

University of Houston Clear Lake

Memorandum of Administrative Policy

SECTION: Human Resources

Number: 02.A.46

AREA: General

SUBJECT: Alternative Work Arrangements

PURPOSE AND SCOPE

The purpose of this document is to describe the University of Houston-Clear Lake's policy and procedure for an alternative work arrangement for its benefits-eligible staff employees in accordance with Texas Government Code, [§ 658.010](#) and [§ 659.018](#). This policy only applies to staff employees and not to faculty or student workers.

The University of Houston-Clear Lake permits alternate work arrangements as long as they are in the best interest of the University, will maintain the productivity of the employee, and follow University rules, procedures and policies.

At the discretion of the University, employees may be allowed short-or- long term alternate work arrangements, provided they continue to serve their customers effectively and efficiently and meet established institutional and departmental goals. Alternative work arrangements may be implemented as a means of achieving administrative efficiencies, improving productivity and job performance, supporting business continuity plans, and supporting the hiring and retention of a highly competent workforce. Alternative work arrangements are a variation in where a job is performed (e.g., remote) or the time the work is performed (e.g. alternate schedule).

1. DEFINITIONS

- A. Regularly Assigned Place of Employment (Principal Location): The location on the University campus where an employee usually and customarily reports for work. The Regularly Assigned Place of Employment is considered an employee's workstation for all pay, leave, and travel purposes.
- B. Alternative Work Arrangement Agreement: A written agreement setting forth the terms of the agreed upon alternate work arrangement.
- C. Work Schedule: The employee's hours of work at the Regularly Assigned Place of Employment or off-campus at an Alternate Work Location.
- D. Telecommuting/Remote Work: The performance of normal work duties 100% remotely by an employee at a location away from the employee's Regularly Assigned Place of Employment. This off-campus location is most often the employee's home, but can also be a satellite office or, if traveling, a virtual office. Positions eligible for 100% remote work must be classified as such by Human Resources in conjunction with the responsible Vice President. Requests for positions classified as 100% remote must be approved by the responsible Vice President.

- E. Hybrid Work: The performance of normal work duties both on-campus at the employee's Regularly Assigned Place of Employment where official University business is performed and off-campus at an Alternate Work Location. Hybrid Work can occur at an Alternate Work Location for up to two days per week or, for part-time employees, up to 40% of their hours. Hybrid Work must be approved by the responsible Vice President.
- F. Alternate Work Locations: Approved work sites other than the employee's regularly assigned place of employment where official University business is performed. Such locations may include, but are not limited to, employee's home and satellite offices. Work locations must be located in the State of Texas and must be reasonably close enough to the University campus so, if necessary, the employee can be physically present at their regularly assigned place of employment within four hours of being contacted.
- G. Alternate Work Schedules: A modified work schedule with variable arrival, departure and/or lunch times. It is typically designed to enable employees to come in earlier or leave later than the University's normal hours of operation. This approach must enable the department to ensure necessary office coverage, and customer service and staff interactions must be maintained during the core hours. Alternate work schedules can be scheduled long-term. Long term alternate work schedules require approval by the Supervisor and Department Head.

2. POLICY

- 2.1 An employee of the University shall, during normal office hours conduct University business only at the employee's principal work location or assigned temporary place of employment unless the employee is traveling or received prior written authorization.

It is the policy of the University to permit alternate work arrangements when they are in the best interest of the University and when they will maintain the employee's productivity. This policy covers all alternative work arrangements including, but not limited to: Remote Work (100% off-campus), and Hybrid work (some work on-campus and some off-campus).

2.2 Alternate Work Arrangements

- 2.2.1 Requests for occasional remote work on an as-needed basis will be considered by the employee's immediate supervisor. If a semester-long arrangement is sought, it must be reviewed and approved by the employee's supervisor, and respective department head and vice president.
- 2.2.2 Staff interested in an alternative work arrangement must apply each academic year. The request must be submitted for review and approval at least 4 weeks in advance. All alternative work arrangements that are approved, are good for one academic year of September 1 – August 31.
- 2.2.3 Arrangements for an alternative work arrangement cannot cause or contribute to the need for additional staff or for existing staff to perform additional duties or work overtime hours. Arrangements must not adversely affect the services provided to students or internal/external customers of the University. The quality, quantity and timeliness of a participating employee's work must be maintained or enhanced.

