

HORRY-GEORGETOWN TECHNICAL COLLEGE

# PROCEDURE

Number:	3.1.5.1
Related Policy:	3.1.5
Title:	Telecommuting
Responsibility:	Vice President, Human Resources and Employee Relations
Date Approved:	05-09-2002
Last Cabinet Review:	07-28-2020
Last Revision:	07-28-2020

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President

## DISCLAIMER

**PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY.**

### I. Purpose

The following procedure establishes the guidelines by which Horry-Georgetown Technical College employees may request to engage in Telecommuting activities. Telecommuting is a management option and not a universal employee benefit. Additionally, this procedure outlines employee/employer responsibilities under an approved telecommuting arrangement and serves to protect the interest of the College. It is the College's option to allow an employee to telecommute based on the guidelines set forth by the State Board for Technical and Comprehensive Education (SBTCE) and the College procedures.

### II. Definition

Telecommuting is a work arrangement whereby selected College employees are allowed to perform some or all of the normal duties and responsibilities of their positions, via the use of computers or other telecommunication equipment, at an alternate work location apart from the employee's primary location of work. Telecommuting may be a part-time or a full-time arrangement.

While telecommuting is traditionally thought of as working from home, other types of telecommuting may apply. The College shall assess each situation on a case-by-case basis.

### **III. Guidelines**

Cabinet will review all telecommuting applications/agreements with final approval or disapproval by the College President. DSHR requires the identification of a telecommuting coordinator, and the Vice President, Human Resources and Employee Relations will be responsible for coordinating all Telecommuting applications. Employee participation is voluntary. Participation is not an employee right or benefit and may be discontinued at any time by either party. Denial or termination of a telecommuting arrangement is not subject to the employee grievance process. Telecommuting may not be appropriate to all areas of the College, especially those having limited staff and/or those areas requiring in person contact with customers.

### **IV. Eligibility**

The College may identify the job classes or positions with duties or portions of duties considered appropriate for telecommuting.

In order to be eligible to apply for telecommuting, an employee should have completed six months of satisfactory employment with the College. This six-month requirement may be waived at the discretion of the College President based on factors, such as recruiting, residency of potential employees, and anticipated duration. The College may identify a list of skills and characteristics deemed necessary for the employee to be a successful telecommuter. Employees in a warning period of substandard performance are not eligible for telecommuting.

### **V. Application for Telecommuting**

An eligible employee shall complete an application for telecommuting and submit the request to their supervisor for approval and through the Human Resources Office to be reviewed by Cabinet with final approval by the College President or designee. The application for Telecommuting shall include the minimum requirements in the State Employee Telecommuting Guidelines. Normal workshop attendance, off-campus meetings, and professional development activities, are excluded and will be handled through other policies and procedures.

Requests for telecommuting will be considered on an individual basis. The College must approve the request prior to the employee beginning to telecommute. Upon approval, the employee agrees via a telecommuter's agreement to follow all requirements of the College's procedure and any additional requirements agreed upon by the College and the employee.

### **VI. Conditions of Telecommuting**

- A. Telecommuting may not be used as a substitute for child, elder, or any type of dependent care. Telecommuters must make or maintain dependent care arrangements outside of the designated work location during the designated telecommuting hours.

- B. Telecommuting may not be used as a substitute for other types of leave such as sick leave, family medical leave, annual leave, faculty non-work days, or workers compensation.
- C. A regular telecommuting schedule to include specific hours and days of telecommuting must be established in writing via the telecommuting application prior to the start of the work arrangement and must be mutually agreed upon by the employee and the appropriate management of the College. Any change to the agreed upon schedule must be approved by appropriate management and documented. Telecommuting does not remove the need for an employee to report to the primary work location as needed by the supervisor. The manager or supervisor should provide reasonable notice when disruption of the telecommuting schedule is necessary; however, in extreme circumstances, the employee may be required to report to the primary office without advance notice.
- D. While working away from the primary office, telecommuting employees must be accessible for communication (e.g. land line or cellular telephone, e-mail, etc.). The College may include in the Telecommuter's agreement the means and frequency by which regular communication shall be made.
- E. The employee's duties, responsibilities, benefits and conditions of employment remain the same as if the employee were working at the College primary work location. The employee will continue to comply with Federal and state laws and regulations, as well as SBTCE and College policies and procedures, while working at the alternative location. This would include compliance with the State Ethics Act, which prohibits personal gain from the use of College equipment, time, or facilities.
- F. Telecommuting will not adversely affect an employee's eligibility for advancement or any other employee right or benefit. An employee will be compensated for all applicable pay, leave, overtime, and travel reimbursement as if all duties were being performed at the employee's primary work location.
- G. Work hours, overtime compensation and compensatory time, (for non-exempt employees), and leave benefits will not change as a result of telecommuting. Requests to work overtime or use sick, annual, or other leave must be approved by the College in the same manner as employees working at the primary work location. An employee shall not work overtime unless authorized in advance by the College or as otherwise authorized by the College's overtime procedure.
- H. Participation in telecommuting should be based on the ability of the employee to perform tasks that can be completed from alternative locations, such as a home office and management assessment of the employee's ability to complete those tasks satisfactorily. Typical functions that work well in a telecommuting situation include but are not limited to: data entry, research, writing projects, financial analysis, spreadsheet preparation,

database maintenance, project management, graphic and design work, word processing, editing, computer programming, auditing, and drafting.

