



## Telecommuting and Remote Work Guidelines for Cal Poly Staff and MPPs

### Summary

The following guidelines provide a general framework for alternative worksite arrangements. These guidelines do not attempt to address the special requirements of all employees or positions. Specific conditions and agreed-upon work arrangements are to be outlined in a Routine Telecommuting/Remote Work Agreement, which is prepared jointly by an employee and their appropriate administrator and subject to the appropriate Vice President's and Human Resource's approval.

The University supports the use of a telecommuting work option in positions where appropriate and beneficial to the University and the employee. The Telecommuting/Remote Work program recognizes the benefits available through a planned and managed telecommuting program. Such an option can save commute time and expense for employees, relieve some of the congestion on campus, and offer some uninterrupted time for concentrated work.

The opportunity to participate in a telecommuting program is offered only with the understanding that it is the responsibility of the employee to ensure that a safe and proper work environment is maintained (e.g., an ergonomically appropriate and safe workspace is required; dependent care arrangements are made as not to place dependents at risk of a lack of appropriate care or interfere with the employee's ability to perform work; personal disruptions such as non-business telephone calls and visitors are kept to a minimum; etc.). Failure to maintain a safe and proper work environment provides cause for an employee's immediate termination from this program.

Telecommuting opportunities are based upon the duties of the employee's position and program requirements as determined by the appropriate Vice President. Eligibility of represented employees may vary from bargaining unit to bargaining unit, depending upon negotiated agreements.

These guidelines also detail a provision for "Situational Telecommuting" for unusual circumstances, such as a pandemic, in which the University may authorize or direct some or all employees to temporarily telecommute without the establishment of a formal telecommuting agreement.

### Definitions

- **CAL POLY Worksite:** Physical CAL POLY campus or a CAL POLY-maintained location other than the main campus.
- **Employee Regular Worksite:** Primary worksite location at which the employee is expected to perform their work.
- **Routine Part-time Telecommuting (hereafter referred to as "part-time telecommuting" in this document):** An established arrangement that allows an eligible employee (whose regular worksite location is at a CAL POLY worksite) to work on a regular, part-time basis at an alternate location other than a CAL POLY worksite. The arrangement can be a set schedule or variable/upon request. Routine part-time telecommuters have an assigned work location (e.g., office, cubicle, or hoteling space) at a CAL POLY worksite. Routine telecommuters live locally (within 100 miles) and are expected to be available to come to a CAL POLY worksite for meetings or other work on short notice (e.g., same day). Any and all commute expenses incurred are the employee's responsibility and time spent commuting is not compensable.
- **Routine Full-time Telecommuting (hereafter referred to as "full-time telecommuting" in this document):** An established arrangement that allows an eligible employee (whose regular worksite location is local to CAL POLY worksite) to work on a regular, full-time basis at an alternate location other than a CAL POLY worksite. Routine full-time telecommuters do not have an assigned work location (e.g., office or cubicle) at a CAL POLY worksite but may use hoteling space if available. Routine full-time telecommuters live locally (within 100 miles) and are expected to be available to come to a CAL POLY worksite for meetings or other

work on short notice (e.g., same day). Any and all commute expenses incurred are the employee's responsibility and time spent commuting is not compensable.

