

Policy on University Flexible Work

Office of the President

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Policy Purpose: This policy promotes work-life balance at NMT by offering flexible work options while maintaining institutional culture and supporting the academic mission.

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POLICY STATEMENT

New Mexico Tech (NMT) is dedicated to fostering a healthy work-life balance for all its employees. In support of this commitment, NMT has established the following flexible work policy. This policy aims to offer flexibility to employees whenever possible, while maintaining the integrity of NMT's academic mission, which relies primarily on in-person interactions among students, faculty, and staff.

This policy provides a structured framework for implementing flexible work options across the institution. Under this framework, supervisors and directors are responsible for determining which positions and employees are eligible for regular, hybrid, or fully remote work arrangements.

Eligibility

Both exempt and nonexempt employees are eligible for flexible work arrangements. Eligibility is determined based on factors such as the job/position, nature of the work, operational needs, departmental impact, and employee performance. Any change in work location must not compromise productivity, customer service, operational efficiency, or team collaboration.

Approval Requirements for Hybrid or Remote Work

- Working one (1) or two (2) days per week remotely: Requires the approval of the direct supervisor.
- Working three (3) days per week remotely: Requires Cognizant Head's approval.
- Working four (4) days or more per week remotely, including fully remote work: Requires the President's approval.

Work Environment and Responsibilities

- Work Plan Development: Employees and supervisors must create a work plan detailing remote work tasks, timelines, goals, objectives, and work products.
- Return to Established Worksite: Employees may be required to return to the NMT worksite temporarily or permanently.
- Work Schedule: Schedules may change at the supervisor's discretion to meet departmental needs. Employees must maintain their scheduled flexible work hours and be accessible via phone, email, text, Zoom, or other virtual meeting software.
- Overtime for Non-Exempt Employees: Non-exempt employees must obtain prior approval for overtime.

- **Performance Standards:** Employee responsibilities and reviews remain unchanged, and supervisors may assign additional tasks as needed. Employees are expected to maintain the same productivity, performance, communication, and responsiveness as they would on-site.
- **Liability and Equipment:** Employees agree to hold NMT harmless for injuries at the alternate worksite. NMT-owned equipment must be logged, protected, and returned for inspection or upon termination of the FWP Agreement.
- **Tax and Legal Considerations:** Employees are responsible for any tax, insurance, or legal implications of remote work and should consult with legal or tax professionals as needed.

Compliance:

- **Technology Requirements:** NMT may provide necessary equipment and software, while employees are responsible for maintaining a secure, reliable network connection, as applicable. Personal equipment maintenance is the employee's responsibility.
- **Reporting Issues:** Employees must immediately report any data or equipment loss or damage.
- **Adherence to Policies:** Employees must follow all NMT policies, including those related to leave, holidays, overtime, and regulations such as FERPA and HIPAA.
- **Travel Costs:** Travel to NMT's campus for meetings or events is the employee's responsibility.
- **Material or repeated failure to comply with a Flexible Work Plan (FWP):** A material or repeated failure by an employee to comply with a FWP may result in disciplinary action against the employee.
- **Changes to FWPs:** Changes to a FWP must be approved in writing by the person in the position designated in the paragraph of this Policy headed "Approval Requirements of Hybrid or Remote Work" to approve that FWP.

Compressed Workweek:

- **Approval for Modified Hours:** Divisions or programs may implement compressed or modified workweeks with the President's prior approval for a short duration.

DEFINITIONS

- **Cognizant Head:** Members of the President's Cabinet.
- **Flexible Work Plan (FWP):** An approved arrangement in which an employee works an alternate schedule from the area's Core Hours. FWP may refer to Fully Remote Work, Hybrid Remote Work, Flextime Schedules, and/or Compressed Workweeks.
- **Flexible Work Plan Agreement (FWPA):** The governing document that codifies the agreed-to flexible work plan.

- **Fully Remote Work:** An officially approved work schedule that allows employees to work all of their work hours from a location away from their designated NMT worksite.
- **Hybrid Schedule:** An officially approved work schedule that allows an employee to do a combination of remote work (e.g., working at home) and work at their designated NMT worksite.

APPENDIX

Process

All Flexible Work Plans (FWPs) must comply with applicable employment laws, including the Fair Labor Standards Act, Family and Medical Leave Act, New Mexico Department of Workforce Solutions requirements, and the New Mexico Workers' Compensation Act.


Remote or hybrid work does not change the conditions of employment or affect the applicability of New Mexico Tech's policies.

Employees with an interest in having a FWP should first meet with their supervisor to discuss whether it is appropriate for their position and their job duties. Employees who appear to be eligible may prepare a formal FWP request to be reviewed by their supervisor, with subsequent reviews depending on the duration of the request.

Flexible Work Plan Agreement (FWPA)

- **Justification:** The FWPA must justify the need for flexible work.
- **Communication Framework:** Establish clear communication between the supervisor and employee.
- **Work Schedule and Responsibilities:** Define the work schedule and job responsibilities.
- **Technology and Resources:** Identify necessary technology and resources for daily work.
- **Documentation and Maintenance:** The FWPA will be maintained by the employee and supervisor, and a copy will be sent to Human Resources.
- **Maximum Duration:** Flexible Work Plan Agreements (FWPAs) cannot exceed 12 months (i.e.: one academic year), with an option for renewal.


 Mahyar A. Amouzegar
 President


 Jerry A. Armijo
 Chair, Board of Regents