

**Southeast Missouri State University**  
**Flexible, Hybrid, and Remote Work Policy, Operating Procedure, and Agreement**  
**April 2023**  
**DRAFT**

## **Policy**

### **I. Policy**

Southeast Missouri State University (“SEMO” or “the University”) recognizes that the utilization of flexible, hybrid, and remote work arrangements offers advantages for both the University and its employees where these arrangements are operationally appropriate. Flexible, hybrid, and remote work arrangements may include flexibility associated with work locations, modalities, and/or schedules.

This policy permits eligible employees to telecommute for all or, more commonly, part of their workweek. The University considers telecommuting to be a viable work option when it determines that both the employee and the job are suited to such an arrangement.

Flexible, hybrid, and remote work arrangements may be appropriate for some employees and jobs but not for others. These arrangements are not entitlements, are not an institution-wide benefit, and in no way change the terms and conditions of employment with the University. Employees working under approved flexible, hybrid or remote work arrangements are required to satisfactorily perform all job duties and to comply with all applicable University policies. The University has the right to refuse to make hybrid, remote, or flexible work available to an employee, and to terminate a hybrid, remote, or flexible work arrangement at any time.

Flexible, hybrid, and remote work arrangements must be memorialized in writing and comply with all legal requirements.

The operating procedures to implement this policy shall be issued and maintained by the Vice President for Finance and Administration.

## **Operating Procedure**

### **I. Scope**

SEMO will consider hybrid work options among its staff, requiring a defined number of days onsite per week. Fully remote and flexible work options will also be considered on a limited, case-by-case basis.

Any flexible, hybrid, or remote work arrangements will be consistent with departmental working hours and will ensure appropriate coverage, requiring clear communication strategies to indicate in-person and virtual availability.

## II. Types of Flexible Work Arrangements

While SEMO anticipates the vast majority of work arrangements to fall into the hybrid category, there are three types of work arrangements that are offered:

1. Hybrid Work Arrangement: Requires a defined number of days per week working onsite and a defined number of days per week working offsite (i.e., telecommuting)
2. Remote Work Arrangement: Exclusively telecommuting
3. Flexible Work Arrangement: Different shifts (start times/end times, work schedules)

## III. Eligibility

The nature of the role as well as customer expectations will dictate eligibility for flexible, hybrid, or remote work arrangements. A review of the individuals' suitability for a flexible, hybrid, or remote work arrangement must occur to assess the individual's potential for on-the-job success. Consideration should be given to:

- The employee's suitability for such an arrangement
- Overall job performance, including whether the employee is able to successfully:
  - Manage work responsibilities by planning ahead
  - Manage work responsibilities by prioritizing what is important
  - Regularly meet deadlines
  - Problem solve and resolve issues independently
  - Focus and be productive when working
  - Communicate well with supervisors and keep them informed
  - Be a team player
  - Communicate well with coworkers and keep them informed
  - Be prepared to meet the level of availability and responsiveness required to meet the University's needs
  - Understand how their work requirements contribute to the University's success
  - Understand the results they are responsible for
- Job responsibilities and whether those responsibilities are conducive to the requested arrangement
- Impact on the office's customer service delivery requirements
- Home domicile for payroll tax withholding purposes

Employees seeking remote or hybrid work options must have sufficient and secure internet capabilities and will remain responsible for the cost of internet services.

Additionally, there will a probationary period of three (3) months for existing SEMO employees and six (6) months for new employees to align with the current SEMO probationary policy, as well as an annual and mid-year review to align with the performance management cycle.

#### IV. Working Out-of-State

For permanent, fully remote employees, there are a limited number of identified states that employees will be allowed to work from due to tax withholding requirements and other reasons. The currently identified states in which employees are allowed to work are MO, IL, KS, AR, KY, TN, and FL.

Should a permanent, fully remote employee move, resulting in a home domicile change (city and state), the employee must notify the University as soon as feasible.

**Commented [CC1]:** Added language to require employees to notify the University when they move. Similar language has also been added to the FWA expectations.

For employees who will be working remotely on a short-term, temporary basis, if the duration of remote work is two (2) or more weeks, the employee is required to seek the appropriate approvals.

