

# EXPECTATIONS FOR FLEXIBLE WORK ARRANGEMENT TELEWORK

Flexible Work Arrangements (FWA) are a powerful business strategy that helps our university recruit and retain employees in an effort to both aid in greater work-life balance while encouraging productivity.

As an employee of the University of Texas at Austin who will have a Flexible Work Arrangement (FWA) by performing telework from off-campus locations on an occasional, hybrid, or full-time remote schedule, I understand and agree to the following expectations:

## GENERAL EXPECTATIONS

- The ability to participate in an FWA is not an entitlement and is granted on a case-by-case basis by the manager, or FWA Authority, following CSU specific approval guidelines. Ongoing permission to participate in a flexible work arrangement is based on job function, work group, internal and external customer need, past and future performance, and leadership approval.
- Employee job responsibilities and standards of performance remain the same as when working a traditional schedule in a traditional location (either on campus or Other University Location), and employees will continue to be evaluated for performance on a regular basis. The quantity, quality and timeliness of employees' work are expected to be maintained or enhanced. Employees who are approved for an FWA are expected to meet the same standards of performance as employees who do not have a flexible work arrangement. Managers will continue to conduct performance evaluations for employees on a regular basis.
- Every FWA will be evaluated at least annually to ensure that employee work quality, efficiency, and productivity are not compromised. Employees who are granted an FWA may be requested to provide more frequent and more detailed reports of their work and progress.
- Employees will follow the agreed-upon work schedule and accurately document their hours worked. The intentional falsification of time records violates university policy and is subject to corrective action, which may include termination.
- Employees should consult with their department's Human Resources personnel as appropriate to discuss any potential change to benefits eligibility prior to signing.
- Employee must request manager approval in advance of working any overtime hours and will request manager approval to use vacation, sick, or other leave in the same manner as employees who do not have a flexible work arrangement.
- If the FWA is being requested as an accommodation under the provisions of the Americans with Disabilities Act Amendments Act (ADAAA), it must first be reviewed and approved by the University ADA Coordinators. Their office may be reached at 512-471-1849 or [ada@austin.utexas.edu](mailto:ada@austin.utexas.edu).
- Eight hours is the maximum number of holiday hours that may be applied to a scheduled workday. If the employee's scheduled workday is longer than eight hours (e.g., 10- or 12-hour shifts), the employee must use other paid leave to account for the difference in hours. If the holiday falls on an employee's scheduled day off, the holiday hours will count toward the calculation of state compensatory time. The employee may use earned state compensatory time pursuant to compensatory time off guidelines.
- These expectations may be temporarily adjusted to have employees meet critical deadlines, attend important meetings or complete assigned functions on campus, or Other University Location(s).
- Flexible work arrangements are not considered permanent and may end at any time for any reason, including performance concerns, organizational needs, or team

structural changes. Employees who desire to end or change their flexible work status may request to their manager, in writing, 30 days in advance of the desired change's implementation, or as much as the circumstances reasonably allow.

- These expectations are subject to the Rules and Regulations of the UT System Board of Regents and all of the policies and rules of UT System and UT Austin, including the UT Austin Handbook of Operating Procedures.
- These expectations are not an employment contract and do not guarantee or imply continuing or permanent employment with the University. A flexible work arrangement does not change the at-will nature of the employment relationship. The University reserves the right to temporarily suspend, alter or terminate the flexible work arrangement agreement without prior notice for any reason, including a violation of University policy; a violation of the agreed-upon expectations; a relevant change in university policy or law; a change in the University's business needs; or any impairment of the employee's work performance.

## HOURS

- Employees are expected to be available during normal working hours, and any change to those working hours must be approved by their manager in writing. Managers may, from time to time as needed, vary employees' working hours in order to meet University needs and other requirements.
- For non-exempt employees (employees eligible for overtime pay):
  - Employees must have their manager's approval to work hours in excess of or other than their scheduled hours.
  - Employees who work in excess of their assigned schedule must take additional meal and rest periods in accordance with the applicable policy.
  - Employees must accurately and promptly record all hours worked and the start and end times of all work periods and meal periods, regardless of whether that work was pre-approved or consistent with the employee's assigned work schedule (including off-the-clock work described below).
- For exempt employees (employees not eligible for overtime pay), the employee's assigned schedule is the baseline work timetable, and they are expected to work any additional hours necessary to timely and appropriately perform their duties.
- Employees will work and be accessible during their regularly scheduled hours, regardless of the location at which they work.
- Employees must put an out-of-office notice in their email and calendar software if they do not work their assigned schedule for any reason.

