

College Operating Procedures (COP)



Procedure Title: Telework and Remote Work – FSW Anywhere
Procedure Number: 05-0508
Originating Department: Office of Human Resources

Specific Authority:

Board Policy 6Hx6:1.01
Florida Statute
Florida Administrative Code n/a

Procedure Actions: Adopted: 4/22/2022

Purpose Statement:

To establish a procedure that outlines the process for accomplishing work through teleworking, remote work, or compressed work weeks. This document provides procedural guidance to both employees and their supervisors when a voluntary telecommuting or remote work arrangement is requested.

Guidelines: Telework and remote work (TRW) may pose advantages for both Florida SouthWestern State College (FSW) and its employees, including increased productivity and performance, enhanced employee recruitment and retention, relief of on-campus space constraints, cost reduction, environmental sustainability, crisis response, and greater work-life balance. TRW is not an entitlement or college-wide benefit. Although some positions may require TRW, it is typically a voluntary work arrangement determined by the employees' supervisors/department head and vice presidents/senior executives/deans in which eligible employees fulfill their job responsibilities at a site other than their onsite work location during regularly scheduled work hours for an indefinite or finite period. The scope of this procedure covers voluntary TRW arrangements.

Reason for Procedure

FSW considers TRW to be a viable alternative work arrangement in cases where the individual employee, the job, and the supervisor are well suited to such an arrangement. Not all employees and positions are suitable for TRW. Suitability for TRW is based upon the individual employee as well as the employee's position and is to be determined by the employee's supervisor and department head and approved per this procedure. Informal TRW arrangements, such as working on the road during business travel, do not require the completion of FSW's Telework and Remote Work Agreement. Formal teleworking or remote work arrangements, which are long-term, short term and/or reoccurring, require the completion of FSW's Telework and Remote Work Agreement.

- Certain positions or units may not be eligible for TRW due to the nature of the work.
- Eligible employees must have acceptable performance and not be under corrective action in the last six months.
- TRW must be scheduled to ensure compliance with all applicable laws, including the Fair Labor Standards Act (FLSA).
- Employees performing remote work cannot be located outside of the state of Florida on a permanent basis. Permanent is defined as no longer a resident of the state of Florida.
- The employee proposing a flexible work schedule must take into consideration how their proposed schedule would affect their teammates, colleagues, and customers.

- The employee must ensure that the remote work location and regular procedures allow for adequate privacy and confidentiality protections of work product.
- The employee must have all of the tools available to them at their remote work location to successfully perform all work duties (e.g. hardware and software, internet, phone, VPN or other access to electronic files, teleconferencing capabilities, etc.).
- Each employing unit will make the determination which, if any, costs will be supported, in whole or in part, by the unit. Any additional costs due to remote arrangements will be at the employee's expense.
- College property that is taken to a remote work location requires prior approval by the employee's supervisor and department head. An employee's personal homeowner's or renter's insurance policy will be asked to cover any loss or damage to College property before College insurance becomes applicable to the loss.
- This agreement will be reviewed at least every six months to ensure it continues to meet the needs of the unit and employee.
- Employees are expected to work their normal work schedule, unless they receive their manager's prior approval to adjust their schedule. Employees need to remain productive and responsive during their scheduled work hours.
- Employees are expected to maintain a presence with their department/division/school while working remotely. Presence may be maintained by using appropriate technology including but not limited to: a computer, email, messaging application, video conferencing, instant messaging, Google sheets, Microsoft Teams, and/or text messaging. The employee is expected to maintain the same response times as if they were at their regular FSW location and will make themselves available to attend scheduled work meetings as required and/or requested.
- Employees need to have a working telephone or cellphone at their remote location. Employees should ensure that incoming calls to their office phone are forwarded to their remote location phone or mobile phone which can also be done remotely. Use of JABBER is recommended.
- Employees are expected to arrange for child/dependent care as necessary for the hours in which the employee works from home. Personal tasks and errands should only be performed during the employee's scheduled breaks and lunches.
- The College is not responsible for operating costs of any personal equipment (including, but not limited to, computers, personal devices, cellular or standard telephones), home maintenance of personal equipment, or any other incidental costs (utility provider costs, telephone costs or for any supply costs used in the home) associated with the use of an employee's alternative work arrangement.

Procedures

1. An employee in good standing (positive performance reviews/feedback/check-ins within FSW's performance management system (Agile Performance) and no disciplinary action within the last 12 months) who desires a TRW arrangement submits a written email request to their supervisor and department head. Employees who are not in good standing (e.g., have performance related or attendance issues), are not eligible to apply for remote work.
2. All TRW arrangements are made on a case-by-case basis, focusing first on the business needs of the College.
3. Once requested, the manager and employee determine if the requested arrangement is informal or formal, or pursuant to a campus crisis.

Informal Assignment -

projects that require concentration and fewer interruptions). These alternate work site situations can be approved by an employee's supervisor/department head on a case by case basis.

Formal Assignment - Formal TRW arrangements, are long-term, greater than 3 months.

