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**SRSU Policy: Remote Work, Telecommuting, and Flexible Work Schedule Policy, also known as the Alternate Work Program – Staff and Administrators**

**SRSU Policy ID: APM 5.28**

**Policy Reviewed by: Executive Cabinet**

**Approval Authority: Executive Vice President**

**Approval Date: July 22, 2021**

**Next Review Date: June 18, 2023**

**I. Scope**

This policy applies to Sul Ross State University campuses in Alpine, Del Rio, Eagle Pass, and Uvalde and other locations where individuals are employed by the university. It applies to all full-time and part-time eligible employees of the university. This policy does not apply to student employment positions.

**II. Purpose**

The purpose of this policy is to allow employees to work at alternate work locations or flexible schedules for all or part of their workweek in accordance with the provisions of Texas Government Code [§ 658.010](#) and [§ 659.018](#). Remote work and flexible schedules may improve work performance, administrative efficiency and effectiveness, reduce vehicle congestion and related costs, and improve the recruitment and retention of highly qualified individuals by enhancing work options and work/life balance.

**III. Definitions**

Alternative Work Program refers to remote work, telecommuting work, or flexible work schedules.

Alternate work locations – Approved places where employees conduct official university business outside of their central workplace locations. The most common alternate work location is at the home of the employee, subject to approval described in this policy.

Central workplace – The primary location where the employee conducts university business. Most commonly at any of the Sul Ross State University campuses.

Compressed Workweek – An arrangement which enables employees to work extended daily hours in order to take a portion of a day or a full day off during the work week. Example include:

- a. 4/10 split which includes working four days for ten hours each day.
- b. 4/9/4 work week includes four days for nine hours and one day for four hours.

Flexible Work Schedules – Approved work schedule outside of the regular 8:00 am – 5:00 pm Monday – Friday business hours, primarily for full or part-time administrative staff.

Remote working – An occasional or short term (up to 30 calendar days) arrangement

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whereby the university and the employee enter into a formal agreement to perform his/her/their usual job duties in an alternate work location.

Telecommuting – A long term assignment for an employee to perform duties at an alternate work location the terms of which are defined in writing in a formal agreement between the employee and university.

#### **IV. Policy**

Not all employees or employment positions are eligible for the Alternative Work Program. No university employee, whether administrative staff or faculty, is entitled to or guaranteed the opportunity to participate in this program. A decision on whether an employee may participate in the program is made on a case-by-case basis taking into consideration the likelihood of the employee performing their job duties successfully. Supervisors will be responsible for evaluating the arrangement and determining the continuation of the agreement after an agreed upon timeframe of three months, six months, or twelve months.

Employees who are approved for remote work or telecommuting must sign a Remote Work and Telecommuting Agreement with the university consistent with this policy.

All remote or telecommuting employees (including those with flexible work schedules) will be required to perform essentially the same work as would be performed at the central workplace and be held to the same performance evaluation standards and other agreed upon terms.

An employee's classification, compensation, and benefits will not change if the employee is approved for the program unless otherwise noted as a negotiated term at the onset of the formal agreement.

The university may establish remote work or telecommuting as a condition of employment, based on the university's needs. In such cases, the conditions will be included when the position is advertised and in correspondence offering employment.

##### **A. Eligible Positions and Employees**

In determining whether an employee and their employment position is eligible for the program, Supervisors, in consultation with the Human Resources Office, will consider a variety of factors, including but not limited to:

- adequate supervision;
- equipment usage;
- the need for face-to-face interactions and teamwork with other employees;
- ability to access necessary information or documents located at the central workplace;
- the alternate work location is in the State of Texas;

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- the position allows independent work with minimal need for support and little need for in-person interactions; and,
- performance can be measured through quantitative and qualitative results-oriented standards and not time spent on the job.

Generally, before an employee is eligible for the program, the following conditions must be met for conditional approval:

- The employee must be in the position for twelve months, if the position did not originate with remote work, telecommute or flexible hours as a condition of employment.
- The employee does not have any disciplinary actions on file for the current or immediately preceding review period.
- The employee has a demonstrated ability to work productively on his/her own with self-motivation and flexibility.
- The employee received at least a SUPERIOR evaluation in the previous assessment cycle.

## B. General Conditions and Expectations

1. **Compliance with University policies.** Employees are expected to comply with University policies, Texas State University System Rules and Regulations, and State and Federal Laws. Any violation may result in termination of remote work/telecommuting and/or disciplinary action, up to and include termination. Employees who remote work or telecommute are subject to Information Security policies (APM Chapter 7) that include security and data protection.
2. **Work hours.** Regular work hours for the State of Texas includes forty (40) hour work weeks regardless of work location. The university also expects the same level of productivity from remote work or telecommuting employees. Employees non-exempt from the Fair Labor Standards Act will be required to record all hours worked in accordance with university policy. Overtime must be approved in writing in advance of hours worked.

Telecommuting and remote work is not intended to serve as substitute for child or adult care. If children or adults are in need of supervision, the university expects the remote work or telecommuting employee to provide additional support for the needed care.

Supervisors will at times and when appropriate require remote work or telecommuting employees to report to the central workplace for meetings, events, or training. Supervisors may also request to meet at the alternate work location as needed to discuss work progress or other work-related issues.

