

**ACTION ITEM II.D.**

**Telework Policy and Procedures  
Draft Pending Approval by the Board of Trustees  
September 29, 2021**

**Objective**

Telework refers to employees working from home or at other locations for all or part of their workweek in an ongoing manner. St. Mary's College of Maryland (the "College") considers teleworking to be a viable, flexible work option when both the employee and the specific job responsibilities are suited to a telework arrangement. Telework should not negatively impact workflow or the fulfillment of customer service. The needs of the institution and customers must remain the highest priority. Telework is not a benefit or entitlement, and it in no way changes the terms and conditions of employment with the College.

**Procedures**

Telework may be temporary, such as working from home for a short-term project or it may involve a set schedule of days working away from the office (see the section below on Ad Hoc Arrangements for more information about temporary telework). Either an employee or the unit head may suggest telework as a possible work arrangement.

Any telework arrangement will be made on a trial basis for the first three months. Telework may be discontinued, at will and at any time, by either the teleworker or the unit head, in consultation with the Vice President. While there may be situations where advance notice is not possible, the College and the teleworker should make every effort to provide thirty (30) days' notice of such change to accommodate commuting and other issues that may arise from the termination of a telework arrangement.

**Eligibility**

Unless otherwise authorized by the College, individuals requesting formal telework arrangements must be employed with the College for a minimum of twelve (12) months of continuous, regular employment and must have a satisfactory performance record. Before entering into any telework agreement, the employee and unit head, with the assistance of the Office of Human Resources, will evaluate the suitability of such an arrangement through review of following areas:

- College operations. Because of the nature of the College's business, it is strongly encouraged to weigh the impact remote telework arrangements have on the total operations of the College.

- Job responsibilities. The employee and unit head will discuss the job responsibilities and determine if the job is appropriate for a telework arrangement.

- Employee suitability. The employee and unit head will assess the needs and work habits of the employee utilizing the *Telework Eligibility Checklist*. The checklist will assist in determining whether telework is appropriate.
- Equipment needs, workspace design considerations, and scheduling issues. The employee and unit head will review the employee's physical workspace needs in connection with the proposed telework location, as well as the scheduled hours for teleworking.
- Tax and other legal implications. The College must determine the legal and cost implications to the College, resulting from any proposed telework arrangement. A telework arrangement should not impose a financial burden on the College (for example, an employer who permits out-of-state telework may be required to provide worker's compensation insurance specific to the state in which the employee wishes to telework). In addition, the employee is responsible for any tax or legal implications under IRS, state, and local government laws, and/or restrictions of working from a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.
- Communication. Unit heads will determine the appropriate level of communication between the teleworker and unit head during the trial period and thereafter. In most instances, communication will be more formal during the trial period. Upon conclusion of the trial period, the unit head and teleworker will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.
- Telework is not designed to be a replacement for appropriate childcare.
- The focus of the teleworking arrangement must remain on job performance and meeting business demands. Any modification to an approved telework arrangement to permit flexibility outside of the employee's standard work hours must be approved by the unit head, Vice President and the Office of Human Resources.

If the unit head deems the employee's role and circumstances appropriate for telework, she/he will provide the Vice President with the telework recommendation. The Vice President, in conjunction with the unit head, will work with the Office of Human Resources to evaluate the telework potential.

If the employee, unit head, Vice President, and the Office of Human Resources concur, all parties will prepare and sign a telework agreement and a three-month trial period of teleworking will commence.

In the event of a pandemic or State of Emergency which requires telework, the College will comply with applicable directives set forth by the Department of Budget and Management, federal, state and county governments. In such cases, the College will not require individual telework requests, rather will provide direction to College employees.

## **Evaluation**

The evaluation of the teleworker's performance during the three-month trial period will include regular interaction by phone and e-mail between the employee and unit head; measurable tasks, projects, and/or work assignments; and weekly meetings to discuss work progress and problems. At the end of the trial period, the employee and unit head will each complete an evaluation of the telework arrangement and make recommendations for continuance or discontinuing the telework arrangement to the Vice President and the Office of Human Resources. Unit heads will evaluate employees who are teleworking and employees who are working in the office in a consistent manner, in terms of content and frequency of evaluations. Employees who are not productive teleworkers will not be permitted to continue to telework. If there is problem with the telework arrangement all disputes and issues shall be routed through Human Resources.

