POLICY TITLE	Remote Work	**Policy Number**	332
Section	People and Culture	**Approval Date**	May 9, 2023
Subsection	Conditions of Employment	**Effective Date**	May 9, 2023
Responsible Office	Office of the Vice President of People and Culture	**Last Review**	May 9, 2023

1.0 PURPOSE

1.1 Utah Valley University (University) recognizes that under appropriate circumstances, remote work provides benefits for employees, the University, and the communities it serves. This policy sets forth the guidelines for remote work at the University to ensure continuity of business operations, ensure the effective use of facility resources, and enhance the quality of work life for employees.

2.0 REFERENCES

2.1 *Fair Labor Standards Act (FLSA)*

2.2 Utah Code Title 34A, Chapter 2*, Workers Compensation Act,*

2.3 UVU Policy 152 *Accommodations for Individuals with Disabilities*

2.4 UVU Policy 251 *Traveling on University Business*

3.0 DEFINITIONS

3.1 Ad hoc arrangement: A temporary and short-term arrangement between an employee and the employee's supervisor for the employee to work offsite or outside the state of Utah due to either (a) unforeseen circumstances such as inclement weather, vehicle trouble, or a family emergency, if the employee's supervisor gives permission for the employee to engage in remote work due to those circumstances, or (b) a UVU-approved special project or university travel (e.g., conferences, co-curricular/extra-curricular activities, study abroad, recruitment, performances, fundraising, etc.).

3.2 Designated work schedule: The supervisor-approved regular shift, hours, schedule, or period when a remote worker performs their work duties.

3.3 Onsite: A university-owned or leased location, campus, or facility.

3.4 Remote work: The performance of job duties on a continuing basis from an offsite remote workspace for all or part of the workday or workweek. Remote work may also be known as telework, telecommuting, work from home, mobile work, flexible workplace, etc.

3.5 Remote worker: A university employee with an approved remote work acknowledgment.

3.6 Remote work acknowledgment: An approved and documented arrangement between the University and the employee to perform job duties at an approved remote workspace.

3.7 *Remote Work Agreement Form*: The online form that the employee uses to submit a request to work remotely and that their supervisor uses to approve the remote work arrangement.

3.8 Remote workspace: Any location, other than onsite, where university work is being performed.

4.0 POLICY

4.1 Scope of Policy

4.1.1 This policy applies to all full-time and part-time university employees, including faculty, staff, and student employees.

4.2 Policy Statement

4.2.1 The University recognizes that remote work can be an effective approach to fulfilling organizational objectives while providing employees with a flexible, productive work environment. However, there are many critical tasks at the University that cannot be performed remotely, and other critical tasks that cannot be performed as effectively when done remotely. Accordingly, requests for permission to perform remote work are individually assessed based on the position's duties and job requirements.

4.2.2 The expectations for work outcomes, behaviors, and policy compliance are the same whether work is performed onsite or remotely.

4.2.3 University employees shall not engage in remote work for the University unless they have signed a remote work acknowledgment that has been approved by their supervisor, have a valid ad hoc arrangement, or where a remote work acknowledgment is not required (see section 4.3.1).

4.2.4 Because the University is not currently registered to conduct business or employ persons anywhere other than the state of Utah, remote workers who engage in remote work on a regular or continuous basis must perform that remote work in the state of Utah. The University is not required to consider requests to register itself in other states merely to permit an employee to work remotely from another state. This section does not prevent an employee from entering into a valid ad hoc arrangement (see section 4.7).

4.2.5 Violations of this policy may lead to revocation or limitation of remote work eligibility or other disciplinary action. Repeated or serious violations of this policy are grounds for termination of employment.

4.2.6 Questions or concerns regarding this policy should be directed to People and Culture.

4.3 Eligibility for Remote Work Arrangements

4.3.1 Decisions about eligibility for remote work and the use of a remote work acknowledgment (see section 4.5) by faculty are made by the faculty member's Dean in consultation with the Provost. Faculty positions by nature are eligible for remote work and do not require a request for a remote work arrangement or a remote work acknowledgment. Faculty positions typically are a hybrid designation (see section 4.3.5) that involves working some portion of the designated work week from a remote workplace as well as onsite.

