

SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY

Policy Manual

SUBJECT: Telework

NUMBER: Policy 4-9 (formerly Policy IV-18)

This policy establishes guidelines for administering teleworking arrangements with South Dakota School of Mines & Technology Non-Faculty Employees (NFE) and Career Service Act (CSA) employees. Faculty members are not included in this policy.

DEFINITIONS

- 1) TELEWORKING OR TELECOMMUTING – a flexible work arrangement that allows an employee to work at home or elsewhere for part or all of their regular work schedule.
- 2) ELIGIBLE EMPLOYEE – a permanent CSA or NFE employee of the university and who has completed his/her probationary period. Eligible employees do not include faculty members.
- 3) NORMAL WORK STATION – the physical location, office, work station, or building where the employee is regularly assigned to work by their supervisor.
- 4) REMOTE SITE – the physical location where an employee has been approved to work other than the Normal Work Station.

POLICY

Teleworking is a voluntary agreement between eligible employees and their supervisor and must be approved on an individual basis by the Executive Council Member. Teleworking is not appropriate for all employees and jobs and is to be considered on a case-by-case basis. In special circumstances, there may be instances such as inclement weather or other declared emergencies that temporarily require employees to work remotely. In all instances of teleworking, the following guidelines apply.

- 1) Telework assignments do not change the conditions of employment. Work performed at remote sites is considered official university business and documents created in the course and scope of employment are university business documents. Employees on telework assignments are required to comply with all appropriate policies and procedures. The university may establish additional specific conditions that apply to employees working at remote sites.
- 2) An employee's compensation and benefits will not change due to telework.
- 3) The total number of hours employees are expected to work will not change regardless of work locations. Work hours must be documented in accordance with university policies and procedures, state and federal laws. Overtime-eligible employees may not claim overtime hours due to teleworking unless pre-approved by the supervisor.
- 4) Employees working remotely are responsible for establishing and maintaining effective communication and workflow among coworkers, department managers, and customers

and must be accessible by phone and other electronic means during their normal or other agreed-upon work schedule. Personal telephone costs are not reimbursable.

- 5) Employees working at a remote site must be available to report to their normal work station with minimal notification if needed.
- 6) Employees are responsible for the safety and security of all university property and propriety information. Equipment and services provided for use at the remote site are at the sole discretion of the employee's department. University provided equipment remain the property of the university and must be returned upon termination of the telework arrangement.
- 7) The university shall provide necessary office supplies, as determined by the supervisor. Out-of-pocket expenses for supplies normally available in the office will not be reimbursed unless pre-approved by the supervisor. All supplies should be secured in the telework site and must not be used by the teleworker or others for personal purposes.
- 8) The teleworker will not be paid for time or mileage involved in travel between the telework-site and the primary worksite. All incidental costs, such as residential utility costs, homeowner's insurance, or cleaning services, are the responsibilities of the teleworker.
- 9) Teleworking employees must comply with all policies, procedures and requirements set forth by the university's Information Technology Department, including, but not limited to VPN access, computing devices and appropriate data security provisions.
- 10) Telework arrangements are not a substitute for their own or a family member's illness, injury or other circumstance when FMLA is appropriate.
- 11) ADA accommodation requests for remote work are handled through the standard ADA Accommodation process.
- 12) Telework may not be used to provide active care for a child or other dependent.
- 13) Other circumstances may be suitable for telework, with the approval of the appropriate Executive Council Member.
- 14) Liability
 - 1) Injuries at Remote Work Site: The university assumes no liability for injury at the remote work site to any other person who would not be in the work area if the duties were being performed at the regular place of employment. An injured employee participating in telecommuting must notify his or her supervisor immediately and complete all requested documents. Workers' Compensation benefits will apply to injuries arising out of and in the course and scope of employment.
 - 2) Damages to Personal Property and Operating Costs: The university will not be liable for damages to employee-owned equipment being used in telecommuting or that may result from telecommuting. The university will not be responsible for operating costs, home maintenance, or any other incidental costs (e.g. utilities, internet or telephone, insurance) associated with the use of the employee's residence for telecommuting, unless specifically provided in advance and in writing by the supervisor as outlined in the agreement.

15) Telework arrangements are at the discretion of the supervisor. They are a privilege, not a universal right or benefit, and may be terminated by the supervisor at any time.

PROCEDURES

A Telework Plan and Agreement Form must be filled out and signed by the employee, the supervisor, and the Executive Council Member and submitted. The form is initiated by the supervisor and is located in the link below.

Prior to allowing a telework arrangement, supervisors should consider the following:

Positions that may be considered for telecommuting arrangements are those that:

- Have job functions that can be performed at a remote site without diminishing the quality of the work or disrupting the productivity of a unit;
- Do not require an employee's presence at the normal work station on a daily or routine basis;
- Have minimal or flexible need for specialized materials or equipment;
- Allow for an employee to be as effectively supervised as he or she would be if the job functions were performed at the normal work station;
- Has infrequent face-to-face communication requirements and communication can be managed by telephone, electronic mail, video conferencing, etc.

Employee Readiness:

- Ability to accomplish job duties with minimal supervision;
- The employee has demonstrated sustained high performance, and the supervisor believes that the employee can maintain the expected quantity and quality of work while teleworking;
- Ability to manage time effectively;
- Has no record of disciplinary action in the six months prior to the arrangement and is not currently under a work improvement plan;

Positions that are not suited for teleworking are those that:

- Require regular face to face contact with a supervisor, other employees, students or the general public;
- Require routine access to information or materials that are available only at the normal work station.

FORM

[Telework Plan and Agreement Form](#) via DocuSign

Origin: University Cabinet April 2021