- **Remote work:** Working off-site pursuant to an established arrangement that allows an eligible employee to work entirely at an alternate work location other than a CAL POLY worksite. Remote work can occur in the San Luis Obispo region, anywhere in the State of California or, pursuant to the Cal Poly HR and Chancellor's Office approval, anywhere in the United States. Remote workers are not expected to be available to come to a CAL POLY worksite on short notice and will not have an assigned CAL POLY worksite (e.g., individual office or cubicle) but may use hoteling space as available.
- **Situational Telecommuting:** Working off-site that is NOT part of a previously established alternative work arrangement. In the event of circumstances in which telecommuting is necessary or appropriate but conditions for routine telecommuting or remote arrangements are not feasible (e.g., a pandemic, natural disaster, strike, etc.), the university may authorize or direct all or some employees to temporarily telecommute.
- **Exempt employees:** Employees who, based on duties performed, are exempt from the Fair Labor Standards Act (FLSA) minimum wage and overtime provisions. Exempt employees are paid an established monthly salary and are expected to fulfill the duties of their position(s) regardless of hours worked. Exempt employees are not eligible to receive overtime compensation or compensatory time off. Exempt titles are identified in CSU Classification Standards and Cal Poly Position Descriptions.
- **Non-exempt employees:** Employees who, based on duties performed, are subject to all FLSA provisions. Non-exempt employees are required to account for time worked on an hourly and fractional hourly basis and are to be compensated for qualified overtime hours pursuant to the applicable Collective Bargaining Agreement or, if none, the FLSA. Non-exempt titles are identified in University-wide title and pay plans.
- **Hoteling Space:** Designated, shared workspaces available and reserved by remote employees to perform occasional work on campus.

### **Eligibility**

A part-time or full-time telecommuting/remote work arrangement may be approved for an exempt or non-exempt employee when it is in the best interest of the University and the employee, and for bargaining unit employees, when it is allowed by the respective Collective Bargaining Agreement (CBA) or Memorandum of Understanding (MOU). The opportunity for telecommuting/remote work is at management's discretion and must take into consideration numerous factors, including the job/position, nature of the work performed, operational needs, impact on the department and employee performance. Decisions concerning approval, terms, and termination of telecommuting are within the sole discretion of management and there are no rights to appeal, grievance, or any other process to challenge the decision.

### **Process for Establishing a Telecommuting Work Arrangement**

1. The employee requests or the appropriate administrator recommends a telecommuting arrangement. If the employee is unwilling or unable to telecommute, a telecommuting arrangement will not be imposed.
2. The employee completes a self-assessment about their compatibility for telecommuting/remote work.
3. The employee meets with their appropriate administrator to discuss eligibility, using the Cal Poly Self-Assessment for Routine Telecommuting form as a basis for the conversation (if applicable). (If the employee's request to telecommute is denied, the appropriate administrator shall, at the employee's request, provide a written explanation of the reasons for the denial.)
4. The employee and appropriate administrator complete necessary training. \*Employees with telecommuting or remote work arrangements and appropriate administrators who supervise such arrangements are required to complete the training once per year.
5. The employee and appropriate administrator complete a Telecommuting/Remote Work Agreement.

6. The employee and appropriate administrator sign the Agreement and obtain the divisional Vice President's approval. (If the employee's request to telecommute is denied, the appropriate administrator shall, at the employee's request, provide a written explanation of the reasons for the denial.)
7. The Agreement is routed to HR for approval. (If the employee's request to telecommute is denied, the appropriate administrator shall, at the employee's request, provide a written explanation of the reasons for the denial.)
8. A copy of the signed Agreement is submitted to HR to be placed in the employee's personnel file.

\*Training is currently under development and will be posted once available.

### **Process for Establishing a Remote Work Arrangement**

1. If considering a remote work arrangement for one or more employees, the appropriate administrator must first inquire with Human Resources (HR) to determine if the job/position is approved for remote work. HR will request Chancellor's Office approval if needed. Once a remote work arrangement is approved and in effect, the employee does not have a right to a CAL POLY worksite other than hoteling space as available.
2. Follow the above-listed process for establishing a Telecommute Work Arrangement.

### **Intersection with Other Policies**

Telecommuting/remote work does not change the conditions of employment or applicability of University policies, including employee's classification, compensation or benefits. However, by opting for a telecommuting or remote work arrangement, the employee agrees to adhere to the additional policies and requirements that are included throughout these Guidelines. Wherever the work is performed, the employee is required to abide by all CAL POLY policies and procedures, including [Cal Poly Human Resources Policies](#), [Cal Poly Information Security Responsible Use Policy](#), the collective bargaining agreements, and University policies regarding overtime, holidays, vacation leave and sick time. Violation of policies and guidelines or any other CAL POLY policies and procedures may result in the termination of the telecommuting/remote work arrangement and/or disciplinary action.

