

**TELECOMMUTING POLICY
FOR CLASSIFIED AND NON-FACULTY, NON-CLASSIFIED STAFF**

The Division recognizes the value of telecommuting for both the Division and employees. Telecommuting is an opportunity for an employee to perform their job at their primary residence or other approved specific location rather than at a regular office location. Telecommuting is intended to create flexible work arrangements that serve both the needs of the employee and their work unit, with the understanding that such work arrangements will ensure the continued efficiency and effectiveness of the operations of the Division and does not impair the delivery of services to staff, clients, and the public.

I. Definition

Telecommuting is a voluntary work arrangement, mutually agreed upon by the Division and an employee which allows the employee to work at a primary residence or other approved specific location for all, or part, of their regular workweek. Telecommuting is not an employee's right, benefit or requirement, but rather a work arrangement that can be terminated by the Division or employee at any time with reasonable advance notice. The Division has the right to refuse to enter into a telecommuting arrangement with any employee. The denial or termination of a telecommuting arrangement will not serve as a basis for filing a grievance or an appeal under the Division's Grievance Policy, PMGS 09-2.

The policy includes the approval of employees to telecommute under the following categories:

1. Regular, recurring on a set fixed-schedule (may be full-time or part-time, such as one or two days a week or parts of a workday). This would be a mutually agreed upon schedule between employee and supervisor that is documented in a written agreement that requires the signature of the employee and is approved by the supervisor and unit/department head and kept in the official personnel file;
2. Periodic or intermittent (e.g., for a special, short-term project ;). This arrangement is one that occurs seasonally, repeats during peak times or occurs occasionally due to fluctuations in agency needs. Such arrangements require documentation, but not a formal written agreement, (e.g., an e-mail, letter or memorandum). If a Department Head approves of this periodic or intermittent work from a primary residence or other approved specific location, such informal documentation must be sent to the supervisor and Human Resources;

3. Temporary, emergency. This would allow employee to telecommute due to medical emergency (short term illness), reasonable accommodation for ADA purposes, or some other type of crisis. Please see Section IV. regarding the approval process if it is a reasonable accommodation; otherwise, if a Department Head approves of this type of telecommuting, such informal documentation (e-mail, letter) must be sent to the supervisor and Human Resources.

This policy will not permit employees to work at any other locations than their primary residence or other approved specific location.¹

II. Eligibility

In general, this policy pertains to non-classified and classified employees. To be eligible, an employee must have documented performance evaluations that demonstrate sustained high performance. No employee will be eligible if the employee has received a disciplinary action within the last three (3) years preceding the request to telecommute, a demonstrated attendance problem or documented poor performance. An employee with less than one (1) year service in the department will not be eligible for regular or periodic categories. The “one (1) year service” requirement may be waived by the appropriate Associate Vice-President supported by written justification for such waiver.

The following should be considered when evaluating a request to telecommute:

- The employee approved to telecommute must be able to perform the essential functions of their job;
- The employee has demonstrated sustained high performance, and the supervisor believes that the employee can maintain the expected quantity and quality of work while at a primary residence or other specific location;
- The employee’s current assignments do not require frequent supervision, direction or input from others who are on-site;
- The quality of service can be maintained for staff, faculty, and the public;
- The employee’s position does not require the employee’s physical presence to interact with faculty, students, staff and/ or the public or supervisor others on a daily basis; and
- The employee’s job has clearly identified and measurable performance objectives.

Working from a primary residence or other approved specific location may not be suitable for all employees and/or positions, therefore, departments may implement based upon specific criteria consistently applied throughout the department. Telecommuting requests may be denied if approval would leave the department short-staffed. Human Resources will determine those positions that are not eligible to telecommute.

¹ An alternative work location other than an employee’s primary home residence may be approved by the appropriate Associate Vice President with written justification on a case-by-case basis.

III. Guidelines

- A. Telecommuting agreements are not intended to permit employees to have time to work at other jobs or run their own businesses. Employees should not expect to engage in child care, elder care or care for ill or injured family members, etc., **during working hours** at a primary residence or other approved specific location.
- B. The employee's duties, responsibilities, and conditions of employment remain the same as if the employee was working at the primary workplace. The employee will continue to comply with federal, state and agency laws, policies and regulations while working at a primary residence or other approved specific location. Job responsibilities, standards of performance, and performance appraisals remain the same as they would be if the employee was working at the regular Division work location. The employee shall remain subject to all applicable University and department policies and procedures while performing work at the primary residence or other approved specific location.
- C. Work hours and location are to be specified as part of a telecommuting agreement. The employee must be accessible during the specified work hours. Employees must continue to be on-site as necessary to attend meetings, training sessions or any other similar events or occurrences as called by departmental management.
- D. Division equipment must be used by employees who are telecommuting under this policy. The Division will maintain, service and repair equipment utilized by employees working from a primary residence or other approved specific location. The employee must protect equipment provided against damage and unauthorized use. The employee must agree that the Division has the right to access the primary residence or other approved specific location for business related purposes, including inspection and retrieval of Division property.
- E. Employee is required to maintain an inventory of Division property used for work at their primary residence or other approved specific location in accordance with existing inventory policies.
- F. The employee must provide the internet service and telephone service necessary to allow the employee to work from a primary residence or other approved specific location. The Division will not be responsible for operating costs associated the use of the employee's residence.
- G. Employees must agree that they have a suitable and safe location in their primary residence or other approved specific location to perform their job duties.
- H. No office furniture, desk, computer tables, etc. will be provided by the Division.

- I. The Division assumes no liability for injuries occurring in the employee's telecommuting workspace, other than injuries to the employee during established working hours which meet the requirements for worker's compensation coverage pursuant to Arkansas Code Ann. § 11-9-101 et. seq.
- J. A specific work schedule, including work days and hours, must be agreed upon while working from a primary residence or other approved specific location. Telecommuting arrangements must be reviewed at a minimum every three (3) months to assess the productivity of the employee.
- K. Employees must continue to use sick leave and annual leave according to policy, e.g., if unable to work due to illness, then employee must use sick leave or if an employee wants to be relieved from the responsibility of work for personal reasons, then annual leave must be used. Improper reporting of leave will be considered a payroll fraud issue, which can lead to immediate termination.
- L. Failure of an employee to comply with the guidelines in the policy may result in termination of the employee's telecommuting agreement in addition to other disciplinary action, up to and including termination of employment.

IV. Telecommuting Agreements

Employees must read and understand the Division's Telecommuting Policy before signing a Telecommuting Agreement. Employees approved for regular work from a primary residence or other approved specific location must have completed a Telecommuting Agreement, approved by the supervisor, and submitted for approval by the Department/Unit Head. All completed and approved agreements must be sent to Human Resources to be placed in the employee's personnel file. If an arrangement is being considered for ADA purposes to afford a reasonable accommodation, the Division's Affirmative Action Office must be consulted before any arrangements are made. The ADA Coordinator also must approve before any working from a primary residence or other approved specific location agreements can be approved as a reasonable accommodation.

V. Sunset Clause

This policy has a sunset clause of October 1, 2019.