

The telecommuting program at the University of Miami Miller School of Medicine is an attempt to see how well the work-at-home concept works for certain staff. The telecommuting program will continue as long as the results are satisfactory as determined by the University.

## Telecommuting Program

While it is expected that this program will continue, it is possible that it may be terminated at the sole discretion of the University. If it is terminated, employees telecommuting will be asked to return to their jobs within the University office setting. Also, if a telecommuting employee's work performance is not acceptable, their supervisor will pursue the disciplinary process or decide to require the employee to work in the University office setting. If the telecommuting employee does not return on the expected date, this will be deemed a voluntary resignation and will be treated as such under University policies and procedures.

The telecommuting program pilot phase is strictly on a volunteer basis. Employees are volunteering for this program based on having been given thorough information about the program and the pros and cons of telecommuting. Those selected to telecommute are required to commit to a minimum initial period of three months.

## Telecommuting Program

### I. Introduction

a) **Purpose** To provide guidelines for the managers and employees engaged in the telecommuting program.

b) **Definition**

Telecommuting is an arrangement in which an employee performs work at their home, for a specified portion of the work week, or the entire work week. Telecommuting is at the departmental managers' discretion and not an employee benefit or right.

Telecommuting should not be viewed as a substitute for dependant care. The University expects that telecommuting employees will make arrangements for dependant care. It is the employees' responsibility to ensure that they are fully able to complete their work assignments, and to interact with University patients over the phone in a professional environment.

c) **Intention**

Telecommuting is intended to create flexible conditions that will help the organization accomplish its services more effectively. Successful work at home arrangements will serve the needs both of individual employees and the Miller School of Medicine.

### II. Telecommuting Policy

a) **Benefits / Disadvantages**

Telecommuting is not for everybody. The lure of household chores and family distractions can easily undermine performance. However, when implemented successfully, employees can experience increased productivity, savings on commuting costs a better work/life balance, and enhanced morale.

b) **Employee Eligibility**

Eligibility to Participate in Telecommuting Program is conditional upon agreement from the employee that he or she shall provide a proper work environment. This includes:

- Dependent care obligations or other family obligations do not interfere with work. Telecommuting is not to be used as a substitute for childcare, or other personal responsibilities. It is expected that the employees who telecommute will devote all of their effort to University business during their work.
- Personal disruptions such as non-University telephone calls and visitors are not acceptable.

- Productive and organized work habits
- Strong verbal and written communication skills
- Ability to adhere to assigned work hours
- Good performance evaluations with the most recent evaluation having no rating below “meets standards”
- Not in any written phase of the progressive disciplinary process during the previous six – (6) months prior to the effective date of the telecommuting arrangement
- Minimum of one year working for the department
- No chronic recorded lateness and/or absenteeism problems
- Good time utilization – to be determined by supervisor’s observation and our management system, Symposium
- Ability to provide an appropriate work environment at home, which meets University standards such as setting up an ergonomically correct workstation.
- Adherence by the employee to all University policies, procedures and guidelines.
- Attend mandatory and other requested meetings on Campus, including training sessions, workshops, etc.
- Return University equipment and files when work from home is terminated by either the employee or the University.
- The employee is responsible for notifying the supervisor or designated person when he/she takes leave, e.g. vacation or sick leave, during times scheduled for working at home.
- The employee is also responsible for alerting the supervisor if external circumstances are likely to interfere with performance under the telecommuting arrangement.

**c) Employment Pay and Status / Tax Implications**

Telecommuting employees’ salary, job responsibilities and benefits will be substantially similar to those of non-telecommuting employees. Telecommuting employees agree to comply with all existing job requirements of the office setting as well as any newly established requirements in the future.

The departmental supervisor will be responsible for assigning specific work hours to each telecommuting employee. Number of working hours will be monitored utilizing a department’s management system.

There may be times telecommuting employees will be asked to come to the office on a day when they were scheduled to work from home. Some of these instances include departmental staff meetings, training sessions, etc. Employees are required to attend these events on the University campus.

