



Virginia State University

Policy and Procedures

No. ****

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Subject: Telework Policy

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1. Purpose

The Code of Virginia requires each state agency to establish a telework and alternate site work policy under which eligible classified/faculty administrators (FA) faculty may telecommute for all or part of their workweek in order to promote general work efficiencies. Telework may also enable departments to respond to certain employee needs, such as the economics of commuting. The following policy defines the requirements for establishing a telework arrangement for classified and FA faculty.

2. Policy

Telework is defined as allowing employees to work at an alternate location. Employees perform essentially the same work that they would in the central work place in accordance with their same performance expectations and other agreed upon terms. Telework arrangements may be established for long-term or short-term periods. Although many of the university’s programs, operations, and services are normally performed on university premises and require the presence of employees at the central work place, department heads have the authority to designate positions eligible for telework or alternate work arrangements. While alternate work arrangements may meet the needs of both the department and the employee, management has the sole discretion to determine when this is appropriate. In certain cases a telework arrangement could be considered a reasonable accommodation for an employee with a disability covered under the Americans with Disabilities Act (ADA). Approvals for telework should be made on a case-by-case basis. The approval of a position for telework does not mean that any employee who later may fill that same position would be authorized to work at alternate work sites.

The position should be periodically re-evaluated to determine if telework continues to best meet the department's needs. If telework is expected as a condition of employment, the job announcement should include a statement describing this requirement.

2.1 Telework Agreement

Work performed in alternate work locations is considered official university business; therefore, departments may establish specific conditions that apply to employees engaged in telework. Prior to beginning a telework arrangement a formal telework agreement must be signed by both parties. Only employees who encumber telework designated positions or employees who are provided a reasonable accommodation via ADA are eligible to enter into a telework agreement. A sample agreement is attached to this policy.

2.1.1 Exceptions to Formal Telework Agreement

It is an accepted practice for teaching and research faculty to carry out their work with varied schedules on campus and at alternate locations, including the delivery of distance-learning courses. Normally, a formal telework agreement will not be required for T/R faculty unless the normal work assignment is consistently at an alternate location (i.e. not the standard assigned office).

On occasion, a department may also determine that employees may need to work at alternate worksites for a few days to accommodate unusual circumstances, such as a brief office closing for renovations or relocation. In such cases, the formal telework agreement is not required, but should be documented for department files by memorandum email, specifying work expectations and duration.

2.1.2 Termination of the Telework Agreement

Management reserves the right to end the telework arrangement at any time. Employees should be given reasonable notice of the termination of the agreement. Employees may be required to return to the central work place if deemed as having performance or work conduct problems, or if management feels it is in the best interest of the organization and/or the employee to end the arrangement, either permanently or temporarily.

2.2 General Expectations and Conditions

All arrangements are voluntary on the part of the employee (unless written into the position description), require supervisor approval, and must not interfere with regular office or department function. In certain cases, a telework arrangement can be considered a reasonable accommodation for an employee with a disability covered under the Americans with Disabilities Act (ADA). Employees whose job descriptions include travel are not considered to be teleworking. Telework arrangements are always determined on a case by case basis; final decisions rest with management and can be rescinded by management, or employee, at any time. If children or adults in need of primary care are in the alternate work location during employee's work hours, some other individual must be present to provide that care. Telework is NOT intended to serve as a substitute for child or adult care. Any telework arrangement must support or enhance office/department mission. A justified business rationale must be document to support a telework agreement. Justification may include, but is not limited to - increased productivity, decreased distraction, improved customer service, enhanced employee morale, more efficient use of space or equipment, improved worklife balance, and/or lower operating costs. High quality office function and customer service must not be compromised. Employee's classification, compensation and benefits will not change upon implementation of telework.

2.2.1 Hours of Work

The required number of work hours will not change, and employees are responsible for reporting time worked, leave used, and for adhering to university and state attendance policies. **Overtime Worked:** Telework schedules will be treated no differently than regular work hours. Any overtime must be approved by supervisor. Failure to do so may result in termination of the telework arrangement and/or disciplinary action. For **non-exempt employees**, hours worked must be recorded just as they would be during normal working hours at the central location.

