



Corporation of the Town of Cobourg

Division: Executive Services

Effective Date: June 26, 2024

Review Date: June 26, 2025

Department: Human Resources

Approval Level: Council/CAO

Policy Title: Flexible Work Policy

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Purpose

In a continuing effort to become a workplace of choice as well as to support a healthy work-life balance, the Town of Cobourg offers flexible working arrangements to eligible employees, where applicable. The Town of Cobourg supports flexibility in employee work arrangements wherever it is possible and practical to do so without compromising the effectiveness and efficiency of the Town. It is important that these arrangements are designed to ensure that a sense of community and organizational culture can be maintained and operational requirements, collaboration, information sharing, innovation, and effective service delivery needs are met. The Town recognizes that there may be instances when arrangements will be approved on a temporary basis, or to complete a particular task (e.g. special project, detailed project review).

The Town of Cobourg also recognizes that work-life balance is important to a productive workplace and a valuable tool for attracting and retaining talented and dedicated staff. This flexibility is for the mutual benefit of the Town of Cobourg and its employees with the expectation of maintaining all current service levels. All arrangements are subject to the discretion of management and can be arranged or revoked on a case-by-case basis. Flexible work is a set of workplace modernization tools intended to improve productivity and expand services to the taxpayer with no additional cost to the Town.

The intent of this policy is to ensure that the Town remains competitive amongst our neighbors and comparators and is essential in ensuring that the Town can attract and retain qualified employees. This policy is also meant to ensure that employees will continue to provide a level of service that is equal or better than being currently offered.

Definitions

“Compressed work week” is a formal arrangement where an employee works extra hours on a regular schedule so that the weekly or bi-weekly schedule is completed in fewer days.

“Confidential documents” are documents that include, but are not limited to, privileged information, draft by-laws or staff reports, third party information, personal information, technical, financial or scientific information and any other information collected, obtained or derived for or from Town records that must or may be kept confidential under the Municipal Freedom of Information and Protection of Privacy Act, 1990, and the Personal Health Information Protection Act, 2004.

“Core hours” refers to the hours when full-time employees must be present during their scheduled workday. These core hours may vary depending on the work schedule and



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demands of the business; however, core working hours for administration staff shall remain to be 8:30am to 4:30pm.

“**Current situation**” means that the Town of Cobourg currently offers a compressed work week for unionized staff in several departments from April to November of each calendar year.

“**Hybrid work**” is a flexible working model that supports a blend of in-office and remote work for Employees. This may be from the employee’s home or an alternative workspace. Employees approved to conduct their work through a hybrid work agreement will be permitted to work remotely no more than 50% of their time.

“**Policy**” shall refer to the Town’s commitment to pursue innovative recruitment practices to attract and retain talented and dedicated staff. Creative flexible conditions will ensure employees are able to integrate their work and personal lives more effectively while the Town ensures quality services and productivity is enhanced with minimal or no cost to the municipality.

“**Penny**” is the Town’s current payroll system in which staff members input their hours of work.

“**Standard workday**” shall refer to the normal hours of work which a staff member works.

“**Supervisor**” shall refer to the individual’s direct Supervisor, Manager, and/or Director.

Policy

This policy will address situations where there is a request identified for employees to work remotely on a part-time basis and the implementation of a compressed work schedule where applicable.

This framework will ensure that consistent and clear standards are applied as well as determining the types of positions and work that are eligible for hybrid and compressed work arrangements.

1. General Principles

1.1 All arrangements are subject to the discretion of the Town. Flexible working arrangements within a Division must be approved by the Division Director.



