



UNIVERSITY
of ALASKA
Many Traditions One Alaska

To: James Johnsen, President

From: Ardith Lynch, Interim Chief Human Resources Officer

A handwritten signature in black ink, appearing to read 'Ardith Lynch'.

Date: April 11, 2016

Re: Proposed regulation on telework

Attached for your review and approval is a new regulation regarding telework.

Approximately five years ago, a group composed of Risk Services, OIT and Human resources staff and leadership developed documents including a draft regulation and a telecommuting agreement, which incorporated guidelines for selecting employees who are suitable candidates for telework, protecting confidential information, avoiding liability exposure, etc. The telework agreement has been in use, but the proposed regulation was not adopted at that time.

A draft telework regulation was circulated to campus HR leadership in December 2015 and subsequently discussed by the Summit Team on January 12, 2016. A revised version of the draft regulation was sent to Governance on January 25, 2016. I received verbal input from the Statewide Administration Assembly and written input from one employee and have made some revisions to the draft based on that input.

The final version of the proposed regulation is attached for your review and approval.

I approve and cause to be promulgated the attached University Regulation R04.01.050.6 regarding telework. This regulation is effective July 1, 2016.

A handwritten signature in black ink, appearing to read 'James R. Johnsen'.
James R. Johnsen, President

4.22.2016
Date

cc: Brandi Berg, Board of Regents Executive Officer
Chancellors
General Counsel

R. _____ [new number]. Telework

This regulation applies to work outside of the primary university-provided workplace during scheduled work hours for one or more days a week on a regular basis. This regulation does not apply to faculty who are on sabbatical or other approved leave, or to faculty who, consistent with their approved workload, are physically present to teach in the university setting and to maintain reasonable office hours at the primary university-provided workplace.

A. Telework is an arrangement in which the university permits an employee to work during scheduled work hours at an alternate location that is remote from the primary university-provided workplace. Under this arrangement, the employee maintains close contact with his/her supervisor and coworkers through various forms of communication technology and fulfills all performance expectations.

1. Telework arrangements are at the discretion of the university and require written approval as follows.
 - a. All arrangements for telework require approval of the supervisor and the department dean/director, in consultation with appropriate Human Resources personnel.
 - b. For regular faculty, an arrangement for telework must be reflected in the faculty member's workload. The university reserves the right to modify the nature of the workload in a manner consistent with the applicable collective bargaining agreement.
 - c. An arrangement for work to be performed outside the State of Alaska requires a written telework agreement and advance written approval of the supervisor, the department dean/director, the regional human resources office, the chancellor, and the statewide human resources office. Approval by the dean/director confirms that the department or program has identified and budgeted for taxes, insurance, and administrative costs associated with the work activity outside of Alaska.
2. Requirements for approval of a telework arrangement include the following:
 - a. The nature of the work shall be such that face-to-face direction or interaction with others is minimal or may be scheduled to permit teleworking. Tasks that benefit from uninterrupted work time are suitable for telework, such as writing, editing, reading, analysis, design work, and computer programming.
 - b. Telework must be compatible with the operational and customer service needs of the department or program.
 - c. The overall impact of the employee's total time out of the university-provided workplace must not adversely affect the mission of the department or program.
 - d. Taxes, insurance, and administrative costs incurred to maintain an employee who works outside of the state of Alaska must be identified and budgeted by the department or program. Statewide Human Resources will charge the department or program for all fees associated with the work activity outside of Alaska.
 - e. Telework must not subject confidential records to unauthorized disclosure.

- f. The need for specialized material or equipment must either be minimal or flexible.
- g. Telework must not adversely affect customer service delivery or employee productivity.
- h. The employee must have excellent productivity and work habits, including the ability to be self motivated and have minimal face to face daily supervision, and must maintain the expected quantity and quality of work while teleworking. A telework agreement may include provisions to ensure that all performance expectations are met.
- i. The employee must be able and willing to provide an adequate and safe work space that is free of distractions.

