



## **ALTERNATIVE WORK SCHEDULE POLICY**

TD Bank is committed to providing a workplace that creates flexibility in balancing the challenging demands of the workplace. While our ultimate goal is to deliver quality services to our customers, we recognize that employees who are able to balance competing work and personal needs are oftentimes happier and more productive in the workplace. If business needs are being met and the results are meeting, or exceeding expectations, the alternate work arrangement can be positive for all parties.

The attached guide gives a framework of the program for employees to explore such an arrangement with their managers and to develop a plan to determine if an alternative work schedule will work in a particular situation. Not every employee can be on an Alternate Work Schedule (AWS) - it would be nearly impossible to effectively run our business if this were the case. For those of you for whom it makes sense - personally and within the context of your position - we have attached a process to propose and implement such an arrangement.



## ***What Are Alternative Work Schedules?***

The term Alternative Work Schedule (AWS) encompasses a variety of schedules which offer employees flexibility in managing their work and personal needs.

Some employees might describe their current schedules as "flexible". This may mean that on an occasional basis, with approval from their manager, they might come to work a little late to keep a medical appointment, leave a little early to attend a child's sporting event, or work on a Saturday instead of a Wednesday to study for a graduate exam. This informal policy can exist when there is trust and respect between a manager and employee to get the job done. This policy is not intended to apply to an occasional flexibility with work schedules. Individuals in this situation do not need to make a formal request in writing for an AWS. This policy is intended to apply to a long term consistent AWS, rather than an occasional change in regular work hours or places.

Our AWS Policy implements a process whereby schedules will need to be proposed, reviewed and refined as mutual needs change. This requires effort and commitment on the part of the employee *and* the manager. It is not appropriate for everyone or every position, but in some cases productivity, efficiency and morale may be increased if alternatives to "standard" schedules are implemented.

### ***Definition and examples of AWS:***

#### Flexible Start/End Time:

A work schedule with variable starting and ending times, within limits set by one's manager and dictated by the needs of the business. Employees still work the same number of scheduled hours as they would under a traditional arrangement. Examples of this include:

- Staggered hours - adjustment of starting and ending times
- Core hours within a variable schedule - employees must be present during specified core hours determined by the manager and business, but may adjust their arrival and departure times each day
- Variable day - employees work a consistent schedule of a different number of hours each day as long as they achieve the expected hours within the week
- Mid-day Flexibility - employees may take a longer schedule break than usual if they make up the extra time by starting work earlier or staying later

### Compressed Work Week

A work schedule that condenses one, or more, standard workweeks into fewer, longer days.

For example:

- A full time schedule compressed into 4 longer days
- Scheduling across 2 week cycles compressing a FT schedule into 9 days (instead of 10)

#### **NOTE:**

***No schedule will be approved that has the potential to increase the company's liability for overtime pay. A Compressed Workweek that requires an employee to work more than 40 hours in one week in order to obtain a day off in the following week is available to full-time exempt employees only.***

***Additionally, schedules for exempt vs. non-exempt employees may vary in order to comply with Fair Labor Standards Act. For non-exempt employees, if overtime was required before a change to a Compressed Workweek, it may continue to be necessary on an as-needed basis. Exempt employees may be required to work beyond regularly scheduled hours if it is necessary to meet goals and job responsibilities. On a Compressed Work Week these employees will continue to be responsible for meeting their goals and objectives of their positions including working additional hours as needed and/or as approved by their manager.***

### Extended Work Week:

Work schedule that extends one or more standard workweeks into additional shorter days (e.g. 40 hours in more than 5 days) Schedules for exempt vs. non-exempt employees may vary in order to comply with the Fair Labor Standard Act

### Telecommuting:

Work arrangement in which employees *routinely* work at home or an alternate work site during part or all of a work schedule and requires connection to a LAN, WAN, or network. For more information on Telecommuting as an AWS option, reference "Telecommuting" section of this policy

### Virtual Workplace:

Work arrangement in which employees do not work from a fixed location, but instead, with appropriate technology, can work from anywhere. This requires connection to a LAN, WAN, or network. Work "on location" or "on the road" (e.g. consulting, sales, traveling to client work locations). See information contained in "Telecommuting" section.

