

<b>HAYWOOD COMMUNITY COLLEGE</b>	<b>HUMAN RESOURCES TELECOMMUTING</b>	Procedure 3.4.7.1
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It is the policy of Haywood Community College that telecommuting is a cooperative arrangement based on the needs of the College and each employee's department and role, that allows eligible employees to work at alternate work locations.

The College has determined that some positions, by their very nature, do not lend themselves to telecommuting. For example, positions that require daily in-person interaction with others are not suitable for telecommuting and will not be approved. On the other hand, the College finds that some positions are naturally suited to telecommuting. If an employee is interested in telecommuting, the employee's immediate supervisor must first evaluate the suitability.

In unusual situations, and in order to ensure continuity of College operations, the President may grant telecommuting approval for positions that would not normally be considered appropriate for telecommuting.

This Procedure document supports Policy 3.4.7 **Telecommuting**.

## **I. Eligibility & Expectations**

Telecommuting is a voluntary workplace alternative established through a mutually agreed upon arrangement between an employee and the College. The arrangement is not permanent and will be evaluated regularly.

When considering alternative workplace arrangements for employees, supervisors are responsible for determining and managing the appropriate work arrangements for their operations that are consistent with the needs of the College and the people in which they serve. Telecommuting arrangements must be done as equitably as possible and within the guidelines of this procedure.

While it is not required that teleworking arrangements be uniformly available to all positions in a department, the supervisor is responsible for ensuring the equitable administration of this procedure to eligible employees.

A. Position Suitability – a suitable position is a position that can be, at a given time, conducted from an alternate work location without negatively impacting the quality of work or College operations. Position suitability is determined by supervisors and Human Resources. A suitable position meets the following criteria:

- The position allows for flexibility regarding in-person interaction and coordination of work with other employees, the supervisor, students, and/or the public;

- Most or all of the work activities are portable and can be performed effectively while working away from any HCC location;
- Appropriate technology to support assigned work activities is available from the employee and/or the College;
- Work performance can be evaluated using methods other than measuring time spent on the job;
- The position does not require immediate access to equipment, documents, or other physical items located only on campus.

B. Other factors for consideration when determining a position's suitability:

- Nature of the work;
- Protections of confidential information;
- Employee's job performance history;
- Impact on service quality, student success, work team success, and College operations;
- How the proposed arrangement may affect cross-training initiatives, team-based approaches, and other similar strategies;
- Effect on workload (ex: increased workload for other employees);
- Competing leave requests/scheduled time off within department or coverage area.

This list is a non-exhaustive list. Supervisors, Deans, Directors, VPs, EVPs and HR may use their discretion in reviewing position suitability for telecommuting.

C. Employee Suitability – Employees suitable for telecommuting must meet the following requirements:

- Employee's current position is determined suitable for telecommuting;
- Employee has been in current position for at least 12 months, unless waived by the President;
- Employee has a demonstrated ability to work productively on their own, meets all performance expectations in current role and consistently demonstrates the ability to complete tasks and assignments on a timely basis;
- Employee does not have any unresolved past performance issues;
- An approved Telecommuting Agreement is in place prior to telecommuting.

Occasionally working off-site for a few hours or a day does not require a Telecommuting Agreement. These types of informal, non-recurring arrangements are permitted, but must be arranged between an employee and their supervisor. If recurring, this procedure should be followed to determine if a telecommuting arrangement should be considered.

D. Employee Responsibilities & Expectations:

An employee's work responsibilities and duties will remain the same as if the employee worked on campus. An employee's work schedule, including the number of hours, will be specified in the Telecommuting Agreement, but it is expected that employee schedules will be the same or similar to the scheduled of other similar employees that work on campus.

Teleworkers are responsible for maintaining effective workflow and communication amongst coworkers, supervisors, students, and other members of the College community. During work hours, employees must be fully accessible their supervisor, coworkers, and others with whom they normally interact.

All policies and expectations regarding professional standards and job performance apply to employees approved for teleworking. Failure to perform adequately may result in termination of the telecommuting agreement and/or corrective or disciplinary action.