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- 1.2 This policy does not alter or replace the terms of an existing employment contract. Employees must comply with all Town policies and procedures.
- 1.3 Work hours, compensation, and leave scheduling will continue to conform to applicable policies and agreements.
- 1.4 Requests to work overtime or use leave time must be approved by the employee's Supervisor in the usual manner.
- 1.5 Hybrid work arrangements may be more feasible for those employees whose work requires them to write, perform research, or complete data analysis. Hybrid work arrangements may also be made for temporary workplace accommodation or in response to a health and safety emergency. In addition, hybrid work arrangements may be more feasible for employees who already work at various locations, given the nature of their jobs, and can work at alternate locations.
- 1.6 Compressed work weeks may be more feasible for certain Divisions due to the operational requirements of staff. A compressed work week may be temporary or permanent based on Divisional requirements. Each Division Director may approve a compressed work week for their Division with approval from the CAO.
- 1.7 Each Division must maintain an adequate number of employees at on-site work locations to meet Divisional requirements.
- 1.8 Working exclusively from home is discouraged, other than when deemed necessary by the CAO or Division Director. A blended schedule that provides for a hybrid work arrangement with on-site work location (in office) attendance is strongly preferred.
- 1.9 Where a Division is operating on a compressed work week, employees may have a maximum of one hybrid work day a week.

2. Approval Process

Flexible working arrangements must be approved and will be reviewed regularly by the employee's Supervisor and the Division Director. Employees may submit a request to enter into an agreement with the Town for an ongoing or short-term flexible work arrangement. These requests shall be submitted in writing to the employee's Supervisor at least one pay period in advance and will be either approved or denied at the discretion of the Town. If at any time the arrangement no longer meets business or productivity goals, the Town reserves the right to revoke the agreement.



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3. Eligibility

Each department's Director will decide as to whether that department may participate, and how they will participate in the Flexible Working Arrangements program, based upon workload and schedules. Individual departments may offer both hybrid and compressed working arrangements, or they may select one of the two options. If an employee's position can accommodate the compressed or hybrid schedule and they choose to participate, they must follow the guidelines outlined by this policy. Employees must be in good standing with the Town and have satisfactory job performance over the previous twelve months (once entering into the program). Individuals on an attendance support program may be determined ineligible to participate.

Employees wishing to enroll in the program for the first time must review, acknowledge, and agree to the guidelines in this policy. The completed schedule must be submitted to the Director at least two weeks in advance of commencing the program and it must indicate the set bi-weekly schedule including how time will be made-up (start time, lunch break, and end time) in which the staff member will work as the compressed day.

Ongoing participation in the program requires participants to annually review and submit a completed acknowledgement and agreement. Significant changes to a participants compressed schedule (i.e. changing start/end time on a regular basis, changing the compressed day on a regular basis, etc.) requires the completion and submission of an updated acknowledgement and agreement form that is approved by the Supervisor.

Overtime should not be incurred because of participating in the flexible work program. Where this is the case, an averaging agreement may be entered into through the Human Resources (HR) Department and approved by the Ministry of Labour.

4. Flexible Working Arrangements

Employees may request to work within the Compressed Work Week program in addition to the Hybrid Work program. Should an employee wish to participate in both programs then it should be noted that the employee will not be eligible to work more than two (2) days from an alternative location in any one (1) week. It is not mandatory to participate in either program or is approval automatic.

5. Authorization to Work at Alternate Location

When an employee makes a request, prior authorization is required before an employee can work at an alternate location. The employee must make the request to their Supervisor, who



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review the request in consultation with the Division Director and the CAO.

Once authorization has been established, the employee will sign the agreement. The specific terms of the hybrid work agreement will be determined by the employee’s supervisor in consultation with the employee’s Director. The agreement may include, but is not limited to, the address of the alternate work location, the agreement start date, the period of validity, the schedule of working hours (including remote work hours and on-site work locations hours), and equipment provided by the Town. The agreement will be signed and dated by the employee, their supervisor, and the Director.

The Town reserves the right to withdraw the approval for hybrid work arrangements at any time.

6. Work Arrangements

6.1 Allotment of Days

Employees approved to conduct their work through a hybrid work agreement will be permitted to work remotely no more than 50% of their time or one (1) day a week if in conjunction with a compressed work schedule. The number of days per week and any variation to a schedule must be approved by the Division Director. Consideration will be given to office location coverage as well as customer service and operational needs.