4.3.2 Decisions about eligibility for remote work for staff employees are made by the employee's supervisor. All decisions about eligibility for remote work shall be consistent with the employee's division vice president's determination of the position's eligibility for remote work (see section 5.1).

4.4 Approval of Remote Work Arrangements

4.4.1 Employees may request approval for a remote work arrangement at any time, including at the time of recruitment. Employees who desire a remote work arrangement as a reasonable accommodation for a disability should make the request using the procedures in UVU Policy 152 *Accommodations for Individuals with Disabilities*.

4.4.2 If the request for a remote work arrangement is approved, staff employees will be required to sign a remote work acknowledgment before beginning remote work.

4.4.3 Approved remote work arrangements may include hybrid designations that involve an employee working some portion of the designated work week from a remote workplace as well as onsite, or fully remote designations in which most or all work is conducted from a remote workplace.

4.4.4 If questions exist about the potential effectiveness of a potential remote work arrangement, the supervisor may consider evaluating a remote work arrangement on a pilot basis with a defined and brief (such as a 30- or 60-day) review period.

4.4.5 Before entering into a remote work arrangement for fully remote work, both the supervisor and employee shall complete required trainings on remote work.

4.4.6 The University will evaluate requests for remote work arrangements, and the continuing viability of remote work arrangements, based upon consideration of the university's operational

needs, the suitability of the employee's tasks of being performed remotely, performance concerns of the employee in question (including past compliance or noncompliance with this policy), scheduling conflicts, policy compliance, budgetary impacts, and student service needs.

4.4.7 If the University denies the request for a remote work arrangement, the supervisor of the affected employee shall notify the employee of this decision and the reason for the decision. These decisions are not subject to appeal or grievance under any university policy (except where the arrangement was requested pursuant to UVU Policy 152, in which case the procedures of that policy will govern any appeal).

4.5 Review, Modification, and Rescission of Remote Work Arrangements

4.5.1 The University will review remote work arrangements at least annually to reassess the feasibility of the arrangement. Continuation of the University's approval of the arrangement is not guaranteed.

4.5.2 The University may modify or rescind approval of a previously approved remote work arrangement for any of the following reasons:

4.5.2.1 employee performance concerns (such as not being sufficiently available, non-responsiveness, or behavioral issues);

4.5.2.2 changes to the University's operational needs;

4.5.2.3 modification of the employee's job duties;

4.5.2.4 reassessment of the position's suitability for remote work;

4.5.2.5 changes to university policy, to Utah Board of Higher Education policy, or to pertinent laws or regulations;

4.5.2.6 budgetary considerations; or

4.5.2.7 student service considerations.

4.5.3 An employee who changes positions (e.g., promotion, transfer, etc.) must apply for a new remote work acknowledgment based on the new position and their individual performance.

4.5.4 To rescind approval of a previously approved remote work arrangement, or to modify the conditions of its approval (including the terms by which remote work must be performed), the University shall provide the affected employee with at least 14 calendar days' advance notice that the remote work arrangement is being rescinded (or modified). The University may provide less than 14 calendar days' advance notice if either emergency circumstances necessitate a shortened notice period, or the University and the employee mutually agree upon a shorter notice period. The University's notice shall include an explanation of the reason for its decision. This

section does not apply to ad hoc arrangements.

4.5.5 Decisions to modify or rescind approval of a remote work arrangement are not subject to appeal or grievance under any university policy (except where the arrangement was requested pursuant to UVU Policy 152 *Accommodations for Individuals with Disabilities*, in which case the procedures of that policy will govern any appeal).

4.6 Remote Work Acknowledgments

4.6.1 The purpose of a remote work acknowledgment is to document the employee's understanding of the requirements of this policy and of any additional rules relating to remote work that have been directed by the employee's supervisor. A remote work acknowledgment is not a contract, nor does it create any entitlement, right, or vested benefit.

