



## University Policy 330: Telework

**Category:** 300 Personnel

**Subcategory:** Employment

**Covered Individuals:** Benefit Eligible Employees

**Responsible Executive:** Vice President for Finance and Administrative Services

**Policy Custodian:** Office of Human Resources, Associate Vice President of Human Resources

**Last Revised:** 2022/06/23

**Previous USU Policy Number:** N/A

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### 330.1 PURPOSE AND SCOPE

Utah State University (USU) permits telework arrangements when doing so benefits both the department and the employee. Telework arrangements are successful when the job, person, environment, and work situation are appropriate. Telework can improve productivity and job performance; promote administrative efficiencies (e.g., reduce office and parking space needs); reduce traffic congestion, pollution, and transportation costs; and promote the recruitment and retention of a highly qualified and diverse workforce.

### 330.2 POLICY

Telework is a privilege, subject to university approval, and is not a university-wide benefit. Telework arrangements must serve the department's objectives and can be discontinued by and at the discretion of the department head/director and/or responsible dean/vice president at any time based on business and performance management considerations. Depending on the nature of work to be performed, not all positions will qualify for telework. Each telework decision will be made on a case-by-case basis by considering the employee's work responsibilities and performance, whether the position must be performed in person at a campus location, the need and desire of both the department and the employee, schedules, and the overall likelihood for success. If USU establishes telework as a condition of employment, based on the university's business needs, it will be stated when the position is advertised and/or when telework is approved.

The dean/vice president, department head/director, supervisor, and teleworker must all agree to the work arrangements and expectations by signing a telework agreement prior to commencing telework. The telework agreement must address expected job performance and deliverables.

Regular or flexible telework may be approved on a temporary, trial, or ongoing basis as follows:

- Regular full-time telework - An employee works every workday at a location other than a USU location.
- Regular part-time telework (Hybrid) - An employee works one or more workdays at a location other than a USU location and the remainder of the week's workdays at a USU location (e.g., M-W alternative work location from home; Th-F work from USU workplace). The schedule is fixed to be the same each week to facilitate meeting schedules and other office activities.
- Flexible telework - An employee varies their work location throughout the week based on business and/or personal work/life needs. Only positions that can support this variety should be approved under this method.

Surge telework is for those positions that a dean/vice president and department head/director has identified as being able to temporarily telework on days where the [Utah Division of Air Quality](#) has forecast an air quality of "unhealthy" (red) or higher at least 48 hours in advance for that county/location. Since surge telework is expected to be temporary and infrequent, it does not require a formal telework

agreement. USU positions that provide in-person services, or which have an in-place-duties requirement are not eligible for surge telework and will still report to their normal work location as scheduled.

Surge telework may also be approved by appropriate campus leaders during other special circumstances, such as predicted heavy snowfall or other situations that could pose a risk to employee safety or health.

### **Campus Leaders Who Can Authorize Surge Telework for Special Circumstances:**

- Main Campus in Logan - USU president or designee.
- Statewide Campuses - Vice president of Statewide Campuses in consultation with the respective campus associate vice president.
- Extension Offices - Vice president for Extension.

Employees or supervisors with questions about Americans with Disabilities (ADA) accommodations that involve telework should contact the Office of Human Resources for more information.

The USU president may approve telework in response to community crises, natural disasters, pandemics, or similar events.

## **2.1 Evaluating Positions for Telework**

Departments may consult with the Office of Human Resources to analyze the nature of a position and how the work is performed to determine which positions are appropriate to designate or approve for telework.

Several factors should be considered in determining the feasibility of telework, including the supervisor's ability to adequately supervise the employee, whether any duties require use of systems, equipment, or tools that cannot be replicated or provided at the alternative work location, and the potential impact to other team members' workload.

Telework should be performed within the state of Utah. Requests for an exception that would permit employees to telework from an out-of-state location for any period of time longer than 30 days must be recommended by the responsible dean/vice president and reviewed and approved by a telework eligibility committee. This committee includes representatives from Payroll/Finance, Risk Management, Legal Affairs, a departmental IT support person, and Human Resources. The committee will evaluate the need for the out-of-state work location and the legal and compliance requirements related to payroll, unemployment, workers compensation, state mandated leave, and other employment related requirements which can vary significantly from state to state. If a position is approved for regular out-of-state telework, any compliance costs related to such positions will be borne by the employing department. The restriction on work locations set forth in this policy does not apply to sabbatical leave (see [USU Policy 365: Sabbatical Leave](#)) and research field work.

