Interim Policy for Remote Working Exceptions and Temporary Emergency Leave

Overview

The University continues to closely monitor the ongoing Novel Coronavirus 2019 (COVID-19) outbreak. The health and well-being of our community remains our number one priority. In response to the COVID-19 outbreak and until further notice the University is enacting the following temporary policies on each of our campuses.

Paid Leaves

- Employees unable to work due to their own or a family member’s COVID-19 illness should use available leave balances (e.g. accrued sick and vacation). Furthermore, if there are no available leave balances, at the time of requesting an absence due to COVID-19, the University will provide up to 5 work days of sick leave to assist with covering the absence.
- An employee who is sick or has an ill family member may be entitled to leave under the Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) under certain circumstances. Some instances of COVID-19 may qualify as a “serious health condition.” FMLA/CFRA leaves are unpaid, however eligibility for other benefits will determine compensation. Employees should be encouraged to avail themselves to Pacific’s leave options available under the applicable policy or collective bargaining agreement provisions.
- Employees unable to come to work due to public health or University-required quarantine or self-isolation measures may work remotely if operationally feasible (see Interim Telecommuting Exceptions). If remote work is not operationally feasible, employees should use available leave balances, and if there are no available leave balances the University will provide up to 5 work days of sick leave to assist with covering the absence due to COVID-19.
- Employees unable to come to work due to a COVID-19 day care or school closure that requires them to be home with their child may work remotely if operationally feasible; if remote work is not operationally feasible, employees may use available leave balances including accrued sick and vacation. If there are no available leave balances the University will provide up to 5 work days of sick leave to assist with covering the absence due to COVID-19 related day care or school closure.
- Pacific may designate certain employees to work from home. If employees are designated to work from home, it will be considered paid work status. Employees in positions who are directed not to come to work by the University for reasons other than illness, and who are unable to work from home due to the nature of their work (determined by supervisors), may still have other work assigned to them by their supervisors. If no such assigned work is feasible, then these employees may be allowed up to 10 working days of paid administrative leave.
• Employees taking sick leave will be required to document their sick leave in accordance with normal Web Time Entry timesheet/leave report practices.
• Academic appointees please refer to the Faculty Handbook, for information on paid absences and faculty administrative leaves.

These measures are subject to change as the situation evolves. Additional information regarding applicable leave provisions can be found on Human Resources Benefits webpage.

COVID-19 Interim Telecommuting Exceptions

University of the Pacific’s existing Staff Telecommuting Policy outlines eligibility, procedures, and expectations regarding staff members working remotely. However, short-term telecommuting can be an appropriate option for staff members in extraordinary circumstances, such as during the current outbreak of Coronavirus Disease 2019 (COVID-19), which fall outside of the Telecommuting Policy for a limited period of time.

Employees can be given flexibility in working remotely for legitimate reasons (for example, self-isolation due to travel, caring for children during school closures, caring for elderly family members or others at risk with weakened immune systems, or for self-care if the employee is at risk, among others). Exceptions to the Telecommuting Policy last only for the duration of the outbreak, as defined and communicated by the University.

Supervisors, at their discretion, may allow members of their staff to telecommute on a short-term basis. Supervisors are responsible to ensure that their departments perform critical work to care for the Pacific community and maintain university operations. They may be flexible in offering telecommuting to non-essential functions.

Critical Support Personnel and Advance Planning

Critical Support Personnel (CSP) are those employees who are expected to report to work in the event of University closure or other extraordinary circumstance, if it is safe to do so and even if they are not instructed to do so. CSP’s are identified by their supervisors and confirmed by division leadership. In extreme circumstances, CSP may have legitimate reasons for being unable to report to work (such as the examples cited above), communicate with supervisors regarding absences as soon as possible.

