



UT System Administration Policy Library -- Policy INT136
TELECOMMUTING

Responsible Officer: Associate Vice Chancellor for Employee Benefits and Services

Sponsoring Office: Office of Employee Services

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POLICY STATEMENT

It is the policy of The University of Texas System to allow telecommuting on a discretionary basis, when telecommuting enhances the overall productivity of the work unit. Before a department and employee may enter into a telecommuting agreement, the Chancellor or his designee must authorize the individual to perform work from a remote site. Employee participation in telecommuting is entirely voluntary. A department may not require an employee to telecommute and an employee may not demand the “right” to telecommute.

This policy applies to regular salaried Classified and Administrative and Professional employees, and does not include employees hired for temporary positions.

An employee interested in telecommuting must meet the following eligibility criteria:

- have at least one year of service with The University of Texas System Administration;
- have a demonstrated ability to work well with minimal supervision;
- have a thorough knowledge and understanding of the job tasks and operations for which he or she is responsible;
- have a history of reliable and responsible accomplishment of work duties; and
- have demonstrated ability to establish priorities and manage his or her time.

Employees who are Reading Technical Assistance Specialists (RTAs) in the Institute for Public School Initiatives (IPSI) department are not required to fulfill the one-year eligibility requirement before telecommuting.

A job acceptable for telecommuting is one that can be performed at a remote site without diminishing the quality of the work or disrupting the productivity of an office. Examples include but are not limited to:

- analyzing documents such as financial statements, proposals, data estimates, and budgets;
- performing computer-related functions such as entering or compiling data, developing databases, and programming;
- communicating by e-mail, fax, or telephone, when the location of the staff member is not critical;
- arranging meetings, coordinating studies, consulting with experts, and providing information in response to requests;
- documenting trip reports and test results;
- reviewing plans and specifications, policies, procedures, legal documents, and reports;

- performing research for department planning documents, policies, and procedures;
- verifying reports, records, and accuracy tests; or
- writing or editing memos, reports, letters, articles, policies, procedures, and evaluations.

A job that requires frequent face-to-face contact with the public or internal departmental staff is not suitable for telecommuting.

A telecommuting agreement may remain in effect for the duration of the fiscal year, unless terminated in accordance with the procedures described elsewhere in this policy. A new agreement must be completed at the beginning of each new fiscal year.

All forms of telecommuting imply an employer/employee relationship, with the employee receiving the same benefits and having the same responsibilities as a non-telecommuting employee. Employee benefits including leave time, holidays, compensation (except for the accrual of State compensatory time), etc., are not affected by an employee's telecommuting.

The agreement does not constitute an employment contract and does not create a property interest in employment.

RATIONALE

The purpose of this policy is to provide for the administration of the telecommuting program for The University of Texas System.

SCOPE

All Offices of UT System Administration

WEBSITE ADDRESS FOR THIS POLICY

<http://www.utsystem.edu/policy/policies/int136.html>

RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS

UT System Administration Policies & Standards	Other Statutes, Policies & Standards
	<ul style="list-style-type: none">• Texas Government Code , § 658.010• Texas Government Code , § 659.018

CONTACTS

If you have any questions about UT System Administration Policy INT 136, *Telecommuting*, contact the following offices:

Subject	Office Name	Telephone Number	Email/URL
Human Resources/ Employee Benefits	Office of Employee Services	512-499-4587	esc@utsystem.edu

DEFINITIONS

Designated headquarters:

The employee's usual and customary System work address.

Telecommuting:

Working from a remote site, such as a private home, instead of commuting to a designated headquarters. Emphasis is placed on information or communication exchanged through telephones and remote devices such as computers, modems, and fax machines to allow an employee to work at a remote workplace.

RESPONSIBILITIES

Supervisor or Manager

- Completes training as dictated by this policy.
- Secures approval to appropriate administrator before offering the telecommuting option.
- Responsible for the performance of the telecommuting employee, and coordinates the telecommuting employee's equipment and other technical needs.
- Completes a *Telecommuting Agreement*.

Employee

- Completes online telecommuting training and is responsible for abiding by the terms of the telecommuting agreement and this policy.
- Responsible for equipment, materials, and other resources provided by or belonging to The University of Texas System.
- Complies with all required information security policies and procedures;
- Ensures that State-owned equipment is used only for officially authorized purposes.

Department Head

- Attends trainings as dictated by this policy.
- Identifies jobs, employees, and supervisors appropriate for telecommuting.
- Verify that all areas in the department apply the same criteria and follow the telecommuting guidelines.
- Obtain necessary equipment and resources as feasible.

- Send a copy of the telecommuting agreement to Office of Employee Services and the Office of Technology and Information Resources.

PROCEDURES

1.1 Approval

A memorandum requesting approval must be sent from the supervisor or manager of the employee wishing to telecommute to the Chancellor, or to the applicable Executive Vice Chancellor, Vice Chancellor, department head or director. These individuals are delegated authority to approve, authorize, execute and deliver agreements and other documents related to telecommuting.

