



Ohio Administrative Code Rule 3349-7-151 Flexible work arrangements.

Effective: May 1, 2025

(A) Purpose

To establish a rule to permit employees to request flexible work arrangements, which may vary their daily work schedule or location in a way that balances the operational and educational demands of the university with the preferred work arrangement of its employees. The goal of flexible work arrangements is to improve employee wellness by creating better work-life balance and increasing employee recruitment and retention while maintaining a productive, efficient work environment.

Flexible work arrangements should be implemented in a fair and equitable manner throughout the university, which may result in differing arrangements depending on job responsibilities, service obligations and departmental needs. Flexible work arrangements are a discretionary benefit to eligible employees based on the needs of the university; such arrangements should not be viewed automatic or permanent in light of the varying roles and responsibilities of employees and changing needs of the university over time.

(B) Scope

This rule applies to all full-time employees of the university, unless specifically excluded based on job duties or scheduling demands of the university. This rule does not apply to student employees.

(C) Definitions

(1) "Alternate work location" refers to an approved work site, which can include an employee's home or other approved location away from an employee's designated workplace.

(2) "Flexible work arrangements" is a collective term that refers to approved adjustments to work schedules (i.e. flextime, as defined in this rule) or work locations (i.e., telework, as defined in this rule).



(3) "Flextime" refers to the ability to modify normal working hours for an employee. Flextime requires an employee work eight hours in a day and does not allow for extended or compressed workdays or workweeks. Permitted flextime arrangements are:

Alternative arrival/departure time, which permits a variation from normal working hours in order to complete an employee's eight-hour workday by adjusting starting or departure times (e.g., seven a.m. to three-thirty p.m. with half an hour lunch).

(4) "Normal working hours" refers to the standard hours of university activity, which are from eight a.m. to five p.m. unless otherwise directed by the immediate supervisor.

(5) "Telework" refers to a work arrangement that allows employees to work part of the week, not to exceed two days per week, at an alternate work location. Employees are expected to perform their usual job duties away from their designated workplace, in accordance with the same performance expectations and their conditions as set forth in the flexible work agreement. Telework does not include or apply to work performed at home beyond normal working hours at the designated workplace or other professional activities pursued at home or on personal time.

(6) "Flexible work agreement" (or "agreement") refers to a written agreement that details the hours, terms and conditions of an employee's flextime or telework arrangement as agreed upon with the employee's immediate supervisor.

(7) "Flexible work arrangement request form" is the form completed by an employee and submitted to the employee's immediate supervisor in which the employee requests permission to engage in flextime or telework for a specified period of time or project.

(D) Rule statement

(1) Flexible work arrangements do not in any way alter an employee's duties, obligations and responsibilities. Employees shall comply with all university policies, procedures, and federal and Ohio laws and regulations while working at their designated workplace or alternate work location.



(2) Flexible work arrangements do not in any way alter an employee's rate of pay, benefit eligibility, or sick and vacation accruals and utilization.

(3) Flextime eligibility

All full-time employees are eligible for flextime upon successful completion of their probationary period, if any, or upon approval by the immediate supervisor through an agreed upon flexible work agreement.

(4) Telework eligibility

(a) Employees must be continuously employed by the university on a full-time basis for a period of six months to be eligible to engage in telework. For employees who transfer to a new role/department within the university, managers have the discretionary authority to reduce the probationary period to ninety days before a flexible work arrangement may be permitted.

(b) Immediate supervisors, in conjunction with human resources, are responsible for determining whether an employee's job duties allow for telework. Employees whose job duties can only be performed on campus at their designated worksite are not eligible for telework.

(c) Employees must be free from any attendance concerns or disciplinary action (verbal, written, or otherwise) to be eligible to telework.

(d) Employees must have met or exceeded expectations on the most recent performance review or have demonstrated similar abilities if a performance review has not yet been completed, to be eligible to telework.

(e) Employees must have demonstrated the ability to work independently and provide timely deliverables while managing time effectively to be eligible to telework.

