



Idaho State University

POLICIES AND PROCEDURES

Telecommuting

ISUPP 3120

POLICY INFORMATION

Policy Section: *Human Resources*

Policy Title: *Telecommuting*

Responsible Executive (RE): *AVP of Human Resources*

Sponsoring Organization (SO): *Office of Human Resources*

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I. INTRODUCTION

As is the case for many institutions of higher education, Idaho State University (ISU or University) thrives on collaboration; sharing information and ideas is the cornerstone of effective work for faculty and staff in academics, research, health care, and a wide array of business operations. In the workplace, telecommuting is available for eligible employees at the discretion of the respective management chain. Though telecommuting may be a viable option for some employees, it is not a right; see eligibility criteria for details in section V.A. Decisions about the suitability of telecommuting are made within the employing department, college, or business unit. When a telecommuting arrangement is agreed to, a formal application, safety checklist, and standards and expectations acknowledgment must be approved by the respective leadership chain up to the respective Vice President or their designee. Telecommuting Applications must be renewed annually.

II. DEFINITIONS

- A. **Alternate Work Location:** Approved work sites other than the employee's Assigned Work Location where official ISU business is performed which may include, but is not limited to an employee's residence.

- B. **Assigned Work Location:** The place of work where employees are normally located. In unique circumstances, certain employees may be assigned more than one Assigned Work Location with approval of their respective Vice President.
- C. **Incidental Remote Work:** A situation, generally of short duration, that is not regularly scheduled in which an employee requests to temporarily work from an Alternate Work Location as approved by their supervisor. Incidental Remote Work is not considered Regular Telecommuting and therefore does not require a formal Telecommuting Application.
- D. **Off-Campus Employees:** With approval of the management chain, up to and including the Vice President or Provost, faculty and non-classified staff may be hired into positions where the Assigned Work Location is not an ISU campus location or other designated ISU facility (such as a clinic or pharmacy). Such employees are not considered to be telecommuting. These Off-Campus Employees must abide by all ISU Policies and Procedures and are required to complete portions of the Telecommuting Application (such as the safety checklist and standards and expectations acknowledgment). Classified staff who are hired into positions where the Assigned Work Location is not an ISU campus location or other designated ISU facility (such as a clinic or pharmacy), are considered to be telecommuting and must complete a Telecommuting Application which must be renewed annually.
- E. **Regular Telecommuting:** A regular work practice that involves employees substituting a portion of their typical work week (ranging from a few hours per week to full-time) to work at an Alternate Work Location that differs from their Assigned Work Location. Regular Telecommuting requires the approval of the employee's supervisor, UBO, Dean/Director, and respective Provost/Vice President through a signed Telecommuting Application.
- F. **Telecommuter:** An employee who works away from their Assigned Work Location at an Alternate Work Location. All classified staff whose Assigned Work Location is not an ISU campus location or other designated ISU facility (such as a clinic or pharmacy), are considered to be Telecommuters.
- G. **Telecommuting Application, Standards and Expectations Form (Telecommuting Application):** This document details the requirements of an employee's work, schedule, standards, and expectations between the employing department and Telecommuter. Telecommuting Applications must be renewed annually.
- H. **Work Schedule:** The employee's designated hours of work in the Assigned Work Location and/or an Alternate Work Location. Work schedules will be determined based on the needs of the department and ISU.

III. POLICY STATEMENT

Employing departments may consider Regular Telecommuting work arrangements that support eligible employees in performing their work at an Alternate Work Location when it is feasible and in the best interest of the work unit. Regular Telecommuting is available for eligible employees at the discretion of the respective management chain. When a Telecommuting Application receives approval, the employee must continue to abide by all terms agreed upon in the Telecommuting Application, Standards, and Expectations Form.

Telecommuting is a voluntary option that may improve efficiency and productivity in certain circumstances; however, while individuals may be more productive when they are alone, work units may be more collaborative and potentially more innovative when they are together. ISU's culture values collaboration among members of the University community, particularly during core business hours. Because of the emphasis placed on collaboration, the vast majority of work time for the University community occurs on campus or at an Assigned Work Location where access to others is easily accomplished.

Though Regular Telecommuting may be a viable option for some employees, it is not a right. Many positions do not lend themselves to telecommuting. For Fair Labor Standards Act (FLSA) non-exempt employees, given the nature of the work and related wage and hour implications, telecommuting arrangements should be given careful consideration. Significant operational needs related to student services, clients/patients, laboratory/research support, supervision of employees and other work may require employees to be present at their Assigned Work Location. Decisions about the suitability of telecommuting are made by the respective management chain of the employing department, college, or business unit, and only after careful consultation Human Resources (HR).

