

Morgan State University

Telework Policy

I. PURPOSE

The purpose of this Telework Policy ("Policy") is to provide policy guidance for a program in which certain employees of Morgan State University ("Morgan" or "University") may be eligible to work from an approved offsite location (usually the employee's home or a satellite office) a work arrangement known as Telework.

II. DEFINITIONS

- A. **Telework:** work at a location approved by Morgan, other than the employee's customary worksite at the Morgan campus or another workplace provided by Morgan.
- B. **Eligible Employee:** With the exception of faculty, any employee (full time or part time) who holds a position which includes duties that have been determined by the employee's supervisor to be suitable for Telework. A candidate must have been a University employee of Morgan for a period of 12 months or more before being eligible to participate in the University's Telework program. This policy does not apply to faculty.
- C. **Teleworker:** an employee who is regularly scheduled, to work from a remote worksite on certain day(s) per workweek.
- D. **Episodic Telework Event:** a nonrecurring situation ordinarily of no more than 2 pay periods in duration in which an employee may Telework due to extraordinary personal or work circumstances that will benefit the operations of the employee's organization. Examples are: (1) an employee's medical condition precludes the employee from traveling to the workplace but does not hamper the employee's ability to perform eligible work from an offsite location. (2) An intense or demanding critical work assignment that can best be performed from an offsite location where the distractions of a normal office environment would reduce the employee's effectiveness.

III. EMPLOYEE PARTICIPATION AND ELIGIBILITY

Telework is a voluntary work arrangement initiated by the employee and evaluated by the supervisor. The primary determinant in considering a potential Telework arrangement is the supervisor's evaluation of the duties and the supervisor's determination that the employee's position responsibilities are suitable for Telework. An employee must initiate a proposal for a Telework arrangement. A supervisor must have a sound and documented basis for approving an employee's Telework proposal.

- A. **Criteria** - The following criteria shall be utilized in the supervisor's evaluation of a request for Telework:
 - 1. The position or duties to be performed in the offsite location must be suitable for Telework as determined by the supervisor. For Telework to be approved, a position must include primarily tasks that can be performed away from the workplace without requiring significant off-site use of Morgan equipment or supplies, and without compromising confidentiality of Morgan information, as applicable. Such tasks may include, but are not limited to: data analysis, reviewing grants/contracts, writing decisions/reports, setting up conferences, data entry, word processing, or telephone-intensive tasks.

2. The employee must have a performance rating of at least "meets standards" or "satisfactory" in all categories of the employee's performance evaluation for the two performance rating periods immediately prior to the date of the request for a telework arrangement. If the supervisor has not prepared a performance evaluation in the two performance rating periods immediately prior to the date of the request for a telework arrangement, for the purpose of evaluating the request for a telework arrangement, the employee will not be required to meet the performance rating criterion in order for the application to be eligible for consideration.
3. The employee must have a track record of performing work accurately and efficiently without the need for close supervision. Even when this criterion has been met, an employee who has required close supervision in order to perform is not likely to be eligible for a telework.
4. If extensive public contact or interaction with coworkers is required, the employee must propose to the supervisor's satisfaction how the employee can meet the requirements for necessary face-to-face contact, meetings, or other types of contact required by the job.
5. The employee must be computer literate, have an available and suitable designated work space at the offsite location, and have access to the computer and telecommunications equipment necessary for the completion of tasks. All costs incurred by an employee to arrange a Telework site and to Telework are the employee's expenses and will not be reimbursed (e.g., telephone call charges; internet service at home; home office equipment and software). Morgan-owned software may be installed on the employee-owned computer subject to license agreements and, if no longer deemed necessary by the supervisor to the employee's work assignment, must be removed upon termination of the Telework arrangement.
6. The work required by the position must be measurable quantitatively, and the quantity and quality of work performed during Telework days should be measured in comparison to the work done in the office before and during periods of approved Telework. For project-oriented tasks, quantitative measurement may be replaced with: comparison of results to the established objective(s) of the tasks; adherence to a deadline or due date; and progress or status reports/meetings.
7. A need to have access to confidential hard copy data or physical files, or files stored external to the Morgan network may preclude an employee from eligibility for Telework.
8. Any disciplinary action taken within the last 12 months of the request to telework may disqualify the individual based on the severity and nature of the disciplinary action.
9. An employee must not be serving a probation period and must have been a University employee of Morgan for a period of 12 months or more before being eligible to participate in the University's Telework program.
10. The supervisor is required to consider any and all other reasonable factors in assuring that the proposed telework arrangement will insure continuity of office operations (e.g. employee history or tardiness, excessive or frequent absenteeism, demonstrated inability to perform without supervisory oversight, etc.).
11. Once the employee submits the completed Telework Request Form, his/her direct supervisor will either approve or deny the request within 15 business days after receipt of the request. Failure to respond within the 15 business days shall be deemed an approval of the request.

