



Human Resource Services **POLICY RESOURCES**

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Applies to:	Marshall University
Title:	Telecommuting
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The purpose of this administrative procedure is to effectuate the provision of Marshall University Board of Governors Policy **HR-6, Telecommuting**.

Applicability

This procedure is applicable to classified and nonclassified employees of Marshall University (hereinafter the University). This procedure does not apply to faculty members of the University.

Conditions

The use of technology is not required to define telecommuting. While computing or communications equipment such as a telephone, modem, computer, fax, or cellular telephone may be used, telecommuting may be accomplished in certain circumstances without use of any such equipment.

Approvals to Telecommute

Telecommuting is approved via a written telecommuting agreement. Such an agreement contains but is not limited to the following information: (a) the agreed upon purpose(s) of the telecommuting; (b) the duration, time frame, and frequency of the telecommuting; and (c) information with regard to supervision, oversight, safety, accountability, compliance, progress reporting, and/or on-site time. It is understood that the person(s) approved to telecommute and those who have approved their requests have reviewed the agreement, and understand and agree (a) that a specific task (or tasks) can be accomplished in a telecommuting mode; (b) that the outcome of the task can be evaluated quantitatively or qualitatively for completion at acceptable standards of quality; and (c) that any requirements for the employee to be present at the University while the task is being performed have been clarified.

Types of Telecommuting

Recurring or Regular-Basis Telecommuting: Approvals to telecommute on a recurring or regular basis must be approved by the telecommuting employee's responsible vice president or his/her designee. If the affected individual is a classified or nonclassified member of an academic unit, the responsible dean should be included in the approval process. A copy of the approved telecommuting agreement must be provided to the chief human resources officer in advance of the beginning of the telecommuting.

Ad-Hoc, One-Time-Only Telecommuting: Telecommuting on an ad-hoc or one-time-only basis (i.e.-not intended to be repeated) may be approved by the employee's immediate supervisor. A copy of the approval of such ad-hoc, one-time only telecommuting must be maintained in the employee's department. Telecommuting assignments cumulatively longer than one working week must be covered by a recurring or regular-basis telecommuting agreement.

Revocation of Approvals to Telecommute

Approvals to telecommute shall expire at the expiration date reflected in the telecommuting agreement. The University reserves the right to decline approval of any telecommuting proposal at any time or to revoke any existing telecommuting agreement at any time for any reason or for no reason. The obligation to report to the assigned office for non-telecommuting work shall exist at the first normally assigned work period or shift commencing after expiration of the telecommuting agreement or after notification of revocation of the telecommuting agreement.

Alternate Work Place

Telecommuting agreements must state the physical location at which telecommuting work will be performed. In consideration of approving a telecommuting agreement it is understood by the University that the employee will identify or provide a designated workspace that will be maintained in a clean, professional and safe condition. Any change in the physical location for telecommuting other than that reflected in an approved telecommuting agreement must be communicated by the employee and accepted by the University in advance of the change.

Liability and Benefits

The University shall provide workers' compensation coverage and liability insurance protection to any employee performing work under an approved telecommuting agreement. The University assumes no liability or responsibility for any activity, incident, event, damage, or injury which is not associated with or does not result from the performance of officially assigned job duties and/or for which the University has no ability to control. The University assumes no responsibility at any time for damages or losses of any kind to personally-owned property or the property of parties other than the University and the telecommuting employee. Any tax implications related to telecommuting and the use of alternate work locations are the responsibility of the employee.

Expenses

Expenses for modification of alternate work locations, for provision of any equipment necessary to perform the telecommuting work, or for provision of long-distance and other connectivity charges must be understood and agreed to specifically by the University and by the telecommuting employee and must be incorporated into the telecommuting agreement. No expenses other than salary and benefits may be provided to a telecommuting employee except for those which may be set forth and included in an approved telecommuting agreement.

Equipment

If a department or unit desires to have an employee telecommute on a recurring or regular basis, it is recommended that the employee's department provide necessary equipment (computer, modem, cellular telephone, printer, fax, scanner, etc.) for use by the telecommuter. Personally-owned equipment may be used by the telecommuter, but it is essential that the equipment and software used be compatible with systems used by the University. If a personally-owned computer is used, University-owned software should not be installed on the computer unless explicitly allowed by the applicable software license. Issues of ownership, licensing, etc., may be raised with the use of personally-owned equipment; therefore its use is discouraged. Each department shall keep records of equipment assigned to telecommuters and the equipment shall be itemized on the telecommuting agreement. When/if telecommuting ends, all University-owned equipment must be returned to the responsible department or to its original location.

Records

Employees approved to telecommute will apply safeguards to protect from any unauthorized disclosure, loss or damage any University records or information that may be in their possession in connection with their telecommuting. Work done at the telecommuting location is considered official University business, and all work products such as files, tables, reports, databases, programs, etc., created during telecommuting are the property of the University and are considered official records. All records, papers, correspondence, or computer media must be safeguarded. The University reserves the right to recover any of its property from personally-owned computers, and provision of such records as required is a condition of approvals to telecommute. Telecommuters agree not to remove from personally-owned computers any such files until obligations to provide those to the University have been satisfied or until the University has released the telecommuter from such obligations.

Telecommunications Services

Certain types of telecommuting may require the use of telephone, pager, and computer communications services. A minimum requirement is a telephone so that the employee may stay in contact with the office. Voice communications may be handled through telecommuter's home residential phone if the volume is not heavy. If the telecommuter's tasks require extensive telephone use, the responsible department should consider a second telephone line or wireless telephone service. If the telecommuter's tasks require a data connection to the University data network, the responsible department or major unit should provide those communications services as well.

When voice and data communications services are provided, the telecommuter shall preserve and make available to the University any records that characterize use of those services. The employee's supervisor shall determine an appropriate minimum amount of use that justifies the service, and this minimum usage may vary based upon the type of work being performed, the type and level of the employee, the needs of the University, etc. Use of services shall be primarily for University business. The University shall be reimbursed for any personal use of services that are charged by some measure or metric (i.e. measured-rate telephone service, paging service which is charged by the page, long-distance and/or roaming charges, communications services which charge for utilization after some maximum "included" hours or minutes). The decision as to what types and levels of service are to be provided shall be made in consultation with representatives of University Computing Services and/or Telecommunications.

Telecommuting Resource Person

The chief human resources officer shall serve as a telecommuting resource person, whose responsibility it shall be (a) to interpret the telecommuting policy and procedure; (b) to provide information and assistance to individuals or their supervisors contemplating or participating in telecommuting, (c) to resolve problems or issues arising from telecommuting; (d) to assist employees and departments to understand the advantages and limitations of telecommuting, (e) to record information on all telecommuting agreements; (f) to notify parties of the expiration or termination of telecommuting agreements; (g) to participate in decisions about whether particular jobs are eligible for telecommuting; and (h) to troubleshoot and offer solutions to problems and issues that may arrive in the course of telecommuting.

Ethical and Work-Life Issues

Those telecommuting represent the University during the conduct of their telecommuting. Therefore, employee behavior during telecommuting must reflect honorably upon the University, and no activities may be undertaken during telecommuting that would reflect negatively on the University or that would create a violation of University policies and procedures. Professionalism in terms of job responsibilities, work output, work quality and quantity, and relationships with supervisors, peers and/or clients is unchanged as a result of telecommuting. While there is no prohibition on the presence in the alternate work location of children or other family members who may require time and attention from the

telecommuting employee, nothing in telecommuting agreements shall be construed to offer released time to the telecommuting employee to provide time or care to family members unless the work schedule has been especially configured to provide such time.

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MU-HR-AP-6