



The University of Vermont

Policy V.7.13.1

Responsible Official: Vice President
for Human Resources, Diversity and
Multicultural Affairs

Effective Date: December 5, 2017

Telecommuting

Policy Statement

This policy specifies the terms and conditions applicable to work performed outside an exempt employee's primary, assigned work place for one or more days per week on a routine basis. The policy does not apply to emergency, temporary or occasional work arrangements which may result from inclement weather, recovery from illness, an unanticipated need for an employee to provide dependent care, or other instances where an employee is assigned to work from home on a limited basis. Managers may, in their sole discretion, approve such temporary telecommuting on an ad hoc basis in appropriate cases.

Telecommuting is only one form of flexible work arrangement. Others may include flextime, compressed work weeks and job-sharing. Further information regarding flexible work arrangements may be found at the Flexible Work Arrangements (<https://www.uvm.edu/hrs/flexible-working-arrangements>) page on the Human Resource Services website.

Reason for the Policy

This Policy describes the circumstances where telecommuting is appropriate and provides procedures to support managers in establishing clear and reasonable expectations with regard to telecommuting arrangements. Telecommuting may be deemed appropriate in situations where it is in the best interest of the University, the employee, and the employee's business unit. In some circumstances, telecommuting may also be appropriate as a reasonable accommodation for an employee with a disability. When telecommuting is being requested as a reasonable accommodation, the employee must follow the procedures to request an accommodation set out in the Disability Accommodation Policy for Employees and Applicants for Employment (<http://www.uvm.edu/policies/hr/disabilityemployee.pdf>).

Applicability of the Policy

This policy applies to exempt classified employees of the University who have successfully completed any probationary period. Telecommuting is generally not an appropriate flexible

work arrangement for non-exempt employees.¹ In some cases, departments may wish to permit a new employee to telecommute as part of the conditions of employment for the position.² The supervisor responsible for approving telecommuting arrangements in the hiring unit should consult with their designated Labor and Employee Relations Professional before entering into an agreement to allow telecommuting for a new employee.

Policy Elaboration

In general, telecommuting is a privilege which may be granted under appropriate circumstances to high performing employees whose job responsibilities are suited to such an arrangement, and each request to telecommute will be decided on an individual basis under the guidelines set forth below. Either the University or the individual employee may request a telecommuting arrangement. Permission to engage in telecommuting is at the discretion of the School, College or administrative unit in which the employee is employed. In the event that telecommuting is, or becomes, a condition of employment, the employee will be so notified.

Telecommuting is not intended to permit employees to have time to work at other jobs or to run their own businesses. Management may, in its sole discretion, discontinue the telecommuting arrangement at any time and/or for any reason. Failure to fulfill normal work requirements, both qualitative and quantitative, during a period of telecommuting may be cause for disciplinary action up to and including termination of employment.

Managers shall consider the following criteria to determine whether a telecommuting arrangement is appropriate:

- Whether the employee has demonstrated/sustained solid performance as reflected in performance appraisals;
- Whether the supervisor believes that the employee can maintain the expected quantity and quality of work while telecommuting;
- Ability of the employee and the School, College or administrative unit to maintain quality of service for students, faculty, staff, and other members of the University community if the employee telecommutes;
- Whether the employee's essential job duties can be performed remotely. Such duties generally require minimal face-to-face interaction. Tasks that benefit from uninterrupted work time are suitable for telecommuting. Such tasks include, for example, writing, editing, reading, analysis, design work, and computer programming.
- Minimal or sporadic need for specialized material or equipment to perform assigned tasks.

¹ Non-exempt employees may be permitted to telework when deemed a reasonable accommodation under the Americans with Disabilities Act.

² In some instances remote work is required as a condition of appointment to the position. Applicants should have clear notice that telecommuting will be required for the position. Considerations set out in this Policy regarding appropriateness of the remote space for a safe and effective work environment should be considered before a final hiring decision.

The following criteria indicate circumstances where telecommuting would not be appropriate:

- The nature of the job requires the employee's physical presence, or efficiency is compromised when the employee is not present. By way of example, telecommuting may not be appropriate where the employee must supervise the work of other employees, where performance requires frequent interaction, direction or input from other employees working on site, or where the employee needs regular guidance, such as on technical matters.
- The employee's performance evaluations do not indicate sustained solid performance.
- The employee's observed productivity levels are low or inconsistent.
- The employee has less than six months of service in the School, College or administrative unit (except where telecommuting is required as a condition of employment).
- The employee has received disciplinary action within the past year, has a record of low performance, or has a demonstrated attendance problem.

The employee must use approved electronic devices and computer equipment installed with anti-virus software and that allow for storage of University data and work product safely and securely on the University server. These arrangements must be reviewed under and be in compliance with the University's Information Security Policy (<http://www.uvm.edu/policies/cit/infosecurity.pdf>).

