



**BOISE STATE UNIVERSITY**

University Policy 7605

## Telecommuting - Remote Work

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### **Effective Date**

September 23, 2021

### **Responsible Party**

Human Resources, (208) 426-1616

### **Scope and Audience**

This policy applies to requests for a Telecommuting - Remote Work arrangement where a Classified or Professional Employee's Central Workplace will be entirely at a location other than a Boise State University worksite. A supervisor wishing to recruit for a new Classified or Professional Employee who will work remotely should discuss this option with Human Resources prior to posting the position to ensure compliance with this policy and to ensure the position is appropriate for Telecommuting - Remote Work.

In limited circumstances, a Telecommuting - Remote Work arrangement could involve a temporary special project or otherwise temporary arrangement at a work location other than a Boise State University worksite. For a nonrecurring Telecommuting - Remote Work arrangement of two (2) months or less, the request may be handled informally by the supervisor in consultation with Human Resources. A formal Telecommuting - Remote Work Agreement is required for a Telecommuting - Remote Work arrangement of over two (2) months.

This policy does not apply to Faculty.

This policy does not apply to requests for a telecommuting arrangement where the employee's Central Workplace is at a Boise State University worksite, but the employee will work at an Alternate Work Location for a previously authorized, specific number of hours or days per week. To request a telecommuting arrangement, see University Policy 7600 (Telecommuting).

This policy does not apply during emergency situations, such as closures due to inclement weather or a public health emergency, in which the University remains open for business but requires employees to temporarily work from a location other than a Boise State University worksite. During such emergency situations, the University will provide affected employees with specific direction and requirements needed for any temporary alternate work location arrangement.

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## **1. Policy Purpose**

To provide guidelines for granting and maintaining a successful Telecommuting - Remote Work arrangement.

## **2. Policy Statement**

Boise State University considers Telecommuting - Remote Work to be a viable working arrangement that provides mutual benefit to both the University and the employee by increasing employee retention and reducing commuting and department costs. Telecommuting - Remote Work may be appropriate for some positions but not for others. Telecommuting - Remote Work is not an entitlement, it is not a University-wide benefit, nor does it change the employee's terms and conditions of employment with the University. Telecommuting - Remote Work requires accountability to ensure all work is being completed in an efficient and measurable manner as determined by the business needs of the department or unit.

## **3. Definitions**

### **3.1 Central Workplace**

The place of work where an employee normally performs their official position duties with the University. For a Telecommuting - Remote Work arrangement, this will be entirely at an approved work location other than a Boise State University worksite. The Central Workplace is also referred to as an "Official Station" in University Policy 6180 (Travel).

### **3.2 Final Candidate**

An applicant who is being offered employment, promotion, or internal transfer contingent upon successful completion of a Background Verification - See University Policy 7630 (Recruitment and Hiring).

### **3.3 Telecommuting - Remote Work**

Working entirely at an alternate work location other than a Boise State University worksite. In most cases, this is the employee's home. Telecommuting - Remote Work can occur both within the State of Idaho and outside the State of Idaho. In most situations, the employee will not have an assigned Boise State University worksite location, e.g. individual office or cubicle

### **3.4 Telecommuting – Remote Work Agreement**

The written agreement between the University and the Final Candidate, or employee, that details the terms and conditions of the employee's Telecommuting - Remote Work arrangement.

## **4. General Expectations**

- a. Any employee approved for Telecommuting - Remote Work must comply with and is subject to all University and Idaho State Board of Education policies and procedures and all applicable State statutes and Rules as other employees. Violation of such policies and procedures may result in disciplinary action up to and including dismissal from employment.
- b. An employee's compensation, benefits, work status, essential job functions, and amount of time an employee is expected to work per day or pay period will not change as a result of a Telecommuting-Remote Work agreement. If an employee is unable to work the complete day while working remotely, the employee must report and receive supervisor approval for any leave time such as annual/vacation leave, sick leave, compensatory time, etc. as required under University Policy 7620 (Time Away from Work).
- c. An overtime-eligible (hourly) employee's work schedule must comply with the Fair Labor Standards Act and any applicable State rules and University or Idaho State Board of Education policies or procedures. An employee is required to follow their supervisor's procedures for requesting approval for overtime and compensatory time.

