

## **TELECOMMUTING POLICY**

### **California State University Dominguez Hills Foundation**

#### **Purpose**

California State University, Dominguez Hills Foundation (CSUDH Foundation) strives to create an environment for employees to thrive, be successful, and model inclusive excellence. A telecommuting program allows the Foundation to utilize a dynamic and creative tool for enhancing the efficiency and effectiveness of our operational needs.

This policy establishes the terms and conditions of the telecommuting program for eligible employees of California State University, Dominguez Hills Foundation and the guidelines under which it will operate. Employees participating in this telecommute program must follow the applicable guidelines.

#### **Definitions**

Telecommuting – (also known as “telework”) is an authorized work arrangement that involves an eligible employee (whose regular worksite location is at the California State University, Dominguez Hills campus) to routinely work one or more days per week (part-time or full-time) at a non-campus location with the approval of the employee’s Manager. In most cases, this is the employee’s home. Employees will have an assigned campus worksite on the days they are required to be on campus. Employees are also required to live within a daily commuting distance of the campus in instances they are asked to report to the university.

Remote work – is an authorized work arrangement within the state of California that allows an eligible employee to work entirely at an alternate work location other than the campus. In most cases, this is the employee’s home. Generally, the employee will not have an assigned campus worksite, e.g., individual office or cubicle. In situations where the employee is originally hired to work remotely, the employee may not have the option to discontinue the remote work arrangement and request a work location on campus without the agreement of the Manager, and with justification that the scope of work now requires a campus office location.

Manager – immediate non-bargaining unit supervisor or manager to whom the employee is normally accountable.

Day – a calendar day.

#### **Authority**

Government Code Section 14200-14203 authorized every state agency to incorporate telecommuting as a work option. The university has been delegated the authority to establish a telecommuting program within this authority. As such, the Foundation has adopted a telecommuting policy to ensure alignment with campus practices with regard to work options. The Foundation Executive Director has delegated the authority to Foundation Human Resources to administer the telecommute program.

## Eligibility Criteria

Telecommuting is neither an employee right nor an employee benefit; an employee is not entitled to telecommute. Not all positions are suitable for telecommuting; therefore, a decision to permit an employee to telecommute is determined between the employee's Manager and the respective division vice president based on specific work-related criteria. Managers should take into consideration the following factors:

- The nature of the job/work and operational needs
- The department maintaining the quality of its services to members of the university community and public, if applicable
- Performance and productivity of the employee
- Attendance and the ability of the employee to work independently

Employees who have received disciplinary or corrective action within the preceding twelve (12) months are ineligible for telecommuting.

## Guidelines

To ensure an effective, productive telecommuting program, California State University, Dominguez Hills Foundation establishes the following guidelines:

1. **Work Standards.** Foundation employees ("Telecommuters") who are authorized to perform work at off-site work locations must meet the same standards and professionalism expected of University employees at on-site work locations in terms of job responsibilities, work products, customer, and public contact.
2. **Time Period and Termination of Telecommuting Agreement.** The telecommuting agreement may be revoked by either the Manager or at the employee's discretion at any time with written notice to the respective party. Termination of the employee's participation *for cause* may be immediate and does *not* require advance written notice.
  - a) **Termination by the Manager:**

An Manager may determine that it is no longer in the best interest of the University to continue the telecommuting agreement. When so determined, the Manager will provide fourteen (14) days' notice to the employee unless extenuating circumstances make such notice impracticable.
  - b) **Termination by the Employee:**

Telecommuting is strictly voluntary, except for situations where the employee is originally hired to work remotely. An employee may also seek to end the telecommuting agreement. When so determined, the employee will provide five (5) days' notice to the Manager.

**c) Termination by the University:**

The university reserves the right to end participation in the telecommuting program if it is determined that the program no longer serves the needs of the university.

When the agreement is terminated, the employee must promptly return all notes, data, reference materials, sketches, drawings, memoranda, reports, records, equipment, software, supplies, and any other university of Foundation property in the employee's possession or control.

