



Policy Title:	Telecommuting (Remote Work) and Flexible Scheduling Options
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SUMMARY

This policy defines Coastal Carolina University's (CCU) telecommuting program and establishes the rules under which it will operate. Flexible scheduling options are also addressed in this policy.

PURPOSE

This document establishes a telecommuting program for staff and administrators within the Coastal Carolina University pursuant to Section 8-11-15 (B) of the South Carolina Code of Laws, as amended. Section 8-11-15(B) of the South Carolina Code of Laws permits the university to "use alternate work locations, including telecommuting, that result in greater efficiency and cost savings." Therefore, to be compliant with the law, the decision to allow telecommuting should be based on clearly defined and measurable benefits for the University (agency) and the taxpayers. CCU's president has the authority to establish a telecommuting program in accordance with the Division of Human Resources' Guidelines.

DEFINITIONS

Alternate Workplace – A workplace other than the employee’s usual and customary workplace (primary workplace) and may include the employee’s home. The alternative workplace is not a CCU office location.

Child Care and Dependent Care – Telecommuting workers may have household members or others who depend on them for care. Telecommuters with these obligations must have adequate care arrangements that do not interfere with their job responsibilities. Telecommuting is not a substitute for child care, dependent care or other personal responsibilities. Telecommuters are required to use accrued leave when necessary, to provide dependent care or other personnel responsibilities. This includes time spent caring for ill household members or other people.

Full Remote Work – Regularly recurring work hours are at an off-site location in South Carolina. This arrangement may require occasional reporting to the Primary Workplace, based on University need.

Hybrid Work – Regularly recurring working hours are split between two work locations: primary workplace and alternate workplace. This type of arrangement should be within a reasonable commuting distance of the primary workplace.

Primary Workplace – The telecommuter’s usual and customary workplace. The CCU office location to which the employee is assigned.

Telecommuting Application – The document used by supervisors and employee to evaluate the employee’s ability to successfully telecommute.

Telecommuting Agreement – The signed documents that outline the understanding between the university and the employee regarding the telecommuting arrangement. A telecommuting agreement should be renewed at least annually. The telecommuting agreement should be reviewed and updated if there is a permanent change to the employee’s job duties or if the provisions of the telecommuting agreements change. Telecommuting agreements are not transferable from one position to another.

Telecommuter or Teleworker – An employee who has an agreed-upon schedule during which they are expected to work at an alternate workplace rather than the primary workplace.

Telecommuting – A work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their primary workplace, in accordance with a work agreement. Also known as teleworking or remote work.

Telecommuting Coordinator – The person responsible for providing support to telecommuting employees and their supervisors and monitoring the success of the telecommuting program.

I. TELECOMMUTING/REMOTE WORK PROGRAM

Coastal Carolina University recognizes the value of telecommuting for both employee and employer. Telecommuting is a management tool allowing for flexibility in work options. While telecommuting is a management option, it is not a universal employee benefit or right. Telecommuting does not change the basic terms and conditions of employment.

Departments may implement telecommuting, in consultation with HREO, based on specific criteria consistently applied throughout the department. Telecommuting may not be suitable for all employees, positions and/or operational areas. The decision to allow an employee to telecommute is solely at the discretion of the university. The university may revoke the approval of any employee to telecommute at any time, with or without notice and the decision to revoke the right to telecommute is not a grievable action under the South Carolina Employee Grievance Procedure Act.

The decision to allow telecommuting should be based on clearly defined and measurable benefits for the institution.

Selection and approval for telecommuting must be done in a non-discriminatory manner that does not violate state and/or federal law.

With the support of the appropriate President's Cabinet member or Vice President, HREO may grant exceptions to portions of this policy. Departments and divisions must contact the university Telecommuting Coordinator in HREO.

In the event telecommuting is not viable, departments may consider flexible scheduling such as compressed work weeks or alternate schedules if positions are conducive to such arrangements and operations. Refer to section II. in this policy.

A. Telecommuting/Remote Work Options

1. Hybrid Work Option

A hybrid work option allows for regularly recurring working hours to be split between two work locations: primary workplace and alternate workplace. This type of arrangement should be within a reasonable commuting distance of the primary workplace. A hybrid option may allow for work at an approved alternate work location on a part-time basis (e.g. day or two per week) or for parts of each work day to avoid a commute during peak periods. A formal Telecommuting Agreement is required before such an arrangement commences.

2. Full Remote Work Option

A full remote work option allows for regularly recurring work hours to be performed at an approved alternate workplace. This arrangement may require occasional reporting to the Primary Workplace, based on university need. A formal Telecommuting Agreement is required before such an arrangement commences. Regular recurring telecommuting time must be tracked in SCEIS.

