

HOWARD UNIVERSITY POLICY

Policy Number: Policy 500-015 Human Resources
Title: TELEWORK POLICY (Non-union, Non-faculty, Non-student)
Responsible Officer: Chief Human Resources Officer
Responsible Office: Office of Human Resources
Effective Date: September 28, 2020; Revised December 1, 2021
Next Review Date: *As needed*

I. POLICY STATEMENT

Howard University (“the University”) has established a bold vision for our future that is outlined in the Howard Forward strategic plan. We recognize that achieving excellence cannot be accomplished without people. As we chart our path, we are doing so with our employees at the forefront of our thinking, and we are preparing for our future state with a work model that supports our academic and operational productivity and strengthens the University’s ability to attract and retain exceptionally talented individuals.

Howard University enacted its Telework Policy, effective September 28, 2020, to establish formal University policies and procedures pertaining to remote working arrangements during the COVID-19 pandemic. Since the time of its enactment, all nonessential University employees have been largely teleworking under emergency status due to the public health crisis caused by the pandemic. Now, as the University moves into Phase III of its reopening plan, the revised Telework Policy provides guidelines for the process by which an employee may be approved to telework now and in the future.

Telework as a reasonable accommodation for a qualified employee with a disability is not the subject of this Telework Policy. Those requests must be submitted to the Office of Equal Employment Opportunity within the Office of Human Resources.

II. RATIONALE

The purpose of this Telework Policy is to define requirements and guidelines under which schools, colleges, and administrative and operational divisions may allow employees to telework and create flexible work environments. Consistent with the requirements and guidelines set forth in this Policy, managers and employees may consider a variety of work arrangements that blend in-person work and telework for an individual employee or groups of employees, where the continuity of business operations and measurable productivity will be maintained or enhanced by the telework arrangement.

III. ENTITIES AFFECTED BY THIS POLICY

This Policy applies to all regular full-time and part-time, non-union, non-faculty and non-student employees.

IV. DEFINITIONS

- A. Eligible Employee: any regular full- or part-time, non-union, non-faculty, non-student employee, whose job functions, as categorized initially by HR, then secondarily, by the employee's direct manager and Senior Level Manager, can be performed effectively from a location other than a physical Howard University worksite and whose productivity, in the manager's and Senior Level Manager's opinion, can be measured and maintained or improved through telework. Details on the approval process, and who is qualified to grant a telework arrangement is outlined in **SECTION V** of this Policy.
- B. Emergency Telework Event: a non-recurring telework arrangement that may be caused by a Howard University worksite closure or other experience, planned or unplanned, and employees are able to temporarily perform certain functions remotely until conditions causing the closure are resolved.
- C. Episodic Telework Event: a nonrecurring situation of a temporary, time-defined duration in which an employee may telework due to irregular personal or work circumstances, and where the option to telework will benefit the operations of the University by facilitating the employee's ability to continue performing work, (e.g., teleworking in the event of an emergency; teleworking due to an extraordinary obstruction in the employee's commuting route; teleworking due to inclement weather).
- D. Intermittent Telework Arrangement: a recurring telework schedule, generally consisting of the same day or days each week, where a manager, and where applicable, Senior Level Manager, permits an eligible employee to telework, as agreed, and where the option to telework benefits the operations of the University.
- E. Remote Worksite: a worksite other than the employee's physical Howard University worksite that has been approved by the employee's Senior Level Manager for use for teleworking. Often, the Remote Worksite is an employee's residence. A suitable Remote Worksite must have access to a computer and the telecommunications equipment necessary to effectively telework, including reliable and secure internet service. The University may verify, as needed, that the Remote Worksite meets these requirements.
- F. Senior Level Manager: A manager who is at or above the level of Dean or Assistant Vice President.
- G. Telework: work performed at a Remote Worksite.
- H. Teleworker: An Eligible Employee who is approved to Telework pursuant to this Policy.

