

	FGCU POLICY 3.053	Responsible Unit: Human Resources
	Telecommuting	

A. POLICY STATEMENT

Telecommuting may pose advantages for both the University and its Employees, including increased productivity and performance, enhanced Employee recruitment and retention, relief of on-campus space constraints, cost reduction, environmental sustainability, crisis response, and greater work-life balance. Telecommuting is not an entitlement or University-wide benefit and may not be suitable for positions that require in-person interaction with students.

Although some positions may require Telecommuting, it is typically a work arrangement determined by Employees' supervisors and approved by the appropriate Vice President in which eligible Employees fulfill their job responsibilities at a site other than their Onsite Work Location during regularly scheduled work hours for an indefinite or finite period. The scope of this Policy covers Telecommuting arrangements.

B. REASON FOR POLICY

The intent of this Policy is to provide procedural guidance to both Employees and their supervisors when a voluntary Telecommuting arrangement is requested.

The University considers Telecommuting to be a viable alternative work arrangement in cases where the individual Employee, the job, and the supervisor are well suited to such an arrangement. Not all Employees and positions are suitable for Telecommuting. Suitability for Telecommuting is based upon the individual Employee as well as the Employee's position and is to be determined by the Employee's supervisor and is approved pursuant to this Policy. Informal Telecommuting arrangements, such working on the road during business travel, do not require the completion of FGCU's Telecommuting Agreement. Formal Telecommuting arrangements, which are long-term, short term and/or recurring, require the completion of FGCU's Telecommuting Agreement or, if in the response to a campus crisis, the Temporary Telecommuting Agreement.

1. Employees are expected to work their normal work schedule, unless they receive their manager's prior approval to adjust their schedule. Employees need to remain productive and responsive during their scheduled work hours.
2. Employees are expected to be available for their division/department/school while working remotely. Availability may be maintained by using appropriate technology including, but not limited to, a computer, email, messaging application, video conferencing, instant messaging, and/or text messaging. The Employee is expected

to maintain the same response times as if they were at their regular FGCU location and will make themselves available to attend scheduled work meetings as required and/or requested.

3. Employees need to have a working telephone at their Alternate Work Location. Employees should ensure that incoming calls to their office phone are forwarded to their Alternate Work Location phone or mobile phone.
4. The University may provide Employees with a monetary allowance for Employee-owned cell phones in accordance with FGCU Policy 3.014, Cell Phone, as determined by Employees' supervisors and approved by appropriate Vice Presidents.
5. Employees need to have a working high-speed Internet access at their Alternate Work Location. Employees should ensure that the Internet connection supports the total activity at the Alternate Work Location (10mbps per device is a good rule of thumb).
6. Employees are expected to have an area free of interruptions and excess noise during the hours in which the Employee works from home. Personal tasks and errands should only be performed during the Employee's scheduled breaks and lunches.
7. The University is not responsible for operating costs of any personal equipment (including, but not limited to, computers, personal devices, Internet connection), home maintenance of personal equipment, or any other incidental costs (utility provider costs, Internet service provider costs, or for any supply costs used in the home) associated with the use of an Employee's alternative work arrangement.

C. APPLICABILITY AND/OR ACCOUNTABILITY

This Policy is applicable to full-time or part-time administrative and professional (A&P) and support personnel (SP) staff and faculty members (out-of-unit). OPS Employees may be approved for Telecommuting during a crisis situation only. This Policy is not applicable to Employees covered by a collective bargaining agreement. Notwithstanding, any telecommuting arrangements made with such employees, if any, must be approved by their respective Vice President.

D. DEFINITION OF TERMS

1. *Alternate Work Location (Also known as "remote location")*: A location other than the Onsite Work Location from which Employees telecommute (e.g. Employees' homes, hotels while traveling on University business).

2. *Emergency Telecommuting*: A serious and/or unexpected event or situation requiring an immediate need for Telecommuting often in response to a campus crisis.
3. *Employee*: A full-time or part-time AP and SP staff or faculty member (out-of-unit). Telecommuting for OPS Employees will only be approved in crisis situations.
4. *Formal Telecommuting*: Telecommuting long-term and/or recurring arrangements that require the completion of FGCU's Telecommuting Agreement.
5. *Good Standing*: An Employee who has had no disciplinary actions within the last six (6) months.
6. *Informal Telecommuting*: Telecommuting short-term and temporary arrangements that do not require the completion of FGCU's Telecommuting Agreement.
7. *Onsite Work Location (Also known as "onsite location")*: Central place of work, such as an office building or main campus.
8. *Telecommuting (Also known as "remote work", "telework", "teleworking", "working from home", or "mobile work")*: Work arrangement in which Employees do not commute or travel to a central place of work, such as an office building, but their Alternate Work Location must be located within two (2) hours of their central place of work.
9. *Telecommuter*: An FGCU Employee who telecommutes or works remotely.

