Policy Name: Telecommuting - Renamed Telecommuting Arrangements for Staff Employees

Policy Number: 11.27

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/29/2019

Unit(s) Responsible for Policy Implementation: Human Resources

Purpose of Policy (what does it do): Establish guidelines and expectation for utilizing remote working arrangements.

Reason for the addition, revision, or deletion (check all that apply):
- [ ] Scheduled Review
- [ ] Change in law
- [x] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain: As a result of the COVID-19 pandemic, remote working arrangements have become more commonplace.

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: The substantive revisions:
- Acknowledge the difference between occasional, non-routine remote work instances vs. routine teleworking arrangements.
- Reassign approval for teleworking agreements from the president to divisional vice presidents.
- Defines steps for termination of telecommuting agreement.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Telecommuting Arrangements for Staff Employees

Original Implementation: January 29, 2019
Last Revision: July 21, 2020

Purpose

The purpose of this policy is to establish guidelines and expectations for utilizing short-term and long-term remote working and telecommuting options for staff employees at Stephen F. Austin State University (SFA) that optimizes costs, increases effectiveness and allows for efficient use of SFA resources and time.

Definitions

Telecommuting is an authorized work arrangement that involves an employee routinely working one or more days per week at a location that is not the regularly assigned work location. Telecommuting requires a formal agreement approved by the department head and division president or designee. An option for performing the employee’s job duties and tasks at a remote work location rather than traveling to SFA facilities. The employee performs their job duties and interacts with other SFA employees using advance technology.

Remote Working is the occasional, non-routine, short-term (up to five consecutive business days) performance of an employee’s job duties at a location away from the employee’s regular work location, most often the employee’s home. Verbal or written approval by department head is required.

Remote workplace is a location other than SFA premises, where telecommuting employees utilize technology to perform their job duties and communicate with other employees.

Regularly Assigned Work Location is a worksite on the university campus or on property under control of the university where an employee usually and customarily reports to work.

General

The university normally requires that work be performed on university property or property controlled by the university. In order to promote general work efficiencies, the university may permit or direct employees to work at alternate work locations when doing so serves the best interest of the university and is approved in advance as outlined in this policy. Remote working or telecommuting arrangements may be implemented as a means of supporting business continuity plans and supporting the hiring and retention of a highly competent workforce.

A remote working or telecommuting arrangement is considered a privilege and not an entitlement. All remote working arrangements must be approved by the department head, and telecommuting arrangements require a formal agreement approved by the department head and president or designee division. Telecommuting is not an SFA job entitlement. It is an option that must be requested by an employee, reviewed and approved by the department head, human resources, vice president and
Telecommuting agreements are subject to termination at any time due to performance concerns, employee discipline, a change in policy, law, or the needs of the university as interpreted by the department head, division head, or president. Telecommuting agreements do not constitute an employment contract and end upon the employee’s separation of employment.

Telecommuting does not alter a staff employee’s relationship with the university, including responsibilities, salary, benefits, leave, nor expected hours of work.

Employees must complete and submit a Telecommuting Request form and, if approved, a Telecommuting Agreement. The criteria used by the approvers to determine if the position is appropriate for telecommuting includes but is not limited to the following considerations:

To be eligible for remote working or telecommuting, an employee must:

a. Hold a position that, in the judgement of the department head and the division head, may be performed effectively from a remote location.
b. Be able to maintain confidentiality of information at a remote location.
c. Provide a remote workplace at which SFA equipment and work related materials will be safe and where required job duties can be performed.
d. Utilize appropriate secure equipment and software as prescribed by UTI, utilizing VPN to access category 2 or higher data.
e. Have the ability to perform job responsibilities with minimal supervision.
f. Have and maintain satisfactory performance in the judgement of the department head, as reflected in performance reviews or evaluations.

Positions ineligible for telecommuting are those that:

a. Require regular face-to-face contact with members of the SFA community or the public; or
b. Require routine access to information or materials only available at the regular work location.

d. The job duties of the position can be performed at a remote site without diminishing the quality of the work or disrupting the productivity of the department.
2. The confidentiality of information connected to the position and the ability to maintain confidentiality at a remote location will not be compromised.
3. A supervisor must have the ability to establish work expectations and a method to measure employee productivity.
4. A supervisor must establish the amount of time the employee is required to physically interact with other SFA staff.
5. A justification that provides a benefit to SFA, its customers, and other department employees.

The criteria used by approvers to evaluate an employee requesting consideration for a telecommuting
option include but is not limited to whether the employee:

1. Consistently demonstrates satisfactory performance as noted on their last performance evaluation.
2. Demonstrates the ability to work with minimal supervision, ability to establish priorities and manage time effectively, and thorough knowledge of telecommuting work tasks.

**Work Schedule and Hours**

Telecommuting employees will work hours that comply with SFA policy [12.24 Working Hours and Holidays](#). Nonexempt telecommuting employees must maintain a 40-hour work week and will not be allowed to work in excess of 40 hours without prior approval from the department head. Exempt telecommuting employees must work the number of hours necessary to complete the requirements of the job, but no less than 40 hours per week. Telecommuting employees are not eligible to claim or earn state compensatory time unless it is approved in compliance with Texas Government Code, 659.018(b). Telecommuting employees must comply with all SFA policies and procedures.

Telecommuting employees must travel to campus to attend meetings and events as assigned by the department head.

**Agreement and Approvals Required**

A Staff Telecommuting Request and Agreement must be completed and signed by the employee, the department head, human resources, and the president or designee division.

**Termination of Agreement**

The university reserves the right to terminate the agreement with ten (10) business days’ notice if the university determines that the telecommuting arrangement no longer is in the best interest of the university. The university also reserves the right to terminate without a notice period 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 the agreement is terminated, the employee must promptly return all notes, data, reference materials, sketches, drawings, memoranda, reports, records, equipment, software, supplies, and any other university property in the employee’s possession or control.

The university shall not be held responsible for costs, damages, or losses associated with this agreement.

Provides a remote workplace at which SFA equipment and work related materials will be safe and where required job duties can be performed.
3. Complies with the university’s policy on Ethics (2.6).

4. The employee’s supervisor must ensure that the appropriate type of secure equipment and software necessary to perform the job is used. When SFA equipment, software, and supplies are used, personal use is restricted. If the telecommuting employee will be working with or dealing with category 2 or higher data, the employee must utilize the SFA VPN to work with the data.

The following constraints apply to the employee’s telecommuting work hours.

1. Telecommuting employees will work hours that comply with the work hours established by policy for all SFA employees as stated in Working Hours and Holidays policy (12.24). The employee’s schedule must be approved by his or her supervisor and must meet the operational needs of SFA.

2. Telecommuting employees are not eligible to claim or earn state compensatory time unless it is approved by the president in compliance with Texas Government Code, 659.018b.

A telecommuting agreement can be terminated at any time at the discretion of the supervisor for unsatisfactory performance, failure to adhere to SFA policies and procedures, disciplinary action, when no longer beneficial to SFA, and any other relevant reason.

Cross Reference: Tex. Gov’t Code §§ 658.010, 659.018(b); Ethics (2.6); Overtime and Compensatory Time (12.14); Working Hours and Holidays (12.24); Acceptable Use of Information Resources (14.2).

Responsible for Implementation: Vice President of Finance and Administration

Contact for Revision: Director of Human Resources

Forms: The Request for Approval of Telecommuting form and Telecommuting Agreement form are available on the human resources website Employee tab of mySFA.

Board Committee Assignment: Academic and Student Affairs