

HUMAN RESOURCES POLICY – COVID TELEWORK POLICY – STAFF EMPLOYEES

This policy is applicable to all staff employees of the University of Portland.

Definition of telework:

Telework refers to an arrangement where an employee works from home or from another location away from the usual workplace. Depending on the details of the arrangement, telework constitutes either a portion of the employee's work time or all of it.

COVID telework policy:

Any telework arrangement approved under this policy is intended to help prevent the spread of the Coronavirus, also known as COVID 19, without putting undue burden, undue added expense, or undue operational difficulty on the supervisor, team, department, and/or University.

This policy does not cover employees who are requesting telework because: they may have been exposed to the Coronavirus, they have been diagnosed with the Coronavirus, they are quarantined due to the Coronavirus, they have childcare or family care difficulties related to the Coronavirus, or they or a family member is more vulnerable to the Coronavirus due to a health situation. Employees in these situations should be referred to work directly with Human Resources.

This policy is only applicable during time periods when the University has determined that this policy is necessary because of the Coronavirus situation. The University reserves the right to revoke this policy and the arrangements approved under this policy at any time, based on the University's sole discretion.

This policy permits employees to telework when approved by the employee's immediate supervisor, area director (if applicable), and the PLC¹ member or Dean who leads the employee's area. (The immediate supervisor, area director, and PLC member/Dean are referred to herein as "Supervisors.")

The Supervisors are responsible for determining whether an employee is an "Essential Employee" or "Non-Essential Employee." Essential Employees are employees whose job responsibilities require them to do their job duties even during emergency or urgent situations, on or off campus, as deemed necessary by the University at its discretion.

The Supervisors have discretion in deciding whether an employee is a candidate for telework and what portion of their work (type of work and/or amount of work time) can be done via telework. Some employees may not be eligible due to their status as an Essential Employee, specific job requirements, impact on a team, needed equipment/tools, the space the employee has available for telework off campus, performance concerns, and/or other relevant factors. When evaluating whether telework is appropriate, the supervisor must determine that the employee can effectively perform the job duties of the position while teleworking.

¹ PLC member refers to the President, Provost, or Vice President who leads the employee's area.

Performance and Conduct Expectations:

The following are performance and conduct expectations of teleworking employees:

- A teleworking employee is expected to account for all time worked and to take appropriate sick time, vacation time, or leave (paid or unpaid) to account for time spent away from normal work-related duties (e.g., to care for dependents or family members, in the event of illness, etc.).
 - o Non-exempt (hourly) employees should follow their regular work schedules, unless their Supervisor(s) have approved a deviation in advance, and non-exempt (hourly) employees must record all hours of work accurately in their SSB Time Sheets.

Generally, exempt employees should work at least 35 hours per work week (work week is Monday through Sunday). Exempt employees should review and follow this policy about partial day absences www.bitly.com/up-exempt-partial

Supervisor(s) or Human Resources may ask exempt employees to keep track of their work hours, if such tracking is deemed necessary. In such situations, more guidance will be provided about how to track work hours.

- Employees are responsible for the same performance and conduct expectations, including communications with supervisors and employees whom they supervise, while teleworking as they are during normal business operations.
- An employee should always have a sufficient amount of work to perform throughout the workday when he or she teleworks. An employee performing telework who does not have enough work should notify his or her supervisor so that more work can be assigned, if possible. Supervisors should consult with HR with any questions relating to this provision.
- Employees who do not meet performance or conduct expectations may be subject to discipline pursuant to relevant University policies, including but not limited to, the removal of teleworking privileges, in consultation with Supervisors and Human Resources.

The following are expectations of Supervisors:

- Supervisors continue to be responsible for managing teleworking employees' performance and conduct the same as during normal business operations.
- Supervisors will be required to implement protocols to ensure that they are appropriately managing employees' work performance and productivity, including regular check-ins and communications.
- Supervisors should continue to monitor and keep their University leadership apprised in a timely manner about relevant information such as work levels of employees, changes, operational needs or challenges, concerns, etc.

- Where there are any potential performance or conduct concerns about teleworking employees, Supervisors are expected to notify Human Resources in a timely manner by emailing hr@up.edu. In particularly urgent situations, Supervisors should call or text (310) 779-2406.
- Supervisors are also expected to notify Human Resources in a timely manner in the following situations: where there are any significant or unusual concerns, unusual situations, potential safety matters, situations that appear not be addressed in this policy, situations that require significant or unusual judgment calls, situations involving significant or unusual concerns related to equity, and the like. Human Resources can be contacted by emailing hr@up.edu. In particularly urgent situations, Supervisors should call or text (310) 779-2406.

Telework evaluation process:

Supervisors should work with the employee to evaluate whether telework is appropriate, considering operational needs of the unit/department/University, communication, impact of remote work on other team members, and other relevant factors. Considerations may also include the employee’s readiness for telework.

- **Determine employee readiness for telework**

Some employees may be better prepared than others to manage the unique requirements of teleworking. When evaluating a telework request, supervisors should consider whether the employee has a record of satisfactory performance in the workplace and has demonstrated the ability to:

- Prioritize work to meet deadlines
- Accomplish job duties with minimal supervision
- Communicate effectively with clients, stakeholders, and team members
- Manage time effectively

- **Determine supervisor and team readiness for telework**

Before approving a telework request, Supervisors should consider any changes needed to ensure the team continues to meet its objectives. Supervisors should ensure that the employee and work product will be effectively managed as their on-site colleagues.

Documenting the telework arrangement:

The goal of the Telework Agreement is to ensure that both the employee and Supervisors have a shared understanding of the telework arrangement. At a minimum, the agreement should define:

- A work schedule that specifies telework days, location and hours
- Required methods of communication specific to telework (e.g. Skype, phone)
- The duration of the telework arrangement
- Responsibility for telework equipment
- Circumstances requiring on-site attendance
- The location where the telework arrangement will take place

The immediate supervisor and employee should each keep a copy of the Telework Agreement. Also, supervisors should upload copies of all Telework Agreements to Human Resources here: www.bitly.com/up-covid-telework

Telework arrangements are at the discretion of the University and Human Resources:

The University reserves the right to approve or not approve telework arrangements, as well as to change or revoke telework arrangements, at any time, based on the sole discretion of the Supervisors and as approved by Human Resource.

Requirements for in-person attendance or other unit/department/University needs requiring on-campus work can override telework agreements.

There may be circumstances in which a request for telework cannot be approved. In order to demonstrate consistency and equity within the unit, it is important that the Supervisors explain the denial to the employee and based upon policy, impact on unit operations, and/or the employee's work record.

Requests to review telework related decisions can be made to Human Resources. Human Resources has the authority to change approvals or non-approvals, as well as to change or revoke telework arrangements, at Human Resources' sole discretion, even when such changes are different from what was approved by the Supervisors.

University property and data security:

Reasonable steps must be taken to ensure that University property is used in compliance with University policies and requirements during telework. This includes complying with all software licensing agreements. The security and confidentiality of University records must also be maintained, and employees must comply with all applicable laws and policies, including, but not limited to, FERPA.

Employees who have been issued University laptops should use those laptops. Where equipment such as laptops, computers, phones, or other devices have not been issued, employee can and should use their personal computer, phone, and other equipment for telework arrangements. The University's guidance in this area should be followed; the guidance is available here: <https://access.up.edu>.

Workers' compensation:

Teleworking employees are covered by workers' compensation for job-related injuries that occur in the course and scope of employment. When the telework site is in the home, workers' compensation does not cover injuries that are not job related.

** This policy is effective as of March 13, 2020.*

*** This policy was approved by the PLC on March 13, 2020.*