**Remote Working/Telecommuting Agreement**

This Agreement applies to university staff positions and is in accordance with Texas Government Code, [§ 658.010](https://statutes.capitol.texas.gov/Docs/GV/htm/GV.658.htm) and [§ 659.018](https://statutes.capitol.texas.gov/Docs/GV/htm/GV.659.htm). It does not apply to faculty positions or positions that require student status as a condition of employment. The university normally requires that work be performed on university property or property controlled by the university. In order to promote general work efficiencies, the university may permit or direct employees to work at alternate work locations for all or part of the workweek.

Sul Ross State University may allow remote working or telecommuting work arrangements at the discretion of the university to enable employees to serve customers, meet institutional and departmental goals, and balance professional and personal responsibilities. Remote working or telecommuting arrangements may be implemented as a means of achieving administrative efficiency, improving productivity and job performance, supporting business continuity plans, and supporting the hiring and retention of a highly competent workforce.

All remote working arrangements must be approved by the department head and the appropriate executive cabinet member.

A remote working or telecommuting work arrangement is considered a privilege and not a right. These work arrangements do not change the conditions of employment or required compliance with policies. These arrangements do not constitute an employment contract and do not create a property interest in employment.

Remote working or telecommuting may also be considered on a case-by-case basis as a reasonable accommodation for qualified employees with disabilities.

**General Provisions**

Compensation and Benefits – An employee’s compensation and benefits will not change as a result of implementing a remote working or telecommuting arrangement, including paid holidays.

Hours of Work – The total number of hours that an employee is expected to work will not change as a result of a remote working or telecommuting arrangement. All remote working or telecommuting arrangements will identify the work schedule hours that an employee will be expected to be working. Any non-work time within these hours should be reported by the employee as sick or annual leave. Employees will be on flexible schedules and use the honor system to keep track of regular working hours. The alternate work location should be free of distractions as much as possible.

Attendance at Meetings – Supervisors may require employees to report as needed, either electronically or physically, to a designated site for work-related meetings or other events; or may meet with employees in the alternate work location as needed to discuss work progress or other work-related issues.

Workers’ Compensation Liability – The university may be liable for job-related injuries or illness that occur during an employee’s established work hours in their alternate work locations. Due to this, it is critical that the employee understand that they are responsible for maintaining a designated workspace in a clean, professional, and safe condition at the alternate work location. The university specifically assumes no liability for injury to any other person who would not be in the work area if the duties were being performed at the designated headquarters. The university retains the right to pre-arranged, on-site inspections of this work area during work hours. Worker’s compensation benefits will apply to injuries arising out of and in the course of employment. A remote working or telecommuting employee who sustains a work-related injury must notify their supervisor immediately and complete all requested documents regarding the injury.

Timekeeping and Leave – Employees are required to submit regular time reports as specified by the supervisor. In accordance with university policy, employees must obtain supervisory approval before taking leave.

Overtime and Compensatory Time – All employees must abide by the provisions of the current SRSU Employee Leave (APM 5.04) Policy. Non-exempt employees must obtain approval before working overtime.

Equipment and Security – Employees must abide by all university policies and guidelines for standards and ethics and adhere to policies regarding the use of state property. Employees are responsible for ensuring the confidentiality, safety, and integrity of data, documents, and software used at the remote site. University assets required for remote working or telecommuting must be documented. Employees are required to follow all information security policies, copyright laws, and manufacturer licensing agreements of Sul Ross State University. Software may not be duplicated except as allowed under law and licensing agreements.

If a problem arises relating to the telephone or internet service provider (ISP), employees will contact and obtain support from their service provider. Payment for repairs is the responsibility of the subscriber of the service.

Hardware and Software – Only university provided equipment is permitted to connect to the university’s network for Virtual Private Network (VPN). Employees may utilize personal-owned equipment to connect to cloud-based drives and the email system. The university will not be liable for damages to employee-owned equipment resulting from participation in the remote working or telecommuting program, and will not be responsible for operation costs, home maintenance, or any other incidental costs (e.g., utilities, basic telephone service, insurance) associated with the use of the employees’ residence.

