



## TELEWORK GUIDELINES

### UNIVERSITY OF MASSACHUSETTS – PRESIDENT’S OFFICE

Effective March 1, 2021

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## I. INTRODUCTION, SCOPE AND DEFINITION

### A. Introduction

The University of Massachusetts President's Office (UMPO) encourages, in appropriate circumstances, the use of telework opportunities for employees. Telework has been found to benefit society by reducing energy consumption, decreasing environmental pollution and reducing traffic congestion. Telework can also be a tool to allow employees to continue to work when emergency circumstances prevent employees from reporting on-site. Additionally, telework has been found to benefit employers and employees by reducing office costs, saving commuting costs, allowing flexibility in work schedules and promoting a positive work/life balance.

The UMPO reserves the right to clarify, amend or rescind these guidelines based on the operational needs of the organization. The University also reserves the right to implement different temporary Telework Guidelines in response to an emergency situation.

### B. Scope of Guidelines

These guidelines apply to non-unit employees who are employed by the UMPO.

### C. Definition of Telework

Telework (also known as telecommuting or working remotely) is an alternative workplace arrangement which provides employees the opportunity to work at a place other than a UMPO assigned on-site work location. An alternative workplace may be an employee's residence, or an alternative location approved by the employee's supervisor/manager, including a satellite office near the employee's home.

Telework does not include work performed by employees who spend a significant amount of the workday "in the field" or away from the office, routinely traveling to and from various locations in order to best perform their job duties.

## II. AUTHORIZATION AND EXPECTATIONS

### A. Authorization to Telework

A department head, a supervisor, or an employee may initiate a discussion with one another about the possibility of an employee teleworking. However, the final determination as to whether an individual employee may telework is at the discretion of the employee's Department Head, or his/her designee.

The Department Head, or his/her designee, and the employee must execute a Telework Agreement, and file the agreement with Human Resources, prior to the employee beginning telework. (A copy of a Telework Agreement is attached.) An employee and his/her Department Head and supervisor will discuss and determine the appropriate telework schedule. (The Telework Agreement will identify the employee's work schedule and identify which days and hours the employee will be working remotely and will be working on-site.)

Many exempt UMPO employees regularly work more than forty hours in a week and their hard work and dedication is appreciated. However, for the purpose of the Telework Agreement, the Department Head, or his/her designee, and the employee must identify the forty hours that the employee will be available in accordance with Section II (C) below.

The employee and his/her supervisor can agree to temporary incidental changes to the telework schedule without modifying the Telework Agreement or contacting Human Resources. For example, a supervisor can direct an employee to telework on a different day for the next four weeks in order to attend an on-site training program, or, the supervisor and the employee can agree for whatever reason that the employee will telework on a Wednesday of that week rather than Friday of that week. However, if the parties agree to a permanent change in the employee's telework schedule then they need to execute a new Telework Agreement and file it with Human Resources.

Telework Agreements will be reviewed during the employee evaluation cycle and updated as needed.

**B. Discontinuation of Telework**

A Department Head can discontinue a Telework Agreement if he/she determines the discontinuation is in the best interest of the Department. This may include a decision by the Department Head to discontinue a telework agreement because he/she has determined that teleworking has had an adverse impact on the employee's productivity. An employee can discontinue a telework agreement if he/she determines that he/she is no longer able to effectively telework. Whichever party is discontinuing the telework agreement is encouraged to provide the other party with as much notice as is possible.

**C. Availability While Teleworking**

When teleworking, an employee must be readily available by email, telephone, web conferencing and/or the other relevant communications tools deemed necessary by his/her Department (e.g., Slack) during his/her regularly scheduled work hours.

**D. On-Site Meetings and Training**

Employees who telework must report on-site when directed to do so by their supervisor for the purpose of attending in-person meetings, in-person training, or for other reasons that the supervisor determines are required based on the operational needs of the Department.

Employees who telework will not be reimbursed for travel between their home and their on-site office location nor will such commute time be considered hours worked.

**E. Non-Work Related Responsibilities While Teleworking**

Employees who telework must be able to commit their attention to work during the hours in which they are working. For this reason, employees who telework may not be responsible for providing dependent care, or performing other non-work related responsibilities, when they are working.