## **Equipment**

The College will determine the equipment requirements (i.e., hardware, software, modems, phone, data lines and other office equipment) for each telework arrangement. Equipment supplied by the College will be maintained by the College. Employees seeking to use their personal equipment in the course of teleworking must obtain permission from the College to do so. The College accepts no responsibility for upkeep, damage or repairs to employee-owned equipment. The College reserves the right to make determinations about required teleworking equipment, subject to change at any time. Equipment supplied by the College shall be used for business purposes only. The teleworker must sign an inventory of all College property received and agree to take appropriate action to protect the items from damage or theft. It is expected that a telework employee will receive a College computer, otherwise employees reserve the right to opt out of additional equipment they do not need to perform their job. Upon termination of employment, all property of the College will be returned to the College, unless other arrangements have been made. The cost of equipment used for teleworking should not impose a greater financial impact on the College than that used for full-time work on campus.

Prior to commencing telework employees are required to schedule an appointment with the Office of Information Technology to ensure they have received the hardware, software and remote access they need to perform their job remotely.

The College anticipates that College equipment used in the course of teleworking will undergo some degree of wear and tear, in the same way it would were it used in the workplace. The College will maintain and support College-supplied equipment that is used in the ordinary course of business while teleworking. Employees may be held responsible for the repair of College equipment damaged outside the course of teleworking (i.e., damage caused by pets, non-employees, etc.).

The College will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. The College will also reimburse the employee for business-related expenses reasonably incurred in carrying out the employee's job while teleworking. In general, the College will not reimburse the employee for shipping expenses incurred due to the employee's off-site work location. Teleworking employees shall not be reimbursed for mileage on days they are working on campus.

The employee will establish an appropriate work environment within their home for work purposes. The College will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting, and/or repairs or modifications to the home office space.

### **Security**

Consistent with the College's expectations of information security for employees working at the office, telework employees are expected to ensure the protection of the College's proprietary information accessible from their home office. Employees may be expected to use locked file cabinets and desks, engage in regular password maintenance, and any other security measures appropriate for the job and the environment.

### **Safety**

Telework employees are expected to maintain their home workspace in a safe manner, free from safety hazards. The College will provide each teleworker with a safety checklist that must be completed at least twice per year. Injuries sustained by the employee in a home office location and during teleworking hours will be evaluated to determine whether the injuries constitute "workplace injuries" covered by the College's workers' compensation policy. Telework employees are responsible for notifying the employer of injuries occurring while teleworking, as soon as practicable. The College accepts no responsibility for injuries sustained by visitors to or other residents residing in an employee's home worksite.

### **Time Worked**

Telework employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the College's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the teleworker's unit head. Failure to comply with this requirement may result in the immediate termination of the telework agreement.

### **Ad Hoc Arrangements**

Temporary telework arrangements may be approved without creating a formal telework agreement, for circumstances such as inclement weather, short-term situations such as contagious illness, special projects, or work-related travel. These arrangements are approved by the unit head, in consultation with the Vice President, on an as-needed basis only, with no expectation of ongoing continuance.

All temporary telework arrangements are made on a case-by-case basis and must meet the College's business needs. All employees – whether teleworking or on campus – must ensure that accountability, productivity, and customer service remain at the highest standards.

## Appendix A

### Applicability of Tasks to Remote Work

The applicability of tasks to remote work is dependent upon many factors. This chart provides general guidance. Determination of whether a task may be performed remotely shall be assessed for each situation.

Tasks	May be performed remotely	May not be performed remotely
Computer tasks	X	
Meetings	X	
Training	X	
Phone calls ( <i>situation dependent</i> )	X	
Hardcopy paperwork	X	
Student interactions		X
Employee interactions ( <i>situation dependent</i> )	X	X
Customer interactions ( <i>situation dependent</i> )	X	X
Safety and Security		X
Custodial		X
Groundskeeping		X
Facility Caretaking		X
General Trades		X
Building Services		X
In-person health services		X