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Interim Policy for Remote Working Exceptions and Temporary Emergency Leave

Overview

The University continues to closely monitor the ongoing Novel Coronavirus 2019 (COVID- 19) outbreak. The health and well-being of our community remains our number one priority. In response to the COVID-19 outbreak and until further notice the University is enacting the following temporary policies on each of our campuses.

Paid Leaves

- Employees unable to work due to their own or a family member's COVID-19 illness should use available leave balances (e.g. accrued sick and vacation). Furthermore, if there are no available leave balances, at the time of requesting an absence due to COVID-19, the University will provide up to 5 work days days of sick leave to assist with covering the absence.
- An employee who is sick or has an ill family member may be entitled to leave under the Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) under certain circumstances. Some instances of COVID-19 may qualify as a "serious health condition." FMLA/CFRA leaves are unpaid, however eligibility for other benefits will determine compensation. Employees should be encouraged to avail themselves to Pacific's [leave options available](#) under the applicable policy or collective bargaining agreement provisions.
- Employees unable to come to work due to public health or University-required quarantine or self-isolation measures may work remotely if operationally feasible (see Interim Telecommuting Exceptions). If remote work is not operationally feasible, employees should use available leave balances, and if there are no available leave balances the University will provide up to 5 work days of sick leave to assist with covering the absence due to COVID-19.
- Employees unable to come to work due to a COVID-19 day care or school closure that requires them to be home with their child may work remotely if operationally feasible; if remote work is not operationally feasible, employees may use available leave balances including accrued sick and vacation. If there are no available leave balances the University will provide up to 5 work days of sick leave to assist with covering the absence due to COVID-19 related day care or school closure.
- Pacific may designate certain employees to work from home. If employees are designated to work from home, it will be considered paid work status. Employees in positions who are directed **not** to come to work by the University for reasons other than illness, and who are unable to work from home due to the nature of their work (determined by supervisors), may still have other work assigned to them by their supervisors. If no such assigned work is feasible, then these employees may be allowed up to 10 working days of paid administrative leave.

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- Employees taking sick leave will be required to document their sick leave in accordance with normal Web Time Entry timesheet/ leave report practices.
- Academic appointees please refer to the [Faculty Handbook](#), for information on [paid absences](#) and [faculty administrative leaves](#).

These measures are subject to change as the situation evolves. Additional information regarding applicable leave provisions can be found on Human Resources Benefits [webpage here](#). Link <https://www.pacific.edu/about-pacific/administration-offices/business-and-finance-division/human-resources/benefits/income-protection/fmla-and-other-leave-information.html>

COVID-19 Interim Telecommuting Exceptions

University of the Pacific's existing [Staff Telecommuting Policy](#) outlines eligibility, procedures, and expectations regarding staff members working remotely. However, short-term telecommuting can be an appropriate option for staff members in extraordinary circumstances, such as during the current outbreak of Coronavirus Disease 2019 (COVID-19), which fall outside of the Telecommuting Policy for a limited period of time.

Employees can be given flexibility in working remotely for legitimate reasons (for example, self-isolation due to travel, caring for children during school closures, caring for elderly family members or others at risk with weakened immune systems, or for self-care if the employee is at risk, among others). Exceptions to the Telecommuting Policy last only for the duration of the outbreak, as defined and communicated by the University.

Supervisors, at their discretion, may allow members of their staff to telecommute on a short-term basis. *Supervisors are responsible to ensure that their departments perform critical work to care for the Pacific community and maintain university operations.* They may be flexible in offering telecommuting to non-essential functions.

Critical Support Personnel and Advance Planning

Critical Support Personnel (CSP) are those employees who are expected to report to work in the event of University closure or other extraordinary circumstance, if it is safe to do so and even if they are not instructed to do so. CSP's are identified by their supervisors and confirmed by division leadership. In extreme circumstances, CSP may have legitimate reasons for being unable to report to work (such as the examples cited above), communicate with supervisors regarding absences as soon as possible.