6.2 Employee Requirements

- Ensure that they maintain frequent contact with their Supervisor during hours of work.
- Ensure that the office phone number is forwarded to a cellphone. Virtual meetings are encouraged on a regular basis for those who work remotely.
- Have the necessary internet connectivity to participate in virtual meetings as required by the Employer. Should there be any costs to the Employee to upgrade internet service to an acceptable standard, these costs will not be reimbursed by the Town.
- Where uniforms are not required, abide by the Dress Code Policy when interacting virtually with colleagues, members of the public, or community partners.
- Remain easily accessible during set work hours when contacted by the Supervisor or others.
- Maintain their regular lunch and break schedules or other pre-agreed break times as arranged between the employee and their immediate Supervisor.



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- Be available for on-site work on any scheduled workday, when requested, to maintain office coverage and meet Town business needs.

7. Compressed Work Week Program Period

The compressed work week program runs year-round except for the pay period(s) covering the Christmas Day and New Years Day statutory holidays. Due to vacation scheduling, all employees will be expected to work a standard schedule to ensure adequate department coverage is met. Actual exemption periods each year will be outlined by Human Resources.

8. Compressed Work Week Arrangement Trial

In the compressed work week, staff currently not under a compressed schedule (as per CUPE 1782) and are working in a Town office, can choose to work 35 hours per week by working 8.75 hours per day. Department participants will be responsible to balance time to ensure there is adequate coverage of front desks and customer service needs are met within the Department.

Schedule options would include that the current unpaid one-hour lunch break will be reduced to 30 minutes per day. An additional 15 minutes will be created at the end of the day enabling staff to leave at 4:30 or 5:00 pm, depending on their start time.

9. Business Continuity and Coverage

The compressed work week will not have a negative impact on customer service functions and/or business continuity. Employees will work together to ensure each team has the necessary skill sets, knowledge, and seniority to offer a range of decision making and service delivery options.

Supervisors may, at their discretion and in consultation with the CAO, ask to revert their Department back to a standard five (5) day work week for coverage when required, for the purposes of vacation coverage, holidays, etc. Office hours established for the compressed work week must be met. Weeks following statutory holidays and long weekends will involve everyone working the same hours.

If a Department finds that they are unable to provide coverage for a period of time due to statutory holidays, vacations, etc. the compressed work week for that pay period will be cancelled and each staff member will revert back to their previous hours of work.



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10. Guidelines for the Compressed Work Program

Compressed Work Week is a work arrangement where an employee works extra hours on a regularly scheduled workday so that the bi-weekly schedule is completed in fewer days. The employee would then be granted time off work, with regular pay once the number of regular hours has been achieved.

The Town offers the following compressed work week schedules as follows:

- Working four (4) days in five (5), taking one (1) day off each week; or
- Working ten (10) days in nine (9), taking one (1) day off each pay period; or
- Any other arrangement deemed suitable by the Supervisor.

Not all positions and/or departments will be eligible for this arrangement due to the nature of the work performed and operational requirements.

Principles of a compressed work week include:

- Days off must be pre-determined, and the time off consistently scheduled and used.
- Days off cannot be accumulated or banked.
- Due to operational reasons, an earned day off may not be taken in conjunction with vacations or statutory/civic holidays. The compressed work week schedule must be reviewed to ensure it does not overlap with planned vacations or statutory/civic holidays.
- Paid time for every two (2) weeks pay period must always total the standard working hours.
- If an unplanned absence (personal emergency leave, short term disability, bereavement, etc.) creates the need for more than one (1) standard work week in a week, participants should contact their Director as soon as possible to discuss potential solutions. Depending on which week of the pay period the unplanned absence occurs and when the participant has their compressed day schedule, they may need to revert to their standard working hours until the next pay period commences, adjust their schedule to make up additional hours, or use vacation/ lieu time to cover the hours they would have worked.
- Paid time off, excluding vacation/ lieu time, (i.e. statutory holidays, personal emergency leave, short term disability, bereavement, etc.) can only be recorded as a standard workday.
- Participants may choose to request individual vacation/lieu days above a standard workday within a compressed work program and is calculated in hours rather than days.