- I. All non-exempt employees participating in a telecommuting arrangement must receive advance supervisory approval before working overtime. The employee must follow SBTCE and College work policies and procedures regarding work hours and schedules, including keeping records of time and attendance as if the work were performed at the primary office. The College may require record of hours worked submission for exempt and non-exempt employees who telecommute.
- J. The employee agrees to designate a separate workspace at the alternative site for the purposes of telecommuting and will maintain this area in a safe condition, free from hazards and other dangers to the employee and the College's equipment. To ensure the safety of the workspace, the employee agrees to complete and return to the College a Telecommuting Work Space Checklist, which will certify the employee's alternate workspace and complies with health and safety requirements. The employee must submit this checklist to the College before telecommuting begins. The employee agrees that the College shall have reasonable access to the workspace for the purposes of inspection of the site and retrieval of College-owned property. The College shall establish the time, frequency, or scope of such inspections.
- K. The alternate work location is considered an extension of the employee's primary work location. Therefore, workers' compensation will continue to exist for the employee when performing official work duties in the alternate workspace during approved telecommuting hours. Any work related injuries must be reported to the employee's supervisor immediately and in accordance with established College reporting procedures.
- L. The College may provide all or part of the equipment and/or services necessary for accomplishing work assignments.
- M. The College will cover the cost of installation, repair, or maintenance of State-owned equipment necessary for accomplishing work assignments. The employee is responsible for any damage to State equipment resulting from gross negligence while in the employee's possession. The employee should not allow family, friends, neighbors, etc. to use State-owned equipment.
- N. The College's security controls and conditions for use of the State-owned equipment for the official work location will also apply to alternate work locations. All College records, files, and documents must be protected from unauthorized disclosure or damage and returned safely to the primary work location ensuring the confidentiality of all is essential.
- O. No employee engaged in telecommuting will be allowed to conduct face-to-face, agency-related business at their alternate work site. The College will not be liable for injuries or

damages to persons or property in the alternate work location except as provided in K above. Should the use of personally owned equipment be necessary to conduct telecommuting the responsibility for the care, maintenance and repair of the personal equipment shall be addressed by the telecommuting agreement.

## **VII. Termination of Telecommuting**

- A. The College may terminate the telecommuting arrangement at any time without cause.
- B. Upon termination of the telecommuting arrangement or upon termination of employment, all College equipment, files, documents or other College property at the alternative work site must be returned immediately.
- C. Termination of a telecommuting arrangement is not subject to the employee grievance process.
- D. Any change of employee status may negate this telecommuting agreement. Such changes may include, but are not limited to the following: promotions, transfers, reassignment, temporary, or otherwise. This does not prohibit the negotiation of a new telecommuting agreement.

## **VIII. Reporting Requirements**

The College must provide to the DHSR a report of the utilization of telecommuting. The System Office's Human Resource Services shall coordinate the annual submission of telecommuting information to the DSHR upon request.

## **ADDENDUM #1**

### **Sample Telecommuting Application**

The decision to telecommute should be based on the ability of an employee to work in a setting that may be in the employee's home or other approved area, without immediate supervision. The following tool can be used by an employee as a basis for discussing the option of telecommuting with a supervisor. The employee should submit the application to a supervisor for evaluation and final approval by the agency head or designee.

Please answer the following questions rating your abilities, using the following scale:

5 – Always    4 – Usually    3 – Sometimes    2 – Rarely    1 – Never

1. I can develop regular routines and am able to get and meet deadlines. I am self-motivated, self-disciplined, and able to work independently; completing projects on time with minimal supervision and feedback; and I am capable of being productive when no one is checking in or watching at work.

Supervisory Rating

2. I have strong organizational and time-management skills; am results oriented; will remain focused on work while telecommuting and not be distracted by television, housework, or visiting neighbors; will manage my time and workload well, solve many of my own problems and find satisfaction in completing tasks on my own; am comfortable setting priorities and deadlines; and can keep my sight on results.

Supervisory Rating

3. I am comfortable working alone; can adjust to the relative isolation of working at home; and can set a comfortable and productive pace while working at home.