Supervisors are encouraged to speak with CSPs as early as possible regarding their status and role, for planning purposes and to reassign work as necessary. CSP's may be required to cancel or curtail planned travel for business purposes, where such travel may be likely to lead to

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quarantine upon their return.

Eligibility for Short-Term Telecommuting

Supervisors, at their own discretion, may allow members of their staff to telecommute on a short-term basis during a COVID-19 outbreak. Supervisors are responsible to ensure that their departments perform critical work to care for the Pacific community and maintain operations to the appropriate extent communicated by the University; flexibility may be given to non-essential work.

Typical eligibility criteria for telecommuting (for example, one year of service) do not apply in such circumstances, and an approved Telecommuting Request Form /Agreement is not necessary.

Supervisors should consistently communicate with their staff regarding the fluidity of such situations, as well as changing business needs (such as the need to report to campus). Supervisors or employees may end a short-term telecommuting agreement at any time and for any reason.

Expectations for All Staff

Telecommuting staff members are responsible to:

- Fulfill the expectations agreed upon with their supervisor regarding the scope of their telecommuting assignment, such as:
 - Duties and responsibilities
 - Hours of work (rest/meal breaks, overtime, and other wage and hour requirements still apply)
 - Hours of availability to communicate regarding University business
 - Communication of work assignments, projects and reports
 - Communications regarding personal needs, including reporting absences of work due to injury, illness, or caring for a family member
 - The use of University equipment and materials.
- Appropriately complete their timecard. For instructions on how to complete timecards remotely using Web Time Entry please see below:
 - [Web Time Entry for Non-Exempt Staff](#)
 - [Web Time Entry for Exempt Staff](#)

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- Maintain a safe environment in which to work.

When Telecommuting, Practice Secure Data-Handling Hygiene

University employees are required to protect University information by following the University's policies governing information security, software licensing, and data protection; ensuring that unauthorized individuals do not access Pacific's data, either in print or electronically; and not accessing restricted-level information electronically unless protected through use of university servers and/or appropriate physical controls.

At all times, whether University work is performed at work, at home or through telecommuting, University business records, student records, consumer information, and other private, confidential or proprietary data should not be saved to personally-owned computers, hard drives, cloud storage or USB drives, or other personally-owned storage media.

Rather, *all University employees* are required to follow University informational security requirements, and store such data on University servers (using VPN, Sharepoint or webfolder access). Failure to follow these rules and appropriately protect university information may result in discipline up to and including termination of employment.

Other Considerations for Telecommuters

- Use WebEx personal meeting room as virtual walk-in
- Schedule and use Webex in all meetings going forward. Note: There is currently a per minute charge for WebEx dial-in, but not for using the computer audio
- State your availability and set response expectations in your signature line/out of office on emails.
- Forward desk/office phone to your home/cell phone if appropriate

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Expectations for Supervisors

Supervisors should communicate specific expectations to individual team members based on the each person's employment position, the needs of the unit and the employee's personal circumstances. To ensure that any telecommuting assignment is mutually beneficial to both the University and staff members, planning and communicating expectations in advance of the telecommuting is crucial. Ongoing communications and meetings regarding the status of assignments, projects and department initiatives must be part of the routine of telecommuting during this time of urgency.

For sample expectations that you may tailor for your staff members, please see Appendix A below.

General Employment Expectations

Staff members must comply with University rules, policies, practices, and instructions and understand that violation of same may result in termination of telecommuting privileges and/or discipline up to, and including, dismissal from the University.

Short-term telecommuting in extraordinary circumstances does not change the basic terms and conditions of employment with the University. Telecommuting assignments do not change a staff member's classification, compensation, or benefits. The accrual and charging of leave time is subject to the same policies and procedures applicable to non-telecommuting staff members.

University of the Pacific is an "at-will" employer, meaning that the employment relationship between the University and each of its staff members may be terminated at any time by either the University or the staff member, with or without notice or cause. Telecommuting assignments are not contracts or promises of employment. Nothing in a telecommuting assignment guarantees employment for any specific term, nor alters the "at-will" nature of employment.

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