It will be the telecommuting employee’s responsibility to determine any income tax implications of maintaining a home office area. The University will not provide tax guidance nor will the University assume any additional tax liabilities on a telecommuting employee’s behalf. Telecommuting employees are encouraged to consult with a qualified tax professional to discuss these implications.

**d) Work Assignment and Supervision**

The Supervisor will decide what assignments will be directed to the telecommuting employee. The work assignment will be handled in the same manner in which non-work from home assignments are handled.

**e) Performance Standards**

For each telecommuting employee participating in the telecommuting program, the supervisor shall clearly define performance requirements and standards that are measurable and results-oriented. Supervisor will regularly monitor the employee's performance in accordance with departmental and University policy. If an employee's behavior or performance is not satisfactory, the supervisor has the right to terminate the work from home or impose disciplinary action up to and including termination of employment in accordance with University policy.

**f) Confidentiality / HIPAA**

Sensitive University information should not be removed from University facilities without explicit written authorization by appropriate University Management. Such information includes, but is not limited to, medical records, including protected health information (original or otherwise), employment records, and financial records.

Sensitive information is governed by various State and Federal laws and regulations as well as University policies and includes any and all information that, if released could cause harm to the University by virtue of such release. Therefore, all staff, including telecommuting staff, must adhere to such policies and regulations and maintain confidentiality of such information at all times.

Each telecommuting employee will have to take the general HIPAA Privacy and Security training, as well as any other training specific to their roles and responsibilities, and be provided with an overview of the department's HIPAA and other procedures. All individuals must understand and abide by all University's policies and procedures. All telecommuting employees must sign the HIPAA workforce confidentiality agreement as well as the Confidentiality and Computer Use Agreement and have these signed documents on file with the Office of Medical Human Resources.

**g) Overtime Requests and Assignments**

Telecommuting employees are required to obtain supervisor's approval prior working overtime.

**h) Work Space / Work Site Inspection**

The telecommuting employee must ensure that the home office is: a separate space set aside for the employee to work. Family responsibilities must be arranged so as not to interfere with work time.

The University has the right to visit your home to ensure that your designated work location meets safety, ventilation and ergonomic standards. Such visits will not be scheduled without giving the telecommuting employee 24-hour prior notice and be conducted during normal business hours.

Each employee telecommuting must complete and sign the "Self-Certification safety Checklist" that proclaims the home safe for an official home office. The goal is to

ensure that all the requirements to do official work are met in an environment that allows the tasks to be performed safely.

The University does not pay for costs associated with working at home, e.g. electrical, heating, etc. (with the exception of the voice/data line)

### **i) Equipment / Office Supplies / Use of University Equipment**

The University will provide the necessary equipment – computer, communications and software – needed to perform the employees’ daily work assignments. All of these items remain the property of the University of Miami and must be returned to the University upon request, in case of extended illness, upon the employee’s resignation or termination, or if the program ends. When they are to be returned, the employee agrees to return them themselves, or to allow the University to arrange to pick them up from their homes.

The University will reimburse the employees for the cost of installation and monthly service of telephone/DSL line during the length of the program. This is considered to be for University’s purposes only and not for personal use. It is the employee’s responsibility to ensure that no one else has access to the equipment.

The following safeguards should be implemented:

1. Maintain appropriate physical security for computers and computing devices storing or transmitting confidential information. This is especially important for portable devices such as laptops as well as portable USB drives, CDs, memory cards etc.
2. Require proper identification and authentication to access the device to ensure authorized use only (authorized University of Miami employees should NOT remain logged on to any University application while another non-authorized individual uses same computing device).
3. Install anti-virus protection with daily updating of virus signatures and regular (minimum of once a week) scanning of all local drives enabled (University has licensed Symantec Antivirus which may be available for University workforce members).
4. Keep the operating system current, with the latest security patches installed. Use the auto-update feature that downloads updates when available (absolutely essential for all versions of Microsoft Windows, but also applicable to Apple and Linux operating systems).
5. Run an anti-spyware program from a trusted source with daily updating of spyware signatures and regular (minimum of once a week) scanning of all local drives (University has licensed CA Pest Patrol).
6. Connect to the University of Miami internal network only through approved, encrypted remote access methods (e.g. Citrix, Virtual Private Network (VPN), SSL enabled web site or other approved method as provided by an authorized University of Miami IT resource). Such methods must always require authentication and authentication credentials (username, password, token, smart card etc) must not be shared with anyone else.
7. Data stewards are responsible for authorizing access to applications under their control and must ensure workforce members are suitably documented, tracked, trained and only granted access appropriate to their role. Data stewards are also responsible for reviewing and revising such access as necessary (e.g. when workforce member has transferred or separated).
8. It is highly recommended that a properly configured personal firewall be installed (either a software firewall on the PC itself or a hardware firewall). Workforce members are encouraged to consult with the relevant IT support group for assistance if necessary.
9. Workforce members should not download sensitive information from University of Miami systems onto their local PCs unless explicit permission has been granted by appropriate University management and additional security measures such as encryption of such material are being utilized.

