

UT Health Science Center: COVID-19-H Telecommuting	
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No./Title: COVID-19 Telecommuting	Resp. Office: HUMAN RESOURCES	Effective Date: 08/03/2020
Category: Employee Relations	Last Review: 06/28/2024	Next Review: 12/31/2027
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Related Policies: HR0480 - Work Schedules		

OBJECTIVE

COVID-19 Telecommuting is a temporary measure in response to a crisis and is subject to change with or without notice. Telecommuting allows employees to work at home, on the road, or in a satellite location for all or part of their workweek during the COVID-19 pandemic.

UTHSC considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement (written or verbal). Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement; it is not a University-wide benefit, and it in no way changes the terms and conditions of employment with UTHSC.

PROCEDURE

Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement; however, the supervisor has the final approval authority with guidance from the University and Human Resources.

Any telecommuting arrangement may be discontinued at will and at any time at the request of either the telecommuter or the University. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, childcare, and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

Eligibility

Departments will determine individuals eligible for telecommuting arrangements during the pandemic.

The following criteria should be considered when offering/extending telecommuting:

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- Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations, and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

Evaluation of telecommuter performance during the pandemic should include regular interaction by phone, ZOOM, and e-mail between the employee and the manager, and weekly meetings (phone or ZOOM) to discuss work progress and problems. Evaluation of telecommuter performance should be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process. The manager and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

Equipment

During the COVID-19 pandemic, UTHSC may supply equipment needs for each telecommuting arrangement. However, when the University does not have available resources, employees may be required to supply their own equipment. Incremental home utility costs associated with working from home will not be paid or reimbursed by the University (i.e., personal cell phone and internet expenses.)

Responsible Use of University Resources: Employees must use University property, funds, technology, time, and other resources for legitimate business purposes. The human resource and information system departments will serve as resources in this matter. Equipment supplied by the University will be maintained by the University. Equipment supplied by the employee, if

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deemed appropriate by the University, will be maintained by the employee. Computers and computer accounts are provided to employees to assist them in the performance of their jobs.

Employees do not have a right to privacy in anything they create, send, or receive on a University computer. The University has the right to monitor, for business reasons, any and all aspects of any University computer system, including employee e-mail. Employees must use University property, funds, technology, time, and other resources for legitimate business purposes.

UTHSC accepts no responsibility for damage or repairs to employee-owned equipment. UTHSC reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the University is to be used for business purposes only. The telecommuter must sign an inventory of all UTHSC property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all UTHSC property will be returned to the University, unless other arrangements have been made.

UTHSC will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary by the department.

The employee will establish an appropriate work environment within his or her home for work purposes. UTHSC will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, lighting, nor for repairs or modifications to the home office space.

Security

Consistent with the University's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary UTHSC and customer information accessible from their home office. Employees must ensure technology used in your home is compatible and compliant with the University security protocols (i.e., VPN, password management, etc.). Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

Responsible Use and Protection of Confidential Information: Employees are entrusted with a variety of confidential information about students, faculty, staff, alumni, donors, research sponsors, licensing partners, patients, and others. Employees must access, use, protect, disclose, preserve, and dispose of confidential information in compliance with applicable laws, regulations, contracts, and University policies. Verbal security may be more important in the performance of job duties, (i.e., working in public areas like coffee shops, home with family,

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libraries, using open access wi-fi). When performing job duties in public areas, ensure that your communications are private and held in the strictest of confidence.

Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's Workers' Compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Telecommuting is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members.

Time Worked

Pursuant to HR0480, the supervisor is responsible for setting the work schedule and may alter it based upon the needs of the department. A work schedule includes core business hours when employees are required to be at work. A flexible schedule may include a compressed work week (e.g. four 10-hour days) or allowing employees to vary their arrival and/or departure times (e.g. 7:30 to 4:30). An employee's Work from Home work schedule should be consistent with the core work day of their campus department unless a variation is approved by the supervisor, which will be determined on a case-by-case basis and may include the need for extended hours.

Departments and other units that permit alternate work arrangements, including compressed schedules, should develop written guidelines explaining when alternate work schedules may be considered. Employees are expected to maintain their assigned percent of effort (e.g., 100%, full-time = 40 hours per week) recorded in the official accounting system personnel system while performing work in a temporary Work from Home arrangement. If an employee is unavailable for a period of time during the workday (i.e., going to a doctor's appointment, taking vacation, etc.) the employee is to report and use their accrued sick/annual time. Time not reported as worked during a telecommuting arrangement should be recorded as leave, either annual or sick leave, when necessary and approved by the employee's supervisor, pursuant to UT Policy HR0380 – Sick Leave and HR0305 – Annual Leave.

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using UTHSC's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require

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the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.

Ad Hoc Arrangements

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects, or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.