

# **TELECOMMUTING GUIDELINE 5-140A (UNIVERSITY OF UTAH DEPARTMENTS AND EMPLOYEES OTHER THAN HOSPITALS AND CLINICS)**

**REVISION 3. EFFECTIVE DATE: NOVEMBER 3 , 2023**

## **I. Purpose & scope**

### **A. Purpose:**

To provide guidance to University Departments and Employees regarding telecommuting.

Telecommuting can benefit both the institution and the employee by promoting an effective work/life balance, increasing space utilization, reducing impact on the environment, and increasing employee recruitment and retention.

### **B. Scope:**

This guideline applies to University campus and Health Academics departments and employees. This guideline is not intended to apply to University Hospitals and Clinics employees.

## **II. Definitions**

- A. Telecommuting: A flexible work arrangement that allows an employee to work at home or elsewhere for part or all of their regular work schedule.
- B. Telecommuter: An employee (faculty, academic non-faculty or staff employee) of the University who has been approved for alternate work arrangements, other than working from the primary office.

## **III. Guidelines**

### **A. General Guidelines**

1. It is the responsibility of departments and business units to determine which employee positions are eligible for Telecommuting.
2. Telecommuting is not appropriate for all employees and jobs, nor all employees in the same or similar jobs, and should be considered on a case-by-case basis.
3. Whenever possible, manager(s) should identify eligible positions, considering position-specific tasks and requirements; impact on students, coworkers, and the public; and any employee performance concerns.
4. Telecommuting is neither a universal employee right nor a universal employee benefit; telecommuting is a management option for an

alternative work arrangement. Neither telecommuting nor onsite work should be viewed as a demonstration of employee commitment.

5. Telecommuting may be used when appropriate to the specific needs of a department and employee, or under special circumstances such as a pandemic. Management may periodically encourage temporary telecommuting under certain circumstances such as a natural disaster, mass planned event, etc.
6. Manager(s) should consider appropriate onsite coverage when considering telecommuting agreements.
7. Telecommuting may be approved on an on-going basis or a time-limited basis, and exceptions may be required to meet department needs.
8. Manager(s) should work with Human Resource Management when considering authorizing telecommuting.
9. Telecommuting arrangements should be mutually agreed to by the Telecommuter, department manager and a higher-level supervisor (Director-level or above) with the understanding that the arrangements may be discontinued by the University at any time, with a minimum of 15 business days' written notice to the employee for an employee who telecommutes within the state of Utah and 60 days written notice for an employee who telecommutes outside of the state of Utah.
10. Manager(s) should work with employees to determine the optimal combination of telecommuting and onsite work that best fits the needs of the organization and the employee. A hybrid approach of remote and onsite work is encouraged to create flexibility and meet the needs of the department and Telecommuter
11. A written agreement with the Telecommuter and manager is required.
12. Unless otherwise specified in the Telecommuting agreement, the Telecommuter's work status, job duties and responsibilities will remain unchanged because of Telecommuting.
13. It is recommended that departments review Telecommuting arrangements annually, to determine if the arrangement should continue.
14. Manager(s) are responsible to develop a means of evaluating Telecommuter hours worked and work performance, and holding the Telecommuter accountable, as they would normally do for an employee working in the office.

## B. Communication

1. The Telecommuter must remain accessible during work hours (e.g., phone, email, video, etc.) and should establish and maintain effective communication and workflow among coworkers, department manager and customers or other constituents (e.g., students, faculty, etc.).
2. The Telecommuter and the department manager should establish procedures for effective communication, including frequency of e-mails, other electronic communication and/or telephone contact.
3. Management should hold virtual work and social meetings to facilitate communication, teambuilding, and workflow. Management should arrange for in-person meetings such as staff meetings to be held virtually also, so Telecommuters are not excluded. However, teleworking agreements should allow for the possibility that management may occasionally require everyone to be physically present.

## C. Work Space/Safety

1. The Telecommuter is responsible for establishing and maintaining an adequate and safe work environment, in accordance with Policy 5-404. The Telecommuter is responsible for ensuring the telework space is free of safety hazards and other dangers.
2. Telecommuters will be covered by the University Workers Compensation Insurance only for work-related injuries incurred during the normal course and scope of their employment and job duties, including only being covered during agreed upon work hours, in accordance with Policy 5-404.
  - a) A Telecommuter must report any work-related injuries to their supervisor immediately, but no later than 24 hours after such injury, using the University's standard injury reporting process.
  - b) The Telecommuter should receive care at RedMed if the injury and/or distance allows. Otherwise, the Telecommuter should go to the nearest appropriate provider.
3. When Telecommuting, the Telecommuter is responsible for establishing a work environment free of interruptions and distractions that would affect performance and professional workplace conduct.
4. Telecommuting is not designed to be a substitute for active dependent care (exceptions may be granted for exceptional circumstances, such as a pandemic). Work schedules may be negotiated as appropriate to accommodate dependent care needs.

