

Carnegie Mellon University

Human Resources

Flexible Work Arrangement Guidelines

for Staff

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Flexible Work Arrangement Guidelines for Staff

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INTRODUCTION

In recognition of the diversity of organizational needs, Carnegie Mellon University offers flexible work arrangements for eligible staff in situations where the business needs of the college/division can be equally or better met while allowing the staff member to balance professional and personal responsibilities. Flexible work arrangements, which are intended to support productivity and increase engagement, are available at the discretion of the staff member's supervisor and can be modified or discontinued by the university at any time.

Because much of the work of the university is best completed through personal interaction between faculty, staff, students, colleagues, and visitors, staff are assumed to conduct their work on-site and during regularly scheduled work hours, unless otherwise arranged through a flexible work arrangement—either during the recruitment process (new staff) or post hire with their supervisor (existing staff).

At CMU, a **flexible work arrangement (FWA)** is the organizing of work such that the work location or work schedule meets the university's needs while balancing the employee's work and personal needs. FWAs can address the scheduling of work hours and/or the place where the work is done. CMU offers four types of flexible work arrangements; however, not all types of flexible work are suitable for all positions:

1. **Flexible Schedule:** A schedule that allows the staff member to adjust their start and end times, within certain limits, but does not alter the total number of hours worked in a workweek.
2. **Compressed Schedule:** A schedule in which the number of hours expected to be worked each week are accomplished in less than the standard number of workdays. The most common form of compressed schedule accommodates the standard number of hours in a four-day workweek.
3. **Remote Work:** An arrangement in which the staff member works away from an assigned CMU office or workspace (i.e., CMU campus, satellite office, etc.). Generally, the location of a remote worker is outside the geographical vicinity of the CMU worksite, and the staff member is not expected to travel regularly to the CMU office or workspace. Approval for remote work is location-specific (based on city and state) and based on a number of factors. Separate approval is required for staff who wish to work from multiple cities/states or for staff who wish to change the city/state from which remote work is performed.
4. **Hybrid/Telecommuting:** An arrangement that allows the staff member to have an alternative work location (usually their home) and not commute to a CMU office or workspace for part of the workweek. A telecommuting employee is generally within geographic proximity to a CMU worksite and can be expected to engage in meetings and activities on site.

Any flexible work arrangement must meet the business needs of the department. Also, due to the cost and risk associated with determining and ensuring compliance with the employment and tax laws of various domestic jurisdictions, Carnegie Mellon generally limits remote work to those jurisdictions where CMU is registered to do business and process payroll (as defined within these guidelines) and hybrid/telecommuting arrangements to those where the alternative work location is located in the same state as the CMU office or workspace. Additional participation criteria are discussed in the Participation Criteria section below.

This document establishes Carnegie Mellon's guidelines for requesting and approving flexible work arrangements for staff in positions based in the United States, and outlines the approval procedures for

standard hybrid/telecommuting arrangements and the request and approval procedures for non-standard remote work and hybrid/telecommuting arrangements.

Please discuss with your direct supervisor or contact your [HR business partner](#) if you have questions.

Scope

These guidelines apply to Carnegie Mellon non-union staff in positions based in the United States.

I. GUIDELINES

FWAs are intended to mutually benefit the non-union staff member and the university by providing flexibility for the staff member while supporting CMU's business needs.

1. FWAs can be implemented, modified, or discontinued at the discretion of the immediate supervisor in consultation with the director, department head, or vice president/dean.
2. FWAs that are ongoing or long-term arrangements must be approved and documented. However, an occasional flexible arrangement (e.g., a variation in an arrangement for two weeks due to an emergency) is permissible to accommodate limited duration business or personal needs.
3. Employees with FWAs may request modification or discontinuation of their arrangement at any time, but changes must be approved by the staff member's supervisor.