- 2.2.4 Alternative work arrangements may be modified or discontinued at the discretion of management at any time and for any reason.
- 2.2.5 The alternate work location for any alternative work arrangement must be located in the State of Texas and reasonably close enough to the University so, if necessary, the employee can be physically present at their regularly assigned place of employment within two hours of being contacted.
- 2.2.6 Alternate work arrangements are voluntary and do not change the conditions of employment or required compliance with University policies and procedures. Alternative work arrangements do not alter an employee's at-will status. All existing terms and conditions of employment, including, but not limited to, the job description, salary, benefits, vacation, sick leave, and overtime pay remain the same.

3. EMPLOYEE ELIGIBILITY AND POSITION REQUIREMENTS

3.1 To be eligible for participation in an alternative work arrangement, an employee must:

- A. Have been employed at the University of Houston-Clear Lake for at least 90 days. This 90-day requirement also applies to employees transferring to a different department. The employee's respective vice president may approve earlier participation in an alternative work arrangement.
- B. Hold a position within a work group or unit which, according to their supervisor, lends itself to flexibility in location or schedule.
- C. Have not been subject to disciplinary action or Performance Improvement Plan (PIP) within the past six months.
- D. If there is no Performance review on file, the employee must meet the supervisor's Performance expectations.

3.2 Do not require an employee to be as effectively supervised as they would be if the job functions were performed at the Regularly Assigned Place of Employment;

3.3 Allow for the employee to be as effectively supervised as they would be if the job functions were performed at the Regularly Assigned Place of Employment;

3.4 Have an emphasis on the electronic production and/or exchange of information by means of computers, modems, fax machines or phones;

3.5 Involve measurable or quantifiable work product; and

3.6 Have minimal or flexible need for specialized materials or equipment available only at the Regularly Assigned Place of Employment.

Positions that may be considered for alternative work arrangements are those that:

- A. Have job functions that can be performed at a location other than the employee's regularly assigned place of employment without diminishing the quality of the work or disrupting the productivity of the department or unit.

- B. Do not require an employee's presence at the regularly assigned place of employment on a daily or routine basis.
- C. Allow for the employee to be as effectively supervised as they would be if the job functions were performed at the regularly assigned place of employment.
- D. Involve measurable or quantifiable work product.
- E. Have minimal or flexible need for specialized materials or equipment available only at the regularly assigned place of employment.

4. Positions that are not suited for alternate work arrangements are:

- A. Executive Leadership
- B. Senior Leadership (Exec Directors and Above)
- C. Executive Assistants
- D. Facilities Maintenance and Construction
- E. Police
- F. Positions that require direct student or customer interface services
- G. Positions that require routine access to information or materials that are available only at the regularly assigned place of employment.

4.1 A non-exempt employee must maintain a 40-hour workweek. An alternate work schedule does not reduce the hours an exempt employee must work to complete job requirements. Alternate work schedules must occur in the same workweek.

4.2 On occasion, alternate work arrangements may be discontinued in order to deliver key services affecting the welfare of the University and/or critical student services. Examples of such times include registration, commencement, opening semester activities, and campus-wide events. When this occurs, staff will be required to comply with the alternate work arrangements change.

5. EMPLOYEE RESPONSIBILITIES

5.1 It is within the discretion of the immediate supervisor, department head and appropriate vice president to approve or deny an employee's alternative work arrangement request. Staff interested in alternative work arrangements must:

- A. Determine if their positions are eligible for alternative work arrangements by reviewing the policy, speaking with their supervisor or contacting human resources. If so, complete the [Alternative Work Agreement Form](#).
- B. Complete required three (3) hours of remote work training in [LinkedIn Learning](#). Supervisors are required to complete [Working Remotely \(Managers\)](#) and non-Supervisors are required to complete [Working Remotely \(Non-Managers\)](#) An active LinkedIn Learning license is required – see [LinkedIn Learning Activation Guide](#).
- C. Attach verification of completion of required training and learning activities, and forward to supervisor for approval.
- D. Have access to the necessary resources to perform their essential job functions and any other assigned activity(ies).
- E. Have access to electrical outlets, cellular network and/or landline phone access and internet

connectivity to conduct University business at their own expense.

