WORKPLACE WELLNESS POLICY

I. INTRODUCTION

The Workplace Wellness Telework Policy replaces the Revised COVID-19 Telework Policy to address and mitigate the spread of infectious diseases through in-person contact in the workplace, including the continued impact of COVID-19, on the University of Hawai'i and its employees. The objective is to support the University's education delivery and research activities at all times, while ensuring the health and safety of its faculty, staff, and students.

The Workplace Wellness Telework Policy allows employees who are fully capable of working to perform their duties and responsibilities off-site, if they are unable to report to campus because of symptoms related to infectious disease, or recent close contact with a person with an infectious disease. This is intended to reduce the risk of potential transmission of illness to faculty, staff, or students at any University site.

II. POLICY

Campuses and offices may permit teleworking for their employees if the employee should not report to campus because of symptoms that may be related to an infectious disease (though the employee is otherwise fully capable of working).

Other conditions in which an employee may request telework through the Workplace Wellness Policy include:

1. An order from the State of Hawai'i Department of Health or medical provider to be in isolation or quarantine;
2. A positive test for COVID-19, or recent close contact with someone who has tested positive for COVID-19.

III. GENERAL PROVISIONS

A. Participation

1. Participation in the Workplace Wellness Telework Policy is a management prerogative. The best interest of the University shall be the primary factor in reviewing individual requests. All requests must be made via the Online Leave System (OLS), with the appropriate Workplace Wellness Telework leave code, subject to supervisor approval.
2. The maximum amount of time an employee may be on approved Workplace Wellness Telework is 5 days during one request period, after which they should report to work, or request personal leave. Requests for extensions to wellness telework based on persisting symptoms or likeliness of communicability will be addressed on a case by case basis.

3. Whether particular work is suitable for teleworking will be determined by the Dean, Director, or Manager based on factors such as job duties and responsibilities, rather than job title, type of appointment, work schedule, or the employee's desire to telework.

4. This policy covers both full-time and part-time employment.

5. With respect to faculty, this policy is only applicable to those who, under normal conditions, are required to have a physical presence on campus during set working hours.

B. Examples of factors for supervisors to consider, when evaluating a request to telework:

1. Is the employee's work suitable for teleworking?

2. Is the employee on probationary status or does employee require close supervision or monitoring?

3. Does the employee have other extenuating circumstances that should be considered?

4. Does the employee have the technological capabilities to telework, such as laptop, video conference software, internet capabilities, etc.?

5. Does the employee have access to work/tasks, such as secure VPN access to servers?

6. Does the work require access to confidential information? If so, how can cyber security be ensured?

7. Is the employee willing to be contacted at home on private telephone or cell phone?

8. Can the employee forward work phone calls to a home/cell phone?

9. Can the employee receive notification via email of work telephone messages?

10. Does the employee have space and equipment that are safe and suitable for teleworking, such as a quiet and secure location, computer or ergonomic chair, etc.?

11. Does the employee know how to set up online meetings or video conference?

12. Is there a way to measure employee performance while teleworking and how will the supervisor take responsibility for ensuring performance?

13. Is training required in order for employee to utilize the required technology?

IV. CONDITIONS APPLICABLE TO ALL INSTANCES OF WORKPLACE WELLNESS TELEWORK UNDER THIS POLICY

An employee who requests to telework, and all approved telework requests, shall be subject to the following:

A. Expectations When Teleworking

1. Employee must identify one remote work location. Any change to the remote work location must be approved by the employee's Dean, Director or Manager.

2. Employee must be able to demonstrate productivity to their supervisors. The ability to track productivity will be the responsibility of the teleworking employee and the supervisor.

3. Employee will work their normal hours at the remote location, and regular Overtime procedures shall apply (*e.g.*, if prior authorization is normally required before working Overtime, it shall continue to be required while teleworking).

4. If employee cannot perform duties from the remote location due to illness or other reason, the employee must take appropriate leave. Normal leave practices will continue to apply during telework (*e.g.*, if prior approval is normally required for vacation leave, it shall continue to be required during telework).

5. Supervisor must be able to contact the employee at the remote location at any time during the employee's normal working hours. Supervisors are expected to engage in regular contact with employees working at remote locations.

6. Teleworking does not alter the employee's terms and conditions of employment, or work responsibilities.

B. Teleworking Equipment and Costs

1. The University will not nor shall it be required to provide or pay for any supplemental equipment, furniture, or accessories, such as chairs, cameras, keyboards, etc., to enable an employee to telework.

2. The University is not and shall not be responsible for any utility or operating costs, including but not limited to internet service, home maintenance, electricity, or telephone expenses, resulting from an employee's voluntary telework.

3. The University may, at its discretion, opt to provide a teleworking employee with equipment, software, supplies, etc., as determined by the dean, director, or manager.

   The teleworking employee is responsible for the proper use, care, maintenance, and safety/security of such equipment and supplies to guard against theft, damage, or access by others; for example, the employee may be required to use a surge protector with a University-provided computer.

4. A teleworking employee who is authorized to use a personal computer or equipment agrees that the University is not and will not be liable for any expenses related to the cost, care, damage, depreciation, or theft of the personal computer or equipment.

5. A teleworking employee agrees that there is no reasonable expectation of privacy while using a personal computer for work purposes and any work information or data stored on such equipment may be accessed by the University and disclosed to other parties as authorized and/or required by law (for example, in response to a subpoena, information request under the UIPA, etc.).

6. University-supplied equipment and supplies shall be for authorized business use only and the employee agrees to protect against unauthorized use.

7. The University will provide the equipment, software, supplies, etc., necessary to telework, as determined by the dean, director, or manager, to employees for whom telework is being provided as a reasonable accommodation or a supportive measure.

C. Safety

1. The employee must certify that the remote work location is a safe work environment and free of hazards.

2. The employee must maintain a safe work environment at the telework site; the employee must immediately notify his or her supervisor if conditions change such that the telework work site is no longer safe or appropriate for telework.

3. An employee who is teleworking and is injured while conducting official business during working hours shall notify his or her supervisor immediately.

4. The University is not and will not be responsible for injuries to third-parties at the remote work location, or for injuries incurred by the employee that occur during working hours but do not arise out of and in the course of

employment. The University also assumes no liability for damages to employee's real or personal property resulting from participation in the remote work program.

5. The University will not provide advice on, and the employee shall remain solely responsible for, any and all costs relating to homeowner's insurance, tax implications, injuries to third parties at the remote work location, or other personal liabilities.

D. Adhering to UH Policies and Procedures

1. All University policies and procedures shall continue to apply to the extent possible (*e.g.*, IT policies, sexual harassment policies, etc.).

2. An employee continues to be subject to discipline for violating University policies or directives while working at a remote location.

E. Ending Teleworking Status

1. Employees should return to work, or authorized Telework, if they are no longer subject to symptoms related to the infectious disease or are otherwise ineligible under the Workplace Wellness Policy.

2. The maximum amount of time granted for telework under the Workplace Wellness Policy over one period is 5 days, though it may be extended if symptoms persist or the employee is likely communicable.