

Internal Policies and Procedures of the Utah State Board of Education	
Policy #	04-17
Subject	Working Remotely
Date:	July 6, 2021
Policy Owner	Director of Human Resources
Policy Officer	Deputy Superintendent for Operations
References	Rule R477-8-2

I. Purpose and Scope

This policy is adopted to establish standards for employees working remotely from the USBE office. Nothing in this policy shall be interpreted to supersede other performance-based improvement or retention policies and services.

II. Definitions

1. "Overtime" means hours worked in excess of 40 hours a week by non-exempt employees.
2. "Remote work plan" means that part of an employee's work schedule during which the employee is scheduled for working remotely.
3. "Situational Teleworking" means teleworking during hours outside the employee's regular work schedule.
4. "Telecommuting" means working while commuting to or from the USBE office.
5. "Teleworking" means working from a remote site that not at the USBE office.
6. "Work day" means an employee's scheduled work shift.
7. "Work schedule" means a plan approved by an employee's supervisor establishing the employee's work hours and the location from which the employee will work.
8. "Working remotely" means telecommuting or teleworking.

III. Policy – Working Remotely

1. Working remotely is an option, not a universal employee benefit or right, which may be incorporated in an employee's work schedule consistent with Internal Policy 04-15 with approval of an employee's supervisor.
2. An employee is not required to work remotely, unless a different agreement is established between the employee and the employee's supervisor, and an employee may return to a full-time office arrangement at any time, except as provided herein.
3. An employee remote work plan with less than two days in the USBE office per week requires approval from a Deputy Superintendent or designee.
4. A Deputy Superintendent or designee may not approve a remote work plan with less than two days scheduled in the USBE office per week, unless the employee:

- a. has a satisfactory attendance record;
 - b. meets performance goals and expectations; and
 - c. consistently demonstrates the ability to complete tasks and assignments timely.
5. When considering whether to approve a remote work plan with less than two days scheduled in the USBE office per week, a Deputy Superintendent or their designee should consider whether:
 - a. an employee can maintain or increase personal productivity;
 - b. the nature of the employee's work and responsibilities is conducive to increased remote work without causing significant disruption to performance or service delivery;
 - c. the implementation of increased remote work can be accomplished with no additional cost to USBE;
 - d. increased remote work is consistent with the needs of USBE, customers, or the employee;
 - e. the needs and schedules of co-workers can be balanced with the needs of the requesting employee; and
 - f. approval or denial of the employee's request is consistent with USBE's response to requests from other employees.
 6. Human resources shall review and make a recommendation to the Superintendency on an employee request for a modified remote work plan based on ADA or other health-related considerations.
 7. An employee is accountable for the work performed while working remotely, and may be asked to verify hours and work performed via a work log.
 8. Entering into an agreement to work remotely does not affect an employee's salary, job responsibilities, benefits, or the amount of time the employee is expected to work.
 9. An employee working remotely is held to the same performance expectations as an employee who does not work remotely. If an employee is not meeting those expectations:
 - a. the employee may be required to return to traditional working arrangements at the USBE office; or
 - b. the employee may be subject to a performance improvement plan or other disciplinary action, up to, and including, termination.
 10. The Superintendent or the Superintendent's designee may terminate or suspend an arrangement to work remotely at any time and for any reason.
 11. If a member of the Superintendency approves a remote work plan where an employee is schedule to work remotely 100% of the time, the employee may be required to forfeit an individual, dedicated work space at the USBE building.
 12. An employee shall fill out the appropriate Working Remotely forms for inclusion in the attachment section of the UPM.
 13. An employee's remote work plan shall specify the employee's work schedule, including remote work days, consistent with Internal Policy 04-15. This agreement

shall define the employee's work period for purposes of worker's compensation laws, including for addressing job related accidents or illnesses.

14. Any hardware or software purchased by USBE remains the property of USBE and shall be returned at the conclusion of the remote work agreement. USBE-owned software may not be duplicated without formal, written authorization.

IV. Policy – Teleworking and Telecommuting

1. An employee may telework in accordance with the employee's schedule established in accordance with Internal Policy 04-15.
2. An employee's supervisor may require a teleworker to attend meetings, conferences, or other activities at the USBE office or another location away from the employee's standard teleworking locale.
3. An employee who is teleworking is considered to be in an official duty status during designated work hours. With the exception of situational telework, routinely providing dependent or adult care while in official duty status is prohibited during telework.
4. A teleworking employee shall maintain a designated workspace at the alternative work location, and worker's compensation liability will be limited to the designated work space.
5. On-site visits by the USBE may be made for the purpose of retrieving equipment and other USBE property in the event of employee illness or termination.
6. While travelling to and from the USBE office, an employee may telecommute on public transport and count the employee's active work time as part of the employee's work hours. An employee may not be approved for routine telecommuting if the arrangement results in an increased workload for another employee.