3. **Review of Telecommuting Agreements.** Foundation Human Resources shall maintain copies of all telecommuting agreements currently in effect. A copy of the telecommuting agreement will be placed in the participating employee's personnel file. Each telecommuting agreement should be discussed and reviewed at least annually in conjunction with the employee's performance evaluation, whenever there is a major job change or change that impacts eligibility criteria, or whenever the employee or Manager changes positions.

Telecommuting is a work arrangement between an individual employee and their Manager. The employee has no automatic right to telecommute. An Manager has no authority to require an employee to telecommute. Telecommuters and new Managers are encouraged to continue telecommuting arrangements by mutual agreement. Neither should be required to continue a telecommuting arrangement when it is not in the best interests of either or both, and the Foundation and ultimately the university.

4. **Job Responsibilities.** The telecommuter will continue to be responsible and accountable for performance of job responsibilities while telecommuting. The telecommuter must be self-motivated, they must have demonstrated conscientious observance of work hours and productivity requirements. The telecommuter will meet or communicate with their Manager to receive assignments, review work progress, and complete work at predetermined intervals and more often, as the Manager directs.

The Manager shall formulate objectives, expected results, and evaluation procedures for work completed while the employee is telecommuting. The telecommuter shall promptly notify their Manager when unable to perform work assignments due to equipment failure or other unforeseen circumstances. The telecommuter may be assigned to another project and/or work location that may necessitate termination of telecommuting as dictated by business needs.

Consistent with Foundation policy, each participating employee is required to have a performance evaluation completed each year. Performance must remain in the category of "Satisfactory" or above to remain eligible for telecommuting.

5. **Telecommuter Accessibility.** Telecommuters must be accessible via telephone, network access, text, email, and/or other online communication channels (such as

Zoom) by their Manager, co-workers, and other employees during the telecommuter's schedule. The telecommuter shall make arrangements acceptable to their Manager with regard to a method for receiving/recording work-related messages.

6. **Compliance with University Policies.** Telecommuters shall comply with all applicable federal and state laws, the Foundation, and campus policies and procedures.
7. **Telecommuting Schedule.** The telecommuter shall generally maintain a consistent schedule of work hours and days to ensure regular and predictable contact with Foundation and University staff and others during regular business hours. A determination of flexibility in work hours and days where feasible given the position's job responsibilities may be made on a case-by-case basis. These must be approved by the Manager. A telecommuter's work schedule may be either on a part-time or full-time basis. Exceptions will be made when an employee's presence is required for a function or activity that cannot reasonably be rescheduled. The telecommuter will remain flexible to their Manager and working arrangements when office functions require their attendance. Employees who are approved to telecommute or work remotely are required to adhere to required rest and meal breaks, and to accurately report their work hours. For work schedules other than standard business hours (M-F, 8am – 5pm), please submit a Modified Work Schedule form to Foundation Human Resources.
8. **Equipment/Software Needs.** Internet connectivity is the responsibility of the telecommuter, at the telecommuter's expense, and must be verified. The university will provide the appropriate equipment to access services and platforms needed to perform work as assigned. Agreements for the university to provide equipment and software, will be documented by the Manager. The telecommuter agrees to abide by the licensing regulations and restrictions for all software under license to the university.
9. **Indemnity Waiver.** The Foundation nor university assumes responsibility for any private property used, lost or damaged as a result of the telecommuting with the exception of damage resulting from university-owned equipment that has been documented as defective and documented as causing the damage. The university is also not responsible for reimbursing the employee for wear and/or repair of private property.
10. **Office Supplies.** The Foundation will not reimburse telecommuters for the expense for supplies, which the employee is provided from their regular campus on-site work location. The Telecommuter may submit an advance written request for approval by their Manager for the purchase of any special supplies not available in the on-site work location needed in the performance of their job duties.
11. **Off-Site Maintenance Costs.** The Foundation is not responsible for operating costs, home maintenance, property or liability insurance, or other incidental expenses (utilities, cleaning services, etc.) associated with telecommuting, the off-site workspace or use of the telecommuter's home.
12. **Health and Safety.** The telecommuter is responsible to ensure that their off-site work location complies with health and safety requirements and must so certify as part of their agreement. The Foundation may deny an employee the opportunity to telecommute or

may rescind a Telecommuting Agreement based on safety considerations. Employees who do not have or are not able to provide themselves an ergonomically appropriate place to work should not telecommute and should work instead on campus.

