversary of the start date, Benefits Administration may assess a pro-rated amount for tuition remission/health/dental premiums.