3. Exceptions

Situations may arise which warrant a periodic or intermittent work arrangement on a short-term basis. Examples may include a special project/work assignment, short-term illness, transportation emergency due to weather, a natural disaster, or other emergent events that require personnel continuity. Refer to HREO's website for further guidance.

B. Formal Telecommuting Agreements

Telecommuting Agreements are based on the needs of the employee, the department or unit, and the university. Once an agreement is in place, the employee may not terminate the agreement without approval by the supervisor.

Generally, an employee's participation in telecommuting is voluntary and must be mutually agreed upon by the employee and supervisor, with final approval by the President's Cabinet member or Vice President, in consultation with HREO. A specific position may be designated as telecommuting only. In this case, telecommuting is not voluntary, but is a condition of employment.

For formal telecommuting arrangements, the primary workplace is the university office location to which the employee is assigned. The alternative workplace is the employee's telecommuting work address. The employee will work at the primary workplace or the approved alternate workplace, and not from another unapproved site. Failure to comply with this provision may result in termination of the agreement, and other appropriate disciplinary action.

Generally, the alternate workplace will be within a reasonable commute to the employee's primary workplace. If the University deems it necessary to allow a new hire or existing employee to designate an alternate work location in another state or locale, the University will have to consider tax, worker's compensation and other implications before authorizing such an arrangement. Out-of-state arrangements may require pre-approval by the Offices of University Counsel, Risk Management and Finance & Administration. No telecommuting work may be performed outside of the United States.

The employee may be required to report to the primary workplace without advanced notice, upon request by the university.

A formal telecommuting agreement must be reviewed and updated if there is a permanent change to the employee's job duties or if the provisions of the telecommuting agreement change. Telecommuting agreements are not transferable from one position to another.

C. Program Administration

1. Employee Eligibility and Selection/Approval Criteria

- a. The department should identify job classes or positions with duties considered appropriate for telecommuting, in consultation with HREO. If only some duties are appropriate for telecommuting, a schedule where the employee works part of their time out of the office may be an option. It is not necessary that every employee in these job classes or position be allowed to telecommute. This decision will be based on various factors.
- b. University employees may be eligible for telecommuting following the satisfactory completion of twelve months of service at CCU. Employees in a warning notice of substandard performance are not eligible for telecommuting. Employees with recent disciplinary actions are not eligible to telecommute. These requirements may be waived at the discretion of the appropriate President's Cabinet member or Vice President if the position is one in which telecommuting is required or for any other reason deemed appropriate by the President's Cabinet member or Vice President. The President's Cabinet member or Vice President should consult with HREO prior to granting an exception.
- c. Alternately, an employee may be hired into a position where telecommuting is built in to the position description. In such a case, a Telecommuting Request form and a Telecommuting Agreement will still be required before the telecommuting may begin.
- d. A specific position may be designated as telecommuting only. In this case, telecommuting is not voluntary, but is a condition of employment.
- e. Initiation of a telecommuting arrangement can be at the request of either the university or the employee.
- f. If the request for telecommuting is initiated by the employee, the supervisor, department head/chair, or dean/division head will review the Telecommuting Request Form for approval, considering the following factors:

- i. Needs of the department/unit and the employee;
 - ii. Employee's work duties and the ability to measure or assess work performed;
 - iii. Availability and costs of needed equipment;
 - iv. Employee's current and past job performance, as documented in performance evaluations, including time management, organizational skills, self-motivation, and the ability to work independently;
 - v. Assessment of other employees in the immediate work unit performing similar responsibilities to determine interest;
 - vi. Effect on the provision of services and on the remaining employees of the unit or department;
 - vii. Measurable objectives and results mutually agreed to by the employee and the supervisor;
 - viii. Details about the proposed alternate workplace; and
 - ix. Other items deemed necessary and appropriate.
- e. A telecommuting arrangement requires the approval of the employee's administrative channel. Final approval will be made by the President's Cabinet member, in consultation with HREO and other units, as appropriate. It will be the responsibility of the President's Cabinet member or Vice President (or their designee) to communicate the decision to the employee and to HREO.

The employee is not authorized to begin the telecommuting arrangement until the formal Telecommuting Agreement is signed by all parties; a copy of the document is received in HREO; and implementation procedures have been carried out, including training for both the supervisor and the employee.

- f. The Telecommuting Agreement must be reviewed and updated as conditions change but at minimum the agreement will be renewed annually.

2. Conditions of Employment

- a. The employee's duties, responsibilities, and conditions of employment remain the same as if the employee were working at the employee's primary workplace. The employee will continue to comply with all federal laws, state laws, and university policies and procedures while working at the alternate workplace. The employee remains subject to all agency disciplinary policies and procedures while performing

work at the alternate workplace. This includes Fair Labor Standards Act (FLSA) requirements related to the payment for time worked and overtime compensation.