13. **Right to Inspect.** The telecommuter shall notify the Manager immediately if a work-related injury occurs, the Foundation shall have the right to make on-site inspections of the workspace, including home workspace with advance written notice or at other mutually agreed-upon times.
14. **Technical Support.** Regular campus technology support will be provided to telecommuters, as it is provided to all employees. Telecommuters that need technology support will be required to bring university-owned equipment to campus if necessary. Remote options may be available in the event the telecommuter is unable to come to campus.
15. **Restricted-Access Materials.** The telecommuter shall not copy, place on another computer, or delete restricted-access materials that are at the Foundation on-site work location or accessed through the computer, unless approved in advance by the Manager and the campus' Information Security Officer.
16. **Information Security and Compliance.** The telecommuter will be responsible for the safety and security of all Foundation and University-owned equipment, records, and materials at the telecommute/remote worksite and during travel to/from the campus. This includes remaining up to date with CSU and CSUDH's [Information Security Policies & Standards](#) and other applicable information technology policies, as well as maintaining data security and confidentiality of records in the same manner as when working at the regular worksite. The telecommuter must follow all Information Security policies, including not duplicating university-owned software and adhering to manufacturer's licensing agreements. The telecommuter must ensure information is not disclosed in violation of [FERPA](#) or other state or federal laws, regulations, or CSU policies and practices. The telecommuter is responsible for reviewing University policies and guidelines for protecting information, including:
  - [CSU Responsible Use Policy \(RUP\)](#) - Applies to anyone who uses CSUDH's information technology resources. All users are expected to be familiar with and abide by this policy.
  - Use of other security measures to include the use of locked file cabinets and desks for protected university information.

The telecommuter shall [implement secure and safe computing practices](#) at the telecommute/remote worksite and must report to their Manager any security issues. The employee must report to the Manager any instances of loss, damage, or unauthorized access to property or information at the earliest opportunity. Prior to establishing their home office, the employee shall complete a home office technical and secure computing environment assessment to evaluate that the designated off-campus workspace complies with university's technical/security standards.

The assessment will include an evaluation of the required basic home office technology setup (including campus provided desktop or laptop computer), internet service level, and home network security settings.

17. **Conditions of Employment.** All duties, responsibilities and conditions of employment remain the same for those who telecommute. Employee salary, retirement, benefits, and worker's compensation shall not change due to telecommuting. The use of sick leave, vacation, or other leave must be preapproved by the employee's manager in the same manner as when working in the regular office. An employee who is telecommuting is not entitled to reimbursement for travel mileage to attend work unit meetings.
18. **Dependent or Medical Care.** Telecommuting is not a substitute for dependent care, medical leave, or caring for an ill family member. Telecommuters are required to make arrangements for dependent care during the agreed-upon work hours. Requirements and the procedure for requesting sick, vacation, and other leaves will not change while the telecommuting agreement is in effect.
19. **Overtime.** A non-exempt telecommuter shall not work overtime without prior written approval from their Manager. If the telecommuter works overtime that has been approved in advance, compensation or compensatory time off will be provided in accordance with eligibility guidelines and applicable laws, policies and collective bargaining agreements. A telecommuter's failure to obtain prior approval for overtime work may result in discontinuance of telecommuting.
20. **Other Jobs.** Telecommuting is not intended to allow employees to work other jobs or operate their own businesses. Employees found engaging in other outside work and/or operating their own businesses during the standard business hours of the Foundation, or during their approved modified work schedule, may have their telecommuting agreement terminated and/or be subject to disciplinary action, up to and including termination of employment.
21. **Legal and Tax Implications.** The employee is responsible for addressing and resolving any questions about the employee's ability to deduct expenses related to telecommuting. The tax implications of utilizing a home office are the responsibility of the employee.
22. **Out-of-State Work.** Telecommuting out-of-state is not allowed. Out-of-state employment has additional considerations related to taxation, reporting, and applicability of local jurisdiction employment laws that the University does not have the resources to support. Telecommuting from international locations is strictly prohibited.