(5) Flexible work arrangement request form and agreement

(a) Employees seeking approval of a flexible work arrangement must submit a flexible work



arrangement request form to their immediate supervisor, which shall include the following information, at a minimum:

- (i) Proposed start date and duration;
 - (ii) Proposed flextime work hours and days and/or proposed telework days;
 - (iii) Proposed plans for accessibility in terms of frequency and form (i.e., phone, email, videoconference);
 - (iv) Proposed protocol for routine communication with colleagues and immediate supervisor and associated response/turnaround time;
 - (v) Proposed manner for monitoring/measuring performance and productivity;
 - (vi) Identification of the expected alternate work location; and
 - (vii) A description of the resources, including equipment or other items, necessary to engage in telework.
- (b) An employee's immediate supervisor, in consultation with the department head and human resources, shall make the final determination regarding the request. Any modifications to the proposed plan, initially or thereafter, will be submitted in an updated flexible work arrangement request form. A flexible work arrangement request form signed by both the immediate supervisor and the employee constitutes the final agreed upon flexible work agreement. Any modifications to a flexible work agreement requires no more than thirty days' notice before becoming effective, unless mutually agreed upon by the employee and the immediate supervisor.
- (c) Human resources will conduct an audit of flexible work agreements on a regular basis to ensure compliance with this rule, as well as assess issues of equity and fairness across the university.
- (d) Flexible work arrangements shall never result in an employee working less than eight hours per day or forty hours per week and do not allow for compressed workweeks. Any classified civil



services employees are required to take a minimum thirty minute lunch break during the eight hour workday.

(e) In the event of an operational interruption requiring remote work, employees must consult with their immediate supervisor to determine if/how any flexible work agreement would be affected.

(f) Flexible work arrangements are not appropriate nor required for occasional, non-routine flexibility in work hours or location.

(g) Flexible work arrangements serve as the basis for identifying the amount of local tax withholdings based on an employee's home address. Employees on an approved flexible work arrangement who have a change in their home address are required to complete an updated flexible work arrangement request form.

(6) Immediate supervisors will review the flexible work agreement with their employee every three months to determine if any modifications need to occur based on performance, productivity, university needs, or other relevant factors. A flexible work agreement can be temporarily suspended or permanently discontinued at any point by the employee's immediate supervisor.

(7) Expectations specific to telework

(a) Employees are not permitted to telework more than two days per week.

(b) Employees engaged in telework shall use university provided resources only for business purposes and shall immediately notify the university when there is a malfunction.

(c) Employees engaged in telework shall be required to make arrangements for dependent care during the specified work hours. Employees may be asked by their immediate supervisor or the director of human resources to provide information regarding dependent childcare arrangements.

(d) Employees engaged in telework are expected to perform work during the normal working hours or other approved flextime arrangements. Employees shall immediately notify their immediate supervisor of any situations which interferes with the employee's ability to perform their job during



normal working hours while at their alternate work location.

(e) While at their alternate work location, employees shall practice the same safety habits that they would use while working at their central workplace and maintain safe work conditions. Employees shall immediately notify the office of environmental and occupational health and safety of any injury that occurred while teleworking.

(f) Employees engaged in telework shall not be entitled to reimbursement for travel mileage to attend meetings at their designated workplace when working at their alternate work location.

(g) Employees engaged in telework are prohibited from performing personal business or activities during normal working hours or approved flextime arrangements.

(h) Employees must maintain a designated workspace at their alternate work location that is quiet, free of distractions and kept in a clean, professional and safe condition with adequate lighting and ventilation. The university is not responsible for operating costs, home maintenance, property or liability insurance or other incidental expenses (utilities, cleaning services, etc.) Associated with the use of an employee's alternate work location.

(i) Employees opting to telework will not be provided with supplemental equipment other than what is provided at the employee's designated worksite (i.e., laptop computer/monitor). Employees must return such equipment in the same condition in which it was originally received, other than normal wear and tear when/if the flexible work arrangement ends. Employees are personally liable for missing or damaged resources that result from teleworking.

(j) Employees are expected to provide their own access to the internet and telephone and other office supplies/equipment if they wish to telework.

(k) Computers, printers, software, and services provided on loan by the university remain the property of the university while on loan and must be returned upon termination of the telecommuting agreements.

(l) An employee shall protect the university's information from unauthorized disclosure or damage



and shall comply with the university's policies and procedures, and federal and Ohio laws and regulations, regarding disclosure of public and official records and the use, storage and transmission of confidential information while teleworking.

(8) Temporary flexible work arrangements

The university may permit variations of flexible work arrangements that may modify the provisions set forth in this rule in response to a short- or long-term university declared emergency or other operational or educational needs. Any such declaration or need will be communicated to the affected employees, as well as any permitted variations, depending on the nature of the emergency or university need.