B. Telework Requests.

- 1. An employee who desires to work at a location other than the primary university-provided workplace shall submit a written request to their supervisor for consideration.
- 2. An employee with a disability who desires a telework arrangement as a reasonable accommodation under the Americans with Disabilities Act shall submit a request to the affirmative action officer in accordance with University Regulation 04.02.033.

C. Work hours and Scheduling

- 1. The employee shall be reachable by telephone, fax, pager, or e-mail during scheduled work hours.
- 2. The employee shall be on-site at their department or program to attend required meetings and training sessions, and to perform work as requested by the supervisor.
- 3. Overtime work for a non-exempt employee must be pre-approved in writing by the supervisor. An employee who works overtime without advance written approval is subject to discipline.
- 4. The employee shall obtain supervisory approval before taking leave in accordance with university policy. The university, as a public agency, has policies and practices established pursuant to principles of public accountability under which certain employees accrue annual leave and sick leave and may be placed on leave without pay for absences when accrued leave is not used.

D. Telework Location and Safety

- 1. The employee shall maintain an appropriate alternate work place. The university is not responsible for any costs associated with setup of a home office or the tax, insurance and other legal implications for the business use of an employee's home. The responsibility for understanding and fulfilling all such obligations shall rest

4. An employee who engages in telework authorizes the university to take possession of any work related documents or equipment and to copy the entire contents of any storage device, media or backup equipment or service that has been used to generate or store university related records. The University shall follow the procedures applicable to University-owned equipment in Regents' Policy and University Regulation 02.07.
- G. Geographic differentials will not be paid if the employee's telework location is not in the same geographic area as the university-provided workplace or if the employee's university-provided workplace is in a location for which a geographic differential does not apply.
- H. The employee will be responsible for payment of all transportation and subsistence expenses for travel between the telework location and the university-provided workplace, except as otherwise specified in a written telework agreement approved by the department dean/director and the regional human resources office. Travel at university expense must comply with R05.02.060.
- I. Employees shall make arrangements for dependent care while teleworking. Telework is not an alternative means for an employee to fulfill dependent care obligations.
- J. Telework arrangements are granted on a temporary and revocable basis. The university may suspend or terminate telework arrangements at any time for any reason or no reason and require the employee to report to the primary work location upon written notice, not to exceed ninety (90) days. The university's decision to grant, deny, or terminate a telework arrangement is not subject to university grievance policies.
- K. If this regulation conflicts with an applicable collective bargaining agreement, the provisions of the bargaining unit agreement shall take precedence over this regulation.

solely with the employee.

2. The university may inspect the alternate workplace.
3. The employee shall immediately report to the supervisor any job related injuries.
4. The university is not responsible for injury to any other person or to property arising out of the use of or activities in the alternate workplace. The employee shall not hold business visits or meetings at an alternate workplace. The employee shall hold the university harmless for injuries to others or damage to property at the alternate workplace.
5. In case of injury, theft, loss, or tort liability, the employee shall grant the university unlimited access to investigate and to inspect the alternate workplace.

E. Equipment

1. Unless the university agrees otherwise, employees who are approved for a telework arrangement will provide their own internet and telephone connections and associated equipment, and appropriate office furnishings. Employees are responsible for maintenance and repair of such equipment. The university is not liable for loss, damage, or wear to employee-owned equipment.
2. Supervisors may approve use of university computers and other equipment on a case-by-case basis. The employee shall not use, or allow others to use, university equipment for purposes other than university business.
3. All equipment, records and materials provided by the university remain the property of the university and shall be immediately returned to the university upon request.

F. Information Security

1. Employees shall comply with all laws, rules and procedures applicable to University employment, including Regents Policy and University Regulation 02.06, and shall safeguard all information that has not been disseminated to the public, including confidential records and proprietary university information that is accessible from their alternate work location.
2. Employees shall ensure that appropriate security mechanisms are present and enabled on university owned equipment, as well as on employee-owned equipment if used for University business, and shall ensure that security updates are maintained on such equipment.
3. The employee shall return all papers, computer files, and other records to the university at the end of the assignment or upon request.