The memorandum must include

- justification for the request to telecommute, including the benefit to The University of Texas System;
- work days and hours proposed; and
- confirmation that the individual and the job meet policy criteria.

Once the approval to telecommute has been obtained from the Chancellor or his designee, the employee and the supervisor must complete a *Telecommuting Agreement*. The original of this agreement must be sent to the Office of Employee Services. The Office of Employee Services will ensure that the Office of Technology and Information Services (OTIS) has access to active Telecommuting agreements via FileNet.

All management and supervisory personnel are required to complete online training on telecommuting policy and procedures, and the skills required to facilitate successful telecommuting by employees.

1.2 Supervisor's responsibilities

The supervisor must:

- complete management training to improve evaluative and other skills important to successful telecommuting for the employee;
- secure approval from the department head before offering the telecommuting option;
- be responsible for the performance of the telecommuting employee just as with other supervised employees; and
- be responsible for coordinating the telecommuting employee's equipment and other technical needs.

1.3 Employee's responsibilities

The telecommuting employee must:

- complete online telecommuting training to learn skills necessary for successful telecommuting;
- be responsible for abiding by the terms of the telecommuting agreement and this policy;
- be responsible for equipment, materials, and other resources provided by or belonging to The University of Texas System;
- comply with all-required information security policies and procedures; and
- ensure that State-owned equipment is used only for officially authorized purposes.

1.4 Department head's responsibilities

The department head must:

- attend management training to improve skills to facilitate successful telecommuting by their employees;
- identify jobs, employees, and supervisors appropriate for telecommuting;
- verify that all areas in the department apply the same criteria and follow the telecommuting guidelines;
- obtain necessary equipment and resources as feasible; and
- send a copy of the telecommuting agreement to the Office of Employee Services and the Office of Technology and Information Resources (OTIS).

1.5 Schedule Criteria

The specific time schedule for the telecommuting employee will be worked out between the employee and the supervisor, and recorded in the telecommuting agreement. The telecommuting employee must be available for contact during scheduled work time as if the employee were working in the designated headquarters. Contact may include telephone, fax, network access, pager, or e-mail. The employee and supervisor will agree on how to handle communications and messages.

Unless otherwise approved, the employee must report regularly to his or her designated headquarters, usually at least once per week.

The operational needs of The University of Texas System take precedence over telecommuting agreements. A telecommuting employee must forego telecommuting if needed in the office on a regularly scheduled telecommuting day, but the individual should be given as much notice as is reasonably possible. A supervisor may allow for flexibility in scheduling the specific days of the week used for telecommuting and allow week-to-week flexibility to meet changing needs.

1.6 Authorized Expenses

Department heads are authorized to approve, using established procedures, expenditures for

- office equipment, excluding furniture;
- software and communications, including charges for connecting telephone lines for dial-up access; and
- office supplies needed by the telecommuter at the remote workplace.

Supplies required to complete assigned work at the remote workplace should be obtained during one of the telecommuter's in-office work periods. Out-of-pocket expenses for materials and supplies normally available in the office, such as computer paper, floppy disks, etc., will not be reimbursed.

All business-related long distance calls should be charged to a University of Texas System calling card or account.

1.7 Equipment and Software

A telecommuting employee must abide by all University of Texas System policies and guidelines for standards and ethics, and strictly adhere to policies regarding the use of State property.

A telecommuter is responsible for ensuring the safety and integrity of data and software used at the remote site.

The telecommuter must run current anti-virus software at all times.

The employee agrees to prevent unauthorized viewing or use of data by non-employees. A password protected screen saver must be used at all times on the remote computer.

The department head is responsible for identifying all equipment needs within his or her department. In general, the need for specialized materials or equipment for a telecommuting employee should be minimal or flexible. The department head must approve the decision to purchase or assign equipment based on overall departmental operational efficiency and effectiveness and on the availability of funds. Budget limitations within a department may prevent an employee from telecommuting.

The employee is required to use a surge protector, which may be provided by the department, to protect System-owned computer equipment from electrical spikes.

When equipment is used at a remote workplace, the employee is financially responsible for that equipment if it is lost, stolen, or damaged because of that employee's negligence, misuse, or abuse. Property removal procedures must be followed.

1.8 Employee-owned hardware and software used in telecommuting

All hardware and software used must be approved by OTIS and scanned for viruses.

All computers connecting to The University of Texas System's network via digital subscriber line (DSL), cable modem service, or through an internet service provider (ISP) are required to use properly configured virtual private network (VPN) or remote terminal services software, personal firewall software, remote control software provided by The University of Texas System, and to be running current virus protection software. Computers not properly configured and/or secured for telecommuting will be disconnected from The University of Texas System network until corrected.

Products or programs the employee develops while telecommuting for The University of Texas System remain the property of The University of Texas System.

Employees are required to follow all information security rules, copyright laws, and manufacturer's licensing agreements of The University of Texas System. Software may not be duplicated except as allowed under law or licensing agreements.

A telecommuter must use only approved communication software when connecting with The University of Texas System network.