4.6.2 By signing a remote work acknowledgment, employees are not giving up any right that is guaranteed to them by law or university policy (including this policy).

4.6.3 An employee with an approved remote work arrangement must sign a new remote work acknowledgment at least annually.

4.7 Ad hoc arrangements

4.7.1 If an employee has previously received approval from their supervisor to engage in a special project or university travel, the employee does not need further approval from their supervisor to also engage in remote work while engaged in that special project or university travel. Their supervisor's previous approval is deemed, for purposes of this policy, to also constitute approval of an ad hoc arrangement to engage in remote work for the duration of the special project or university travel.

4.7.2 Employees who believe that they are experiencing unforeseen circumstances that may require them to work remotely on an ad hoc basis shall not perform any remote work without notifying and obtaining approval from their supervisor for an ad hoc arrangement to work remotely. An employee working remotely pursuant to this type of ad hoc arrangement must return to working onsite as soon as the unforeseen circumstances no longer apply.

4.7.3 An employee's supervisor may withdraw approval for ad hoc arrangements to work remotely at any time by notifying the affected employee, in which case the employee must immediately stop all remote work.

4.8 Expectations and Responsibilities

4.8.1 Remote workers are to be as available, accessible, and responsive to communications while working remotely as when working onsite.

4.8.2 Remote workers shall comply with all university and Utah Board of Higher Education policies and procedures when working remotely, and are subject to the same behavioral expectations, performance and training expectations, code of conduct standards, and other guidelines that would apply had they been working onsite. The University makes no distinction for policy and procedure compliance, or for performance standards and expectations, based on where work is performed.

5.0 PROCEDURES

5.1 Suitability of Positions for Remote Work

5.1.1 The division vice president, who may consult with division supervisors and Human Resources, will determine the extent (if any) to which each individual position in the division is suitable and eligible for remote work. Because prevailing operational considerations and conditions may differ across university divisions, the same or similar jobs across different divisions may or may not be eligible for remote work.

5.1.2 When reviewing position descriptions for potential revisions, the review shall include a determination of the extent to which the changes impact the position's suitability for remote work.

5.2 Remote Workspace and Equipment, Supplies, and Expenses

5.2.1 Employees are responsible for establishing an appropriate working environment in accordance with university guidelines in their remote workspace. They should seek a private, quiet, distraction-free space, and to the extent possible, work exclusively from this area while engaged in remote work.

5.2.2 The University is solely responsible for repairing and maintaining equipment provided by the University. Employees shall treat all university-supplied equipment in a remote workspace with care and immediately report any damage to, malfunction, or failure of university-supplied equipment through their regular university reporting process. Employees shall comply promptly with any request that the University may make for the return or other disposition of any university-supplied equipment. While the University may not require employees to use personal equipment (e.g., computers, technology, cell phone, or other digital devices) to perform remote work, employees are solely responsible for maintaining and repairing any personal equipment used for remote work.

5.2.3 Apart from any equipment that the University may choose to supply, employees are responsible for the set-up and maintenance of their remote workspace. The University will not be responsible for any costs associated with the setup or maintenance of the employee's remote

workspace (e.g., mortgage, utilities, internet connectivity, VPN, repairs, remodeling, furniture, lighting, etc.).

5.2.4 Employees are responsible for ensuring that their use of a particular remote workspace complies with any rules, laws, or regulations that may apply to the workspace (such as zoning codes, homeowners' association CC&Rs, etc.).

5.2.5 The University assumes no ownership rights or responsibilities or control over any remote workspace, and will not be listed on any leases, utilities, homeowner agreements, etc.

5.2.6 The University will supply the employee with appropriate office supplies (pens, paper, etc.) as the employee's supervisor may deem necessary. Employees must follow regular university processes to obtain supplies.

5.2.7 The University will follow its ordinary expense and travel reimbursement policies (see Policy 251) if an employee engaging in remote work incurs an out-of-pocket expense. The University will not reimburse employees for any expense that they could reasonably have avoided by coming onsite.

