



**Eastern
Kentucky
University**
Policy and Regulation Library

Human Resources Regulation: 8.3.8HRR

Responsible Office(s): Office of Human Resources

Effective: October 21, 2024

Review Date: 2029

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Teleworking & Remote Work

Statement

Telework is the allowance or assignment by the University for an employee to perform their job duties at an off-campus location, including the individual's home, for all or part of the workweek. This is distinct from Remote Work, which is a position whose permanent job site is off the University campus, often at home or in another state. The purpose of this regulation is to allow workplace flexibility where such flexibility would still meet the needs, interests, and mission of the University as the employer and to ensure competitive advantages with other employers. The University recognizes that there are benefits of Telework and Remote work, but there are also compliance requirements that must be managed. This regulation is intended to provide guidance to supervisors who approve or deny Telework and Remote Work opportunities, and to make clear the expectations of employees who participate in these types of work schedules.

Throughout this regulation, the use of the word "Teleworking" or "Telework" is intended to be synonymous with the word "telecommuting", the more nationally recognized term, and is not equivalent with "Remote Work". Neither Telework nor Remote Work are designed for, or intended to be used as, a substitute for in-home dependent care.

This regulation does not apply to incidental or brief time periods that are best managed through the use of leave or other arrangements. Supervisors should consult the Office of Human Resources for guidance, if necessary, but maintain maximum flexibility to oversee the schedules of their units, unless otherwise prohibited by law, policy, or regulation.

Given the nature of faculty work, it is an accepted practice for faculty members to conduct their work activities on varied schedules in alternate locations as appropriate to their assigned portfolio of work and as approved by their Department Chair. This Regulation is not intended to alter the work arrangements or job descriptions of faculty members who telework, work remotely, or teach entirely online courses. Those arrangements and positions are exempt from Telework Agreements and requirements, and shall continue to

be handled on a case-by-case basis at the department level, wherein Department Chairs and Deans may require on campus presence to fulfill scholarly and service obligations of the faculty, or other duties as necessary.

Entities Affected

All University Staff

Procedures

I. Teleworking

Though work is typically performed on University premises, the University may allow for workplace flexibility when appropriate. No employee is entitled to or guaranteed the opportunity to Telework, and not all positions are suited to Teleworking arrangements. While Teleworking, the employee's primary work location will remain on the University campus. The continued successful operations of the University and its mission of delivering excellent academic and social experiences for its students, is of the utmost importance; thus, unit supervisors and department heads have the discretion to designate positions and/or individuals within their unit or department for an alternate work arrangement. The designation or termination of a position(s) or employee(s) for Telework is neither grievable nor appealable. Personal convenience, in-home dependent care, or other reasons of a personal nature are, in general, not adequate grounds for approval of Telework requests.

A. Teleworking Requests

Employees who wish to request a Telework assignment should discuss the proposal with their supervisor to determine if their position, their assigned duties, the operational needs of the unit, and their individual work style is appropriate for Telework. To request consideration for a Telework assignment, the employee must complete a Telework Agreement and submit the Agreement for their supervisor's review and approval. Telework Agreements in which the Teleworking employee's off-campus work location is outside of the state of Kentucky will not be approved.

If approved, the supervisor will work with the employee to establish a clear schedule by which Teleworking will take place and submit the Telework Agreement to the Office of Human Resources, where it shall be added to the employee's personnel file.

Telework Agreements must be submitted and reviewed annually, whenever the employee's Telework location changes, or periodically at the direction of the unit head or supervisor in consideration of the operational needs of the work unit, employee performance, or violations of the conditions of this policy.

B. Teleworking Considerations and Guidelines

In general, the acceptance of a Teleworking assignment is voluntary on the part of the employee. Teleworking must not affect the performance requirements of the position. If approved to Telework, employees will be expected to meet and perform all duties and responsibilities of a given position with appropriate levels of productivity and quality of work. An employee's work hours will remain the same regardless of whether they are on-campus or Teleworking. Supervisors may require employees to report to a central, physical workplace or video conference as needed for work-related meetings or other events to discuss work progress or other work-related issues. Teleworking employees are not expected to Telework on days when the University is closed. This may include when Plan B Weather Operations are implemented. Telework is limited to two (2) days a week.

If working from a home-based location, the employee will be expected to make arrangements which allow the work site to be a productive work environment during the agreed-upon work hours. The supervisor will clearly define the performance expectations and assess the employee's performance. If a decline in job performance is noted, the arrangement will be canceled. Employees working from a location within their home are responsible for maintaining their work environment as a safe and productive workspace.

The University will not be responsible for any costs associated with Teleworking locations such as utilities, home maintenance, etc. The employee will be responsible for any tax implications of a home-based work location. For a home-based work location, the employee will be responsible for providing insurance coverage for their own equipment, supplies, etc., which are not supplied by the University. The employee will be responsible for compliance with any local zoning ordinances or other restrictions related to maintaining a home-based work site. The University will not be liable for any fines, penalties, taxes, or other expenses that may accrue as a result of any violation of applicable restrictions. The University will not reimburse the Telework employee for travel to campus.

