## Policy 206: Telecommuting

Category: Personnel

Covered Individuals: All CEI Employees

##### Approved: 2/28/2023

##### Formerly Approved: 11/13/2019

## 206.1 POLICY

## College of Eastern Idaho permits telecommuting arrangements when it is in the best interest of the college and when it will maintain the employee’s productivity. Telecommuting can improve productivity and job performance as well as promote administrative efficiencies (e.g. reducing office and parking space needs); reduce traffic congestion and transportation costs; and sustain the recruitment and retention of a highly qualified workforce by providing options for increased work/life balance.

## Telecommuting is a work alternative that may be appropriate for some employees and some positions, but not for others. Telecommuting is authorized based on the needs of the college. Eligibility is determined on each position and performing essential job functions remotely. No college employee is entitled to or guaranteed the opportunity to telecommute. Whether an employee may telecommute is a decision made on a case-by-case basis after evaluating the likelihood of the employee successfully completing his/her responsibilities under a telecommuting arrangement.

**206.2 DEFINITIONS**

**2.1 Alternate Work Locations:** Approved locations, other than the employee’s central workplace, where official college business is performed. The most common alternate work location is the employee’s home.

**2.2 Telecommute**: A flexible work arrangement, also referred to as Hybrid, that allows an employee to perform his/her usual job duties in an alternate work location for part or all of his/her regular work schedule.

**2.3 Telecommuter:** A CEI employee who has been approved to work at an alternate work location on an ongoing basis.

2.4 Hybrid Telecommuter: A CEI employee who has been approved for a blend of work to be performed at a CEI facility and remotely during any given work week.

2.5 Temporary Telecommuter: A CEI employee who has been approved to perform essential job duties in an alternate work location for 30-days or less.

## 206.3 PROCEDURE

**General**

Telecommuting may, where appropriate, be considered as a reasonable accommodation under the Americans with Disabilities Act as Amended.

Telecommuting arrangements must be mutually agreed upon by the department head/director, supervisor, and telecommuter, and may be discontinued by the supervisor at any time. The college may establish telecommuting as a condition of employment, based on the college’s business needs. In such cases, this requirement will be included when the position is advertised.

This policy applies to work outside of the office for at least one day a week on a routine basis. This policy also applies to short-term, temporary conditions such as caring for an ill family member, recovery from an illness or a medical quarantine requirement, or a short term project. During an approved temporary telecommuting condition, the employee must be able to perform their essential job functions and hours not worked during a regular work day must be recorded as leave appropriately.

Telecommuting employees perform the same work in the alternate work location that they would in the central workplace in accordance with performance expectations. Telecommuters must comply with all policies, regulations, and laws regarding their employment and have the same classification, compensation, benefits, and leave as central workplace employees.

The telecommuting employee is responsible for any personal tax and insurance implications of this arrangement and for conforming to any local zoning regulations.

College of Eastern Idaho does not employ out of state employees in any capacity; employees must be a resident of Idaho.

Employees who are approved to telecommute shall sign and abide by a Telecommuting Agreement.

Any employee who violates this policy will be subject to corrective action, up to and including termination of employment.

**Eligibility**

Supervisors and department heads/directors, in consultation with the Office of Human Resources, will analyze the nature of a position and how the work is performed to determine which positions are appropriate to designate or approve for telecommuting.  Several factors should be considered in determining the feasibility of telecommuting, including the supervisor’s ability to adequately supervise the employee and whether any duties require use of certain equipment or tools that cannot be replicated or provided at the alternate work location. Other considerations include whether:

1. The student-centered mission of the college will be fulfilled;
2. there is a need for face-to-face interaction and coordination of work with other employees;
3. in-person interaction with outside colleagues, clients, or customers is necessary;
4. the position in question requires the employee to have immediate access to documents or other information located only in the central workplace;
5. the telecommuting arrangement will impact service quality or college operations or increase workload for other employees;
6. the position can be structured to be performed independently of others with minimal need for support;
7. performance can be measured by quantitative or qualitative results-oriented standards; and
8. employees work with highly sensitive or confidential information that may not be accessed from alternate work locations.

Broad categories of positions that are not eligible for telecommuting include, but are not limited to, positions in student-facing departments with 1-2 employees; grounds workers; facilities trades workers, including plumbers, electricians, and HVAC technicians; custodial workers; student health staff; receptionist positions; library circulation; and front-line student-facing support staff. This list of positions is not all-inclusive and the Office of Human Resources reserves the right to identify other positions that are not eligible for telecommuting.

If an employee in an eligible position requests approval to telecommute, the supervisor and department head/director, in consultation with the Office of Human Resources, will determine whether the employee is eligible.  The following conditions must be met to approve an employee to telecommute:

1. the employee has been in the position for at least 90-days, or successfully outside of a probationary period (this requirement is waived if the employee is specifically hired for a telecommuting arrangement);
2. the employee has no active formal corrective actions on file for the current or immediately preceding performance appraisal period;
3. the employee has demonstrated an ability to work productively on his/her own and is self-motivated and flexible; and
4. the employee received at least a “meets expectations” evaluation in the previous evaluation cycle.
5. The employee has demonstrated that they have the space and necessary equipment and connectivity to performs the work required.

Supervisors must ensure that telecommuting decisions are made for appropriate, non-discriminatory reasons.

All telecommuting/hybrid arrangements are subject to a 30-day trial period.