### Job Sharing:

Two or more part time employees share the responsibilities of one full-time job at a pro-rated salary

For example:

- Two employees work half of a regularly scheduled full time job with no overlap (1.0 FTE)
- One employee works 3 days of each week, the other works 2 days of each week (1.0 FTE)
- Two employees work 3 days per week with one day overlapping where both employees work (1.2 FTE)

### Part Time:

Work schedule that is less than full-time

***Note: If AWS request is due to a medical issue (your own or a family member) there are other options available under the Family Medical Leave Act that may be. Contact your Human Resources Business Partner for more details. This policy should not be considered as an alternative to leave associated with the FMLA, ADA or a workers' compensation injury.***

## ***Eligibility for AWS:***

Business needs are the primary guide for determining eligibility for an AWS. All requests for AWS will be treated equitably. Some positions will not be appropriate for AWS. An employee need not explain the personal motivation for making an AWS request.

Eligibility may vary for different types of AWS and some options may not be appropriate for particular jobs or certain employees, depending on the individual business unit, customer base or location. **AWS is not an entitlement or right at TD Bank** but should be viewed, instead, as a possible opportunity to seek alternative ways to effectively meet both business needs and employees' needs.

Any employee participating in AWS will be required to meet the same performance standards as regularly scheduled employees and managers will be expected to use the same measurement criteria currently in place for regularly scheduled employees.

Employees must have a performance rating of satisfactory or above as defined by our Performance Review program to be considered eligible for AWS. An employee with a Performance rating of less than "fully meets requirements" will not be considered eligible. A manager may choose to make an exception and consider a proposal under these circumstances if AWS could be contributing a factor in improving performance. The HR Business Partner should be consulted prior to requesting the AWS under these circumstances.

New employees may be hired into AWS if the arrangement meet the business needs at the time of hire and if the AWS is approved.

Employees whose position requires AWS as determined by operating needs of the company (ie Mortgage Consultants, Financial Advisors) are not to follow this application process or fill out the attached request. These employees are still subject to all policies set forth with regard to telecommuting (e.g. data security, ergonomics, workers' compensation reporting, etc).

Employees who propose a telecommuting AWS must ensure a safe and suitable workspace that is appropriately confidential and free of distractions and interruptions that may interfere with work. Telecommuters will need to maintain a distinct separation between work activities and personal activities.

It is understood that TD Bank reserves the right, in its sole discretion to change, revoke, suspend, terminate or deviate from this policy and the procedures described, in whole or in part, at any time, with or without cause, and with or without notice. Interpretation of this policy rests exclusively with TD Bank.

## **Telecommuting**

Some Alternative Work Requests require that work be performed from a remote location that requires access to a LAN, WAN or network. This request is subject to approval by department management, Technology and HR through the Company policy.

Managers should ensure that they have the appropriate funds available in their budget if technology is required for the AWS, and must work with the Technology Department to ensure that Company standards are met.

## **Safety**

It is incumbent that work be performed in a safe work environment and employees must abide by the standards set forth by the Company with regard to workspace in the Ergonomics Guidelines. Upon prior notice the Company may inspect the employee's home office for security, safety and proper workstation set up. Employees must report all work-related injuries immediately to their supervisor or management within their division.

Non-exempt employees must accurately record all of hours worked. All overtime must be approved in advance by an employee's Supervisor.

## **FOR THE EMPLOYEE**

### *Getting Starting with Your AWS Request*

#### **Step I**

Consider the following before presenting AWS to manager:

##### *JOB*

- What are key responsibilities and tasks required for success?
- Do you manage others? How will AWS affect your management of others?
- Will you be able to accomplish your goals as set forth by your manager?
- How will AWS sustain or enhance your ability to get the job done?
- Do you have access to confidential information in your position?
- How will you manage risk?
- Does this AWS require additional equipment or expense? Please explain.

##### *CUSTOMERS*

- How will business needs be met or exceeded
- How flexible are you to changing business needs?
- Who are your key customers?
- How will customers be impacted by your restructured schedule?
- How will you ensure that customer service needs will be met?

##### *CO-WORKERS & STAFF*

- How will AWS impact your coworkers, staff you supervise and your manager?
- How will your restructured schedule affect work volume, peak periods and overtime?
- How will your AWS impact coverage within your group with regard to vacation, illness and LOA's of other employees?