### **Telecommuting/Remote Work Agreements**

The employee and appropriate administrator jointly develop a Telecommuting/Remote Work Agreement that outlines specific conditions and agreed-upon work arrangements. It is at the discretion of the appropriate administrator and divisional Vice President and is subject to ongoing review. Telecommuting/Remote Work Agreements must be reviewed annually and whenever there is a major job change or the employee or manager changes positions. Because telecommuting/remote work is selected as a feasible work option based on a combination of job functions, the employee's remote worksite environment, and a strong working relationship between the employee and the appropriate administrator as well as coworkers, a change in any one of these elements requires a review of the telecommuting/remote work arrangement. The appropriate administrator, in consultation with HR, may modify or terminate the telecommute agreement early (before the end of the specified term) for performance concerns, changes in job duties, changing operational or business needs, or any other non-discriminatory reason. Any termination of telecommuting/remote work will be made in accordance with proper notification timelines in the applicable CBA, or typically with at least 21 days advance notice when a CBA provision does not include longer advanced notice.

Telecommuting/remote work is not an employee right; however, some positions may require remote work (e.g., regional admissions representatives assigned to specific geographical locations outside of commuting distance from a CAL POLY worksite).

### **Work Schedule**

The employee shall maintain regularly scheduled and approved work hours as agreed upon in the Telecommuting/Remote Work Agreement and will be fully accessible during those hours. The agreement may allow for some flexibility in work hours for exempt employees, which will typically include specific agreed-upon core hours. [If an alternative work schedule is desired and feasible, the proper procedures must be followed (see: <https://afd.calpoly.edu/payroll/staff-faculty/alternate-schedules>)].

Work schedules are subject to ongoing review, and changes are at the appropriate administrator's discretion. Any changes to an approved schedule or alternate work location must be made in accordance with proper notification timelines in the applicable CBA, be reviewed and approved by the appropriate administrator in advance and be documented in the Telecommuting/Remote Work Agreement.

Non-exempt employees must not work overtime without prior approval from their appropriate administrator. Non-exempt employees are required to accurately report work hours and strictly adhere to required rest and meal breaks in full compliance with policies, collective bargaining agreement provisions, and federal, state and local guidelines.

### **Duties and Assignments**

While telecommuting/remote working, the employee is expected to maintain the same productivity, quality of performance, communication and responsiveness as if working at the regular CAL POLY worksite. The employee's performance appraisal criteria remain the same as if working at the regular CAL POLY worksite.

The employee and appropriate administrator will establish an agreed-upon plan covering general duties and assignments to be performed, receiving and returning of assignments, activity reporting, and other communication with the appropriate administrator while telecommuting/remote working. The appropriate administrator reserves the right to assign other work, as necessary, and may require some duties to be performed at specific worksites.

### **Communication**

While telecommuting/remote working, the employee is expected to maintain a presence using agreed-upon technology (telephone, Zoom, Instant Messaging, Microsoft Teams, etc.) and to be available to their appropriate administrator, coworkers and others with the same response times as if at the regular CAL POLY worksite.

The employee will maintain contact with coworkers and others and will notify them of any appropriate administrator-approved changes in their posted telecommuting/remote work schedule.

### **Working Environment**

While telecommuting/remote working, the employee is responsible for ensuring a safe and appropriate worksite environment suitable for accomplishing their regular job duties during scheduled hours of work and, if applicable, arranging for dependent care just as they would if they were working at the regular CAL POLY worksite.

