Remote Work Policy

ISSUED ON 06/2021

Applies to: All Staff (Individuals represented by a collective bargaining unit should refer to their contract agreement.)

I. Policy

The University establishes and maintains remote work arrangements which are compatible with the needs of its diverse operating units and in compliance with government laws and regulations. By allowing for remote work arrangements, the University may be able to retain valued employees, attract quality applicants, increase productivity, improve morale, and optimize use of University office space.

II. Guidelines

A. Whole Department/Team or Individual Arrangements in New York State

1. Eligibility: Departments, teams, or individuals may be able to work remotely in either a full-time or part-time capacity. Generally, this would be considered when there is little or no in-person interface with faculty, staff, clients, patients, or students, and for roles that do not require the use of specialized equipment, tools, or other immobile or costly devices. Managers should consider how new and existing employees will be trained and if remote training can be done. All remote work requests must be submitted by the manager and approved by divisional leadership with the support of HR as reflected in a Remote Work Agreement.

2. Maintaining Operations: When considering remote work arrangements for departments, teams, or individuals, the department, team, or individual must be able to meet all required responsibilities and perform all the same tasks as they would on-site.

3. Partial Application: In instances where some but not all work can be done remotely, the manager for the unit must plan to ensure the proper on-site coverage of staff to achieve full business operations during all relevant business hours. The manager may consider the specific roles and tasks required to perform the work and any necessary adjustments as to where or when such work should be performed. Adjusting schedules as an accommodation for an employee's individual needs is not prohibited. However, this policy is not a replacement for the University's process for reviewing requests for accommodation under the ADA or University Policy 173, Flexible Scheduling (https://www.rochester.edu/policies/policy/flexible-scheduling/).

4. Hours of Operation: Departments are required to ensure that established business hours of operation are maintained. Failing to adhere to the necessary hours of operation could result in an inability to fully maintain business operations, inconvenience other offices and stakeholders, create additional labor costs due to shift differentials or wage and hour issues, or make it difficult to ensure proper training and assessment of productivity metrics. See also University Policy 173, Flexible Scheduling (https://www.rochester.edu/policies/policy/flexible-scheduling/), where a work shift may need to be modified as part of an individual arrangement.

5. Metrics and Monitoring: As with on-site positions, performance metrics should be developed and monitored for each remote work position and for the overall operations to ensure the arrangement does not negatively impact operations. Individual performance and conduct issues should be addressed timely and in a manner consistent with that of the department and University Policy 154, Corrective Discipline (https://www.rochester.edu/policies/policy/corrective-discipline/).

6. On-Location Office Space: When an employee is allowed to work remotely, their unit manager must evaluate the University workspace currently occupied by the employee(s) in the department to ensure the minimum necessary space is designated for use by the employee to the degree deemed essential for business operations in light of their reduced work time in University workspace. The unit manager should consult University Space Planning and/or Real Estate Management in making this evaluation.

7. Privacy and Data Security: All employees working remotely must have a remote work space and the appropriate equipment that allows them to ensure the privacy of all information, communication, and data they have access to while working remotely. See also University Policy 108, Confidentiality (https://www.rochester.edu/policies/policy/confidentiality/).

8. Equipment, Supplies and Network Access: The University will supply, within reason including budget constraints, the required technology to ensure efficiency in working remotely if the arrangement is otherwise approved by division management. The University will not reimburse staff for the expense of office furniture, high speed internet, personal cellular phones, landline phones, fax lines, office supplies, or research supplies in order to enable remote work. Specifics will be outlined in the Remote Worker Agreement.

9. Work Schedules: Employee work hours must be maintained in their current form unless otherwise changed via the process outlined in University Policy 173, Flexible Scheduling (https://www.rochester.edu/policies/policy/flexible-scheduling/). Meal and Rest periods should continue to be observed as per policy 172, Work Schedules – Meal and Rest Periods (https://www.rochester.edu/policies/policy/meals-rest/).

10. Returning Employees to On-Site Work: Employees who are approved to work remotely are subject to their approved Remote Work Agreement being modified or cancelled at any time for reasons including but not limited to changes to business operations, training, personal performance, or meetings. The ability to work remotely is at the University's discretion, and the Remote Worker Agreement is not intended to and does not change the employer's ability to determine where work should be performed.

