

UADA Policy 455.2 Division Telecommuting Policy for Non-Faculty

Scope

This policy applies to all Division employees excluding Faculty and Graduate Assistants. Some positions are not eligible to telecommute due to their primary job functions. Those titles are listed in Section V.

Policy

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 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. 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.

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

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. The Department Head/Unit Head must complete a Telecommuting Approval form;
3. Temporary, emergency. This would allow an 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. The Department Head/UnitHead must complete a Telecommuting Approval form and send it to Human Resources. If an arrangement is being considered for ADA purposes to afford a reasonable accommodation, the Division's Office of Inclusion, Access, & Compliance 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.

II. Eligibility

In general, this policy pertains to non-faculty 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. Any eligibility requirement may be waived by the appropriate Sr. 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; and
- The employee's position does not require the employee's physical presence to interact with faculty, students, staff, supervisor and/ or the public or others on a daily basis.

Telecommuting requests may be denied if approval would leave the department short-staffed. Positions that are not eligible to telecommute are listed in Section V.

III. Guidelines

- A. Telecommuting agreements are not intended to permit employees to have time to work at other jobs or run their own businesses, or to serve solely as a substitute for childcare, elder care or care for the ill or injured family members, etc.
- 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 days, hours and location are to be specified as part of a telecommuting agreement. The employee must be accessible during the specified work days and hours. Employees must continue to be on-site as necessary to attend in-person meetings, training sessions or any other similar events or occurrences as called by the supervisor.
- D. The Division will maintain, service and repair Division-owned 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. All applicable security and password protection is required. The Division will not be responsible for operating costs associated with the use of the employee's residence or other approved specific location.
- 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. 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.

- K. 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 (Regular) or Approval Forms (Periodic or Temporary)

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.
- Employees approved for periodic or temporary telecommuting must have a completed approval form signed by the Department Head/Unit Head.

All completed and approved agreements/forms 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 Office of Inclusion, Access, & Compliance 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. Positions NOT Eligible for Telecommuting

Some positions are not eligible to telecommute due to their primary job functions. Those titles are listed in the table below.

Any state title that is not mentioned below will be left up to the discretion of the Unit Head. Please keep in mind that if a non-exempt employee is telecommuting, they still need to track hours worked for Department of Labor purposes.

Research Technologist					
Maintenance Coordinator	Skilled Trades Foreman				
Skilled Trades Supervisor	Assistant Director of Farming				
Skilled Tradesman	Maintenance Supervisor	Print Shop Supervisor			
Institutional Printer					

Auto/Diesel Mechanic	Farm Foreman – Inst.	Maintenance Specialist	Research Assistant		
Printer					
	Equipment Mechanic	Laboratory Technician	Landscape Specialist	Warehouse Specialist	Farm Maintenance Mechanic
Greenhouse Technician	Heavy Equipment Operator	Research Technician			
Skilled Trades Helper	Maintenance Assistant	Research Field Technician			
Agri Farm Technician	Agri Lab Technician				
Apprentice Tradesman	Shipping & Receiving Clerk				
Institutional Services Supervisor					
Institutional Services Assistant					

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