

33.06.01.R0.02 Alternate Work Location



Approved March 1, 2023
Next Scheduled Review: March 1, 2028

Procedure Summary

Texas A&M University-Commerce supports the use of remote and flexible work arrangements in certain circumstances where it benefits employees, is consistent with the efficient operation of university campuses and the effective delivery of services to students, campus clientele and the public. While any university employee may request an Alternate Work Location (AWL), not all positions may be suited for remote/hybrid or flex work.

A&M-Commerce is a highly collaborative workplace with a mission that values face-to-face interactions and transforming our students' lives. The University offers flexibility for eligible employees to work at an AWL provided it does not compromise their work performance, productivity, or the collaborative pursuit of our mission. Employees in good standing and whose job duties and responsibilities are suitable for AWL arrangements are afforded the opportunity to request an alternate work location. University and departmental operational requirements take precedence over an employee's request for an AWL as determined by the department head and divisional unit head.

This procedure outlines and explains the specific terms and conditions that must be followed if an alternate work location is approved. This procedure does not apply when A&M-Commerce requires employees to work at an alternate work location for special circumstances. This procedure is required by System Regulation 33.06.01, *Flexible Work Arrangements*.

Procedures and Responsibilities

1 GENERAL

- 1.1 The President has delegated authority to approve an AWL to the Vice President/Division Unit Heads.
- 1.2 The alternate work location must be located in the State of Texas. Employees remain subject to all applicable laws in the State of Texas, university rules, and system regulations. A remote work arrangement must not have the effect of changing the employee's duties, obligations, responsibilities, and conditions of employment or required compliance with relevant policies and procedures, or any other federal or state laws, policies, and procedures while working at the AWL. AWL does not alter an employee's

work relationship with the university, nor does it alter the at-will relationship between the employee and the university or create an entitlement or right to ongoing employment. Job responsibilities, standards of performance, and performance appraisals remain the same as when working on campus.

- 1.3 AWL provisions are contingent upon approval in accordance with this procedure and should not be considered an employee entitlement. An approved AWL request is an agreement and may be terminated at any time by either the supervisor or participating employee with a five day notice. Failure to comply with provisions of this procedure and associated guidelines may result in the termination of the AWL arrangement and/or disciplinary action, up to and including termination of employment in accordance with system regulation.

2 ELIGIBILITY REQUIREMENTS

- 2.1 The minimum eligibility requires an employee to be in a regular budgeted position, who is employed at 50 percent effort (20 hours a week) or more time for an employment period which is expected to reach four and one-half months or more, or for a semester of more than four months. Students holding positions for which student status is a requirement for employment are excluded. *(31.01.01, Compensation Administration)*
- 2.2 Eligible Positions. A position can be considered suitable for an AWL if some or most of its responsibilities can be performed away from the campus. These positions are typically computer-based, do not require regular and extensive face-to-face interactions with students, faculty, staff, and vendors. Each position will be considered individually, based on the responsibilities and area in which the role is located, to determine if the work can be done outside of the primary duty station. The change in work location should not impact productivity, customer service, operational efficiency, or team collaboration. Employees requesting an AWL must have the ability to successfully organize, manage time, work independently and productively with minimal supervision, and have at least a satisfactory work performance history.

3 PERFORMANCE REQUIREMENTS

- 3.1 Employee must be able to perform the duties of their position description while working at the alternate work location.
- 3.2 Hours of Work - the employee must have an approved work schedule adopted in accordance with University and departmental policy. Management must ensure proper compliance and documentation of work hours, in particular ensuring compliance with the Fair Labor Standards Act and overtime policies and procedures. The employee is expected to maintain the same level of availability, levels of production, and quality of work as though the employee were working from the university campus, and may be required to report to the campus for meetings or special events as deemed necessary, with 24 hours

notification. Working hours cannot coincide or overlap with any other type of employment.

3.2.1 The alternate work location must be free of distractions. Remote work arrangements are not intended to serve as a routine substitute for child or adult care. If children or adults in need of primary care are in the alternative work location during the employee's work hours, some other individual must be present to provide the care.