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- A day spent at off site training, including conferences, or conventions, can only be recorded as a standard workday. Should the training, conference, or convention, extend over multiple days, or the participant and their Supervisor find it either too onerous or impractical to make up the additional hours, they may need to revert back to their standard working hours until the next pay period commences or use vacation/lieu time to cover the hours they would have worked.
- Participants must have a set, weekly or bi-weekly compressed work schedule. A compressed schedule is an affixed arrangement which does not typically vary from one pay period to the next.
 - One-off exceptions may be granted with prior approval from the participants Supervisor but should not be a regular occurrence.
 - Statutory holidays and unplanned absences may necessitate adjustments to compressed schedules from time to time in these cases. The participant and their supervisor will consult on the adjustments required to the participants compressed schedule to ensure the total number of required hours is achieved during the pay period.
- A compressed day can be taken in advance of earning the time for it if the time is made-up within the same pay period. If it turns out the participant will not be able to make up the time, vacation/lieu time must be used to cover the day off.
- Hours worked towards a compressed day must be taken during the pay period in which they are earned. Time will not be banked for future use.
 - In the case of an illness or family emergency, exceptions may be made for participants to utilize the hours they may have already worked. This will be on a case-by-case basis only.
- During peak periods where participants are working overtime on a regular basis (ie. year end, budget preparation, audits, etc.) compressed hours should not be worked unless an averaging agreement has been submitted through Human Resources and approved by the Ministry of Labour.
- Participants should attempt to schedule all personal appointments on their own time. In exceptional circumstances, Supervisors may approve time away for personal appointments, but individuals will be responsible for making up the time.

11. Vacation/Lieu Time Allocation

Within a compressed work week arrangement, vacation time will be taken by the hours vs the day. 35 hours per week within 4 days, a vacation/lieu day will constitute 8.75 hours. For an employee working 40 hours per week for 4 days per week, vacation/lieu constitutes 10 hours.

If an employee is going to have a difficult time using the hours they have worked, or their



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vacation time during the year, they should not participate in the program.

There will be no carry-over of any time for each pay period. Any time earned must be taken within the same pay period.

Due to scheduling issues and to maintain fairness within the team, when there is a statutory holiday that falls within the pay period, it will be treated as the time off and the compressed work week will be cancelled for that week.

12. Sick Days

For the purposes of this policy, all provisions of the sick leave policy shall stand. Sick days shall constitute the same as vacation days as per above.

It is expected, and will be communicated to those involved in the compressed work week arrangement, that personal absences where possible should be avoided. Scheduling routine medical/personal appointments should happen on days you are scheduled to be off to ensure minimal impact to the team.

13. Exceptions

Based on the service provided by departments, some areas or positions may not be able to fully participate in all aspects of the flexible working arrangement program due to the nature of their work responsibilities, duties, and/or operational needs. The Town reserves the right to determine each position's and department's ability to participate in a compressed work week arrangement.

Any work arrangements covered under this Policy may be terminated by the Town at any time, should the employee's performance fall below acceptable standards. Furthermore, any work arrangements covered under this Policy may be terminated by the employee or the Town with two (2) weeks' written notice.

14. Confidentiality and Access – Use of Town Property/Equipment

When working remotely, Employees must use Town provided devices or secure connectivity options as provided by the IT Department to ensure that the appropriate software and programs are being used while maintaining data security and confidentiality.

All equipment provided by the Town for the purpose of working remotely will be subject to inspections and maintenance as required by the Town. The Employee is expected to take



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reasonable care of all equipment and to use it in accordance with operating instructions and all applicable Town policies.

All completed and working copies of documents must be saved on the Town online system with appropriate/limited access so that information is available to those who may require its use. Failure to use Town approved devices will leave Town data vulnerable to a breach and may result in disciplinary action up to and including termination.

All equipment provided by the Town must be returned to the workplace at the end of the hybrid work arrangement.

The Employee is expected to have sufficient internet bandwidth available at their home to support access to the Town’s network.

Town owned resources may only be used for business purposes. Employees must take reasonable steps to protect any Town property from theft, damage, or misuse. Depending on the circumstances, the Employee may be responsible for any damage to or loss of Town property.

