2.1.20 STAFF TELECOMMUTING AND REMOTE WORKING

Last updated on: 12/08/2017

Formerly Known As Policy Number: 2.1.21

As technology has made it possible to be more flexible in the way we work together to achieve our mission, Stanford recognizes that some staff seek the option of telecommuting on a regular, part-time basis. In appropriate circumstances, this preference can be accommodated. In addition, and also in appropriate circumstances, Stanford may hire or transition existing staff to work remotely. This guide memo sets forth policies and procedures to facilitate telecommuting and remote working arrangements for eligible employees in appropriate circumstances.

Authority:
Approved by the Vice President for Human Resources

Applicability:
Applies to all regular employees as defined in Guide Memo 2.2.1 – General Employment Policies: [1]

Definitions. This policy does not apply to:

- Casual or temporary employees
- Employees covered by collective bargaining agreements
- Faculty
- Employees who are remotely working outside the U.S. See Guide Memo 12.2.22 [2].
- Employees telecommuting temporarily but for an extended period outside the U.S. See Guide Memo 12.2.21 [3].

1. Policy Statement/Philosophy

The workplace culture at Stanford is one that is rooted in collaboration, continuous discourse about planned work and projects underway, and in providing stellar service to our faculty, students, patients, alumni and donors. With appropriate use of technology and managerial oversight, staff whose roles allow for some work hours to be performed away from their Regular Stanford Work Location may be eligible for telecommuting. (“Regular Stanford Work Location” is defined below in 2(a)).

Though telecommuting might be a viable option for many eligible staff employees, it is not a right; it is an option that can be modified or revoked by Stanford at any time. Staff whose work cannot be performed at a location away from their Regular Stanford Work Location are not eligible to telecommute. Further, for a variety of operational reasons, telecommuting may not be extended to all employees who meet the minimum eligibility criteria described in Section 3 below. Decisions about the suitability of telecommuting are discretionary and typically made by the management (“Management”) in the school, department or business unit (“Department”) where the employee works, in consultation with local HR.
Agreements to requests to telecommute may be made when the arrangements are feasible, secure, reliable, effective, and meet Management’s goals and operational needs, all as determined in the discretion of Management. Management generally will determine the specific procedures for evaluating, approving or denying a telecommuting request in a manner consistent with this policy. At all times, telecommuting employees will have access to a fully equipped workspace at their Regular Stanford Work Location.

In addition, some Departments may have work conducive to hiring remote staff. Remote employees are defined below in Section 2.

2. Definitions, Requirements and Obligations

a. Definitions

(1) “Stanford Campus” means the Stanford historical campus and the Stanford Redwood City Campus.

(2) “Stanford Alternative Work Location” means Stanford owned or leased premises, other than the Stanford Campus.

(3) “Regular Stanford Work Location” means the Stanford Campus or Stanford Alternative Work Location designated by Stanford as the primary location at which the employee is generally expected to perform their work.

(4) “Remote employee” means a Stanford employee who is approved, assigned, or designated by Stanford to work from a site other than the Stanford Campus or a Stanford Alternative Work Location as their primary work location. This also includes an employee who is approved, assigned or designated by Stanford to telecommute on a full-time but temporary basis (more than 4 consecutive weeks) from a location other than the employee’s Regular Stanford Work Location.

(5) “Telecommuting” means performing Stanford work on a regular, part-time basis from a location other than the employee’s Regular Stanford Work Location, provided the location is not the Stanford Campus or a Stanford Alternative Work Location.

b. Telecommuting Requirements and Obligations

(1) After approval by departmental management, a telecommuting employee must sign the current form of Telecommuting Agreement and any other agreements and documents the Department or university may require. The Telecommuting Agreement should be reviewed periodically but no less frequently than annually.

(2) Departments must keep current records of the locations from which an employee telecommutes. Such records must include the number of employees telecommuting from each city, county and state, the frequency each such employee telecommutes from such location, and the duration of the telecommuting on each such occasion.

(3) Employees who are approved by their Department to telecommute are responsible to ensure, at their own expense, that their telecommuting worksite is ergonomically appropriate. Stanford resources exist to assist employees in making that determination, including the EHS 3400 training in \textit{STARS} \cite{4}, the Computer Workstation Ergonomic Evaluation and the SU Work-
At-Home Safety Checklist, all available on the Environmental & Health Safety (“EHS”) website at ehs.stanford.edu [5]. Employees who do not have or are not able to provide themselves an ergonomically appropriate place to work should not telecommute and should work instead at their Regular Stanford Work Location.

(4) Travel between an employee’s home and any telecommuting location is considered part of an employee’s normal commute and is non-reimbursable. The university will continue to provide telecommuting employees with appropriate reimbursement for approved, Stanford-related business travel in accordance with its travel reimbursement policies.

c. Remote Working Requirements and Obligations

(1) Remote working arrangements must be approved by the Senior Associate Dean, Senior Associate or Associate Vice Provost, or Vice President of the Department as well as the local senior human resources manager. All employees hired as or transitioned to a remote employee status must sign a current Remote Working Agreement (Note: The general template for this Agreement is approved by Office of General Counsel (“OGC”) and substantive or significant changes may require OGC approval).

