

HUMAN RESOURCES

EMBL FLEXIBLE WORKING ARRANGEMENTS GUIDELINES (EFFECTIVE FROM 1 JANUARY 2019)

PURPOSE

1. These guidelines have been developed to assist EMBL members of personnel and their line managers to plan, implement and manage flexible working arrangements whenever practical, taking into account operational requirements. Existing agreed working arrangements are not affected by this guideline.
2. EMBL supports members of personnel in managing the demands of working life and recognises that flexible working arrangements offer many benefits to both staff and the organisation which include:
 - a) Enhancing personal motivation and improving operational efficiency and productivity.
 - b) Enabling individuals to work effectively while also addressing personal and family needs.
 - c) Improving recruitment and retention of diverse, talented and motivated staff by offering greater flexibility in how and where work is done, especially as members of personnel expectations change with regard to their jobs, careers and work-life balance.

SCOPE

3. These guidelines are designed for members of personnel and their line managers who want to establish flexible working as a continuing arrangement that consistently differs from the standard hours of work or location. These types of flexible working require a written agreement.
4. Infrequent, short-term work away from the office or other occasional flexible arrangements (e.g. occasionally working from home or coming to work later to keep a private appointment) would normally not require a formal agreement in writing. These arrangements will be managed using an informal approach that only requires the agreement of the member of personnel's line manager.

DEFINITION

5. EMBL defines a flexible working arrangement as a mutual arrangement between members of personnel and their line managers in which both parties agree on making changes on how long, where, when and at what times, members of personnel will work in order to better balance their professional and personal lives while also meeting operational requirements.

EFFECTIVE DATE

6. These Guidelines will come into effect on 1 January 2019 and will be reviewed by Human Resources after 12 months.

GENERAL CONDITIONS APPLICABLE TO ALL FLEXIBLE WORKING ARRANGEMENTS

Eligibility and Requirements

7. Flexible working arrangements may be authorised for staff members, fellows, ancillaries and supernumeraries at all EMBL sites following the successful completion of the member of personnel's probation period.

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8. These guidelines are intended to facilitate flexible working arrangements but do not create an entitlement to them, nor an obligation to use them. Each request will be considered on its own merits and will be granted on a case-by-case basis. Line managers are encouraged to agree on flexible working arrangements whenever possible. However, this may not always be feasible as some arrangements may not be appropriate for particular jobs or for certain members of personnel, depending on the individual function and location. Productivity and quality standards must not be compromised following the implementation of a flexible working arrangement.

9. Every EMBL site is encouraged, within the framework of these guidelines, to apply flexible working arrangements in a way which best takes into account the specific working context.

10. The implementation of flexible working arrangements should not normally result in additional costs for the organisation. Any additional costs arising from a flexible working arrangement will need to be approved by the Budget Holder. No additional payments, FTE numbers, benefits or entitlements can be claimed under these guidelines.

11. A flexible working arrangement requires a written agreement through the Flexible Working Arrangement Agreement form (see the "Procedures" section below), between the member of personnel and his/her line manager with final approval of the Head of Unit, to ensure that all parties understand the expectations arising from the arrangement.

Establishing flexible working arrangements

12. Line managers should carefully consider all requests for flexible working, taking into account operational requirements and the needs of the member of personnel, while ensuring that consideration is equitable and consistent for all members of the Unit.

13. It is the responsibility of requesting members of personnel and the relevant line managers to consider and evaluate the potential operational implications of implementing a flexible working arrangement. For example, the potential impact on co-workers, costs, level and quality of services and supervision must be taken into account. Flexible working arrangements must be transparent and well communicated within the team.

14. When planning a flexible working arrangement, a minimum of a half-hour break must be built into any work period of more than five hours.

15. Line managers should take into account flexible working arrangements when scheduling meetings. However, there may be occasions in which exigencies of service will require the presence or remote availability of a member of personnel when he/she would be normally utilising a flexible working arrangement.

16. Any changes to the weekly total hours requires a change in the employment contract and some benefits or/and contributions will be prorated, therefore the requesters will need to consult

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their Human Resources Advisor to fully understand the implications of the change in their specific circumstances.

17. Flexible working arrangements will be monitored by Human Resources. Members of personnel utilizing a flexible working arrangement who are required to complete timesheets need to record the actual number of hours and schedule worked.

