



INTERIM TELECOMMUTING POLICY

No: SAAP 7-16

Date: June 2021

Authority: Wis. Stat. 36.115
UW System Board of Regents Policy 20-21
UW System Administrative Policy 1228
UWM Policy on the Creation of University Policies (SAAP 0-1)

Initiator: Vice Chancellor for Finance and Administrative Affairs

Responsible Party: Associate Vice Chancellor for Human Resources

1. Purpose

This policy provides a framework for telecommuting agreements with an employee and is based on UW System Administrative Policy 1228.

2. Scope

This policy does not apply to telecommuting agreements that are part of a reasonable accommodation under the Americans with Disabilities Act of 1990 or a religious accommodation under Title VII of the Civil Rights Act of 1964.

3. Definitions

Telecommuting: An employment arrangement in which an employee performs their job functions from an approved alternate worksite other than the employee's primary headquarters location (main office), one or more days per month on a standard and recurring basis.

Intermittent Telecommuting: An unplanned period of telecommuting arising out of transient circumstances (e.g. illness, weather emergency, temporary school closure, etc.) lasting no longer than ten consecutive business days.

Short-Term Telecommuting: A continuous period of part-time or full-time time telecommuting lasting no longer than three months.

Long-Term Telecommuting: A continuous arrangement for part-time or full-time telecommuting subject to at least annual review.

4. Policy Statement

It is the policy of the UW System and UWM that telecommuting arrangements are permitted when approved by the employee and their immediate supervisor with notice of the agreement provided to the appropriate Vice Chancellor/Division Head or Dean/designee, in the case of schools and colleges, when it is feasible that an employee could fulfill their job duties from an alternate location for the period covered by the arrangement; and when the telecommuting arrangement does not disrupt UWM's

operations. Telecommuting arrangements may also be initiated by the employer for any legitimate business purpose. The decision to authorize a telecommuting agreement is at the discretion of the supervisor, subject to the review of the appropriate Vice Chancellor/Division Head or Dean, in the case of schools and colleges. This policy applies to limited appointees, academic staff, university staff, and LTE or student employees. Faculty, instructional academic staff, graduate assistants, and teaching assistants must follow the policy only if they propose to work from outside Wisconsin.

A. Eligibility

1. Only employees whose job duties can be fulfilled from a remote location are eligible for a telecommuting agreement.
2. Telecommuting is only available if the work unit and institution can monitor or measure the work product produced by the employee during the period of telecommuting.
3. Telecommuting is only available to employees who have all tools required for their job available to them at the remote location, as determined by the employee's supervisor. Working space, insurance, utilities, and other services for the remote workspace must be provided by the employee at their own expense as a condition of the telecommuting agreement.
4. Prior to beginning a telecommuting arrangement, the employee must certify to UWM that their remote workspace meets minimum safety requirements.

B. Duration and Telecommuting Agreement

1. Intermittent Telecommuting is permitted for an eligible employee without a formal written agreement upon the mutual consent of the employee and their supervisor.
2. Short-Term Telecommuting is permitted for eligible employees. A short-term telecommuting agreement which extends beyond three months should be converted to a long-term telecommuting agreement if both the supervisor and the employee desire to continue the telecommuting arrangement.
3. Long-Term Telecommuting is permitted in accordance with this policy.
4. Any Short-Term or Long-Term telecommuting arrangement longer than two weeks must be documented through the [HRS Telecommuting Application and Approval Form](#).

5. Limitations

- A. The approval or end of a telecommuting agreement does not affect or change an employee's conditions of employment, salary, or benefits.

- B. Employees who are telecommuting are required to attend meetings, work, or other functions away from their alternate workspace, if circumstances require such travel.
- C. Employees who are not FLSA-exempt must report actual hours worked and may not work overtime, or additional hours that generate night or weekend differentials, without receiving supervisor approval in advance of the overtime work being performed. Night and weekend differentials are not available when a telecommuting employee chooses to shift their work hours into a night or weekend period for the employee's benefit or convenience.
- D. Employees who are telecommuting will work their approved normal work schedule during the period of the telecommuting arrangement unless an alternate schedule is agreed upon in advance.
- E. Employees who are telecommuting must be available during their normal work hours. Employees should be reachable by telephone, video conferencing or some other form of live communication during the workday, as per the arrangements with their supervisor and coworkers.
- F. An employee operating under a telecommuting agreement is subject to the same notification, approval, and reporting requirements for sick leave or other paid time off as if the employee were working at their UWM work location.
- G. Employees who are telecommuting must have general liability homeowner's or renter's insurance. Employees are responsible for notifying their homeowner's or renter's insurance company of their intent to work from home. Employees may not host UWS/UWM business visitors, including other employees, in their home. The employee must provide the employer with evidence of insurance upon request.
- H. Employees who are telecommuting are responsible for complying with all University of Wisconsin System risk management and information technology security and access policies while in their alternate workspace, as well as any UWM policies covering these subjects, to the same extent as if they were working at their primary headquarters location. UWM employees are also responsible for complying with all applicable UW System and UWM policies, and local, state, and federal laws while in their alternate workspace and during their work hours.

- I. Any telecommuting agreement which involves the employee working outside of the State of Wisconsin requires the approval of a Vice Chancellor/Division Head. Such approval shall only be granted after consultation with University Legal Counsel regarding the tax and employment law implications of remote work based out of state. A supplemental agreement may be required as part of the approval for out-of-state telecommuting. Employees approved for work out of state are responsible for complying with all tax laws and regulations that may apply in their work location.
- J. Maintenance of any University-owned equipment issued to a telecommuting employee will be performed only by a University-authorized technician. Maintenance and repair of employee-owned equipment is the responsibility of the employee.

6. Approvals

- A. Approval of any telecommuting agreement is at the discretion of the employee's supervisor.
- B. Notice of any telecommuting agreement longer than intermittent telecommuting will be routed to the appropriate Vice Chancellor/Division Head or Dean/designee, in the case of schools and colleges, overseeing the employee's work area.
- C. Telecommuting agreements may be discontinued with 30 days' notice by either the employee or the institution at any time without cause. This time may be extended by mutual agreement or may be shortened either by mutual agreement or if urgent, exigent circumstances require a shorter notice period to meet an important interest of UWM.
- D. Telecommuting agreements may be modified at any time at the discretion of the employee's supervisor. Employees should receive reasonable notice in advance of any modification. The length of the notice should be guided by the interests behind the modification balanced with the employee's needs. The length of notice is determined by the supervisor.
- E. If an employee is dissatisfied with a supervisor's decision regarding the approval, modification, or termination of a telecommuting agreement, the employee may bring any issues or concerns to the Human Resources Business Partner who works with their school, college or division for review and resolution.

7. Related Documents

[Regent Policy Document 25-3, *Acceptable Use of Information Technology Resources*](#)

[Regent Policy Document 25-5, *Information Technology: Information Security*](#)

[UW System Administrative Policy 1230, *Workplace Safety*](#)

HRS Telecommuting Application and Approval Form (accessed through employee login to [MyUW portal](#).)

- Login to your account at MyUW. Select Personal Information;
- Select Update My Personal Information;
- Login through your multifactor authentication. (Select your institution);
- Select Telecommuting Agreement from the panel on the left side of the screen; and
- Select New Telework eForm. Complete the form. It will be routed to your supervisor.

(For more information on how to access, submit, modify, and review a Telecommuting Agreement, see the Telecommuting Agreement Tipsheet at the bottom of the [Human Resources/Personal Information Help Videos and Tipsheets](#) page.)