

<b>Policy:</b> Telecommuting	<b>Policy Number:</b> I-1.11
<b>Policy Owner(s):</b> Human Resources	<b>Original Date:</b> 8/1/2017
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- I. **POLICY:** John Carroll University (JCU) may provide certain eligible employees within certain departments and work areas with an alternative to the traditional campus-based work setting via a Telecommuting arrangement.
- II. **PURPOSE:** To establish guidelines and expectations associated with a Telecommuting relationship. No Telecommuting arrangement may exist without a fully executed Telecommuting Agreement.
- III. **SCOPE:** Staff Employees of John Carroll University

IV. **DEFINITIONS:**

**Telecommuting:** A working arrangement whereby a staff employee regularly works at an Alternative Work Site (other than on one of the University’s campus locations) on specified days and for specified hours.

**Alternative Work Site:** An alternative location for work to be performed, which may include the employee’s home or another off-site location, that typically linked electronically (i.e., by computer and/or by telephone) to the University’s main campus.

**Telecommuting Agreement:** An agreement that specifies the terms, conditions, and expectations of the Telecommuting relationship.

**Telecommuter:** An employee who uses a set of technologies to regularly perform job responsibilities at an Alternative Work Site other than on the University’s campus locations.

**On-Campus Work Site:** Primary traditional work place that serves as the business address for the Telecommuting employee’s department or division (i.e. 1 John Carroll Blvd., University Heights, Ohio). The On-Campus Work Site is considered the Telecommuting employee’s standard assigned work location when not Telecommuting and the principal work location for the department or division activities, including meetings and educational activities.

## **V. PROCEDURES:**

- A. The University may opt, in its discretion, to offer or require a Telecommuting arrangement to specific employees. Such an arrangement is not an entitlement or benefit of employment. Telecommuting will also be subject to all other applicable University policies and procedures.
  - 1. Salary, benefits, rights and responsibilities are the same as if the employee were working at the On-Campus Work Site.
  - 2. Employees will undergo periodic assessment and evaluation of job performance and must maintain a minimum overall rating of “fully successful performance” on current and all future performance evaluations.
  
- B. The employee’s direct supervisor, in consultation with the supervisor and Divisional Vice President, will determine if a particular position could be eligible for consideration for Telecommuting work, based on the nature of the job responsibilities involved.
  
- C. Occasional, short-term (less than 4 consecutive business days) flexible arrangements authorized by the supervisor to permit telecommuting or remote work to accommodate University work, such as working on the road during business travel, or an employee’s time-limited circumstances do not require the completion of a Telecommuting Agreement. Formal telecommuting or remote work arrangements, which are long-term (more than 4 consecutive business days) and/or reoccurring (meaning once per week for a defined time frame), require the completion of a Telecommuting Agreement.
  
- D. Criteria for employees eligible for a Telecommuting arrangement include but are not limited to:
  - 1. Eligibility and qualifications for position and job responsibilities approved to be done at an Alternative Work Site, as determined by the supervisor and Divisional Vice President.
  - 2. Job performance (most recent evaluation must indicate an overall rating equivalent to meeting expectations or better), and continued satisfactory job performance during telecommuting arrangement, including satisfactory attendance while telecommuting.
  - 3. Corrective Action / Discipline (candidate or Telecommuter may not have any active written warnings, final written warnings, or suspensions in their file).
  - 4. Ability to provide for set up of required technologies;

5. Ability to perform work in an independent setting without the benefit of co-workers or supervisors present; and
  6. Ability maintain established work hours and/or track work hours if required.
- D. Like all employees, employees working at an Alternative Work Site are subject to intermittent and/or continuous monitoring of performance and their adherence to JCU policies, with or without notice. Employees working at an Alternative Work Site, like all employees at all JCU locations, are subject to unannounced visits or check-in calls by their supervisor or other members of management during the hours the employee(s) is scheduled to be working.
- E. The option to work at an Alternative Work Site is available at the discretion of the Divisional Vice President and with the approval of the Assistant Vice President of Human Resources or designee based upon all of the above factors, including the nature of the work to be accomplished, the tools available, approved budget, and the University's ability to engage in necessary performance monitoring.
- F. A fully executed Telecommuting Agreement must exist prior to any employee working at an Alternative Work Site.
- G. Any Telecommuting arrangement may be discontinued at any time by the University for any reason, with or without notice.
- H. Any violation of this policy, the Telecommuting Agreement or other University policies could result in disciplinary action up to and including termination.