The employee is responsible for designating a remote workspace and ensuring that their remote workspace complies with Environmental Health and Safety (EH&S) guidelines and is equipped with the necessary equipment to carry out assigned duties. Employees may need to modify or add to existing office equipment to accommodate the unique circumstances of the telecommuting/remote work environment. Each employee shall certify that their designated remote workspace complies with University standards.

### **Safety**

The employee is responsible for completing a CAL POLY Telecommuting Self-Certification Safety Checklist and for maintaining a safe and secure work environment, including maintaining the designated telecommute/remote worksite in an ergonomically sound manner. The employee should consult Cal Poly's [Ergonomics](#) website as a resource to provide information on a safe and ergonomically sound work environment. The University may deny an employee the opportunity to telecommute/work remotely or may rescind a Telecommuting/Remote Work Agreement based on safety considerations.

A properly set up workspace is important to increase safety and comfort, including at a remote worksite. Standing, stretching, and taking regular, short breaks are important parts of workplace wellness. Visit the Cal Poly Environmental Health & Safety (EH&S) website and review:

- [Ergonomic Tips for Working at Home](#)
- [Healthy Workstation Guidelines infographic](#)
- Watch the [ergonomic work spaces video](#) to learn more about setting up your desk, chair, and other work space features to maximize your workspace wellness.
- The [Working Virtually \(team members\) Bundle](#)

The University's liability for job-related accidents generally extends to injuries **to the employee** incurred in the course and scope of the employee's job duties and during the employee's scheduled hours of telecommuting/remote work (as articulated within the Telecommuting/Remote Work Agreement). "Telecommuting" is defined as the actions directly related to working from an off-site location and does not include actions that the telecommuter may take during break periods from working. Actions that the employee would not be able to perform in their campus office or which are directly related to the operation of the home are not considered to be in the course and scope of the employee's job duties. (Examples of such non-covered actions include cooking lunch, caring for children, domestic tasks, yard work, checking mail, etc.) **The employee may not conduct in-person work-related meetings at the alternate worksite. Injuries to third parties do not arise out of Cal Poly's business and Cal Poly shall not be liable for such injuries.**

The employee is responsible for reporting any work-related injuries to the supervisor at the earliest opportunity, and injuries will be handled in the same manner as reports of injury at the primary worksite. In the event of a workers' compensation injury or illness, employees must notify their supervisor and appropriate administrator immediately and must complete all necessary and/or management-requested documents regarding the injury.

**Campus Space and Hoteling Options** Departments which have many employees telecommuting may choose to create designated shared workspaces at a CAL POLY worksite available for telecommuting employees to reserve for occasional use. Hoteling, or temporary use of a campus office, may be an option as an alternate work location. These workspaces may not be altered, and employees who use them must use CAL POLY computers and equipment. Employees who wish to utilize hotel space should contact their appropriate administrator for specific procedures.

### **Equipment and Records**

The University may provide equipment, software, data, supplies and materials for use during the telecommuting/remote work assignment, based on the position requirements and within the resource limitations of the department. If the employee will have custody of CAL POLY-owned equipment at a location other than a CAL POLY worksite, the items being removed must be documented through the Property Accounting Office (a department in Financial Services). (Contact the Property Accounting Office at 805-756-2570 or the [Fiscal Services/Property Accounting web site \(http://www.afd.calpoly.edu/FiscalServices/forms.asp\)](http://www.afd.calpoly.edu/FiscalServices/forms.asp) to obtain a copy of the "Off-Campus Equipment Control Policy and Procedure" and the authorization form.)

University-owned equipment, records and materials may be used for purposes of University business only and must be protected against unauthorized or accidental access, use, modification, destruction, loss, theft, or disclosure. Incidental personal use is not permitted to interfere with the use of the equipment for University business or add any more than an immaterial incremental cost to the unit. The University's right to monitor the use of state-owned property, such as computers and software, for compliance with the Responsible Use Policy is not diminished by the telecommuting/remote work arrangement.