V. REQUIREMENTS AND GUIDELINES FOR APPROVAL OF TELEWORK

Howard University supports Telework as a viable, flexible work option, when both the employee and the job are suited to such an arrangement. Telework allows Eligible Employees to work from a Remote Worksite for all or part of their workweek. Telework may be appropriate for some employees and jobs but not for others. Telework is not an entitlement and in no way changes the terms and conditions of employment with Howard University. Telework is appropriate when an Eligible Employee's duties can be performed effectively at a Remote Worksite without compromising work quality, productivity, customer service or required office coverage.

The Office of Human Resources will designate whether a position is eligible for Episodic Telework or an Intermittent Telework Arrangement. Examples of duties suitable for Telework include, but are not limited to, researching, dispensing information, report writing, or communications that need not be in person. If a position is not designated as Telework eligible, a manager cannot permit Episodic or Intermittent Telework but may be allowed in response to Emergency Telework Events.

Once a position is deemed Telework eligible, a manager may consider Intermittent Telework Arrangements for Eligible Employees when, in the manager's and Senior Level Manager's opinion, Telework will foster productivity, create utility or space cost savings, and allow for alternative methods of collaboration. An Eligible Employee's Intermittent Telework Arrangement should not inequitably increase other employees' workloads or impose unreasonable burdens on management. Teleworkers should not be inequitably excluded from work activities available at the physical worksite (e.g., meetings).

Schools, colleges, administrative and operational divisions may wish to coordinate their employees' telework schedules to maximize space sharing or reduction in utility consumption by Howard University.

A. Guidelines for Managers

1. The decision to permit an Eligible Employee holding a Telework-eligible position, as deemed by the Office of Human Resources, to establish an Intermittent Telework Arrangement requires two levels of approval: a) the first being the employee's direct manager; and b) the second, the Senior Level Manager responsible for the department or division in which the employee holds a position (unless the employee's manager is also a Senior Level Manager).
2. Intermittent Telework Arrangements should only be approved for Eligible Employees in Telework-eligible positions who, as determined by their manager and Senior Level Manager, are productive during Telework at a Remote Worksite. Current employees must have an established record of performing work accurately and efficiently without the need for close supervision. Also, as employees begin to receive performance ratings under the University's system of annual performance evaluations for staff, an employee must have a performance rating that at least meets standards and expectations in order to maintain an Intermittent Telework Arrangement. Teleworkers must have: (a) proven ability to work

independently, proven ability to establish priorities, demonstrated effective time management habits and ability to work effectively with minimal supervision; (b) a full understanding of the operations of his/her work unit; (c) accessibility via computer and phone during assigned work hours; and (d) an appropriate Remote Worksite conducive to performing job duties remotely.

3. The confidentiality or security protocols required of a position may impact whether the position is appropriate for Telework or the amount of Telework available (e.g., positions requiring access to physical documents or items that should not be removed from Howard University property or accessed in non-secure environments may not be appropriate for Telework). Telework schedules for Teleworkers who are subject to heightened confidentiality or security protocols should be coordinated with relevant operational stakeholders, e.g., IT Security, Campus Police, Human Resources, Operations and Maintenance.
4. **Employees are not authorized to perform Intermittent Telework from a Remote Worksite that is located in a state other than the District of Columbia, Maryland, or Virginia, and/or outside of the United States except where the arrangement has been approved by the Office of Human Resources and the Office of the Controller.**
5. A manager or Senior Level Manager may reject a telework request at the manager's sole discretion and must articulate in writing a valid reason for denying the request based on the nature of the job, the effectiveness of the employee, or any of the guidelines listed in this Policy, copies of which must be provided to the employee, the Senior Level Manager, and the Office of Human Resources. Also, established Intermittent Telework Arrangements may be altered or revoked at the sole discretion of the manager or Senior Level Manager, the Office of Human Resources, or Howard University by providing an employee with a written justification, and a reasonable amount of advance notice, ordinarily two weeks, but no less than two consecutive workdays. Because telework decisions are discretionary, the decision to grant, deny, alter or revoke teleworking arrangements is not subject to any process for appeal or reconsideration.
6. Managers are expected to adhere to all applicable University rules, regulations, policies and procedures as delineated in the Employee Handbook and other University policies in managing Teleworkers and responding to requests for Telework.
7. A Teleworker may be required to give up office space and utilize a swing or shared office space as a condition of Telework. The manager should take these considerations into account when addressing individual Telework requests as well as the department's overall Telework schedule.
8. Front- or public-facing positions which duties require interaction with students and/or the may not be conducive to Telework or may only allow for Episodic Telework.
9. Deans and Vice Presidents (or their designees) may consider and pursue unit-wide telework schedules.