E. PROCEDURES

1. An Employee in Good Standing who agrees to a Telecommuting arrangement submits a written request to their supervisor and Vice President with a proposal.
2. Once submitted, the manager and Employee determine if the arrangement is informal or formal, or pursuant to a campus crisis.
 - a. If the requested arrangement is deemed informal, completion of FGCU's Telecommuting Agreement is not required, but the arrangement must be documented by the supervisor.
 - b. If the requested arrangement is formal, the supervisor and Vice President, and Employee must evaluate the suitability of a Telecommuting arrangement, paying particular attention to the Rules and Guidelines listed in this Policy.
 - c. If the arrangement is pursuant to a campus crisis, the supervisor, Vice President, and Employee must evaluate the suitability of a Telecommuting arrangement, paying particular attention to the Rules and Guidelines listed in this Policy. If the Employee

is classified as OPS, the Employee should work directly with their supervisor and Vice President given the circumstances.

3. The supervisor and Vice President determine if the Telecommuting arrangement is denied or granted.
4. If the arrangement is denied, the Employee will continue to work on-campus.
5. If the arrangement is granted, the Employee and supervisor and Vice President must prepare and sign a Telecommuting Agreement or the Temporary Telecommuting Agreement identified in this Policy that adheres to the Rules and Guidelines listed in this Policy.
6. The supervisor must send a copy of signed agreement to Human Resources.

F. RULES AND GUIDELINES

1. Job Responsibilities
 - a. Discuss the Employee's job responsibilities and determine if their position is appropriate for a Telecommuting arrangement.
 - b. Examples of jobs that may be suitable for Telecommuting arrangements include those that have minimal face-to-face interaction, heavy data entry tasks, or specific objectives and performance standards that can be measured.
 - c. Examples of jobs that may not be suitable for Telecommuting arrangements include those that require frequent face-to-face interaction, onsite customer support or access to onsite confidential documents.
2. Department and Employee Suitability
 - a. Examine the needs of the department, including frequency of meetings, department goals and projects, other departments' schedules, and space constraints. Consider what access to FGCU network resources is needed.
 - b. Assess the performance of the Employee with Human Resources to ensure that the Employee is in Good Standing and to determine if the Employee's work habits display the traits customarily recognized as appropriate for successful Telecommuters, such as reliability, responsiveness, and the ability to work independently.

3. Schedule

- a. Discuss and agree upon the number of Telecommuting days allowed each week, the work hours and schedule that the Employee will customarily maintain, and the manner and frequency of regular communication (e.g. via phone, video conferencing, and/or in person, etc.) that are conducive to operations with the supervisor.
- b. Telecommuters must be as accessible as their onsite counterparts during their agreed-upon regular work schedule, regardless of work location. Telecommuters may be required to work at their Onsite Work Location for meetings, events, and other situations deemed necessary by their supervisors.
- c. Telecommuters may be required, at any time, to commute to their Onsite Work Location. This is considered commute time, and Telecommuters are not eligible to receive reimbursement for this travel.
- d. Telecommuters may be required to forfeit use of personal offices or workstations at their Onsite Work Location to maximize utilization of office space.

4. Equipment

- a. FGCU may determine the appropriate equipment needs for each Telecommuting or remote work arrangement at the Alternate Work Location on a case-by-case basis consistent with FGCU ITS Telecommuting technology retirements. FGCU reserves the right to make determinations as to appropriate equipment, and is subject to change at any time.
- b. When FGCU's equipment is used at Alternate Work Locations, Telecommuters must exercise reasonable care for the equipment and should take appropriate action to protect the items from damage or theft. Telecommuters may be held liable for damage caused by negligence. FGCU equipment should be used for business purposes only. See FGCU Policy 3.022, Technology Acceptable Use Policy and Procedure.
- c. FGCU-issued equipment will be maintained by FGCU. It is the responsibility of the Telecommuter to ensure safe delivery of that equipment to Information Technology Services Helpdesk for maintenance.
- d. Like their onsite counterparts, Telecommuters must adhere to FGCU Policy 3.042, Restricted Data.