Equipment and files shall only be accessible to the Employee and must be safeguarded from access by other members of the household and visitors. Other Town staff may require access, at a reasonable time, to equipment and Town records (paper and electronic) kept at an Employee’s alternate location. All records (paper and electronic) must be protected from unauthorized access, modification, loss, theft, or damage. Any confidential documents shall not be disposed of via household waste; documents must be securely retained until they can be disposed of onsite in accordance with the Town’s Records Retention Program Policy. Official records may only be disposed of with authorization via confidential, irreversible methods.

Employees who are working from home are required to designate a private area in their home as a specific alternate worksite to ensure confidentiality. Employees must keep documents in the designated area, secured by lock wherever possible.

Employees must immediately report any missing, lost, or damaged records, or devices containing records, to their Supervisor/Director. Any events involving a possible/suspected privacy breach or near-miss must also be reported immediately.

Employees approved for a flexible work arrangement may be required to submit all work time, distinguishing remote work hours and on-site hours worked. No changes will be made to the method of payment or the amount. If an Employee is found to have made false reports on



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time reporting, they may be subject to discipline up to and including termination.

15. Health and Safety

The Town is committed to ensuring that the alternate worksite is safe and ergonomic. employees must maintain their alternate worksite in good condition and free from health and safety hazards. The Town may make onsite visits to the employee’s worksite at a mutually agreed upon time to ensure that the designated workspace is safe and free from hazards. If the workspace is unsafe and cannot be made safe, the Town may refuse or revoke the employee’s flexible work arrangement.

Appointments and meetings with work-related visitors must not be conducted in the employee’s home. All in-person work related meetings must be held at a Town owned facility. Work-related deliveries must not be made to the employee’s home address. All work- related deliveries of materials, supplies and equipment must be delivered to a Town facility.

Employees using a flexible work arrangement will be covered by workers’ compensation for job related injuries that arise out of or in the course and scope of employment while working within a hybrid work arrangement. The employee remains liable for injuries to third parties and/or family members that occur on the employee’s premises. Employees must immediately report any work-related injuries to their supervisor and to Human Resources.

16. Travel and Other Expenses

Any travel expenses will be reimbursed as per the Town’s policies on expense and mileage reimbursements. Mileage will be paid from either the alternate work location or the normal work location whichever is less. Upon submission of receipts, expenses will be reviewed and then processed if the Town finds they are work related.

Office supplies will not be reimbursed. All typical office stationery supplies will be supplied by the Town. Staff are to collect required supplies during on-site work hours. Employees approved to work remotely are expected to provide their own utilities including but not limited to furniture, lighting, heating, internet, telephone, etc. The Town assumes no responsibility for any damage to, wear of, or loss of an Employee’s personal property.

Employees may refer to the Canada Revenue Agency (CRA) website for guidelines and up to date information regarding tax benefits for employees who have hybrid work arrangements. The eligibility to deduct employee expenses is a matter between the employee and the CRA. The Town will not provide advice on CRA eligibility rules and



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employees are encouraged to review CRA publications and/or seek advice from their personal tax consultant/accountant.

If an employee determines they are eligible to claim home office expenses on their tax return they are required to complete a draft T2200 Form together with a brief written statement outlining the type of expenses incurred and the basis for requesting the T2200 Form, to be submitted to Payroll for consideration by January 15th. Employees may contact Finance for further details regarding this process.

17. Insurance Coverage

Employees are advised that working from home with any regularity may affect the provisions of any home contents insurance and are advised to inform their insurance provider(s) prior to commencing working from home.

The Town will not be held liable for any damage to an employee's alternate work location or any injuries to family members, visitors, or others in the alternate work location. It is the employee's responsibility to consult with an insurance agent for any coverage implications due to working from an alternative location.

Office equipment provided by the Town will be insured through Town policies if it is used on suitable secure premises and not left unattended in a vehicle.

18. Compliance

Failure to comply with any aspect of this policy or related policies, including but not limited to Health and Safety, Information Technology, Records Management, Code of Conduct, Freedom of Information policies, may constitute an action subject to discipline, up to and including, termination of employment.