Here are some additional minimum recommendations if a home wireless network is being used:

1. Change the default Administrator password for the wireless router. The password should be difficult to guess (8 characters or more, mixture of letters, numbers and symbols).
2. Turn on the highest level encryption supported by your wireless router and the devices connecting to it (128 bit WEP, WPA etc). The encryption keys should be long and difficult to guess.
3. Change the default SSID and disable SSID broadcasting.
4. The wireless router's built-in firewall should be enabled.

The University, as needed, will provide telecommuting employee office supplies. Employees' out-of-pocket expenses for other supplies will not be reimbursed unless by prior approval of the manager. Also, the University will not reimburse the employees for travel expenses to and from the office on days when they are required to come into the office, nor for any home-related expenses such as construction, renovations, heating/air conditioning, lighting, or electricity.

You are expected to take reasonable precautions to protect the equipment from theft, damage, or misuse. You are required to contact your homeowner's insurance carrier to determine to what extent this property is covered under your homeowner's policy.

The University will repair and replace damaged equipment unless it is lost, damaged or stolen through the employee's negligence or abuse.

**j) Accidents and Injuries**

The University will be responsible for any work-related injuries under Florida State's Workers Compensation laws, but this liability is limited to injuries resulting directly from work and only if the injury occurs in the designated work area, during the assigned work hours. Any claims will be handled according to the normal University procedure for Workers' Compensation claims.

As stated in the worker's compensation laws, the University will be responsible for injuries at the work from home site if the site is ergonomically maintained.

The telecommuting employee is responsible for any injuries and liabilities arising from his/her negligence.

**k) University's Right to End a Telecommuting Status**

Management has the right to end telecommuting arrangements at their sole discretion with thirty - (30) day prior written notice. If the telecommuting employee chooses not to return on the expected date, this will be considered to be a voluntary resignation and will be treated as such under University standard policies and procedures.

**l) Insurance**

The telecommuting employee agrees to carry a sufficient amount of homeowner's or renter's insurance to cover any loss or damage to the equipment provided by the University. Copy of the policy is required to be given to supervisor. Telecommuting employees should consult with their insurance company or broker to purchase a business pursuits type rider on their homeowner's or renter's insurance policies. Current policies may be null and void without these riders or endorsements as a result of the worker's compensation coverage that is provided by the University for workrelated injury while on work time.

**I, \_\_\_\_\_ (print name) certify that I have read and understand the Telecommuting Program Policy. My signature below indicates that I have received a copy of this policy and understand all aspects of it and agree to abide by its terms.**

\_\_\_\_\_  
**Employee Printed Name**

\_\_\_\_\_  
**Employee Signature**

**Date**

**TELECOMMUTING ASSIGNMENT**

Department: \_\_\_\_\_

Name of Telecommuting Employee: \_\_\_\_\_

Name of Supervisor: \_\_\_\_\_

Job Classification: \_\_\_\_\_

Complete Address of Telecommuting Office: \_\_\_\_\_

**Schedule:**

The employee's telecommuting work days are \_\_\_\_\_. The employee must be available by phone during the core business hours of \_\_\_\_\_ to \_\_\_\_\_. Any changes to the established schedule must be reviewed and approved in advance by the supervisor.

