



## ULM WORKFORCE GUIDELINES COVID-19 FOR EMPLOYEES

- Use only guidance described by the Center for Disease Control and Prevention (CDC) and Office of Public Health (OPH) when making workplace determinations.
- Maintain confidentiality of the people who are confirmed or suspected of having the COVID-19 virus.
- Supervisors are directed to identify non-essential employees that are able to work from home and encourage them to do so starting March 23, 2020.
- Effective March 23, 2020, ULM will require only essential employees to come to campus. An “essential employee” is one whose duties and responsibilities can only be performed on campus.
- Employees coming to work on campus are required to observe social distance protocols and health/safety guidelines.

### **Guide for Teleworking**

This guidance is for temporary telework arrangements employed in response to the COVID-19 crisis. As a business necessity, certain essential and nonessential employees may be required to work and conduct business off-campus at their home or other appropriate locations. Employees who are required to telework at a location other than a university-provided location will be required to designate an alternate workplace appropriate for the completion of their job duties. This may include the employee’s home or other private and isolated workspaces. Employees required to telework do so at the direction of the university and must immediately return to their regular work location when directed by the university.

The following sections provide guidance to teleworking employees and supervisors of teleworking employees:

### **Hours of Work and Leave**

- A. The teleworking employee must have an approved work schedule adopted following University policies and procedures. Supervisors must ensure proper compliance and documentation of work hours, in particular, ensuring compliance with the Fair Labor Standard Act and overtime policies and procedures.
- B. The teleworking employee is expected to maintain at least the same level of availability, levels of production, and quality of work as though the employee was working out of the primary worksite.
- C. Teleworking may not be used for child or adult care or to perform other personal business during work hours, or for any purpose for which leave should be requested. If at any time an employee is tending to a dependent child or adult and therefore not performing official duties, the employee must take leave as appropriate.
- D. Should circumstances arise whereby an employee cannot work at the alternate work location, i.e., loss of electricity, home emergencies, etc., the employee must contact their supervisor and they may be required to report to the primary work location or a different designated and approved alternate work location, or appropriate leave may be granted.



- E. Teleworking may not be used in place of annual, sick, Family Medical Leave, or any other type of leave. Requests to use leave must be approved in following University policy and departmental guidelines.
- F. Employees may work compensatory/overtime only with supervisory approval under University policies. Employees who work unapproved overtime/compensatory time are subject to disciplinary action.

### **Equipment and Supplies**

To the extent possible, the University will provide the necessary equipment and supplies that are needed for the employee to perform job duties successfully. This may include desktops, monitors, laptops, storage devices, and other IT equipment provided by the University per University and other policies and guidelines.

- A. Out of pocket expenses for supplies customarily available through the University will not be reimbursed without prior approval of the employee's supervisor. It is the University's responsibility to maintain and repair any equipment that is supplied to the employee by the University. Should a delay in the repair or replacement of equipment occur or any other circumstance under which it would be impossible for the employee to telework, the employee must immediately contact their supervisor for further direction.
- B. University-owned equipment, software, telephone services, supplies, and furniture at the alternate worksite shall be limited to that authorized by the University and used only for University business. Personal use of these materials is prohibited, even during non-working hours. Employees assume responsibility for the physical security of University equipment, supplies, and information in their possession while teleworking.
- C. The University will not be liable for damages to an employee's personal or real property while the employee is working at the approved alternate worksite. The employee shall maintain their off-campus workspace in a safe condition, free from hazards and other dangers to the employee and equipment. When the employee uses personal equipment, they shall be responsible for equipment repair and maintenance.
- D. The University will not be responsible for operating costs, home maintenance, or any other incidental cost. The employee is responsible for obtaining necessary homeowner's or renter's liability insurance coverage and verification thereof if necessary.
- E. Materials, documents, etc. that the employee transports to and from the primary work site to the off-campus location are their responsibility and must be kept confidential and secure. The employee agrees to protect the University records from unauthorized disclosure or damage and will comply with University policies and procedures regarding such matters.
- F. Any equipment, supplies, software, hardware, etc., purchased by the University remain University property and must be returned after a teleworking arrangement ends or when requested by University management.
- G. Employees using State-provided software will adhere to the manufacturer's licensing agreements, including the prohibition against unauthorized duplication.



To protect the confidentiality and guard against data contamination, employees will follow University-approved data security procedures.

### **Mileage Reimbursement**

The employee may not submit nor receive reimbursement if traveling to a designated alternate work location outside of their home.

### **Liability**

The employee's home workspace, when used for teleworking, is an extension of the department workspace. The University's liability for job-related accidents will continue to exist during the approved work schedule and in the employee's designated work location. The teleworker is covered under the State's Workers' Compensation Law for injuries occurring in the course of the actual performance of official duties at the alternate workplace.

If an injury occurs during teleworking work hours, then the employee shall immediately report the injury to the supervisor. The employee, supervisor, and University should follow the University's policies regarding the reporting of injuries for employees injured while at work.

The University is not responsible for any injuries to family members, visitors, and others in the employee's home. The teleworker may not have business guests at the alternate workplace.

To the extent permitted by law, the employee will not attempt to hold the University responsible or liable for any loss or liability in any way connected to the employee's non-work related use of their home.

### **Terms and Conditions of Employment**

The teleworker's conditions of employment remain the same as for non-teleworking employees. Employee salary, benefits, and employer-sponsored insurance coverage will not change as a result of teleworking. The employee shall adhere to all policies, rules, and regulations of the University. The employee agrees not to conduct personal business while in official duty status at the alternate workplace.