3.2.2 Use of Leave - a remote work arrangement may not be used in place of paid or unpaid leave. If at any time an employee is unable to perform official duties, the employee must utilize the appropriate leave category to record the absence. A request to use leave must be approved in accordance with leave/time procedures. If personal appointments are made during the prescribed work hours, a leave request must be entered. Time cannot be "made up" by working later or earlier than the approved office hours agreed to on the AWL schedule. Where applicable, medical documentation releasing the employee to work may be required. (31.03.02 *Sick Leave*).

3.2.3 Employees working remotely shall immediately notify their supervisor in the event an occurrence or situation interferes with the employee's ability to perform their duties during their scheduled work time.

3.2.4 The employee will protect university data and information from unauthorized disclosure or damage and will comply with all federal, state and university rules regarding the disclosure of public and official records. These records must be safeguarded and returned to the university whether in paper or electronic form. Employees must ensure the security and confidentiality of university information in accordance with all applicable rules. Further, the employee will be responsible for ensuring that university computers are available for scheduled IT updates/patches as announced by IT. It is recommended that remote workers at least once every 30 days, come to campus to connect to the campus network; either via hardwire connection or wirelessly via LionNet-Managed. If users cannot come into campus within a 30 day period they must connect university owned computers to the TAMUC network using the GlobalProtect VPN on a regular basis to keep them synchronized and updated.

3.3 The University will not be liable for damages to an employee's property that may result from participation in an AWL arrangement.

3.4 Employees will be expected to devote the same degree of attention to work as if they were working from the campus location. The standards of professionalism for work performed at a remote work location in terms of job responsibilities, work products, and personal contact will remain the same.

- 3.5 Employees are required to physically attend scheduled work meetings at the campus or work location. In cases where this falls on the AWL day, the employee must report to work as normal and may not be given a different schedule. The University will not reimburse mileage or travel time for these required meetings.
- 3.6 Employees working remotely may not conduct in-person business meetings with clients, students, parents, colleagues, or others at the remote work location.

4 WORK SPACE, EQUIPMENT AND EXPENSES

AWL employees must maintain a safe, secure, and ergonomic work space and ensure that they have a designated work space conducive to a professional environment.

- 4.1 Workers' Compensation Liability – The University may be liable for job-related injuries or illnesses that occur during an employee's established work hours in their alternate work locations. Employees are responsible for maintaining a designated workspace in a clean, professional, and safe condition at the alternate work location. The University specifically assumes no liability for injury to any other person who would not be in the work area if the duties were being performed at the designated headquarters. In order to process worker's compensation claims, pre-arranged, on-site inspections of the work area during work hours may be necessary. Worker's compensation benefits will apply to injuries arising out of and in the course of employment. An employee on an AWL arrangement who sustains a work-related injury must notify their supervisor immediately and complete all requested documents regarding the injury.
- 4.2 An employee with an approved AWL shall only work from that approved location. An employee seeking to work from another alternate work location that is not the approved AWL for any amount of time, must seek prior approval from their supervisor. The University retains the right to reject any proposed alternate work locations that are not approved and employees who work remotely from an unapproved AWL without prior approval may face disciplinary action.
- 4.3 All remote work should be done utilizing university-owned equipment. To the extent possible and at the discretion of the department, the University will provide the necessary equipment and supplies that are needed for the specific AWL arrangement. The use of equipment provided by the University is limited to authorized persons and for purposes relating to University business. No personally owned computers should be used and any computer or information-technology equipment used in the performance of University business must be used in compliance with all applicable University policies, including with respect to computer and network security and data security. Employees are personally liable for lost, stolen, or damaged equipment. Employees are responsible to maintain access to networking and/or internet capabilities at the AWL with sufficient bandwidth as necessary to perform the position's duties.