- **Sick/annual leave** is recorded based on the number of hours employee is scheduled to work on the day s/he uses the leave, whether s/he is at the central or alternate work location.
- **Paid holidays** will count as 8 hours if falling on a day scheduled for telework.
- A **meal break of at least 20 minutes** must be provided to employees working more than 6 consecutive hours. It is NOT included in hours worked and must be recorded.
- **Days worked at alternate location** must be approved by supervisor, and must allow for necessary office coverage (i.e. not exclusively Mondays and Fridays).

Authorized closings will apply to the teleworker as s/he will be unable to remain in contact with supervisor and co-workers. Essential employees are the exception and will receive compensatory leave for hours worked.

2.2.2 Compliance with Policies

Employees must agree to comply with university rules, policies, practices and instructions and understand that violation of such may result in the termination of the telework arrangement and/or disciplinary action, up to and including dismissal.

2.2.3 Security of Agency Information and Records

Employees are responsible for the security of all documents and records in their possession while teleworking and must adhere to the university's security procedures to ensure confidentiality and security of data. Any use of restricted-access information or materials at an alternate work location must be approved and described in the telework agreement, along with procedures for removing and returning those materials. The employee will protect all confidential university documents from unauthorized access. All products, documents and records that are used, developed, or revised while teleworking remain the property of Virginia State University.

2.2.4 Equipment and Materials

Employees are expected to use VSU-provided equipment while teleworking, except in unusual circumstances. Availability of equipment may exclude participation by an otherwise eligible teleworker. Upon termination of employment, or at the request of VSU, employees must immediately return all VSU-owned or VSU-issued property.

2.2.5 Other Costs

Departments may choose to pay for leased telephone lines or install and provide basic telephone service in employee's alternate work location, may provide cell phones for business use, or provide a stipend to cover business calls made from employee's cell phone. However, the university is not responsible for operating costs (such as electric bills), home maintenance, or other costs incurred by employees in the use of their homes as alternate work locations.

2.2.6 Liability

The university assumes no responsibility for injuries occurring in the employee's alternate work location outside the agreed upon work hours, or for liability damages to employee's real or personal property resulting from participation in the telework program. General liability insurance protecting the actions of all university agents is provided 365 days per year subject to the provisions of the insurance policy in effect at the time. Workers' compensation coverage is limited to designated work areas in employees' homes or alternate work locations. Employees agree to practice the same safety habits they would use in the university and to maintain safe conditions in their alternate work locations. Employees must follow normal procedures for reporting illness or injury.

2.2.7 Safety Confirmation

The employee must confirm that the alternate work location is, to the best of his/her knowledge, free of recognized hazards that would cause physical harm (such as frayed or loose electrical wires; clean, dry and level floor surfaces, phone lines and electrical cords are properly secured, etc).

3. Procedures

The signed telework agreement for classified and FA faculty should be kept in the employee's file, with a copy sent to Human Resources; the termination of such an agreement should be in writing, with a copy sent to Human Resources.

4. Definitions

Telework – A work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their central workplace for at least one day per week or 32 hours per month and in accordance with the telework agreement. **Alternate work location** – Approved work sites other than the employee's central workplace where official university business is performed. Such locations may include, but are not limited to, employees' homes and satellite offices. **Department Heads** – University VPs or their designees. **Central workplace** – the location where the employee normally performs her/his duties. **Work agreement** – The written agreement between the employer and employee that details the terms and conditions of an employee's work away from his or her central workplace.

5. References

Department of Human Resource Management Policy 1.25: Hours of Work,

Department of Human Resource Management, Policy 1.61: Telework

VSU Policy 6420: Electronic Records Retention Policy

Virginia Information Technologies Agency, Use of Non-Commonwealth Computing Devices to Telework

Department of Accounts, Telework Expense Policy

6. Approval and Revisions

Approved April 1, 2011, by Associate Vice President for Human Resources and Compliance, Dr. Elliott Wheelan.

Virginia State University
Policies Manual

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President

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