

**LEGISLATIVE ASSEMBLY OF BRITISH COLUMBIA
POLICY MANUAL**

SECTION	Human Resources
POLICY	4040 – Flexible Work Arrangements

Objective To provide parameters and guidance regarding flexible work arrangements, with the goal of offering a flexible work environment that enables employees to achieve greater work-life balance while ensuring individual productivity and that departmental operational requirements are fulfilled.

Application This policy applies to all regular and auxiliary full-time employees of the Legislative Assembly appointed under section 39 of the *Constitution Act* (R.S.B.C. 1996, c. 66).

Authority Legislative Assembly operational policies are approved by the Clerk of the Legislative Assembly, as per *Policy 1000 – Legislative Assembly Policy Framework*.

Key Definitions “**department director**” means the director (or equivalent) of a Legislative Assembly department;

“**flexible work arrangement**” refers to flex-time, modified work week, part-time work, remote work, and time off in lieu;

“**flex-time**” means an arrangement where an employee may vary daily start and end times provided that their regular workdays and total daily working hours are met;

“**modified work week**” means an arrangement where an employee increases their daily scheduled work hours to allow for time off on a regularly scheduled basis;

“**part-time**” means an arrangement where an employee reduces their full-time equivalent hours to a part-time schedule;

“**supervisor**” means the person the employee directly reports to.

1. General .01 The availability of flexible work arrangements is dependent on a department’s or the Legislative Assembly’s operational requirements; it may be suitable for some positions, but not for others. Flexible work arrangements are agreed to at the discretion of the employee’s supervisor and are not a condition of employment.

.02 Remote work options that may be available to employees, the process for evaluating a request for remote work, and the approval process for such a request are outlined in *Policy 4605 – Remote Work*.

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**2. Procedures for
Establishing a
Flexible Work
Arrangement**

- .03 Flexible work arrangements do not affect an employee's obligation to comply with *Policy 4015 – Vacation* by scheduling and taking the required annual vacation leave hours.
- .01 An employee interested in a flexible work arrangement may make such a request to their supervisor in writing, which must include:
- a) the type of flexible work arrangement being requested;
 - b) reasons for the request;
 - c) the employee's plan for meeting the responsibilities of their position;
 - d) the proposed work schedule (hours and days) requested; and,
 - e) the proposed start date of the flexible work arrangement.
- .02 Every proposal for a flexible work arrangement will be evaluated on a case-by-case basis. The evaluation will include a discussion between the supervisor and the employee seeking the flexible work arrangement regarding the reasons for the request and the needs of the department in which the employee works. The evaluation will consider the following factors:
- a) operational needs of the department and/or the Legislative Assembly along with the impact of the request on colleagues (both within the department and those who may work regularly with the department) and applicable client groups (Members, members of the public, other Legislative Assembly departments, partners/stakeholders);
 - b) ability for a department to maintain appropriate staffing levels during core hours and peak periods; and,
 - c) past performance of the employee.
- .03 If the flexible work arrangement request is recommended by the supervisor, a Flexible Work Arrangement Agreement must be completed by the employee and the supervisor. The Flexible Work Arrangement Agreement must then be approved by the employee's department director (or Clerk's Leadership Group member for department directors and above) and submitted to Human Resource Operations.
- .04 Flexible work arrangements are in place for a period of 12 months. A Flexible Work Arrangement Agreement must be reviewed and submitted for approval in accordance with section 2.03 on an annual basis.

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3. Modifying or Terminating a Flexible Work Arrangement

- .01 Once approved, the employee may not modify the flexible work arrangement without the written consent of their supervisor.
- .02 A supervisor may initiate the modification of an approved Flexible Work Arrangement Agreement if the supervisor determines that such modification will better meet the needs of the department and/or the Legislative Assembly. Any modification will be specified in writing and the revision to the Flexible Work Arrangement Agreement must be approved by the department director.
- .03 A supervisor may, after consulting with the department director, terminate a flexible work arrangement in accordance with the notice required under section 3.04 if the supervisor determines that the arrangement is no longer consistent with the department’s operational requirements or if the performance of the employee is not meeting expectations.
- .04 An approved Flexible Work Arrangement Agreement may be terminated by either party upon providing four weeks’ written notice to the other, or earlier as agreed to by the parties.
- .05 Notwithstanding section 3.04, a flexible work arrangement may be terminated for poor performance without notice.