The evaluating supervisor and employee must review all aspects of the teleworking arrangement, including the manner and frequency of communication, and any agreed-upon performance indicators. A copy of the teleworking agreement must be placed in the Supervisory file, given to the employee and sent to the Office of Human Resources.

Employees assigned to telework are required to complete a Teleworking Agreement. Any subsequent revisions to the Teleworking Agreement must be in writing and approved by the second-level supervisor. A copy of the revision must be placed in the Supervisory file, given to the employee and sent to the Office of Human Resources. Because teleworking is based on a combination of job, employee, and supervisor characteristics, a significant change in any one of these elements may require a review of the Teleworking Agreement. Whenever a significant change occurs, (such as a reallocation, change in duties as may occur with a major project reassignment, or a change in position by the employee or supervisor,) the Teleworking Agreement must be discussed and possibly rewritten/renewed or terminated if appropriate.



At the end of the teleworking period, the employee shall return all state-owned equipment, software, data files, and other state assets. The employee must return these assets, or the University will be allowed to retrieve any assets within seven (7) calendar days of the termination of the teleworking agreement.

### **Responsibilities of Teleworking Supervisors**

Supervisors who choose to consider teleworking for employees shall be responsible for the following:

- A. Ensuring that the employee has an up-to-date position description;
- B. Establishing expectations for and monitoring of employee performance;
- C. Identifying eligible positions suitable for teleworking;
- D. Identifying eligible employees;
- E. Determining if office-like space is required;
- F. Determining if equipment will be provided to the employee to use at home;
- G. Establishing how the teleworker will maintain regular contact with office coworkers and supervisors;
- H. Determining how the department will handle restricted access materials, security issues, and taking electronic or paper records from the primary workplace;
- I. Ensuring that practices are consistent and compliant with state and University procedure and state and federal law in the use of technology;
- J. Ensuring that individual work schedules and reporting for non-exempt employees comply with FLSA regulations and University procedure;
- K. Requiring a Teleworking Agreement.

### **Responsibilities of Teleworkers**

Employees who enter into a Teleworking Agreement shall follow all guidelines of this procedure, including expectations outlined in the Teleworking Agreement when working in the alternate work location.

- A. Consistently meet all performance expectations and standards set forth and agreed upon by their supervisor.
- B. Maintain satisfactory evaluations, attendance, and conduct.
- C. Follow all agreed-upon regulations concerning communication and reporting expectations.
- D. Follow all agreed-upon regulations concerning working hours, maintenance of equipment, and workplace safety and incident reporting.



## GUIDELINES REGARDING LEAVE FOR ESSENTIAL AND NON-ESSENTIAL EMPLOYEES

- **SCENARIO 1: If an employee is presumptively or confirmed positive with COVID-19**
  - The employee shall remain home until the employee is **cleared by a medical doctor** to return to work.
  - Normal sick leave rules apply (comp and annual leave may be authorized upon exhaustion of sick leave).
  - In the event all sick, comp and annual leave (in that order) are exhausted, the employee will be placed in Special Leave (Act of God)
  - FMLA leave may be applicable for eligible employees, and the FMLA regulations will govern.
- **SCENARIO 2: If an employee is visibly sick and/or exhibits symptoms of COVID-19:**
  - Normal sick leave rules apply.
- **SCENARIO 3: If an employee has possibly been exposed to COVID-19 and has no symptoms of illness:**
  - If an employee has traveled internationally, the [ULM-Travel and Personal-Travel COVID-19 Travel Protocol Policy](#) will be followed.
  - If an employee resides with a family member who has traveled internationally, may be aware of possible exposure to someone presumptively or positively confirmed to have COVID-19, or may have been contacted by health officials to advise that such contact has occurred, the employee is **required** to report that information to Human Resources.
  - The campus president, acting in the best interest of the agency, may designate an incubation period. Since the employee is ready for duty and has no symptoms, every effort should be made to maintain the employee in paid status by taking the following actions:
    1. Allow the employee to work from home through the designated incubation period, or
    2. Provide time off without loss of pay or loss of leave through the incubation period under Special Leave (act of God paid leave)
    3. Employees who are required to stay home as a precaution should continually update the agency on their status.
    4. Sick leave status will become appropriate if the employee tests positive with COVID-19 or any other illness (comp and annual leave may be authorized upon exhaustion of sick leave).
    5. In the event all sick, comp and annual leave (in that order) are exhausted, the employee will be placed in Special Leave (Act of God paid leave)
- **SCENARIO 4: If dependent care issues arise from [Proclamation No. JBE 2020-27 \(school closures\)](#):**
  - Employees should still follow our [Children In The Workplace](#) policy
  - If the employee's work may be accomplished remotely, then the employee should be permitted to work from home.
  - If an employee is not able to work remotely and cannot report to work, the supervisor may authorize use of comp and annual leave, as appropriate.



- Once comp and annual leave have been exhausted, supervisors may authorize the use of sick leave.
- In the event all comp, annual, and sick leave (in that order) are exhausted, the employee will be placed in Special Leave (Act of God paid leave)
- **SCENARIO 5: If an employee is deemed high risk by the CDC or has a compromised immune system:**
  - If the employee's work may be accomplished remotely, then the employee should be permitted to work from home.
  - If the employee's work may not be accomplished remotely, the employee may use comp and/or annual leave if the employee wants to stay out of the workplace entirely.
  - Once comp and annual leave have been exhausted, supervisors may authorize the use of sick leave.
  - In the event all comp, annual, and sick leave (in that order) are exhausted, the employee will be placed in Special Leave (Act of God paid leave).