

# City of Detroit

## Flexible Work Schedule Policy



### 1. Preamble

- 1.1. The City of Detroit values employee work/life balance and encourages the use of flexible work schedules as a viable, voluntary option to foster a more satisfying and productive employment experience.
- 1.2 The City recognizes the benefits of a formal Flexible Work Schedule Program, including:
  - Contributing to a safe and healthy workplace;
  - Enhancing Employee well-being and work/life balance;
  - Boosting employee morale, job satisfaction and productivity;
  - Positioning the City as an employer of choice by creating work-life balance options that are useful in the recruitment and retention of top talent.
  - Reducing absenteeism;
- 1.3 As the Flexible work Schedule Program grows, the City will benefit by:
  - Continuing to provide critical services during an emergency;
  - Maximizing the use of City resources, including office space;
  - Impacting the City's Sustainability Plan by reducing our carbon footprint.

### 2. Purpose

- 2.1 This policy outlines the Flexible Work Schedule (FWS) options, guidelines, processes, and forms that are available to eligible City employees. The FWS program intends to promote a more satisfying work/life balance through the flexible scheduling of the workday and/or work location. This policy does not alter, amend, or otherwise supersede any labor agreement, ordinance, Detroit Civil Service Rule, State or Federal law. Please refer to the appropriate collective bargaining agreement for specific bargaining unit provisions, if applicable.

### 3. Scope

- 3.1 This policy applies to eligible full-time City of Detroit employees in departments and collective bargaining units that opt-in to the FWS Program.
- 3.2 This policy does not apply to part-time employees or Personal/Professional Services Contractors.
- 3.3 Medical certifications can include physical and/or mental certifications.
- 3.4 Departments who are paid out of the PDS Payroll System must migrate to the UKG – UltiPro Payroll System to participate in the FWS Program.

#### 4. Definitions

- 4.1 **Compressed Work Schedule 4/10's** – Eligible Non-Exempt employees approved for this schedule work four (4) 10-hour days per week; totaling eighty (80) hours in an 8 day pay period.
- 4.2 **Compressed “Hybrid” Work Schedule 9/80's** – Eligible Non-Exempt employees approved for this schedule work four (4) 10-hour days per week and five (5) 8-hour days the next week; totaling eighty (80) hours in nine (9) days per pay period.
- 4.3 **Compressed Schedule (Exempt Employees Only)** – An eighty (80) hour work schedule completed over the course of a bi-weekly pay period. Only applies to employees who are not eligible for overtime; generally non-union, “Administrative Roster” personnel. Schedules may be comprised of any combination of hours which ensure a minimum of 80 hours worked per pay period. Lunch breaks must be at least one half-hour. The compressed work schedule cannot vary from pay period to pay period.
- 4.4 **Core Hours/Days** – Hours or days when all employees are expected to be physically present at their primary on-site work location. Core hours or days may vary depending on the requirements of the position and operational needs of the department.
- 4.5 **Exempt Employee** – An employee who does NOT receive overtime compensation after forty (40) hours worked, pursuant to the provisions of the Fair Labor Standards Act (FLSA). Employees are considered salary and are compensated on a weekly basis.
- 4.6 **Non-Exempt Employee** – An employee who is required to receive overtime compensation after either forty (40) hours worked or 8 (hours) per day (per union contract), pursuant to the provisions of the Fair Labor Standards Act (FLSA).
- 4.7 **Policies** – All City policies are located in the City’s policy warehouse, [PowerDMS](#)