Supplies – The provision of supplies and equipment will be at the discretion of the supervisor. Reimbursement to employees will not be approved.

**Departmental Responsibilities**

Supervisors should assure that the positions eligible for remote working or telecommuting are adapted easily to this arrangement. Jobs that are adapted easily consist of writing, reading, researching, independent thinking, editing, and working with data.

Supervisors should evaluate both the characteristics of the position and the employee. Ideal candidates are self-motivated and responsible; have a reliable and consistent history of being results-oriented and comfortable setting priorities and deadlines; able to work independently; need minimal supervision; successful in current position; knowledgeable about office procedures; an effective communicator who takes initiative; adaptable to changing routines and environments; and committed to the remote working or telecommuting arrangement. Supervisors should also consider the ability to measure or assess work performed, availability and costs of needed equipment, assessment of other employees in the work unit performing similar responsibilities who might have an interest in remote working or telecommuting, and the effect on the rest of the work group, unit, or department.

As with any employee, performance expectations, goals, and results for each workweek must be established and met.

Supervisors should research and identify what resources are needed and schedule regular meetings to assess needs, give feedback, discuss problems, etc. Supervisors should review the telecommuting arrangement periodically, but not less than once every six months, and make necessary adjustments in order to address any changing business demands.

Supervisors may approve or deny a remote working or telecommuting arrangement that is proposed by the employee. If the supervisor and the employee do not agree on the aspects of the schedule, then the employee will continue to work their standard hours at the regularly assigned place of employment *or in the current COVID-19 Pandemic may receive emergency leave*. In general, remote working or telecommuting arrangements are a privilege, which may be granted under appropriate circumstances for high performing employees whose job responsibilities are suited to such arrangements. Each request to deviate from the normal schedule or location will be evaluated on an individual basis.

Generally, requests for remote working or telecommuting may be considered when:

* + 1. the employee has demonstrated sustained high performance and when the supervisor believes the employee can maintain the expected quantity and quality of work;
    2. quality of service can be maintained for students, faculty, and other members of the university community;
    3. remote working or telecommuting is appropriate considering the nature of the employee’s job; and
    4. the remote working or telecommuting arrangement adds value to the operations and outcomes of the department and university.

**Employee Responsibilities**

Employees participating in remote working or telecommuting arrangements are responsible for adhering to all terms of the arrangements as outlined in the approved agreement. Employees who have been approved for remote working or telecommuting shall:

1. provide and maintain a healthy and safe environment at the remote worksite;
2. use only university-approved hardware and software for connecting with the university’s network from the remote worksite;
3. run current anti-virus software at all times and follow all university information security rules, copyright laws, and manufacturer licensing agreements;
4. comply with the university’s property administration procedures, including completion of required documents and information resource policies and procedures; and
5. maintain accurate time and documentation to support and substantiate his or her work hours and work products.

**Procedures for Requesting Remote Working or Telecommuting**

A [Remote Working/Telecommuting Agreement](https://www.hr.txstate.edu/forms.html) must be completed and signed by the employee and the employee’s supervisor. Requests must be approved through the employee’s administrative reporting line to their department head for remote working and executive cabinet member for telecommuting prior to initiating an arrangement.

The agreement should address all aspects of the remote working or telecommuting arrangement, including but not limited to the following:

1. the duration of the agreement;

2. the work schedule and how it may be changed;

3. how leave is to be requested by the employee and approved by the supervisor;

4. how routine communication between the employee, supervisor, co-workers, and customers will be handled;

5. the employee’s performance goals and expectations;

6. the equipment and supplies that will be used, and who is responsible for providing and maintaining them;

7. applicable data and university resources security procedures;

8. applicable safety requirements, and;

9. a requirement that employees permit their supervisor access to the alternate work location during normal work hours as defined by the agreement.

**Termination of Agreement**

A remote working or telecommuting arrangement may be terminated by the employee’s executive cabinet member, or at the employee’s request subject to approval by the department head. Upon termination of the agreement, the employee will return to a designated worksite on campus or property controlled by the university and must immediately return all equipment, supplies, and any other university-owned property in the employee’s possession or control. The university will not be held responsible for costs, damages, or losses associated with the termination of the remote working or telecommuting agreement.