- F. If using their personal computer for conducting remote work, connect to the Virtual Private Network (VPN) when accessing data stored on the University network and follow the [Work from Home IT Security Guidelines](#)
- G. Ensure the remote work location is free from non-work-related events and activities that would disrupt or interfere with work.
- H. Ensure the remote work location is safe and free of all hazards, and able to keep any confidential and/or sensitive information or data safe and secure.
- I. Be willing and able to securely dispose of any confidential and/or sensitive information.
- J. Understand that no confidential or proprietary information or data may be downloaded, placed or maintained on a non-University device or equipment.
- K. Be available for communication and contact during remote work as if they would if working at their regularly assigned place of employment. Employees and their supervisors shall agree on how their communications should be handled. During the agreed upon work schedule, it is expected that the participating employee shall be available for contact by phone, email, and/or video conferencing throughout the workday. Employees may be required to have their cameras on while video conferencing.
- L. Be willing to report to the regularly assigned place of employment upon the supervisor's request when operational needs require. Employees will be given as much advance notice as feasible under the circumstances presented.
- M. Meet deadlines, produce quality work, and sustain acceptable levels of work performance.
- N. Discuss with their supervisor any change to the alternative workplace arrangement once it is established, including termination of the arrangement.
- O. Understand and agree to all University of Houston-Clear Lake, University of Houston System and State of Texas Codes and policies that apply to the alternate workplace arrangement.
- P. Understand that all leave policies and procedures continue to apply regardless of whether the work is being performed on-campus or from a remote location.
- Q. Understand and agree that information or data related to University business is subject to collection and review by the University.
- R. Follow the same dress code during business hours and business-related events as when working on campus.

6. SUPERVISOR RESPONSIBILITIES AND CONSIDERATIONS

- 6.1 When employees request an alternate work arrangement, supervisors must:
 - A. Review the request to determine the employee's eligibility and evaluate departmental issues/needs that may be impacted by the alternate work arrangement.

- B. Ensure the employee and supervisor completes the required minimum of three (3) hours of remote work trainings in [LinkedIn Learning](#).
 - C. Confirm employee has access to resources necessary to perform any assigned activity when working from an alternate work location.
- 6.2 Supervisors should consider the following criteria when deciding whether to approve an alternative work arrangement:
- A. The level of one or more of the following; student, faculty, employee, community/public interface of the unit.
 - B. The impact on the unit's ability to fulfill its mission.
 - C. The productivity of the employee can be maintained.
 - D. The employee will be able to follow University rules, procedures and policies and
 - E. doing so is in the best interest of the University.
- 6.3 Alternate work arrangements are appropriate for employees who:
- A. Have the demonstrated abilities to successfully organize, manage time, work independently and productively with minimal supervision.
 - B. Have demonstrated a thorough knowledge and understanding of their job functions and the equipment required for the alternative work arrangement.
 - C. Have access to an alternate work location that is safe and free from interruptions; and
 - D. Are able to provide the security necessary to adequately protect any University information and equipment used at an alternate work location.
- 6.4 Supervisors must follow the steps below for employees approved for alternative work arrangements:
- A. Be responsible for determining and monitoring eligibility for employee's participation in the alternative work arrangement.
 - B. Be clear regarding performance and conduct expectations, including identifying and establishing key performance indicators.
 - C. Develop a system for assessing the employee's quality for work, responsiveness, work effectiveness, efficiency, and productivity regularly while on an alternative work arrangement, ensuring the employee fully meets all job responsibilities and performance expectations.
 - D. Be responsible for ensuring that the employee has adequate and appropriate safeguards in place before providing the employee with access to any confidential and/or sensitive information.
 - E. Be responsible for maintaining optimal services and operation of their departments.

