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## Policy #HR030: Staff Telecommuting

Recommended for Approval by: Eric Guiser

Eric Guiser, Senior Associate Vice President for Human Resources

Approved by:

A handwritten signature in black ink, appearing to read "L. Bernotsky", with a horizontal line extending to the right.

Dr. Laurie Bernotsky, Acting President

Effective Date: 01/01/2024

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### A. Intent

It is the policy of the University to permit telecommuting work arrangement as provided by this policy when it is in the best interests of the University and when it will enhance the productivity of the employee. This policy applies to University staff, both represented and non-represented positions. It does not apply to Faculty, Coaches, Nurses, Student Workers, Graduate Assistants, or Public Safety positions. Telecommuting is not an employee right or guaranteed employee benefit and the implementation and/or continuation of telecommuting is at the sole discretion of the employer.

### B. Definition(s)

1. **Telecommuting** is an authorized work arrangement that involves an employee primarily working at a location that is not the regularly assigned place of employment.
2. A **regularly assigned place of employment** is the location on the University campus where an employee usually and customarily reports for work or where work is performed. With the approval of a telecommuting agreement, the office space assigned to an employee may be redistributed and that employee may be assigned "hotel space", where an office is shared among employees.

### C. Policy

Telecommuting includes alternative work arrangements available to employees whose job duties are appropriate for such assignment. The decision to authorize these options is within management's discretion based on the nature of the work being performed and other business

considerations. The participation does not alter an employee's work relationship with the University, nor does it relieve an employee from the obligation to observe all applicable University rules, policies and procedures. All existing terms and conditions of employment, including but not limited to the position description, salary, benefits, leave, and work hours remain the same as if the employee worked only at the regularly assigned place of employment. Decisions regarding policy development or changes remains at the discretion of the President and Cabinet. All requests or assignments for telecommuting require the approval of the appropriate Vice President.

Alternative work arrangements are appropriate only when both the abilities of the employee and the nature of the work to be performed meet the minimum criteria set below. This policy is not meant to enable short term work from home assignments to meet employee personal needs or to circumvent the need for employees to use leave as normally required. Although there is not a defined timeframe for telecommuting assignments, these would normally be one year or longer in length. If an employee requires accommodations for a medical or disability related reason, they should contact the Office of Compliance and Title IX, [compliance@pennwest.edu](mailto:compliance@pennwest.edu) or 814-393-2109.

The University reserves the right to terminate any approved telecommuting agreement with 15 days' notice at its sole discretion. The University also reserves the right to terminate any agreement without a notice for any violations of University policy, a violation of the conditions of the agreement, or when there is a relevant change in University policy or law.

When a scheduled workday is declared to be an official paid office closing that impacts the regular place of employment, telecommuting employees will be expected to and will work from the remote site or will be required to submit leave time for that day.

1. Criteria

a. Supervisor Considerations - Telecommuting may be appropriate for employees who:

- Have the abilities to successfully organize, manage time and work independently.
- Have at least a satisfactory work performance rating.
- Have a thorough knowledge and understanding of their job functions.
- Have no prior discipline within a two-year period, with particular consideration for leave abuse, performance issues or violations of standards of conduct.

b. Position Requirements - Positions that **may be considered** for telecommuting arrangements are those that:

- Have job functions that can be performed at a remote site without diminishing quality or productivity of a unit or employee performance and does not increase cost to the employer.
- Telecommuting approval is for the employees existing position. Any changes in positions will require a review of the agreement at the sole discretion of the employer, with no guarantee of approval.
- Does not require an employee's presence at the regularly assigned place

of employment on a daily or routine basis.