Any employee who works offsite must have a suitable, safe and ergonomically correct workplace. The University is not obligated to provide such a work space off-site. The employee must promptly report any injury incurred related to performing duties offsite to Risk Management and Safety (https://www.uvm.edu/~riskmgmt/insurance/froi_FormFillIn.pdf) with a copy to the employee's supervisor.

Definitions

Ergonomically Correct: means the furniture, computer and other equipment are at the correct height and placement for the employee, that there is adequate lighting, and that the employee takes periodic work breaks from repetitive tasks.

Telecommuting: is an arrangement for an employee to work at home or from a remote location other than the principal worksite for at least part of the workweek on a regular basis.

Temporary Telecommuting: includes limited time arrangements to work from home or from other remote locations due to University emergency, official public emergency, public health guidance for contagious diseases, worksite closures or the temporary and unanticipated needs of an employee.

Procedures

Employees who wish to telecommute must first discuss the request with their immediate supervisor, who will review the request and consider the criteria above to determine whether telecommuting is appropriate for the employee. If the supervisor agrees that telecommuting may

be appropriate for the requesting employee, the employee must complete the UVM Telecommuting Request Form and submit the form to their immediate supervisor. The supervisor shall review the request with the employee and discuss the specific provisions to be included in the Telecommuting Agreement. The supervisor shall complete a Telecommuting Agreement and submit the proposed Agreement to the appropriate Dean/Director/Department Head for final review and approval. The final decision is at the discretion of the Dean/Director/Department Head and may not be appealed or grieved under the Grievance and Peer Advisor Policy for Non-Represented Staff.

The supervisor and employee will review the Telecommuting Agreement no less frequently than annually and make any adjustments needed to ensure efficiency and quality of performance. This review may occur as part of the employee's annual performance review. Any revisions to the conditions for telecommuting will be in writing and signed by the supervisor and the employee. The supervisor may, at any time and for any reason, revise or revoke the agreement for telecommuting, either temporarily or permanently. Revision or revocation of a telecommuting arrangement shall not be grounds for a grievance under the Grievance and Peer Advisor Policy for Non-Represented Staff.

Forms

Telecommuting Request Form

http://www.uvm.edu/policies/hr/related_docs/Telecommuting%20Request%20Form.pdf

Telecommuting Agreement

http://www.uvm.edu/policies/hr/related_docs/Telecommuting%20Agreement%20Form.pdf

Contacts

Questions related to the daily operational interpretation of this policy should be directed to:

Responsible Labor and Employee Relations Professionals

https://www.uvm.edu/sites/default/files/Human-Resource-Services-and-Operations/HRSDocs/Mangers_Corner/LER_Responsibility_Areas_Oct_2017.pdf

The Vice President for Human Resources, Diversity and Multicultural Affairs is the official responsible for the interpretation and administration of this policy.

Related Documents/Policies

Alternative Work Schedules

<https://www.uvm.edu/hrs/flexible-working-arrangements>

Conditions of Employment

https://www.uvm.edu/sites/default/files/Human-Resource-Services-and-Operations/Current_Employees/conditions.pdf

Disability Accommodation for Employees and Applicants for Employment Policy

<http://www.uvm.edu/policies/hr/disabilityemployee.pdf>

First Report of Injury Form

https://www.uvm.edu/~riskmgmt/insurance/froi_FormFillIn.pdf

Information Security Policy

<http://www.uvm.edu/policies/cit/infosecurity.pdf>

Staff Handbook

<https://www.uvm.edu/hrs/handbooks-policies>

Telecommuting Agreement

http://www.uvm.edu/policies/hr/related_docs/Telecommuting%20Agreement%20Form.pdf

Telecommuting Request Form

http://www.uvm.edu/policies/hr/related_docs/Telecommuting%20Request%20Form.pdf

Effective Date

Approved by the President December 10, 2017

APPENDIX A: UVM TELECOMMUTING REQUEST FORM

Employee Information

Name _____
UVM email _____
Supervisor _____ UVM Phone _____
Proposed remote work location: Home Other (describe) _____

Remote work address _____
Remote work phone _____
Employee cell phone _____

Requested Telecommuting Schedule

Start Date _____
Work Hours _____ Total regular work hours per day _____

Accessibility Information

What is the best way to contact you when you telecommute? *(Check all that apply)*
 Phone; E-mail; Text; Other (describe) _____

Communications & Equipment

The following University-owned equipment will be used by the employee in the home/remote work location:

- Item: _____
- Item: _____
- Item: _____
- Item: _____
- Item: _____
- Item: _____

I have read and understand the Telecommuting Policy and agree to the duties, obligations, responsibilities and conditions for telecommuters described in the policy.