A. Participation Criteria

Supervisors are encouraged to consider FWAs where practicable. The arrangement should ensure that the business needs of the team, department college/school, and university will continue to be met successfully. Any consideration of an FWA should include evaluation of the following criteria:

- The position and the department/unit.
 - Job duties
 - Task interdependence
 - Type of customer service provided
 - Operational needs of the department/unit
 - Equipment needs
 - Funding source
 - Does the funding source permit remote work or work at the proposed non-CMU work location?
- The staff member's job performance.
 - Has the staff member successfully completed the provisional period?
 - Has the staff member demonstrated satisfactory job performance (as measured in documented performance evaluations)?
 - Is the staff member on a performance improvement plan (PIP)?
- The impact of the arrangement on the organization.
 - Has the staff member demonstrated evidence that an FWA will not adversely affect their ability to meet the needs of the organization?
 - How effectively can the work performed by the staff member be supervised remotely?
 - Will an FWA decrease the staff member's ability to serve customer needs, increase the workload of other staff, or require an increased budget to cover the arrangement?
- Emergency considerations due to temporary and extraordinary circumstances.
- Disability, medical, religious, or pregnancy-related need.
 - Requests for an FWA due to one of the above factors must be requested through Disability Services.

B. Equipment and Services

Carnegie Mellon University provides a university-issued computing device that is required for work purposes. The provision of equipment or services (e.g., internet service) beyond university-issued equipment is at the discretion and approval of the applicable director, department head or vice president/dean.

If the staff member separates from employment, university-provided equipment must be returned promptly upon separation.

Staff in remote work or telecommuting arrangements are required to ensure that computer(s) and/or computing devices and information are maintained securely. Staff are also expected to comply with Information Security Office (ISO) guidance for securing data, accounts and university-issued equipment.

- **California-Based Employees:**

For California-based remote work or telecommuting arrangements, in order to comply with California law, the university will reimburse the staff member for all business expenses (equipment and services) needed to fulfill their day-to-day responsibilities. The university will not reimburse staff for expenditures that are solely for personal use.

C. Nonexempt Employees and Recording Time

Nonexempt staff are subject to the overtime and record-keeping provisions of the Fair Labor Standards Act (FLSA), as well as any state-specific wage and hour regulations. Time worked must be consistently and accurately reported in the Workday system. Nonexempt staff must request approval in advance of overtime hours.

D. Workers Compensation

Staff in flexible work arrangements, whose work occurs in an alternative work location (remote work or hybrid/telecommuting), are covered by applicable workers compensation laws. Workers' compensation applies to work-related injuries in both the university work location and the alternative work location.

To ensure the university is in compliance with applicable worker's compensation laws, staff approved for a FWA may not change the city or state from which they work remotely/telecommute without advance approval from the supervisor and the Office of Human Resources. Depending on the new location, this may require a new remote work request. Approval for a remote work/telecommuting arrangement from a particular city and state does not mean that remote work/telecommuting arrangement will automatically be approved for a different city and state.

E. Requests

Requests for flexible schedules and compressed schedules are evaluated and approved on a case-by-case basis by the staff member's supervisor based on business needs of the college/division. Approved requests are forwarded to the department's HR business partner to review and upload to the staff member's Workday employment record.

Ongoing and long-term flexible work arrangements between a staff member and their supervisor must be documented using an approved request form. Occasional flexible arrangements do not need to be documented via the request form. As FWAs are based on the staff member's current role and are between the staff member and their supervisor, if the staff member transfers to a different role or there is a supervisory change, the staff member must request and obtain approval from the new supervisor for a flexible work arrangement.

F. Expectations for Approved Remote Work and Hybrid/Telecommuting Arrangements

Staff with an approved RWA or hybrid/telecommuting arrangement are expected to work their normally scheduled hours unless otherwise agreed to by the staff member's supervisor. The following are additional expectations:

- The staff member must use PTO or other current leave options and follow the normal process for reporting off work if illness or other issues prevent the staff member from working remotely.

- The staff member must conduct their work with the same professional, technical, and ethical standards as the staff member is required to do when working on-site. All policies and procedures of Carnegie Mellon University remain in effect, including expectations for performance and productivity.
- The staff member must be in regular communication with their supervisor and respond in a timely manner on all applicable communication channels (email, phone, etc.) during the staff member's normal work hours.
- The staff member must maintain their computer, and the information to which they have access, securely. The staff member also will need to comply with all Information Security Office directives related to patching, virus scanning and software updating as needed.
 - [Computing Services Tech Resources](#)
- Nonexempt staff:
 - Must continue to accurately track and report time worked in Workday.
 - May not work overtime hours without written pre-approval from the staff member's supervisor.

If a supervisor believes that the staff member's work under the arrangement is not meeting expectations, the supervisor can adjust the approved arrangement up to and including requiring the staff member to transition to on-site work.