The University will provide for repairs to or replacement of University equipment when damage to that equipment is incurred by an employee during the course and scope of their job duties and the employee's work hours. When the employee uses personal equipment, software, data, supplies and furniture, the employee is responsible for the maintenance and repair of these items unless other arrangements have been made in advance and in writing with the appropriate administrator.

All University-owned equipment must be returned to the University by the employee for inspection, repair, replacement or repossession with 14 days' written notice and immediately upon separation of employment. The employee must agree to return University equipment, records, and materials within 14 days of termination of the Telecommuting/Remote Work Agreement. Employees with telecommuting arrangements are responsible for any costs incurred when returning University equipment, records, and materials; for employees with remote work arrangements, an estimate of costs should be submitted to the University for pre-approval in advance of shipping and if approved the University will be responsible for costs.

The employee is responsible for reviewing University policies and guidelines for proper record management:

- [Record Retention and Disposition Standard](#)
- [Information Retention and Disposition Schedules](#)

## **Technical Support, Maintenance, Repair and Replacement**

Maintenance and repair of State-owned equipment issued to telecommuters will be the responsibility of the Department. Equipment must be returned to the campus for appropriate maintenance/repair. The employee is responsible for installing, configuring, and updating all software on their equipment and complying with software licensing agreements. The University will not provide in-person technical/computer support at the off-site location, but will provide Help Desk assistance for supported software (<http://servicedesk.calpoly.edu/>) provided by the University. The University will not provide technical support beyond Help Desk phone support during established operating hours. In the event of equipment malfunction, the telecommuter must notify his/her/their supervisor immediately. If repairs will take some time, the employee may be asked to work at a CAL POLY worksite until the equipment is usable. Repairs and the associated cost of repairs to State equipment that result from employee's negligence will be the responsibility of the employee.

Replacement and the associated costs of replacement of State-owned equipment that is stolen or destroyed/damaged through negligence will be the responsibility of the employee.

## **Confidential and Sensitive Information**

All State employees, including telecommuters and remote workers, are expected to adhere to University policies and practices. This includes the policy on the responsible use of information technology resources and the confidentiality and security of University information handled in the course of employment (See the [Information Security Policy](#)).

## **Reimbursable Expenses**

Employees working from home or other alternate locations are not on travel status and not eligible for meal reimbursement. Similarly, meals taken at home or other alternate locations (or delivered) during a Zoom business meeting are not reimbursable under the [Cal Poly Travel Policy](#), or the [CSU Travel and Business Expense and Reimbursements Policy](#), or any other CSU policy.

Only pre-approved, business-related equipment that can be returned to the CAL POLY worksite at the end of the telecommuting/remote work arrangement will be reimbursed. Purchases must be made within Strategic Business Services Procurement guidelines. If any item needs to be installed, charges related to the installation are the responsibility of the employee. Other expenses (utilities, including internet, rent, furniture, etc.) will not be reimbursed.

Departments and the appropriate administrator will evaluate on a case-by-case basis where reimbursement is necessary for telecommuting/remote work with specific needs not already met with existing resources. Reimbursement is only allowable if the University-issued office equipment (e.g., computer, printer, keyboard) cannot be relocated to the telecommute/remote worksite and the employee does not already have personal equipment there that would be required in order for the employee to perform their work duties.

## **Security**

The employee will be responsible for the safety and security of all University-owned equipment, records, and materials at the telecommute/remote worksite and during travel to/from CAL POLY. This includes remaining up to date with [ITS Information Security Standards](#), Information Security Responsible Use Policy ("RUP") and other applicable information technology policies, as well as maintaining data security and confidentiality of records in the same manner as when working at the regular CAL POLY worksite.

Other security measures include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment. Virtual Private Networks (VPN), Multi-Factor Authentication (MFA), and LastPass password manager coupled with responsible home network management and general IT security alertness and prevention help to protect the University's data. Personal computers are prohibited for processing of [Level 1 data](#) unless the personal computer is being used to connect to an approved campus remote desktop solution (e.g., AWS Workspace).

