

Davis Technical College

Remote Work Policy

Effective Date: 03/17/2022
President's Council Approval: 03/21/2022
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1. Purpose

Davis Technical College permits remote work arrangements when doing so benefits both the College and the employee. Remote work arrangements are successful when the job, person, environment, and work situation are appropriate. Remote work can improve productivity and job performance; promote administrative efficiencies (e.g., reduce office and parking space needs); reduce traffic congestion, pollution, and transportation costs; and promote the recruitment and retention of a highly qualified and diverse workforce.

2. References

- 2.1. Davis Technical College Employee Hours of Work policy
- 2.2. Davis Technical College Network Resources Acceptable Use policy

3. Definitions

3.1. Remote Work - working at a location other than College managed workspaces. Other common synonyms are "telecommuting" or "telework".

3.2. Remote Work Arrangement- a College form completed by the employee, Human Resources, and responsible supervisors. The form outlines specific job duties that may be performed remotely, the employee's work schedule, and equipment necessary. Referred to as "RWA" within this policy.

3.3. Alternative Work Location- Approved locations, other than a College workplace, where official College business is performed. The most common alternative work location is the employee's home.

3.4. Ad Hoc – (i.e. "as needed") occurs when an employee without a formally signed Remote Work Arrangement form, may request short-term remote work.

3.5. Surge Telework- Work that is done by an employee whose position has been identified as remote work eligible and/or a position identified as able to perform remote work temporarily for red air days or other special circumstances as approved by the College President. Examples may include such situations as significant inclement weather or other uncommon circumstances. Not all positions qualify for surge telework.

4. Policy

4.1. **Remote Work-** Remote work is a privilege, subject to College approval, and is not a College-wide benefit. Remote work arrangements must serve the College's business objectives and can be discontinued by and at the discretion of the responsible Director and/or responsible Vice President/President at any time. Depending on the nature of work to be performed, not all positions will qualify for remote work. Each remote work decision will be made on a case-by-case basis by considering whether the position must be performed in person, the employee's work responsibilities and performance, schedules, and the overall likelihood for success. If the College establishes remote work as a condition of employment, based on the College's business needs, it will be stated when the position is advertised and/or when remote work is approved.

Regular or flexible remote work may be approved on a temporary, trial, or ongoing basis as follows:

- Regular full-time remote work. An employee works every workday at an alternative work location.
- Regular part-time remote work (Hybrid). An employee works one or more workdays at an alternative work location and the remainder of the week's workdays at a College location (e.g., M&T alternative work location from home; W-F work from College workplace). The schedule is fixed to be the same each week to facilitate meeting schedules and other office activities.
- Flexible remote work- An employee varies their work location throughout the week based on business and/or personal work/life needs. Only positions that can support this variety should be approved under this method.

4.2. Surge remote work is for those positions that the President/Vice President and Director have identified as being able to temporarily work remotely on days where the Utah Division of Air Quality has forecast an air quality of "unhealthy" (red) or higher at least 48 hours in advance for the county/region. Since surge remote work is expected to be temporary and infrequent, it does not require a formal remote work agreement. College positions that provide in-person services, or which have an in-place-duties requirement are not eligible for surge remote work and will still report to their normal work location as scheduled. See section 4.5. Ineligible Positions.

Surge remote work may also be approved by the College President during other special circumstances, such as predicted heavy snowfall or other situations that could pose a risk to employee safety or health.

4.3. Ad Hoc Remote Work – Ad Hoc remote work is intended to be periodic and infrequent and only implemented with specific communication between the employee and their various supervisors including the responsible Vice President. Ad Hoc schedules occur where an employee without a formally signed RWA, may need a short-term remote work arrangement due to uncommon circumstances. Ad Hoc remote work requests do not necessarily require a RWA to be completed. However, prior written supervisor approval is required and the supervisor may request the RWA form to be completed to clarify expectations. See section 5.2. for more information.

4.4. Evaluating Positions for Remote Work

Supervisors should consult with the Human Resources department to analyze the nature of a position and how the work is performed to determine which positions are appropriate to designate or approve for remote work. Each remote work decision will be made on a case-by-case basis. The responsible Vice President has discretion in making the final determination as to whether a position is eligible for remote work.

