



## NUCLEAR AND PARTICLE PHYSICS (NPP) DIRECTORATE FLEXIBLE WORK AND TELEWORK/REMOTE WORK GUIDANCE - CONSIDERATIONS FOR SUPERVISORS

BNL's Flexible Work Arrangements Subject Area (applicable sections 1, 2, and 3) can be found at [SBMS: Flexible Work Arrangements Subject Area](#) and BNL's full Telework & Remote Work Policy can be found at [BNL | Telework & Remote Work Policy](#).

The policy indicates that in evaluating whether a particular position is suitable for telework or remote work, a variety of factors should be considered including:

- (1) the amount of in-person interaction with other employees required by the position;
- (2) the level of technology support the position requires (the greater the support level, the less suitable a position typically is for Telework and Remote Work);
- (3) the level of supervision the position requires;
- (4) the degree to which equipment, files, records, including Personal Identifiable Information (PII), and other tangible objects need to be transported between the office and the alternate site;
- (5) the degree to which the position requires access to proprietary, business sensitive or classified information;
- (6) the effectiveness of the position if the employee is not physically present; and
- (7) the degree to which productivity levels can be easily ascertained.

**In addition to these factors, the following guidelines have been compiled after discussions with supervisors and leaders throughout the NPP Directorate to provide consistent and equitable implementation of the BNL policy within the Directorate. These guidelines are meant to assist supervisors when they receive a Telework/Remote Work Request or a staff member inquiry about Telework.** These guidelines do not replace the requirements of the Flexible Work Arrangements Subject Area or the BNL Telework/Remote Work Policy.

Employees who, due to the nature of their work, are required to perform their job at the Lab site, in a facility, laboratory, office, or in the field, **may not be eligible for Telework or Remote Work**; however, **other flexible work arrangements** may be available for such employees when feasible and authorized by their supervisor. Workers who need only occasional flexibility in their on-site presence may also benefit from flexible work arrangements other than telework or remote work, and supervisors are encouraged to explore these options with staff members when feasible.

The guidance below applies to non-bargaining unit employees. Bargaining unit employees follow their respective collective bargaining agreement. (See [Non-Bargaining Unit Employee Types](#) below.)

This guidance document is divided into four parts:

- [Flexible Work Arrangement Options](#)
- [Supervisor Considerations](#)
- [Key Points of the Flexible Work Arrangements Subject Area](#)
- [Key Points of the Telework and Remote Work Policy](#)

## FLEXIBLE WORK ARRANGEMENT OPTIONS

### NOMINAL AND AS-NEEDED VARIATION TO STANDARD WORK (LESS FORMAL)

Applies to full and part-time exempt and non-exempt monthly employees.

With the approval of their supervisor, eligible employees are permitted some degree of latitude in occasionally deviating from their normally scheduled work hours without completing a formal agreement form, provided their job requirements are fulfilled.

### COMPRESSED WORK SCHEDULE (FORMAL AGREEMENT REQUIRED)

Applies to full-time exempt and non-exempt monthly employees who are not assigned to a shift. Weekly-paid employees are not eligible because overtime is triggered for work time exceeding eight hours in a day.

A work arrangement where an employee can distribute their full-time hours equally over a set number of days within the week and have a scheduled “weekday off”.

### CORE HOURS (FORMAL AGREEMENT REQUIRED)

Applies to full-time exempt and non-exempt monthly and weekly employees who are not assigned to a shift.

An employee must work the core hours of 10 am - 3 pm of the time zone of the assigned primary work location, M-F. The balance of the eight-hour day is worked before and/or after those hours.

### TELEWORK & REMOTE WORK (FORMAL AGREEMENT REQUIRED)

Applies to exempt and non-exempt employees who perform office-type work. It also does not specifically apply to exempt employees who occasionally perform work at home, typically before/after normal work hours or during site closures.

A set schedule is coordinated between employee and supervisor, with the flexibility to work remotely on a set number of days during the work week.

- **Telework Employee:** Employees, who by formal agreement, perform work at an alternate work location. This arrangement requires a balance between on-site and off-site work.
- **Remote Employee:** Employees, who by formal agreement, perform work predominantly in an alternate work location and only travel to the primary work location as needed.

## SUPERVISOR CONSIDERATIONS

1. Know the several options Brookhaven has available for staff:
  - a. Nominal and As-Needed Variation to Standard Work
  - b. Compressed Work Schedule
  - c. Core Hours
  - d. Telework or Remote Work

Not everyone will be able to telework based on their job requirements.

- **Example:** Technicians are required to be on-site to do their job but may be able to take training from home; another flexible work arrangement option may be better suited.
- **Example:** Employees with supervisory roles, work planning roles, or responsibilities for maintaining operating equipment may not be able to enter teleworking or remote working arrangements based on the need to support safe and compliant operations or plan and oversee the work of others who are involved in day-to-day operations. Requests from staff in these roles should be evaluated carefully to ensure that safe operations are always maintained.
- **Example:** Engineering and technical staff with operational responsibilities or responsibilities for maintaining operating equipment may not be able to enter teleworking or remote working arrangements.
- **Example:** Staff that must be able to respond to emergent situations or respond quickly to a change in operational priorities may not be able to enter teleworking or remote working arrangements.