Further:

- Campus meetings, events and student advising/assistance shall not be scheduled around an employee's telecommuting arrangement. All telecommuting employees shall attend required campus meetings and events and provide student advising/assistance in fulfillment of their job duties;
- Telecommuting employees are responsible for all travel and per-diem to and from the employee's home to the workplace regardless of distance;
- Telecommuting employees are required to respond in a timely manner to work related voicemail and electronic mail. Unless otherwise agreed upon with the employee's supervisor, the employee is expected to work during the College's normal hours of operation while telecommuting, 8:00 a.m. – 4:00 p.m. during weekdays;
- Telecommuting does not change the essential functions of the role, the employee's obligations to the College, or adherence to College policies and procedures;
- Each telecommuting employee must continue to perform all functions of their role;
- Telecommuting is not intended to serve as a substitute for child or adult care;
- Telecommuting is not to be used in place of any paid leave;
- Supervisors may require employees to report to standard work locations, as needed, at times when the employee has previously been approved to work remotely;
- Situations may arise that require the teleworking employee to report to their campus work station within a reasonable amount of time and notice. Generally, employees should be able to report to their central workplace within a 2-hour time frame.

Any changes to the Telecommuting Agreement must be approved by the supervisor in advance.

The supervisor and the employee must comply with all applicable laws, rules, and policies including but not limited to:

- Work hours
- Meal and break periods
- Leave
- Submitting timesheets
- Employee conduct and ethics
- Performance expectations
- Communication procedures
- Confidentiality

Employee requests for leave should follow normal procedures.

During their designated work hours, teleworkers will apply themselves to their work and not engage in activities that are not work-related. Telecommuting employees shall not engage in overtime work unless prior approval from the supervisor has been received. Non-exempt telecommuting employees must continue to complete the appropriate timesheet.

The employee is responsible for maintaining a designated workspace free from distractions and an environment that maintains security and confidentiality of college and student information.

E. Inclement Weather:

In the case of an alternate worksite emergency such as a power outage or internet outage, the teleworker is required to immediately notify their supervisor for further instruction. If work can still be performed, the teleworker may remain at the alternate worksite. If work cannot be performed, they may need to report to their office on campus (unless the campus is also affected by the outage), another alternate work location, or take leave.

In cases where there is inclement weather and the College closes, on-line classes should continue as planned and the Instructor should participate as they normally would. In the event of mass power or internet outages and under the direction of the Dean, Vice President or Executive Vice President, online classes may be cancelled and rescheduled.

For those that are not instructing an online class, in the event of inclement weather or other campus closure events, the campus closure would supersede the telecommuting arrangement. In these circumstances, the employee is not expected

to work and the College's policies and procedures on suspended operations or inclement weather related to pay and leave will apply.

## **II. Requests and Approval**

### **A. Requesting a Telecommuting Agreement**

The request for a Telecommuting Agreement may be initiated by the employee or supervisor. If an employee initiates the request, the request should be made in e-mail form to the supervisor. The employee may not telecommute until the completion and approval of the agreement form.

### **B. Supervisor Assessment of Requests**

Upon receipt of the request, the supervisor will carefully review position suitability in accordance with Policy 3.4.7 and these procedures. Supervisors should analyze their department's workflow and staffing levels, peak service or demand times, regular meeting schedule, and ideal work schedule coverage.

Telecommuting Agreements will not be granted unless:

- The position has been identified as suitable for telecommuting;
- The employee has been identified as suitable for telecommuting;
- The employee is able to fully meet job responsibilities and performance expectations;
- All service needs are met during normal business hours;
- The Department's efficient, effective, and safe operations will not be interrupted.

The College retains full and complete discretion to permit or not to permit an employee to telecommute. As a public employer, the College has a special obligation to ensure that employees and work resources are being used efficiently and productively.

In cases where two or more employees with similar duties request to telework, the supervisor may not be able to approve all requests. The supervisor should assess the work to determine how much flexibility is possible. Factors such as seniority, merit, skills, and personal circumstances may be considered when a choice must be made. The supervisor should consult with Human Resources if assistance is needed.