## **VI. TELECOMMUTING PROCESS:**

- A. Supervisors who identify employees eligible to work at an Alternative Work Site based upon job responsibilities must consult with Human Resources. An employee may also make a request for a Telecommuting arrangement to their supervisor.
- B. Human Resources will perform an initial consultation. If the employee is determined eligible by Human Resources based on the criteria listed in this Policy and the supervisor confirms that a telecommuting arrangement may be possible, the supervisor will work with the employee to complete the Telecommuting Request form.
- C. Completed documents will be returned to Human Resources for review. Human Resources will confirm eligibility and ensure that all procedures and processes are fulfilled.

- D. After review, the Assistant Vice President of Human Resources or designee will review the materials with the supervisor and the Divisional Vice President and make a final decision on the Telecommuting Request Form.

## **VII. JOB RESPONSIBILITIES**

- A. When considering the appropriateness of a telecommuting arrangement, the supervisor should understand the employee's job responsibilities and determine if their position is appropriate for a telecommuting or remote work arrangement on either a full-or part-time basis.
- B. Examples of positions that may not be suitable for telecommuting or remote work arrangements include those that require frequent face-to-face interaction, supervision of others' work quality or performance, onsite support or interaction with students, customers or the public, regular in-person attendance at onsite meetings or events, or access to onsite confidential documents. The determination of positions that are not suitable for telecommuting or remote work arrangements are determined in the discretion of Human Resources, the supervisor and/or the Divisional Vice President.

There are positions that are typically not eligible for remote work, including but not limited to direct service and place-specific positions. Examples include but are not limited to certain positions involving student services, health and safety services, reception or service desk services, coaching or mentoring of students, building services, operation of equipment or vehicles, and services offered to the public.

## **VIII. DUTIES AND RESPONSIBILITIES:**

- A. Performance and productivity expectations will be established by the employee's direct supervisor.
- B. The employee's direct supervisor is responsible for basic employee orientation and training to the Telecommuting arrangement.
- C. Telecommuters or remote workers may be required, at any time, to commute to John Carroll's Campus. Employees are required to attend, in-person, all On-Campus Work Site mandatory meetings, continuing education programs, performance evaluation conferences, and to otherwise report to the On-Campus Work Site as requested.
- D. If the Telecommuter is prevented from completing job expectations during normally scheduled workday, the employee must contact the supervisor immediately to determine the best course of action.
- E. Dependent care and/or personal business must not interfere with the Telecommuter's job duties or performance expectations. Telecommuting

is not a replacement for appropriate child/family care. The employee, and any work-related visitors, must be the only person(s) present in the designated work area during working times (excluding breaks or lunch).

- F. Telecommuters or remote workers may be required to forfeit use of personal offices or workstations at their On-Campus Work Site location to maximize utilization of office space during the telecommuting arrangement period.