B. Remote Work Outside New York State

1. Working out of state subjects the University to numerous other laws and imposes additional insurance and payroll requirements, and costs. Accordingly, all employees working, or seeking to work, outside of New York State are subject to University Policy 132, Employment of Out-of-State Residents and Establishment of Out-of-State Work Locations (https://www.rochester.edu/policies/policy/out-of-state-hiring/). As such, employees may not work remotely outside New York State (but within the United States) for more than two weeks in a given instance unless approved through the process outlined in Policy 132. Any remote work not performed domestically must be discussed with the manager and HR.

III. Procedures

A. Development of a Business Case

The unit manager for each Department/Team seeking approval for a remote work arrangement must submit a proposal for review and approval by divisional leadership (ex. Dean, Chair, Department Head). Approvals will be based on operational need, viability of the proposal submitted, staff impact analysis, performance history, equipment needs, cost savings for the University, and any other criteria required by the divisional leader.

B. Development of Remote Work Agreement

The appropriate divisional leader may provide tentative approval of a remote work arrangement. If the divisional leader provides such tentative approval, the individual seeking to work remotely, or the unit manager if presenting a proposal on behalf of a department or team, shall prepare a Remote Work Agreement that outlines any conditions of the approval, performance metrics for each role/individual, requirements, etc. for final approval by the divisional leader.

IV. Safety and Other Considerations

A. In-person meetings are not permitted to occur within private residences.

B. It is the responsibility of the employee working remotely to ensure that the remote work location promotes a safe work space without exposure to physical, chemical, or other risk to the employee's overall health and safety. Additionally, office space should be set up in a manner that follows standard ergonomic recommendations (see Environmental Health & Safety website (https://www.safety.rochester.edu/safetyinfo/helpwithergoconcerns.html)).

C. In the event that an employee is injured while performing University work remotely, the employee should report the injury to their supervisor and complete an incident report (http://www.safety.rochester.edu/SMH115.html). If the injury is covered by Workers Compensation

the employee may be required to allow one or more representatives of the University to access the remote work location, including but not limited to their home, for the purpose of inspecting the worksite where the injury occurred.

D. Employees are responsible for all costs associated with their remote work location including home owners/renter's insurance coverage in the event that there is damage to their home structure or property therein.

E. Employees working under a work visa should consult with the International Services Office (ISO) (https://iso.rochester.edu/immigration/index.html) before considering remote work arrangements to ensure compliance with the requirements of their visa.

See also:

- Policy #132: Employment of Out-of-State Residents and Establishment of Out-of-State Work Locations (https://www.rochester.edu/policies/policy/out-of-state-hiring/)

- Policy #154: Corrective Discipline (https://www.rochester.edu/policies/policy/corrective-discipline/)

- Policy #171: Drug-Free Workplace (Controlled Substance Policy) (https://www.rochester.edu/policies/policy/drug-free-workplace/)

- Policy #172: Work Schedules – Meals and Rest Periods (https://www.rochester.edu/policies/policy/meals-rest/)

- Policy #173: Flexible Scheduling (https://www.rochester.edu/policies/policy/flexible-scheduling/)

ABOUT THIS POLICY

Policy Number

175

Issuing Authority

Human Resources

Responsible Officer

Kathy Miner

Contact Information

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RELATED POLICIES

[Flexible Scheduling (https://www.rochester.edu/policies/policy/flexible-scheduling/)](https://www.rochester.edu/policies/policy/flexible-scheduling/)

[Corrective Discipline (https://www.rochester.edu/policies/policy/corrective-discipline/)](https://www.rochester.edu/policies/policy/corrective-discipline/)

[Work Schedules: Meal and Rest Periods (https://www.rochester.edu/policies/policy/meals-rest/)](https://www.rochester.edu/policies/policy/meals-rest/)

[Employment of Out-of-State Residents and Establishment of Out-of-State Work Locations (https://www.rochester.edu/policies/policy/out-of-state-hiring/)](https://www.rochester.edu/policies/policy/out-of-state-hiring/)