V. Supervisor Responsibilities for Remote Working

A remote worker's supervisor has certain responsibilities, which include, but are not limited to the following:

1. Setting forth appropriate measures to protect confidential information;
2. Ensuring that customer service is not adversely affected by the telework arrangement;
3. Undertaking the necessary risk assessments of the remote office design and remote working practices;
4. Clearly defining and setting forth the telework employee's responsibilities;
5. Setting baseline measurements before employee begins a telework arrangement and creating measurable and definable ongoing performance metrics which are reported annually in Utah Performance Management (UPM);
6. Maintaining frequent and effective communication with remote employees;

7. Ensuring there is not a hardship or burden placed on other employees (additional work, etc.);
8. Maintaining responsibility and accountability for treating all remote and non-remote employees similarly in acts involving managerial discretion, including but not limited to:
 - a. distribution of assignments among employees in the work unit;
 - b. use of appropriate tracking and communication tools;
 - c. performance management with both informal and formal feedback;
 - d. performance coaching;
 - e. learning and development;
 - f. reassignment, promotion, retention, and discipline;
9. Providing advance notice, if practicable, to remote employees regarding requests to report to the regularly assigned office location (notice is not required and does not absolve an employee's responsibility to be physically present upon request); and
10. Completing the DHRM [Managing Teleworkers](#) online training and annually signing an Employee's Acknowledgement and Remote work Agreement form or acknowledging the AAA in UPM.

VI. Employee Responsibilities for Remote Working

An employee utilizing a remote work plan has certain responsibilities depending upon the circumstances, including, but not limited to, the following:

1. Maintaining established performance standards;
2. Ensuring that the alternative worksite is appropriate and provides the work environment, connectivity, technology, resource access, safety and security consistent with the work in which the employee is engaged;
3. Establishing and providing home internet for the purposes of remote work. Internet service must be of sufficient speed to support all work-related applications, systems, and devices. All initial set up costs, or costs associated with a remote worker changing locations are the responsibility of the remote worker. Any service or performance related issues with internet need to be addressed immediately by the remote worker. Failure to immediately address such issues can lead to suspension or termination of the Remote Work Agreement. Remote worker's in-home internet service for personal use during non-work hours is not regulated by this policy unless state equipment is being utilized. State owned equipment is always subject to the USBE Acceptable Use Policy, Internal Policy 05-01;
4. Providing office equipment (desk/chair) at the work location that is conducive to a safe and comfortable work environment;
5. If the employee is provided USBE equipment for the remote work location, completing the [Home Use Form](#) and uploading the form in the employee's UPM annually;

6. Maintaining flexibility and responsiveness to the needs of the supervisor, work team, and agency (communication and collaboration);
7. Reporting to the regularly assigned office location, pursuant to agency needs, for all or part of a workday during which they would otherwise be engaged in a remote arrangement;
8. Documenting all time in accordance with established DHRM time and attendance policies;
9. Complying with DHRM rules and practices pertaining to requesting and obtaining approval for leave, overtime, or any change to the employee's agreed-upon work schedule outlined in the Employee's Acknowledgement and Remote Work Agreement form;
10. Complying with all applicable federal, state, and municipal laws as well as state and DHRM rules and agency policies, including those dealing with time reporting and overtime;
11. Maintaining effective communication with supervisors and other employees with whom communication is essential for successfully implementing the arrangement;
12. Maintaining confidentiality of work-related information in the remote work environment in accordance with federal, state, and municipal laws and DHRM rules and agency policies. Unauthorized disclosure will subject the employee to penalties provided by law, as well as disciplinary action initiated by the Department, up to and including termination of employment.
 - a. Security of digital information must comply with DTS standards.
 - b. Printed information must be returned to the Department or destroyed based on applicable records retention schedules and practices;
13. Adhering to USBE Internal Policy 05-01, USBE Acceptable Use Policy;
14. Forwarding calls from the employee's office phone to the employee's personal phone, or answering calls through an appropriate application, while working remotely to ensure the customer needs are met;
15. Maintaining a high level of customer service at all times;
16. Maintaining a professional appearance in dress and hygiene while working remotely;
17. Utilizing video cameras during virtual meetings;
18. Completing the DHRM [Successful Telework](#) training and annually signing an Employee's Acknowledgement Successful and Remote work Agreement form or acknowledging the AAA in UPM.

VII. History

This policy was originally adopted April 30, 2018.