**Work Hours:**

Work hours will be determined by the supervisor and communicated to team members, clients, and co-workers. Telecommuting employee understands, and agrees, that their supervisor may monitor their activities, including, but not limited to, randomly checking their presence, or the hours that they are working by telephone, personal visit, or electronic monitoring.

- The overtime policy extends to telecommuting arrangements. All nonexempt employees must have any overtime authorized in advance by their supervisors. Nonexempt employees will receive overtime compensation in accordance with University policy and applicable law.
- Travel and mileage between home and office once a day will be non-compensable. For example, if you are asked to come into the office once in a normal telecommuting day, your travel time and mileage would not be compensated. If, however, you are asked to travel further than you would normally have had to travel to come into the office for work, or asked to come into the office more than once a day, such travel time in excess of the normal trip to and from the office will be compensated.

**Terms of Employment:**

Conditions and terms of employment will not change as a result of telecommuting work. Salary, benefits, vacation, leaves and other rights and responsibilities will be equal to those of a non-telecommuting employees. Telecommuting employees are subject to and must abide by all University policies. University policies governing the use of University equipment, facilities, including but not limited to, software, support services, internet, telephones, vehicle, etc. shall apply at the telecommuting work site.

**Work Assignment and Supervision:**

The supervisor will decide what assignments will be directed to the telecommuting employee. It is expected that the work assignment shall be handled and completed in the same manner in which non-telecommuter assignments are handled and completed.

**Performance Evaluation:**

The employee will participate in and be subject to the University performance evaluation process of goal setting review, and evaluation as do non-telecommuting employees. As part of the on going supervisory and management activities, the telecommuting employee will discuss with his/her supervisor specific work assignments, time expectations for completion of such assignment and will review these goals and objectives as necessary. The telecommuting employee's assigned work will be completed according to procedures agreed upon by the supervisor and in accordance with guidelines and standards set forth in the employee's performance evaluation document and in accord with departmental and University policies and procedures. Work performance expectations will remain the same as of those non-telecommuting employees.

**Management Controls:**

The telecommuting employee agrees to comply with established management directives which will include, but are not limited to:

- Scheduled meetings in person, at the usual place of business.
- Regular communication (recommended to be not less than twice weekly) between employee and supervisor.
- Employee participation in staff meetings (via phone or in person).
- Submittal of periodic activity/status reports (recommended to be not less than monthly), and/or other update processes as required by the manager.
- Periodic and scheduled meetings with management.

**University Policies and Procedures:**

The telecommuting employee is subject to and required to comply with all University policies and procedures, including the University employee handbook. Among other things, the telecommuting employee is required to comply with all University and departmental policies and procedures and specifically work-time assigned and reported.

**Sick Days, Vacation, Floating Holidays, Leaves of Absence:**

Any use of sick days, vacation time, or personal business must be approved by the supervisor. The telecommuting employee must obtain prior approval before taking vacation, floating holidays or a leave of absence, in accordance with established University procedures. Sick time must be reported as per policy.

**Dependent Care:**

Telecommuting is not a substitute for dependent care. The telecommuting employee agrees to arrange primary care for dependents while the employee is telecommuting so as not to disrupt the work schedule or productivity.

**University Property to be Provided:**

The University agrees to install and maintain at the alternate work site office the equipment identified on the Office Checklist attached.

**University Property for Business Use:**

All materials and property furnished to the telecommuting employee are for authorized business use only. Such property and materials, including, but not limited to, electronic mail, voice message systems, and computer systems, are not for personal use or for use by family, friends or other third parties. The telecommuting employee agrees that all property and materials furnished by the University shall remain at the alternate work site at all times. The University will reimburse the telecommuting employee for the cost of installation and monthly service of a telephone/DSL line during the length of the telecommuting services. This is considered to be for University's purpose only and not for personal use. It is the telecommuting employee's responsibility to ensure that no one else has access to the equipment.

**Safe use of the University – Supplied Property:**

The telecommuting employee agrees that all supplied property shall be used by them in a safe manner and in accordance with the manufacturer's specifications. All electronic equipment must be used with properly-grounded electrical outlets. A record will be maintained of property.

**Safety and Health: Home Office Inspection:**

The telecommuting employee agrees to maintain the alternate work site in a safe condition, free from hazards and other dangers to the employee and/or University-supplied property.

