

STANDARD ADMINISTRATIVE PROCEDURE

33.06.01.M0.02 **Alternate Work Location - Faculty**

Approved November 22, 2010

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Next scheduled review: May 18, 2028

Standard Administrative Procedure Statement

Texas A&M University is a highly interactive workplace dedicated to the discovery, development, communication, and application of knowledge in a wide range of academic and professional fields and provides dynamic on-campus experiences that are critical to the maintenance of freedom of inquiry and an intellectual environment nurturing the human mind and spirit fostering a vibrant environment for students, faculty, staff, and administrators. Texas A&M University supports the use of flexible work arrangements in certain circumstances where it benefits employees and is consistent with the efficient operation of university campuses and the effective delivery of services to students, campus clientele, and the public. Flexible work arrangements include partially remote or fully remote alternate work location agreements (AWL) and flexible work schedules. While any university employee may request an AWL arrangement, not all positions may be suited for partially or fully remote work.

This procedure outlines and explains the specific terms and conditions that must be followed if an alternate work location is approved. This procedure is governed by System Regulation 33.06.01, Flexible Work Arrangements. This procedure does not apply when Texas A&M *requires* faculty members to work at an alternate work location (e.g., any work related assignment requiring the faculty member to go through Concur to document business leave). In addition, this procedure does not apply to requests to work at locations outside the United States, which must follow procedures for International Alternate Work Locations.

The objective of the provision of an Alternate Work Location (AWL) is to create a flexible and supportive work environment for Texas A&M faculty members. However, departmental and Texas A&M operational requirements take precedence over a faculty member request for an AWL as determined by the department head, college/school dean, and Vice Provost for Faculty Affairs.

Reason for Standard Administrative Procedure

Texas A&M University is a highly collaborative workplace with a mission that values face-to-face interactions. To stay market competitive, enhance employee recruitment and retention, and capitalize on operational efficiencies, the university offers flexibility for eligible employees to work at an alternate work location provided it does not compromise their work performance, productivity, or the collaborative pursuit of our mission. Employees in good standing and whose job duties and responsibilities are suitable for alternate work locations are afforded the opportunity to perform assigned duties through remote work arrangements.

Definitions

Alternate Work Location (AWL): A location within the United States apart from the traditional primary duty station (e.g., office, laboratory, etc.) affiliated with the geographic location/facility associated with any Texas A&M University property.

Designated Work Location: A fully remote work assignment where work duties are regularly performed as specified by employer and suitable to an AWL arrangement because of the nature of the functions and business need associated with the location of the position. Serves as the primary work location on file.

Fully Remote Work: A designation of an AWL which allows for employees to fulfill all their job duties from an AWL. This arrangement does not require the employee to report to the primary duty station and allows them to fully function in their role leveraging technology to work and communicate.

Partially Remote Work: A designation of an AWL which allows an employee to fulfill their on-site responsibilities at the assigned primary duty station while also providing flexibility to perform assigned functions from an AWL. In this AWL agreement, employees may be in an AWL some, most, or all of the work week.

Primary Duty Station: The place of employment associated with a traditional university campus facility or university owned/leased property/space serving as the worksite or physical location where employees actually perform work.

Procedures and Responsibilities

1. GENERAL

- 1.1. Condition of Employment: A partially or fully remote work AWL arrangement must not have the effect of changing the employee's duties, obligations, responsibilities, and conditions of employment or required compliance with relevant policies and procedures, or any other federal or state laws, policies, and procedures while working at the AWL. Job responsibilities, standards of performance, and performance appraisals remain the same as when working at the university's primary duty station.
- 1.2. Faculty members working in an AWL remain accountable for adherence to all applicable university rules and system regulations, including staying current on all mandated training.
- 1.3. Use of Leave: A partially or fully remote AWL arrangement may not be used in place of paid or unpaid leave. If at any time an employee is unable to perform official duties, the employee must utilize the appropriate leave category to record the absence. A request to use leave must be approved in accordance with TAMU rules/SAPs.
- 1.4. Work Space, Equipment and Expenses
 - 1.4.1 Remote AWL work employees must maintain a safe, secure, and ergonomic workspace and ensure they have a designated space conducive to a professional environment. All remote work associated with the AWL program should be done utilizing university or agency-owned computer equipment. To the extent possible and at the discretion of the department, the university may provide the necessary equipment and supplies that are needed for the specific AWL agreement. The use of equipment provided by the university is limited to authorized persons and for purposes relating to university business. No personally owned computers should be used, and any computer or information-technology equipment used in the performance of university business must be used in compliance with all applicable university policies, including with respect to computer and network security and data security. Personal cell phones and other devices may be used for validating credentials with TAMU multi-factor security systems and authorized web-based systems such as Email. Personal devices may be subject to TAMU policies and procedures if used to remotely

operate authorized University assets and web systems. Security protocols appropriate for the specific law, contract, or legal framework govern data access and use. Guidance can be found at – <https://it.tamu.edu/community/tools/data-classification.php>. Employees are personally liable for lost, stolen, or damaged equipment. Employees are responsible to maintain access to networking and/or internet capabilities at the AWL with sufficient bandwidth as necessary to perform the position’s duties.

1.4.2 Texas A&M University will not provide office furniture to facilitate the partially or fully remote AWL arrangement. The university will not be responsible for home maintenance, utilities, or any other operating or incidental costs associated with the use of a residence as an AWL. Employees at a designated work location may request reimbursement for authorized expenses (such as business travel) specifically incurred in connection with the remote work in accordance with applicable policies.

