



**Responsible Department:** Human Resources and Inclusive Community (HRIC)  
**Recommended By:** Provost and Vice Chancellor of Human Resources and Inclusive Community  
**Approved By:** Chancellor

**Policy Number**  
HRIC 3.10.032

**Effective Date:**  
June 22, 2021

## I. INTRODUCTION

This Policy defines the rare circumstances of when and how Telecommuting is permitted for certain appointed and non-appointed staff positions at the University of Denver.

## II. POLICY OVERVIEW

### A. When Telecommuting is Permitted

Telecommuting must be pre-approved as articulated in this Policy and is only permitted for limited staff positions where one or more of the following circumstances are present:

1. There is a nexus to the essential functions of the position in a particular location where the employee is Telecommuting. Such as a position tasked with maintaining alumni relationships in the Midwest requiring the employee to Telecommute from Chicago, Illinois;
2. The position requires unique or niche skills, not otherwise readily available in the local market as confirmed by HRIC and Shared Services and Telecommuting is required to recruit or retain an employee in a mission critical position;
3. Unusual life circumstances require a valued and exceptional employee in a mission critical position to Telecommute, such as the transfer of an employee's partner outside the Denver metro area causing the family to move; or
4. Telecommuting staff will assist the college/ unit to meet the reasonable service or academic expectations of a college/ unit's stakeholders, campus partners, students, and users. For example - a cohort of students is located outside the Denver metro area and requires staff co-located with the students.

## **B. Working Outside the State of Colorado**

Due to the compliance obligations for out of state employees, Telecommuting is discouraged outside the State of Colorado absent a nexus to the essential functions of the position. Exceptions may be approved by the Telecommute Work Committee.

## **C. Expenses.**

Unless a position's job description requires the employee to work outside the Denver metro area, an employee who elects to reside outside the Denver metro area and is authorized to Telecommute, is responsible for expenses for any travel required for in-person meetings and events at the University. For example, if an employee living and working in Telluride, Colorado is required to be in Denver, Colorado for in-person quarterly meetings, those travel expenses are the responsibility of the employee. Rare exceptions will be made at the discretion of the college/unit.

## **D. Pre-existing Telecommuting Arrangements.**

Any position that was hired or converted to an exclusively Telecommuting position as explicitly documented prior to March 30, 2020 or otherwise identified in the job posting or job description will remain in place absent supervisor notice to the contrary. All such Telecommuting positions will be subject to this Policy.

This provision does not include any Telecommuting arrangements developed because of the Covid-19 Pandemic, as opposed to the needs of the position. For the remote work options following the Covid-19 pandemic, please see the Temporary Remote Work Policy. To continue a Telecommuting arrangement following the Covid-19 Pandemic it must be approved according to this Policy.

## **III. PROCESS OVERVIEW**

### **A. Eligibility**

1. To be eligible for Telecommuting, an employee must be able to work independently, be in good standing without documented performance concerns, and meet expectations in their current role.
2. All the essential functions of the position must be capable of being well performed while Telecommuting.

3. Telecommuting may not affect the seamless execution of the employee's work responsibilities and availability to stakeholders during the University's work week as determined, in part, by the following:
  - Performance standards and essential job functions for the position are not impacted by Telecommuting;
  - The workload of a co-worker or manager is not expanded because an employee is Telecommuting;
  - The employee's availability during the University's Hours of Work; and
  - Stakeholder needs and expectations are met.

## **B. Implementing Telecommuting**

1. Existing Employees Requesting Telecommuting:
  - a. An employee who wishes to engage in Telecommuting shall submit a "Request to Telecommute" to their supervisor.
  - b. The supervisor shall review the Request to Telecommute and determine if the position and employee are eligible for Telecommuting pursuant to this Policy and if the supervisor wishes to grant the request.
  - c. If a supervisor determines an existing employee is eligible for Telecommuting, the supervisor must apply for and request approval for the Telecommuting arrangement from both the applicable Vice Chancellor or Dean and the Telecommute Work Committee before approving an existing employee to Telecommute.
  - d. Supervisors shall advise the requesting employee in writing if a Request to Telecommute is approved as requested, approved with modifications, or denied. If the Request to Telecommute is denied, the reasons for the denial will be included. The decision to deny a Telecommuting request is final and not subject to grievance or appeal.
2. New Telecommuting Positions:
  - a. Supervisors must determine if a proposed position is eligible for Telecommuting pursuant to this Policy.
  - b. If the supervisor wishes to permit a proposed position to Telecommute, the supervisor must apply for and request

approval from the applicable Vice Chancellor or Dean and the Telecommute Work Committee prior to extending an employment offer or posting a position that contemplates Telecommuting.

3. The University and employee approved for Telecommuting will enter a Telecommute Work Agreement, which the supervisor will discuss with the employee.
4. The Telecommute Work Agreement will be part of regular performance management check-ins.
5. Supervisors may adapt the implementation of a Telecommute Work Agreement as the needs of the department and effectiveness of the employee warrant.
6. The University will make equitable decisions on each employee's Request to Telecommute without regard to employees' protected characteristics. However, equitable decision-making does not guarantee identical results in every instance or across units.
7. Any Request to Telecommute that stems from a request for family or medical leave, disability or religion should be referred to the designated Human Resources Partner.
8. Supervisors with Telecommuting staff will receive training on management of Telecommuting employees.
9. Telecommuting is not an entitlement or condition of employment at the University. Accordingly, colleges/units retain the discretion to change a Telecommute Work Agreement as needed. Supervisors are encouraged to consult with their designated Human Resources Partner prior to revoking or revising a Telecommute Work Agreement. To the extent possible, supervisors will provide sufficient advance notice to employees of a change to a Telecommute Work Agreement.
10. The University will not incur any additional expense in accommodating approved voluntary Telecommute Agreements such as operating costs, office and computer equipment, home maintenance, or other incidental expenses associated with Telecommuting. However, if a position description requires Telecommuting, the University will be responsible for providing computer equipment and covering the cost of other incidental expenses incurred as a direct result of working from home. Generally, the University is not responsible for utilities associated

with operating a home such as internet, electricity, or cell phone costs. The University does not assume liability for loss, damage, or wear of employee-owned equipment.

**IV. DEFINITIONS**

- A. “Telecommute Work Committee”** – Committee comprised of representatives from HRIC, Shared Services, the Provost’s Office, and the Office of General Counsel to evaluate and approve or disapprove job descriptions that contemplate Telecommuting.
  
- B. “Telecommute or Telecommuting”** – Work done exclusively from any pre-approved location other than a traditional, employer-designated place of work (e.g., on campus). Telecommuting is generally only permitted for positions that are pre-approved to be performed outside the Denver metropolitan area.
  
- C. “Telecommuting Agreement”** – The agreement between a Telecommuting employee and the University, if Telecommuting is approved, in a form approved by HRIC which defines the terms and conditions of the Telecommuting.

**V. RESOURCES**

Policy HRIC 3.10.030 - *Hours of Work*

Policy HRIC 3.10.031 - *Pilot Remote Work Policy for Staff*

<b>Revision Effective Date</b>	<b>Purpose</b>