Telecommuting employees agree to permit periodic University inspections of the telecommuting employee's telecommuting office during the telecommuting employee's normal working hours to ensure:

- a) Proper maintenance of the University-supplied property
- b) Work site conformance with Federal, State and Local laws, rules and regulations, including those relating to security and to occupational health and safety
- c) Compliance with the Telecommuting policy and this document
- d) Compliance with the University policies and procedures

The Telecommuting Office Checklist shall be completed by the telecommuting employee and department and kept on file in the department.

**Accidents/Work Related Injuries:**

The telecommuting employee must immediately (not exceed 24 hours) report to his/her supervisor and to Risk Management, any injuries or illness related to work being performed for the University at the alternate worksite. The report should be made by the telecommuting employee orally and followed up in writing as soon as possible, normally within 24 hours. The

telecommuting employee must also notify his/her supervisor of any injuries sustained by non-employee at the alternate worksite.

Telecommuting employees will receive the same workers' compensation coverage as non-telecommuting employees for all job-related injuries that occur in the designated home workspace during defined work hours. The University will not be responsible, and there may be no workers' compensation coverage, for any injuries that are non job-related or that occur outside of the designated home workspace or defined work hours.

Telecommuting employees should not have non work-related visitors or invitees to the home work-site during work hours. It is understood that the University is not liable for any injuries to family members, visitors or others, which occur in the telecommuting employee's home with any connection to the work-site or University business.

**Damage to Employees' Property:**

The University shall not be liable for damages to the telecommuting employee's personal or real property during the course of performance of official duties or while using supplied equipment in the telecommuting employee's alternate worksite.

**Protection of University Supplied Property:**

Security of the University-supplied property at the telecommuting employee's alternate work site is as important as it is at the on-campus office. The telecommuting employee is required to take reasonable precautions to protect equipment from theft, damage, or misuse.

**Insurance:**

The telecommuting employee agrees to carry a sufficient homeowner's/renter's insurance to cover any loss or damage to the equipment (copy of the policy is required to be given to supervisor). Telecommuting employees should consult with their insurance company or broker to purchase a business pursuits type rider on their homeowner's/renter's insurance policies. Current policies may be null and void without these riders or endorsements as a result of the worker's compensation coverage that is provided by the University for employee related injury while on work time.

**Security:**

Security of data and access to systems at the home work site must be respected, in the same way they are in the University office. University files must be kept totally separate from personal files and clearly marked as University. University equipment must only be used for University business purposes and not to be used at any other time for any other purpose unless approved by the supervisor. All confidential and proprietary information must be stored in a secured manner when left unattended in accordance with University policy. Equipment and data must be maintained in a secure area, away from potential tampering or interference from family, pets or others. Care must be taken to dispose of confidential and proprietary data by appropriate shredding or recycling in accordance with University policy.

**University Supplied Software:**

Supplied computer software is not be duplicated except:

- a) When authorized in writing in advance by the supervisor or other authorized University employee
- b) Provided the telecommuting employee complies with the terms of applicable software licensing agreements.

**Non-Reimbursed Expenses:**

The University will not pay for:

- Utility costs associated with equipment use or the additional expense associated with increased occupation of the telecommuting employee's house (i.e., heating, lights, etc.).
- Maintenance or repairs of privately owned equipment even is such equipment is used primarily for University business.
- Office or equipment supplies unless approved in advance by the employee's supervisor.
- Any items not obtained through normal procurement methods.
- Outside expenses associated with establishing, operating, or protecting a home office.

**Confidentiality:**

No University proprietary information, patient-related information, employee related information, trade secret or privileged materials, ("Protected Materials") shall be taken or sent to the telecommuting employees' alternate worksite without appropriate security and/or supervisor's prior knowledge and consent. The telecommuting employee is responsible for maintaining the confidentiality, security, and safekeeping of Protected Materials under the telecommuting employee's control. All Protected Materials must be maintained in accordance with University policies and procedures and kept in a secure location, such as a locked filing drawer, when not being used by the telecommuting employee. The telecommuting employee shall ensure that communications (oral or written) are conducted or maintained in an area where their privileged or proprietary nature, confidentiality, and/or security will not be breached. The telecommuting employee will, if necessary and authorized, dispose of Protected Materials in accordance with University procedures.