However, in those circumstances when an employee is teleworking due to a state of emergency, during a time when the on-site work location is closed due to an emergency situation, or when ordinary dependent care services are unavailable as a result of these factors, an employee who teleworks may also provide dependent care if no alternative is available provided that they are still able to work their regular number of hours that day. If the employee is unable to work their regular number of hours that day, then they need to use paid leave if available or unpaid leave if not available.

#### F. Emergency Closing of On-Site Work Locations

An employee who has signed a Telework Agreement is expected to telework in accordance with their agreement even if other employees, who were scheduled to report on-site that day, have been directed to not report to work due to an emergency (e.g., a snow storm).

#### G. On-Site Work Station Assignment

In some instances, it may be in the interest of the UMPO to reduce the need for office space by having an employee work remotely. Depending on the frequency in which an employee who works remotely will be on-site, a Department Head, or his/her designee, can determine whether or not that employees will have a designated on-site work location, or whether the employee will have access to hotel space or some other alternative to an individually assigned work station.

#### H. Temporary Inability to Telework

In the event that an employee, who is scheduled to telework, is unable to do so due to a technical issue (e.g., temporary loss of home Internet access), or the lack of availability of a suitable remote work location, or some other reason that prevents the employee from effectively teleworking on that day, then the employee must report to their on-site work location.

### III. ASSESSMENT OF TELEWORK ASSIGNMENT

#### A. On-Site Operational Need

Each Department must have the necessary staff on-site to operate during business hours. Telework arrangements must not result in a disruption of the on-site workplace. Examples of such disruption may include, but not be limited to, a decrease in productivity, a decrease in communication or coordination, or a decrease in the level of service to internal or external customers.

#### B. Types of Work Suited for Telework

A telework agreement should not result in an employee performing different work than they would perform if they were working on-site. Additionally, a telework agreement should not result in any of the duties of the employee being reassigned to other employees.

Different types of work have characteristics that are well suited to telework assignments while other types of work are less so. When evaluating whether or not to allow an employee to

telework, a Department Head should consider these characteristics. In general, work with easily measured outputs is better suited to telework assignments.

Characteristics of work that are not well suited to telework include:

- Work that regularly requires in-person communication with a supervisor, peers, or customers (e.g. an employee who regularly greets internal or external customers, an employee who maintains IT networks.)
- Work that regularly requires access to hard copy files (non-electronic), financial documents, mail and other hard copy documents that should not be regularly removed from the work site. (Any employee who removes documents from the office for the purpose of accessing those documents while teleworking must return the documents to their on-site work location and comply with any record retention requirements.)
- Work that requires regular access to supplies and/or equipment that should not or could not be reasonably brought to or provided at a remote worksite.

#### C. Employee's Ability to Telework

When evaluating whether an individual employee is well suited to telework, a Department Head should consider the employee's performance history including, but not limited to, the degree to which the employee has demonstrated that he/she successfully organizes and prioritizes his/her work, the degree to which the employee requires direct in-person supervision, the frequency with which the employee meets required deadlines, and other relevant factors.

The Department Head should consider the employee's length of service, specifically whether the employee has worked for the UMPO and the Department for a sufficient period of time to allow the Department Head to fairly assess the work characteristics above.

#### D. Telework for Newly Hired Employees

In some instances, a Department Head may allow a newly hired employee to telework from the very beginning of his/her employment with the UMPO. However, the Department Head must inform the employee that they do not have a right to telework as a term and condition of their employment, and the Department Head and the employee must still execute a Telework Agreement. Specific hours that an employee may be allowed to telework should not be included in an employee's offer letter. Instead, if necessary, the offer letter should reference the Telework Guidelines.

### IV. STATUS, HOURS AND LEAVE

#### A. Status and Hours

Employees who telework are considered to be in an official duty status during the employee's designated work schedule. These employees are expected to work the same number of hours they would if they were working on-site. They are also expected to work the hours that are stipulated in their Telework Agreement.

**B. Paid Leave While Teleworking**

Telework is not intended to be used in place of vacation, sick, family and medical, or other types of leave and should not result in an increase in accrued unused leave. Requests for paid time off must be approved in advance in accordance with standard operating procedures within the employee's Department.