## **5. Eligibility**

- a. Supervisors must consult with Human Resources when considering a request for a Telecommuting – Remote Work arrangement. Approvals for a Telecommuting – Remote Work request will be made on a case-by-case basis using the criteria in this section. Approval for a Telecommuting - Remote Work arrangement outside the State of Idaho must be approved as required under Section 6.c.

- b. Generally, Telecommuting - Remote Work may be considered when:
- A current employee or Final Candidate is in, or is seeking to fill, a hard-to-fill position as determined by the supervisor in consultation with Human Resources.
  - A Final Candidate or current employee has unique qualifications or a unique skill set.
  - The nature and duties of the position are appropriate for Telecommuting - Remote Work as determined by Human Resources in consultation with the supervisor.
  - The department or unit can maintain quality of service for students, employees, and other members of the University community.
  - A current employee has demonstrated satisfactory performance, generally documented with performance evaluation ratings of “Achieves” or higher, and the supervisor believes the employee can maintain the expected quantity and quality of work while working remotely. An employee with a “Does Not Achieve” performance evaluation rating is not eligible for Telecommuting - Remote Work.
  - A need exists to retain a high-performing employee.
- c. Generally, a request for Telecommuting - Remote Work should not be considered when:
- The position requires the employee’s physical presence based on business needs at the Central Workplace, or Telecommuting - Remote Work would harm the department or unit’s efficiency or service.
  - The position duties require frequent supervision, direction, collaboration, or input from others who are onsite; or the employee is required to provide frequent onsite supervision, direction, or input to employees who are onsite.
  - The position is hourly (eligible for overtime), and the employee is covered by the federal minimum wage and overtime compensation requirements of the Fair Labor Standards Act. Most Classified Employees and some Non-Classified/Professional Employees are overtime eligible employees.
  - The employee has not demonstrated satisfactory performance, generally documented through the performance evaluation, or the ability to work independently.

## 6. Annual Telecommuting - Remote Work Agreement

- a. A Telecommuting - Remote Work Agreement must be completed, signed, approved, and submitted annually to Human Resources for final review and processing prior to initiating a Telecommuting - Remote Work arrangement.
- b. A Telecommuting - Remote Work Agreement for a Central Workplace within the State of Idaho must be approved at a minimum by the immediate supervisor in consultation with Human Resources. Vice presidents may establish additional approval requirements for their division.
- c. A Telecommuting - Remote Work Agreement for a Central Workplace outside the State of Idaho must be approved by the immediate supervisor and the appropriate vice president in consultation with Human Resources and depending on location, the Office of the General Counsel.
- d. A Final Candidate who is not approved for Telecommuting - Remote Work will not be offered the position unless the Final Candidate is willing to relocate to the state of Idaho and work at a Boise State University worksite, if available.
- e. Approved Telecommuting - Remote Work Agreements and written notifications of denials will be maintained in Human Resources with a copy provided to the Final Candidate or employee.
- f. If a Telecommute – Remote Work Agreement is not approved for a current employee, the supervisor must provide written notification, including the reason for the denial, to the employee and Human Resources.

## 7. Americans with Disabilities Act (ADA) Reasonable Accommodation

If an employee or Final Candidate requests Telecommuting - Remote Work as a reasonable accommodation request under the ADA, the request must be reviewed and approved by Human Resources (See University Policy 7570 - Accommodating Disabilities in the Work Environment).

## 8. Alternative Worksite Safety

The employee, position, Alternate Work Location, and other conditions must be deemed suitable by the supervisor based on the Telecommuting - Remote Work Agreement before any Telecommuting - Remote Work is permitted.

## 9. Paid Travel

An employee may be reimbursed for travel expenses incurred for travel from the employee's Central Workplace to the Boise State University worksite if such travel is required to attend meetings, or to otherwise temporarily report to the Boise State University worksite for any other reason as required by the supervisor. Any travel expenses paid for by the University must be reasonable and necessary and must comply with the requirements under University Policy 6180 (Travel).

## 10. Workplace Environment

An employee under a Telecommuting - Remote Work Agreement must work with their supervisor to define and ensure a workplace environment with minimal distractions and availability for communication and contact, including communication and contact with the employee's supervisor, similar to working at a Boise State University worksite.