IV. PROPOSED TELEWORK SCHEDULES

Unless otherwise agreed to, or required, by the supervisor, the work schedule of the Teleworker will be the same as the employee's work schedule in the customary worksite, including meal breaks and rest periods. During the approved Telework schedule, the employee must be available to be reached at the offsite location via telephone and email. At the discretion of the supervisor, the employee may Telework on designated day(s) each workweek, or on different day(s) each workweek, as scheduled by the supervisor to insure continuity of office/unit operations.

A. Telework Requirements

1. Telework arrangements are subject to termination at the discretion of the supervisor or the employee. If terminated by the supervisor, the supervisor shall provide the employee with 10 calendar days notice.
2. A Telework schedule cannot be established or continued for the purpose of providing full or partial care-giver responsibilities to a child, dependent or any other person requiring care during a scheduled day of Telework. During a Telework day, an employee's attention should be devoted entirely to work and alternative care-giver arrangements must be made.
3. For bona fide emergencies, the supervisor may require the employee to report to the primary workplace with less than 10 calendar days notice. The supervisor must provide the teleworking employee with reasonable advance notice. However, if at all possible, the supervisor shall make arrangements for the teleworker to participate by telephone.
4. A teleworker must observe all established policies and procedures for requesting leave (e.g., annual, personal and sick) to include leave being requested for telework days.
5. Supervisors are required to request Telework employees to complete the telework plan of activities they performed or accomplished on Telework days.

V. TELEWORK AGREEMENT

Once a position and/or duties have been identified as suitable for Telework, the supervisor and employee shall develop and sign a Telework Agreement which outlines the terms and conditions between employee and supervisor and the duration of the Telework arrangement. The area Vice President (if there is one in the supervisory chain) must approve the Telework Agreement. Additional documentation must also be completed and be approved by the Department Head before a Telework arrangement may be implemented.

The additional documents are:

1. An Offsite Workplace Self Certification Checklist (copy attached - verifies that the offsite worksite is suitable and functional for employee completion of assigned tasks)
2. A written Telework Plan identifying the work/tasks to be completed by the Teleworker at the offsite workplace.
3. A Telework Application Form.
4. A Telework Eligibility Checklist.
5. A General Telework Requirement Form.
6. Telework Agreement is limited to the current supervisor/employee reporting relationship and is not guaranteed to continue into a new supervisory or reporting relationship.
7. Supervisors may seek assistance from the Office of Human Resources (OHR) as needed to develop appropriate Telework agreements. Supervisors should provide a copy of final Telework Agreements to OHR for inclusion in its filing system.
8. Supervisors are encouraged to review continuing Telework Agreements on at least an annual basis.

VI. TELEWORKER RESPONSIBILITIES

- A. The Teleworker's duties, responsibilities, conditions of employment, salary and benefits are not affected by Telework. All work hours (and overtime compensation where applicable) and leave usage will continue to conform to the established Morgan policies and procedures as well as to the executed Telework Agreement.
- B. Morgan policies, including but not limited to, its Code of Ethics and Conduct, disciplinary procedures, and drug and alcohol policies all remain in force and are not affected by the employee's status as a Teleworker. Morgan may take appropriate disciplinary action against the Teleworker for failure to comply with the provisions of the Telework Agreement, this Policy, or other applicable policies, during approved Telework days.
- C. The Teleworker will identify a telework workspace at the Teleworker's off-site location. The supervisor may, but is not required to, inspect the telework workspace to assure the workspace is suitable for telework. If the supervisor determines that inspection is warranted the Teleworker is responsible for permitting the supervisor to inspect the telework workspace during the Teleworker's normal work hours. The supervisor must provide the Teleworker with a minimum of 48 hours notice of the inspection date and time and should whenever possible discuss the timing with the employee and determine a mutually agreeable time and date. If the teleworker performs work that is subject to remote electronic access to Morgan confidential data or sensitive information, that access should occur using approved campus secure connections (minimum password-protected) and can only be transferred to secure hard drives, networks and/or mobile devices, etc.

VII. ATYPICAL TELEWORK SITUATIONS

- A. This Telework Policy addresses typical in-state Telework situations of no more than 2 days per workweek or 40% of an employee's scheduled work hours. In very rare instances, a regular Telework schedule exceeding two days per workweek or 40% of hours may be approved if deemed to be significantly beneficial to the University.
- B. In those instances, the proposed Telework schedule and agreement must be approved by the supervisor in consultation with the Director of OHR. The supervisor will be required to provide additional documentation regarding the benefit of the Telework arrangement to the University.
- C. If the employee's proposed off-site location is out-of-state and the regular Telework schedule exceeds two days per workweek or 40% of work hours, the supervisor's supervisor must be consulted (and approve the proposal) prior to a Telework Agreement being signed. This is necessary in order to address other issues that may be associated with the proposed arrangement.

VIII. The President shall develop procedures that address relevant implementation issues and shall develop procedures that address relevant implementation issues and shall develop an evaluation matrix and report back to the Board of Regents on or before May 2016 regarding the pilot program including its fiscal impact.