For informal, flexible work arrangements, supervisors are strongly encouraged to document the arrangement, perhaps in the form of an email or memo to the employee to ensure that expectations for working days and hour are clearly understood.

2. For staff who meet the criteria and have the capabilities to telework, but have not consistently demonstrated responsiveness, readiness, or sustained productivity during the pandemic telework period:
  - a. Require that they take all the requisite training (Working in a Hybrid Environment, How to use Teams, Zoom, Outlook, etc.) and any other training to address skill gaps and expectations.
  - b. Re-evaluate the arrangement as frequently as monthly, but not less frequently than quarterly to ensure that any performance concerns are addressed in a timely manner.
  - c. Explore whether another type of Flexible Work Arrangement might be more feasible or conducive to employee needs and performance expectations.
  - d. Closely monitor the employee's engagement, deadline compliance, productivity, and responsiveness. Not all employees have the self-discipline/motivation/initiative/awareness to telework or work remotely.
3. The supervisor and the employee are responsible for making sure the work being done virtually is performed at the same level as if they were on-site:
  - a. You may need to manage differently than you have in the past. (Training on Managing a Hybrid Workforce is being offered by the Learning & Development Team.)

- b. Give clear expectations and goals to your staff up front. These expectations should provide a clear indication of what work is flexible and what needs to remain rigid.
      - **Example:** Employees are largely expected to be available during business hours, but they may also create schedules that are flexible for them provided that the schedule is set clearly.
    - c. Meet with them weekly or daily depending on the work – Communication is key.
  4. There is not just one blanket agreement – different positions call for different schedules.
    - **Example:** Jobs that deal with safety, work planning, or operations may make their days on-site contiguous to maintain situational awareness. This may be a less important consideration for design or theoretical work.
  5. This is not the "End-all be-all":
    - a. If approved, staff should be made aware that if they are not performing to the appropriate level expected, the supervisor can terminate the agreement at any time.
    - b. Decisions with respect to granting a flexible work schedule will be handled on a case-by-case basis at the sole discretion of BSA. "BSA reserves the right to change or eliminate this Policy or an individual flexible working arrangement at any time."
    - c. These agreements can be re-evaluated quarterly, yearly or at the discretion of the supervisor.
  6. Telework and Remote Work arrangements may be used as a recruitment tool to attract talent from a more diverse pool, so long as the requirements for the arrangement can be met.
  7. Be sure to consider including additional managers in the request, if needed. Certain employees directly support other staff in the organization and their input can help with arranging the appropriate schedule.
  8. Supervisors should consider both the staff that are on site as well as staff that are teleworking and/or working remotely when assigning work. As a matter of equity, it is important to ensure that both types of workers have fair and equitable levels and kinds of work assigned to them based on their role. Supervisors should ensure that equitable assignments are possible before entering into teleworking and remote working agreements and that equitable assignments are made once the agreement is entered.

## FLEXIBLE WORK ARRANGEMENTS SUBJECT AREA KEY POINTS

- **Staff must receive supervisor's approval before changing their schedule.** It is important for supervisors to coordinate with staff regarding any variations from the normal work schedule to ensure that the needs of the organization are met. **Supervisors must have an active role in determining how and when their employees fulfill their responsibilities to collaborate and provide services, consultation, and coverage.**
- **As a non-exempt employee, or a supervisor of a non-exempt employee, ensure that time reporting is compliant.** If a supervisor authorizes an employee to vary their work hours, the employee is expected to maintain a current and accurate record of those hours in time reporting, and supervisors are expected to review the reported hours for their accuracy. Frequent, preferably daily, recording of hours, and review by supervisors, will help to ensure that this is achieved. In addition, the expectation is that all overtime should be at the request of the Supervisor; not the employee and should be approved in advance.

## TELEWORK & REMOTE WORK POLICY KEY POINTS

- **The Laboratory expects the same level of productivity from employees who work remotely as from those who do not.**
- **The employee's supervisor will develop a regular schedule of expected normal working hours and remote working days** to ensure availability and coverage needed to support the organization's functions and the Lab mission.
- **Teleworking/Remote Work staff are expected to utilize the most current remote work tools and technologies as outlined by ITD, keep their business calendar up-to-date, and check emails, voicemails, and other business messages on an ongoing basis during those hours.** If emergencies or unexpected issues occur, the same procedures apply as if the employee is in the office. All employees need to provide notice to a supervisor as soon as possible when there is a need to stop working unexpectedly.
- **Staff must communicate with their supervisor in advance about any foreseeable personal obligations that may interfere with their scheduled working hours** (childcare, medical appointments, etc.). BSA's policies on overtime, work hours, scheduling time off, and leaves of absence apply with equal force to individuals working in-person and remotely.
- **Requests to use accrued vacation, sick or other leave must be made in advance and in accordance with established BSA policy.** Requests must be approved by the employee's supervisor in the same manner as if the employee was working at the regular worksite.

## NON-BARGAINING UNIT EMPLOYEE TYPES

### NON-EXEMPT MONTHLY EMPLOYEES

Eligible for overtime after 40 hours in a work week.

### WEEKLY EMPLOYEES

All are non-exempt; eligible for overtime after eight hours in a workday.

### EXEMPT MONTHLY EMPLOYEES

Not eligible for overtime.