**IX. WORK HOURS AND OVERTIME:**

- A. All University and departmental policies relating to scheduling vacation and time off continue to apply.
- B. Work hours (including breaks and lunches) are defined by the employee's direct supervisor. If an employee wishes to temporarily or permanently alter the established hours, they must obtain supervisory approval in advance. Unless the request states otherwise, the employee's hours will remain the same as before the Telecommuting arrangement commenced.
- C. The employee's supervisor or co-workers may contact the Telecommuter at any time during established working hours. The Telecommuting employee must remain reasonably available during all working hours.
- D. For hourly employees, any overtime must be approved in advance by the employee's supervisor. If overtime was worked but not approved, the overtime will be paid accordingly, and the employee may be subject to corrective action.
- E. Hourly Telecommuting employees will be required to record all hours worked in a manner designated by Human Resources and the Payroll Department. Hourly employees must record all hours worked, regardless of when and where the work is performed, and they cannot work "off the clock." Hourly employees cannot perform work during unpaid lunch breaks. Any failure to accurately report or record all hours worked may subject the employee to corrective action.
- F. Telecommuters and remote workers are solely responsible for the tax and legal implications of the telecommuting arrangement and the use of their alternate work location for business purposes and are solely responsible for any federal, state, and local government regulations and restrictions resulting from a telecommuting arrangement.

G. If an employee desires telecommuting or working remotely outside of the State of Ohio, they must notify and obtain approval of the Assistant Vice President of Human Resources prior to performing any services for the University outside of the State of Ohio (except in the case of temporary business travel of 14 days or less). Requests for a telecommuting or remote work from another state will be reviewed on a case-by-case basis, as such arrangements may create obligations for University compliance with state and local laws and regulations including those related to employment hiring, business registration, employment laws, benefits or services (i.e. worker's compensation and unemployment compensation, leave etc.), and taxation. A telecommuting or remote work arrangement may be denied depending upon the state in which the telecommuting or remote work would occur.

If telecommuters or remote workers fail to contact the Assistant Vice President for Human Resources prior to telecommuting from a state other than Ohio, the University may terminate the telecommuting arrangement immediately, and the employee will be subject to appropriate corrective action. The telecommuter's department will be responsible for any and all costs to the University resulting from the telecommuting in another state without authorization, and the appropriate Vice President and/or Dean will be notified.

H. Under no circumstances can an Alternative Work Site of a Telecommuting Agreement be located outside of the United States of America.

**X. EQUIPMENT AND SUPPLIES:**

- A. Only with the approval from the Assistant Vice President of Human Resources, or designee, may the supervisor begin to order from the University's Information Technology Services any equipment and software deemed necessary for Telecommuting.
- B. The University will supply computer hardware and software deemed necessary for Telecommuting, as well as basic office supplies.
- C. Equipment, hardware, and software furnished by the University shall remain the property of the University and subject to the same business use restrictions only and may not be used for personal purposes.

- D. Return of all equipment is expected immediately if the Telecommuting arrangement is discontinued or employment with the University is terminated.
- E. Telecommuter is responsible for paying the cost of repair or replacement of University property that is deliberately or through negligence damaged, destroyed, lost or stolen when in the employee's care, custody or control.
- F. Any damage to University property must be reported to the employee's supervisor or designee immediately. If theft of University property occurs, the theft must be immediately reported to the local police department as well as to the employee's direct supervisor or designee and the JCU Police Department.
- G. The specification of internet connectivity is determined by the Information Technology Services (ITS) Department and based upon the job specifications of the Telecommuter. The Telecommuter must consult with ITS about necessary steps to ensure the security of the internet connection used for telecommuting work.
- H. The Telecommuting employee is responsible for establishing and maintaining appropriate telephone communications and internet connectivity. The Telecommuting employee is responsible for all costs related to telephone or internet connectivity while in a telecommuting or remote work arrangement.
- I. University property and casualty insurance only covers property and equipment belonging to the University. The supervisor should contact the Office of Risk Management & Regulatory Affairs regarding insurance issues related to such a theft or loss related to University property during a Telecommuting arrangement.

#### **XI. DATA MANAGEMENT AND SECURITY:**

- A. The Telecommuter is responsible for safeguarding confidentiality, integrity and availability of any University information in their possession, and for following all applicable privacy, security and confidentiality laws, and University policies, and procedures. It is a violation of this policy to avoid or dismantle any University technology security measures. The Telecommuter is responsible for complying with ITS directives for establishing and using only a secure internet connection for telecommuting work.
- B. Special care must be taken to ensure that no one in the home other than authorized JCU Telecommuter has access to any work-related devices, materials, or information. The Telecommuter must assure that only the

Telecommuter is permitted to utilize any University device that is located in the Alternative Work Site.