Employee Signature Date

**APPENDIX B
TELECOMMUTING AGREEMENT**

Employee Information	
Employee Name	Employee ID No.
Department	Position No.
These conditions for telecommuting are agreed upon by the employee, the supervisor, and the Dean/Director/Department Head (or designee):	
The employee will work at (street address, city, zip code) and will be accessible by phone XX, e-mail XX, and/or text XX.	
Description of remote work space (description of remote office e.g., home office, den, etc.):	
The employee's normal telecommuting work schedule (day(s) and hours) will be:	
The following are typical assignments to be worked on by the employee at the remote location:	
Special considerations or expenses to be covered by the University, if any: *UVM does not reimburse employees for internet access charges required for telecommuting.	
The following UVM-owned equipment and/or software will be used by the employee in the remote work location and will be returned to UVM when directed or at the expiration of this agreement:	
The employee will meet with their supervisor on the following schedule, either in-person or remotely. Describe how and/or where meetings will occur, e.g., telephone, skype, video-conferencing, face-to-face, etc.:	
The employee will attend other mandatory work meetings as follows (indicate whether remotely or in-person):	

Employee agrees to the following terms and conditions:

- UVM may visit the employee's designated work location at mutually agreed-upon times to ensure that safe working conditions exist.
- This arrangement is not a substitution for childcare. If young children will be regularly present at the designated work location, there will be another adult present to supervise.
- Employee will be reachable during designated working hours by phone, email and/or text.

Planned expiration of agreement (if any):

I agree to the duties, obligations, responsibilities and conditions for telecommuters described above and in the UVM Telecommuting Policy and Guidelines.

Employee Signature

Date

Supervisor Signature

Date

Dean/Director/Department Head Signature

Date

COPY: Employee's Personnel File

Attachment to Telecommuting Agreement

Guidelines for Telecommuting

Communication. While telecommuting, the employee shall be reachable by telephone/cell phone, fax, text, or e-mail during agreed-upon work hours. The employee and supervisor shall agree on the most efficient means for communication and expected response times from employee.

Conditions of Employment. The employee's conditions of employment shall remain the same as for non-telecommuting employees: wages, benefits and leave accrual will remain unchanged.

Equipment. Home worksite furniture and equipment shall generally be provided by the employee. In the event that equipment and software is provided by UVM at the remote work site, such equipment and software shall be used exclusively by the employee and solely for the purposes of conducting UVM business. Software shall not be duplicated and non-UVM approved software shall not be loaded to UVM computers or other electronic devices owned by UVM. If UVM provides equipment, the employee is responsible for safe transportation and set-up of such equipment.

Equipment liability. UVM will repair and maintain, at the UVM worksite, any equipment loaned by the University to support the telecommuting arrangement. Employee agrees to use surge protectors at all times with any UVM computer used at the remote site. The employee will be responsible for:

- any intentional damage to the equipment;
- damage resulting from gross negligence by the employee or any member or guest of the employee's household;
- damage resulting from a power surge if no surge protector is used;
- maintaining the current virus protection software;
- maintaining all electronic devices that send or store data in conformity with the University's Information Security Policy.

UVM may pursue recovery from the employee for University property that is deliberately, or through negligence, damaged, destroyed, or lost while in the employee's care, custody or control. Damage or theft of UVM equipment that occurs outside the employee's control will be covered by UVM. UVM does not assume liability for loss, damage, or wear of employee-owned equipment.

Dependent Care. Telecommuting is not a substitute for childcare or other dependent care. Employees who telecommute shall make or maintain childcare arrangements to permit full attention to UVM duties during regular agreed-upon work hours.

Remote Work Site. Employee warrants that the home or other designated remote work site is quiet, clean, and safe, with adequate lighting and ventilation. Unless pre-approved by the employee's supervisor, the employee will not hold business visits or meetings with professional colleagues, customers, or the public at the remote worksite.

Hours of Work. The employee will have regularly scheduled work hours agreed upon with the supervisor, including specific core hours and telephone/other electronic accessibility. The employee must promptly and accurately report all exception time to regular hours (vacation, sick time, other leave time) in accordance with University practices for exempt employees. The employee will attend job-related meetings, training sessions and conferences in person as requested by supervisors. In addition, the employee may be requested to attend "short-notice" meetings in person.

Incidental Costs. Unless otherwise stated in the Telecommuting Agreement or agreed upon in writing with a supervisor, all incidental costs, such as residential utility costs, internet service or cleaning services, are the responsibility of the employee.

Inclement Weather. If the primary worksite is closed due to an emergency or inclement weather, the supervisor will contact the employee. The employee may continue to work at the remote work site. If there is an emergency at the remote work site, such as a power outage, the employee will notify the supervisor as soon as possible. The employee may be reassigned to the primary work site or an alternate work site.