Several factors should be considered in determining the feasibility of remote work, including:

- 4.4.1.** job responsibilities that can be arranged so that there is no decrease in the level of service provided to students, co-workers, or College operations,
- 4.4.2.** job responsibilities that will not require the physical transportation of documents which may include personally identifiable information (PII), protected health information (PHI), or other confidential information,
- 4.4.3.** minimal requirements for direct supervision or contact with students or other customers/clients,
- 4.4.4.** low face-to-face communication requirements with the ability to communicate by telephone, e-mail, or virtual conferencing,
- 4.4.5.** minimal requirements for use of systems, equipment, or tools that cannot be replicated or provided at the alternative work location,
- 4.4.6.** ability to define tasks and work products that are measurable,
- 4.4.7.** ability of the supervisor to effectively oversee the work being performed.

Examples of such work that are compatible with remote work may include, but are not limited to, analysis, data entry, editing, project management, research, auditing, design work, curriculum development, reading, tele-conferencing, batch work, record keeping, writing, calculating, drafting, graphics, reports, or word processing.

4.5. Ineligible Positions- Some positions are not typically eligible for remote work due to the nature of their responsibilities. Positions that are not eligible for remote work include faculty roles tied to on-campus programs and student instruction, Academic Advisors, Enrollment Technicians, Customer Service Representatives, Assessment positions, Classroom Assistants, Instructional Management Assistants, Pre-Admission Advisors, receptionist positions, food service positions, some IT direct support positions, trades/maintenance workers, custodial workers, security staff, grounds workers, skills examiners, lab operations assistants, and work study positions.

The responsible Vice President has discretion in making the final determination as to whether a position is eligible for remote work. See section 4.4.

4.6. Employee Eligibility- When a remote work request is made, the supervisor and department director shall determine if remote work is feasible either on a trial or ongoing basis. Eligible employees must meet the following criteria:

- 4.6.1.** The employee has been in the position for a minimum of six (6) months. This requirement may be waived if the employee is specifically hired for a remote work arrangement.
- 4.6.2.** The employee has no active, formal Employee Plan for Improvement (EPI) on file.
- 4.6.3.** The employee has demonstrated an ability to work productively and successfully in their work habits.
- 4.6.4.** The employee's assignment is conducive to remote work without causing reductions in services to students, inequities, or workload imbalances with other team members.

5. Procedures

5.1. The following sub-sections discuss the procedures to propose, approve, and/or discontinue a Remote Work Agreement.

5.1.1. Initiate Request- Employees in jobs that are eligible for remote work who have interest in remote work should discuss their interest with their supervisor.

5.1.2. Eligibility Review- The employee's supervisor will notify the Human Resource department to determine whether the employee is eligible for remote work using the criteria listed in section 4.3. of this policy. Human Resources will consult with the responsible Vice President regarding the eligibility of the position and employee. If it is determined that the position and/or employee is not eligible for remote work, then the employee will be notified by their supervisor and the process will end. The employee may re-initiate the eligibility review at a later time.

5.1.3. Remote Work Arrangement Proposal and Trial Period- If the employee is eligible for remote work then the supervisor and employee will work together to complete a Remote Work Agreement form. At this stage, the RWA is considered a working draft/proposal. Once the RWA form is acceptable to the supervisor they will attach a copy to a Personnel Action Notice (PAN) for approval by the departmental Director, Human Resource Director, and the responsible Vice President/President. The approving parties may recommend any necessary adaptations to the RWA. Once approved, newly arranged RWAs are generally initiated for a trial period of three months but variations may occur. At this stage the employee may commence working remotely as scheduled with their supervisor.

5.1.4. Denial- If a proposed RWA is not granted approval then the requesting employee will be notified along with a brief rationale and the process will end. The employee may request to re-initiate a proposal after a reasonable period.

5.1.5. Finalizing and Administering Remote Work- During the trial period of an RWA the supervisor should closely monitor how remote work is influencing the operational needs of the College and employee performance. At the end of the trial period the supervisor should initiate a PAN indicating whether the RWA

should be continued, discontinued, or continued with adjustments. If adjustments are necessary, an updated RWA should be attached to the PAN. The supervisor should consider how remote work is influencing employee performance during the employee's annual appraisal, but the RWA may be reviewed at any time at the discretion of the employee's supervisors and responsible Vice President/President. If there becomes a need to modify or discontinue the employee's RWA then the supervisor will communicate with the employee and an updated PAN should be sent with relevant updates to the RWA.