5. If off-campus meetings occur between employees and/or students, the location must be safe, secure, and professional for all participants.
6. Telecommuters who need an accommodation may contact the American's with Disabilities Act (ADA) Coordinator in Human Resource Management to file a request. The ADA Coordinator will analyze such requests according to established policy and procedures.

#### D. Hours of Work

1. The Telecommuter and their manager will agree on the number of days or hours of Telecommuting to take place each week, the work schedule the Telecommuter will customarily maintain, and the manner and frequency of communication, in accordance with Policy 5-401.
2. When possible, flexibility in work schedules may be accommodated.
3. It is the intent and desire of the University to have departments encourage Telecommuting schedules that are spread evenly throughout the work week. These efforts will help reduce the demand on limited campus parking stalls and help promote clean air by less vehicular trips to/from campus. Periodically the University may encourage temporary telecommuting to assist clean air efforts in conjunction with the Utah Department of Transportation.
4. The Telecommuter must agree to be accessible by phone or electronically within a reasonable time period during the agreed-upon work schedule.
5. The Telecommuter is responsible for recording vacation, sick or other leave as they would do at the primary work location, in accordance with Policy 5-401. A non-exempt (hourly) Telecommuter is also responsible for recording hours worked.
6. At department / manager request, the Payroll department will set up non-exempt (hourly) staff with "time stamp" access to the Kronos time keeping system. In this case, Telecommuters can log in to start the time clock, and log out when they are finished with their shift.
7. Other than regular brief breaks employees would likely take if they were on-site (generally less than 10 minutes, e.g., to use the restroom or stretch their legs, etc.), Telecommuters must not report any period of time at home or elsewhere spent in activities other than work as work-time; such a circumstance may constitute

falsification of time records to receive pay for time not worked (theft of time) and could be grounds for immediate termination of employment, in accordance with Policy 5-111 and associated Rules for staff and Policy 6-316 for faculty.

8. Departments are strongly encouraged to coordinate with the Human Resource Management contact for their department/business unit when considering Telecommuting arrangements for an employee currently on leave. Employees on protected leave under state or federal law will be prohibited from Telecommuting.

#### E. Computer Equipment and Other Work Resources

1. When arrangements are made for Telecommuting, University equipment may be assigned to the Telecommuter to utilize from home. If University equipment is used, the Telecommuter must exercise reasonable care for the equipment. Department approval should be obtained, prior to taking University-owned equipment home or elsewhere for the purpose of Telecommuting, per Property Accounting form "Request to use University Property Off-Campus." The Telecommuter may be held liable for damage caused by negligence. Preventable damage (as determined by appropriate University administrator) to any University equipment being used for Telecommuting may be the responsibility of the Telecommuter. Normal wear and tear (as determined by appropriate University administrator) on University equipment being used for Telecommuting is generally the responsibility of the Telecommuter's department.
2. A Telecommuter who uses their own personal equipment for Telecommuting acknowledges and releases the University and their department from any and all responsibility for or liability regarding such personal equipment. Damage to any personal equipment being used Telecommuting is generally the responsibility of the Telecommuter. Normal wear and tear on personal equipment being used for the Telecommuting is the responsibility of the Telecommuter.
3. Onsite workspace may be made available to multiple employees in order to maximize efficiency. It is the responsibility of individual departments to leverage assignments and schedules in a way that distributes peak demand of onsite need in a balanced and equitable manner.
4. University equipment should not be used for personal/other purposes beyond the incidental personal use it might receive if in the office.

## F. Expenses

1. The Telecommuter should seek department manager approval before incurring any business expense. To receive reimbursement for pre-approved expenses, the Telecommuter must present proper documentation to support the expenses, in accordance with all applicable accounting, ethics and financial control policies and procedures.
2. Local Internet Service Providers (ISP's) are necessary for email and internet functions and are generally paid for by the Telecommuter.
3. Work related long-distance telephone (voice) expenses incurred by the Telecommuter at home should be reimbursed by the department. According to University procedure, the Telecommuter must present an itemized copy of the telephone bill for reimbursement. Personal cell phone usage may be excluded from long distance reimbursements.