- 4.8 **PowerDMS** – The City of Detroit’s virtual policy warehouse [PowerDMS](#) Employee usernames are provided to them at time of hire, and they are assigned a default password that must be changed at the time of first login. If Employees have any issues with their username or password, they can send an email to [powerdmsadmin@detroitmi.gov](mailto:powerdmsadmin@detroitmi.gov). Employees also have access to PowerDMS through the UltiPro homepage.
- 4.9 **Program Year** – A period of one year that runs commensurate with the City of Detroit’s fiscal year calendar, July 1st – June 30th . The employee will be required to submit a new application and new attachments for each subsequent year they participate.
- 4.10 **Prohibited Data** – Confidential information that employees may be prohibited from accessing while off City Premises. This includes:
- Personal Identifying Information (PII) such as Driver’s License Numbers and Social Security Numbers;
  - Protected Health Info.(PHI): personal health and medical information;
  - Payment Card Industry Information (PCI) such as information related to financial transactions and credit card numbers; and
  - Any other applicable information deemed confidential by the City.
- 4.11 **Shift** – A daily schedule consisting of start time, end time, lunch, and off days.
- 4.12 **Supervisor** – A City of Detroit employee who has direct oversight of another employee’s work product and scheduling.
- 4.13 **Telework** – A flexible working arrangement that allows eligible employees the opportunity to work away from their primary on-site work location.
- 4.14 **VPN** – Virtual Private Network; allows employees access to the IT infrastructure remotely.

## 5. Policy Publication

- 5.1 A digital copy of this policy is located on the Human Resources Department Webpage and shall be retained in the City’s [PowerDMS](#) Policy Warehouse System for employee review and signature.

## 6. Policy

- 6.1 The Flexible Work Schedule (FWS) Program exists to promote work efficiency while maintaining a high-level of customer service and reducing costs to the participating employee; including but not limited to costs associated with commuting, parking, gas, etc.

6.2 Under the FWS Program, employees have the following (4) options:

a) **Telework:**

Work a normal shift for one or more days at an approved alternate location

b) **Compressed 4/10's (Non-Exempt Employees):**

Work (4) 10-hour days both weeks in a pay period

c) **Compressed 9/80 (Non-Exempt Employees):**

Work (4) 10-hour days one week and (5) 8-hour days the other week

d) **Compressed (Exempt Employees):**

Work any combination of hours that ensure a minimum of 80 hours worked per pay period. This is the only compressed schedule option for Exempt employees

6.3 The duties, obligations, responsibilities, and conditions of the participant's employment remain unchanged. The employee's rate of pay and all associated fringe benefits remain unchanged.

6.4 The participating employee and their supervisor shall continue to comply with all City and/or departmental policies, procedures, contract provisions, rules, and regulations; the violation of any may result in the immediate termination of the FWS agreement and/or disciplinary action, up to and including termination of employment. FWS may be available pursuant to the Americans with Disabilities Act (ADA).

6.5 All FWS applications will be evaluated on a case-by-case basis. The employee's employment record, inclusive of performance history and disciplinary history in addition to an assessment of the employee's job functions shall be reviewed by the supervisor to determine if the employee can be placed on a FWS.

6.6 FWS is not a universal employee benefit; employees do not have a "right" to participate in the program. The City reserves the right to approve or deny an employee's application or terminate an approved FWS at any time. Employees who desire to participate in the FWS program must apply and receive approval of their supervisor, Department Director or designee and Human Resources before the FWS can begin or continue.

6.7 Employees who experience work performance difficulties, attendance problems, receive coaching, are placed on a Performance Improvement Plan (PIP), or

receive disciplinary action during the approved FWS period, may be immediately removed from the FWS Program.

- 6.8 When the participating department elects to terminate or change the FWS, a two-week (one pay period) notice to the affected employee(s) shall be provided, except in instances where operational need, emergencies or employee conduct dictate an immediate termination or change. In such cases, the supervisor may unilaterally adjust or terminate the FWS.
- 6.9 Employees who experience a job change (i.e., promotion, demotion, transfer, location change) must re-submit their request to their new supervisor for review and approval.
- 6.10 The terms of this FWS Policy are not grievable; including but not limited to FWS decisions, terminations, or changes to an approved FWS.

