



UNIVERSITY POLICY

Telecommuting Policy

Policy Type: Institutional Wide

Responsible Office: Human Resources

Effective Date: August 1, 2021

Revision Date:

POLICY STATEMENT

While the University is primarily an on-campus provider of educational services, and generally believes that students, faculty and staff and the general public can best be served when the work of the University is conducted in person, it also recognizes that telecommuting may be advantageous for the University and employees whose job responsibilities are suitable for telecommuting and who can complete part or all of their normal business day from a location other than on campus. Telecommuting is a privilege and not an entitlement and will be granted at the discretion of the University. The determination of whether an employee is eligible to participate and will be approved for telecommuting will be made in accordance with this policy and the department's business needs.

REASON FOR POLICY

In appropriate circumstances, and with authorized approvals, Butler University allows telecommuting where such arrangements are consistent with departmental goals and business operational requirements. Telecommuting arrangements should be approved and managed on a consistent basis and must not adversely affect departmental on-campus operations or productivity.

ENTITIES AFFECTED BY THIS POLICY

Institutional Wide

POLICY APPROVAL

Human Resources

CONTACTS

Human Resources
Jordan Hall, Room 037
4600 N. Sunset Avenue
Indianapolis, IN 46208
Phone: 317-940-9355
Email: askhr@butler.edu

PROCEDURES

Definitions:

Telecommuting: a preapproved, documented, ongoing, regularly scheduled work arrangement that allows an eligible employee to perform the employee's usual job duties during any or part of the employee's regular work hours at an approved alternate work location other than the Butler University campus. This definition of telecommuting includes what is sometimes referred to as working remotely. The definition of telecommuting does not include any work done while on official travel or work that is approved on a case-by-case basis, where the hours worked remotely were not part of a previously approved, ongoing, and regular telecommuting schedule (e.g., for inclement weather, doctor appointment, or special work assignment).

General Provisions:

Applicability:

This policy applies to all regular employees. This policy does not apply to employees receiving or requesting accommodations under the Americans with Disabilities Act. This policy does not apply to occasional or temporary employees.

Employees entering telecommuting work arrangements:

- Remain employees at will
- Are solely responsible if there are state or local tax ramifications
Consideration may be given to:
 - Prior and current performance and productivity of the employee (if applicable)
 - Satisfactory attendance history (if applicable)
 - The ability of the employee to work independently

Job Criteria: Not all positions are suitable for telecommuting. Following a discussion with the supervisor and the employee, and the Vice President/Area Vice President of the division or Dean of the college, Human Resources will review the position description with the supervisor to determine the suitability of the position for telecommuting. Jobs best suited for telecommuting are those that require independent work and little face-to-face interaction and result in a specific, measurable work product. Other factors that may be considered in connection with a telecommuting proposal may include, without limitation:

- The nature of the work and job responsibilities including how work will be assigned and performance measured
- Operational needs
- Whether the department can maintain the quality of their on-campus services to members of the university community (and public, if applicable)

Telecommuting is normally reserved for employees in exempt positions, since non-exempt positions require careful tracking of time worked to ensure compliance with overtime policies and federal wage and hour laws. If the telecommuting work arrangement involves a non-exempt employee, there will need to be compliance with FLSA guidelines and University policies and procedures.

Schedules: Employees who telecommute are expected to:

- Have regularly scheduled and approved work hours (determined by the employee's supervisor);
- Be fully accessible during those hours, and
- Attend meetings and functions in person, as may be required, including on days they would customarily telecommute.

Work Area: The employee must establish an appropriate and safe work environment. The location from which the employee will telecommute should have the necessary equipment for the employee to perform the requirements of the position. Further, the location should be one that will not interfere with the employee's participation in telephonic or video meetings or lead to the inadvertent disclosure of confidential or proprietary information to third parties at the telecommuting site. Employees are responsible for equipping their home office environment.

According to the Occupational Safety and Health Administration (OSHA), there is no provision in the law that excludes workplaces located in a home. Because of this, employees working from home should be familiar with worker's compensation procedures and report any injuries on work time to the supervisor immediately.

Out of state telecommuting agreements are rare and reserved for positions in which the role cannot be performed in the State of Indiana. New arrangements of this type **MUST** be approved in advance by the Provost, General Counsel, and the Vice President of Human Resources, in addition to approvals required for other telecommuting arrangements.

If the employee moves out of state and the University approves a telecommuting work arrangement, they must affirm that they are voluntarily moving, and Butler has not asked them to move.

Employees who are preapproved to telecommute outside the State of Indiana must affirm that they recognize that Butler University is an Indiana not-for-profit corporation, and that by agreeing to remain employed by Butler University, that they agree in the event of any dispute with Butler that the laws of the State of Indiana shall apply, and any legal action will be initiated and resolved in Marion County, Indiana in either federal or state court.

Costs: The University will not pay for or reimburse any costs associated with telecommuting. Charging telecommuting expenses to a University credit card is strictly prohibited. This includes, but is not limited to, costs associated with office furniture, supplies, an internet connection, landline or mobile phone, heating, electricity, water, security, insurance, space usage, etc. The employee is responsible for any ergonomic needs associated with a home office. Any employee who is unwilling or unable to cover the costs associated with telecommuting should not enter a telecommuting agreement.

Telecommuting Technology, Information Security Guidelines and Equipment: The telecommuting employee is responsible for protecting the University's data and systems that are both remote and those accessed remotely are located on Butler's campus.