B. Guidelines for Teleworkers

1. Teleworkers are expected to adhere to all applicable University rules, regulations, policies and procedures while working at their Remote Worksite, including but not limited to

policies regarding security and confidentiality of University property and information, EEO, Title IX, Acceptable Use, and Time Reporting policies, and all other policies in the Howard University Employee Handbook.

2. Teleworkers must log into the University's secure remote network from their Remote Worksite to perform their duties.
3. Telework days should be treated as regular workdays. A Teleworker is expected to attend meetings virtually and to fully engage in work activities on scheduled Telework days.
4. During a Teleworker's scheduled work hours, their duties should not be performed in any other setting other than the designated Remote Worksite. For example, a grocery store, car, or building lobby does not qualify as a Remote Worksite. **If a Teleworker needs time off during a scheduled Telework day to attend a personal appointment or matter, they must request leave via the University's regular process for utilizing sick, annual, or other leave.**
5. Communication during Telework may be by phone, email, text (which must be stored/saved in the same manner as work-related emails), fax, videoconferencing, or other agreed-upon means. The Teleworker must be reachable during work hours and follow all IT policies established by the University's Enterprise Technology Services (ETS).
6. Teleworkers should make work-related phone calls through either Howard University's approved internal phone vendor or meeting software (e.g., Microsoft Teams, Zoom), or via a University-issued mobile device. If a University mobile device is not issued, it is the Teleworker's responsibility to download the necessary software as noted. Care should also be taken to ensure that Teleworkers continue to have access to needed office support.
7. In accordance with applicable law and the University's policy on Time Reporting for Staff Employees, all nonexempt employees performing Telework must record in Workday all actual time worked daily. Also, managers must authorize overtime in advance and communicate "call back" times for all nonexempt employees.
8. Telework is for work purposes only and is not to facilitate any other personal need. Teleworkers must ensure they have regular dependent care and understand that Telework is not a substitute for this purpose. Under circumstances of a national or local state of emergency affecting childcare and K-12 education, exceptions may be made for employees with caregiving responsibilities.
9. Either management or the employee may terminate the Intermittent Telework Arrangement for any valid reason and at any time. A manager's revocation must be in writing and must articulate the valid reason(s) for revoking the arrangement, typically based on a change in the employee's status or the nature of the position duties, or a deterioration of the employee's performance while Teleworking, copies of which must be provided to the employee, the Senior Level Manager, and the Office of Human Resources. Management may terminate an employee's arrangement without notice but, when possible, should provide an employee with as much advance notice as feasible, but no less than two consecutive workdays.
10. Office and University needs take precedence over Telework days. When the need arises, a manager maintains the discretion to require in-person attendance at a University worksite

for in-person meetings, departmental or University level events, conferences, training sessions, and similar activities.