- C. The Telecommuter will report any breach of privacy, security or confidentiality, or suspicion of such, immediately to their supervisor or designee.
- D. All University policies and procedures apply to the Telecommuter's performance and behavior, including but not limited to the following areas: intellectual property; confidentiality; dissemination of confidential or proprietary University information; standards of conduct; misuse of University resources; non-harassment and non-discrimination; and systems, information and data security.

## **XII. WORK SPACE:**

- A. The Telecommuter must maintain a safe, clean, dedicated work space which provides for compliance with applicable JCU policies and adequate security measures. This should generally be limited to one room.
- B. Telecommuters or remote workers should not hold business visits or in-person meetings at their alternate work location unless approved by their supervisor or unless they are traveling and conducting University-business.
- C. Employees are solely responsible for the configuration of and all expenses and services associated with remote workspace. This includes ensuring and maintaining an ergonomically appropriate and safe remote worksite. Employees are expected to follow basic safety precautions while working in the Alternative Work Site, including but not limited to the following examples:
  - 1. No obstructions in the work space
  - 2. A clean work space
  - 3. Elimination of any trip or fall hazards
  - 4. Proper lighting ventilation and ergonomically correct furnishings
  - 5. Appropriate fire protection equipment including smoke detectors and fire extinguishers.
  - 6. Working carbon monoxide detector
  - 7. Readily accessible flashlight
  - 8. First aid kit
  - 9. Appropriate egress from work area

10. Emergency phone numbers that are easily accessible.

These precautions remain the responsibility of the Telecommuter, and the University will not responsible or liable if the employee fails to follow them.

- D. The personal safety of the employee regardless of the work site remains the responsibility of each employee. The University may deny or rescind a Telecommuting arrangement based on the existence or suspected existence of unsafe working conditions or hazardous materials at the Alternative Work Site.
- E. The Telecommuter is responsible for any costs related to set-ups or improvements to the Alternative Work Site that are necessary for the Telecommuting arrangement to be approved, such as:
  - 1. Remodeling
  - 2. Wiring
  - 2. Furniture
  - 3. Lighting
  - 4. Home repairs
- H. If a Telecommuting employee incurs a work-related injury while performing work in the designated Alternate Work Site during the course of their scheduled work hours, workers' compensation laws and rules may apply, in accordance with applicable law.
  - 1. The Telecommuter must immediately report any accident or injury to the supervisor or designee. The Telecommuter must follow all University workers' compensation and injury reporting policies. A failure to report an accident or injury may result in corrective action.
  - 2. In accordance with the terms and conditions of the Telecommuting Agreement, the University reserves the right to investigate all accidents/injuries occurring at the Alternative Work Site including an onsite inspection.
  - 3. The University shall not be responsible or liable for any injury sustained by any visitors or guests at any Alternative Work Site.
- L. For any reason, the University may determine the need to discontinue the employee's Telecommuting and return to the On-Campus Work Site. The decision to permit the return to the On-Campus Work Site may be made by the employee's direct supervisor or designee based on the availability of space and equipment at the On-Campus Work Site. The decision also may be made by the Assistant Vice President for Human Resources or the Divisional Vice President for any reason.

**XIII. OTHER ARRANGEMENTS:**

- A. At the discretion of the employee's supervisor or designee and the approval of the Assistant Vice President of Human Resources or designee, informal, short-term arrangements may be made for employees who would otherwise be on family or medical leave to the extent that is reasonable and practical for the employee and the University. This may be done only with documentation from and the consent of the employee's healthcare provider, if appropriate.
- B. All other arrangements are made on a case-by-case basis, focusing on the business needs of the University and are separate from the terms set forth in this policy and must be pre-approved by the Assistant Vice President of Human Resources.

**XIV. CROSS REFERENCES:**

At Will Employment

Corrective Action

Hours Worked and Overtime

Performance Evaluations

[Telecommuting Agreement](#)