##### *TOOLS & RESOURCES*

- What are the tools, resources and best work environments required for success in your job?
- What equipment/technology will your flexible work arrangement require? What equipment/technology do you already have?
- How will resources you need be acquired and supported or funded?
- What are the cost implications?
- Are there any cost savings to the company that may result from your AWS?

### *PERSONAL PERFORMANCE*

- How will work/performance be reviewed and evaluated?
- How will your success be measured?

### *PERSONAL ATTRIBUTES*

- Are you self-directed and comfortable working without close supervision?
- Do you manage your time well?
- Are you comfortable working alone for long periods of time?
- How do you manage those employees who report to you?

### *BENEFITS*

- What are the benefit implications? (e.g. if your AWS includes a request for reduced hours)
- What impact, if any, will AWS have on your salary, vacation, job grade, etc.?

## **Step II**

Once the above issues have been considered, an employee should complete an AWS Request Form. Once the Request Form is complete, it should be submitted to the manager with a request to discuss the AWS proposal.

## ***CHANGE and NOTICE REQUIREMENTS***

AWS should not be considered permanent, and both managers and employees need to be flexible to change and modify the AWS to ensure that the needs of the business unit are met. In some situations, it may be necessary to modify or discontinue AWS.

AWS is subject to periodic review and may be subject to termination based on business needs. Generally the manager or employee should give at least 30 days advance notice of ending or changing an arrangement, business needs permitting. A return to standard work schedule may not always be possible and should be explained to the employee before commencement of AWS.

Contingency plans must be discussed in advance for unexpected events that may result in the employee being called in at a time normally used for AWS. Employee flexibility in these regards is a necessity.

A trial period of 90 days will determine if changes or modifications need to be made. If it is determined at the conclusion of the 90-day trial period that the AWS is satisfactory for all parties, nothing more needs to be done. Periodic reviews should be conducted to ensure the arrangement continues to work. Changes and modifications, however, are not limited to this trial period.

Schedules cannot be switched from one AWS to another. A new proposal must be submitted, and the standard approval/denial process will be followed.

To propose a return to a standard work schedule, notice must be given to manager. It may not be possible to return fulltime if AWS resulted in reduced hours, or if budgetary or staffing limitations have eliminated opportunities.

## ***TO MODIFY or TERMINATE AWS***

AWS is not entitlement and can be modified or terminated if necessary. The following highlight examples of some, but not all reasons for modification or termination:

- Business needs no longer met
- Job or job requirements change
- Employee's performance falls below "fully meets requirements"
- Current coverage or staffing needs change
- Unexpected staff shortage develops
- Negative impact on coworkers and customers (internal and external) develops as result of AWS
- Attendance becomes unacceptable
- Employee flexibility not available.



## Alternative Work Schedule Request Form

Please complete the requested information below.

### 1. Employee Information:

Employee Name:		Date:	
Job Title:		Grade:	
Current Status:	Full Time      Part Time	RC:	
Department:		Company:	
Work Location:		Phone:	
Manager's Name:		Mgr. Phone:	

2. Is this a new AWS Request? Yes\_\_\_\_ No\_\_\_\_  
 If new, requested AWS start date: \_\_\_\_\_

### 3. Type of AWS being proposed (see pages 2-4 for descriptions)

- Flexible Hours
- Compressed Work Week
- Extended Work Week
- Telecommuting (if AWS is approved, employee must complete additional technology application; manager must complete Capital Expense form)
- Virtual Workplace
- Job Sharing - Indicate your job share partner \_\_\_\_\_  
*(Both AWS proposals must be submitted together.)*
- Part Time

### 4. Current and Proposed Work Schedule (indicate location if not a TD Bank workplace i.e. - home on Tuesday)

<i>Current Work Schedule:</i>	<i>Proposed Work Schedule:</i>
Saturday	Saturday
Sunday	Sunday
Monday	Monday
Tuesday	Tuesday
Wednesday	Wednesday
Thursday	Thursday
Friday	Friday

5. On a separate piece of paper, answer the following questions as specifically as possible:
  1. Describe business rationale associated with your proposed AWS.
  2. Describe how you will accomplish your job under your new arrangement. Be specific.
  3. Describe the impact your proposed AWS will have on the following groups - coworkers, managers, employees you supervise, customers (internal and external).
  4. Describe the solutions to overcome challenges presented by this arrangement.
  5. Explain how customer (internal and external) needs will be handled (i.e. email, voicemail, back up services, etc.).
  6. Describe how regular communications will be handled.
  7. Describe how your work will be reviewed and measured and your performance assessed. Refer to your job description and your most recent Performance Goals (as set forth in your Performance Review) so that this may be detailed.