IV. AUTHORITY AND RESPONSIBILITIES

- A. ISU HR is responsible for maintaining this policy and assisting departments and divisions with questions regarding the suitability of telecommuting arrangements for employees. HR is available to assist management in identifying positions that may be eligible for Regular Telecommuting and assisting with the process and necessary Telecommuting Application, Standards, and Expectations Form for documentation purposes. It is the responsibility of HR to ensure that all levels of the management chain are informed of telecommuting options and the related laws, rules, policies, and limitations that need to be considered in managing employees who work remotely. HR will ensure compliance with this policy and maintain employee records associated with approved Regular Telecommuting.
- B. Supervisors, department heads, and department chairs are responsible for consulting with HR, Information Technology Services (IT Services) to determine appropriate and secure IT

equipment, and their respective University Business Officer (UBO) and management chain to assess whether telecommuting is an appropriate work arrangement given the nature of work, the needs of the department, and the past performance of the employee. Supervisors and managers must carefully consider whether a Regular Telecommuting arrangement is in the best interest of the respective unit. The management chain has the responsibility to review proposed Telecommuting Applications, and approve, modify, or deny such requests in accordance with the business needs of the unit and while carefully considering the established telecommuting expectations contained in this policy and the Standards and Expectations within the Telecommuting Application Form.

- C. Deans, Vice Presidents, and other Senior Executives that report directly to the President are responsible for reviewing and issuing final approval or denial of proposed Telecommuting Applications. If the Dean, Vice President, or other Senior Executive approves of such an arrangement, it is the responsibility of that executive to ensure that frontline supervisors and department heads are managing the performance of the Telecommuter in a manner that is in the best interest of the unit's business needs.
- D. Telecommuter Responsibilities: Before telecommuting begins, Telecommuters are responsible for:
 - 1. Completing Telecommuting Application, Standards, and Expectations Form. This form must be fully signed by all levels of the management chain, up to and including the respective Vice President before a Regular Telecommuting arrangement begins, and this form must be renewed annually in accordance with HR processes.
 - 2. Completing Telecommuting Training
 - 3. Telecommuters will be responsible to correct any identified workplace safety deficiencies in a timely manner.
 - 4. Reading and understanding this policy and for meeting established standards and expectations of performance and communication during such an arrangement.

V. PROCEDURES TO IMPLEMENT

- A. General Requirements: Per State of Idaho rule, ISU must ensure that, unless otherwise provided for by Federal law, no more than 20% of classified staff scheduled to work on any given day is working at an Alternate Work Location at any given time.
 - 1. Telecommuting is not an employee right; its use rests at the discretion of ISU and the employee's respective management chain, and can be terminated at any time without notice.

2. ISU may suspend or terminate an employee's telecommuting schedule at any time based on, but not limited to, declining performance, violation of Telecommuting Standards and Expectations, or for organizational benefit. An employee may terminate their telecommuting schedule at any time unless telecommuting work is a condition of employment.
 3. Telecommuting training is required prior to the start of a regular telecommuting schedule. Training may be required on an annual, or as needed basis, depending on employee and/or organizational changes.
 4. The Telecommuting Application, Standards, and Expectations Form must be fully completed prior to an employee to an employee beginning a regular telecommuting work schedule. The Telecommuting Application must be renewed annually.
 5. Off-Campus Employees hired in these roles must be approved prior to hire by the respective Vice President. Off-Campus Employees do still need to complete the telecommuting safety checklist, standards and expectations acknowledgement, and telecommuting training.
 6. If an employee transfers to a new position either within ISU or another State of Idaho agency, the telecommuting schedule does not transfer
- B. Eligibility Criteria: The determination that a position may or may not be appropriate for a Regular Telecommuting arrangement is made on a case-by-case basis at the department level in consultation with HR and the respective management chain.
1. Generally, the request to telecommute should be considered when:
 - a. The employee has demonstrated sustained high performance, and the management chain believes the employee can maintain the expected quantity and quality of work while telecommuting.
 - b. The department can maintain quality of service for students, faculty, staff, and other members of the University community in a cost-effective manner.
 - c. Telecommuting is appropriate considering the nature of the job; and/or
 - d. Telecommuting is the appropriate staffing solution in response to a community emergency or pandemic.
 2. Generally, requests for telecommuting should not be considered when:
 - a. The job requires the employee's physical presence at the Assigned Work Location or telecommuting would harm the department's efficiency.