II. PROCEDURES FOR FWA REQUESTS AND APPROVAL

A. Flexible Schedules and Compressed Schedules

The following process applies for flexible schedules and compressed schedule requests.

1. The staff member completes the Flexible Work Arrangement Request Form—Schedule (Faculty and Staff) and submits it to their supervisor.
Note: Alternatively, the supervisor can complete the form to document an agreed-upon arrangement.
2. The supervisor reviews the request and either approves or denies the request. The supervisor may modify the staff member's request and have the staff member initial the changes.
Note: No additional approval is required for schedule-related FWAs.
3. If approved, the supervisor forwards the request form to the department's HR business partner.
4. The HR business partner reviews the form for accuracy and compliance with the FWA guidelines and then uploads the form to the staff member's Workday employment record. If necessary, the HR business partner contacts the supervisor to discuss the details of the arrangement and any adjustments that might be required.

B. Standard Remote Work and Hybrid/Telecommuting Arrangements

- **Hybrid/Telecommuting Arrangements that Require at Least Three On-Site Days per Week and the Telecommuting Occurs within the Same State**

Beginning January 1, 2023, and based on the business needs of the college/division and department, **staff work arrangements should be either (i) fully on-site, or (ii) hybrid/telecommuting with staff on-site at least three days per week and the remainder of**

time at an off-site work location within the same state as the on-site work location (or the telecommuting for the remainder of the time otherwise meets one of the approved exceptions for telecommuting across state lines as specified later in these guidelines). Decisions will be revisited on a regular basis and will be guided by the university's principles.

Staff who are working hybrid/telecommuting in the U.S. may be approved by their supervisor to do so for their own convenience, within the parameters established by their department, but only if the staff member's primary work location is in AZ, CA, CO, MD, MA, NJ, NY, OH, PA, TX, VA, or DC and the telecommuting occurs within that same state (e.g., if the staff member's off-site location is the staff member's home/residence, the staff member's home/residence must be in the same state as the staff member's primary work location) or the telecommuting otherwise meets one of the approved exceptions for **Telecommuting across State Lines** as specified below. Supervisors have the authority to approve remote work and hybrid/telecommuting arrangements meeting the foregoing requirements, subject to the [guidelines established by OHR for approving such arrangements](#).

Staff must work with their supervisors to execute a [hybrid/telecommuting arrangement](#), unless they had an existing arrangement established prior to March 2020.

Telecommuting across States Lines

Telecommuting across state lines generally is not permitted except where tax reciprocity rules would allow and CMU's compliance obligations can be met, including the following limited circumstances:

If the staff member's primary work location is in:

a. Virginia Primary Work Location

The staff member can also telecommute/work from home on a periodic basis if their home/residence is in DC, but only if the staff member

- (i) does not maintain a residence (such as an apartment) in Virginia, and
- (ii) completes and submits to CMU the appropriate payroll forms to have DC income tax withheld from their wages, and
- (iii) receives only wage or salary income in Virginia (i.e., does not have other sources of income from Virginia).

The staff member can also telecommute/work from home on a periodic basis if their home/residence is in Maryland, but only if the staff member

- (i) does not maintain a residence or abode (such as an apartment) in Virginia, and
- (ii) completes and submits to CMU the appropriate payroll forms to have Maryland state and local income tax withheld from all of their wages, and
- (iii) receives only wage or salary income in Virginia (i.e., does not have other sources of income from Virginia), and

- (iv) is present in Virginia (i.e., is working at the staff member's primary work location in Virginia) for 183 days or less during the calendar year.

b. Washington, D.C. Primary Work Location

The staff member can also telecommute/work from home on a periodic basis if their home/residence is in Virginia, if the staff member:

- (i) does not maintain a residence (such as an apartment) in DC, and
- (ii) completes and submits to CMU the appropriate payroll forms to have Virginia income tax withheld from their wages.

The staff member can also telecommute/work from home on a periodic basis if their home/residence is in Maryland, but only if the staff member:

- (i) does not maintain a residence or abode (such as an apartment) in DC, and
- (ii) completes and submits to CMU the appropriate payroll forms to have Maryland state and local income tax withheld from all of their wages, and
- (iii) is present in DC (i.e., is working at the staff member's primary work location in DC) for 183 days or less during the calendar year.