(2) All Departments must keep current records of the locations from which an employee is remote working. Such records must include the the city, county and state. Remote employees should update their location with the Department within five business days after changing the city, county and/or state from which they are working. Remote employees must obtain approval from the Senior Associate Dean, Senior Associate or Associate Vice Provost, or Vice President of the Department, or their designee, as well as the local senior human resources manager if they wish to relocate their remote workspace to a different city, state and/or country prior to such relocation.

(3) Remote employees are paid competitive rates based on the local economy for the geographic region where they work as determined by Management in consultation with University Human Resources--Staff Compensation, all as approved by OGC consistent with applicable laws. The university may adjust salary rates for employees who become remote employees consistent with the foregoing. In addition, Management should review the provisions of Administrative Guide Memo 2.2.2 [6], and Fingate [7] with respect to out of state payroll for remote employees working in the U.S. but outside of California.

(4) Generally, the university does not maintain an equipped workspace on the Stanford Campus or a Stanford Alternative Work Location for remote employees. Accordingly, Departments with remote employees are required to provide reasonable reimbursement for (and/or supply) the equipment, services and supplies deemed by the university to be reasonable and necessary to enable remote employees to perform their Stanford work, all in accordance with Stanford’s policies governing reimbursement of business expenses.

(5) Remote employees must be provided with appropriate reimbursement for approved, Stanford-related business travel in accordance with its travel reimbursement policies.

(6) Remote Working arrangements may be discontinued at the discretion of Management or the Department for reasons and upon notice which the Department deems appropriate under the circumstances. In such event, the Department may consider offering the remote employee the opportunity to work at the Stanford Campus or Stanford Alternative Work Location which the Department deems appropriate, but is under no obligation to do so. Nothing in this Administrative Guide Memo requires a Department to retain a remote employee whom the
Department would otherwise terminate or lay off, consistent with university policies.

3. Eligibility and Expectations

a. Eligibility Factors for Telecommuting

Generally, Departments and Management should take into consideration, among other factors, the nature of the job/work, operational needs, whether the Department can maintain the quality of their services to members of the university community (and public, if applicable), performance and productivity of the employee, attendance and the ability of the employee to work independently. Typically, employees who have received discipline within the preceding twelve months and employees who have not completed at least six months of their trial period should not be considered eligible for telecommuting.

b. Eligibility Factors for Remote Working

When considering whether remote working is appropriate, Departments and Management should take into consideration, among other factors, the nature of the work, costs described in this AGM above at 2.c.(4), whether the Department can maintain the quality of their services to members of the university community (and public, if applicable) with an employee in such role working remotely, and whether the work should or must be performed remotely.

When an existing employee wishes to transition to work remotely, Departments and Management should take into consideration applicable factors listed above, but also costs associated with travel that would not have been necessary had the employee continued working at their Regular Stanford Work Location, performance and productivity of the employee, the challenges associated with replacing the employee locally, and the ability of the employee to work independently.

c. General Expectations for Telecommuting and Remote Working

(1) Telecommuting/Remote Working is not intended to permit staff to have time to work at other jobs, provide dependent or other care during work hours, or run their own businesses. Engagement in any such activities during expected work time may result in immediate termination of the telecommuting agreement/remote working agreement and/or possible corrective action (including potential termination of employment).

(2) Compliance: Employees who telecommute or work remotely must comply with all Stanford policies and procedures, including adequately safeguarding and securing any restricted or confidential information (including PHI) with which they work in accordance with applicable law as well as Stanford and the Department’s policies and procedures. This may include encryption of all computer equipment used in the performance of Stanford work. Failure to fulfill work requirements, both qualitative and quantitative, may result in revocation of telecommuting, disciplinary action, or termination of employment.

(3) Work Schedule: Employees who telecommute or work remotely are expected to have regularly-scheduled and approved work hours (determined by the Department), to be fully accessible during those hours, and to attend meetings and functions in person (some of which may be on the Stanford Campus or Stanford Alternative Work Locations) as may be required, including on days they, if telecommuting, would customarily telecommute. Non-exempt employees who are approved to telecommute or work remotely are required to strictly adhere
to required rest and meal breaks, and to accurately report their work hours. Details concerning
timing and duration of required rest and meal breaks are set forth in Administrative Guide
Memo 2.1.5 [8]. Non-exempt employees must obtain prior approval before working any
overtime.

(4) Telecommuting and remote working arrangements end no later than at the employee’s
termination, including for employees who leave Stanford University for Stanford University
Hospital or the Lucile Packard Children’s Hospital at Stanford. A telecommuting arrangement
may be discontinued at any time prior to termination of employment in the university or
Management’s sole discretion, or at the request of the telecommuting employee. A remote
working arrangement may be discontinued at any time prior to termination of employment for
reasons and upon notice which is deemed appropriate by the university in the university or
Management’s sole discretion.

4. Guide to Supervisors

Supervisors and managers have several key resources available when considering telecommuting or remote
work situations, or when hiring a remote worker, including:

(1) The Department Human Resources Manager [9], who can guide Management through the required
approvals and process.

(2) University Employee & Labor Relations (“ELR”), who can provide counsel on flexible work options.
ELR can be reached at stanfordelr@stanford.edu [10] or 650-721-4272.

(3) Environmental Health & Safety [11], who can guide you on the ergonomic and safety issues.

(4) Global HR, who can guide Human Resources Managers (HRMs) and Management when an
employee requests to work outside of the US. Global HR can be reached at
globalhrprograms@stanford.edu [12] or 650 497-4339.