5.2.8 Based on current budgetary considerations, full-time staff employees working remotely more than 40% of the time may be provided with a lump sum of $500 once every five years to support personal purchase of home office equipment. If provided, this sum will be reported to taxing authorities as income to the employee in question. Employees may also work with their supervisor to discuss the availability of cell phone service stipends. Questions regarding this section should be directed to the Payroll Department.

5.3 Safety, Security and Confidentiality

5.3.1 Remote workers are expected to make reasonable efforts to ensure the safety, security, and confidentiality of all university information, data, and equipment in their remote workspace.

5.3.2 Employees shall not use any public area (such as a hotel lobby or coffee shop) as a remote workspace unless any computer being used in the workspace is equipped with a privacy screen and takes reasonable steps (such as using headphones) to ensure others cannot hear work meetings or calls that should remain confidential.

5.3.3 Employees shall not use any wireless internet connection while working remotely unless either (a) the connection is secured with at least WPA2 or WPA3 encryption, or (b) the connection is made using a virtual private network (VPN).

5.3.4 Employees shall not permit others (including family members) to access or be present in the remote workspace while any university information or data is accessible or viewable.

5.3.5 Employees shall not leave any university-owned computer unattended in any remote workplace unless the computer is locked or powered down.

5.3.6 Employees are responsible for maintaining their remote workspace so that it is free from safety hazards.

5.3.7 Employee injuries sustained in the remote workspace while working remotely, and in conjunction with their regular work duties must be reported as soon as possible through the regular University processes. The University may request to visit the remote workspace to investigate an injury report. Reasonable efforts will be made to schedule such visits in advance.

5.3.8 The University assumes no liability for injuries that occur outside of the employee's remote workspace, regular job duties, and the designated work schedule.

5.4 Tracking Hours Worked While Working Remotely

5.4.1 Non-exempt employees working remotely are required to accurately record all hours worked using the University's time-keeping system. This includes the start and end times for work, meal periods, split shifts, and all departures from work for personal reasons.

5.4.2 Non-exempt employees who are scheduled to work remotely, but who are required to come onsite or to drive to another work location during the middle of the workday, must record the time spent traveling between their remote workspace and the university's campus (or the other work location) as part of their working time for the day, to ensure that they are paid accurately.

5.4.3 In compliance with the *Fair Labor Standards Act*, mileage for an employee's regular commute (home to designated worksite and designated worksite to home) on a given workday is not reimbursable nor is it included as part of a regular travel reimbursement request.

5.5 Additional Costs Associated with Remote Work

5.5.1 Employees are solely responsible for any additional personal tax, childcare, insurance, or other expenses they may incur in conjunction with remote work.

5.6 Designated Work Schedules, Personal Activities, and Dependent Care Activities

5.6.1 Employees must comply with the designated work schedule set forth by their supervisor. The University may amend the work schedule as needed or by mutual agreement between the employee and their supervisor. Supervisors must approve in advance any exceptions to the designated work schedule.

5.6.2 Employees should avoid engaging in personal activities during working time when working remotely, just as when working onsite. Remote workers must clock out or request time off work for personal activities in the same manner as any other employee.

5.6.3 Employees may not work remotely while being the primary provider of child or dependent care where no other adult is present. It is not a violation of this policy to provide only momentary or incidental assistance to a child or dependent during working hours, or to be available to do so for a child or dependent who otherwise is of sufficient age and maturity to care for themselves unattended. The University may request documentation of adequate child or dependent care arrangements.

5.6.4 If a remote worker is or unexpectedly becomes solely responsible for child or dependent care during scheduled working hours, they are expected to request time off from work, as soon as possible, and in the same manner as any other university employee.

POLICY HISTORY		
June 11, 2008	Regular policy approved.	UVU Board of Trustees
April 28, 2022	Revised temporary policy approved.	UVU Board of Trustees
May 9, 2023	Regular policy approved.	UVU Board of Trustees
November 11, 2026	Remove references to deleted Policy 329.	UVU Policy Office