## **7. Eligibility**

- 7.1 Eligibility, as defined throughout this policy, shall not be interpreted as an approval of the employee's application. No employee is entitled to, or guaranteed the opportunity to have an FWS, as some positions or departmental operations are not suitable for FWS. Consideration is based on a combination of job characteristics and contingent on satisfactory employee performance.
- 7.2 Full-time City of Detroit employees who are appointed or certified by the HR Department are eligible to apply; provided the employing department is in UltiPro, elects to participate in the FWS Program, and the employee's respective union participates in the FWS Program.
- 7.3 Any employee who received a suspension within twelve (12) months of the application date shall not be eligible to participate in any FWS option unless an emergency exists which the department or the City requires the employee to work from home.
- 7.4 The applicant and supervisor will receive a formal letter from the HR Employee Services Consultant stating if the application was approved or denied. This letter will serve as the City's official determination of the FWS Application.

## **8. Digital Application**

- 8.1 Any employee seeking approval to participate in any of the flexible work options referenced in this policy must complete the [Flexible Work Schedule Application](#) on Smartsheet.
- 8.2 To determine if an FWS application should be approved, the supervisor must assess if the employee's tasks can be performed successfully away from the office or within a compressed work schedule.

8.3 Prior to approval, the supervisor must confirm that the employee's absence from the primary work location will have the following:

- Minimal impact on the business operation;
- Resources that an employee needs to do his/her job are easily transportable or available, and
- Other qualified employees are available onsite to provide adequate coverage at the assigned work location.

## **9. Flexible Work Schedules**

9.1 A combination of telework and compressed schedules is not allowed under any circumstances.

9.2 An employee can request to change the location of their work site or request to alter the start and end times of their shift, provided the hours worked are within the department's core hours and the schedule is approved.

9.3 The department may institute core work hours or days that will ensure appropriate staffing levels are in place. Any reduced schedule requires special approval and special programming in payroll systems to accommodate changes in shifts. Once an FWS is set, the schedule may not be changed, in any way, without the written permission of the immediate supervisor/manager.

9.4 The City's FWS Program runs on a fiscal year calendar. Requests approved after on or July 1st will terminate on June 30th of the following year. The maximum length of an approved FWS is (12) twelve months. At the end of this period or at the beginning of a subsequent fiscal year, the employee may renew by submitting an updated request.

9.5 Employees are encouraged to submit their applications at least 30 days prior to the expiration of the FWS to minimize disruption and allow time for departmental and HR review.

9.6 After an employee starts an FWS, periodic reviews should be conducted by the participating department to evaluate the success of the arrangement. These reviews should be conducted at 90-day intervals during the first year of the arrangement. A renewed arrangement can be reviewed in longer increments.

## 10. Compressed Schedule Considerations for 4/10's ONLY

<u>COMPRESSED SCHEDULE</u> <u>4/10's</u>	<u>COMPRESSED SCHEDULE</u> <u>9/80</u>	<u>COMPRESSED SCHEDULE</u> <u>EXEMPT Only</u>	<u>TELEWORK</u>
<ul style="list-style-type: none"> <li>• (4) (10-hour) days per workweek</li> <li>• Employees receive one (1) additional off-day per week</li> <li>• Employees will only receive OT for time worked over 40 hours</li> </ul>	<ul style="list-style-type: none"> <li>• (4) (10-hour) days one week and five (5) (8-hour) days the next week; totaling (80) hours in nine (9) days</li> <li>• Employees will only receive Overtime pay for time worked over 40 hours in a work week.</li> </ul>	<ul style="list-style-type: none"> <li>• 80-hours worked over the course of the bi-weekly pay period.</li> <li>• Applies to <b>EXEMPT</b> employees who are not eligible for overtime; generally non-union, "Admin. Roster" personnel.</li> </ul>	<ul style="list-style-type: none"> <li>• Employees work at an approved alternate location</li> <li>• Employees must ensure that their time sheet accurately reflects their hours worked</li> </ul>

### 10.1 Vacation, Sick & Departmental Leave

Vacation, Sick, and Departmental Leave will be charged against the employee's respective banks to cover the 10-hour absence.

