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PROCEDURE SUMMARY

Texas A&M AgriLife Research (AgriLife Research) supports supervisors and managers in implementing flexible work arrangements to meet the needs of the unit while helping to meet the employee's needs and preferences, if such agreements serve to maintain or enhance the productivity or quality of services provided by the unit. Flexible work arrangements include partially remote and fully remote alternate work location arrangements and flexible work schedules.

In accordance with The Texas A&M University System (A&M System) Regulation 33.06.01, *Flexible Work Arrangements*, this procedure gives employees the opportunity to request an alternate work location (AWL), and gives specific terms and conditions that must be followed if an AWL is approved.

DEFINITIONS

Alternate Work Location (AWL): The location of work other than primary designated headquarters of the department/unit.

Designated Headquarters: The official work location of record for the employee's position, i.e., on-site campus or facility. Referred to as an on-site work location or primary work station.

Partially Remote Work Arrangement: A location-flexible arrangement, allowing employees to combine on-site and remote work. Also referred to as a partially remote AWL arrangement. This arrangement may or may not be in response to a business need.

Fully Remote Work Arrangement: Employee works full-time (other than designated work travel) at an approved location other than designated headquarters based on a business necessity. Also referred to as a fully remote AWL arrangement. Examples of business necessity include access to specific equipment and/or customers at another location, space constraints at the department/unit, accommodations or to retain employees with specialized skills. Eligibility requirements applicable to PRWA may be waived based on business circumstances applicable to the fully remote arrangement.

International Alternate Work Location (IAWL): The location of work other than the designated headquarters of the department/unit and is located outside of the United States of America.

PROCEDURES AND RESPONSIBILITIES

1.0 GENERAL

- 1.1 Unit operational requirements take precedence over an employee's request for a partially or fully remote AWL arrangement.
- 1.2 AWL provisions are contingent upon the written approval by the Director or designee in accordance with this procedure and are not an employee entitlement. Prior to approving an AWL arrangement, the Director or designee must consider multiple factors including equipment needs and maintenance, employee safety, communication and supervision, and adherence to state, federal, and international laws.

- 1.3 Condition of Employment - A partially or fully remote AWL arrangement must not have the effect of changing the employee's duties, obligations, responsibilities, and conditions of employment or required compliance with relevant policies and procedures, or any other federal or state laws, policies, and procedures while working at the AWL. Job responsibilities, standards of performance, and performance evaluations remain the same as when working at the designated headquarters. Employees working under an approved AWL agreement must comply with all Texas A&M System Policies and Regulations, as well as AgriLife Research Rules and Procedures (e.g., FLSA, sick leave, vacation, FMLA, etc.).
- 1.4 Hours of Work - The employee must have an approved work schedule adopted in accordance with AgriLife Research and departmental policy. Management must ensure proper compliance and documentation of work hours, in particular ensuring compliance with the Fair Labor Standards Act (FLSA) and overtime policies and procedures. The employee is expected to maintain the same level of availability, levels of production, and quality of work as though the employee were working out of the designated headquarters and may need to report to the designated headquarters for meetings or special events as deemed necessary. Working hours cannot coincide or overlap with any other type of employment.
- 1.5 Use of Leave - A partially or fully remote AWL arrangement may not be used in place of paid or unpaid leave. If at any time an employee is unable to perform official duties, the employee must utilize the appropriate leave category to record the absence. A request to use leave must be approved in accordance with AgriLife Research Rules and Procedures.
- 1.6 Workspace, Equipment, and Expenses - A partially or fully remote work employee must maintain a safe, secure, and ergonomic workspace and ensure that they have a designated workspace conducive to a professional environment. AgriLife Research will not be responsible for home maintenance, utilities, or any other operating or incidental costs associated with the use of a residence as an AWL. Employees at a designated work location may request reimbursement for authorized expenses (such as business travel) specifically incurred in connection with the remote work in accordance with applicable policies.
- 1.7 Tax and Other Legal Implications - Income taxes for employees will generally be withheld as required by the state where the employee is physically located when performing the work associated with the income. The employee is responsible for personal tax consequences, if any, resulting from the AWL arrangement. The employee should seek independent professional advice for any questions or concerns regarding tax issues. Additionally, if an AWL arrangement is proposed in a state other than the State of Texas, the employing unit shall notify AgriLife Human Resources to coordinate a legal review prior to approval which may include tax reporting, immigration sponsorships, and other employment implications for AgriLife Research.
- 1.8 AgriLife Human Resources will coordinate with Texas A&M University International Student and Scholar Services and Immigration Affairs depending on the visa type, when a foreign national employee requests an AWL arrangement.
- 1.9 Training - To ensure an effective AWL arrangement, employees and supervisors must complete training as assigned. Recommended training courses are available via the [AgriLife Flexible Work Arrangements](#) webpage.
- 1.10 Termination of AWL - An AWL agreement may be terminated at any time by either the supervisor or the participating employee. Employees should be given reasonable notice of the termination of the agreement. Failure to comply with provisions of this procedure and associated guidelines may result in the termination of the AWL arrangement and/or disciplinary action, up to and including termination of employment in accordance with A&M System Regulation.
- 1.11 Special Circumstances – AgriLife Research will announce campus closings, delayed openings, or modification of operations due to a serious and/or unexpected event or situation requiring an immediate need for fully or partially remote work often in response to a campus crisis or inclement weather. In these instances, employees functioning at an approved AWL will continue to work at the designated AWL, while employees that typically work at the designated headquarters will enact arrangements with their

