



**KENTUCKY STATE
UNIVERSITY**

POLICY TITLE: Temporary Telecommuting Policy

APPROVED BY: 18th President, Dr. M. Christopher Brown II

EFFECTIVE DATE: March 16, 2020

PURPOSE:

This policy may be approved for temporary/alternative work arrangements on a short-term basis to meet exceptional operational circumstances of Kentucky State University (Kentucky State).

APPLICABILITY:

Employees whose tasks that may benefit from uninterrupted work time are suitable for telecommuting.

Examples of such work include, but are not limited to: writing, editing, reading, analysis, design work, or computer-based work.

Telecommuting may not be suitable for all employees and/or positions. The need for specialized material or equipment must either be minimal or flexible.

POLICY STATEMENT:

In exceptional situations including but not limited to cases of public emergency and/or in compliance with public health guidance for contagious diseases, temporary telecommuting may be approved as an alternative work arrangement. This is a short-term, discretionary program and must be discussed and considered on a case-by-case basis with the unit supervisor and individual employee. This program must be approved in advance by the department supervisor and appropriate vice president/provost, and implemented through the use of the Temporary Telecommuting Agreement.

The Temporary Telecommuting Policy does not apply to employees who must perform work responsibilities on-site and whose duties are designated as “essential functions.”

Any employee who works offsite must comply with University policies and procedures and use caution, procedures and equipment that maintains data storage, confidentiality and transmission security.

RELATED PROCEDURES:

Agreement:

Employees who would like to request to work at some place other than the primary workplace on a temporary basis shall complete a Temporary Telecommuting Agreement for submission and approval by their respective supervisor.

Telecommuting must not adversely affect customer service delivery, University operations, employee productivity, or progress of an individual or team assignment.

The supervisor shall consider an employee request to telecommute in relation to the operational and customer needs of the department. The supervisor will take into consideration the overall impact of the telecommuter's total time out of the primary worksite, meetings, presentations, and conferences. The supervisor will also consider the applicant's demonstrated conscientiousness about work time and productivity, and their work habits and performance, including their ability to be self-motivated and have minimal face-to-face daily supervision. Employees who are currently on disciplinary may not be eligible for telecommuting.

The supervisor shall generally respond to the request within 10 days. All requests are subject to approval by the appropriate Vice President/Provost.

Employees who are approved for telecommuting shall sign and abide by the Temporary Telecommuting Agreement. The agreement may require modification(s) to fit individual telecommuting site circumstances. A copy of the agreement shall be retained in the employee's personnel file.

Unless otherwise stated in the agreement, the supervisor, the Vice President/Provost, or the employee may discontinue the arrangement by written notification.

The telecommuter will have regularly scheduled work hours that ensure the continuity of service and fulfillment of University operations. Any changes to standard work hours must be agreed upon by the supervisor in advance of the modified work schedule.

Provisions:

- A. **Communication.** While telecommuting, the employee shall be reachable by telephone, teleconference, instant message or email during agreed-upon work hours. The employee and supervisor shall agree on expected turnaround time and the medium for responses.
- B. **Conditions of Employment.** The telecommuter's conditions of employment shall remain the same as for non-telecommuting employees; wages, benefits and leave accrual will remain unchanged.
- C. **Equipment.** The telecommuter shall generally provide furniture and equipment for the alternative worksite. In the event that equipment and software is provided by Kentucky State at the telecommute-site, such equipment and software shall be used exclusively by the telecommuter and for the purposes of conducting Kentucky State business only. Software shall not be duplicated. The parties shall consult with the support manager regarding the availability of equipment to loan. If Kentucky State provides equipment, the telecommuter is responsible for safe transportation and set-up of such equipment.
- D. **Equipment Liability.** Employees are responsible for protecting Kentucky State-owned equipment from loss, theft, damage, and unauthorized use. Kentucky State employees must ensure that equipment (Kentucky State-owned or personal) connecting to Kentucky State systems has updated anti-virus and that surge protectors are used. The employee will be responsible for:
 - a) any intentional damage to the equipment;
 - b) damage resulting from gross negligence or misuse by the employee or any member or guest of the employee's household;

c) damage resulting from a power surge if no surge protector is used

Kentucky State may pursue recovery for any Kentucky State property that is deliberately, or through negligence, damaged, destroyed, or lost while in the telecommuter's care, custody or control. The employee's department will be responsible for any costs associated with damage or theft of Kentucky State equipment that occurs outside the employee's control. Telecommuters should check their homeowner's/renter's insurance policy for incidental office coverage.