VI. PROCESS FOR IMPLEMENTATION OF EPISODIC AND INTERMITTENT TELEWORK

A. Teleworking Arrangements

1. Either an employee or management may propose Episodic Telework or an Intermittent Telework Arrangement. Manager approval shall not be based on seniority. After a position is designated as Telework-eligible by the Office of Human Resources, the prospective Teleworker and their manager should assess whether Telework is a viable work option. This assessment should involve the Senior Level Manager as appropriate. Approval for participation rests solely with management, which will consider not only the established performance of the employee, but also departmental staffing needs, space and budgetary concerns.
2. After receiving approval for Telework by their manager, and as appropriate, Senior Level Manager, employees should complete a copy of the Telework Request/Agreement (posted on the Human Resources website) and submit it to their manager or Senior Level Manger.
3. The manager or Senior Level Manager must give the employee a copy of this Telework Policy and a copy of the fully signed Telework Request/Agreement. A signed copy should be retained by the manager and submitted to the Office of Human Resources. The manager is responsible for ensuring that a copy of the signed Telework Request/Agreement is transmitted to and received by the Office of Human Resources before Teleworking can begin.
4. Should the manager or Senior Level Manager deny the request to telework, revocation must be in writing and must articulate the valid reason(s) for revoking the arrangement, typically based on a change in the employee's status or the nature of the position duties, or a deterioration of the employee's performance while Teleworking, and copies of which must be provided to the employee, the Senior Level Manger, and the Office of Human Resources.

B. Confidential and Sensitive Information

Teleworkers must adhere to University rules, regulations, policies and procedures regarding security and confidentiality for the computer, its data and information, and any other information handled in the course of work (See ETS Policies and Procedures), and must use appropriate Telework procedures established by the University.

C. Maintenance, Repair and Replacement of Equipment

1. The University is responsible for maintaining, repairing and replacing University-owned equipment. In the event of equipment malfunction, the Teleworker must notify his/her manager immediately. If repairs are estimated to take an amount of time that the manager considers disruptive to the employee's ability to Telework, the manager must find alternative means to continue the Teleworker's work, including requiring the Teleworker

to report to their regular University worksite until the equipment is usable. For this Policy, an amount of time that is considered disruptive to Telework is more than two consecutive workdays or the equivalent of two workdays within the span of seven calendar days.

2. Should the Teleworker opt to use their own personal equipment for Telework, they are responsible for maintaining and repairing that equipment at their personal expense and on their personal time. Should that personal equipment become unavailable for some reason, the Teleworker may request equipment from the University and/or return to the regular University worksite until the personal equipment is available for use. If the Teleworker is not able to access equipment for a time that is disruptive to University operations, their manager may ask them to return to the regular University worksite. The amount of time considered disruptive to telework is more than two consecutive workdays or the equivalent of two workdays within the span of seven calendar days.
3. Teleworkers are responsible for the cost of maintenance, repair and operation of their Remote Worksite, personal equipment, furniture, necessary utilities, and internet service. Departments may elect to provide a Teleworker with access to Howard University equipment such as computers, printers, and cables, and may elect to provide software necessary for the performance of their duties.
4. Where required by the Teleworker's work duties, the designated Remote Worksite must allow the employee to maintain the security and confidentiality of University information.
5. Equipment provided to a Teleworker remains the property of Howard University and must be returned upon termination of the employee's approval to Telework, or upon separation from employment. Software provided for a Teleworker must be removed from home equipment upon termination of the employee's approval to Telework.
6. The use of equipment, software, data, supplies, and furniture, if provided by Howard University, is limited to use by the Teleworker only and for purposes related to Howard University business only.
7. The Teleworker is responsible for the safekeeping of all equipment and software furnished by Howard University.
8. Teleworkers should consult with ETS for information on IT Remote Access, IT Acceptable Use, IT Anti-Virus, and IT Security Standards.
9. Howard University secure connections must be used for remote access to systems that contain confidential data or sensitive information. Such data can only be used and stored on secure systems and devices.