- Have an emphasis on the electronic production and/or exchange of information by means of technology.
- Involve measurable or quantifiable work product.
- Have minimal or flexible need for specialized materials or equipment available only at the regularly assigned place of employment.
- Do not result in a shift of job duties from the telecommuting employee to employees working at the regularly assigned place of employment.

c. Positions that are **not suited** to telecommuting are those that:

- Require regular face-to-face contact with a supervisor, other employees, students and members of the University community or the public.
- Require routine access to information or materials that are available only at the regularly assigned place of employment.
- Involves the direct handling of secure materials that renders telecommuting inappropriate.
- Positions that are heavily student facing and are needed to provide services at any time during the workday. These positions provide a welcoming presence to students and a feeling of a vibrant campus.
- Positions that are heavily on campus employee facing and are needed to provide services at any time during the workday. These positions provide a welcoming presence to employees and a feeling of a vibrant campus.
- Positions that are heavily on campus alumni or community facing and are needed to provide services at any time during the workday. These positions provide a welcoming presence to the community and a feeling of a vibrant campus.
- Positions that require an immediate response to students as part of the core duties of the position.

d. Other key considerations

- The approval of a remote work agreement will not have a negative effect on the department/team morale.
- Previous approvals did not cause a negative impact on individual or team performance.
- The employee and supervisor must be able to define how the quality of work will be measured if approved.
- There may be times when unique operational needs require a position to work remotely. This will require review and approval by the Vice President.

## 2. Remote Work Site Requirements

- Employees must self-certify that the remote work site is clear of conditions that pose a hazard to the employee's safety or otherwise present a

danger to assigned equipment or data and that the site is conducive to the performance of assigned duties and must maintain this through the duration of telecommuting assignment.

- Employees must have internet access appropriate to work requirements.
- Non-work related events and activities will not disrupt or interfere with work at the remote work site.
- The employee must make advance arrangements for dependent care to ensure a productive work environment. Telecommuting is not meant to substitute for dependent care or other personal obligations. The employee shall continue to make these arrangements to the same extent as if the employee was working at the regularly assigned place of employment.
- To evaluate the appropriateness of the site prior to approving the agreement, a supervisor may require that a photo of the workspace be attached to the agreement.
- Once the agreement is approved, the University retains the right to make prearranged on-site inspections of the remote work site during scheduled work hours.
- Supervisors and employees must ensure that all sensitive and confidential information and equipment is protected and secured when accessing information from the remote location.

### 3. Regularly Assigned Place of Employment

- Employees participating in telecommuting shall report to the regularly assigned place of employment as agreed upon with the supervisor and as indicated in the agreement. Additionally, when operational needs require, an employee must report to the regularly assigned place of employment upon the supervisor's request.
- In person meetings are prohibited from being conducted at the remote work site.

### 4. Technology/Equipment

- Only University approved software shall be used for connecting with the University's network from the remote work site. Employees who are participating in telecommuting shall follow all University information security policies, copyright laws and manufacturers' licensing agreements.
- It is understood that any equipment issued to the employee, including any related software, is the sole and exclusive property of the University, and is subject to the same business and proper use of technology as if it were located on-site. Employees must utilize such equipment as directed, including any directives regarding accessing confidential data. Only the employee may use this equipment.
- Telecommuting employees must store all university work related electronic content (documents, image files, etc.) on a University OneDrive or a team drive. No content should be stored on a personal device.
- Any equipment that is used by an employee (personal or University resources) is subject to discovery and Right-to-Know requests. The use of personal

computer equipment and software is subject to all University policies and security protocols.

- If this telecommuting agreement is terminated, the employee must return any University owned property, supplies, equipment, and work products.
- The employee is required to notify his/her supervisor immediately of any equipment, software, or internet connection malfunction or failure, or of any theft or loss of equipment issued by the University.
- In the event that a telecommuting employee is unable to work remotely due to a technology failure, the employee must be able to report to the regularly assigned place of employment to complete their work for the duration of the failure as directed by their supervisor.
- The employee is responsible for the security of all official data, both electronic and physical, in accordance with established guidelines.
- Employees and supervisors must ensure that all protective software and other firewall technology is installed and used on all equipment at the remote location.

#### 5. Work Schedule, Leave and Reporting

- A telecommuting agreement does not necessarily alter the employee's work schedule. The specific work schedule of a participating employee shall be designated by the supervisor based on the business needs of the position. Human Resources and Payroll must be informed of approved work hours. All normal work hours must total 37.5 hours per week and follow applicable state and federal labor laws.
- Employees are required to utilize ESS to enter all leave requests as would be required at the regularly assigned place of employment.
- All leave policies, including reporting off, must be followed.