- b. The employee's current assignment requires frequent supervision, direction or input from others who are onsite or requires that the employee provide frequent supervision, direction or input to employees who are onsite.
 - c. The employee's performance evaluations do not indicate sustained high performance or the ability to work independently.
 - d. The ability to observe and supervise the employee's productivity would be impeded by remote supervision, or tracking and confirming accurate work hours for the employee would be difficult, such as may be the case for non-exempt, hourly employees.
 - e. The employee has received disciplinary action or has demonstrated inconsistency in meeting standards and expectations.
- C. General Expectations: Telecommuting is not intended to permit employees to have time to work at other jobs, provide dependent care during work hours, or allow for the operation of private businesses. Failure to fulfill normal work requirements, both qualitative and quantitative, because of other employment activities, may be cause for disciplinary action, up to and including termination of employment. Telecommuters are expected to have regularly scheduled work hours, to be fully accessible during those hours, and to attend group meetings and functions in person or through video technology as needed. Telecommuters must comply with all ISU Policies and Procedures, including safeguarding and securing any restricted or confidential information with which they work. In the rare circumstance that a non-exempt employee is approved for telecommuting, the employee is required to keep an accurate record of all hours worked. The following general requirements must also be followed:

1. Telecommuting Application, Standards, and Expectations Form

The employing department and employee will complete a Telecommuting Application, Standards, and Expectations Form for the review and consideration of the management chain. If approved, the Telecommuting Application must be renewed annually in accordance with HR processes, but can be terminated at any time based on the business needs of the unit.

2. Conditions of Employment and Telecommuting

Telecommuting does not change the conditions of employment or required compliance with policies. A Telecommuter's compensation, benefits, and hours they are expected to work will not change because of telecommuting, regardless of the work location. Typically, mileage or travel expenses commuting to the Assigned Work Location will not be authorized. Telecommuters and Off-Campus Employees who work outside of the State of Idaho are subject to taxation in accordance with the state in which their Assigned Work Location is located. HR, Risk Management, and the Office of General

Counsel must be notified of any Assigned Work Locations or Alternate Work Locations that are outside the State of Idaho.

- a. Impact on work hours: Prior to implementing any telecommuting arrangement, consideration should be given to how the program may affect a Telecommuter's weekly work schedule, leave and holiday schedules.
- b. Overtime: Although exempt employees may have flexibility in scheduling and performance of their work, non-exempt employees are covered by the requirements of the FLSA and therefore are subject to overtime pay for hours worked in excess of forty (40) hours in a week. Due to the complications in supervising the hours of work for non-exempt employees, management is discouraged from approving Telecommuting Applications for non-exempt employees unless there are exceptional circumstances. The Telecommuter is required to follow normal procedures regarding the requesting and approval of overtime or compensatory time.
- c. Shift Differential: Shift differential pay will typically not be authorized for FLSA non-exempt Telecommuters.
- d. Holidays: Telecommuters will receive holiday pay in a consistent fashion with similar employees in the employing department at the Assigned Work Location. No Telecommuter will receive additional holiday pay because of an approved Telecommuting Application.
- e. Meetings: Supervisors may require Telecommuters to report to their Assigned Work Location as needed for work-related meetings or other events such as to discuss work progress, work assignment changes, etc. In general, group business meetings or visits should not be held at an Alternate Work Location when it is in a home. However, supervisors should have a reasonable expectation of occasional access to the Alternate Work Location to perform supervisory duties. Mileage reimbursement to and from the Assigned Work Location will not be authorized.
- f. Communication Access: Employees must be available during approved telecommuting working hours via phone and email, the same as if the employee was working at their Assigned Work Location, unless other arrangements are made in advance with their supervisor.
- g. Use of Leave: Regular Telecommuting is not intended to be used in place of sick leave, Family and Medical Leave, Worker's Compensation leave, or any other type of leave of absence. However, in consultation with Disability Services, telecommuting may be an opportunity for a partial or full return to work, or as a reasonable accommodation while complying with related ISU, state, and federal policies, regulations, and/or laws as well as the criteria applied to ISU's telecommuting

eligibility. In accordance with ISUPP 3070 *Leave of Absence for Faculty and Staff*, if employees are unable to work a full day while working remotely, they must code accrued leave, such as compensatory, vacation, or sick leave for the hours not worked. The employee is required to follow normal procedures when requesting and using leave.