*Example: If an employee is scheduled to work (4) 10-hours days in a week and requests to take a vacation or sick day on their scheduled workday, 10 hours will be charged against their time-off bank.*

Conversely, if an employee is ill on their scheduled day off, nothing is recorded on the time sheet because the employee was already scheduled off

### 10.2 Holiday Pay – Occurring on Employee's Scheduled Workday OPTION #1

Upon the employee's request, the supervisor can perform a shift override in UKG UltiPro, reverting the employee to their normal schedule to ensure that the employee receives a holiday off.

### 10.3 Holiday Pay – Occurring on Employee's Scheduled Workday OPTION #2

Holidays are paid in 8-hour increments. The employee can supplement the 8-hour Holiday pay by using 2 hours from their Vacation, Dept. Leave or Compensatory Time (C-Time) bank(s).



10.4 **Holiday Pay – Occurring on Employee’s Scheduled Day Off**

The employee can request that their supervisor move the holiday to another scheduled workday in UltiPro so that the employee receives the benefit of the additional day off. Because holidays are paid in 8-hour increments, the employee could supplement the 8-hour Holiday pay with 2 hours from their Vacation or Dept. Leave bank(s) or request to revert to a normal work week.

10.5 **Jury Duty – Occurring on Employee’s Scheduled Workday**

Jury Duty shall be paid in accordance with City policy. The employee will receive payment for their entire shift.

10.6 **Jury Duty – Occurring on Employee’s Scheduled Day Off**

Jury Duty will not be paid for jury service on an employee’s regularly scheduled day off since the employee is not scheduled to work on that day.

10.7 **Overtime**

10.7.1 Exempt employees are not entitled to overtime compensation. Non-exempt employees will be compensated for overtime in excess of forty (40) hours in a workweek

10.7.2 Non-exempt employees on a FWS are not entitled to daily overtime.

**11. Telework Agreement**

11.1 Employees wishing to telework, must acknowledge and agree to the terms of a Telework Agreement on the [FWS Application](#).

11.2 Telework allows employees to work at a location other than their primary on-site work location. Supervisors may require employees to report to the primary on-site work location on a scheduled telework day as needed; providing as much notice as possible.

11.3 All Telework employees shall maintain a log or report of all work activities performed daily (Non-Exempt Employees) or for the work week (Exempt Employees). The report must be maintained for at least one year, in the event of a work audit.

- 11.4 The employee must be prepared to attend mandatory meetings or reply to correspondence and phone calls as soon as possible, but no less than two (2) hours, or as agreed. Employees must also be prepared to provide status updates upon request of their supervisor.
- 11.5 Should an employee fail to respond to correspondence or report within the proscribed amount of time, the supervisor has the discretion to:
1. Charge the employee's time-off bank,
  2. End the FWS arrangement, and/or
  3. Issue discipline.
- 11.6 Employees approved for telework are responsible for maintaining a healthy, clean, and safe working environment including a work area, bathroom, and other areas that may be necessary for working.
- 11.7 Employees must have an area free from distractions.
- 11.8 Telework employees shall not hold meetings at their alternate work location where the physical presence of others is required.
- 11.9 **Employees may not, under any circumstances, conduct any non-City work while on City time.**
- 11.10 The employee shall participate in any and all evaluations of the FWS Program, including inspections and investigations resulting from an injury sustained during work.
- 11.11 Employees are required to store, safeguard, and dispose of documents in a manner that will not jeopardize the City's interest and will protect information deemed confidential from disclosure.
- 11.12 Teleworking employees shall abide by all Department of Innovation & Technology (DoIT) rules and policies. The employee should be familiar with the following policies and guidelines accessible on the City's website under the [Workplace Policies](#) heading.

## 12. Telework Considerations:

- 12.1 See Attachment A – Supervisor Checklist for special considerations that every Supervisor/Manager should review prior to approving a telework application.