1.5. Tax and Other Legal Implications

1.5.1 Income taxes for employees working outside the State of Texas will generally be withheld as required by the state where the employee is physically located when performing the work associated with the income. The employee is responsible for personal tax consequences, if any, resulting from the AWL arrangement. The employee should seek independent professional advice for any questions or concerns regarding tax issues. Additionally, if an AWL arrangement is proposed in a state other than the State of Texas, the employing unit shall notify the Vice Provost for Faculty Affairs to coordinate a legal review prior to approval which may include tax reporting, export control, immigration sponsorships, and other employment implications for the university.

1.5.2 For locations outside of the United States, the International Temporary Work Location (ITWL) process must be followed, which requires the employing unit to notify the Vice Provost for Faculty Affairs to coordinate if necessary, a legal review prior to approval.

1.6 Termination of the AWL provisions are contingent upon approval in accordance with this procedure. Texas A&M University reserves the right to end the AWL work arrangement at any time. Employees should be given reasonable notice of the termination of the agreement. Failure to comply with provisions of this procedure and associated guidelines may result in the termination of the AWL arrangement and/or disciplinary action, up to and including termination of employment in accordance with Texas A&M System regulations.

1.7 Training relative to operational effectiveness, coordinating team dynamics, performance expectations and success monitoring are available for supervisors and employees. These recommended training courses can aid in establishing a successful remote arrangement. These courses are available via the AWL Guidelines, found on the Human Resources and Organizational Effectiveness (HROE) website, and completion of these courses may be noted in an individual's TrainTraQ transcript.

1.8 Special Circumstances

The university will announce campus closings, delayed openings, or modifications of operations requiring an immediate need for fully or partially remote work often in response to a campus crisis or inclement weather. In these instances, employees functioning at an approved AWL will continue to work at the designated AWL, while employees that typically work on campus will enact arrangements with their supervisors to perform their duties at an AWL, if possible. Such arrangements are for special circumstances and do not supersede requisite AWL evaluation and approval processes.

2. ELIGIBILITY REQUIREMENTS

2.1. Eligible Employees. Faculty members must not be subject to current formal disciplinary action.

2.2. Eligible Positions. A position can be considered suitable for an AWL if some or most of its responsibilities can be performed away from the primary duty station. These positions are typically, computer-based, not dependent on continual physical presence or face-to-face interactions, and largely self-directed. Each position will be considered individually, based on the responsibilities and area in which the role is located, to determine if the work can be done outside of the primary duty station.

3. PROCEDURE FOR REQUESTING AN ALTERNATE WORK LOCATION (AWL)

3.1. A faculty member initiates a request for AWL by submitting a memorandum to the department head or dean as appropriate.

3.2. The department head or dean will determine if the faculty member meets the minimum eligibility requirements listed above. The department head and/or dean will also consider the operational impact of the AWL agreement on the department (e.g. teaching, staffing, service, and research commitments).

3.3. The remote work approval or denial determination is made by the faculty member's supervisor on a case-by-case basis. This determination should be made from a faculty member's individual request based on their assessment of their suitability

for alternate work arrangements.

- 3.4. If the AWL is for a faculty member on H-1B, O-1, E-3, J-1, or TN status, prior to recommending approval, the faculty member's AWL request should be reviewed by Immigration Affairs.
- 3.5. If, after review the department head and/or dean recommends approval, the approval will be communicated to Faculty Affairs.
- 3.6. Following approval of the AWL request, all original correspondence and forms related to the AWL agreement will be maintained in the faculty member's official personnel file with copies provided to the department head and dean as appropriate and faculty member.

4. PROCEDURE FOR ADMINISTERING AN ALTERNATE WORK LOCATION

- 4.1. The AWL agreement must be evaluated at least annually (each fiscal year) by the supervisor and the employee to determine if the continuation of the AWL is mutually beneficial to both the employer and the employee.
- 4.2. No AWL agreement may extend beyond one fiscal year without evaluation and reapproval by the department head. When the AWL is for a foreign national employee, the department must notify Immigration Affairs before approving any extension of the AWL.
- 4.3. Any changes in the conditions of the AWL, other than the end date, will require a new AWL agreement processed through established channels. Faculty members on an H-1B, O-1, E-3, J-1, or TN status will be responsible to notify Immigration Affairs regarding relevant changes or extensions.
- 4.4. Ongoing permission to continue with the AWL arrangement will be evaluated on an ongoing basis to ensure the employee is meeting the essential functions of the job and that work quality and productivity is not compromised.
- 4.5. If the college or school needs to terminate the AWL, the department head will notify the faculty member in writing and a copy will be sent to the Vice Provost for Faculty Affairs. A copy of the notice to the faculty member will be placed in the faculty member's personnel file.
- 4.6. When completing the annual performance review for the faculty member, it is recommended that comments as to the nature of the AWL agreement be noted in the "Department Head's Overall Comments" section of the performance review instrument, in addition to the standard performance factors.

- 4.7 If an AWL is being requested as a reasonable accommodation under the Americans with Disabilities Act Amendment (ADAAA), the faculty member will need to follow the TAMUS ADA policy and associated TAMU guidance.
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Related Statutes Policies, Regulations and Rules

[Texas Government Code, Chapter 658, Section 658.010: Hours of Labor, Place Where Work Performed](#)

[Policy 33.06: Hours of Work for Full-time Salaried Employees](#)

[Regulation 33.06.01: Flexible Work Arrangements](#)

[Regulation 31.01.01: Compensation Administration](#)

Contact Office

For more information or clarification on this standard administrative procedure, contact the Office of the Vice Provost for Faculty Affairs.

OFFICE OF RESPONSIBILITY: [Office of the Vice Provost for Faculty Affairs](#)