Remote work in foreign countries will not be permitted at this time.

#### V. Application Procedure

Employees requesting flexible, hybrid, or remote work arrangements should complete the following steps:

1. Employee, supervisor, and Human Resources meet and evaluate:
  - a) Employee's suitability for such an arrangement
  - b) Overall job performance
  - c) Job responsibilities and whether those responsibilities are conducive to the requested arrangement
  - d) Impact on the office's customer service delivery requirements
  - e) Home domicile for payroll tax withholding purposes
2. If the employee and supervisor believe the proposed or requested arrangement is feasible, the employee should submit a request through the established workflow for review by their supervisor, HR, IT, and ultimate approval of the division executive.
3. Once the request is approved, the agreement form will follow the below workflow:
  - a) Supervisor
  - b) HR
  - c) Employee
  - d) IT
  - e) HR for personnel record retention

#### VI. Hours of Telecommuting and Availability

- Remote and hybrid workers shall work normally scheduled hours.
- During normally scheduled hours, remote and hybrid workers must communicate any unavailability to their manager or supervisor.

- During normally scheduled hours, unavailable time must be approved by the remote worker's manager or supervisor and reflected on the worker's time sheet or leave report.
- University leave policies will apply equally to remote and hybrid workers including reporting of illness.
- During normally scheduled hours, the remote worker must keep his/her/their availability on his/her/their personal email calendar up-to-date with "out of office" events to indicate any work-related unavailability.
- Effective communication is essential for this work arrangement to be successful. The employee will be available by phone, email, or other electronic methods (i.e., Microsoft Teams, etc.), during scheduled telecommuting work hours. Teleconferencing is a reliable means of communication and may substitute for actual attendance at some meetings.
- Remote working employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the University's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the employee's supervisor. Failure to comply with this requirement may result in immediate termination of the remote work agreement, discipline, and/or termination of employment.
- Should the University encounter an unexpected closure (i.e., weather-related event), the remote worker should not choose to work at the remote location/site unless supervisor's written approval is received in advance, or prior to any work performed at the home workplace.
- In instances where the University is closed for other unexpected events (i.e., a water main break), telecommuting employees are not expected to work.
- The remote work agreement will need to be reassessed and reviewed by the employees' manager or supervisor periodically in alignment with the mid-year and annual review cycle.
- Telework under this policy is not considered an accommodation under an ADA accommodation request. Those requests are independent of this policy unless expressly designated under the accommodation application and approval process.

## **VII. Equipment**

Provision of additional equipment (e.g., laptop, telephone, monitors) to support remote work will be at the discretion of the University. In general, laptops will be provided for hybrid workers and desktops will be provided for fully remote workers.

The Information Technology department will serve as a resource in this matter. Providing equipment may require advanced notice to order equipment of at least three weeks, sometimes longer. Equipment supplied by the University will be maintained by the University. University supplied equipment needing troubleshooting/repair that cannot be accomplished with remote assistance tools is to be returned to campus. Equipment supplied by the employee, if deemed appropriate by the University, will be maintained by the employee. The University accepts no responsibility for damage or repairs to employee-owned equipment. The University reserves the right to make determinations as to appropriate equipment, subject to change at any time.

Equipment supplied by the University is to be used for business purposes only. The remote worker must sign an inventory of all University property received and agree to take appropriate action to protect the items from damage or theft. The employee agrees to report to their manager or supervisor any instances of loss, damage, or unauthorized access at the earliest reasonable opportunity.

Upon termination of employment, all University property will be returned to the University, unless other arrangements have been made. The University reserves the right to make determinations as to equipment needed or the adequacy of the equipment, subject to change at any time.

#### **VIII. Security**

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary or confidential University and student/customer information accessible from their home office.

#### **IX. Safety**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. SEMO will provide each telecommuter with a safety checklist that must be completed at least twice per year. Office set up, workplace ergonomics, and internet speed are subject to the University's inspection prior to the beginning of the arrangement's begin date.

Telecommuting employees are responsible for notifying the employer of any workplace injuries as soon as practicable. The employee is always liable for any injuries sustained by visitors to his or her home worksite.