## Responsibilities

### Telecommuter

1. Establish an appropriate work environment within the alternate work location.
2. Carry out the agreed upon work duties while working at the alternate work location.
3. Be available at normal or agreed-upon work hours.
4. Be available to report to the central workplace as requested.
5. Ensure that sensitive or confidential information is not accessible to others.
6. Have on file, a fully approved telecommuting/hybrid agreement.

### Supervisor

1. Approve, deny, or revoke employee telecommuting arrangements as appropriate.
2. Require employees who are approved for a telecommuting arrangement to complete and sign the appropriate electronic telecommuting.
3. Review and sign the employee’s electronic telecommuting agreement.
4. Set clear expectations and regular meetings with employee to ensure availability, schedule, communication protocols and methods, engagement, etc.
5. Develop a means of evaluating employee hours worked and work performance and hold the telecommuter accountable for the output and quality of work expected.

### Department Head/Director

a) Approve, deny, or revoke any telecommuting agreement for the area of supervision as appropriate.

b) Advise Dean/Vice President of the status of any approved, denied, or revoked telecommuting agreement.

### Human Resources

### Vice President of Human Resources will serve as the final approver on all electronic telecommuting agreements, and reserves the right to deny or revoke any telecommuting agreement when it’s in the best interest of the College.

1. Store telecommuting agreements, answer questions, and provide guidance as needed.

## General Expectations and Conditions

1. **Compliance with Policies:**  Employees must agree to comply with college rules, policies, and practices, and understand that violation of such may result in the termination of the telecommuting arrangement and/or corrective action.  Employees who telecommute will be subject to the same policies as other employees, including policies relating to information security and data protection, (see number 7 below).
2. **Hours of Work:** The total number of hours that telecommute employees are expected to work will remain the same, regardless of work location. The college also expects the same level of productivity from telecommuting employees that is expected from employees at the central workplace. Non-exempt telecommuting employees will be required to record all hours worked in the same manner as they would in the central workplace. Overtime hours will require the advance approval of the supervisor.

Supervisors may require employees to report to a central workplace as needed for work-related meetings or other events; or may meet with employees in the alternate work location as needed to discuss work progress or other work-related issues. Supervisors should provide sufficient notice to ensure the telecommuter can attend in person when required.

1. **Duration:** A hybrid work arrangement will end no later than each fiscal year (June 30). Renewal of a hybrid work arrangement, at the beginning of the fiscal year (July 1), is not guaranteed, and will be based on college needs as well as an assessment of the role and the employee’s performance.
2. **Use of Leave:** Employees cannot use telecommuting in place of annual leave, sick leave, Family and Medical Leave, short-term/long-term disability, Workers’ Compensation leave, or other types of leave.
3. **Liability:** Good work is best produced in an efficient and safe work space. The college assumes no responsibility for injuries occurring in the employee's alternate work location outside the agreed upon work hours or for injuries that occur during working hours but do not arise out of and in the course of employment. The college also assumes no liability for damages to employee’s real or personal property resulting from participation in telecommuting.

Workers' compensation coverage is limited to designated work areas in the employees' alternate work location. Employees agree to practice the same safety habits they would use at the central workplace and to maintain safe conditions in their alternate work locations. Employees must follow normal procedures for reporting illness or injury.

1. **Equipment and Materials:** The college will provide standard configuration equipment and materials, including office supplies, needed by employees to effectively perform their duties; however, the college will not duplicate resources between the central work place and the alternate work location. A checkout form with an inventory of the equipment taken must be completed with IT. Work telephones should be forwarded to a phone that can receive calls. Telecommuting employees may use college owned equipment only for legitimate college purposes. Unapproved out-of-pocket expenses will not be reimbursed.

The telecommuter must exercise reasonable care for the equipment and should take appropriate action to protect the items from damage, theft, or unauthorized use. The employee will be held liable for damage caused by negligence. The college will ensure any materials and equipment provided to the employee meet safety standards and that telecommuting employees are properly trained on how to use them. College equipment will be maintained, serviced, and repaired by college personnel. The college will stipulate who is responsible for transporting and installing equipment, and for returning it to the central workplace for repairs or service.

The telecommuting agreement may, under approved circumstances, permit employees to use their own equipment, provided the use of such equipment has been approved. In this situation, the college is not responsible for the cost, repair, or service of the employee’s personal equipment, unless otherwise expressly agreed to in advance in the telecommuting agreement.

1. **Costs of Telecommuting:** The college is not obligated to assume responsibility for operating costs, home maintenance, ISP connectivity, or other costs incurred by employees in the use of their homes as alternate work locations.
2. **Information Security and Data Protection:**  Employees must safeguard college information used or accessed from the alternate work location, in accordance with College of Eastern Idaho policies and best practices established by the IT Department. Telecommuting employees must agree to follow college approved security procedures in order to ensure confidentiality and security of data. Employees should not have an expectation of privacy when using the college’s networks as all computer and communications devices connected to the college network are subject to monitoring, whether or not they are owned or operated by the college. The telecommuter must notify college personnel immediately if any unauthorized access to college systems occurs.
3. **Dependent Care**: Telecommuting is not a substitute for childcare or other dependent care. If children or adults in need of primary care are in the alternate work location during employees’ work hours, other arrangements will need to be made. For special temporary circumstances, please check with Human Resources.
4. **Intellectual Property**: Products, documents, and records developed at the alternate work location during work hours are the property of College of Eastern Idaho.

**11. Travel**: The telecommuter will not be paid for mileage involved in travel between the alternate work location and the primary worksite.