The University of Texas System will not be liable for damages to employee-owned equipment resulting from participation in the telecommuting program; nor responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities, basic telephone service, insurance) associated with the use of the employee's residence for telecommuting, unless specifically provided otherwise in advance in writing by the head of the employee's department.

1.9 Technical support

The employee will contact the HELP desk for technical assistance. HELP desk hours are from 7:30 a.m. until 5:30 p.m. Monday through Friday.

If required, HELP desk staff will use remote control software to control the employee's computer for troubleshooting.

In cases where the problem cannot be fixed remotely, the employee will be responsible for bringing the computer to the Office of Technology and Information Services.

If a problem arises relating to the telephone or Internet Service Provider, the employee will contact and obtain support from the service provider. Payment for repairs is the responsibility of the subscriber of the service.

To ensure proper backup of data, the employee agrees to save files to a server of The University of Texas System, rather than to the local hard drive of the remote computer.

1.10 Work Environment

The telecommuter should maintain a designated workspace in a clean, professional, and safe condition at the alternate work location. The supervisor may visit the telecommuter's work site for evaluation prior to final approval.

Employees are subject to all policies of The University of Texas System, regardless of work location.

It is the employee's responsibility to maintain a proper work environment insofar as dependent care arrangements. *Telecommuting is not a substitute for dependent child or elder care.* Arrangements should be made so that dependent care does not interfere with work, and personal disruptions such as non-business telephone calls and visitors are kept to a minimum.

Children under the age of 13 must be under the care of an individual other than the employee while the employee is working at home. Unless otherwise approved, someone other than the telecommuting employee must care for other members of the household who need regular attention, or the employee must use sick leave or vacation as appropriate.

The University of Texas System specifically assumes no liability for injury to any other person who would not be in the work area if the duties were being performed at the designated headquarters. The University of Texas System retains the right to make pre-arranged on-site inspections of this work area during work hours. Workers' Compensation benefits will apply to injuries arising out of and in the course of employment. A telecommuting employee who sustains a work-related injury must notify the supervisor immediately and complete all requested documents regarding the injury.

The University of Texas System will provide an adequate work area for a telecommuting employee when in the departmental office.

1.11 Time and Leave

The amount of time an employee is expected to work will not change due to telecommuting; a full-time employee will be responsible for working 40 hours per workweek.

A telecommuting non-exempt employee covered by the Fair Labor Standards Act will be compensated for overtime in accordance with the provisions of the Act. Under no circumstances may a non-exempt employee work in excess of 40 hours per workweek without advance approval of the employee's supervisor.

A State employee is prohibited from accruing State (equivalent) compensatory time for work performed at any location other than the employee's regular place of employment or assigned duty point. Under State law, an employee's residence *cannot* be deemed to be an employee's regular place of employment or duty point.

An employee whose residence is his/her regular place of employment may not earn compensatory time for working hours in excess of 40 as long as the excess hours worked took place at the employee's residence. An employee whose residence is the employee's regular place of employment may earn compensatory time for working hours in excess of 40 if the excess hours worked take place at an assigned work location other than the employee's residence.

An employee who telecommutes during the workweek may earn compensatory time for job-related travel during the workweek that causes the employee to exceed 40 hours a week worked.

In accordance with established policies and procedures, a telecommuting employee must obtain supervisory approval before taking any type of leave.

All time and leave records must be maintained by the department for a telecommuting employee as they are for on-site employees.

1.12 Work Assignments and Evaluation

A telecommuting employee will meet with the supervisor to receive assignments and to review completed work; and will complete assigned work according to the standards of performance for their classification and according to procedures mutually agreed upon with the supervisor.

The evaluation of the employee's job performance will be based on established performance standards for the job classification.

Satisfactory performance must be maintained in order to remain in the telecommuting program. A performance evaluation should be performed every six months while an employee is telecommuting.

On telecommuting days, an employee must be available to receive telephone calls during scheduled work hours. Telephone calls received at the remote workplace must be handled in a professional, businesslike manner.

A telecommuter will be required to maintain accurate time accounting documentation to support and substantiate work hours and products, and will be required to submit routine time and status reports detailing hours worked and tasks performed or completed.

1.13 Termination of Participation

The telecommuting arrangement is voluntary and may be terminated at any time with 10 days written notice by either party.

The University of Texas System may terminate the telecommuting agreement for cause without prior notice.

When the telecommuting agreement is terminated, the employee must immediately return to The University of Texas System all notes, data, reference materials, sketches, drawings, memoranda, reports, records, equipment, software, supplies, and any other System-owned property in the employee's possession or control.

The University of Texas System will not be held responsible for costs, damages, or losses associated with the termination of the telecommuting agreement.

FORMS AND TOOLS / ONLINE PROCESSES

[Telecommuting Agreement Forms](#)
[Office Safety & Safety Checklist for the Home Office](#) (PDF)

APPENDIX

None

Keywords: telecommute, telecommuting, working from home, work at home, HR, human resources, out of pocket reimbursements