- a. If the requested arrangement is deemed informal, completion of FSW's Telework and Remote Work Agreement is not required, but the arrangement must be documented by the supervisor and approved by the department head.
 - b. If the requested arrangement is formal, the supervisor, department head, and vice president/senior executive/dean, and employee must evaluate the suitability of a TRW arrangement, paying particular attention to the **Rules and Guidelines** listed in this document.
 - c. If the requested arrangement is pursuant to a campus crisis, the supervisor, department head, vice president/senior executive/dean, paying particular attention to the **Rules and Guidelines** listed in this document.
4. The supervisor, department head, and vice president/senior executive/dean determines if the TRW request is denied or granted.
- a. If the request is denied, the employee may send another request if the employee experiences a change in job responsibilities.
 - b. If the request is granted, the employee, supervisor must prepare a Telework and Remote Work Agreement listed in this document per 3C above that adheres to the Rules and Guidelines listed in this document. The agreement must be signed by the department head and vice president/senior executive/dean.

The supervisor must send a copy of any signed agreement to Human Resources for record keeping only. Human Resources may not grant/deny an employee's request for a remote working arrangement.

Rules and Guidelines

Job Responsibilities

- Discuss the employee's job responsibilities and determine if their position is appropriate for a TRW arrangement.
- Examples of jobs that may be suitable for TRW arrangements include those that have minimal face-to-face interaction, heavy data entry tasks, or specific objectives and performance standards that can be measured.
- Examples of jobs that may not be suitable for TRW arrangements include those that require frequent face-to-face interaction, onsite customer support or the need for access to onsite confidential documents.

Department and Employee Suitability

- Supervisors together with the department head will examine the needs of the department, including frequency of meetings, department goals and projects, other departments' schedules, and space constraints.
- Supervisors together with the department head will assess the performance of the employee to ensure that the employee is in good standing and to determine if the employee's work habits display the traits customarily recognized as appropriate for successful TRWs, such as reliability, responsiveness, and the ability to work independently. Employees who are not in good standing (e.g., have performance related or attendance issues), are not eligible.

Schedule

- The supervisor and employee will discuss and agree upon the number of TRW days allowed each week, the work hours and schedule that the employee will customarily maintain, and the manner and frequency of regular communication (i.e. via phone, video conferencing, and/or in person, etc.) with the supervisor and others in the department, College, vendors, etc.
- TRW workers must be as accessible as their onsite counterparts during their agreed-upon regular work schedule, regardless of work location. TRWs may be required to work at their onsite location for meetings, events, and other situations deemed necessary by their supervisors.
- Teleworkers or remote workers may be required, at any time, to commute to their onsite work location. This is considered commute time, and teleworkers and remote workers are not eligible to receive reimbursement for this travel.
- Teleworkers or remote workers may be required to forfeit use of personal offices or workstations at their onsite work location to maximize utilization of office space.
- Time Worked - Teleworkers or remote workers who are not exempt (hourly) from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked following [FSW's payroll procedures](#). Hours worked in excess of those scheduled per day and per workweek require the advance approval of the teleworker's supervisor. Failure to comply with this requirement may result in the immediate termination of the Telework and Remote Work agreement.

Equipment

- FSW may assess the alternate work location, including workspace design and equipment needs. FSW may determine the appropriate equipment needs for each TRW arrangement at the alternate work location on a case-by-case basis consistent with [FSW's ITS policies and procedures](#). FSW reserves the right to make determinations as to appropriate equipment, subject to change at any time. Teleworkers and remote workers **must** use the equipment provided by FSW. Use of personal computing devices is not permitted while performing work for FSW.
- When FSW's equipment is used at alternate work locations, teleworker or remote workers must exercise reasonable care for the equipment and should take appropriate action to protect the items from damage or theft. Teleworkers or remote workers may be held liable for damage caused by negligence. FSW equipment should be used for business purposes only and will be maintained by FSW.
- Like their onsite counterparts, Teleworkers and remote workers must adhere to FSW's [ITS Information Security Procedure](#).

Alternate Work Location

- TRW workers must establish an appropriate work environment within their alternate location for work purposes. FSW is not responsible for costs associated with setup of TRW's alternate office

spaces, such as remodeling, furniture or lighting, nor for repairs or modifications to alternate office spaces.