## **2.2 Eligibility**

### **2.2.1 Evaluating Employees for Telework**

When a telework request is made, the supervisor and department head/director determine if telework is feasible either on a trial or ongoing basis. Eligible employees must meet the following criteria:

- The employee has been in the position for a minimum of six (6) months—this requirement may be waived if the employee is specifically hired for a telework arrangement.
- The employee has no active, formal corrective actions on file for the current or preceding performance review period (see [USU Policy 311: Setting Expectations and Managing Performance](#)).
- The employee has demonstrated an ability to work productively and successfully in their work habits.
- The employee's assignment is conducive to telework without causing reductions in services to students, inequities, or workload imbalances with other team members

Once the supervisor and department head/director have confirmed eligibility for telework, the request will be sent to the respective dean/vice president for final approval.

A teleworking employee is responsible for any personal tax and insurance implications of a telework arrangement as well as conforming to any local zoning regulations.

### 2.2.2 Ineligible Positions

This policy applies only to those who work away from their USU location for one or more days per week on a regular basis and not for ad hoc situations. Ad hoc situations will be coordinated and approved by the employee's supervisor in accordance with that department's practices.

Some positions are not typically eligible for telework such as: faculty roles tied to on-campus programs and instruction; direct service positions; facilities trades workers; custodial workers; student-health staff; residence-life staff; coaches and athletic support; receptionist positions; agricultural production staff; research animal and plant care staff; library circulation staff; IT direct support positions; environmental health and safety staff; and place-specific positions, such as police officers, grounds workers, and parking support staff. The responsible dean or vice president has discretion in making the final determination as to whether a position is eligible for telework.

## 2.3 General Expectations and Conditions

### 2.3.1 Compliance

Teleworking employees must comply with all federal, state, and local laws as well as university rules, policies, and practices, and agree and understand that violation of such may result in the termination of the telework arrangement and/or corrective or disciplinary action.

### 2.3.2 Hours and Location of Work

The teleworker is responsible to record all hours worked in the same manner as they would in the normal USU workplace. Overtime hours for nonexempt employees require the advance approval of the supervisor. The university continues to expect the same level of productivity and availability from remote locations as from the normal USU workplace. (See USU Policies 311: Setting Expectations and Managing Performance and [378: Overtime](#))

Supervisors may require employees to report to a central USU workplace as needed for work-related meetings or other events or via virtual tools/technology as needed to discuss work progress or other work-related issues. Supervisors should provide enough notice to ensure the teleworker can be in attendance in person when required. Commuting to or from a central worksite at the beginning or end of the day will not be considered compensable time or be eligible for mileage reimbursement unless otherwise specified in the approved telework agreement.

### 2.3.3 Setting Up an Alternative Workspace

Teleworkers are expected to secure and maintain an efficient and safe workspace that provides adequate connectivity to systems and resources to complete duties and communication in an effective manner. Employees with questions should consult with the Office of Environmental Health and Safety for general safe office standards and office ergonomics. Because telework is considered an extension of the USU workplace, injuries or illness that occur as a result of their university assignment, during scheduled work hours and within their alternative workspace, are eligible for coverage under USU [Policy 364: Worker's Compensation](#).

USU assumes no liability for damages to an employee's real or personal property throughout telework participation.

### 2.3.4 Alternative Workspace Distractions

Teleworking employees are expected to be productive and available as agreed in the approved telework agreement. This includes ensuring that teleworking employees are free from unnecessary or excessive distractions that could affect productivity, attendance or participation at virtual meetings, or limit the ability to return to campus for work when requested. Examples of distractions include, but are not limited to, the need to care for other adults, children, or pets in the home during agreed upon work times. Teleworking employees should make necessary arrangements to ensure the alternative workspace is conducive to work productivity and minimizes the potential negative impact to the teleworker or other departmental colleagues.

Excessive distractions that impact productivity or ability to attend and participate in meetings may be considered a performance issue and result in the modification or termination of a telework agreement. Alternatively, employees may collaborate with their supervisor on other options such as flexible scheduling, reduction of FTE, etc.

### **2.3.5 Equipment and Materials**

USU will provide the appropriate equipment and materials needed by employees to effectively perform their duties as agreed upon between the employee and their supervisor. The department may, but is not required to, duplicate resources between the normal USU workplace and the alternative work location. Telework employees may use university owned equipment only for legitimate university purposes. Unapproved out-of-pocket expenses will not be reimbursed. All university policies and procedures regarding equipment will apply to teleworkers as they do for all other employees (e.g., inventory controls, data security, equipment disposal, etc.)