managers to perform their duties at an AWL, if possible. Such arrangements are for special circumstances and do not supersede requisite AWL evaluation and approval processes.

- 1.12 AWL arrangements requested by Texas A&M University (02 adloc) non-faculty employees shall adhere and comply with Texas A&M University Standard Administrative Procedure [Texas A&M University Standard Administrative Procedure 33.06.01.M0.01, Alternate Work Location for Non-Faculty Employees](#).
- 1.13 AWL arrangements requested by Texas A&M University (02 adloc) faculty employees shall adhere and comply with [Texas A&M University Standard Administrative Procedure 33.06.01.M0.02, Alternate Work Location - Faculty](#).

2.0 ELIGIBILITY

Employees: All AgriLife employees will be considered eligible to apply for an AWL arrangement unless otherwise determined ineligible based on job description, work environment/location, and job duties. To be eligible for an AWL an employee must:

- 2.1 Have a current performance evaluation with a rating of at least “Meets Expectations” (or equivalent rating on an approved alternate form). This requirement is met with an annual Workday evaluation, or an off-cycle evaluation, on the applicable form. New employees may have an off-cycle evaluation completed at the supervisor’s discretion 90 days after the hire date.
- 2.2 Have no current documented disciplinary actions
- 2.3 Be in compliance with A&M System and AgriLife Research standards of conduct.
- 2.4 Be current on all A&M System and AgriLife Research mandatory training.

Exceptions to the above eligibility requirements must be requested in writing through normal administrative channels and approved by the Director or designee.

Positions: Eligible positions for AWL arrangements include positions that do not require continual, ongoing access to equipment, laboratories, materials, or files that can only be accessed while at the designated headquarters, and do not require continual in-person face-to-face contact with supervisors, co-workers, customers, students, and visitors.

3.0 REQUEST AND APPROVAL PROCEDURES

- 3.1 The AgriLife Flexible Work Arrangement Guidelines found on the [AgriLife Flexible Work Arrangements](#) webpage are available for review and consideration prior to submitting a request for a partially or fully remote AWL arrangement. These guidelines are provided for the benefit of employees and supervisors who are considering requesting/authorizing an AWL arrangement.
- 3.2 Following a review of the AgriLife Flexible Work Arrangement Guidelines, the employee will discuss the AWL request with their supervisor and complete the form. [AG-438, Alternate Work Location Schedule](#). The employee will initiate the Request Flexible Work Arrangement business process in Workday and attach the AG-438 to the request. The employee will provide their justification for the AWL and complete the sub-processes that route to them in Workday. The process will then route to the supervisor for review.
- 3.3 The supervisor will determine if the employee and position meet the minimum eligibility requirements listed in section 2.0 above. The supervisor will also consider the impact of the AWL agreement on the department/unit (e.g., staffing, customer service, timely handling of routine tasks, phone coverage, team responsibilities, and other operational considerations).
- 3.4 If the supervisor does not approve the AWL request, he/she will notify the employee in writing and deny the Request Flexible Work Arrangement business process in Workday. No further action is required.
- 3.5 If the supervisor does approve the AWL request, he/she will approve the Request Flexible Work

Arrangement business process in Workday. The process will then route to AgriLife Human Resources for review.