Care of the University-owned equipment, supplies, and records is the responsibility of the employee. If an employee believes additional equipment is necessary in order to telework effectively, their request should be discussed with their supervisor. Employees must protect confidential information. Copies of all records, papers, and correspondence must be safeguarded by the employee to protect them from unauthorized disclosure, loss, or damage, and for their return to the appropriate University location.

At all times, employees must abide by all University policies, including, but not limited to: conduct, anti-discrimination, and work performance policies.

II. Remote Work

Unlike Telework, Remote Work is a permanent function of certain job positions. Remote Work positions are approved by area Vice Presidents, in consultation with the Office of

University Counsel and Human Resources, and after a full review of job duties and responsibilities. Positions who manage on-campus employees cannot be Remote Work positions. Out-of-State Remote Work will only be approved when there is a compelling business or operational justification for allowing out-of-state work. Positions are approved for out-of-state Remote Work, not employees. Typically, a position is approved for Remote Work prior to the job posting and it is listed in the job description by Human Resources.

For positions which allow for Remote Work, the conditions of employment remain the same as for employees located on the University premises, which include, but are not limited to, Kentucky-based applicable salary, benefits, and employer-sponsored insurance coverage. Remote employees are required to adhere to all University and applicable department/unit policies and regulations while working remotely.

Employees who are Remote do not have a designated office on the University premises, and their primary work location is their home. Remote workers will be reimbursed for travel expenses if they are required to travel to campus. Additionally, Remote Workers may have the equipment necessary to perform their job functions shipped directly to them. The equipment will vary depending on the position and employees should discuss any equipment they may need with their supervisor.

Like Telework employees, Remote employees will be expected to make arrangements which allow the work site to be productive work environment during the agreed-upon work hours. The supervisor will clearly define the performance expectations and assess the employee's performance.

Employees working from a location within their home are responsible for maintaining their work environment as a safe and productive work space.

III. Special Circumstances

In the event of a University State of Emergency or other unforeseeable event with significant impact on University on-campus operations this policy may be implemented by University administration on a widespread basis.

The implementation of this provision does not require individual signed Telework Agreements.

Definitions

- **Primary Work Location:** An employee's usual, on-campus work location.
- **Remote Work:** A position, approved by a Vice President in consultation with the Office of University Counsel and Human Resources, under which an employee's

primary work location is not on campus, and the employee is not expected to report to an on-campus office on a regular or recurring basis.

- **Telework:** Work flexibility that enables eligible employees who typically report to work on campus to perform their job duties from an approved alternative worksite (i.e., their home).
- **Telework Agreement:** A written plan outlining the understanding of, and commitment to, Teleworking as mutually agreed upon by the employee and their department supervisor, and is required for regular Telework arrangements.
- **University:** Eastern Kentucky University (EKU).
- **University State of Emergency:** A University State of Emergency is in effect when the University President, or President's delegate, declares such a state. The University State of Emergency may be campus specific, restricted to particular areas of any campus, or may be campus- or University-wide, depending on the circumstances at the time. During a University State of Emergency, special procedures will guide the utilization of paid and unpaid leave time in order to continue compensation and benefits throughout the period of emergency. The University State of Emergency shall cease at the earliest possible opportunity.

Responsibilities

- President
 - Declare a University State of Emergency when appropriate.
- Unit Supervisor/Department Head
 - Review employee applications to Telework.
 - Consider the operational needs of the unit, the job duties of the employee and whether a telecommuting employee could meet those needs.
 - Communicate clear expectations to employees approved to Telework and maintains consistent communication with the employee to ensure understanding of the expectations.
 - May terminate a Telework Agreement if there is a decline in work quality or if the operational needs of the University are not met.
- Teleworking Employee
 - Maintain appropriate levels of productivity and quality of work.
 - Communicate with the unit supervisor/department head regarding any issues or questions.
 - Maintain a safe and productive workspace.
 - Make every reasonable effort to protect University records, supplies, and equipment.
- Remote Work Employee

- Maintain access to a remote work site that is safe from hazards and free from interruptions that interfere with the employee’s ability to perform assigned job duties.
- Communicate with their unit supervisor/department head regarding any issues or questions.
- Make every reasonable effort to protect University records, supplies, and equipment.
- Office of Human Resources
 - Seek approval from the responsible area Vice President and University President prior to recruiting or posting of any potential Remote Work position.

Violations of the Policy

Failure to comply (i.e., failure to continue to work as directed) may lead to the full range of available University sanctions applicable including suspension, dismissal, or termination.

Regulation Adoption Review and Approval

Regulation Issued

<u>Date</u>	<u>Entity</u>	<u>Action</u>
October 21, 2024	President McFaddin	Approved
September 10, 2020	Board of Regents	Adopted
June 30, 2020	President McFaddin	Approved (Interim)