**Information Bulletin #3**

**ALTERNATIVE WORK ARRANGEMENTS**

**Applicable Collective Agreement Provisions**

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**General Principles**

* In relation to hours of work, the Collective Agreement permits alternative work arrangements, notwithstanding any provisions that may appear to the contrary.
* Alternative work arrangements may include Averaging Agreements or Flex-Time.
* The terms of the alternative work arrangement must be understood and agreed to by both the manager and the employee or group of employees involved.
* The arrangement must not result in a reduction in salary or otherwise negatively affect other employee benefits.
* Alternative work arrangements must not provide increased eligibility for overtime or other benefits.
* All alternative work arrangements must comply with the *Employment Standards Code.*

**Averaging Agreements**

* Averaging Agreements allow employees to work longer hours per day, paid at an employee’s regular wage rate.
* The hours of work are averaged over a 1 to 12-week time period to determine overtime pay or time off with pay.
* Averaging Agreements must be in writing and include a start and end date; the number of weeks over which the hours will be averaged (up to 12 weeks), and a work schedule that identifies all the workdays and number of hours to be worked in each of those days.
* An Averaging Agreement is applicable to only one work schedule.
* Employees can request a temporary change to this schedule, or managers can occasionally make a temporary change, as long as two weeks’ notice is provided.

**Flex-Time**

* Flex-Time is different than an Averaging Agreement. It is earned for any time worked outside of normal hours of work and is accumulated in 15-minute intervals.

* AUPE employees are eligible for Flex-Time if they are engaged full-time to perform work on an established schedule. An employee must request to enter into a Flex-Time arrangement.
* Earned Flex-Time must be taken at least a ½ day at a time, and no more than two days may be banked at any one time.
* A Flex-Time arraignment must be operationally viable and can be discontinued at any time, at management’s discretion. It should be in writing and needs to be approved by the AVP of Human Resources or designate.
* The University has a specific policy and a procedure regarding Flex-Time for AUPE employees:
  + <https://www.ucalgary.ca/policies/files/policies/flex-time-policy.pdf>
  + <https://www.ucalgary.ca/policies/files/policies/flex-time-procedure.pdf>

FAQs

1. *How do I initiate the process of implementing an Averaging Agreement in my area?*

First engage Human Resources, who can assist in preparing the Averaging Agreement based on existing templates and in accordance with the *Employment Standards Code*. Once the Agreement has been drafted and vetted by Employee and Labour Relations, it can be presented to impacted employees to determine whether a majority support the alternate work schedule.

1. *How do I prove that a majority of impacted employees support an Averaging Agreement?*

The easiest way to demonstrate majority support is to have supporting employees sign the Agreement, after they have had a reasonable amount of time to consider it.

1. *What do I need to do once the Averaging Agreement has been signed and agreed to by the majority of employees?*

You must provide a copy of the Agreement to the impacted employee or employees as soon as possible. You must also post a copy in a conspicuous spot in the workplace (ie: staff area) and arrange for a copy of the Agreement to be posted on the University website. Human Resources can assist.

1. *Some employees in my department have had a compressed work week for several years. Is this still a valid scheduling arrangement?*

If you currently operate under a pre-existing compressed work week schedule, please contact Human Resources to determine the timeline and process for converting to an *Employment Standards Code*-compliant Averaging Agreement.

1. *A group of employees is interested in an Averaging Agreement, but I think there are one or two employees who don’t want to be scheduled this way. Does their disinterest affect the whole group?*

The will of the majority prevails with respect to implementing an Averaging Agreement, however, consideration should be given as to whether operational needs can still be met by allowing those who do not wish to participate to continue working a normal schedule.

1. *How much Flex-Time can an employee earn in one day?*

Regardless of whether employees are scheduled 7 or 7.5 hours, they cannot work more than 8 hours per day in pursuit of earning Flex-Time.

1. *I have an employee who regularly skips breaks and lunches to earn Flex-Time. Is this allowed?*

No. Flex-Time is earned outside of normal hours of work. Employees should be encouraged to take their assigned rest periods and meal breaks throughout their shifts.