## EXPECTATIONS FOR TELEWORKING

All applicable policies and guidelines that apply when working on-campus remain applicable to telecommuting employees.

- Employees will remain accessible during the approved teleworking schedule, be available for teleconferences on an as-needed basis, and be available to come into the assigned work location (either on-campus or Other University Location) if a business need arises. Employees will be reachable at all times, during their scheduled work hours, by phone, video call, chat, text, or email, using University- approved tools and services, to the same extent as if they were working in their assigned work location.
- Employees will keep team members informed of telework days and time(s) not available and not scheduled to work ("out of the office").
- Employees will inform their manager as soon as possible if a

need to use flex time during the day or week arises.

- All employment agreements that employees have with the University, including those concerning proprietary information and intellectual property, remain in effect while teleworking. All applicable employment and labor law notices that are posted in the University's offices are also posted on the University's website.
- Telecommuting is not a replacement for appropriate dependent care or other responsibilities of employees' personal lives. Employees must provide the same undivided attention to their work as if they were working on campus. Employees' dependent-care arrangements should be separate from their workplace so that dependents will not interfere with work. If personal circumstances prevent employees from avoiding distractions or interruptions at the telework site (for example, inability to obtain dependent care or attending to family medical needs), the employee will notify their manager and Human Resources immediately. Any alteration in schedule to accommodate dependent-care needs must be approved by the employee's manager and Human Resources.
- Employees will keep personal disruptions, such as non-business telephone calls and visitors, to a minimum during regularly scheduled work hours.
- All applicable policies and guidelines that apply when working on-campus remain applicable while performing telework.

## **BENEFITS AND COMPENSATION**

- Compensation and most benefit plans will remain the same for telecommuting employees because the job responsibilities of telecommuters and on-campus workers remain the same. Employees approved to work outside of Texas, New Mexico, and Washington DC, however, may not have access to the same medical and dental insurance plans.
- The University's attendance and timekeeping policies, holidays, paid and unpaid leave (including sick leave) policies apply to telecommuting employees in the same manner that they apply to employees who work on campus.
- The University's paid time off policies apply to telecommuting employees. Employees must record and use paid time off for all variations from their regular work schedule, whether those variations occur while employees are at their telework location or elsewhere.
- Telecommuting employees will continue to be covered under the University's workers' compensation policy for injuries arising out of and in the course and scope of employment and during work hours and in the designated work area of the home. If an employee is injured on the job, they will promptly notify their manager and file a claim in accordance with University policy as soon as possible after the injury occurs.
- The University is not liable for injuries occurring in a telecommuting employee's home workspace when the employee is not working. Further, the University is not liable for loss, destruction, or injury that may occur in, to, or around a telecommuting employee's home, including to family members or visitors.

## **WORK LOCATION**

- If the regularly assigned place of employment is within the United States but outside the state of Texas, telecommuting employees may be subject to state and local income tax withholding which will be applied based on the employee's residence location reflected in Workday. Employee managers should contact Human Resources to ensure the university complies with appropriate work rules and state laws regarding employment in that state.
- If the regularly assigned place of employment is in a U.S. territory, the employee should contact the Tax Department at [tax@austin.utexas.edu](mailto:tax@austin.utexas.edu) to determine the taxing jurisdiction. Managers should contact Human Resources to ensure the University complies with appropriate work rules and territorial employment laws. U.S. sanctioned or restricted locations will not be approved for telecommuting.
- Non-exempt employees are authorized to work only at the approved location unless specifically

authorized by their manager to work while traveling, and then only to the extent authorized.

- Exempt employees are expected to regularly work at their approved location, except as needed to meet their job requirements or to travel for business.
- All employees must follow the University's policies related to travel, including travel time and travel reimbursement.