Inspections. In case of injury, theft, loss, or tort liability related to telecommuting, the employee agrees that agents of UVM may investigate and/or inspect the remote work site.

Injuries. The employee will be covered by workers' compensation for job related injuries that occur in the designated workspace, including the employee's home, during the defined work period. In the case of injury occurring during the defined work period, the employee shall immediately report the injury to the supervisor and to Risk Management and Safety in accordance with University procedures for [reports of injury](#). Workers' compensation will not apply and UVM is not responsible for any injury sustained at the remote work location that is not sustained in the course of performing job duties for UVM. UVM is not responsible for injury to any persons other than the employee at the remote work site. Employee agrees that their home owners' insurance shall be kept up to date and is the sole source of liability coverage for any injury that is not work related or that occurs to any person other than to employee.

Intellectual Property. Products, documents, and records developed while telecommuting are property of UVM in accordance with the University's Intellectual Property Policy.

Leave. The employee must obtain supervisory approval before taking leave in accordance with the usual practices of the office and UVM policy.

Network Access. UVM is committed to supporting telecommuting by providing network access to remote locations. However, network access is not guaranteed. Employee agrees that where network access is necessary for the efficient performance of UVM job duties, employee will promptly notify the supervisor of any disruption in network access or normal functioning.

Office Supplies. UVM shall provide any necessary office supplies. Out-of-pocket expenses voluntarily incurred by employee for supplies normally available in the office will not be reimbursed.

Performance & Evaluations. The supervisor and employee will formulate objectives, expected results, and evaluation procedures for work completed while the employee is telecommuting. The supervisor and employee will meet at regular intervals to review the employee's work performance.

Personal Business. Telecommuting employees shall not perform personal business during hours agreed upon as work hours.

Policies. UVM policies, rules and practices shall apply at the remote work site, including but not limited to those governing communicating internally and with the public, employee rights and responsibilities, facilities and equipment management, financial management, information resource management, purchasing of property and services, and safety. Failure to follow policy, rules and procedures may result in termination of the telecommuting arrangement and/or disciplinary action.

Quality of Work. All work shall be performed according to the same high standards as would normally be expected at the primary worksite.

Record Retention. Products, documents and records that are used, developed, or revised while telecommuting shall be copied or restored to UVM's network record system. Whenever possible, all such information shall be backed up, preferably on a thumb drive or on the VPN server.

Security. Security and confidentiality shall be maintained by the employee at the same level as expected at all worksites. Restricted access or confidential material shall not be taken out of the primary worksite or accessed through a computer unless approved in advance by the supervisor. The employee is responsible to ensure that non-employees do not access UVM data or records, either in print or electronic form. All confidential or private material must be maintained in a locked, secure location.

Telephone/Internet Expenses. The employee and supervisor will use the most efficient and effective way of handling long distance calls, whether that is the use of a cell phone, calling card or reimbursement of long distance business calls. UVM will not reimburse employee for internet service at a remote site.

Travel. The employee will not be paid for time or mileage involved in travel between the remote work site and the primary work site unless reimbursement has been agreed upon in writing by the supervisor and is in accordance with UVM's Travel Policy.

Taxes. A home office is not an automatic tax deduction. Telecommuters should consult with a tax expert to examine the tax implications of a home office.

Income taxes will be withheld based on the location of where the work is performed. Employees who live in a state other than Vermont are required to maintain accurate information in PeopleSoft for their home address and to immediately advise their supervisor if they move to another state. Supervisors must advise Payroll of any telecommuting agreement with an employee who lives in a state other than Vermont. Employees may wish to consult their tax advisor with respect to other tax consequences.

University Property. Equipment and services may be provided by and paid for by the employee's department at the supervisor's sole discretion. In many cases, employees will be expected to provide their own equipment, such as computers and telephone lines, if they wish to telecommute and the University will not reimburse the employee for wear and tear on any such equipment or for connection/access costs associated with internet or other electronic service necessary to perform job functions at a remote site.

Equipment such as computers, printers, software, and services such as fax lines provided on loan by the University remain the property of the University while on loan, and must be returned upon termination of the telecommuting arrangement. If University equipment is provided, each piece of equipment must be listed with its serial number when the employee takes possession.

Employees must return the equipment in the same condition in which it was originally received, minus normal wear and tear. Employees are personally liable for missing or damaged equipment.

Insurance. The University assumes no liability for injuries occurring in the employee's home workspace outside of work hours or injuries not sustained in the course of performing job duties for UVM. Employees should note that some homeowner policies do not automatically cover injuries arising out of, or relating to, the business use of the home. Employees are responsible to ensure that the homeowners' insurance is adequate to cover anticipated losses and is in effect at all times.