Supervisory Rating

4. I have a good understanding of the organization's culture and environment. I am knowledgeable about the organization's procedures and policies and have been on the job long enough to know how to do my job in accordance with those policies.

Supervisory Rating

5. I have effective working relationships with co-workers and will be able to maintain such communications while telecommuting.

Supervisory Rating

6. I am adaptable to changing routines and environments and have demonstrated an ability to be flexible about work.

Supervisory Rating

7. I am an effective communicator, have demonstrated effective communication between supervisors and co-workers, and am comfortable in using various methods of communication.

Supervisory Rating

8. I am in good standing with the agency on my previous and current performance reviews.

Supervisory Rating

9. Is my job appropriate for telecommuting? (Check those that apply.)

- ☐ My job responsibilities are arranged so that there is no difference in the level of service provided to the customer regardless of work location.
- ☐ My job has minimal requirements for direct supervision or contact with the customer.
- ☐ My job requires low face-to-face communication and I have the ability to arrange days when communication can be handled by telephone or email.
- ☐ My job has minimal requirements for special equipment
- ☐ I am able to define tasks and work products with measurable work activities and objectives.
- ☐ I am able to control and schedule workflow.

Supervisory Rating

10. Is my alternate workplace an appropriate environment for telecommuting? (Check those that apply.)

- ☐ I have a safe, comfortable workspace where it is easy to concentrate on work.
- ☐ I have the appropriate level of security required by the agency.
- ☐ I have the necessary office equipment and software that meet agency standards.
- ☐ I have a telephone, with separate home office line if required, an answering machine or voicemail, and internet access (where applicable).
- ☐ I have household members who will understand I am working and will not disturb my work.



## ADDENDUM #2

### South Carolina Sample Telecommuting Agreement

This is an agreement between \_\_\_\_\_ (agency) and \_\_\_\_\_ (employee).  
This arrangement shall begin on \_\_\_\_\_ and will terminate at the convenience of the  
agency no later than \_\_\_\_\_.

This agreement establishes the terms and conditions of telecommuting. The employee agrees to participate in the telecommuting program and to follow the applicable guidelines and policies. The agency agrees with the employee's participation. **The employee's signature on this Agreement constitutes acceptance of the terms listed throughout the Telecommuting Guidelines (or Policy). (Note: the employee should initial each page of the policy and attach it to this Agreement).**

#### Designation of Alternate Workplace and Hours:

The following are the working hours and locations agreed to by both parties:

General Work Hours:			
(Day)	(Hours)		(Location)
	From	To	6. P=Primary Workplace 7. A=Alternate Workplace
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			

Saturday			
Sunday			

Primary Workplace: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Alternate Workplace: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

#### Equipment Used in Alternate Workplace

The following table lists the agency or state equipment that will be used at the alternate workplace (attach additional documentation if needed):

Item:	Inventory Item:	Date Out:	Date Returned:
1.			
2.			
3.			
4.			
5.			

#### Special Conditions or Additional Agreements (List if applicable):

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I have read and received a copy of the Telecommuting guidelines (or Policy) and fully understand issues regarding pay, attendance, advancement, leave, overtime, office location,

liability, workers compensation, operating costs, safety, evaluation, termination of agreement, and equipment maintenance.

We agree to abide by the terms and conditions of this agreement.

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Agency Head or Designee: \_\_\_\_\_ Date: \_\_\_\_\_

## **ADDENDUM**

### **Temporary Remote Work– State of Emergency/Declared Pandemic**

#### **PURPOSE**

The purpose of this Addendum to the State Board for Technical and Comprehensive Education (SBCTE) Telecommuting procedure 8-7-106.1, is to outline procedures for administering Temporary Remote Work guidelines during a State of Emergency/declared pandemic to meet business needs. The System Office/College will comply with guidance from the Centers for Disease Control and Prevention, the South Carolina Emergency Preparedness Division, the Department of Health and Environmental Control and the Department of Administrative Division of State Human Resources.

The provisions of the addendum are for all employees, full-time equivalent (FTE), Temporary, Temporary Grant and Time Limited, who cannot report to the state agency workplace(s) because

of a State of Emergency or when there is a declared pandemic. The SBTCE is committed to offering remote work opportunities to employees to the maximum extent possible.

#### **I. Eligibility for Remote Work**

The System Office/College will identify the job classes or positions with duties or portions of duties considered appropriate for remote work. The System Office/College will identify, along with input from the employee, a list of skills and characteristics deemed necessary for the employee to be successful. Remote work is only to be used when the normal worksite is not available or accessible during emergencies/declared pandemics, or to achieve a social distancing management methodology.

#### **II. Conditions of Remote Work**

With input from the employee, the System Office/College may provide a regular remote work schedule to include specific hours and days of remote work prior to the start of the work arrangement. Any change in schedule must have appropriate management approval and be documented. Remote work employees may not engage in secondary employment or other personal business when they are on scheduled work time.