- Employees are solely responsible for the configuration of and all the expenses and services associated with remote workspace. This includes ensuring and maintaining an ergonomically appropriate and safe remote worksite. Employees must review the [Ergonomics 101 training](#). Employees will utilize this resource for the purpose of assessing and maintaining their remote worksite in a safe and ergonomically appropriate manner.
- Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. FSW will provide each Teleworker and remote worker with a safety checklist that must be completed at least twice per year. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Employees who telework and remote work are responsible for notifying their supervisor of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.
- The College is not responsible for ensuring the adequacy and ergonomic correctness of the remote workplace.
- If an employee has their own business or any other employment, telework or remote work may not be performed at their business location.
- Teleworkers or remote workers should not hold business visits or in-person meetings at their alternate work location unless approved by their supervisor or unless they are traveling and conducting College-business.
- Teleworkers or remote workers must take all precautions necessary to secure privileged information in their alternate work location and prevent unauthorized access to any FSW system, consistent with the FSW's expectations of information asset security for employees working at any FSW office. Teleworkers and remote workers will be expected to ensure the protection of proprietary FSW information and information accessible from their alternate work location. Please refer to FSW's [ITS Acceptable Use Procedure](#) for more information.
- Telework and remote work is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective Teleworkers and remote workers are encouraged to discuss expectations of telework and remote work with family members prior to entering an TRW arrangement.
- Teleworkers and remote workers are responsible for notifying their employer of any injuries sustained while at their alternate work location and in conjunction with their regular work duties in accordance with [FSW's workers' compensation procedures](#).

Required training:

Prior to telework or remote work, employee's must complete training on use of technology to assure a seamless transition. Topics will include:

1. Remote Work Certification

- a. Security Awareness Training - With an emphasis on remote work
- b. Remote technical support
- c. Technology Training – See list of technology below. Training is provided on each of these technology tools.

2. Technology Requirements (note that it is the expectation that when an employee is provided with these technologies and training to use them, the employee must use them in order to maintain TRW status.)

- a. FSW Provides:

- i. Dual Monitors
- ii. Laptop
- iii. Webcam
- iv. All necessary software related to your position at FSW
- v. Phone software
- vi. Remote computer access - Remote Desk Top (RDS)/Virtual Private Network (VPN)
- vii. File and Document Storage
- viii. Adobe sign
- ix. Microsoft Teams

b. Employee Provides

- i. High Speed Internet Access
- ii. Comfortable and distraction free work environment

Supervisors who have employees that are doing TRW are required to take Managing Hybrid Teams Training.

Compressed Work Week – A compressed workweek allows full-time employees to work longer days for part of the week or pay period, in exchange for shorter days or a day off each week or within the same pay period. In the event that an employee’s position does not allow for TRW or where the employee requests consideration for a compressed work week, the supervisor may allow for an employee to work less than an 8-hour day, 5 days per week. Business need and staffing requirements will be considered when reviewing a request for a compressed work week.

DEFINITIONS

Compressed Work Schedule is defined as an alternate work schedule completed in fewer than five (5) full workdays per week.

Core Business Hours is defined as the fixed block of time during which all Professional Staff Members are expected to be engaged in work. The primary expectation is that when meetings, calls or chats, and emails occur, staff will be available to respond during core hours. Each department will determine core hours for staff.

Department Head is defined as the administrator that oversees the day to day operation of a department, center or school within the College (e.g., director, dean).

Exempt Professional Staff Member is defined under the Fair Labor Standards Act (FLSA) as a Professional Staff Member holding a *bona fide* executive, administrative or professional position that is not subject to the overtime provisions of the FLSA. Exempt Professional Staff Members are considered salaried and cannot be docked for anything less than a full day’s work.

Flex Schedule is defined as an alternate work arrangement during telework and remote work, outside of the standard workday (each area may have a different work day such as 7a-3p, 8a-4p, 9a-5p, etc.)

Flexible Work Agreement is a written agreement between the Professional Staff Member and the immediate supervisor that details the terms and conditions of the Professional Staff Member’s Flexible Work Arrangement. It must be signed by the department head, vice president/senior executive/dean.

Flexible Work Arrangement as defined as a non-traditional work arrangement with varied start and stop times or locations; and can include 1) Compressed Work Schedule, 2) Flex Schedule, or 3) telework or remote work. The total numbers of hours worked during a pay period (for hourly employees) and productivity for all employees are expected to remain the same.

Non-exempt Professional Staff Member is defined under the Fair Labor Standards Act (FLSA) as a Professional Staff Member holding a position that is subject to the provisions of the FLSA.

Professional Staff Member is defined as an individual employed in any non-faculty category by FSW, including an individual who is deemed to be either exempt or non-exempt under the provisions of the Fair Labor Standards Act (FLSA) and/or applicable state law.

Telework is defined as a work arrangement where the Staff Member performs a portion of their job off-site (typically in a home office), on a regular, recurring basis.

TRW resources are as follows:

- [Telework and Remote Work Technology Resources and Guidelines](#)
- [Zoom](#)
- [Microsoft Office Teams](#)
- Additional information found at [Remote Desktop Service](#)

Other

- TRW workers' employment terms and conditions are not affected by changing to or from a telework and remote work schedule.
- TRW is not a replacement for dependent care.
- If employees will be teleworking or remote working outside of Florida, they must notify the following people prior to performing any services for FSW outside of Florida (except in the case of temporary business travel of 14 days or less):
 - a. Payroll
 - b. Human Resources

The availability of TRW as a flexible work arrangement for FSW employees can be modified or discontinued by FSW at any time. Additionally, employees or their supervisors and department heads can discontinue TRW working arrangements at any time. Every effort will be made to give reasonable advance notice of such changes. There may be instances, however, when no notice is possible.