- b. Telecommuting will not adversely affect an employee's eligibility for advancement or any other employee right or benefit.
- c. The employee (if non-exempt) will be compensated for all time worked to include overtime, if applicable, leave, and travel in accordance with the provisions of the FLSA and university policy FAST-216 Minimum Wage and Overtime Compensation.
- d. Travel expenses relating to commuting between the university and the employee's alternate workplace are generally not reimbursable travel expenses. Other work-related travel will be administered in accordance with FAST-201 Travel - Authorizations and Reimbursement policy.
- e. Required work hours, compensatory time, performance evaluations, and leave benefits will not change as a result of telecommuting.
- f. Requests to work overtime (if non-exempt), use sick, annual, or any other leave must be approved by the University in the same manner as when working at their primary workplace and are subject to the same rules and regulations.
- g. An employee shall not work overtime unless it is preapproved in writing by their supervisor or otherwise authorized by university policy FAST-216 Minimum Wage and Overtime Compensation.
- h. The actual work schedule of the telecommuting employee will be determined by the supervisor and department head, with support of the appropriate administrative channel up to and including the President's Cabinet member or Vice President. The actual work schedule must be documented in the formal Telecommuting Agreement.
- i. The university must be able to contact the employee by various methods as designed by the department during the scheduled work hours.
- j. If the employee works less than the employee's normal workweek, salary and benefits must be adjusted accordingly.
- k. Telecommuters who have provided a medical certification prohibiting them from working are similarly prohibited from working remotely.
- l. Telecommuters are expected to be working and focused on the performance of their job duties during all work hours. Telecommuting workers may have household members or others who depend on them for care. Telecommuters with these obligations must have adequate care arrangements that do not interfere with their job

responsibilities. Telecommuting is not a substitute for childcare, dependent care, eldercare, or other personal responsibilities. Therefore, employees with dependent children or elders must provide alternate care during their agreed upon work hours. All personal activities, including child and dependent care, pet care, housework, yardwork, personal errands, etc., should be done only during established break times, lunch time and before and after work hours. Telecommuters are required to use accrued leave when necessary, to provide dependent care or when addressing other personal responsibilities. This includes time spent caring for an ill household member or other person.

- m. Working hours cannot coincide or overlap with any other type of employment at CCU or any other entity. Telecommuters must comply with FAST-217 Dual Employment and Outside Employment.
- n. Regular communication through weekly or monthly meetings, teleconferencing, or in-office days is required. The employee may be directed to report to the primary workplace on a scheduled or an as-needed basis. The intervals and the means by which the telecommuting employee should check-in with their supervisor must be documented in the Formal Telecommuting Agreement (i.e., frequency of face-to-face meetings, expected response times, standards of conduct for video conferencing, deliverables, status report on a weekly/monthly basis).
- o. A supervisor may require a tryout period of up to six (6) months to evaluate the success of the telecommuting arrangement.
- p. The supervisor and employee will be required to participate in a training program on effective telecommuting practices before the telecommuting arrangement commences.

3. Designating the Alternate Workplace

- a. The employee must agree to designate a separate workspace in the alternate workplace for the purposes of telecommuting and maintain this area in a safe condition, free from hazards and other dangers to the employee, the university's equipment, and confidential information.
- b. To ensure the safety of the workspace, the employee agrees to complete the Safety Checklist included in the Telecommuting Agreement prior to the employee beginning the telecommuting program. It is the employee's obligation to ensure the safety of the offsite workspace and compliance with all health, safety, and confidentiality requirements. The employee should consult with the university before moving any heavy equipment or furniture in the alternate workplace.
- c. The employee agrees that the university shall have reasonable access to the designated offsite workspace for all reasonable purposes, including but not limited to inspection of

the space, supervision of the employee, and retrieval of university-owned property and information.

- d. No employee engaged in telecommuting will be allowed to conduct face-to-face, university-related business at the alternate workplace except for those employees with a primary work location designated as offsite as a condition of employment or as required in paragraph B.3.c. The employee will be liable for injuries or damages in the alternate workplace to the person or property of third parties or any members of the employee's family and agrees to indemnify the university for any such claims.
- e. The employee understands that the university will not reimburse the cost of designated workspace expenses for telecommuters, including but not limited to rent, heat, water, electricity, insurance, or any other incidental costs (e.g. cellphone or internet).
- f. It is the responsibility of the employee to review any applicable lease documents, insurance documents, and zoning regulations to ensure a home office/home workspace is permitted.

