Telecommuting Policy and Procedure

Policy Statement
PAVIR considers telecommuting to be a viable alternative work arrangement in cases where individual, job, and supervisor characteristics are suited to such an arrangement. The Telecommuting Program allows employees to work from their home or other appropriate U.S. location for all or part of their regular workweek. Telecommuting from a location outside of the United States is prohibited. Employees who seek to telecommute from outside of California must provide PAVIR HR at least two months' advance notice. PAVIR must meet legal and taxation requirements to be established as an employer in other states. PIs of employees who provide insufficient advance notice may be assessed fees to accommodate for penalties incurred due to late registration.

PAVIR defines formal telecommuting as allowing employees to work outside their normal physical place of work (primary office, laboratory, clinic, or department location) on an agreed upon predefined work schedule. By its nature, work performed away from the main office setting must lend itself to effective performance away from the main office, laboratory, clinic, or department. Telecommuting is a voluntary work alternative that may be appropriate for some employees and some jobs but not all employees or all jobs. Whether or not this is a viable alternative will be left to the discretion of the employee's supervisor.

I. Definitions
Supervisor – As used in this policy, the term is understood to refer interchangeably with a Principal Investigator (PI), supervisor, manager or other person formally designated with such responsibility.
Telecommuting – Working from home for all or part of an employee's regular work week. Note that incidental travel to attend a professional conference or meeting does not constitute telecommuting.

II. Informal or Limited Duration Telecommuting Arrangements
Telecommuting can be informal and of limited duration (such as working from home for a short-term project, an unexpected life event, during approved business travel) or formal, as will be described in the remainder of this document.

Please note, any request for a telecommuting schedule due to health or medical related reasons should be referred to Human Resources for immediate consultation.

All informal telecommuting arrangements are made on a case by case basis, focusing on PAVIR's needs first. Such informal arrangements are not the focus of this policy but are available with management consultation and specific written approval that stipulates the details of the limited duration informal telecommuting agreement.

III. Policy – Formal Telecommuting Arrangements

1. Telecommuting is ***not*** designed to be a replacement for appropriate child or other dependent care. Although an individual employee's schedule may be modified to accommodate child and dependent care needs, the focus of the arrangement must remain on job performance and meeting business demands without distractions or creating an unprofessional work atmosphere. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering into the agreement.
2. **Non-Exempt Employees –**
    1. Telecommuting non-exempt employees will be required to contemporaneously and accurately record all hours worked in a manner designated by PAVIR, which includes logging work shift start and end times and paid and unpaid meal break start and end times. PAVIR expects employees to accurately track time and submit timecards for all hours worked.
    2. Telecommuting non-exempt employees must follow PAVIR's meal period, rest period, and record-keeping policies. Hours worked in excess of those specified in the employee's schedule (per day and per work week) in accordance with state and federal requirements, will require the advance approval of the supervisor and are subject to all overtime requirements.
3. Employees entering into a telecommuting agreement may be required to forfeit exclusive use of their onsite workstation in favor of a shared arrangement to maximize PAVIR or VA's space needs.
4. The employee must establish an appropriate environment within their home for work purposes. Unless applicable law provides otherwise, PAVIR will not be responsible for costs associated with initial setup or continuing costs of the employee's home office such as remodeling, furniture or lighting, utilities, telecommunications and data installation, nor for repairs or modifications to the home office space.
5. PAVIR will supply the employee with reasonable and appropriate office supplies (pens, paper, etc.) for successful completion of job responsibilities as requested. PAVIR will also reimburse the employee for other business-related expenses such as long-distance phone calls, shipping costs, etc., that are reasonably incurred in accordance with job responsibilities and claimed through PAVIR's standard reimbursement policy and procedures.
6. **Protection of Company or Research Information** – Consistent with expectations of information asset security for

employees working at VAPAHCS- or PAVIR-based locations, telecommuting employees will be expected to ensure the protection of proprietary company and research information accessible from their home office. Security steps include, but are not limited to:

1. Use of locked file cabinets and desks;
2. Regular password maintenance;
3. Any other steps appropriate for the job and the environment.

Official VA Research and PAVIR institutional documentation, including documentation that a research team may deem as official work records, may not be removed from the workplace. Employees are expected to check with their PI on the nature and identity of such records. With supervisor approval, copies may be made of such records if deemed necessary in the performance of the employee's assigned tasks.