The employee shall implement steps for good information security at the telecommute/remote worksite and must report to their manager any security issues. The employee must report to the manager any instances of loss, damage, or unauthorized access to property or information at the earliest opportunity.



The employee must follow all Information Security policies, including not duplicating University-owned software and adhering to manufacturer licensing agreements. Restricted-access materials shall not be taken out of the CAL POLY worksite or accessed through the computer unless approved in advance by the appropriate administrator and department head/senior manager. The employee must ensure information is not disclosed in violation of [FERPA](#) or other state or federal laws, regulations, or CSU policies and practices. The employee is responsible for reviewing University policies and guidelines for protecting information.

### **Work/Life Integration**

A special hub of resource topics including supporting at-home children, financial stress and stability, caring for older adults, working remotely, and more is now available.

Website: My[LifeMatters](#)

Password: [Contact HR]

Other information is available on the HR website, Campus Health & Wellbeing, and Learn & Grow:

- <https://afd.calpoly.edu/hr/employee-resources/work-life>
- <https://chw.calpoly.edu/wellbeing-cal-poly>
- <https://afd.calpoly.edu/learn-and-grow/employee-development/toolkits/wellbeing>

**Situational Telecommuting** In circumstances in which the university deems it necessary or appropriate to de-densify campus and for employees to telecommute, but it is not feasible to establish formal telecommute arrangements, the university may authorize or direct all or some employees to temporarily telecommute under this provision for “Situational Telecommuting.” Situational telecommuting is distinct from, and does not supersede provisions for, the performance of emergency work by bargaining unit employees as set forth in collective bargaining agreements.

To effectuate situational telecommuting, the University shall issue a directive or authorization to affected employees, as defined by unit, position/job, building/worksite, or other classification.

The above-listed provisions for routine telecommuting and remote work apply to situational telecommuting, except for the provisions requiring and detailing the establishment of telecommute/remote work agreements. Situational telecommuting does not change the conditions of employment or applicability of University policies. Situational telecommuting does not alter collective bargaining agreement provisions for emergency pay.

While situational telecommuting, employees are required to abide by all CAL POLY policies and procedures, including personnel policies and collective bargaining agreements regarding overtime, holidays, vacation leave and sick time. Employees’ duties, obligations, responsibilities, conditions of employment and standards of performance remain the same as when working at the regular CAL POLY worksite unless changes are approved by the manager. Employees are expected to maintain regularly-scheduled and approved work hours as agreed upon with their manager and be fully accessible during those hours. Exempt employees will agree to be available during specific agreed-upon core hours. The manager reserves the right to assign work as necessary at any worksite (in a manner that meets the specific requirements of an individual employee).

The duration of situational telecommuting is at the discretion of the University, however, if the period of situational telecommuting lasts for thirty (30) days or more, the university shall prepare a repopulation plan and notify the affected employees’ bargaining units.

**Other**

An employee's personal vehicle may not be used for University business unless specifically authorized in writing by the manager in advance of such use. If approval is received and pursuant to the [State of California Authorization to Use Privately Owned Vehicles on State Business STD 261](#), the employee must maintain throughout the term of this Telecommuting/Remote Work Agreement and at their own cost and expense, a policy of auto liability insurance with limits of \$50,000 per accident, \$100,000 per occurrence, and \$50,000 property damage. An employee may use personal vehicles while on travel status.

The employee will be solely responsible for any and all tax and/or insurance consequences/deductions, if any, of this arrangement and for conformance to any local laws/regulations (including but not limited to local zoning laws regulations). The University will not provide any individual guidance to the employee regarding potential tax or insurance implications arising from the Telecommuting/Remote Work Agreement nor any guidance regarding any local laws/regulations that may apply. Should the employee have any tax, insurance, or legal questions relating to routine telecommuting or remote work, the employee is encouraged to consult with their own legal and/or tax professional.