



Campus Administrative Policy

Policy Title: **Alternative Work Schedules and Remote Work Arrangements**

Policy Number: 4032 Functional Area: Human Resources

Effective: June 1, 2021, Denver Campus
September 7, 2021, Anschutz Medical Campus & Consolidated Units

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Applies to: CU Anschutz Medical Campus
CU Denver Campus

A. INTRODUCTION

The University of Colorado Denver | Anschutz Medical Campus is committed to providing efficient and effective services to its students, staff, and the public. This work is achieved through the efforts of a skilled and dedicated workforce comprised of faculty and staff. Faculty and staff are expected to be available to students, colleagues and university constituents on a regular and consistent basis while focusing on the execution of their work, all in support of their department and the university mission.

The purpose of this policy is to set forth guidelines for supervisors who wish to implement alternative work schedules and/or remote work arrangements for employees in their unit.

B. POLICY STATEMENT

Alternative work schedules and/or remote work arrangements, as defined below and in APS 5026, are granted to employees only with the approval of the employee's supervisor, and the unit Human Resources business partner. Alternative work schedules and/or remote work arrangements do not affect a supervisor's ability to change work expectations or the employee's work schedule. Alternative work schedules and/or remote work arrangements may be discontinued or modified at any time.

Supervisors and/or appointing authorities determine whether an alternative schedule or remote (or partially remote) work is appropriate based on the essential duties of each employee's job/role and the needs of the University. With respect to remote work (or partially remote work) an assessment should be made on a case-by-case basis to determine whether the work needs to be conducted entirely on-campus, partially on-campus (hybrid), or entirely remotely. Alternative work schedules and/or remote work is an option, not an entitlement, and such arrangements do not change the terms and conditions of employment. A unit or school/college/department may decide not to permit alternative work schedules and/or remote work due to the nature of their operations.

The essential consideration should be the provision of optimal customer service, and work schedules and locations which are advantageous to both customers and employees. The following factors should be considered by supervisors and appointing authorities prior to implementing an alternative work schedule and/or a remote work arrangement:

- Nature of the work performed by the employee
- Impact on productivity, individually and departmentally
- Ability to ensure coverage for functions without burdening other employees
- Ability to meet customer service needs and peak workloads
- Employee's overall performance and ability to work independently and productively while providing regular and ad hoc reports of work activities
- Supervisor's ability to evaluate performance based upon results or outcomes
- Impact of Fair Labor Standards Act overtime requirements on the employee's alternative work schedule

Some departments will not be able to implement alternative work schedules or remote or partially-remote work arrangements due to the responsibilities, structure, size, or priorities of the department or of individual jobs. All alternative work schedules and/or remote work arrangements must be documented in writing and reviewed on a regular basis (to be determined at the unit level) or at a minimum as part of the annual performance review.

Types of Alternative Work Schedules

1. Alternative Work Schedules

The basic work requirement for a full-time employee is 40 work hours per week (excluding lunch). Units establish “core” hours of operation for the unit. An alternative work schedule allows the definition of alternate start and end times for the days of an employee’s work week. For example, pursuant to a supervisor-approved alternative work schedule, an employee may work 7:30 a.m. to 4:30 p.m. or 8:30 a.m. to 5:30 p.m. in a unit that is open for service during “core” hours of 8:00 a.m. to 5:00 p.m.

2. Compressed Work Week

Compressed workweeks are authorized schedules where the number of days worked over a one or two week period is reduced, with extended hours during the days worked. Examples of compressed workweek schedules include the following:

- 4/10 schedule: A full-time employee works ten hours per day (excluding lunch) for four days per week.
- 4 ½ day schedule: A full-time employee works four nine hour days (excluding lunch) and one four hour day per week.
- 9/80 schedule: A full-time employee works four nine hour days (excluding lunch) and one eight hour day (excluding lunch) in one week and works four nine hour days (excluding lunch) the following week. *For FLSA purposes, a 9/80 schedule requires an adjustment of the defined workweek if the position is eligible for overtime. This adjustment must be reviewed in advance and approved by central HR compensation.*