7. Injuries sustained by the employee while at their home work location and in conjunction with their regular work duties are normally covered by PAVIR's workers' compensation policy. Telecommuting employees are responsible for immediately notifying their supervisor and PAVIR HR of such work-related injuries in accordance with institutional workers' compensation procedures. Unless applicable law provides otherwise, PAVIR is not liable for any injuries sustained by visitors to the employee's work site and PAVIR is not responsible for injury to others at their telecommuting location.
8. Unless applicable law provides otherwise, the employee will be responsible for determining tax, licensing and other legal implications for the business use of the employee's home based on IRS and community (homeowner's association), local, state and federal government requirements and restrictions. Responsibility for complying with and fulfilling all obligations in these areas rests solely with the employee.
9. Unless applicable law provides otherwise, all necessary insurance protections, disclosures, coverage requirements and costs attributable to the telecommuting arrangement are the sole responsibility of the employee.
10. PAVIR will determine, with information supplied by the employee and the PI, the appropriate equipment needs (including hardware, software, modems, phone and data lines, facsimile equipment or software, photocopiers, etc.) for each arrangement on a case-by-case basis. PAVIR HR, Purchasing and Information Technology (IT) departments will serve as resources in this matter.
    1. Equipment supplied by PAVIR will be maintained by the institution and is to be used for business purposes. The employee will neither make personal use of nor allow others personal use of PAVIR equipment. Unless applicable law provides otherwise, the employee accepts financial responsibility for any PAVIR equipment that is lost, stolen or damaged because of gross negligence, or a willful or dishonest act.
        1. The telecommuter may be asked to sign an inventory of all office property and to agree to take appropriate action to protect the items from damage or theft.
        2. Upon termination of employment all company property and records will be returned to PAVIR, unless other arrangements have been made.
    2. Equipment supplied by the employee, if deemed appropriate by the institution, will be maintained by the employee. PAVIR accepts no responsibility for damage or repairs to employee-owned equipment.
    3. PAVIR reserves the right to make determinations as to appropriate equipment, subject to change at any time.
11. Employees shall not use their personally owned vehicle for PAVIR business unless specifically directed by their supervisor or other manager to do so. If the use of a personal vehicle is required for the job, the employee and supervisor must contact PAVIR HR to discuss the process for company requirements.
12. All exceptions to the Telecommuting Agreement and the associated policy and procedure must be requested in writing by the responsible manager and approved in writing by the PAVIR CEO or delegate.
13. The availability of telecommuting as a flexible work arrangement for employees of PAVIR can be discontinued at any time at the discretion of the employer. Every effort will be made to provide 30 days' notice of such a change to accommodate commuting, child care and other problems that may arise from such a change. There may be instances, however, where no notice is possible.

IV. Procedures

1. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.
2. Employee and supervisor should read and discuss this policy and the related agreement with special attention to the factors below.
    1. The employee must agree to remain accessible and respond timely to communications and needs from other management, staff, and collaborators or supported groups. The employee must, within a reasonable time during the agreed upon work schedule, be accessible by phone, video, online chat, email or any other method agreed upon at the onset of the telecommuting or remote work agreement.
    2. An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion. The supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that seems appropriate for the job and the individuals involved.
    3. Employees who telecommute may be required to report to their VAPAHCS or PAVIR-based location from time to time as part of their regular job to perform duties, receive training or participate in meetings. Notice of the

need to report to the VAPAHCS- or PAVIR-based location should be provided as early as practical to allow for the employee to make appropriate plans and arrangements.

3. If, after the discussion, the employee and supervisor agree to proceed with the arrangement, they will complete and sign the Telecommuting Agreement and submit it to HR for review and for their records. The final decision to approve or deny the telecommuting request will rest with the PAVIR manager/supervisor/PI who will evaluate the suitability of the arrangement paying attention but not limited to the following areas:

   Employee Suitability –the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.

   Job Responsibilities –the job responsibilities to determine if the job is appropriate for a telecommuting arrangement.

   Equipment needs –necessary equipment, telecommunications, other secured computer/data network access and workspace design considerations.

   Telecommuting Schedule –appropriate schedule and the general and specific assignments or tasks that are to be performed.
4. Upon execution both the employee and supervisor will receive a fully executed copy of the agreement.
5. The Telecommuting Agreement must be executed prior to commencing formal telecommuting. In some cases, the commencement of telecommuting may be delayed if administratively necessary for purposes of establishing payroll in a new state or location. In cases where an employee will work out of state due to relocation, the request should be made at least 2 months in advance so PAVIR has enough time to ensure payroll and HR functions can be administered properly.
6. PAVIR HR will train managers how to monitor, coach, and supervise an employee who is telecommuting or working remotely.