## **WORKSPACE**

- Telecommuting employees will maintain a safe, secure, ergonomic, distraction-free and appropriate work environment.
- Telecommuting employees will use a University-owned or -managed computing device if protected UT data is in use, and will not store or process confidential university data on a personal device.
- A telecommuting employee's remote workspace must be compliant and secure as described in the University's Telecommuting Policy, Handbook of Operating Procedures 5-2130. If something occurs that causes an employee's remote workplace to become non-compliant or unsecure, or that threatens such a result, the employee must notify their manager immediately.
- A remote workspace must allow telecommuting employees to minimize interruptions or distractions, such as by closing a door, where needed. Employees will notify their manager if there is a change to their dependent-care obligations or other personal obligations, or if changes to their remote workspace are needed to create privacy or otherwise minimize disruptions.
- No in-person University business-related meeting will occur in an employee's personal residence.
- Telecommuting employees will comply with the University Information Security Office (ISO) policies, standards and guidelines.
- Telecommuting employees will ensure their VPN client is enabled on all University-issued computers and mobile devices, and will ensure that University-issued computers are regularly updated whenever software updates are available.
- Telecommuting employees will promptly report to their manager any unauthorized access to proprietary information and any virus, malware, or other impediment to the full functioning of their computer equipment and programs.
- Telecommuting employees will promptly report to their manager any loss or damage to University equipment, files, documents or other resources.
- Telecommuting employees will use a workspace where Confidential university data cannot be observed or accessed by anyone else, and will secure all proprietary information consistent with University policy.
- Telecommuting employees will dispose of proprietary information according to the University's guidelines or return proprietary information to a University facility for disposal.
- Telecommuting employees must ensure that telecommuting from their designated workspace will comply with all applicable laws, including zoning, homeowner's association, and local business licensing laws. Employees will promptly notify their manager if they become aware of any changes in such laws or rules that affect the use of their workspace for telecommuting.
- Telecommuting employees will allow appropriate University administration personnel to inspect their designated remote workplace location at mutually agreed-upon times to ensure that safe and appropriate working conditions exist. 48 hours' advance notice is presumptively reasonable for visiting the workspace during regular business hours, Monday through Friday, on days not recognized as university holidays.

## **EQUIPMENT AND SUPPLIES**

- Telecommuting employees are responsible for providing space, telephone, and Internet capabilities at their remote workplace, and will not be reimbursed by the University for these or related expenses.

- Telecommuting employees are responsible for obtaining everything they need to fully perform their work remotely. Employees who need additional items to telecommute will discuss the additional needs with their manager and document the additional equipment approval or denial.
- Telecommuting employees must care for any University-owned equipment provided in a manner suitable to the equipment, normal wear and tear excepted, and the purposes for which it was provided.
- Telecommuting employees will complete the Off-Campus Inventory form for any University-owned equipment that is taken to a telework location.
- Telecommuting employees will promptly report to their manager any damage or loss of the University's equipment, other loss or injury to the University's interests, or any illness of or injury to the employee that is work-related or significant enough to affect the employee's work responsibilities.
- The University provides appropriate software licenses for employees regardless of work location. Employees will use University-supplied or -approved hardware and software at all times for all work for the University. University software, in addition to the hardware, remains the property of University and may not be duplicated or modified for any reason.
- Telecommuting employees must have and maintain an internet connection that provides a stable and secure connection from their home to the University's network.
- Telecommuting employees will transact all University business on the University's network and voicemail systems that belong to the University or are approved by the University.
- Telecommuting employees will send all email communications regarding University business through the University's email systems or as permitted by the University's information security policies.
- All telecommunications, email, and all data on University equipment, systems, and storage media are owned by the University, and all University-related email and all data on any personal equipment, systems, or storage media used for business are owned by the University. Such telecommunications, email, and data are subject to the University's policy regarding the ownership of and absence of privacy in such resources even if located at a remote location. The University may retrieve and read any message or data composed, sent, received, or stored on its equipment, supplies, systems, or storage media and may retrieve and read any University messages or data composed, sent, received, or stored on employees' personal equipment. The University may monitor employee use of University-owned telecommunications, email, and other data.

## TERMINATION

- Upon request, termination of the telecommuting arrangement, or termination of employment, employees will immediately make arrangements to return all University information, documents, files, storage media, supplies, equipment, and other property.
- Employees will safeguard all University-owned information, documents, files, storage media, supplies, equipment, and other property and all duplicates thereof until recovered by the University, regardless of any delay in the recovery by the University of such documents, files, storage media, supplies, equipment, and other property and all duplicates thereof, including such documents or information stored on my personal devices.

I have read, understand and reviewed with my manager all of the conditions for an FWA. I agree to all of the responsibilities of and conditions for an FWA that are described in this document.

**Employee Signature**

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**Employee Printed Name**

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**Employee Title**

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**Date**

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**Manager Signature**

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**Manager Printed Name**

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**Manager Title**

**Date**

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CSUs may have additional required approvals. Please consult with your departmental HR person.

**Optional Signature**

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**Optional Printed Name**

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**Optional Title**

**Date**

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