5. Alternate Work Location

- a. Telecommuters must establish an appropriate work environment within their alternate location for work purposes. FGCU is not responsible for costs associated with setup of Telecommuters' alternate office spaces, such as remodeling, furniture, or lighting, nor for repairs or modifications to alternate office spaces.
- b. Telecommuters should not hold business visits or in-person meetings at their Alternate Work Location.
- c. Telecommuters must take all precautions necessary to secure privileged information in their Alternate Work Location and prevent unauthorized access to any FGCU system, consistent with the FGCU's expectations of information asset security for Employees working at any FGCU office. Telecommuters will be expected to ensure the protection of proprietary confidential and restricted FGCU information and information accessible from their Alternate Work Location. Please refer to FGCU Policy 3.042, Restricted Data for more information..
- d. Employees are solely responsible for the configuration of and all the expenses and services associated with remote workspace. This includes ensuring and maintaining an ergonomically appropriate and safe remote worksite.
- e. Telecommuters are responsible for notifying their employer of any injuries sustained while at their Alternate Work Location and in conjunction with their regular work duties in accordance with FGCU's workers' compensation procedures.

G. TELECOMMUTING RESOURCES ARE AS FOLLOWS:

1. Telecommuting Technology Resources and Guidelines
2. Work from Home Computing Requirements
3. Duo Two Factor Authentication
4. Connecting to FGCU using Virtual Private Network – VPN
5. Collaboration and Virtual meetings - Microsoft Teams

H. OTHER

1. Telecommuters' employment terms and conditions are not affected by changing to or from a Telecommuting schedule.

2. Telecommuting is not a replacement for dependent care.
3. Telecommuters are solely responsible for the tax and legal implications of the use of their Alternate Work Location for business purposes and are solely responsible for any IRS, state, and local government regulations and restrictions.
4. If Employees will be Telecommuting outside of Florida, they must have approval to do so from the appropriate Vice President using the Telecommuting exception process. Requests for exceptions must be submitted to Human Resources for approval. Moreover, notification must be made to the following people prior to performing any services for FGCU (except in the case of temporary business travel of fourteen (14) days or less):
 - a. Payroll Manager
 - b. Human Resources' Leave Administrator
5. If Telecommuters fail to contact the aforementioned personnel in H.4. prior to Telecommuting to a state other than Florida, the University and Employee may face significant penalties. Should this happen, any and all costs may be charged back to the Telecommuter's department, and the appropriate Vice President will be notified.
6. The availability of Telecommuting as a flexible work arrangement for FGCU Employees can be modified or discontinued at the discretion of FGCU at any time. Every effort will be made to give reasonable advance notice of such changes. There may be instances, however, when only minimal notice is possible.

I. RESPONSIBILITIES

1. Telecommuters
 - a. Carrying out substantively the same work duties remotely as while working at their Onsite Work Location.
 - b. Being available at normal or agreed-upon work hours.
 - c. Being available for meetings at Onsite Work Location within two (2) hours' notice.
 - d. If Telecommuting or working remotely outside of Florida:
 - 1) Notifying Payroll Services to ensure that payroll taxes are appropriately withheld.
 - 2) Notifying the Human Resource's Leave Administrator to ensure appropriate workers' compensation coverage is activated. Employees are responsible for personal tax consequences based on work location outside of Florida.

2. Supervisors

- a. Determining whether Telecommuting arrangements are appropriate for Employees and the department, subject to the approval of the appropriate Vice President.
- b. Determining whether Telecommuting arrangements are formal or informal.
- c. Requiring Employees who are approved for Formal Telecommuting arrangement to sign the Telecommuting Agreement and sending a copy of the signed agreement to Human Resources .
- d. Setting clear expectations and regular meetings with Employees to ensure their availability, schedules, communication protocols and methods, engagement, etc.
- e. Regularly evaluating Telecommuters' work performances, including work productivity, using various methods including Annual Evaluation Process to determine if the arrangement is still feasible.
- f. Revoking Telecommuting arrangements as needed.

3. Vice Presidents

Approve or deny any Formal Telecommuting agreement for their area of supervision.

4. Human Resources

Human Resources is available to answer additional questions and to provide guidance as needed.

Related Information

Performance Appraisal Forms

Authority

BOG Regulation 1.001, University Board of Trustees Powers and Duties

History of Policy

New 09/01/20

APPROVED:

 *s/Michael V. Martin
Michael V. Martin, President

 September 1, 2020
Date