D. Workplace Safety

Teleworkers are responsible for setting aside an appropriate space as their Remote Worksite and ensuring that it is ergonomically sound, clean, safe, and free of obstructions and hazardous materials, and that it complies with proper health and safety requirements. The University may verify, as needed, that the Remote Worksite meets these requirements.

E. Periodic Performance Reviews

Managers should continue to meet regularly with their Teleworkers in the same manner as with all employees to review performance, including any issues related to the telework arrangement.

VII. TELEWORK EXPENSES

- A.** Teleworkers are solely responsible for maintaining their personal home equipment and Remote Worksite at their own expense.
- B.** Each department must arrange to pay for any pre-authorized business expenses incurred by Teleworkers out of their budgets. The department may reimburse the Teleworker for usual and ordinary University expenses according to the University's procedures for reimbursement. Employees should retain copies of appropriate reimbursable bills.
- C.** Each department must pay for charges for business-related telephone calls and services on University-issued mobile devices.
- D.** The University will not pay for the following types of expenses:
 - 1. Usage fees for employee-owned computers and mobile devices.
 - 2. Utility costs associated with the use of the computer or the Remote Worksite.
 - 3. The cost of maintaining adequate internet access to enable Telework.
 - 4. Travel to the Remote Worksite or parking during Telework days.
 - 5. Teleworker-purchased office supplies that were not pre-authorized. Teleworkers should obtain supplies from their regular University worksite during in-office days only with pre-approval from their managers.

VIII. RENEWAL OF TELEWORK ARRANGEMENTS

- A.** The Teleworker, manager, and Senior Level Manager should review their Telework Arrangement and accompanying Agreement at least every six (6) months, but also whenever there is a major job change (such as a promotion), if there is a decline or concern related to the Teleworker's performance, or whenever the Teleworker or manager changes positions.
- B.** Teleworkers and new managers are encouraged to continue telework arrangements by mutual agreement, if feasible, for the new position and unit. Neither should be required to do so when it is not in the best interests of either or both parties.

IX. DEPENDENT CARE, REQUIRED ATTENDANCE, AND LEAVE CONSIDERATIONS

- A.** Subject to adherence to applicable confidentiality requirements, Teleworkers are not prohibited from Teleworking while dependents are present, but Telework should not be

considered a substitute for dependent care. If dependent care requirements would prevent an employee from devoting full attention to Telework, the employee is expected to make alternative dependent care arrangements.

- B.** Attendance at an employee's regular University worksite for on-site meetings, conferences, training sessions and similar activities may be required on scheduled Telework days at the sole discretion of the manager. Where practical, a manager should give an employee two weeks' notice of required on-site activities. Transportation and parking costs for such attendance are the employee's responsibility.
- C.** Teleworkers are required to provide notice and/or obtain manager approval for the use of leave during Telework hours in the same manner as required for in-person work hours. Like all employees, Teleworkers must request and use annual leave when on vacation and are not expected to work when Howard University is closed to observe a holiday, even if the observed day coincides with the Teleworker's scheduled Telework day.
- D.** In the event an employee's University worksite is closed due to inclement weather or similar emergency conditions on a day they are approved or scheduled to Telework, the employee is expected to continue to Telework or to take leave.
- E.** Managers may not unreasonably deny a Teleworker's request to take leave during an emergency closure if the emergency condition also means the employee has unexpected dependent care obligations (e.g., where local schools are closed due to weather conditions).

X. WORKPLACE INJURIES

The Teleworker or someone acting on the Teleworker's behalf is required to immediately notify the Teleworker's manager of any work-related accident or injury that occurs at the employee's Remote Worksite. Howard University will follow University policies and procedures regarding the reporting of employees injured while working.

XI. SANCTIONS

Failure to adhere to the requirements of this Policy will result in termination of a teleworking arrangement and/or employee's approval to Telework, and may additionally result in disciplinary action up to and including termination of employment.