Except as indicated in category a. or b. above, a staff member cannot otherwise telecommute if their home is in a state other than their primary work location, even if CMU is registered to do business in the state where their home is located (e.g., cannot be a Pittsburgh-based staff member and work from home if the staff member's home is in Maryland).

- **Arrangements that do not Exceed 30 Calendar Days in the Aggregate in One Calendar Year**

Staff may be approved to work remotely or telecommute for their own convenience from any U.S. location, provided such remote work/telecommuting does not exceed 30 Calendar Days in the aggregate in any one calendar year. Supervisors have the authority to approve such arrangements, and no further approval is required.

Example: A staff member is working while visiting family out of town.

- **Current Employees with Existing Arrangements Prior to March 2020**

Any current staff who (i) prior to March 2020, was authorized to work remotely or telecommute may continue to do so from the authorized jurisdiction for the period covered by the approval, provided they have executed the HR-approved Remote Work Agreement and their work/home location is properly entered and correct in Workday, and (ii) has a current arrangement approved through the Office of Human Resources by way of an offer letter or offer letter amendment since March 2020 (whether permanent or temporary), but only for so long as indicated in the offer letter or offer letter amendment, provided their work/home location is properly entered and correct in Workday. These arrangements have already been approved, and no further approval is required. These arrangements may not be further extended beyond the period approved without following the request and approval process for non-standard remote work and hybrid/telecommuting arrangements process noted below.

C. Non-Standard Remote Work and Hybrid/Telecommuting Arrangements

Except as indicated above in Section II.B. (regarding Standard Remote Work and Hybrid/Telecommuting Arrangements), staff may be approved to work remotely or telecommute only through the defined request and approval process outlined in Section II.C, Section II.D , and Section II.E of these guidelines.

Request and Approval Process – Remote Work and Non-Standard Hybrid/Telecommuting Arrangements

The staff member’s supervisor requests the Flexible Work Arrangement utilizing the “Request Flexible Work Arrangement for Worker” task in [Workday](#). Requests will be reviewed as detailed in Sections D and E below.

All requests must follow these guidelines and must be fully approved before being implemented. Neither the final terms nor the status of the proposed agreement for the request (including a candidate’s offer letter, if applicable) should be discussed with the candidate/staff member before approval is obtained.

Once completed, the request requires approval from the following:

- For academic units: department head/dean
- For administrative units: vice president

To submit a request, see the [FWA Campus System Guide \[pdf\]](#) for detailed instructions.

Please Note: Hybrid/telecommuting arrangements meeting the requirements specified in Section II.B (regarding Standard Remote Work and Hybrid/Telecommuting Arrangements) of these guidelines may be approved by their supervisor within the parameters established by their college/division, and no further approvals are required. Similarly, the request and approval process should NOT be used and is not required for staff who are working remotely or telecommuting for their own convenience from any U.S. location, provided such remote work/telecommuting does not exceed 30 calendar days in the aggregate in any one calendar year and is approved by the staff member’s supervisor, as specified in the Arrangements that do not exceed 30 Calendar Days in the Aggregate in One Calendar Year section of these guidelines.

D. Same-State Exception Process – For Fully Remote Work and Hybrid/Telecommuting Arrangements for Less than Three In-Person Days Per Week

Exceptions to the Standard Remote Work and Hybrid/Telecommuting Arrangements described in Section B may be granted **in rare and exceptional cases**, where the hiring department/unit demonstrates that such arrangements are (i) necessary to maintain the operations and staffing of the department, unit, and/or business function and (ii) may be implemented in a manner that does not impair the ability of the department to maintain an appropriate on-campus operational presence during the department’s normal business hours. A committee composed of the vice president for finance and chief financial officer, associate VP and chief human resources officer, and provost (or their designees), with advice from the Office of General Counsel (OGC), shall review all such requests.

The factors considered by the committee in determining whether to approve a request include, but are not limited to the following as applicable:

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- The department's written explanation of its plan to maintain an appropriate on-campus operational presence;
- The department's written explanation as to why the exception is necessary to maintain the operations and/or staffing of the department, unit and/or business function;
- The department's written explanation of the staff member's need for fully remote work or hybrid/telecommuting arrangements for less than 3 days on campus; and/or
- The duration of the requested exception.

Alternatively, the committee may approve requests if the department demonstrates a critical business need for the exception (as detailed in Section II.E).