- h. **Work-Site Closures:** When the Telecommuter is scheduled to work at the Assigned Work Location, including periods of severe weather or emergency closing, the Telecommuter may not choose to work at the Alternate Workplace unless authorized by the supervisor. During times of emergency or weather-related closure, the work status of the Telecommuter will mirror that of employees at the Assigned Work Location. If an emergency or weather-related circumstance prevents the Telecommuter from working at the Alternate Work Location, and the Telecommuter is unable to commute to the Assigned Work Location, the Telecommuter will report the use of accrued leave as appropriate to the circumstances.
- i. **Personal Business/Dual Employment:** Telecommuters may not be employed by another entity nor operate a personal business during telecommuting schedules. Further, Telecommuters should not act as primary caregivers for dependents or others nor perform other personal business during the hours agreed upon as work hours. If children or adults in need of primary care are in the Alternate Work Location during a Telecommuter's work schedule, another individual should be present to provide care. Short-term flexibility may be applied for child-care if schools and day care facilities are closed because of emergency circumstances.
- j. **Operating Costs:** ISU will not be responsible for operating costs, (utilities, phone, etc.), home maintenance, home office furniture, home office remodeling, or other costs incurred by Telecommuters in the use of their home as an Alternate Work Location. Additionally, ISU is not obligated to purchase furniture or equipment solely for the purpose of remote work and the employee is responsible for servicing and maintaining their own equipment, other than ISU-issued technology as outlined below in section C.2.n. It may be appropriate for departments to pay for certain expenses that would be consistent with normal operating expenses for the employing department.
- k. **Compliance:** It is the Telecommuter's responsibility to ensure that they are in compliance with local zoning regulations if they are telecommuting from home. Telecommuters are advised to contact their insurance agent and a tax consultant for information regarding Alternate Work Locations in the home. The Telecommuter shall be responsible for tax and insurance consequences, if any, as a result of working remotely.

- I. Workers' Compensation and Injuries to Third Parties: ISU's workers' compensation benefits provide coverage for injuries and illnesses incurred in the course and scope of employment. Therefore, it is important that any Regular Telecommuting arrangement be clearly detailed in writing, with the Telecommuting Application, between the Telecommuter and management chain so as to reduce the likelihood of an on-the-job injury not being covered under workers' compensation.
 - i. In any telecommuting situation in which the Telecommuter works from their home, the Telecommuter remains liable for injuries to third persons and/or members of the Telecommuter's family occurring on the Telecommuter's premises.
- m. Supervision: Any telecommuting option usually results in situations whereby a supervisor is not able to visually observe the Telecommuter's work performance. It therefore becomes important that not only are the right employees and types of positions chosen for Regular Telecommuting arrangements, but that supervisors develop appropriate and effective ways to supervise the work of the Telecommuter. To assist in measuring the success of the Telecommuter in meeting performance standards, supervisors should focus on results generated by the Telecommuter rather than on observed performance, and should also communicate in advance what assignments or tasks are appropriate and expected.
 - i. Supervisors will likely have to spend more time on some supervisory duties with Telecommuters and communicate frequently to ensure the Telecommuter is achieving the department objectives. Supervisors must take care to communicate in advance what assignments or tasks are appropriate to be performed at the Alternate Work Location, and what assessment techniques will be used to measure success in meeting performance standards.
- n. Equipment and Materials: To ensure that appropriate security requirements are met and that work is being performed on adequate equipment, the department must provide essential state-owned equipment to the Telecommuter such as personal computers. To ensure ease of technical support and continued work efficiency at the Assigned Work Location and Alternative Work Location, a laptop may be most appropriate. Equipment that is included in the Central Property Inventory System (CPIS), as defined per ISUPP 2360 *Physical Inventory and Control of University Property*, may not be moved to the Alternate Work Location without an authorized Off-Campus Inventory Authorization Form. The location of equipment not in the CPIS system must be documented in detail and maintained by the employee's immediate supervisor. Departments should consult with IT Services to determine appropriate and secure IT equipment. Departments should also consult with Risk

Management to determine if State-owned property is properly covered while being used at an Alternate Work Location.