### **C. Approval/Denial of Telecommuting Request**

Upon receipt of a Telecommuting Arrangement request, the supervisor receiving the request will discuss the request with the employee. The supervisor should then discuss the request with the relevant Vice President or Executive Vice President, or President for those reporting directly. The appropriate VP, EVP, or President, must approve any arrangement within their respective areas, in consultation with the employee's supervisor. If approved, the employee will receive a copy of the approval form specifying terms and conditions and a copy will be provided to Human Resources for the personnel file.

If the supervisor denies a teleworking request, the supervisor will clearly explain to the employee why the request is not approved.

Supervisors may choose to initially approve a trial period to assess the success of the telecommuting arrangement and allow for adjustments by limiting the duration on the Telecommuting Agreement Form. During the trial period, the Telecommuting Agreement may be discontinued at the request of either the teleworker or the College. At the conclusion of the trial period, the supervisor and employee should discuss how the telecommuting arrangement worked for both the employee and the College. If the telecommuting structure is working for all parties, a new request should be completed with the adjusted effective dates. If the telecommuting arrangement is not working, a new Telecommuting Agreement Form with adjustments or a return to the "regular" work schedule may be necessary at the discretion of the supervisor. If a teleworking employee requests termination of the Telecommuting Agreement, the College will make reasonable efforts to accommodate the request (e.g. availability of office space, etc.).

The availability and terms of all telecommuting arrangements shall be administered equally based upon applicable factors and in compliance with the College's equal employment opportunity policy.

### **III. Compliance**

Employees in telecommuting arrangements are required to comply with all College policies and procedures. This shall include, but not be limited to, performance management, drug and alcohol, work hours, and employee leave. Violation of the College's policies and procedures may result in termination of the Telecommuting Agreement and telecommuting privilege, and may also result in disciplinary action, up to and including dismissal.

While telecommuting may serve as an appropriate accommodation under ADA, it may not substitute for the ADA Process or FMLA request. Please see Human Resources if you have an ADA Accommodation request or need leave under FMLA.

Employees are expected to cooperate with compliance programs for tax withholdings; however, employees remain individually responsible for the payment of employee income

taxes, including ensuring that sufficient taxes are remitted to taxing authorities through withholding or estimated payments. If employees are working in a state outside of North Carolina, records may need to be updated within Human Resources.

#### **IV. Material and Equipment**

The employee will work with HR and IT to ensure that computer hardware, software, and equipment used for telecommuting meet college security and confidentiality requirements. The employee agrees to manage the alternate work location workspace so that access to data and applications are controlled to them only as it would be from a campus workstation.

Supplies necessary to complete work at the telecommuting site such as paper and other office supplies are to be obtained from the on-campus office/department. The College will not reimburse employees for purchased office supplies for the telecommuting site that would not be purchased normally.

The employee assumes responsibility for all costs associated with telecommuting other than costs referenced in this procedure or the Agreement. The employee is responsible for would any costs associated with services such as telephone service fees, internet fees, and utility costs. Individual tax implications, auto/home owner's insurance, losses from a fire or theft, or incidental residential utility costs are the responsibility of the employee.

The College's IT staff will ensure that College-owned computers and software are working properly. In the event that any issues are not able to be resolved over the phone, it will be the employee's responsibility to bring the equipment on campus for troubleshooting. The employee must install College-owned equipment and/or software with approval from the IT Department. Only College-owned software may be installed in College-owned equipment. The employee may not install or download any other software without approval.

The employee must work with the IT department to complete appropriate inventory documentation on equipment that is used at an alternative worksite.

The employee may not conduct in-person meetings on behalf of the College at the alternative work site.

#### **V. Safety/Ergonomics, Workers Compensation and General Liability**

The designated workspace should be maintained by the employee in a clean, professional, and safe condition.