E. Interstate Exception Process – For Fully Remote Work Across a State Line or Interstate Hybrid/Telecommuting – Applies to both Staff and Faculty

Exceptions to the Standard Remote Work and Hybrid/Telecommuting Arrangements described in Section B to allow remote work or telecommuting across state lines may be granted **in rare and exceptional cases**, where the hiring department/unit demonstrates critical need to the satisfaction of a committee composed of the vice president for finance and chief financial officer, associate VP and chief human resources officer, and provost (or their designees), with advice from the Office of General Counsel (OGC), and the committee determines the arrangement is appropriate for the university to approve. The committee's determination will, in all likelihood, be dependent on a review of the compliance obligations associated with employing an employee in the particular state, and a subsequent determination that CMU has the ability to meet the legal, regulatory, tax and other obligations attendant to employing someone in the state without undue cost/burden.

In most cases, preparation for the review requires significant time, personnel resources and financial resources be devoted to research the legal, regulatory, tax and other obligations related to the remote jurisdiction. **In general, reviews are completed within three weeks of the request being submitted to the committee, but additional time may be needed, depending on the requirements of the particular jurisdiction.** The requesting department may be asked to contribute to the costs of the review prior to the committee undertaking the review or otherwise agree to pay certain costs attributable to the arrangement if approved.

The factors considered by the committee in determining critical need for exceptions include, but are not limited to:

- If applicable, a review of the recruiting process for the position, including the availability of alternate candidates who are able to work on-site or remotely from a jurisdiction where CMU is registered to do business and process payroll¹, the number of qualified applicants for the position, the length of the recruiting process, and outreach/advertising efforts to expand the pool of potentially qualified applicants;

¹ Currently, these states include AZ, CA, CO, MD, MA, NJ, NY, OH PA, TX, VA, and DC. Departments should explain why a qualified candidate is not available to work within these jurisdictions. Further, in light of the many compliance obligations of the university associated with doing business in multiple jurisdictions, remote work in AZ, CO, MD, MA, NJ, OH and TX (i.e., the jurisdictions in which the university does not have a campus/large physical presence) and states other than PA, CA, NY, VA and DC is limited to critical need and will be particularly scrutinized for propriety.

- The department’s written explanation of the unique qualifications of the remote work candidate/employee, as compared to other qualified candidates/employees who are available to work on-site or remotely from a jurisdiction where CMU is registered to do business and able to process payroll;
- The department’s written explanation of why it is unable to recruit a qualified candidate/employee who is able to work in a jurisdiction where CMU is registered to do business and process payroll;
- The expenses the university will incur related to internal and external legal, tax, payroll, human resources, benefits, insurance, information technology and other compliance obligations required to establish and maintain appropriate compliance programs in the remote jurisdiction at issue.

Note the Following: remote work in states other than PA, CA, NY, VA and DC

Remote work in states other than PA, CA, NY, VA and DC is typically further **limited to critical need**, and must be demonstrated to the satisfaction of the committee.

The factors considered in determining critical need include, but are not limited to:

- The department’s written explanation of the unique qualifications of the remote work candidate, and the business case for hiring or authorizing the individual to work remotely in the particular state; and
- A comparison of the candidate’s qualifications to the qualifications of other candidates who are available to work on-site as well as a review of the recruiting process for the position, including the length of the recruiting process and outreach/advertising efforts to expand the pool of potentially qualified applicants; provided, however, that this requirement is not applicable if the prospective employee is being hired or assigned to support a customer in that state.

RELATED RESOURCES

Policies

- [Flexible Working Hours for CMU Staff](#)
- [Staff Handbook \[pdf\]](#) (refer to flexible work)

Agreements

- [Flexible Work Arrangement Agreement — Standard — Hybrid Telecommuting — Three or more days per week on-site at a university work location and the remainder of time is spent at an off-site location within the same state as the on-site university work location \[docx\]](#)
- [Flexible Work Arrangement Agreement — Schedule \[docx\]](#)
- Non-Standard Hybrid Telecommuting Agreement— In State — Submit a “Request Flexible Work Arrangement for Worker” task in [Workday](#).
- Fully Remote Work Agreement — In State/Across State Lines — Submit a “Request Flexible Work Arrangement for Worker” task in [Workday](#).

System Guides

- [Flexible Work Arrangement Campus System Guide \[pdf\]](#)
- [Flexible Work Arrangement Decision Tree \[pdf\]](#)