- 4.4 Any equipment provided by the university to facilitate employees' ability to work remotely remains property of the university and must be returned upon termination of the AWL agreement.
- 4.5 A&M-Commerce will not provide office furniture to facilitate the remote work arrangement. The University will not be responsible for operating or installation costs associated with AWL, including but not limited to home maintenance, internet, utilities, cable, cell phone bills, or any other operating or incidental costs associated with the use of a residence as an AWL.
- 4.6 Purchases of office supplies are allowable on the Procard according to standard university procedures, and will be delivered to the University. Deliveries of mail or equipment to personal addresses are not allowed.
- 4.7 Tax and Other Legal Implications – income taxes for employees will generally be withheld as required by the state where the employee is physically located when performing work associated with the income. The employee is responsible for personal tax consequences, if any, resulting from the AWL arrangement. The employee should seek independent professional advice for any questions or concerns regarding tax issues. Additionally, if an AWL arrangement is proposed in a state/country other than the State of Texas, the employing unit shall notify Human Resources to coordinate a legal review prior to approval which may include tax reporting, export control, immigration sponsorships, and other employment implications for the university.

5 PROCEDURE FOR REQUESTING AN AWL

The *TAMUC Alternate Work Location Training course 2114546* will be completed in TrainTraq prior to submitting an AWL request. These guidelines are provided for the benefit of employees and supervisors considering requesting/authorizing an AWL arrangement.

- 5.1 Following review of the AWL guidelines, a qualified employee initiates the AWL request in Workday to their immediate supervisor. The supervisor verifies the employee's eligibility and considers the operational impact of the AWL agreement on the department (e.g. staffing, customer service, timely handling of tasks, phone coverage, team responsibilities, and service commitments).
- 5.2 The remote work approval or denial determination is made by the employee's supervisor on a case-by-case basis. This determination should be made from an employee's individualized request based on their assessment of their suitability for alternate work arrangement.
- 5.3 Once the supervisor recommends approval, the AWL request will route to the Vice President/Division Unit head for final approval.
- 5.4 Following approval of the AWL agreement, all forms will be maintained in the employee's official electronic personnel file in Workday.

6 ADMINISTERING AN AWL

- 6.1 The AWL agreement must be evaluated at least annually during the staff evaluation period. This review by the supervisor and the employee determines if continuation of the AWL is mutually beneficial to both the employer and the employee.
- 6.2 No AWL agreement may extend beyond one year without evaluation and re-approval by the immediate supervisor and department head. This review can take place at any time, but at least during the staff annual review period April – May of each year. AWL agreements can be shorter than one year in duration.
- 6.3 Any changes in the conditions of the AWL, other than the end date will require a new AWL agreement processed through Workday.
- 6.4 Ongoing permission to continue with the AWL will be evaluated on an ongoing basis to ensure the employee is meeting the essential functions of the job and that work quality and productivity are not compromised.
- 6.5 Management reserves the right to end the remote work arrangement at any time. Employees will be given a five day notice of termination of the agreement. Failure to comply with the provisions of this procedure and associated guidelines may result in the termination of the AWL arrangement and/or disciplinary action, up to and including termination of employment, in accordance with the A&M System Regulation.
- 6.6 If an AWL is being requested as a reasonable accommodation under the Americans with Disabilities Act Amendment Act (ADA Amendment), the employee will need to follow the TAMU-C ADA policy and associated TAMU-C guidance.

7 SPECIAL CIRCUMSTANCES

When the University announces campus closings, delayed openings, or modification of operations due to a serious and/or unexpected event, remote work employees will continue to work at the designated AWL. (See 34.99.99.R0.01)

Related Statutes, Policies, or Requirements

Texas Government Code [§658.010: Hours of Labor, Place Where Work Performed](#)

System Regulation [31.01.01, Compensation Administration](#)

System Policy [33.06, Hours of Work for Full-time Salaried Employees](#)

System Regulation [33.06.01, Flexible Work Arrangements](#)

University Procedure [33.99.99.R0.01 Office Hours](#)

University Procedure [34.99.99.R0.01 Weather-Related Closing of University](#)

Definitions

Alternate Work Location: The approved remote work location. This address should be located in the State of Texas.

Partial Remote or Hybrid work: A designation of an AWL which allows an employee to fulfill their on-site responsibilities at the assigned primary duty station while also providing flexibility to perform assigned functions from an AWL.

Special circumstances: The AWL request should be used in any case where the change in location is longer than three days.

Appendix

[Alternate Work Location Guidelines](#)

Contact Office

Human Resources
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