## G. Information Technology, Information Security and Access to Information

1. All computer and electronic equipment, whether belonging to the Telecommuter or the University, shall comply with University policy 4-001, University Institutional Data Management Policy and University policy 4-004, University Information Security Policy, including current and updated versions of appropriate firewall, antivirus and antispyware protections.
2. The Telecommuter must follow all software licensing and copyright laws, as well as all precautions and requirements prescribed by the department IT administrator, in accordance with policy 4-001 and 4-004.
3. Telecommuters must maintain the protection of Confidential Information Assets in accordance with 4-004A Acceptable Use.
4. Telecommuters must not store sensitive or restricted data on personal devices. If personal devices are used for telecommuting, they must be fully compliant with policy 4-004 and sensitive or restricted data must be stored on University-approved storage solutions.
5. University devices that store sensitive or restricted data must be encrypted in accordance with Rule 4-004C Data Classification and Encryption policy.
6. Telecommuters shall follow the same physical security habits that are followed in a work setting, such as keeping work equipment in a secure environment and locking equipment when unattended.

7. Telecommuters must ensure that sensitive or restricted information is not overheard (conversations) or seen (screens or documents) by others. Screens should face away from windows. Extra caution should be taken if working in shared Telecommuting spaces.
8. If Telecommuters access sensitive or restricted data, connecting to the University's VPN is recommended. Telecommuters using remote access shall comply with Rule 4-004H Remote Access.
9. When accessing University information systems, Telecommuters should stay on a private, secured Wi-Fi network and avoid using public Wi-Fi.
10. Telecommuters must report any observed or suspected information security incident upon discovery and as quickly as possible to their respective help desk.

#### H. Faculty

1. Faculty members regularly work from home or elsewhere during times when they do not have specific on-campus responsibilities. In this case, all aspects of this policy apply, except that a Telecommuting agreement is not necessary and the Hours of Work section does not apply.
2. For faculty members hired to teach or work only online or who would like to move a majority or all of their teaching or work responsibilities online, this entire guideline applies, including the necessity of a Telecommuting agreement.

#### I. Out of State Remote Work

1. University of Utah employees are expected to live and work in the state of Utah. However, there may be extraordinary circumstances when the University's business needs are best met by employing an individual who resides outside of the state of Utah. Telecommuting from outside the state of Utah on a permanent basis is discouraged and requires advance approval prior to the initiation of any work outside of the State of Utah. For more information, please refer to the HR Work Reimagined Website.

#### J. Out of Country Work

Due to complex legal and tax issues, remote work arrangements outside of the United States are not permitted with the following exceptions: (1) short-term work of 21 days or less (no approval needed); (2) temporary, short-term periods exceeding 21 days involving exceptional circumstances, but approval for such arrangements must be obtained through a departmental request

(see forms <https://workreimagined.utah.edu/resources/>) prior to the initiation of any remote work from another country. No employee is authorized to engage in remote work outside the state of Utah or the US without prior approval; employees may be subject to discipline through applicable University regulations for violating this directive.

#### IV. References

- A. University of Utah Information and Data Security Document – Signed at time of hire
- B. University of Utah Policy, [5-401](#) - Staff Compensation
- C. University of Utah Policy, [5-404](#) - Workers Compensation Insurance
- D. University of Utah Policy, [5-310](#) - Accident and Liability Reporting and Prevention
- E. University of Utah Policy, [4-001](#) - University Institutional Data Management Policy
- F. University of Utah Policy, [4-002](#) - Information Resources Policy
- G. University of Utah Policy, [4-003](#) - World Wide Web Resources Policy
- H. University of Utah Policy, [4-004](#) - University Information Technology Resource Security Policy
- I. University of Utah Policy, [4-005](#) - Use and Security of Property
- J. University of Utah Policy, [4-006](#) - Identity Theft Prevention
- K. University of Utah Hospitals and Clinics Policies, Procedures, Clinical Protocols and Guidelines - Acceptable Information Resources Use Policy
- L. University of Utah Policy, [5-117](#) - Americans with Disabilities Act (ADA) Policy
- M. N. Financial and Business Services, Property Accounting form - When to use off-campus authorization form; <http://fbs.admin.utah.edu/download/property/Whencampus.pdf>
- N. Confidentiality and Information Security Agreement [https://www.hr.utah.edu/forms/hr\\_forms.php?Form\\_Group=2](https://www.hr.utah.edu/forms/hr_forms.php?Form_Group=2)

#### V. Contacts

- 1. Policy Owner: Questions about this Guideline or Policy 5-140 and any related Rules, Procedures and Guidelines should be directed to the Director of Employee Relations for Human Resources.



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