- F. Understand that all University policies apply to the alternative work arrangement, including whether the employee is performing remote or hybrid work, working an alternate work schedule, and/or working at temporary alternate work locations. This includes ensuring that the employee's performance evaluation is completed each year.

7. USE OF EQUIPMENT

- 7.1 An employee approved to work remotely must have high-speed internet access (DSL, cable modem, etc.) and use only University-approved software from their alternate work location. Use of personal computer permitted.
- 7.2 The employee is responsible for providing workspace, telephone, printing, networking and/or internet capabilities at their alternate work location at their own expense.
- 7.3 The employee must always use a current and supported operating system with the latest security updates, run current anti-virus software and follow University security rules, copyright laws, and procedures. Remote work employees must follow all other software licensing and copyright laws, as well as all precautions and requirements related to working at the alternate work location.
- 7.4 University-owned equipment and University office supplies are only to be used for official University work needs and business in accordance with University policy. Remote work employees must agree to protect University-owned equipment, records and materials from unauthorized or accidental access, use, modification, disclosure or destruction.
- 7.5 Employees authorized to work remotely must understand and agree that all equipment, records, and materials provided by the University remain the property of the University.
- 7.6 No protected health information or other confidential and/or proprietary information may be stored on personal electronic equipment.
- 7.7 UHCL IT support will be limited to what IT personnel can do remotely; if issues cannot be addressed remotely, employee must bring equipment to campus. IT personnel shall not visit the employee's alternate work location to address any computer or software issues.

8. WORK DOCUMENTATION, TIMEKEEPING AND LEAVE

- 8.1 Participating employees and supervisors should identify work items for review and discussion on an ongoing basis to ensure that tasks are fully described and timely performed and/or completed.
 - 8.2 Timekeeping. Participating non-exempt employees will be required to maintain accurate time accounting documentation to support their work hours.
- A. Under the Federal Fair Labor Standards Act (FLSA), non-exempt employees are compensated in pay or with compensatory time for overtime approved by the supervisor in advance in accordance with the FLSA provisions.
 - B. Pursuant to established University policies, employees must obtain supervisory approval before

taking accrued and available leave.

9.1 LIABILITY

- 9.1 The University assumes no liability for injury at the remote work site to any person who would not be in the work area if the duties were being performed at the employee’s regularly assigned place of employment.
- 9.1 An employee injured while working remotely must notify their supervisor and the benefits team immediately and complete all required documentation. Workers Compensation benefits may apply to injuries arising out of and in the course and scope of employment.
- 9.2 The University is not liable for any damages that may result from remote work. The employee is liable for any equipment lost, stolen, or damaged, including because of negligence, misuse, or abuse. The University is not liable for operating costs, home maintenance, or any other incidental costs such as utilities, telephone, insurance, internet, etc.

10 TERMINATION

- 10.1 The University, including the employee’s supervisor can discontinue the employee’s participation in an alternative work arrangement at any time and for any reason.
- 10.2 Employees may request their alternative work arrangement be terminated by providing their supervisor with five (5) business days written notice, if possible.
- 10.3 The University is not liable for any costs, damages, and/or losses arising out of or relating to the termination of the alternative work arrangement.

11 PROCEDURES

- 11.1 Employees requesting alternative work arrangements must follow the steps outlined above in section 5.
- 11.2 Supervisors/Manager approving alternative work arrangements must follow the steps outlined above in section 6.

12 REVIEW AND RESPONSIBILITIES:

Responsible Party: Associate Vice President Human Resources

Review: Every five years

13 APPROVAL

/Mark Denney/

Vice President for Administration and Finance

/Richard Walker/

President

Effective Date: _____ 4/20/2023 _____

14. REVISION LOG

Revision Number	Approval Date	Description Change
1	3/27/2023	Official Policy; Change Section 1 (F) to 4 hours; Eliminate 1(G) as duplicate; Eliminate 1(G) i and ii and move to Section 4; Change 2.2.2 – 2.2.5 to each academic year; Add specific positions to Section 4.0

14 REFERENCES

Texas Government Code [§ 658.010](#)

Texas Government Code [§ 659.018](#)

Alternative Work Arrangement Form