#### **X. Dependent Care**

Telecommuting is not a replacement for childcare, eldercare, or other family or personal needs. Although an individual employee's schedule may be modified to accommodate individual needs, the focus of the arrangement must remain on job performance and meeting business demands, whether on campus or telecommuting. Prospective telecommuters are encouraged to discuss expectations of telecommuting with household members prior to entering a probationary period.

#### **XI. Time Worked**

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using SEMO's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in disciplinary action up to and including termination of employment, in addition to the immediate termination of the telecommuting agreement.

**XII. Ad Hoc Arrangements**

Temporary telecommuting arrangements may be approved at the supervisor's discretion. These temporary arrangements should be minimal, unusual, limited in scope and duration, and are approved on an as-needed basis only, with no expectation of ongoing continuance.

Informal, short-term arrangements may be made for employees through the medical or disability accommodation process as administered and determined by Human Resources in consultation with the impacted employee and supervisor.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

**XIII. Faculty**

While the flexible, hybrid, and remote work policy only pertains to staff at this time, SEMO is committed to considering opportunities for faculty in the future. As of now, faculty requests for teaching online (including office hours) rather than face-to-face must be approved in advance by department chairs or Deans.

## Flexible Work Agreement Form

Employees seeking to work in a flexible, hybrid, or remote environment will be expected to sign a flexible work agreement (FWA) document memorializing the arrangement. Flexible work agreements will be entered with a probationary period of three (3) months and will be reviewed on an annual and mid-year basis in alignment with the performance management cycle. This agreement does not alter the terms, conditions, or at will status of employment at the University.

**Commented [CC2]:** Similar language is included in the policy.

Please provide the following information:

### Personal Information

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

Southeast ID Number: \_\_\_\_\_

### Select Work Arrangement Type(s)

Hybrid Work Arrangement: Requires a defined number of days per week working onsite and a defined number of days per week working offsite (i.e., telecommuting)

Remote Work Arrangement: Exclusively telecommuting

Flexible Work Arrangement: Different shifts (start times/end times, work schedules)

### Structure

1. Approved agreement begin date: \_\_\_\_\_
2. Probationary period end date (3 months from begin date): \_\_\_\_\_
3. Expected days/hours worked remotely per week: \_\_\_\_\_
4. Availability during work hours: \_\_\_\_\_
5. Home domicile location (city and state): \_\_\_\_\_
- ~~6. Current — Terminated~~

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### Expectations

The employee acknowledges and agrees to the following:

- Laptops will be provided to hybrid employees and desktops will be provided to fully remote employees.
- The University will supply softphone access to hybrid and remote employees.
- Employees must maintain the minimum internet speed as determined and outlined by IT. The employee authorizes IT to audit internet speed prior to the agreement begin date and throughout the duration of the agreement.
- Office set up and worksite ergonomics are subject to University inspection and approval prior to the arrangement's begin date.

- Employees will be responsible for all costs associated with remote office utilities, furniture, internet access, printers, monitors (unless previously authorized), and office supplies (unless otherwise required by law).
- Equipment and security protocols, including University inspection, must be completed prior to the arrangement's begin date.
- Employees must notify the University if there are changes to their home domiciles.
- Hybrid and remote employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked. Hours worked in excess of those scheduled per workweek require the advance approval of the employee's supervisor.
- If an agreement ends for any reason, the employee will have a defined transition period to make necessary or alternate arrangements related to personal responsibilities.
- On-the-job and workers compensation injuries sustained while working remotely should be reported in accordance with SEMO policy.
- Individual performance levels should be maintained throughout the duration of the work arrangement.
- Employees will be responsible for maintaining clear and frequent communication with supervisors and customers while working remotely.
- Flexible, hybrid, and remote work are not replacements for childcare, eldercare, or dependent care and arrangements should be made accordingly.
- Should the University encounter an unexpected closure (i.e., weather-related event), the remote worker may not choose to work at the remote location/site unless supervisor's written approval is received in advance, or prior to any work performed at the home workplace.

**Commented [CC3]:** Added language intended to capture the notification requirement when an employee moves.

**Equipment**

IT equipment issued to employees:

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