*I understand that TD Bank is not obligated to approve an Alternate Work Schedule. The decision is based on sound business judgement and is at the discretion of management. After approval, AWS is subject to periodic review and may be subject to termination based on business needs and my performance. If possible the Company will provide 30 days' notice in advance of ending or changing an arrangement, business needs permitting. In some instances, a resumption of the original work schedule may no longer be possible.*

*I understand that my benefits, salary, job grade, etc may be impacted by the acceptance of my AWS.*

Employee Signature:	Date:
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Manager Signature: <i>Comment:</i>	Date:
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Manager's Manager Signature: <i>Comment:</i>	Date:
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Prior to approval/denial of request by department, manager should send a copy of AWS Request Form to Human Resources Business Partner for review and discussion.

Human Resources Business Partner Signature: <i>Comment:</i>	Date:
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**For HR USE Only**

New AWS Request:

Request   ρ Approved   ρ Denied Date decision communicated to employee: _____ If approved, effective date of AWS: _____ 90 day trial period ends: _____ If denied, reason for denial:  Employee Impact:   ρ Status   ρ Salary   ρ Job Title   ρ Grade
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AWS which is terminated/changed:

Reason for discontinuation or change  Effective date: _____ Employee must complete another application to make a change in AWS
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A copy of this completed application should be forwarded to HR for placement in HR file

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

## **FOR THE MANAGER**

The decision to approve or deny AWS is a management decision. AWS should be viewed as one of many tools to accomplish business objectives. It is important that managers "think outside the box" and consider all requests equally. The following should be considered as you review your employee's proposal:

### **ELIGIBILITY**

- No minimum length of service is required
- Be cognizant of laws, policies or regulations that may apply (FMLA, ADA)
- We do not require an explanation as to WHY employee is proposing AWS

### **JOB**

- What components of employee's job are key to success?
- What goals have you established for employee and how will they be met?
- Does employee manage others?
- Consider how secure or confidential the content of job is
- Can risk be managed? Can employee manage that risk?
- Can workload be adjusted if request is for reduced hours?
- Do you have regular meetings with your staff that an AWS employee must attend?

### **CUSTOMERS & COWORKERS**

- How will AWS affect customers (internal and external)?
- How will AWS affect coworkers with relation to workload and work flow?

### **TOOLS & RESOURCES**

- Is current job dependent on equipment, resources or technology only available at Company?
- What technology, if any, are you willing to provide for a telecommuting request?
- Will there be an impact on budget (start-up, on-going, potential savings)

### **EMPLOYEE**

- Does this employee meet or exceed performance expectations?
- Will AWS improve or diminish performance?
- Do you and employee have clear definition of expectations?
- Does this employee function well independently?
- Is the employee a strong communicator?
- Is employee self-motivated, disciplined, committed to getting job done?
- Will employee feel isolated if working off-site or at times when other employees are not available?
- Is this employee flexible if unexpected business needs arise?

## **REQUEST AND REVIEW BY MANAGER**

Decisions to grant AWS are made on a case-by-case basis, and require the review of manager, manager's manager and HR. Requests to telecommute are also subject to approval by the Technology Department. Business needs are the priority in consideration and evaluation of employee's proposal. There are no hard rules that will make such an arrangement acceptable or unacceptable. If a request is refused, the manager needs to clearly communicate the business reason grounds for the denial.

## **DECISION TO GRANT/NOT GRANT AWS**

The employee should arrange a meeting to discuss AWS with his/her manager

Manager will review AWS and discuss with his/her manager. The request should then be forwarded to HR for review and discussion.

All requests will be given equal consideration.

Approval/denial of AWS request will generally be conveyed to employee within 30 days of initial request

If request is denied, manager must clearly state why the request has not been accepted. The reason for the denial must be related to the business needs of the department (and may include such factors as work performance of the employee, the nature of the job that employee performs, etc).

If request is approved, criteria should be established to measure success in a trial period of 90 days and clearly outlined to the employee in advance.

If approved, employee and manager should discuss how unexpected changes would be handled

Manager and HR will ensure that benefits, status or pay issues are modified if appropriate.