5.1.6. Ad Hoc Remote Work- An employee who believes their circumstance may require Ad Hoc remote work should contact their supervisor as soon as reasonably practical and prior to any remote work being performed. The employee's supervisor must communicate with appropriate supervisory leadership including the responsible Vice President/President and the Human Resources department regarding the circumstance and whether Ad Hoc remote work will be authorized. In the event Ad Hoc remote work is authorized the supervisor/director will communicate with the employee and outline arrangements and expectations. An RWA form may be completed if it is beneficial for clarifying expectations of the short-term arrangement. Ad Hoc remote work may not be performed without appropriate permission from the employee's supervisors and responsible Vice President/President. The employee will adhere to the requirements and expectations outlined in this policy.

6. General Expectations and Conditions-The subsections below describe in detail some policies that are specific to remote work.

6.1. Compliance- Remote working employees must comply with all federal, state, and local laws as well as College rules, policies, and practices, and agree and understand that violation of such may result in the termination of the RWA and/or corrective or disciplinary action.

6.2. Alternative Work Location- Remote workers are expected to secure and maintain an efficient and safe workspace that is ergonomically sound and provides adequate connectivity to systems and resources to complete duties and communicate in an effective manner. The remote location will be reasonably free of distractions and will be located where other individuals cannot overhear or view confidential information. (i.e., FERPA or HIPAA compliance). Other areas of the property are not part of the remote location. For example, driveways, streets, icy surfaces, and outside areas. Employees will complete the worksite safety checklist as part of the RWA form. If a circumstance arises in which the employee needs to perform their remote work in a location other than what is recorded on the RWA form, then the employee will receive approval from their supervisor to temporarily change the approved remote work location. All long-term or regular remote work location changes will require an update to the RWA on file using the approval process outlined in this policy.

The College assumes no liability for damages to an employee's real or personal property throughout remote work participation.

Remote work should be performed within the state of Utah with the exception of periodic work-related travel. Requests for an exception that would permit employees to work remotely from an out-of-state location for any period of time longer than 30 days must be recommended by the responsible Vice President and reviewed and approved by the President's Council. The President's Council will evaluate the need for the out-of-state work location and the legal and compliance requirements related to payroll, employment, workers compensation, state mandated leave, and other employment related requirements which can vary significantly from state to state.

6.3. Alternative Workspace Distractions- Remote work employees are expected to be productive and available as agreed in the approved RWA. This includes ensuring that remote work employees are free from unnecessary or excessive distractions that could affect productivity, attendance or participation at virtual meetings, or limit the ability to return to the College for work when requested. Examples of distractions include, but are not limited to, the need to care for other adults, children, or pets in the home during agreed upon work times. Remote work employees should make necessary arrangements to ensure the alternative workspace is conducive to work productivity and minimizes the potential negative impact to the remote worker or other

College employees. Excessive distractions that impact productivity or ability to attend and participate in meetings may be considered a performance issue and result in the modification or termination of an RWA.

6.4. Equipment & Materials– *Only College-owned devices will be allowed to access the Davis Technical College network.* Employees with RWAs will limit the use of College-owned equipment for only authorized uses consistent with the Network Resources Acceptable Use Policy. All College-owned equipment will be listed in the RWA form and the employee will return the College purchased equipment at the conclusion of the teleworking arrangement. Employees will maintain College-owned equipment in good working order. Employees will exercise reasonable care for the equipment and should take appropriate action to protect the items from damage, theft, or unauthorized use. The employee may be held liable for damage caused by negligence. College equipment will be maintained, serviced, and repaired by IT Services personnel as well as meet all safety standards. Employees will notify their supervisors when their College-owned equipment requires repairs or updates, or no longer works. Employees will not dispose of any College-owned equipment but rather will communicate with the IT Services department for surplus sale.

6.5. Costs of Remote Work- The College is not obligated to assume responsibility for operating costs, home maintenance, internet, or other costs incurred by employees in their alternative work location unless specific exceptions are allowed.