3. Remote Work

- **Remote work** involves working from a location other than the primary worksite. Some positions, duties, responsibilities, and projects are more suitable for working from a remote location (either fully or partially) than others. Responsibilities that do not require face-to-face interaction, require minimal supervision, involve the extensive use of computers and/or telephones, and have clearly defined and easily measurable tasks may be appropriate for remote or partially-remote work. Appointing authorities and/supervisors must examine the employee’s distinct activities, functions, and tasks to determine whether remote work may be suitable, or is required (for example, if office space is not available at the worksite). If remote work is authorized, the employee must account for all scheduled hours not worked with the appropriate leave designation. If eligible for overtime, the employee must receive approval prior to working overtime.
- The University has the right to allow University-owned hard/software to be taken to the home, or to require the use of compatible employee-owned hard/software. If using university supplied equipment, data, or supplies, these may only be used for official university business and must be returned to the university at the termination of the remote work arrangement or upon request by

the university. Units are required to track University assets being utilized off-campus. The employee is responsible for operating costs, home maintenance and any other cost associated with the use of the employee's remote work location.

- Units are required to review and incorporate campus standards, guidelines and requirements into the remote working process when applicable:
 - Proper management of HIPAA, FERPA, and other protected and sensitive information while working remotely.
 - Proper IT set-up for remote working, including securing equipment from campus, creating a safe home workspace, document and data protection, security, and safety considerations as defined by the Office of Information Technology in collaboration with schools and colleges IT departments.
- Remote work locations may not be used for in-person meetings related to University operations, unless approved by the school or unit and specifically addressed in the individual's Remote Working plan.

Eligibility for Remote Work

Remote work may only be authorized for employees who:

- Have job duties that are portable and can be accomplished remotely from the physical locations of the university.
- Are able to work independently and productively and provide regular/continual and as-requested reports on work activities.
- Are satisfactorily meeting the expectations of their position as evidenced by a "Meets Expectations" or better rating on their most recent performance evaluation or supervisor observation.
- Provide, or have access to, a physical work location including a laptop or personal computer (equal to or better than that available to the employee in the workplace) that the employee acknowledges may be used for official university business. This includes, but is not limited to, adequate internet connectivity, telephone access, supplies and physical workstation arrangements. All university requirements with respect to maintaining computer security and updates must be met. **The university will not reimburse for the cost of cell phones or home phones or internet services.** Calls may be forwarded to the employee's personal cell phone or home phone while working from a remote location. If voicemails come in via e-mail, they may be returned using the employee's personal cell phone or home phone. The Office of Information Technology offers instruction on accessing campus resources remotely, as well as best practices for video conferences, online chats, virtual collaboration and more. Should equipment need to be updated, OIT should be consulted for standardization recommendations and best practice options.

- Have and maintain access to alternative communication methods, as determined with their supervisor (i.e., *Skype for Business, Slack, Microsoft Teams, Zoom, etc.*).
- Have and maintain access to arrangements (such as Jabber) to retrieve and respond to phone messages and email throughout their workday in a prompt and timely manner. Phone calls are expected to be answered in real-time, and employees working remotely are required to be available during their approved work schedules.
- Have and maintain an ergonomically appropriate workspace.
- Maintain a weekly work schedule that equals the number of hours dictated by the employee's FTE (*1.0 FTE = 40 hours a week, excluding lunch*) which align with the business needs and normal operating schedule of the unit.
- Attend all mandatory in-person university, department and constituent meetings in person, which may include, but are not limited to staff meetings and other key meetings.
- Have and maintain formal dependent care arrangements during the remote work day [except as stipulated under the September 2, 2020 Alternative Work Arrangement & COVID-19 Addendum]. Employees working remotely may not also be providing primary care to any individual during the work day. Dependents receiving care from a third party in the same location from which the employee is telecommuting must be receiving this care in a separate area of the remote worksite.
- Have and maintain a schedule that does not negatively impact the workload or productivity of coworkers either by shifting burdens or by creating delays or additional steps in work flow and processes.
- Follow the same leave reporting requirements that apply to leave taken on days otherwise scheduled to work at a remote location (i.e. sick leave, doctor's appointments, half-day vacation, etc.); planned and unplanned absences must be recorded in My.Leave or other authorized work record system as sick leave or vacation leave based on the reason for the absence.
- Maintain and update their schedule on their Outlook calendar that describes their non-campus location (e.g., Work from remote location), as well as the best phone number to reach them.
- Agree to complete the university Remote Work Participation Agreement process, and any other departmental required forms or processes.
- In the event of a campus or work site closure due to weather or other unscheduled event, employees who are scheduled to work remotely on the day of closure shall be prepared to perform their duties. Vacation leave may be requested if remote duties cannot be performed during the closure, unless otherwise guided by Campus leadership.
- If the request is being made due to an accommodation needed in order to perform the essential functions of the job, the campus ADA Coordinator must be