### **13. Telework – Communication**

- 13.1 In order to maintain close communication and standards of professionalism while working from a remote location, the telework employee shall:
- Notify their manager, co-workers, etc..., of any change in the telework schedule
  - Provide contact info. in Outlook and on voicemail to
  - Always be available by telephone and email during scheduled working hours
  - Return calls and emails in a timely manner, as defined by the supervisor, department, etc.
  - Participate in any required communication with manager – such as daily contact
  - Have office calls forwarded to another City phone or periodically check voicemail during the day
  - Answer the telephone professionally with no distractions during scheduled working hours
- 13.2 The telework employee will agree with their manager on a plan for receiving assignments, returning assignments, and reporting to the manager on telework days. The employee will maintain contact with their work unit and colleagues, including attending meetings on telework days when requested to do so by their manager.

### **14. Telework- Workers Compensation**

- 14.1 Employees will be covered by worker’s compensation for all job-related injuries occurring during their defined work period. In the event of a job-related incident, accident, or injury during telework hours and only at the approved telework location(s), the employee shall report the incident to their supervisor as soon as possible and follow established procedures to report and investigate workplace incidents, accidents, or injuries. All injuries will be investigated on a case-by-case basis.
- 14.2 Worker’s compensation shall not apply to non-job-related injuries that occur while teleworking or for non-job-related injuries that are sustained during working hours for unauthorized tasks. The City of Detroit will not be responsible for injuries to third parties or members of the employee’s family that occur on the employee’s premises or third-party work location. It is the employee’s responsibility to maintain a safe work environment.

## **15. Telework – Safety and Equipment**

- 15.1 The employee must acknowledge on the FWS Application that their space complies with all prescribed requirements, if any. If a job-related accident or injury occurs, then a mandatory home safety inspection will be conducted as soon as possible. The City will provide routine maintenance and repairs only for City equipment if the equipment is returned to the assigned work location.
- 15.2 The City will not support, maintain, or repair an employee's own equipment. The City will not pay for, or reimburse the employee for any communications charges including but not limited to, local or long-distance telephone calls/service, internet service, cell phone charges, etc.
- 15.3 Employees who telework may use City supplied office supplies such as pens, pencils, stationary, envelopes, etc. only for authorized work purposes. Necessary supplies should be obtained through the normal procurement process.
- 15.4 All equipment and supplies must be immediately returned to the City upon conclusion of the telework arrangement, or when the equipment is no longer needed to perform the work.
- 15.5 An employee who desires to telework from any other location, other than the one approved on the Telework Agreement must notify and receive approval from their supervisor in advance.

## **16. Recording Hours**

- 16.1 The department is responsible for ensuring that the appropriate HR - Employee Services Consultant receives the approved application for final review. HR shall notify the supervisor and employee of the approved FWS start date via letter. An employee shall not begin a FWS shift until notification from HR Employee Services is received. Upon HR notification, the supervisor and employee shall ensure that time is accurately reported in UltiPro.

## **17. Call-In Procedure & Leaves of Absence**

- 17.1 FWS employees who are ill and unable to perform the functions of their job on a scheduled workday, shall follow their department's call-in procedure. Teleworking should not be used in place of sick leave, or other types of leaves, unless approved by Human Resources in writing. Normal policies apply when requesting sick leave, vacation, and other types of leave.

- 17.2 An FWS will not change how sick leave or other type of paid time off is accrued, paid, or used. When employees use Sick time for all or part of their workday, the number of hours off-duty due to illness or other allowable reason, shall be charged to the employee's time-off bank(s).

## **18. Additional Resources**

- 18.1 For additional information concerning the application of this policy, please contact the HR Policy & Planning Division or your HR Employee Services Consultant. For additional City of Detroit policies accessible on the City's website under the [Workplace Policies](#) heading.