The employee is responsible for maintaining the alternate work site in a manner free from health or safety hazards and for notifying their supervisor immediately of any unsafe

conditions in the designated workspace and of any work-related injuries. The employee is also responsible for ensuring that all furniture is ergonomically correct and that proper lighting and ventilation are provided. The supervisor is not required to physically inspect the telework site; however, the College retains the right to do so with reasonable advance notice, including inspection of access to and from the telework site. It may be determined that a photo of the alternate work site is sufficient; the photo will be maintained in the employee's personnel file. In establishing a teleworking site, the employee is responsible for compliance with local zoning regulations or rental agreements.

The employee will be covered by workers' compensation for job-related injuries that occur in the course and scope of employment while teleworking.

The College assumes no responsibility for any activity, damages, or injury which is not directly associated with or directly resulting from the official job duties for which the College has no ability to exercise control. The College assumes no responsibility for the employee's personal safety.

The College is not liable for loss, destruction, or injury that may occur in or to the employee's alternative work location. This includes family members, visitors, or others that may become injured within or around the alternative work location.

As liability may extend to accidents which occur in the alternative work location, the College retains the right to make on-site inspections of this work area, at a mutually agreed upon time, to ensure that safe work conditions exist.

Any injury that occurs within the course and scope of employment must be reported according to state and federal reporting requirements.

## **VI. Information Security**

The employee working from an alternate work location will follow all procedures outlined in Policy 7.2: Internet and Network Acceptable Use. In addition, teleworkers must ensure the following:

- The protection of organization data on disk, hardcopy, or on portable devices from theft, loss, or unauthorized access during transit and at the alternate worksite;
- Approved firewalls and anti-virus software are on all alternate workplace site computers and are updated accordingly with current definitions;
- Flash drives or other portable drives are scanned for viruses before used for uploading or downloading data;
- Sensitive information in hardcopy form is returned to the office or shredded;
- The College's network is not accessed from the alternate worksite or other locations unless with advance approval and for approved purposes;



- The employee agrees to follow college guidelines pertaining to the handling of public records;
- Additional training on security policies, data handling and general information security for remote work may be assigned to those with telecommuting arrangements.

## **VII. Modifying or Terminating a Telecommuting Agreement**

Once approved, the employee may not modify the telecommuting arrangement without written consent of their supervisor.

Any telecommuting arrangements and agreements are not a guarantee of employment and can be terminated or modified at any time by the supervisor or the College. Supervisors may revise, suspend, or terminate telecommuting agreements at any time because of performance issues, department needs, or other conditions. Supervisors have the right and responsibility to modify or eliminate Telecommuting Agreements as circumstances change.

Supervisors may, after consulting with their VP/EVP and HR, terminate a telecommuting arrangement at any time if the supervisor determines the arrangement is no longer consistent with the department's obligations or if the performance of the employee is not meeting performance expectations. If an agreement is terminated, the supervisor shall make every effort to provide the employee with reasonable advance notice to permit the employee to make alternate arrangements. Ten (10) business days of notice is generally considered appropriate, unless employee conduct, business needs, or safety issues necessitate a shorter notice period.

Telecommuting Agreements may be approved up to, but not beyond, June 30 of the current fiscal year. Employees must submit a new request for telecommuting annually, beginning on May 1 for the upcoming fiscal year. This ensures all eligible employees have an opportunity to request telecommuting arrangements when there is shared responsibility for coverage in their respective departments.

## **VIII. Definitions:**

- Alternate Work Location – a worksite other than the central workplace which could include a private residence.
- Central Workplace – an employee's assigned place of work, office location, or classroom which is owned or operated by the College.
- Telework/Teleworking/Telecommute/Telecommuting – a flexible work arrangement in which supervisors permit employees to perform pre-approved job duties away from the central workplace, in accordance with the same performance expectations and other approved or agreed-upon terms. It does not include work performed at a temporary work-site for limited duration.
- Teleworker – the employee engaged in teleworking.

- Telecommuting Agreement – a written agreement that details the terms and conditions by which an employee is allowed to engage in telework.
- Work Schedule – the employee’s hours of work in the central workplace and/or alternate work locations.

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