6.6. Data Management - Many College employees access sensitive data at work. Remote work employees will use network access procedures established by the College and approved software applications to secure data in transit and at rest. *Remote working employees should not save files on non-College owned equipment.* Employees who work remotely will utilize zero trust network access (ZTNA), multi-factor authentication, and hardware with end-point protection software installed with up-to-date virus definitions. Remote work employees will coordinate with the IT Services Department to ensure that software updates are regularly downloaded to patch locally hosted systems' vulnerabilities. Employees will keep sensitive printed materials in a secure location and may not disclose or make accessible to any other person, including household members. The remote employee must notify their supervisor and the IT Department immediately or as soon as reasonably practical if any unauthorized access to College systems occurs.

6.7. Employee's Personal Property- The College is not liable for damages to employee's personal property that is used at a remote location.

6.8. Managing Time, Timesheets, and Requests for Time Off- The remote worker is responsible to record all hours worked in the same manner as they would in the normal College workplace. Overtime hours for non-exempt employees require the advance approval of the supervisor. The College continues to expect the same level of productivity and availability from remote locations as from the normal College workplace.

Employees with an RWA must continue to follow time and attendance procedures, including requests for vacation or sick time. Employees must accurately report their time worked on their timesheet. Departures from approved time without authorization may violate the College policies and may constitute violations of the law such as theft and fraud. Employees who have an approved RWA will meet the same average work-per-week expectations as full-time employees, who work at College managed workspaces (exempt employees- at least 40 hours; nonexempt- 40 hours unless otherwise authorized by supervisor).

6.9. Meetings and Events – Employees may be required to come to campus regularly for division or departmental meetings, events, workshops, retreats or project meetings. Accommodations may be made to attend some meetings virtually; however, employees will physically come on campus whenever requested by the supervisor. Supervisors should provide enough notice to ensure the teleworker can be in attendance in person when required. Commuting to or from a College worksite is considered commute time and is not reimbursable. This applies even if an employee has a remote work schedule. Exceptions may be granted by the cognizant Vice President if extended travel beyond a normal commute is necessary.

Employees will not physically meet with students, clients, co-workers, or the public at the employee's remote work location.

6.10. Communication – Effective communication is vital to success for remote work. Similar to working on-site, unplanned communication happens routinely. Employees will communicate promptly with their supervisors and other people (i.e. students and internal and external customers) as is necessary to perform their work responsibilities. Supervisors and employees may also find it helpful to have a formal communication plan which may define the frequency and method of communication. For example, supervisors may require employees to report their weekly progress, use project management software, virtual file sharing, and other communication software and tools, and set other expectations related to communication.

6.11. College Dismissals and Closures- Employees scheduled to work remotely on a day when delayed-arrival, early-dismissal, or closure is authorized on campus will continue to work their normal remote work schedule as defined in the RWA unless otherwise authorized by their supervisor.

6.12. Injury – Because remote work is considered an extension of the College workplace, injuries or illness that occur because of their College assignment, during schedule work hours and within their alternative workspace, are eligible for coverage under College policy. Employees should follow the normal injury reporting process including notifying their supervisor and Human Resources as soon as reasonably practical and completing an Incident Report.

7. Responsibilities

7.1. Remote Employee-

- Establish a work environment that is safe and free from distractions.
- Carry out the agreed upon work duties while working at the alternative work location.
- Be productive and available during agreed upon work hours.
- Be dressed appropriately for work with intent of being on camera for web-based meetings and have a blurred or other appropriate backdrop.
- Be responsible for any tax implications that affect remote work.
- Report to the normal College workplace as scheduled or requested.
- Safeguard all sensitive or confidential information.

7.2. Supervisor-

- Consult with the director or responsible Vice President/President and the office of Human Resources to determine if remote work is appropriate. Supervisors must ensure that remote work decisions are made for appropriate, nondiscriminatory reasons and provide clear benefit to College operations.
- Require employees, who request remote work, to complete the RWA then send a copy of the signed agreement to the Human Resources department.
- Work with the employee to set clear expectations, requirements, availability, communication protocols and methods, engagement, etc. to ensure the department's needs are met and that the employee may be successful.
- Clarify on-site and off-site schedule requirements and provide as much notice as practicable for call back situations for on-site meetings or work needs.
- Develop a means to accurately record hours worked and evaluate work performance.

7.3. Responsible Vice President/President-

- Approve, deny, or revoke any Remote Work Agreement.
- Ensure that remote work decisions are made for appropriate, nondiscriminatory reasons; provide clear benefit to College operations; and are handled equitably across departments.

7.4. Human Resources Department

- Answer questions, provide guidance as needed, and file RWAs.