Trial period and ongoing review

18. Flexible working arrangements are subject to a trial period of three to six months to ensure the efficacy of the arrangement. The length of the trial period will be specified on the “Flexible Working Arrangement Agreement” form. Line managers and members of personnel should monitor and review their arrangement on an ongoing basis to make adjustments as needed to ensure that the arrangement continues to meet both the members of personnel and operational requirements.

Modifying or ending a flexible working arrangement

19. A flexible working arrangement can be modified or discontinued if changes in operational requirements or the needs of the member of personnel require adaptation or a return to a regular working schedule. Flexible working arrangements may also be modified or terminated when the arrangement has a negative impact on operations, if the flexible working arrangement causes inconvenience to the work of the team or if the performance of the member of personnel becomes unsatisfactory. In such cases, a reasonable period of notice (at least one month) will be given to allow sufficient time for the member of personnel to return to his or her prior work schedule. If the member of personnel wishes to terminate the flexible working arrangement, it may not be possible for them to return to full-time status if the flexible working arrangement resulted in permanently reduced hours.

20. Approval of a flexible working arrangement is linked to a specific position and is agreed with the relevant line manager. If a member of personnel changes position, he/she will not automatically carry over the flexible working arrangement to the next position. The flexible working arrangement will be terminated and a new request would need to be submitted.

New line managers taking over responsibility for members of personnel with existing flexible working arrangements will also have the right to review these arrangements.

FLEXIBLE WORKING ARRANGEMENTS OFFERED AT EMBL

21. The following types of flexible working arrangements are available at EMBL:

- a) Alternative work schedule
- b) Part-time working
- c) Job-sharing
- d) Permanently or temporarily reduced hours
- e) Phased return to work
- f) Regular home/remote working
- g) Keeping-in-touch days (KIT) during maternity leave

The types of arrangements can be combined to fit the individual circumstances.

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Alternative work schedules

22. An alternative work schedule has variable starting and ending times, within agreed limits.
23. Members of personnel utilising an alternative work schedule will still work the same number of hours as they would before the flexible arrangement began. There may be a requirement to work core hours, with flexibility only outside these times.
24. Whenever feasible, and when core hours apply, meetings and other activities should be organised during core hours or at times when the member of personnel utilising the flexible working arrangement is present.

Part-time working

25. Part-time working is a work schedule that consists of fewer work hours than the standard working week. This arrangement may be agreed on a permanent or temporary basis. For staff members, the working week is at least 50% of the regularly scheduled full time working week (R 2 1.15).
26. To the extent possible, team meetings or other activities should be organised within the new hours of the member of personnel.
27. A line manager will normally need to make adjustments when a member of personnel changes from full-time to part-time working, including re-allocation of work or the recruitment of substitute staff. For this reason, the member of personnel needs to be aware that it may not be possible to revert back to full-time working.

Job-sharing

28. Job-sharing is a form of part-time working where two part-time members of personnel share the responsibilities of a full-time job at a prorated salary based on time.
29. Consideration needs to be given to communication and handover time between the job-share partners.

Temporarily reduced hours

30. Temporarily reduced hours is a reduced work schedule for a specific period. For example, when a member of personnel needs to care for a family member, or during a period of study.
31. Consideration will need to be given to the impact on the other members of the team and how the workload of the member of personnel will be managed (i.e. what activities will need to be postponed or covered by somebody else).

Phased return to work

32. A phased return to work is a reduced work schedule that gradually increases up to standard working hours. For example, when a member of personnel has had a prolonged period of absence from work, it may facilitate effective return if the return to work is phased in.

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33. Usually a flexible working arrangement that results in reduced working hours requires a change in the employment contract. However, if the phased return is on the advice of a medical practitioner, no contract amendment will be needed as the arrangement is covered under the sick leave provisions set out in EMBL Staff Rules and Regulations.

Regular home/remote-working

34. Regular home/remote-working is a work arrangement in which a member of personnel regularly works at home or remotely during part of a work schedule. Normally, this is restricted to a maximum of one day per week.

35. Regular home/remote working arrangements need to be discussed with Human Resources or the relevant EMBL site administration. Following their advice, the member of personnel is responsible for establishing a safe and suitable workspace including related telephone and internet connections and will need to complete an EMBL Workstation Assessment Form for the remote location.