The teleworker must exercise reasonable care for the equipment and should take appropriate action to protect the items from damage, theft, or unauthorized use. The employee will be held liable for damage caused by negligence. University equipment will be maintained, serviced, and repaired by university personnel as well as meet all safety standards. Supervisors will ensure that training on equipment usage will be provided where needed. The department will document who is responsible for installing equipment and transportation to and from the normal USU workplace for repairs or service.

The telework agreement may permit employees to use their own equipment, provided the use of such equipment has been approved and meets IT security, management, and policy requirements. In this situation, USU is not responsible for the cost, repair, or service of the employee's personal equipment, unless otherwise expressly agreed to in advance in the telework agreement.

### **2.3.6 Costs of Telework**

USU is not obligated to assume responsibility for operating costs, home maintenance, or other costs incurred by employees in their alternative work location. USU may provide a communication allowance per USU Policy 518: Cell Phones.

### **2.3.7 Information Security and Data Protection**

Employees must safeguard university information used or accessed from the alternative work location, in accordance with Utah State University's policies. (See [USU Policy 319: Employee Privacy and Confidentiality](#).) Telework employees must agree to follow university approved security procedures to ensure confidentiality and security of data. Teleworking employees should not save files locally or on non-USU equipment. All computer and communications devices connected to USU network are subject to monitoring, whether or not they are owned or operated by USU. The teleworker must notify university personnel immediately if any unauthorized access to university systems occurs. For additional information about information security and data protection see [USU Policies 550-579: Information Technology](#).

### **2.3.8 Intellectual Property**

Intellectual property created by USU employees within the scope of their employment regardless of their work location fall under the scope of USU [Policy 587: Intellectual Property](#).

### 330.3 RESPONSIBILITIES

#### 3.1 Teleworker

- Establish a work environment that is safe and free from distractions.
- Carry out the agreed upon work duties while working at the alternative work location.
- Be productive and available during agreed upon work hours.
- Be responsible for any tax implications that affect telework.
- Report to the normal USU workplace as scheduled or requested.
- Safeguard all sensitive or confidential information.

#### 3.2 Supervisor

- Consult with the department head/director and the Office of Human Resources to determine if telework arrangements are appropriate. Supervisors must ensure that telework decisions are made for appropriate, nondiscriminatory reasons and provide clear benefit to USU operations.
- Require employees, who request a telework arrangement, to sign the telework agreement then send a copy of the signed agreement to the Office of Human Resources.
- Work with the employee to set clear expectations, requirements, availability, communication protocols and methods, engagement, etc. to ensure the department's needs are met and that the employee may be successful.
- Clarify on-site and off-site schedule requirements and provide as much notice as practicable for call back situations for on-site meetings or work needs.
- Develop a means to accurately record hours worked and evaluate work performance.

#### 3.3 Department Head/Director & Dean/Vice President

- Approve, deny, or revoke any telework agreement.
- Ensure that telework decisions are made for appropriate, nondiscriminatory reasons; provide clear benefit to USU operations; and are handled equitably across departments.

#### 3.4 Office of Human Resources

- Answer questions, provide guidance as needed, and file telework agreements.

### 330.4 REFERENCES

- Utah Executive Order No. 2021-03
- [Utah Executive Order No. 2021-04](#)
- [A New Workplace: Modernizing Where, How, and When Utah Works](#)

### 330.5 RELATED USU POLICIES

- [USU Policy 311: Setting Expectations and Managing Performance](#)
- [USU Policy 319: Employee Privacy and Confidentiality](#)
- [USU Policy 364: Worker's Compensation](#)
- [USU Policy 378: Overtime](#)
- [USU Policy 518: Cell Phones \(Communication Allowance\)](#)
- [USU Policy 587: Intellectual Property](#)

- [USU Policies 550-579: Information Technology](#)

## 330.6 DEFINITIONS

### 6.1 Alternative Work Locations

Approved locations, other than a USU workplace, where official university business is performed. The most common alternative work location is the employee's home.

### 6.2 Surge Telework

Work that is done by employees whose position has been identified as telework eligible and/or a position identified as able to telework temporarily for red air days or other special circumstances (e.g., predicted heavy snowfall, etc.) as approved by the appropriate campus leader. Not all positions qualify for surge telework.

### 6.3 Telework

A remote work arrangement that allows an employee to work in an alternative work location for part, or all of, their regular work schedule. Other terms synonymous with telework are "telecommuting" or "remote work."

### 6.4 Teleworker

A university employee who has been approved to work at an alternative work location, other than a university location, on a regular basis.

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**Information below is not included as part of the contents of the official policy.** It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the president.

## RESOURCES

- [Utah Department of Environmental Quality Air Quality Forecast](#)
- [Telework Agreement](#)

## POLICY HISTORY

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