## **19. Statement of Non-Discrimination and Equal Opportunity**

- 19.1 The City of Detroit provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religious beliefs, age, weight, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state, or local laws. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

## ATTACHMENT (A) - SUPERVISOR CHECKLIST FOR TELEWORK

Yes	No	<b>(Reference Document Only)</b>
<input type="checkbox"/>	<input type="checkbox"/>	Will you ensure that the employee records all work performed while teleworking in case of an audit?
<input type="checkbox"/>	<input type="checkbox"/>	Does the employee have the necessary knowledge to perform the required job tasks away from the office?
<input type="checkbox"/>	<input type="checkbox"/>	Has the employee demonstrated that he/she is reliable, responsible, self-directed, and able to work independently in performing his/her work duties?
<input type="checkbox"/>	<input type="checkbox"/>	Has the employee demonstrated the ability to establish priorities and manage his/her time effectively?
<input type="checkbox"/>	<input type="checkbox"/>	Is the employee able to effectively complete work with minimal supervision/direction?
<input type="checkbox"/>	<input type="checkbox"/>	Does the employee's job performance meet or exceed expectations?
<input type="checkbox"/>	<input type="checkbox"/>	Does the employee have a history of accurately reporting his/her time?
<input type="checkbox"/>	<input type="checkbox"/>	If the employee receives overtime will the Department be able to accurately monitor the employee's time while teleworking to ensure he/she is being properly compensated?
<input type="checkbox"/>	<input type="checkbox"/>	Will teleworking permit the employee to support the work of others and contribute to business operations in the same/similar manner as if the employee was in the primary City office?
<input type="checkbox"/>	<input type="checkbox"/>	Will the employee continue to be accessible to internal and external customers and clients in the same/similar manner as if the teleworker was in their primary City office?
<input type="checkbox"/>	<input type="checkbox"/>	Will telework expectations and goals be established?
<input type="checkbox"/>	<input type="checkbox"/>	Does the employee solve many of their own problems?
<input type="checkbox"/>	<input type="checkbox"/>	Does the employee seem to be comfortable working alone and have the ability to adjust to the missed social interaction of the office on the days they would telecommute?
<input type="checkbox"/>	<input type="checkbox"/>	Is the employee knowledgeable of the City's and the Department's policies and procedures?
<input type="checkbox"/>	<input type="checkbox"/>	If the employee telecommutes, will there be a significant impact on the workload of their co-workers?
<input type="checkbox"/>	<input type="checkbox"/>	Is it possible for the employee to provide support to co-workers when the employee is teleworking?
<input type="checkbox"/>	<input type="checkbox"/>	Do you consider the employee to be successful in their current position and do they know their job well?
<input type="checkbox"/>	<input type="checkbox"/>	Does the job have minimal requirements for direct supervision or contact with the customer?
<input type="checkbox"/>	<input type="checkbox"/>	Can the job be performed with files, references and guides which are stored electronically? If not, can these resources be taken home without impacting co-workers or customers?
<input type="checkbox"/>	<input type="checkbox"/>	Has the employee confirmed he/she has the computer resources, internet connection, and other information technology needs for the required productivity?
<input type="checkbox"/>	<input type="checkbox"/>	Are there remote access hardware limitations (i.e., able to access all necessary programs and systems)?
<input type="checkbox"/>	<input type="checkbox"/>	Does/will the teleworker have the supplies, equipment, and access necessary to work efficiently and effectively at the alternative work location?
<input type="checkbox"/>	<input type="checkbox"/>	Will the employee require the use of City-equipment or technology?
<input type="checkbox"/>	<input type="checkbox"/>	Does this position require access to confidential information that may not be suitable to access while off of City Premises such as Personally Identifying Information (PII) such as Social Security Numbers; Protected Health Information (PHI) such as HIPAA (Health Insurance Portability and Accountability Act) that relates to individually identifiable health and medical information; Credit Card or Payment Card Industry Information (PCI) such as information related to financial transactions and credit cards; or any other applicable information deemed confidential by the City?