contacted and the Remote Work Agreement must be approved by the Associate Vice Chancellor, Chief Human Resources Officer (or designee).

- Some information used in work, such as that covered by HIPAA or FERPA, may be deemed confidential by CU Denver | Anschutz. Employees authorized to work remotely or partially remotely must ensure that all university-required security safeguards and policies are in place at the same level as in the regular office in order to protect such information from unauthorized disclosure, loss, or damage.
- Travel between an employee's home and their designated "campus site" is considered part of an employee's normal commute and non-reimbursable. Remote employees who travel to campus for meetings, events or business will not be reimbursed for travel and/or parking. Standard University reimbursement rules apply for business travel.

Exceptions

Exceptions to these guidelines must be approved by the unit supervisor, e.g., the cognizant Dean and by the appropriate campus level authority as follows:

- For CU Anschutz and CSA consolidated units - Executive Vice Chancellor for Administration & Finance
- For CU Denver units - Executive Vice Chancellor of Administration and Strategy
- For CU Anschutz ASA units - Executive Vice Chancellor for Academic and Student Affairs
- For CU Denver ASA units – Provost and Executive Vice Chancellor for Academic and Student Affairs
- For ASA consolidated units – CU Denver Provost and Executive Vice Chancellor for Academic and Student Affairs

Conditions

Participation in remote work does not change the employee's salary, benefits, work status or other rights as a university employee. The Employee agrees to follow the Employer's policies on work hours and schedules, including keeping records of time and attendance as if work was performed at the regular office.

(1) If eligible for overtime, advance supervisory approval must be obtained before working overtime.

(2) All types of leave usage must have supervisory approval and follow established leave rules and procedures.

The Employee will not provide primary care during work hours for a young child or elder who would otherwise require a provider's care [except for that authorized by the September 2, 2020 COVID-19 Addendum to the Alternative Work Arrangements Policy]. Formal care arrangements will be maintained during working hours at the alternate/remote

location. Care provided during work hours will be requested and reported as sick or other applicable leave.

The university has the right to choose to purchase hard/software and related supplies (such as chairs), allow existing hard/software to be taken to the home, or permit use of compatible Employee-owned hard/software. The decision to remove or discontinue use of such hard/software and related supplies shall rest solely with the university. Equipment and supplies purchased by the university remain university property and their use is limited to the Employee for purposes of official university business.

If hardware/software or equipment is borrowed or purchased by the university, the university will maintain and service such hard/software and equipment. If Employee-owned, the Employee is responsible for service and maintenance. The university does not assume liability for loss, damage, or wear of Employee-owned hard/software or other equipment (such as chairs). The university will document all equipment purchased with university funds approved for use and located at off-site locations.

In the event of equipment failure or malfunction, employee will immediately notify their supervisor in order to effect repair or replacement of such equipment and to discuss work assignments. In the event of delay in repair or replacement, or any other circumstance which makes work from the remote location impossible, employee understands that the university may require the employee to report to the regular on-campus office.

Employee understands that the university may make on-site visits during normal business hours to determine that the work space is safe and to maintain, repair, install or retrieve university-owned equipment, software and/or supplies. All university-owned equipment, software, data and supplies must be returned to the unit location in event of termination of participation in Remote Work for any reason.

Employee understands they are responsible for operating costs, home maintenance or any other cost associated with the use of the home or other remote work site. The employee shall maintain the home or remote work space in a safe condition, free from hazards, thefts and other dangers to equipment or occupants of the remote work location.