- 3.6 AgriLife Human Resources will review the request to ensure eligibility criteria are met. If AgriLife Human Resources does not approve the AWL request, he/she will notify the supervisor in writing and deny the Request Flexible Work Arrangement business process in Workday. The supervisor will notify the employee in writing of the denied AWL request. No further action is required.
- 3.7 If AgriLife Human Resources does approve the AWL request, he/she will approve the Request Flexible Work Arrangement business process in Workday. The process will route to the Department/Unit Head and Executive Approver in Workday for final approval.
- 3.8 Upon final approval of the Request Flexible Work Arrangement business process in Workday, the employee and supervisor will complete form [AG-311, *Property Used Away From Assigned Location*](#) and form [AG- 441, *Alternate Work Location Safety Checklist*](#). The AG-311 and AG-441 will be maintained in the employee's personnel file.
- 3.9 If the AWL request follows medical leave exceeding three continuous working days, the usual procedure of providing documentation from a physician, as stated in [System Regulation 31.03.02, *Sick Leave*](#), will apply.
- 3.10 No AWL agreement may extend beyond one fiscal year without evaluation and reapproval. The employee and supervisor will receive an email notification from Workday to end the current AWL arrangement when it is approaching the end date.
- 3.11 The employee's performance under the AWL agreement will be reviewed at the end of each fiscal year by the supervisor and the employee, annually during the employee's performance review and at other times, as needed to determine if continuation of the AWL is mutually beneficial. Based on this review, the AWL may be modified, terminated, or continued.
 - 3.11.1 If the AWL agreement is modified, the supervisor will review the modifications with the employee and the employee will initiate a request to end the current AWL arrangement in Workday, will complete a new form [AG-438, *Alternate Work Location Schedule*](#), and will initiate the Request Flexible Work Arrangement business process in Workday. Documentation related to the modified AWL arrangement will be maintained in Workday.
 - 3.11.2 If the AWL agreement is terminated, the supervisor will notify the employee and Department/Unit Head in writing and will initiate a request to end the current AWL arrangement in Workday. Employees should be given reasonable notice of the termination of the agreement. Documentation related to the termination of the AWL arrangement will be maintained in Workday.
 - 3.11.3 If the AWL agreement is determined to be mutually beneficial, the supervisor will notify the Department/Unit head of their recommendation to continue the AWL. The employee will initiate a request to end the current AWL arrangement in Workday, will complete a new form [AG-438, *Alternate Work Location Schedule*](#), and will initiate the Request Flexible Work Arrangement business process in Workday. Documentation related to the modified AWL arrangement will be maintained in Workday.

4.0 CONTINUING AN ALTERNATE WORK LOCATION

Upon expiration of the original time period approved by the Director or designee, a new form [AG-438, *Alternate Work Location Schedule*](#) and Request Flexible Work Arrangement business process must be submitted annually for approval of an additional time period.

5.0 INTERNATIONAL ALTERNATE WORK LOCATIONS

AgriLife Research in compliance with [System Regulation 33.06.01, *Flexible Work Arrangements*](#) will review each International Alternate Work Location (IAWL) request on a case-by-case basis. When an alternate work location is outside the United States, the CEO or designee must consider the potential impact to the member of export

control laws, immigration regulations, foreign tax laws, foreign employment laws, and foreign local employment obligations. An alternate work location arrangement to work outside the United States must not be for more than 60 days unless the System Office of General Counsel has been consulted. The employing unit will be responsible for the payment of the outside counsel fees and any other fees and costs for the guidance issued on the IAWL request. Outside counsel review does not guarantee that the IAWL request will be ultimately approved by the administration.

An IAWL request shall follow the procedures outlined in section 3.0 above to request an IAWL and include the following additional documents: written advance approval from the Department/Unit Head and completion of the form [AG-724 International Alternate Work Locations Export Controls Certification](#). AgriLife Human Resources will not approve an IAWL unless the employee has the legal right to work in the host country. Note that entering a foreign jurisdiction on a business or tourist visa does not provide per se the right to work and thus, the IAWL request will not be approved.

IAWL requests by Texas A&M University (02 adloc) employees shall adhere and comply with [Texas A&M University Standard Administrative Procedure 33.06.01.M0.03, International Alternate Work Locations](#).

6.0 AMERICANS WITH DISABILITIES ACT

In situations where employees have special needs, such as those that merit consideration under the Americans with Disabilities Act (ADA) as amended, employees and/or supervisors should contact AgriLife Human Resources at 979-845-2423 for guidance.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[System Regulation 33.06.01, Flexible Work Arrangements](#)

[System Regulation 31.03.02, Sick Leave](#)

[Texas A&M University Standard Administrative Procedure 33.06.01.M0.01, Alternate Work Location for Non-Faculty Employees](#)

[Texas A&M University Standard Administrative Procedure 33.06.01.M0.02, Alternate Work Location - Faculty](#)

[Texas A&M University Standard Administrative Procedure 33.06.01.M0.03, International Alternate Work Locations](#)

[AgriLife Flexible Work Arrangement Guidelines](#)

[AG-311, Property Used Away From Assigned Location](#)

[AG-438, Alternate Work Location Request and Approval \(revised July 15, 2020\)](#)

[AG-441, Alternate Work Location Safety Checklist](#)

CONTACT OFFICE

Questions regarding this procedure should be referred to AgriLife Human Resources at 979-845-2423.

REVISION HISTORY

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