4. Workers' Compensation

The offsite workspace, as approved, is considered an extension of the employee's CCU office work location; therefore, workers' compensation benefits will continue to exist for the employee when performing official work duties in the defined, offsite workspace during approved telecommuting hours. Any work-related injuries must be reported to the employee's supervisor immediately, and the employee must complete all necessary or management requested documents regarding the injury.

5. Equipment Information

The university may provide all or part of the equipment necessary for accomplishing work assignments, as determined by the appropriate authority. However, where agreements specify, employees may be authorized to use their own equipment.

Telecommuting employees must abide by the university's policies concerning information security, software licensing and data privacy. All official university records, files, and documents must be protected from unauthorized disclosure or damage and returned safely to the primary workplace whenever requested by the university. The employee agrees to abide by any university rules concerning computer equipment (including protecting personal computers against "viruses"), agrees to follow university procedures for network access and to take all necessary steps to protect the integrity of the systems. Specific guidance regarding security for remote access is provided at: (INSERT HYPERLINK AFTER GUIDANCE IS DEVELOPED).

a. State-Owned Equipment and Documents

- i. The university established security controls and conditions for use of the state-owned equipment for the primary workplace will also apply to the alternative workplace.
- ii. Data must be backed up to the university network on a regular basis to ensure the university has records, particularly as required for State and federal grants and other record keeping requirements.
- iii. Telecommuting employees must abide by University Purchasing and Expenditure policies, to include obtaining appropriate advance approval, for all purchases and expenditures incurred for telecommuting equipment or services. The Formal Telecommuting Agreement will be required as documentation for purchases and expenditures related to telecommuting and must be attached to all transactions.
- iv. Support, maintenance, and repair of university-owned equipment will be performed only by a university authorized technician. The employee will be responsible for notifying the supervisor and bringing the equipment to the employer-designated repair location. Necessary maintenance and repairs on university-owned equipment will be performed at the university's expense. The telecommuting arrangement may be suspended/modified until functioning equipment is in place.
- v. The employee will return all university equipment, files, documents, and supplies to the university immediately upon termination of telecommuting or of the employee's employment. The employee must return all University-owned equipment and supplies to the primary workplace within 48 hours. If the employee fails to do so, they will reimburse the University for the cost of the equipment.

b. Employee-Owned Equipment

- i. When employees are authorized to use their own equipment, the university will not assume responsibility for the cost of repair, maintenance, or service even if the employee is engaged in university work at the time of malfunction. The employee must make repairs or arrangements for repairs as quickly as possible and the telecommuting arrangement may be suspended/modified until functioning equipment is in place.
- ii. Telecommuters using their own equipment must use the same security controls and protect data privacy.
- iii. Employees will coordinate with their department and Information Technology Services for the download of any required software to ensure it meets the university standards. This equipment and software may be provided by the university or the employee.

6. Confidentiality

The University's computer usage and data confidentiality requirements remain in place while in the alternate workplace. All University records, files, and documents must be protected from unauthorized disclosure or damage and returned safely to the primary workplace.

7. Termination of Participation

- a. The university may terminate the telecommuting arrangement at any time, with or without cause. This termination is final in terms of administrative review. The employee may request that the arrangement be terminated but it is at the university's discretion to end the arrangement.
- b. The university will give two weeks' notice of termination of agreements, if feasible.

II. FLEXIBLE SCHEDULING OPTIONS

The university's core business hours are 8:30 a.m. to 5:00 p.m., Monday through Friday. Departments may choose to allow certain employees to work alternate schedules as long as appropriate coverage for all regular departmental functions is provided during these core business hours.

Employees have the option to request two different types of schedules:

1. A compressed work week which allows an employee to work four days instead of five. The employee must still work at least 37.5 or 40 hours per week.
2. A variable workweek which allows an employee to work the regular five-day work week, but with work hours other than the University's published normal working hours.

To initiate a request, an employee should complete the Flexible Work Schedule Request Form and submit it to their supervisor. This form will be routed through the appropriate administrative channel up to, and including the President's Cabinet member or Vice President for a determination. All forms must be sent to HREO, regardless of the determination. These forms will be retained in accordance with recordkeeping protocols.

III. GUIDANCE AND FORMS

HREO will provide guidance and assistance around the processes, requirements, and conditions of telecommuting (remote work) and flexible scheduling as detailed in this policy and in its supporting documents. HREO will also be responsible for retaining Telecommuting Agreements and flexible work scheduled documentation in accordance with this policy.

Telecommuting and Flexible Scheduling forms and additional guidance are available on HREO's website.

IV. RELATED UNIVERSITY POLICIES

FAST-216 Minimum Wage and Overtime Compensation Policy

FAST-201 Travel - Authorizations and Reimbursement

FAST-217 Dual Employment and Outside Employment