#### 6. Liability

- The alternate work site is an extension of the University; therefore, the telecommuting employee is covered by worker's compensation insurance during the course and scope of employment, during the approved work schedule, and in the designated work location. The University assumes no liability for injuries that occur outside of the designated remote work area or outside the employee's normal work schedule. The employee is responsible for immediately informing his or her supervisor and the Human Resources Office of any work-related injury or illness.
- To ensure safe working conditions exist, the University reserves the right to make on-site inspections of the alternate work site and will provide 24 working hours' notice to the employee of such visit, when possible.
- The University will not be liable for damages to employee-owned equipment being used in telecommuting or that may result from telecommuting. The University will not be responsible for operating costs, remodel expenses, home maintenance, or any other incidental costs (e.g., utilities, telephone, insurance) associated with the use of the employee's residence for telecommuting, unless specifically provided in advance and in writing by the

Vice President as outlined in the agreement. The employee is responsible for all insurance, maintenance and utilities associated with the remote work site.

- Personal tax implications related to the alternate work site shall be the employee's responsibility.
- The employee will not be reimbursed for any travel miles to/from or receive any compensation for time spent commuting to/from the regularly assigned place of employment and the remote location.
- During an emergency, softphones, panic buttons, and other communication applications may not provide the most timely or accurate data if used for a 911 emergency call. Your correct location information may not be passed on to emergency responders. Always use your desk phone, if on campus, your mobile device, or a landline for emergency calls.

#### 7. Work Assignments and Supervision

- When telecommuting or working at an alternate work site, the employee's work status, job duties, and responsibilities remain essentially unchanged. As applicable, the University may require additional duties of the employee, including periodic written reports to his/her supervisor regarding work progress and deliverables. Employees shall be available for communication and contact during their scheduled work hours.
- The employee must be accessible and available at all times during their normal work hours while telecommuting, except during periods of approved leave. The employee will be directed on modes of communication to be used during the telecommuting arrangement (i.e., telephone, fax, VPN network access, email, etc.). The employee may be required to grant calendar access to his/her supervisor.
- Employees are responsible for ensuring that non-employees do not have access to University files, records, or data in print or electronic format.
- Restricted-access materials shall not be taken out of the office or accessed remotely via computer unless approved in advance by the supervisor.
- Failure to abide by the telecommuting policy may result in discipline and/or revocation of approval for telecommuting.
- The University will perform random audits of network log in /out times and daily usage. If there are concerns employees are not following the expectations outlined in this policy, these audits will be performed as needed.

#### **D. Procedure(s)**

- a. *Agreement* - A *Telecommuting Agreement* must be completed and signed by the employee and the employee's supervisor and must have the approval of the employee's Dean or Director prior to initiating a telecommuting arrangement. The agreement then needs to be approved by the appropriate Vice President and a copy must be sent to Human Resources.
- b. *Equipment and Supplies* – As part of the Telecommuting Agreement, the employee

will describe and present to the supervisor a request for office equipment, hardware, software, communication needs, and office supplies needed to participate in telecommuting from a remote work site. The supervisor will review the request for approval for purchase or reimbursement. The University will not reimburse the employee for any costs not pre-approved by the Vice President. Purchases or reimbursement shall be provided in accordance with applicable University policies. The University will not reimburse employees for out-of-pocket expenses for materials and supplies that are reasonably available at the regularly assigned place of employment. The University will not provide printers, scanners, or fax machines.

- c. Information Technology Services must review and approve all requests for technology after approval of the agreement. The equipment will be documented on the agreement.
- d. The employee should designate a workspace and maintain it so that it is conducive to working and free of hazards. The employee agrees that the supervisor or designee reserves the right to visit the alternate work site to ensure compliance and safety. The employee should fill out the Workplace Safety Checklist and provide it to the supervisor and a copy to Human Resources.
- e. The employee will provide telephone, fax, and internet service (as applicable) at his/her own expense. These services, including long distance phone charges, are not reimbursable. However, soft phone (Cisco Jabber) through the computer and VPN can cover long distance needs.

#### **E. Contact Information**

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#### **F. Policy Review Schedule**

All policies will be reviewed every two years or on an as needed basis if a change in BOG, PASSHE or Pennsylvania law would create the need for an immediate change.