Supervisors are encouraged to speak with CSPs as early as possible regarding their status and role, for planning purposes and to reassign work as necessary. CSP’s may be required to cancel or curtail planned travel for business purposes, where such travel may be likely to lead to
Eligibility for Short-Term Telecommuting

Supervisors, at their own discretion, may allow members of their staff to telecommute on a short-term basis during a COVID-19 outbreak. Supervisors are responsible to ensure that their departments perform critical work to care for the Pacific community and maintain operations to the appropriate extent communicated by the University; flexibility may be given to non-essential work.

Typical eligibility criteria for telecommuting (for example, one year of service) do not apply in such circumstances, and an approved Telecommuting Request Form /Agreement is not necessary.

Supervisors should consistently communicate with their staff regarding the fluidity of such situations, as well as changing business needs (such as the need to report to campus). Supervisors or employees may end a short-term telecommuting agreement at any time and for any reason.

Expectations for All Staff

Telecommuting staff members are responsible to:

- Fulfill the expectations agreed upon with their supervisor regarding the scope of their telecommuting assignment, such as:
  - Duties and responsibilities
  - Hours of work (rest/meal breaks, overtime, and other wage and hour requirements still apply)
  - Hours of availability to communicate regarding University business
  - Communication of work assignments, projects and reports
  - Communications regarding personal needs, including reporting absences of work due to injury, illness, or caring for a family member
  - The use of University equipment and materials.

- Appropriately complete their timecard. For instructions on how to complete timecards remotely using Web Time Entry please see below:
  - Web Time Entry for Non-Exempt Staff
  - Web Time Entry for Exempt Staff
• Maintain a safe environment in which to work.

**When Telecommuting, Practice Secure Data-Handling Hygiene**

University employees are required to protect University information by following the University’s policies governing information security, software licensing, and data protection; ensuring that unauthorized individuals do not access Pacific’s data, either in print or electronically; and not accessing restricted-level information electronically unless protected through use of university servers and/or appropriate physical controls.

At all times, whether University work is performed at work, at home or through telecommuting, University business records, student records, consumer information, and other private, confidential or proprietary data should not be saved to personally-owned computers, hard drives, cloud storage or USB drives, or other personally-owned storage media.

Rather, *all University employees* are required to follow University informational security requirements, and store such data on University servers (using VPN, Sharepoint or webfolder access). Failure to follow these rules and appropriately protect university information may result in discipline up to and including termination of employment.

**Other Considerations for Telecommuters**

• Use WebEx personal meeting room as virtual walk-in

• Schedule and use Webex in all meetings going forward. Note: There is currently a per minute charge for WebEx dial-in, but not for using the computer audio

• State your availability and set response expectations in your signature line/out of office on emails.

• Forward desk/office phone to your home/cell phone if appropriate
Expectations for Supervisors

Supervisors should communicate specific expectations to individual team members based on the each person’s employment position, the needs of the unit and the employee’s personal circumstances. To ensure that any telecommuting assignment is mutually beneficial to both the University and staff members, planning and communicating expectations in advance of the telecommuting is crucial. Ongoing communications and meetings regarding the status of assignments, projects and department initiatives must be part of the routine of telecommuting during this time of urgency.

For sample expectations that you may tailor for your staff members, please see Appendix A below.

General Employment Expectations

Staff members must comply with University rules, policies, practices, and instructions and understand that violation of same may result in termination of telecommuting privileges and/or discipline up to, and including, dismissal from the University.

Short-term telecommuting in extraordinary circumstances does not change the basic terms and conditions of employment with the University. Telecommuting assignments do not change a staff member’s classification, compensation, or benefits. The accrual and charging of leave time is subject to the same policies and procedures applicable to non-telecommuting staff members.

University of the Pacific is an "at-will" employer, meaning that the employment relationship between the University and each of its staff members may be terminated at any time by either the University or the staff member, with or without notice or cause. Telecommuting assignments are not contracts or promises of employment. Nothing in a telecommuting assignment guarantees employment for any specific term, nor alters the "at-will" nature of employment.
Appendix A

Telecommuting During the COVID-19 Outbreak
Sample Supervisor Expectations

Dear Supervisors:

Should you grant your team members the opportunity to work from home on a limited basis during the COVID-19 outbreak, you must plan the telecommuting assignment ahead of time to ensure it will be mutually beneficial to both the employee and the University. Circumstances can change quickly during such fluid situations, and you are responsible to ensure that your department maintains adequate business operations. You should speak with your employees now to plan business coverage, should some of your employees be personally affected by the outbreak and unable to perform their duties partially or totally.