Employee understands that they remain liable for injuries to third persons, including family members, at the alternate location. Employee agrees to hold harmless the university from any and all claims, demands or liability resulting from any injury to such third parties caused, directly or indirectly, by the duties and obligations under this Agreement, except where such claims or liability arise solely from the gross negligence or willful misconduct of the Employer.

Employee understands the university is not liable for damages to the Employee's personal or real property except to the extent of liability under State of Colorado statute that applies to the regular office.

Employee is encouraged to notify their personal homeowner's/renter's liability insurance company regarding use of their home space as a remote working location.

A work plan with expected delivery dates has been mutually agreed upon.

Employee understands that injuries sustained by the employee in a remote office location and in conjunction with their regular work duties may be covered by the university's workers' compensation coverage. The employee must report work-related injuries immediately to the supervisor and comply with all university reporting requirements established for the purpose of reporting such claims found the at University Risk Management Worker's Compensation website.

Employee understands that some information used in their work may be deemed confidential by the University and shall apply all university-required security safeguards and policies at the same level as in the regular office in order to protect such information from unauthorized disclosure, loss or damage. If employee must use a personal computer, it is recommended that remote desktop is used to connect to their university-provided computer. The employee must have, and maintain, VPN connectivity during work hours. Employee agrees to report any suspected information security incident as soon as possible to the OIT service desk.

Employee remains obligated to comply with all university policies and instructions and this Agreement. Violation of these may result in termination of participation in Remote Work and/or other corrective/disciplinary actions.

Employee understands that it may be necessary to alter the Remote Work Participation arrangement and/or report to work in emergencies or for other business needs.

Employee agrees to be immediately available to answer phone calls real-time during their approved work hours.

4. Approval Processes

Alternative Work Schedules

An employee must complete the Alternative Work Schedule process and submit it to their supervisor. Requests are subject to supervisor approval and approved requests must be retained in department files. Supervisors have the authority to approve one-time, non-recurrent requests and requests that involve modification of the employee's core hours if it is appropriate for the work unit business. School/Colleges/Department may reserve the right to review or approve alternative work schedules at a higher level.

Compressed Work Schedules

An employee must complete the Compressed Work Week Request process and submit it to their supervisor. The supervisor will review the request with the employee and revise, as necessary. Compressed schedule requests must be submitted by the supervisor to the unit Human Resources business partner for approval and must be maintained in department files. *If an overtime-eligible employee is being considered for a 9/80 work week, the supervisor must in all cases contact the central Human Resources Office to correctly adjust the defined workweek in time reporting and leave systems.*

Remote Work

The employee must complete the Remote Work Participation Agreement process and submit it to the supervisor who will then submit it to the unit Human Resources business partner. The approvers will review the request and may revise or deny the arrangement depending on circumstances and business need. As noted above, ***Remote Work Arrangements must also be submitted to the Associate Vice Chancellor of Human Resources (or designee) for approval if the arrangement involves accommodation of a medical condition. If the employee's performance is not satisfactory, the supervisor must complete the Remote Work Agreement retraction process.*** In both cases, the employee's acknowledgment via the electronic form process will be maintained by the Human Resources Office for review or audit on request by Human Resources, Risk Management, Internal Audit, or other offices.

Notes

1. Dates of official enactment and amendments:
August 23, 2019: Adopted/Approved by both Chancellors
August 31, 2020: Amended
April 12, 2021: Amended
July 15, 2021: Amended
2. History:
October 1, 2019: In March of 2019, a working group was chartered to propose an Alternative Work Arrangement Policy (and associated Guidelines) for the CU Denver Campus and CU Anschutz Medical Campus. This policy provides clear standards and approval requirements for managers who wish to implement alternative work arrangements for employees in their unit that are different than the core university hours of Monday – Friday 8:00 a.m. to 5:00 p.m., or to implement arrangements wherein employees work a part of their schedule from a remote location.
August 31, 2020: Addendum added to address the COVID-19 Pandemic Impacts
April 28, 2021: Addendum added to address remote work arrangements
July 15, 2021: Addition of clarifying language and a section for eligibility.
3. Initial Policy Effective Date: October 1, 2019
4. Cross References/Appendix:
 - Amendment: Interim Remote/Alternative Work Arrangement Guidance
 - Administrative Policy Statement 5026 – Alternative Work Arrangements for Classified and University Staff