## 11. Information Technology Security, Equipment, and Other Costs

- a. The University will review employee computer usage (and related devices) to ensure it meets information security standards. The employee is responsible for sufficient internet access to conduct University business including related equipment and all associated costs (See University Policy 8130 - Remote Access).
- b. The University is not responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities) associated with the use of an employee's residence for Telecommuting - Remote Work.
- c. The department will provide equipment and materials needed by the employee to effectively perform their duties. All equipment purchases must be purchased through the Office of Information Technology (OIT) using established procurement processes.
- d. Any use of University-owned equipment at the employee's Central Work Location must only be used for legitimate University purposes. The employee is responsible for protecting University-owned equipment from theft, damage, and unauthorized use. The University will maintain, service, and repair University-owned equipment used in the normal course of employment. The University will stipulate in the Telecommuting - Remote Work Agreement who is responsible for transporting and installing equipment and for returning it to the University for repair or service.

- e. A Telecommuting - Remote Work Agreement may also permit an employee to use their own computing device and peripherals (e.g., printers, monitors, etc.) provided the use of such equipment meets the information technology standards in University Policy 8030 (Desktop, Laptop, and Tablet PC Computing Standards).
- f. The University is not responsible for the cost, repair, or service of an employee's personal equipment.

## 12. Outside Employment

Any outside employment must not pose a conflict of interest or commitment and must be disclosed as required under University Policy 1110 (Conflict of Interest and Commitment).

## 13. Liability and Workers' Compensation Insurance

- a. An employee working anywhere in the United States or US territories is covered for Liability and Workers' Compensation insurance while working in the course and scope of employment from their Central Work Location.
- b. An employee should not conduct in-person business meetings or have business visitors if their Central Work Location is their home office.
- c. An employee is strongly encouraged to carry homeowner's or renter's insurance for protection against third-party liability injury claims at their Central Work Location.
- d. An employee should conduct work from their Central Work Location in a safe environment and report any incidents, accidents, or workplace injuries while working from their Central Work Location immediately to [Risk Management and Insurance](#).

## 14. Resident Taxing for State Outside of Idaho

The University will review, but has no legal obligation to withhold or remit income tax of another state. It is the employee's responsibility to ensure they are in compliance with any out-of-state tax requirements, where approval for Telecommuting - Remote Work from outside the State of Idaho is authorized.

## 15. Other Federal and State Laws

- a. Telecommuting - Remote Work is not intended to cover or be a substitute for other work-related situations covered by other laws, such as the Americans with Disabilities Act, the Family and Medical Leave Act, or other similar federal and state laws.
- b. An employee who has an approved Central Work Location outside the State of Idaho may be entitled to the benefits of the state labor and employment laws where the employee works and should discuss with Human Resources such labor and employment laws.

## 16. Discontinuing a Telecommuting - Remote Work Agreement

An employee may request to discontinue their Telecommuting - Remote Work Agreement subject to availability of workspace at the Boise State University worksite and the approval of their supervisor. Workspace at a Boise State University worksite is not guaranteed and in such cases, the employee's request may be denied.

## 17. Return of University Property

- a. Upon separation from University employment, the employee must promptly return all equipment, software, supplies, and any other University property in the employee's possession or control to the department. An employee may not keep or dispose of any equipment.
- b. The department is responsible for tracking all University-owned equipment and ensuring its return to the University when the equipment is either obsolete, or when the employee has separated from the University. All equipment must be reused or disposed of following State procedures.

## 18. Costs, Damages, or Lost Property

The University will not be held responsible for costs, damages, or losses associated with the discontinuation of a Telecommuting - Remote Work Agreement or due to separation from University employment.

## 19. Forms

Telecommuting - Remote Work Agreement  
<https://www.boisestate.edu/hrs/telecommute-form/>



## 20. Related Information

Office of Information Technology - Working Remotely

<https://www.boisestate.edu/oit/workingremotely/>

Risk Management and Insurance

<https://www.boisestate.edu/rmi/>

University Policy 1110 (Conflict of Interest and Commitment)

University Policy 6180 (Travel)

University Policy 7570 (Accommodating Disabilities in the Work Environment)

University Policy 7600 (Telecommuting – Hybrid)

University Policy 8130 (Remote Access)

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## Revision History