When working remotely, it is the employee's responsibility to follow the same best practices for protecting physical and electronic information and resources as is required when on campus. The employee must ensure the physical security of the equipment used to access Butler information and resources. This includes protecting University information and telecommuting equipment from being stolen or accessed by unauthorized persons. This also includes the security of information in paper format including ongoing storage, backups, and proper disposal. Any loss or theft of University equipment or data must be immediately reported to the supervisor and to IT. Hardware, software, and data destruction of confidential materials must be done securely and disposed of at the termination of business need. Users may not store any University confidential or personally identifiable information (PII) data, protected health Information (PHI) or payment card industry (PCI) information on their personally owned computer equipment. Any storage or processing of confidential or personally identifiable information should be done on University-owned equipment.

Anyone planning to telecommute must work with IT to encrypt their laptop, complete a “Telecommuting” training module, and be familiar with IT policies. For more information on these topics, please visit this [website](#).

The University will be responsible for service and maintenance of University-owned technology and equipment only. University IT staff cannot provide face-to-face assistance for any equipment or connectivity issues to employees working outside the university. While the IT staff may be able to access university-owned computers remotely to resolve issues, if unsuccessful, the employee will need to bring the equipment to campus for assistance.

Butler University will provide telecommuting employees with equipment that is essential to their job duties such as laptops and headsets. Butler University will not provide secondary equipment (e.g., printers).

Employees must keep any University-issued property safe and avoid any misuse. Specifically, employees must:

- Keep their equipment password protected
- Store equipment in a safe and clean space when not in use
- Follow all data encryption, protection standard, and settings
- Refrain from downloading suspicious, unauthorized, or illegal software
- Refrain from allowing anyone other than the Butler employee to use Butler-owned equipment

When a telecommuting arrangement ends all Butler-owned equipment must be brought back to the employee’s Butler campus workspace.

Management and Supervision: Supervisors are responsible for managing the telecommuting arrangement and work product with the employee. They must ensure that departmental needs are met, and all work is accomplished at or above existing levels absent the telecommuting arrangement. Supervisors shall maintain regular and necessary communications with the telecommuting employee and include the telecommuter as appropriate in meetings and other interactions.

Evaluation and Discontinuation: All telecommuting arrangements shall be reviewed periodically (e.g., monthly, quarterly, or biannually) to assess their effectiveness. Failure to fulfill work requirements, both qualitative and quantitative, may result in revocation of telecommuting, disciplinary action, or termination of employment. Before any renewal of the telecommuting arrangement, a thorough review is required. At a minimum, arrangements shall be reviewed on an annual basis. The University has the right to terminate a telecommuting arrangement at any time at the discretion of the supervisor. When practicable, the employee will be given a two week notice regarding the termination of the telecommuting agreement, but this timeframe may be altered by the supervisor as required, in consultation with HR. A telecommuting employee has the right to terminate the arrangement by giving at least a two-week written notice to their supervisor and HR.

Telecommuting General Expectations:

1. Telecommuting employees must provide Human Resources with current records of the locations from which an employee is telecommuting. Such record must include the city, county, and state. Approval to allow out of state telecommuting is rare. In addition to the general approval to telecommute, approval must be secured from the Provost, General

Counsel, and the current leader of HR prior to a telecommuting employee relocating to a different city, state and/or country, in order to continue the telecommuting arrangement. The University may choose to terminate an employee who fails to comply with this notification requirement.

2. Telecommuting is not intended to permit staff to have time to work at other jobs or run their own businesses. Engagement in such activities during expected work time may result in immediate termination of the telecommuting agreement and subject the employee to discipline up to and including termination.
3. Employees remain subject to all FERPA and University confidentiality requirements while telecommuting. Employees are reminded of their obligation to protect the University's proprietary information at all times regardless of where they are working and to be mindful of confidentiality considerations when telecommuting in a public place away from their regular workspace. Employees are **strongly** discouraged from taking paperwork and documents bearing any FERPA or confidential information on them home or to a telecommuting location. If, however, the employee is required to take any such paperwork or documents for use when telecommuting by a supervisor, the employee is required to keep all items secure and safe from inadvertent disclosure, including through loss or destruction.
4. Nothing in this policy requires a department or the University to retain a telecommuting employee whom the department would otherwise terminate, lay off, or furlough.
5. No university employee is entitled to or guaranteed the opportunity to telecommute even if they have previously telecommuted.
6. Telecommuting requests must be submitted and approved in advance by the employee's supervisor, Vice President of the division or Dean of the college and Human Resources prior to beginning the telecommuting.
7. Anyone found abusing the privilege of telecommuting may lose future opportunities to work remotely and face other disciplinary actions up to and including termination. Decreases in productivity or behaviors that detract value from the University may result in the immediate loss of telecommuting status and/or may result in disciplinary action.
8. This policy is not intended to replace the University's PTO or vacation policies. Telecommuting employees are expected to utilize time off as necessary and appropriate the same as if they were working on campus.
9. An employee's classification, compensation, and benefits will not change if the employee is approved to telecommute.

Procedures:

The employee must submit a written proposal for telecommuting to their supervisor. If the supervisor agrees that this is something they would consider, the employee and supervisor must complete the [Telecommuting Agreement Form](#) and secure their Division VP or Dean's approval on the form before sending it to HR. HR will then discuss the arrangement with the supervisor and either approve or not approve the request.

HISTORY/REVISION DATES

Issue Date: July 19, 2021

Amended Date: