

MINNESOTA STATE COMMUNITY AND TECHNICAL COLLEGE

Policy Name: Telecommuting Policy

Policy

Telecommuting is a management tool that provides flexibility in meeting customer needs and business goals.

Purpose

1. Establish and implement telecommuting plans.
2. Establish guidelines to ensure consistency.
3. Provide Minnesota State Community and Technical College with the flexibility to address specific needs.

The use of telecommuting and technologies depends on business function(s) and work tasks to be performed.

Definitions

Telecommuting Telecommuting involves an employee using a set of technologies to perform job responsibilities at more than one of the following locations: assigned office, home or telework location. A telecommuter works at an assigned office or telework location a minimum of one day per pay period.

Telework Location A telework center is an alternative work location which provides office space for employees working away from an assigned office. A telework location provides personal or shared office space, telecommunications links and other technologies.

Conditions Telecommuting

Telecommuting is voluntary and may be terminated at any time by either the College or the telecommuter. Advance notification of the termination may be required to ensure adequate space is available and employee schedules maintained.

Telecommuters must comply with state and federal laws and College policies, procedures and processes. Failure to comply may result in the loss of telecommuting privileges and/or disciplinary action.

Duties, obligations, responsibilities and conditions of employment with the College remain unchanged including salary, retirement benefits and state-sponsored insurance coverage.

Managers, supervisors and employees must follow the provisions of collective bargaining agreements or plans when planning and implementing telecommuting.

Telecommuting arrangements must comply with appropriate state and federal laws including the Fair Labor Standards Act (FLSA), which regulates the payment of overtime for non-exempt employees.

Telecommuting is not intended as a substitute for dependent or elder care.

Telecommuting must not result in excessive additional work for staff at the official work location.

Telecommuters may not receive any advantage or disadvantage regarding position upgrade or promotion because of telecommuting.

Selection Criteria and Procedure

Supervisors are to develop parameters and the process for participation in the telecommuting program to ensure that employee requests are given proper consideration and that the College's needs are met. Supervisors are to assess each request on a case-by-case basis. The supervisor must consider, at least, the following factors:

- Needs of the work unit
- Employee's work duties
- Cost and who pays
- Adequate supervision of the employee
- Employee's current and past job performance
- Expectations for future performance by the employee
- Positive or negative effects on customer service
- Positive or negative effects on the rest of the unit, division, facility or agency
- Availability of equipment and work space at the alternate work site
- Ability to measure the work performed
- Demonstrated work skills, such as time management, organization skills, self-motivation and ability to work independently
- Additional parameters developed to address unique circumstances
- Seniority is not a basis for selecting employees to participate in the telecommuting program.
- If the supervisor denies an employee's request to telecommute, the supervisor must give the employee the decision in writing, stating the reason for the denial.

Work Schedule

The supervisor and telecommuter determine the work schedule. The work schedule and hours of work shall be consistent with the requirements in the applicable collective bargaining agreement or plan. Telecommuters are to attend all work-related meetings. Meetings may be scheduled with short notice to the telecommuter. Telecommuter must notify the official work location if they leave their alternate work sites during core hours.

Weather Emergencies

A telecommuter who is scheduled to work at home on a day declared as a weather emergency is expected to work as scheduled.

Equipment/Telephone Lines

The division or facility, at its sole discretion, may pay for equipment, telephone lines and telephone line installations at the telecommuter's alternate work site. This may include the payment of monthly telephone bills.

The supervisor must notify the IT Division of any state equipment used by the telecommuter at the alternate work site.

The notification must include the telecommuter's name, division or office and the equipment's description, serial number and state asset numbers.

When the telecommuter returns the state equipment, the supervisor must give the IT Division the returned equipment's state asset numbers

Telecommuters who use their personal equipment are responsible for maintenance and repair of the equipment.

The College is responsible for maintenance and repair of state equipment.

If equipment malfunctions, telecommuters must notify their supervisors promptly. If the malfunction precludes a telecommuter from performing work assignments, the telecommuter will be assigned to another project or be required to return to the official work location.

Telecommuters must return any state equipment, software, products, documents and data if they terminate their employment with the College, they go on an extended leave of absence or the telecommuting arrangement is ended.

Security

Equipment, software, data, supplies and furniture provided by the College for use at the alternate work site are:

- For purposes of conducting the business of the College only
- Not to be used by non-College employees
- Not to be used for personal purposes
- The College owns any software products, documents, reports or data created as a result of work-related activities.

The telecommuter must take precautions to ensure hardware and software integrity. The College will supply all telecommuters who use computers at their alternate work sites with anti-virus software and operation procedures.

Data

Telecommuters may take restricted-access material out of the official work location or access it through the computer only with their supervisor's prior approval.

Telecommuters must follow the provisions of the Government Data Practices Act, other data privacy legislation and the College's data privacy policies when working at the alternative work

sites. Failure to comply may result in the loss of telecommuting privileges and/or disciplinary action up to and including discharge. Also, violations may result in criminal and civil litigation.

Telecommuters must protect the privacy and confidentiality of data when at their alternate work sites or transferring the data to and from the work sites. For instance, telecommuters must restrict access to confidential and private data by family members and others. Supervisors and telecommuters must agree on protection process.

Telecommuters must follow data retention and disposal procedures.

Liability

Telecommuters must designate a work space at their alternate work sites. This work space is subject to the supervisor's approval. The work space must accommodate any equipment used for work. Telecommuters must protect the work space from hazards and dangers that could affect the equipment and themselves. Upon advance notice, representatives of the College may make onsite visits to alternate work sites to determine suitability, that the work space is safe and free from hazards, and to verify the physical location of state equipment.

For the purpose of workers compensation, alternate work site spaces are an extension of the official work location during telecommuting work hours only. If injured while working at the alternative work site and during telecommuting work hours, the telecommuter must report the injury to the supervisor immediately.

The College is not responsible for third-party injury or property damage that occurs at the alternate work site.

The College is responsible for insuring state equipment. Telecommuters must take steps to minimize damage or theft of state equipment at the alternate work sites.

The College is not liable for any damage or theft of employee-owned equipment.

Taxes

The telecommuter is responsible for federal or state tax implications arising from telecommuting.

Performance Measurement and Reportability

The telecommuter's performance will be measured by objectives and result. Conditions of reportability will not differ from what is expected of employees at the official work location.

Expenses

Telecommuters shall obtain supplies needed for the alternate work sites through the normal supply procurement procedures. Telecommuters must obtain prior approval from their supervisors to incur expenses. The College will reimburse telecommuters for approved expenses according to relevant policies and collective bargaining agreements and plans. Mileage between the telecommuter's alternate work site and the official work location is commute mileage and not reimbursable.

Agreement Form

Telecommuters and their supervisors must document their agreements in writing using the College's Telecommuting Agreement form or comparable alternative.

Disagreements

An employee who disagrees with the supervisor regarding issues relating to telecommuting may refer the issues to the next level supervisors.

References

Minnesota Management and Budget HR/LR Policy #1422 Telework Policy

Steward: Chief Human Resources Officer

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