4. Flex-time

- .01 Subject to the terms set out in the Flexible Work Arrangement Agreement, an employee with a flex-time arrangement:
 - a) may vary their start times, finish times, and lunch break durations;
 - b) must be available during the core hours as identified by the department director, excluding any meal break taken during that time; and,
 - c) must take a meal break of at least one-half hour per day.
- .02 An employee must adhere to the working hours stipulated within the Flexible Work Arrangement Agreement. Any deviation from the agreement must be agreed to by the employee’s supervisor in advance.

5. Modified Work Week

- .01 Subject to the terms set out in the Flexible Work Arrangement Agreement, an employee with a modified work week arrangement may work an increased number of daily scheduled hours to allow for time off on a regular basis.

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.02 Modified work week schedule options are:

Daily Hours (Regular Working Day)	Day Off Eligibility
7 hours and 47 minutes	1 day off every 2 weeks
7 hours and 30 minutes	1 day off every 3 weeks
7 hours and 22 minutes	1 day off every 4 weeks

.03 For vacation purposes (refer to *Policy 4015 – Vacation*), the annual vacation entitlement for an employee with a modified work week arrangement remains the same, however, for requesting and calculating vacation and other leaves, the day(s) will be recorded at the agreed upon daily hours, outlined in section 4.02.

.04 The day off eligibility for an employee with a modified work week arrangement is to be taken as scheduled and cannot be banked.

.05 If the day off eligibility falls on a scheduled vacation day or on a statutory or observed holiday, it must be taken at the earliest opportunity, as approved by the employee’s supervisor.

.06 An employee on a modified work week arrangement will receive a credit of 7 hours for statutory and observed holidays as set out in *Policy 4320 – Statutory and Observed Holidays*. The difference between the 7 hours and the hours that would normally be worked must be made up as agreed to by the employee and their supervisor (e.g., an employee working a bi-weekly modified work week schedule will need to make up 47 minutes by working that time within the week in which the holiday falls, or may use vacation time).

.07 Whenever possible, an employee on a modified work week arrangement should schedule routine dental or medical appointments on the scheduled day off work.

.08 An employee in a position that is not overtime eligible is ineligible for a modified work week arrangement.

6. Part-Time Work

.01 An employee may work less than full-time hours with their remuneration adjusted based upon the reduced number of hours.

.02 It is the employee’s responsibility to consult with Human Resource Operations prior to initiating a part-time work arrangement request to understand the effect that a part-time work arrangement may have on earnings, pension, and other benefits.

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- 7. Time Off in Lieu**
- .01 An employee in a position that is not overtime eligible may bank up to 7 hours in straight time in a calendar month. The employee must:
 - a) keep a record of the banked time and provide an accounting of the time worked and taken at the request of their supervisor; and,
 - b) with the approval of their supervisor, take the banked time in the calendar month in which it is earned or in the calendar month that immediately follows.
 - .02 Any banked time not used in accordance with section 7.01 is lost.

Contact	Questions regarding this policy may be directed to Human Resource Operations at human.resources@leg.bc.ca .
Procedures	<i>Flexible Work Arrangement Agreement</i>
References	<p>Policy 4015 – Vacation</p> <p>Policy 4320 – Statutory and Observed Holidays</p> <p>Policy 4605 – Remote Work</p>

Kate Ryan-Lloyd

Approved and authorized by
Kate Ryan-Lloyd, Clerk of the Legislative Assembly

November 2, 2020

Date

POLICY HISTORY	
Version 1 <i>(Modified Work Week Policy 1-8)</i>	December 17, 2003
Version 2	November 2, 2020