19. End of Agreement

At the end of a flexible working arrangement, employees must promptly return all Town property used during the arrangement. Failure to return any equipment may result in discipline for current employees or legal action if the employee no longer works for the Town. If an agreement is being revoked, employees will receive reasonable notice to make any arrangements necessary to return the Town property to the worksite.



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20. Summer Hours Program

Subject to the operational requirements of the department an employee may be permitted to work summer hours. On an employee-by-employee basis, summer hours for non-union staff will be administered as follows:

- a) Work a maximum extra $\frac{1}{2}$ hour per day;
- b) Use banked summer hours after their regularly scheduled lunch;
- c) Use not less than three (3) consecutive hours at a time, or;
- d) Use full or consecutive days off.

Requests shall be submitted to the department Manager/Director for approval on a first come first served basis. Requests that are submitted simultaneously shall be subject to approval based on seniority. Banked summer hours will be administered through payroll. The number of banked summer hours accumulated during the current pay period will be shown on the employee's deposit verification. **Staff who participate in the summer hours program will NOT be eligible to participate in the compressed work week program.**

21. Guidelines for the Summer Hours Program

- The banking of summer hours will commence on Victoria Day and continue until the Friday prior to Thanksgiving Day.
- At the discretion of the Manager the daily maximum one-half ($\frac{1}{2}$) hour shall be worked either prior to the start of their shift, during their lunch period, or at the end of their shift.
- If staffing levels do not allow for an employee to be off on their scheduled afternoon or day(s) off, by mutual agreement between the supervisor and the employee, alternate arrangements will be made.
- Any summer hours not taken by November 15th will be lost and no payment of unused banked summer hours shall be made.
- Employees are encouraged to use their banked summer hours prior to the first week in November in the event that all requests may not be granted.
- Time off must not be greater than the accumulated extra time worked (e.g if during the two-week period, an employee has a sick day, paid holiday or a vacation day then the time would be reduced by one-half ($\frac{1}{2}$) hour for each day absent).
- Summer hours schedules for non-union employees working in departments outside of Victoria Hall or Dressler House may alter their extra hours worked to coincide with the schedule observed in that department.



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Scope

This policy may apply to certain non-union permanent full-time Town of Cobourg employees and is at the discretion and authorization of Management, based on the criteria set out in this policy. This shall include but is not limited to service area operational requirements, position duties/requirements and corporate operational requirements.

Flexible work arrangements may be modified as operational or service needs require a change in the work schedule, or by mutual agreement of the employee and the Supervisor. Arrangements may be reviewed or cancelled if an employee transitions to a new position, service area staffing levels change, the employee is returning from a leave of absence or if an employee requires workplace accommodation.

Flexible working arrangements will not be approved if they create an additional cost to the Town. Hours worked in addition to an employee's regular workday that are being accumulated or used as part of a compressed work arrangement or summer hours are not eligible for overtime payment (subject to *Employment Standards Act* requirements). For example, if an employee's regular pay period consists of 70 hours, the total hours worked within that period (regardless of the hours worked per day) should equate to 70 hours and will be paid at straight time.

The terms and conditions of employment remain in effect for employees participating in any element of this policy, and employees are required to comply with all Town policies, procedures, protocols, and legislation including, but not limited to the *Employment Standards Act* (hours of work and overtime) and the *Occupational Health & Safety Act*.

Where an employee is represented by a union and a general provision of this policy conflicts with a specific provision in that employee's collective agreement, the collective agreement provisions will prevail.

Administration

In circumstances where policy interpretation/clarification is required, employees will work with their direct Supervisor to obtain clarification. In circumstances where the matter cannot be resolved, final authority will rest with the CAO.



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Cross Reference

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HR-AP-A10 – Code of Discipline

HR-AP-A11 – Employee Code of Conduct

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HR-AP-10.1 – Code of Discipline

HR-AP-A7.2 – Computer Use

<p>Division Director / Resolution #</p>	<p>Revision Purpose/Description:</p>	<p>Municipal Clerk/Approved by CAO:</p> <p>Signature</p>	<p>Council/Division Director Approval Date:</p>
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