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3. **Use of Leave.** Employees cannot use telecommuting in place of sick leave, Family or Medical Leave, Workers' Compensation leave, or other types of leave. However, the university may determine whether it is appropriate to offer flexible schedules or remote work as an opportunity to return to full or partial hours based on the university's return-to-work policies following an injury or illness.

Employees are required to submit leave requests for time off as a normal business procedure and subject to the Employee Leave Policy (APM 5.04).

4. **Liability.** The University assumes no responsibility for injuries occurring in the employee's alternate work location outside the agreed upon work hours or for injuries that occur during working hours but do not arise out of and in the course of employment. The University also does not assume responsibility for damages to the employees real or personal property resulting from participation in the remote work program.

Workers' compensation coverage is limited to the designated work areas in the employees' alternate work location. Employees approved for remote work or telecommuting agree to practice safe work habits and maintain safe conditions in their alternate work locations. Employees must follow normal procedures for reporting illness or injury.

5. **Equipment and Materials.** The university provides equipment, technology, and materials at the central workplace location, however the university will not generally duplicate resources at the approved alternate work location. Remote work or telecommuting employees may use university-owned equipment and hardware for legitimate university business purposes only. Only university provided computer equipment is permitted to connect to the university network for Virtual Private Network (VPN). University employees are responsible for protecting university property from theft, damage, and unauthorized use. The university will maintain, service, and repair university equipment used in the normal course of employment. The university will require signature of employees checking out university property. Remote work or telecommuting employees are responsible for transporting and installing equipment at the approved alternate work location and for returning state-issued or owned equipment to the central workplace for repairs, service or updates.

The remote work/telecommuting agreement permits employees to use their personal equipment to utilize cloud-based drives and the email system. If personal equipment is used, the university is not responsible for the cost, repair, or service of the employee's personal equipment unless approved by the supervisor.

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6. **Costs of Telecommuting.** The university is under no obligation to pay for operating costs, home maintenance, or other costs incurred by the employee in the use of their homes or other alternate work locations.
7. **Employee Training.** The university will provide training for best practices related to working remotely and supervision of remote work or telecommuting employees.

## C. Remote Work and Telecommuting Agreement

Remote work and telecommuting must be documented as approved through the university Remote Work and Telecommuting Agreement (“Agreement”) form housed in the Human Resources Office. The Agreement must be approved by the employee’s supervisor, the division head, the Human Resources Office, and University President. The Agreement is accessible at <https://www.sulross.edu/finance-operations/human-resources/>

The Agreement will be in place for no more than one year or as agreed upon by the university and the employee. Renewal is not guaranteed and will be evaluated by the supervisor, division head, and the Director for Human Resources every three – six months.

### Procedures for Requesting Remote Working or Telecommuting

A Remote Work and Telecommuting Agreement must be completed and signed by the employee and the employee’s supervisor. Requests must be approved through the employee’s administrative reporting line to his/her department head for remote working and executive cabinet member for telecommuting prior to initiating an arrangement.

The agreement should address all aspects of the remote working or telecommuting arrangement, including but not limited to the following:

- the duration of the agreement;
- the work schedule and how it may be changed, including Flexible Work Schedule provisions;
- leave request procedures;
- the plan for routine communication between the employee, supervisor, co-workers, and customers;
- the employee’s performance goals and expectations;
- the equipment and supplies provided;
- applicable data and university resources security procedures;
- applicable safety requirements; and,

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- a requirement that employees permit their supervisor access to the alternate work location during normal work hours as defined by the agreement.

## **Exceptions for Remote Work/Telecommuting Agreement Requirements**

A formal telecommuting agreement is available for faculty in the Faculty Handbook.

## **Modification or Termination of Agreement.**

The supervisor, in consultation with Human Resources, may modify or terminate the Agreement early for performance concerns, or to address changing department or operational needs. The employee may also terminate the agreement at any time, unless it is a condition of employment. Any termination of the agreement requires two weeks advance notice except termination arising from performance issues which may occur immediately.

## **D. Flexible Work Schedule Agreement**

1. Employees must complete a request for the Flexible Work Schedule.
2. Employees and supervisors must include the proposed work schedule outside of regular business hours as part of the required paperwork for the Flexible Work Schedule Agreement.
3. Supervisors must determine appropriate work schedules for the nature of their departmental business. For example, academic departments with classes taught between specific hours may require support staff to work in conjunction with the scheduled classes. Conversely, some departments may elect to provide business functions outside of the normal Monday-Friday work week and instead offer scheduled hours on weekends as part of the regular 40-hour work week.
4. Overtime hours must be approved in writing in advance of hours worked.
5. Employees may request to terminate the Flexible Work Schedule at any time.

## **V. Enforcement: Complaints, Grievances, or Appeals**

An employee who is denied their request to remote work, telecommute, or flexible schedule should discuss the decision with his/her supervisor in consultation with the Director of Human Resources. The decision of the Supervisor in conjunction with the Director of Human Resources is final.

## **VI. Authority and Amendments**

- A. This policy is approved by the President of the University. The President designates authority to the Executive Vice President in consultation with the Director of Human Resources to make minor or technical revisions or amendments to this policy.
- B. Employees working under a pre-existing telecommuting agreement as of or prior to the effective date of this policy will receive special consideration by the supervisor, division head, and Director of Human Resources for renewal under this policy.