XIII. ADDITIONAL RESOURCES

- A. Howard University Employee Handbook
- B. Telework Checklist for Managers and Employees
- C. Telework Request/Agreement
- D. Telework Environmental Safety Checklist

FAQS FOR MANAGERS AND EMPLOYEES

The following FAQs will assist managers and employees with considering and establishing Telework arrangements as outlined in the Howard University Telework Policy.

Who is suitable for Episodic Telework or an Intermittent Telework Arrangement?

An employee is suitable for Telework if 1) they are a regular full-time or part-time, non-union, non-faculty, non-student employee 2) the Office of Human Resources classifies their position as Telework eligible, meaning their duties and functions are such that they can be performed effectively from a location other than physically at a University worksite; and 3) their customer service, work quality and productivity, in the manager's opinion, can and will be maintained during the day(s) the employee is Teleworking.

If I've been working remotely during the pandemic, shouldn't I be able to continue to do so?

Not necessarily. Due to the public health emergency, all nonessential employees were directed to telework, irrespective of whether the employee's position duties or work ethic (past performance) were suitable for remote working. Now, in order to determine nonemergency, Episodic or Intermittent Telework Arrangements, managers and Senior Level Managers must evaluate each employee's suitability in accordance with the Policy.

As a manager, may I deny a request from an employee for Episodic Telework or to establish an Intermittent Teleworking Arrangement?

Yes. Managers (direct and/or Senior Level Managers) maintain the sole discretion to deny a request to Telework. A denial must be in writing and must articulate the valid reason(s) for denying the request based on the employee's status (e.g., a student, union employee, or faculty member, or a position that HR has deemed telework ineligible), the nature of the position duties, the effectiveness of the employee (including any past or existing performance issues), and/or any of the guidelines listed in the Policy. Copies of the denial must be provided to the employee, the Senior Level Manager, and the Office of Human Resources.

Can an employee's performance be considered when responding to a request to Telework?

Yes, and it should be. Overall, a manager who approves Telework should be satisfied with the employee's day-to-day performance, including availability, responsiveness, productivity, and timeliness in meeting deadlines. If the employee has been working remotely during the pandemic, the manager should take into consideration how the employee has been performing during the past several months.

As a manager, can I revoke my approval for Telework?

Yes. A manager can revoke approval for Telework based on changed circumstances that render the employee no longer suitable for Telework. The revocation must be in writing and must articulate the valid reason(s) for revoking approval based on a change in the employee's status or

the nature of the position duties, a change in the needs of the office, or a deterioration of the employee's performance while Teleworking. Copies of the denial must be provided to the employee, the Senior Level Manager, and the Office of Human Resources. Also, pursuant to the Policy, employees and their managers should review their Telework Agreement at least every six (6) months.

As a manager, up to how many days per week can I approve an employee for Teleworking?

Under the Policy, an employee can be approved for Telework for part or all of their workweek, where suitable. In most cases, however, managers and Senior Level Managers will need to consider departmental staffing needs, and in-office coverage, in order to work out an overall office schedule that allows suitable employees to telework, typically 1-3 days per week. Managers should engage in a dialogue with employees in order to establish individual teleworking arrangements that simultaneously satisfy overall departmental needs.

Are children and other dependents allowed to be in the Teleworker's Remote Worksite during telework?

Yes. Employees are not prohibited from Teleworking while dependents are present, but Telework is **NOT** a substitute for dependent care. The Telework Policy specifically states that Teleworkers must have regular dependent care and understand that telework is not a substitute for dependent care.

As a manager, can I require an employee to attend an in-person meeting or department or University event during their scheduled Telework day?

Yes. When the need arises, a manager maintains the discretion to require attendance at a University worksite for in-person meetings, department or University level events, conferences, training sessions, and similar activities. Where practical, a manager should give an employee two weeks' notice of required on-site activities. If the activity falls on an employee's Telework day and their attendance is required, then the manager may offer to move the Telework day to another day for that week. However, a manager is not required to do so if not feasible.