

SOUTHWESTERN UNIVERSITY
PROCEDURE GUIDELINES FOR STAFF
TO REQUEST REMOTE OR OTHER ALTERNATIVE WORK ARRANGEMENTS
FOR FALL, 2020
DUE TO A MEDICAL-BASED ISSUE DIRECTLY RELATED
TO COVID-19

In the event the University resumes regular, on-campus operations for the fall, 2020 semester, students and faculty will resume in-class instruction at that time. This means that the University's administrative, academic support, and facilities offices will need to be open and fully operational. The University will continue to practice safe distancing and other health and safety precautions, and places the highest priority on the health, safety and wellbeing of its faculty, staff and students, as well as the wider community.

The University has developed the following Procedure Guidelines for Staff Members to Request Remote or Other Alternative Work Arrangements for Fall, 2020 Due to a Medical-Based Issue Related to COVID-19 ("Procedures"), which will apply to staff members (full-time and part-time) who will be on appointment (employed) during the fall, 2020 semester, and who may need to request new or continued remote or other alternative work arrangements for the fall, 2020 semester due to an underlying medical issue impacted by or at risk of being impacted by exposure to the SARS-CoV-2 virus and the disease it causes, named "coronavirus disease 2019" ("COVID-19"). The COVID-19 related medical issue(s) may be with the staff member individually or with a member of their household. Any medical or other information provided to the University will be maintained as strictly confidential and used to determine if a request may be provided to the staff member.

The U.S. Centers for Disease Control and Prevention ("CDC") has published guidance regarding underlying medical conditions that place individuals at higher risk for severe illness from COVID-19.* This prevailing guidance will be one factor the University considers when evaluating the medical-based issues of the staff member's request.

These Procedures are limited to requests for remote or other alternative work arrangements in the fall, 2020 semester only, unless specifically extended in writing by the University. All requests and information provided to the University under this Procedure are considered to be voluntarily made or provided by the staff member.

These Procedures may be modified by the University at any time to adjust for developments or otherwise address a COVID-19-related development or other situation.

REMOTE OR OTHER ALTERNATIVE WORK REQUEST PROCEDURES:

There are two parts of a staff member's request that require consideration and possible approval under these Procedures.

Part 1: Remote or Alternative Work Arrangement Request.

Staff members who wish to request remote or other alternative work requests for the fall, 2020 due to a medical-based reason that is directly related to COVID-19, should inform their immediate supervisor of their intent as soon as possible (a brief email or verbal communication is sufficient). Once the staff member has provided this notice, they should gather all the applicable information noted below and submit a full written request to their supervisor and the appropriate Senior Staff member by email (or in a hard-copy document) by July 31, 2020 for their review and consideration. *Important Note:* You should not reveal medical-related details to the supervisor or the Senior Staff member.

In the written request, the staff member should provide responses to the following inquiries:

- Explain where, when, and how the staff member will perform their position's work duties under the remote/alternative work arrangement that is being requested.
- What will the staff member need to perform their work remotely or under the alternative work arrangement - equipment, calendaring/communication protocols, and information security requirements. What are the cost implications—both savings and expenses—and who will be responsible for any added costs?
- What contingencies does the staff member have if one or more of their primary duties is unable to be performed due to unforeseen circumstances?
- Other special considerations as a part of this interactive request process.

The University will take these responses into consideration in determining whether this part of the request will be approved. The staff member should provide as much information about these items as part of their request. Information provided by the staff member shall be maintained on a confidential need-to-know basis.

Part 2: Confidential Review of the Medical Issue(s)

After receiving the staff member's request, the appropriate Senior Staff member will forward the request to the HR Department. The HR Department will confidentially discuss with the staff member the staff member's (or member of their household) situation and consider the underlying medical issue(s) impacted by or at risk of being impacted by exposure to the SARS-CoV-2 virus and the disease it causes, named "coronavirus disease 2019" ("COVID-19"). This review will be limited to medical information that is directly related to the staff member's request. If the request is based on issues related to a member of the household, that person may be asked to provide the staff member their written consent to disclose information to the HR Department.

All information provided by the staff member shall be maintained on a confidential need-to-know basis.

Once the review has been completed, the staff member will be advised in writing by the HR department of whether the medical-based issue(s) meet the eligibility requirements under these Procedures and whether their request is granted or not granted. Requests that create an undue hardship on the University's operations may not be granted.

IMPORTANT NOTE: When the remote or alternative work arrangement is not approved, but the medical-based reason is approved, the staff member may need to immediately consider whether to apply for leave under other University policies or consider other options. Staff members in this situation should contact the Human Resources department for further discussion of their options.

APPROVAL OF REMOTE OR ALTERNATIVE WORK ARRANGEMENTS REQUESTS:

Staff members who are approved for remote or other alternative work arrangements due to a medical-based reason that is directly related to COVID-19 agree and understand that they are expected to perform all duties of their job during the fall semester and comply with all University policies, procedures, and regular practices. This includes following the University's information security practices and together with the University's Information Technology department consider which secure configuration option will best serve remote work or other alternative work arrangements during the fall semester.

Staff members seeking to return to campus after remote or other alternative work arrangements may be required to submit a healthcare provider's release to the University's Human Resources department indicating they are cleared to return to work for the spring, 2021 semester. If the staff member is unable to return to campus following fall, 2020, other options may be explored with Human Resources, such as eligibility for FMLA leave, Americans With Disabilities accommodation requests, or other applicable options.

Important Notes: Approval of remote or other alternative work arrangements for the fall, 2020 semester does not in any way create an on-going agreement or expectation that the University will approve future similar work arrangements, nor does it modify or diminish the staff member's responsibilities and performance expectations in accordance with the Staff Handbook. Any subsequent request beyond the fall, 2020 semester will be reviewed independently and subject to the current guidance from local, state and federal public health officials, applicable University policies and local, state, and federal regulations.

Neither this Procedure or approval of remote or other alternative work arrangements for the fall, 2020 semester should be construed as a contract, term or guarantee of continued employment or entitlement to remote or alternative work arrangements and will not alter the at will nature of your employment.

Depending upon circumstances, the University may rescind approved grants of approval for remote or alternative work arrangements at any time during the fall, 2020 semester.

DENIAL OF REMOTE OR OTHER ALTERNATIVE WORK ARRANGEMENTS REQUESTS:

If a request for remote or other alternative work arrangements is denied, the staff member will be expected to report to work on campus to conduct their regular duties in accordance with the Staff Handbook.

CONTINUED PAY FOR FALL, 2020 SEMESTER:

If the staff member is able to perform the duties of their position under the remote or other alternative work arrangements during the fall, 2020 semester, the University will continue their regular pay and benefits (as applicable). If the staff member is not able to perform their duties due to the medical-based reason, it may be necessary for the staff member to explore, among other things, whether they are eligible for leave options with the Human Resources department. In these cases, the Staff Sick Leave and Vacation Leave policies may also apply to continue full pay.

* The CDC website includes information regarding COVID-19, including individuals who may be at higher risk for severe illness if infected by the virus. The University will consult the CDC's current published guidance as one of the resources it references in its review of requests for remote or other alternative work arrangements for the fall, 2020 semester under these Procedures. This guidance may be found at: <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>

Approved July 10, 2020