36. Normally the member of personnel will be responsible for meeting any costs incurred as a result of home/remote working including costs of additional equipment, internet provision, heating or electricity.

37. Childcare, elder care, and other significant responsibilities cannot be performed while working from home/remotely.

38. Regular remote working from outside the country of the duty station is generally not supported because of the potential tax complications and consequences for members of personnel at EMBL. Any such arrangement must be agreed with Human Resources.

39. Full-time remote/home working is not supported by EMBL.

Keeping in touch (KIT) days during maternity leave

40. "Keeping in touch days" (KIT) facilitate the transition from maternity leave back into work. KIT days are offered to members of personnel on a voluntary basis and can be used during maternity leave, for example to come to campus to catch up with colleagues or to attend a meeting or conference.

41. The dates, times and duration of KIT days will be arranged between the member of personnel and their line manager. A total of one KIT day per month of maternity leave up to a maximum of eight days may be taken during the paid and unpaid maternity leave period.

42. KIT days may be used in units of days or half days and will be communicated to Human Resources by the member of personnel at the time when they are actually taken. KIT days will be compensated with time-off in lieu in units of day or half days and should be taken within 52 weeks of the return to work.

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PROCEDURES

Request

43. Before submitting a formal request for flexible working, a member of personnel should have a discussion with their line manager regarding the type of the desired flexible working arrangement and associated conditions. The line manager should then consider the request in the relevant context and might discuss the proposal with other members of the team to gather input on operational needs. This is to ensure that the terms of the arrangement are considered feasible and the impact on the member of personnel's co-workers and operational requirements are fully taken into account. The line manager and the requester should also agree on the duration of the trial period (as per paragraph 18).
44. The line manager will also need to consult with his/her line manager and/or Head of Unit to ensure consistency within the Unit.
45. If after these discussions, the line manager considers that the proposed flexible work arrangement would be feasible under certain agreed conditions, the member of personnel should obtain formal authorisation for the flexible working arrangement by completing the "Flexible Working Arrangement Agreement" form and submit it to his/her line manager.
46. By endorsing the member of personnel's request in the form, the line manager and Head of Unit agree that the flexible working arrangement is feasible and that it will not adversely impact on operational requirements and coverage of the work area under their supervision.
47. An extension or amendment of a flexible working arrangement should be obtained utilising the same procedure as that used to make the initial request.
48. If the line manager is unable to accommodate the request for a flexible working arrangement or wishes to discontinue an existing arrangement, he/she should provide feedback to the member of personnel and explain the reasons for this decision. Reasons for declining a flexible working arrangement request will vary because of the diverse nature of work. These could include additional costs, adverse operational impact, inability to reorganize work among existing members of personnel, or impact on quality of service delivery. The line manager may encourage the member of personnel to rework his/her proposal based on the line manager's feedback or resubmit a proposal at another time. In any event, every effort should be made to ensure that the member of personnel understands the criteria upon which a decision is made.
49. Once the line manager and the Head of Unit have endorsed the formal request and completed the relevant section of the form, a copy will be given to the member of personnel and the original "Flexible Working Arrangement Agreement" form will be submitted to Human Resources.
50. In cases where the flexible working arrangement requires a change of contract, Human Resources will need to be consulted before the formal agreement is signed to ensure that all parties are fully informed on the contractual implications of the changes. Human Resources will then

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confirm to members of personnel, in writing, details of their amended contract (with a trial period condition as appropriate), including their new work pattern and a start date for the change.

How to resolve a disagreement

51. In cases where the line manager does not agree to a proposal for flexible working arrangements or wishes to discontinue an existing arrangement, the member of personnel may request that the matter be submitted to the Head of Unit for decision.

52. In such cases, the member of personnel should forward his/her request to the Head of Unit with a detailed explanation as to how the desired arrangement can be put in place successfully without impacting operational requirements and adversely affecting the work of others.

53. Before taking any decision, the Head of Unit should consult with the member of personnel and the line manager as well as any other member of personnel that he/she feels may be impacted.

54. The line manager and the requesting member of personnel may consult with their Human Resources Advisor for advice and guidance at any stage of the process.