Additionally, emotions can run high with employees experiencing stress from their personal circumstances, in addition to any anxiety from disruption to normal routines. Without clear communication, it is easy for people to make assumptions, misinterpret directions, or further compound issues by not being on the same page. Please take the time to speak with each of your team members in advance to ensure seamless transitions during this potential time of change. In addition, supervisors can help refer employees to employee support resources such as Pacific’s Employee Assistance Program - EAP, and Pacific’s Learning and Development opportunities. Additionally, University of the Pacific provides staff, faculty and students with free access to LinkedIn Learning (formerly Lynda.com). LinkedIn Learning provides online learning courses and videos covering a wide range of subjects that can be useful for employee development and specifically in this instance, including courses and resources on working remotely and telecommuting. For employees working remotely, development and education through LinkedIn Learning may, at the supervisor’s discretion, be an important aspect of their paid work.

The expectations you have for each telecommuting assignment may vary among your team members, based on their role, needs, and unique circumstance. Please communicate clear expectations to your team members prior to the telecommuting assignment beginning.

Below are sample expectations that should be documented for employees who will be working remotely. Some of these may apply to some of your staff members, but not to others. Please tailor and add to the sample expectations below to meet the needs of each of your team members. Human Resources is pleased to answer any questions and assist in any way.

[Begin form]

[Sample] Expectations during Interim Telecommuting
________________________ [Employee name]
UPDATED: 03/11/2020

1. The opportunity to work from home will be granted for a limited period of time ____________ (list dates).
   a. The opportunity to telecommute may be withdrawn at any time.
   b. The time period for telecommuting may be extended based on business needs, health / safety concerns, or other factors.

2. If you cannot work remotely due to being ill yourself, or your need to care for a family member needing assistance, notify me no later than the beginning of your scheduled shift or workday. You may have to complete additional paperwork if your absence is related to illness or a disability.

3. Adhere to all University timekeeping policies and procedures. For instructions on how to complete your timecard during this time, please see time tracking resources for completing your Web Time Entry timesheet on the University’s Forms Policies and Procedures webpage.
   a. For non-exempt (hourly) employees:
      i. You may work up to eight (8) hours each business day. I ask that you refrain from working over eight hours in one day, or over 40 hours in one week, without prior authorization. But record all time worked, even if you go over these limits. The University does not use a compensatory time or “comp time” system.
      ii. You should take one fifteen (15) minute break near the middle of each four hour segment of work.
      iii. You must take one 30-60 minute meal break prior to the end of your fifth hour of work.
   [Note to supervisors, if your hourly employees work a non-traditional work-schedule, contact HR for how to present the above section.]
   b. For exempt employees:
      i. Report your leave in ½ day or full day increments as required by the staff handbook.
      ii. All leave reports must be timely submitted.

4. Be available by phone and/or e-mail during the agreed upon hours (list contact numbers and hours).

5. Respond to all e-mails and voicemails within one business day. You do not need to provide an answer within one business day; but you must respond to each e-mail
indicating that you have received the message and that you will respond fully in a timely manner.

6. We need to communicate regularly about the progress of your work. [Example: at the end of each business day please email me a progress report including:
   a. projects you have completed during the day
   b. pending projects and their estimated date of completion
   c. items on which you seek supervisory approval and insight

7. If your work involves handling confidential university data, including student records, employment records, consumer or financial records, private or proprietary information, you are required to store that data securely on Pacific’s servers University servers (using VPN, Sharepoint or webfolder access) or as otherwise directed by Pacific Technology. Speak to your supervisor or your campus help desk about how to comply with this requirement.