Kentucky State does not assume liability for loss, damage, or wear of employee-owned equipment. Kentucky State will not repair nor maintain personal equipment. Kentucky State will repair and maintain service at the on-campus worksite for Kentucky State-owned equipment.

Employees must contact the IT Help Desk immediately if their Kentucky State-owned computing device is lost, damaged, malfunctions or if unauthorized use of the device has occurred.

Employees must immediately contact the local police and the appropriate Kentucky State department* if Kentucky State equipment assigned to them is stolen. A police report must be filed, received and given to the appropriate Kentucky State department.

**Appropriate Kentucky State department: for example if the Kentucky State-owned equipment is a computer, IT must be contacted and the police report must be given to IT.*

E. **Technology and Security Considerations.** Employees must ensure the confidentiality, security and safeguarding of Kentucky State records, accounts and/or data or information used or accessed while telecommuting, in accordance with Kentucky State's Data Classification Policy, Acceptable Use Policy, and other information technology policies. Employees who telecommute shall not download any Kentucky State data or information onto their personal computers or onto any computing device other than those provided by Kentucky State.

a) Kentucky State email (and not personal email) must be used for all email correspondence related to University business.

b) Employees must comply with system updates, anti-virus and inventory requests on Kentucky State-owned equipment.

Some Kentucky State technology assets are protected through Kentucky State's network firewall. VPN access is required to remotely access these technology assets as well as the Kentucky State network. Approval for VPN access must be granted by your supervisor prior to requesting it from Information Technology.

Employees must contact the IT Help Desk immediately if they believe their account or device has been compromised.

F. **Home Work Site.** The telecommuter must establish and maintain a dedicated workspace that is quiet, clean, and safe, with adequate lighting, ventilation. It is recommended the worksite contains functional fire extinguishers and smoke detectors. The telecommuter will not hold business visits or meetings with professional colleagues, customers, or the public at the home worksite. Meetings with other Kentucky State staff will not be permitted unless approved in advance by the employee's supervisor.

- a) The telecommuter is responsible for providing internet access and paying associated fees to their Internet Service Provider of choice.
- G. **Hours of Work.** The telecommuter will have regularly scheduled work hours agreed upon with the supervisor, including specific core hours and telephone accessibility. The agreed upon work schedule shall comply with FLSA regulations. Overtime work for a non-exempt employee must be pre-approved by the supervisor. The telecommuter will attend job-related meetings, training sessions and conferences, as requested by supervisors. In addition, the telecommuter may be requested to attend “short-notice” meetings. The supervisor will use telephone conference calling whenever possible as an alternative to requesting attendance at “short-notice” meetings.
- H. **Incidental Costs.** Unless otherwise stated in the Temporary Telecommuting Agreement, all incidental costs, such as residential utility costs, internet access or cleaning services, are the responsibility of the telecommuter.
- I. **Tax Implications.** Telecommuting employees are solely responsible for addressing and resolving any tax and legal implications of the use of their alternate work location for business purposes and are solely responsible for any IRS, state, and local government regulations and restrictions.
- J. **Inclement Weather.** If the primary worksite is closed due to an emergency or inclement weather, the supervisor will contact the employee. The telecommuter may continue to work at the telecommute site. If there is an emergency at the telecommute site, such as a power outage, the telecommuter will notify the supervisor as soon as possible. The telecommuter may be reassigned to the primary worksite or an alternate worksite.
- K. **Work-Related Incidents.** The employee will be covered by workers’ compensation for qualified incidents during the defined workday that may occur in the designated workspace, including the telecommuter’s home. For incidents which occur during the defined work period, the employee shall immediately report the incident to the supervisor.
- Coverage will not apply to non-job related and unqualified incidents under worker’s compensation occurring in the home. Furthermore, KSU does not assume responsibility for any persons other than the telecommuter at the telecommute-site.
- L. **Intellectual Property.** Products, documents, and records developed while telecommuting are property of Kentucky State.
- M. **Leave.** The telecommuting employee must obtain supervisory approval before taking leave in accordance with Kentucky State policy.
- N. **Personal Business.** Telecommute employees shall not perform personal business during hours agreed upon as work hours.

RELATED FORMS: Temporary Telecommute Agreement

3/17/2020

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