**Privacy:**

The telecommuting employee acknowledges that the University-provided electronic mail, all forms of electronic data communication systems, voice message systems, all forms of electronic storage systems, and computer systems are not private and may be monitored, reviewed, or searched by the University.

**Tax Law Compliance:**

The telecommuting employee is responsible for his/her compliance with tax laws. The University is not responsible for validating the employee's claim of tax deductions for operations of the alternate worksite if it is located in the telecommuting employee's home. The University

will not provide tax guidance to the telecommuting employee nor assume any additional tax liabilities.

**University's Rights to End Telecommuting Program:**

The University has the right to cancel the Telecommuting Program at any time at its sole discretion. If canceled, telecommuting employees and supervisors will arrange for the return of all University-owned equipment, and the telecommuting employees' return to a traditional office site. Supervisors will provide employees with appropriate notice.

**Amendments:**

This telecommuting assignment may be amended, modified or supplemented from time to time by the department or University, as necessary to conform to the department's needs or desires in connection with the telecommuting employee's alternate worksite arrangements, to conform to changes in the policy or procedure, or as otherwise necessary to address business needs or to comply with laws, rules, or regulations.

**At Will:**

This Telecommuting Assignment does not constitute a guarantee of employment for any time period. The telecommuting employee acknowledges that he/she is an employee at will and that nothing in the Telecommuting Guidelines, Policy or the Telecommuting Assignment changes that status nor is that status in anyway changed by the telecommuting employee's participation in the telecommuting program. Either the employee or the University may terminate the employee's employment for any reason, with or without notice as per existing policy.

**Related Policies:**

[Computer Access and Confidentiality Policy - Information Technology Policy A045](#)

HIPAA Confidentiality Agreement

<https://www.med.miami.edu/hipaa/private/documents/hsa3.0workforcesecurity.pdf>

<https://www.med.miami.edu/hipaa/private/documents/hsa5.2protectionfrommalicious.pdf>

<https://www.med.miami.edu/hipaa/private/documents/hsp11.0workstationuse.pdf>

<https://www.med.miami.edu/hipaa/private/documents/hsp12.0workstationsecurity.pdf>

<https://www.med.miami.edu/hipaa/private/documents/hsp13.0devicemediacontrols.pdf>

<https://www.med.miami.edu/hipaa/private/documents/hst18.0transmissionsecurity.pdf>

I have read and understand the Telecommuting Program Policy and the terms of this Telecommuting Assignment. I agree to undertake the duties, obligations, responsibilities and conditions for telecommuting employees as described in these documents and I agree to perform in accordance with all aspects of the guidelines, policies and assignment and with University policies and procedures.

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\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Human Resources

\_\_\_\_\_  
Date

Cc: Personnel File

**SELF-CERTIFICATION SAFETY CHECKLIST  
 FOR TELECOMMUTING ARRANGEMENTS**

Today's Date: \_\_\_\_\_  
 Employee: \_\_\_\_\_  
 Office: \_\_\_\_\_  
 Starting Telecommuting Date: \_\_\_\_\_  
 \_\_\_\_\_

ITEM:	ISSUE:	YES	NO
1	Are temperature, noise, ventilation and lighting levels adequate for maintaining your normal level of job performance?		
2	Is all electrical equipment free of recognized hazards that would cause physical harm (frayed wires, bare conductors, exposed or loose wires of fixture on the ceiling or walls)?		
3	Will the home's electrical system permit the grounding of electrical equipment (a three-prong receptacle)?		
4	Are aisles, doorways, and corners free of obstructions to permit visibility and movement?		
5	Are file cabinets and storage closets arranged so drawers and doors do not enter into walkways?		
6	Are phone lines, electrical cords, and surge protectors secured under a desk, or alongside a baseboard?		
7	Is the area in which the University equipment will be kept secured from unauthorized persons?		

Comments:

Employee's Name (Please Print): \_\_\_\_\_

Employee's Signature and Date: