

Responsible Office: Human Resources

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A. Introduction

The purpose of these guidelines is to help supervisors and employees develop remote work arrangements that are clear, policy compliant, and in the best interest of both the University and the employee. Supervisors are expected to follow these guidelines when developing and approving remote work arrangements. A **Remote Work Agreement** must be completed before the employee begins a standard remote work arrangement.

Guidelines on remote work are not intended to serve as a substitute to the interactive process as defined by the Americans with Disabilities Act (ADA). While remote work may be a reasonable accommodation under the ADA, reasonable accommodation requests are separate and distinct from these guidelines and reviewed on a case-by-case basis. Supervisors are expected to work closely with the University Disability Management Consultant during the interactive process.

The opportunity to work remotely is a privilege that may be appropriate for some positions. The remote work arrangement is evaluated on a case-by-case basis, subject to approval at management's sole discretion and does not change the terms and conditions of employment with the University. Approval decisions will be in alignment with the University's policy on **Discrimination, Harassment, and Affirmative Action in the Workplace**.

B. Definition

Remote work is an arrangement in which the employee performs their primary job functions at a non-UCI-controlled location for all or part of a workweek. Successful remote work arrangements serve the needs of both the employee and the University.

There are two types of remote work arrangements: (1) standard remote work arrangements and (2) temporary remote work arrangements.

A standard remote work arrangement is part of an employee's regular, ongoing schedule, and is established when management follows the guidelines set forth here and determines a remote work arrangement is appropriate. The employee and management must sign a **Remote Work Agreement**. It is recommended that the remote work agreement be reviewed annually and updated if needed.

A temporary remote work arrangement is short in duration and established in response to a unique event, special work assignment, or other circumstance that justifies a short-term remote work arrangement. The employee and management may agree to a temporary remote work arrangement without the need to sign a **Remote Work Agreement**.

C. Conditions

The following conditions must be met to establish a standard remote work arrangement:

1. Any remote work arrangement requires the **Remote Work Agreement to be completed and approved**.
2. The supervisor and the employee must have a clear understanding of what work will be performed and the way it is to be completed.
3. Remote work is not a substitution for dependent care. Although an employee's schedule may be modified to complement child or dependent care needs, the focus of the arrangement must remain on maintaining job performance and meeting business demands.
4. If an employee is in a non-exempt position, the supervisor and employee must closely monitor work schedules, meal and rest periods, and time tracking to ensure that overtime policies and other work rules are properly observed. Non-exempt employees are paid hourly and are eligible for overtime.
5. Employee has an appropriate and safe workspace conducive to performing their duties.
6. No staff employee is permitted to work internationally under a standard remote work arrangement.
7. Exempt employees may not work from a state other than California unless approved by supervisor, department leadership, and HR Policy & Compliance. The **Out-of-State Remote Work Criteria Checklist** must be completed and signed. Exempt employees are paid salary and are not eligible for overtime.

Effective October 1, 2022, non-exempt employees are not eligible to work outside California. (For existing non-exempt employees who have previously been approved to work out of state before October 1, 2022, new agreements reflecting the accurate work location address must also be routed to HR Policy & Compliance for review. Any such employees must also follow appropriate tax and labor laws.)

D. Authority

In accordance with the **Work Reimagined Guidelines and Principles**, department authorities (deans, vice chancellors, associate chancellors, chiefs, or their designees) have the authority to approve in-state remote work arrangements.

If more employees request remote work arrangements than a department can reasonably accommodate, the department is expected to respond to requests in accordance with these guidelines, in a way that is fair and equitable to all employees and that supports the requirements and operational needs of the department.

E. Implementation Steps

The supervisor is responsible for determining if remote work is a viable option for the employee and the position and completes the **Remote Work Criteria Checklist**. The supervisor then works with

the employee to establish the formal written agreement which must then be signed by the department authority.

1. The supervisor will determine if remote work is a viable option for the employee and the position and complete a **Staff Remote Work Criteria Checklist**. The supervisor considers several factors in making this determination including, but not limited to, the following:

- **Job responsibilities and nature of the work.** The supervisor should determine whether the job responsibilities and nature of the work lend themselves to remote work. For example, jobs that entail working alone or working with equipment that can be kept at the alternate work site may be suitable for remote work. However, jobs that require physical presence at the worksite to perform effectively are normally not suitable for remote work.
- **Equipment.** The supervisor should determine whether the employee has all the equipment necessary to perform the work remotely, and whether the employee needs specialty equipment to perform their job. Environmental Health and Safety is available as a resource to provide information on a safe and ergonomically sound work environment. All equipment that is to be provided by the University must be approved by the appropriate department approver and be consistent with University purchasing guidelines.
- **Security.** The remote work location must ensure the accessibility and protection of proprietary, private, and sensitive information.
- **Cost effectiveness.** The supervisor should review any cost savings the department would realize or additional expenses the department would incur because of any agreement.
- **Scheduling.** The supervisor should consider whether the employee would be available during normal business hours and/or when the department needs to contact the employee.
- **Space allocation.** Employees on a remote work agreement who perform their duties from a non-University worksite fewer than three days a week should have an assigned workspace at their location. Employees on a remote work agreement who perform their duties from a non-University worksite three or more days a week may have an assigned workspace, or an alternate workspace will be made available to them.
- **Department workload.** The supervisor should evaluate whether the remote work arrangement would adversely impact the services or workload of the department.

2. After the supervisor determines a standard remote work arrangement is feasible, the supervisor is responsible for obtaining approval from their department authority.

3. If a standard remote work arrangement is approved, the employee is responsible for confirming their ability to meet the following requirements:

- **Security.** Ensuring that University equipment and records are maintained in a safe and secure condition.

- **Equipment.** University-provided equipment is to use exclusively by the employee and primarily for University business.
 - **Availability.** Being available for contact during the agreed-upon remote work schedule and ensuring that University records are available to the department when requested.
 - **Communication.** Communicating regularly with their supervisor and providing updates as appropriate. The employee must communicate with their supervisor if they experience any issues or challenges while remote work that may interfere with their performance.
 - **Commute.** The employee must be able to report onsite or travel when required
4. If an exempt employee's remote work arrangement results in permanent out-of-state residence, the supervisor must complete the **Out-of-State Remote Work Criteria Checklist** and their local HR professional must consult with HR Policy & Compliance and receive approval before finalizing the agreement and submitting for final signatures.
 5. The supervisor works with the employee to complete the **Remote Work Agreement**, obtains signatures and approvals, forwards a copy to their unit HR professional (if not routed via DocuSign), and once fully approved and complete, provides a copy to the employee. If an exempt employee's **Remote Work Agreement** results in permanent out of state residence, the unit HR professional must consult with HR Policy & Compliance and receive approval before finalizing the agreement and submitting for final signatures.
 6. During the period of remote work, the supervisor and employee are both responsible for:
 - **Equipment.** An inventory of University equipment, including serial numbers or other identifying information, shall be completed before the employee begins remote work, and updated as needed. University equipment must be available for inspection, maintenance, and repair, which may require the employee to bring equipment to their primary work location.
 - **Workplace Injuries.** The employee must immediately report work-related injuries incurred in the remote work location, during agreed upon working hours, to their immediate supervisor. Work-related injuries will be handled in the same manner as injuries incurred at the employee's primary worksite.
 - **Evaluation.** The effectiveness of the remote work arrangement will be periodically evaluated with consideration for employee performance, impact to the office, and employee welfare. Ending or modifying the terms of the arrangement may be required.
 7. An employee's mental health is as important as their physical health. Supervisors should inform employees of available resources on well-being and self-care, including mindfulness practices located at **UCI HR Wellness** and **UCI Employee Assistance Program**.

F. References

University of California Policies

Discrimination, Harassment, and Affirmative Action in the Workplace UC Business and Finance Bulletin G-46
UC Policy G-28: Travel Regulations

Represented Employees

See appropriate **collective bargaining agreement**.

Personnel Policies for Staff Members

PPSM-3: Types of Appointment

PPSM-22: Probationary Period

PPSM-23: Performance Evaluation

PPSM-30: Compensation

PPSM: 2.210: Absence from

Work OSHA Workplace Safety

Notice Workers' Compensation

Notice ADA Americans with

Disabilities Act

UCI Resources

Remote Work

Agreement UCI HR

Wellness

UCI Employee Assistance

Program Work Reimagined