Department Heads and supervisors should inform all employees, whether they work on-site or work remotely, that they are expected to utilize their accrued vacation leave and other types of leave as is appropriate.

If the expansion of telework agreements in a given Department results in a significant increase in accumulation of unused vacation within that department then the Department Head, working in conjunction with Human Resources, may implement measures to prevent further accumulation of unused vacation leave. These measures may include, but not be limited to, modifying telework agreements or requiring employees to utilize their paid vacation.

**C. Workers' Compensation and Safety**

Employees will be covered under applicable workers' compensation laws if injured while performing official duties at the telework site. While teleworking, employees are required to maintain a safe working environment. Failure to maintain safe working conditions may result in the discontinuation of telework privileges. The UMPO is not liable for any damages to the employee's property that results from participation in the Telework Program.

**D. Tax Status**

If a telework agreement will result in an employee spending more than 50% of his/her time working outside of the Commonwealth of Massachusetts, then the Department Head must consult with the Chief Human Resources Officer and the University Treasurer prior to executing the Telework Agreement. This requirement is necessary to ensure that University can determine if the arrangement will have an impact on its tax reporting requirement for that employee.

**V. EQUIPMENT, SUPPLIES AND PARKING**

**A. Information Technology Equipment**

Employees who telework will be required to use their University owned/provided laptop when teleworking. Employees will be allowed to take any of their designated equipment home with them, though no additional equipment will be provided for teleworking. The equipment available to take home consists of University owned:

- Laptop
- Wireless keyboard/mouse
- External camera (if provided)
- Monitor(s)
- Docking station

The employee is responsible for safely transporting the equipment between his/her telework location and his/her on-site office. University owned/provided equipment is for employee use only. Employees are required to report any problems with their University owned equipment to the UITS Help Desk.

Equipment will not be augmented to allow both an on-site office set-up and telework set-up. Exceptions for additional equipment where accommodations are needed must be approved by the Chief Human Resources Officer, or his/her designee. In addition, all exceptions should be approved, funded and tracked at the department level.

#### B. Office Supplies

Employees who telework are expected to secure the office supplies that they need to telework when they report to their on-site office. The Department should purchase the needed office supplies through the regular office supply procurement process. Employees who telework will be responsible for bringing the necessary office supplies from their office to their telework location. The Department may make arrangements with the appropriate vendor to have office supplies delivered to an employee who works remotely on a full-time basis.

The University will not supply employees with, or reimburse employees for, toner for the employee's personal printer unless the employee works remotely on a full-time basis.

#### C. Other Costs

An employee who teleworks is responsible for operating costs, office furniture (including standing desks), home maintenance, or any incidental cost (e.g., utilities including Internet costs) associated with the employee's use of their residence for telework.

#### D. Parking

If employee parking at the University office location is charged on a daily rate, an employee who teleworks does not need to pay for parking on a day that he/she teleworks. However, if parking is charged based on a weekly or monthly rate (or greater segment of time), then an employee who teleworks anything less than full time will still need to pay the full parking rate.

### VI. INFORMATION TECHNOLOGY SECURITY REQUIREMENTS

Employees who telework must comply with all UMPO required security guidelines issued by the University Information Technology Systems Department within the UMPO.

Employees who telework must protect all University records and data against unauthorized disclosure, access, destruction, etc. Files and other information that are subject to confidentiality regulations must be secured from unauthorized access while at the telework worksite.

Employees are required to follow instructions related to patching UMPO laptops with security and application updates. Emails are sent out periodically from the help desk and employees should refer to those instructions.

Employees may not use their own personal desktops or laptops to VPN in the University network except under the following conditions: the UMPO has been temporarily unable to provide the employee with a laptop, the employee's work laptop is temporarily not functioning or when an employee needs to provide remote emergency IT support and does not have access to his/her work device.

If an employee needs to use a personal device for work activity (due to the conditions noted above), he/she is responsible for ensuring the device meets specific security requirements. This includes having active and current anti-virus software running that also provides firewall capabilities. An employee's personal device should be fully supported and security patched according to vendor specifications. More information can be found at the UITS Helpdesk page.