Remote work does not prohibit a supervisor from requiring an employee to report to the primary work location as needed. The manager or supervisor should provide reasonable notice when a change to the remote work schedule is necessary. However, in extreme circumstances, the employee may be required to report to the primary work location without advance notice.

While working remotely, employees must be available for communication, (e.g. telephonic devices, Microsoft (MS) Teams, e-mail, etc.). The supervisor will determine the means and frequency by which regular communication shall be made.

The employee's duties, responsibilities, benefits and conditions of employment remain the same as if the employee were working at the primary work location. While working remotely, the employee must comply with all federal and state laws and regulations, as well as policies and procedures. This would include compliance with the State Ethics Act, which prohibits personal gain from the use of System Office/College equipment, time, or facilities.

While working remotely, employees are required to work their normally scheduled work hours each week. For any time needed to be away from remote work, employees are expected to follow the standard procedures for requesting leave. Furthermore, if at any time during this period, employees are found not meeting performance expectations or not following System Office/College policies and procedures, approval for remote work may be revoked and the employee may be subject to disciplinary action.

Remote work will not adversely affect an employee's eligibility for advancement or any other employee right or benefit. An employee will be compensated for all applicable pay, leave, overtime, and travel reimbursement as if all duties were being performed at the employee's primary work location.

Work hours, overtime/compensatory compensation (for non-exempt employees), and leave benefits will not change as a result of remote work. Requests to use sick, annual, or other leave must be approved by the System Office/College in the same manner as employees working at the primary work location. An employee shall not work overtime unless authorized in advance by the System Office/College or as otherwise authorized by the System Office/College's overtime procedure. The employee must follow System Office/College work policies and procedures regarding work hours and schedules, including keeping records of time and attendance as if the work were performed at the primary work location. The System Office/College may require a record of hours worked submission for exempt and non-exempt employees who telecommute.

Remote work may occur while children or other dependents are present in the remote work location and alternative care is unavailable. Employees who are working remotely acknowledge that the System Office/College is not responsible or liable for the health and safety of the employee's dependents while completing System Office/College work in the remote work location, nor for the health and safety of the employee while caring for any dependents. It is up to the employee to determine whether or not the System Office/College work can be conducted safely and/or effectively in the employee's remote work location.

Below are some suggestions for employees to consider while working from the remote work location:

- Stay in frequent communication with the supervisor and let them ~~him/her~~ know of any issues, problems, or questions related to the work assignments or working from the remote work location;
- Be flexible;
- Employees must adhere to normal System Office/College business hours of operations while working remotely especially when duties are part of providing daily customer service (i.e., answering emails or answering telephone calls that may be forwarded to the employee's cell phone). However, it may be possible for employees to work different times of the day. For example, if an employee has young children at the remote work location, it may be more efficient for work to be completed early in the morning, during naptimes, and later in the evening. This should be reviewed and approved by the supervisor.

To be productive working from the remote work location, there are best practices and tips to consider:

- choosing a location in the remote work location that has minimal distractions; maintain good posture while sitting;
- take regular breaks to stand and move around;
- attempt to stay on a consistent schedule with eating, sleeping, and/or exercise; structure the day or try to stay on a schedule – this helps with productivity but also maintains boundaries to help separate work time from personal time.

Maintain System Office/College security, privacy, and confidentiality standards.

- Employees are not allowed to use equipment that is not issued by the System Office/College to conduct official business;
- Email – only open or download attachments from known senders;
- Web traffic – be wary of ads on websites; and
- Files and documents – maintain this information securely and confidentially in the remote work location.

The remote work location is considered an extension of the employee's primary work location. Therefore, workers' compensation will continue to exist for the employee when performing official work duties in the remote work location during approved remote work hours. Any work-related injuries must be reported to the employee's supervisor immediately and in accordance with established System Office/College reporting procedures.

Employees engaged in remote work will not be allowed to conduct face-to-face, System Office/College related business at their his/her remote work location. The System Office/College will not be liable for injuries or damages to persons (unless approved by the State Accident Fund as workers' compensation) or property in the remote work location except as provided above.

### **III. Termination of Remote work**

The System Office/College may terminate the remote work arrangement at any time with or without cause based on business needs.

Upon termination of the remote work arrangement or upon termination of employment, all System Office/College property, files, documents or other State-owned equipment at the remote work location site must be returned immediately.

Termination of a remote work arrangement is not subject to the employee grievance process. Any change to the State of Emergency Order(s) or declared pandemic may negate this remote work agreement.

#### **IV. Reporting Requirements**

The System Office/College may be required to provide the Division of State Human Resources (DSHR) a report of the utilization of remote work. The System Office's Human Resource Services division shall coordinate the submission of remote work information to the DSHR upon request.