- i. **Authorized Use:** State-owned equipment may be used only for legitimate state business purposes, by authorized employees, and in conformance with related state and ISU policies. The Telecommuter is responsible for protecting the state-owned equipment from theft, damage and unauthorized use.
 - ii. **Equipment Installation and Maintenance:** Telecommuters will be responsible for the transport of equipment and for returning it to the Assigned Work Location for maintenance and repair, as well as upon termination of the Regular Telecommuting arrangement. The department shall be responsible for maintaining, servicing, and repairing all state-owned equipment and may provide assistance in the installation of equipment and software during normal work hours. Telecommuters shall ensure no unauthorized software is installed on the state-owned computer. Department-provided equipment should be treated in a consistent fashion with all other department inventory.
 - iii. **Supplies:** The department shall provide the supplies and materials required for normal work activities related to the department-owned equipment. The Telecommuter will be responsible for transporting the materials to the Alternate Work Location unless otherwise agreed to in the Telecommuting Application.
 - iv. **Internet Connection:** The Telecommuter will be responsible for providing an appropriate Internet connection if electronic access is required from their home to the ISU network.
 - v. **Home Office:** If the Alternate Work Location is in the home, the Telecommuter shall provide the work location furniture and space. If a locking file cabinet is required for the protection of data and work documents, the Telecommuter should normally provide it.
- o. **Security:** Telecommuting from home presents security risks that the Telecommuter and ISU must mitigate to ensure the confidentiality, integrity, and availability of ISU information and network services. For Telecommuters that work with sensitive information such as HIPAA and/or FERPA data, it is unlikely that a home environment will meet data security needs. Departments should carefully consider data security solutions with IT Security before approving Telecommuting arrangements.
- i. **Protection of Information:** Protection of Information: All ISU information, regardless of sensitivity level, must be protected. Adequate precautions must be taken at the Alternate Work Location to ensure the security of ISU data, hardware and communication links. Telecommuters will adhere to all ISU

approved security policies, standards, and guidelines to ensure confidentiality, integrity, and availability of ISU resources. ISU data, applications, documents, and other resources must be protected by the Telecommuter from unauthorized viewing, use, or access by all third parties including family and friends. In the event a Telecommuter has received authorization from management to transport or store sensitive data at the Alternate Work Location, data encryption and/or physical security measures must be reviewed with IT Services and implemented in accordance with established IT Security policies as listed in ISU Policies and Procedures.

D. Process for initiating a Regular Telecommuting Arrangement

1. An employee who wishes to telecommute shall initiate the completion of an ISU Telecommuting Application and submit it to the employee's immediate supervisor.
2. The immediate supervisor shall review the request in accordance with this policy. The supervisor will then:
 - a. Consult with HR to review this telecommuting policy and the ISU Telecommuting Application.
 - b. Consult with IT Services regarding automation, communication needs, data security standards, and to determine appropriate and secure IT equipment.
 - c. Contact other affected supervisors and coworkers regarding any request for shared office/equipment arrangements proposed in the ISU Telecommuting Application to assure that such arrangements will meet the needs of the office, department/college, and University.
 - d. Discuss the suitability of the ISU Telecommuting Application with the respective management chain and IT Services as needed. The supervisor should review the ISU Telecommuting Application in consultation with management as needed, and approve, modify, or deny the request based on the business needs of the unit.
3. If the supervisor approves of the proposed telecommuting arrangement, the employee and supervisor will submit the completed Telecommuting Application, Standards and Expectations Form to HR who will then review and send for consideration of the respective management chain up to, and including the respective Vice President or their delegate.
4. The Telecommuting Application is ultimately subject to the approval of the respective Vice President over the unit or their delegate, and is subject to cancellation based on the business needs of the unit. Approved ISU Telecommuting Applications will be kept in the employee's personnel file in HR.
5. Prior to beginning a Regular Telecommuting schedule:

- a. The Telecommuting Application, Standards, and Expectations Form must be fully signed by all members of the management chain, including the respective Vice President;
- b. The requesting employee will be required to complete Telecommuting Training; and
- c. The Telecommuter will be responsible for correcting any identified workplace safety deficiencies prior to implementing the remote work arrangements.

VI. RELATED POLICIES

- A. State of Idaho Executive Branch Policy
 1. Section 7 – Telecommuting <http://dhr.idaho.gov/policies.html>
- B. ISU Policies and Procedures, <https://www.isu.edu/policy/>
 1. Section XII, Information Technology Services
<https://www.isu.edu/policy/information-technology-services/>

VII. RELATED FORMS

- A. ISU Human Resources Forms, <https://www.isu.edu/hr/forms/>
 1. Telecommuting Application and Safety Checklist