

POLICY

Effective Date: August 22, 2008
 Approved By: President Karen Morse
 Executive Policy Group

Authority: Exec Order 01-03;
[RCW 70.94.531](#)

Cancels: POI-U5415.01 Telecommute Policy

<p>See Also:</p> <p>FRM-U5415.01A FRM-U5415.01B FRM-U5415.01C POL-U5346.03 POL-U5400.03 POL-U5400.04 POL-U5400.05</p>	<p>Teleworker Self-Certification Safety Checklist Teleworker Request Assessment Telework Agreement Safeguarding University Assets Taking and Reporting Leave During Inclement Weather Suspending University Operations Using University Resources</p>
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POL-U5415.01 TELEWORKING

This policy applies to all FLSA non-exempt professional staff and classified staff.

Definitions:

FLSA (Fair Labor Standards Act) – Federal law that establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state and local governments.

- FLSA exempt professional staff are not eligible for overtime pay.
- FLSA non-exempt professional staff are eligible for overtime pay.

Mobile Work – Work of employees who, by the nature of their jobs, are generally off-site and may even use their home as their “home base.” Because their work requires this setup and they travel much of the time, they are not considered teleworkers.

Remote Work – Taking additional work home. It is not considered telework. Remote work only applies to employees that are exempt from the Fair Labor Standards Act.

Telework – Work arrangements in which an employee regularly performs officially assigned duties at home or another location convenient to the residence or need of the employee. The work performed at the telework site is taking the place of the work normally scheduled to be performed at the office site.

1. Employees Must Obtain Written Prior Approval to Telework

Telework agreements ([FRM-U5415.01C](#)) must be in writing and routed for required signatures whether the employee teleworks regularly or not.

Exception: To accommodate an emergent personal situation or in the event of suspended operations ([POL-U5400.04](#)), directors and deans may temporarily approve work assignments to be performed by classified staff and FLSA non-exempt professional staff at home when the director or dean:

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- a) Gives the employee approval,
- b) Confirms the employee has the capability to adequately perform assignments from home,
- c) Determines the work is crucial enough to warrant being performed at that time, and
- d) Specifies to the employee the work to be done and the amount of work time allotted (number of hours and dates).

2. Supervisors May Approve Teleworking Only Under Certain Conditions

Telework requests will be considered on a case-by-case basis, however supervisors should take into account the needs of and the impact on the work group, department and the university.

- A. Supervisors should consider a telework arrangement to:
 - 1) Assist an employee in balancing both professional and personal responsibilities, and
 - 2) Sustain operations during emergency situations that prevent the employee from working from the office.
- B. Supervisors should consider a telework request when:
 - 1) The arrangement will allow the employee to perform the essential functions of the position,
 - 2) The employee has proven the ability to successfully perform the essential functions of the position,
 - 3) There is sufficient amount of work being proposed,
 - 4) The employee has a proven ability to work independently,
 - 5) The equipment and services necessary are feasible,
 - 6) Effective communication with the supervisor, co-workers and customers is possible,
 - 7) The work space is conducive to getting the work accomplished,
 - 8) The employee has the ability to be flexible about the telework arrangement, respond to all operational needs, and

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- 9) The safety of the workspace is reviewed by the university's Environmental Health and Safety office.

3. Supervisors May Deny and Terminate Telework Agreements

Telework is not an employee right for any employee. Telework privileges and agreements may be revoked at any time.

4. Human Resources Director Ensures Terms and Conditions of Employment Remain the Same

Telework arrangements will not affect any other terms and conditions of employment.

5. Employee Responsible for Costs

The employee is responsible for providing necessary furniture, equipment and services (e.g. phone, internet) to effectively perform the essential functions of the position from the telework site.

The department may, in its judgment, provide supplies and materials for telework. Any equipment, materials or supplies purchased by the department remain the property of the university. Any materials or supplies purchased by the department are to be used solely for carrying out the employee's job responsibilities (see also [POL-U5400.05 Using University Resources](#)).

6. Supervisors and Teleworkers Responsible for Safeguarding Information and Equipment

Employees are responsible for the security of university information and equipment, regardless of their work location. Security policies should be enforced at the same rigorous level when employees telework as when they are in the office.

A. Supervisors are responsible for ensuring:

- 1) Telework arrangements are in compliance with Administrative Computing Service's *Security and Data Management WWU Best Practices and Policies*. Employees fully understand and have the technical expertise to comply with the safety and security requirements, and
- 2) Teleworkers have the technology and equipment that can support security requirements.

B. Teleworkers are responsible for:

- 1) Following Administrative Computing Service's *Security and Data Management WWU Best Practices and Policies*, and

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- 2) Making reasonable efforts to protect university equipment, data and passwords in the teleworker's possession from unauthorized use, damage (beyond normal wear and tear) or loss.

7. Supervisors Will Review Telework Arrangements on a Regular Basis

Supervisors will review all telework arrangements, including employee performance:

- a) After a designated probationary period identified in written agreements,
- b) During regularly scheduled performance evaluations, and
- c) When a new employee/supervisor relationship is established.

Changes to written agreements must be approved by the employee, supervisor, dean or director, Human Resources, and appropriate vice president.

8. Employees Encouraged to Maintain Safe Telework Space

When teleworking, the employee should:

- a) Maintain a safe telework environment by complying with the Environmental Health and Safety office guidelines provided to the employee at their new employee orientation and the safety checklist,
- b) Provide an appropriate telework space, with ergonomically correct chair, desk and computer equipment, and
- c) Immediately report any work-related accident.

A *Teleworker Self-Certification Safety Checklist* ([FRM-U5415.01A](#)) must be completed and reviewed by the Environmental Health and Safety office as part of the approval process for written agreements.

Supervisors are encouraged to request workstation evaluations by the Environmental Health and Safety office for all teleworkers.

9. Site Visits May be Conducted

The supervisor may conduct a site visit during established working hours without advance notice to the employee. However, an Environmental Health and Safety office representative will provide a minimum of 24 hour notice to inspect the telework site during established working hours.

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10. **Supervisors Should Identify Employees Who Perform Essential Functions**

Supervisors should predict which classified staff and FLSA non-exempt professional staff would be needed to perform essential duties from home in the event of suspended operations or a workforce crisis. In planning, agreements and procedures should attempt to achieve continued operations within 12 hours of the suspension or crisis and remain functional for up to 30 days.

Employees identified as having essential functions should have approved telework agreements in place that provide for such an occurrence. Any services, equipment or materials required to enable teleworking should also be put into place prior to the emergency situation.

11. **Teleworkers Will Not Work During Suspended Operations**

FLSA non-exempt professional staff and classified staff with written telework agreements are not to work when university operations are suspended.

Exception: As per the *Suspending University Operations* policy ([POL-U5400.04](#)) directors or deans may, on a temporary basis, approve work assignments to be performed by classified staff or FLSA non-exempt professional staff at home when the director or dean:

- a) Has determined the employee is needed to perform an essential function during suspended operations,
- b) Confirms the employee has the capability to adequately perform the essential function(s) from home, and
- c) Specifies to the employee the work to be done and the amount of work time allotted (number of hours and dates) and documents directive.

12. **Department Heads Ensure Internal Procedures Established**

Department heads will ensure that internal procedures are established for their respective areas in order to be in compliance with this policy.

13. **Human Resources Provides Training**

Human Resources will provide training and guidance to supervisors and their staff on the *Teleworking* policy and procedures.