

**Guidance Regarding Return to Onsite Work
for Academic Appointees
Issued – June 23, 2021**

"The distinctive mission of the University is to serve society as a center of higher learning, providing long-term societal benefits through transmitting advanced knowledge, discovering new knowledge, and functioning as an active working repository of organized knowledge. That obligation, more specifically, includes undergraduate education, graduate and professional education, research, and other kinds of public service, which are shaped and bounded by the central pervasive mission of discovering and advancing knowledge."

[University of California's Mission Statement](#)

Consistent with the direction provided by President Drake and the Council of Chancellors, the University of California is returning to in-person operations, as of Fall 2021. Administration and Senate Leadership are united that the default mode of instruction and research be in-person. This means that as an in-person institution, the University will conduct its regular business, including teaching and research, with faculty, staff, and students physically present, with flexibility in the Fall due to space limitations or public health guidelines. In the long run, the connectivity and common experiences afforded by campus presence are essential for building, strengthening, and maintaining a robust and inclusive university culture that supports our innovative work as a student-centered, research-focused, service-oriented university.

Responding to the COVID-19 pandemic, the University community has risen to the challenge and shown that it is able to continue to fulfill the University's mission when extreme circumstances require campuses to temporarily physically close. The health and safety of our University community is our paramount concern and should health restrictions, governmental guidelines, or other safety matters require such a transition in the future, short-term periods of remote instruction, research, and service may be appropriate. Individual cases may also arise in which the University, applying the below policies, guidance, and adhering to the University's mission statement, determines periods of remote work are appropriate.

As codified in Academic Personnel Manual (APM - 110 and APM - 671), an academic appointee is primarily engaged in teaching, research or other creative activities, clinical care, the cultivation of scholarly or creative competence, and/or the public service mission of the University, and is critical to the educational experience of our students and trainees. As we plan and take steps toward re-opening in-person University operations, it is important to refer to the same policies as guidance in how we further the University's mission of discovering and advancing knowledge in undergraduate education, graduate and professional education, research, and other kinds of public service. Consistent with APM - 025 (Conflict of Commitment and Outside Activities of Faculty Members), APM – 671 (Conflict of Commitment and Outside Activities of Health Sciences Compensation Plan Participants), and APM – 700 (Leaves of Absence/General), in order to fulfill obligations to students, colleagues, and to the University as a whole, academic appointees must maintain a significant presence on campus, meet classes, keep office hours, hold examinations as scheduled, be accessible to students and staff, be available to interact with University colleagues, and share service responsibilities throughout every quarter or semester of active service. For represented academic appointees, the relevant collective bargaining agreements provide information, including the management rights and work authorization provisions. The following guidance is offered to campuses as they develop their plans to return to in-person operations in the fall.

I. GUIDING PRINCIPLES

As campuses transition to fall operations, the following principles should provide guidance about academic appointees:

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A. Fall 2021 Transition Considerations

- *The excellence of UC rests on the quality of its academic appointees and their engagement with the teaching and research mission.*
 - The remote work necessitated by COVID-19 has opened up possible new options for maintaining teaching of high quality through instructional experiences made possible by new technologies. The Academic Senate and administration should work together to determine the modality of delivering course material.
 - UC is a world-leading Research-1 institution and must support full recovery of research and creative activity. Laboratories, performance spaces, and other research areas should be re-opened as soon as possible in accordance with public health guidelines.
- *UC's commitment to equity remains paramount.* The University is committed to equitable treatment of its academic appointees and students as it transitions from a remote environment back to the campus experience that has traditionally defined UC work. An equity lens should be applied in all major decisions, as we know the pandemic has disproportionately affected communities of color, women, low-income communities, and caregivers.

B. Long-Term Considerations

- *Much of UC's curriculum and training opportunities are rooted in common, in-person experiences.* In-person instruction provides community, intellectual exchange, and experiential interactions. UC remains committed to providing such instruction as the bedrock of its service to the State of California.
- *UC should consider the disruptions of the pandemic an opportunity for innovation and structural change.* Decision-makers should take advantage of our upended processes to test and measure new ways to forward UC's missions in teaching, research, and service.
- *The excellence of UC has a foundation in its established policy and practice, including principles of academic freedom, superior intellectual attachment, and peer review.* As much as possible, Regents Bylaws, Standing Orders and Policy, Academic Senate By-Laws, Presidential Policies, and Academic Personnel Manual policies should undergird planning.

C. Eligibility for Flexible Work Arrangements

Fall 2021 is a transition period when campuses are re-opening and flexible work arrangements may still be needed. Each campus should exercise its judgment regarding the breadth of flexible work arrangements for Fall based on space restrictions, public safety, and programmatic needs.

In the long term, referring back to APM requirements, faculty members must maintain a significant presence on campus, meet classes, keep office hours, hold examinations as scheduled, be accessible to students and staff, be available to interact with University colleagues, and share service responsibilities throughout every quarter or semester of active service. However, for non-faculty academic appointees, a flexible work arrangement and agreement may be appropriate.

If an academic appointee requests a flexible work arrangement, their department, program, or unit will determine the appointee's eligibility by considering the job duties, relevant policies such as the APM or CBA, and the considerations set forth above. Not all academic appointees and positions are suitable for flexible work. However, each department, program, or unit will consider new or modified flexible work arrangements objectively and fairly. Flexible work arrangements are not a right and a department,

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program, or unit may evaluate any such arrangement on an ongoing basis to ensure that the academic appointee's teaching, research, scholarship, and service are not compromised by the flexible work arrangement.

Campus decisions about which positions are eligible for flexible work will be based on the academic appointee's job duties, relevant policies such as the APM or CBA, the considerations set forth above, as well as academic and programmatic needs. It is recommended that all academic positions in a department, program, or unit be evaluated for flexible work eligibility and that flexible work agreements be arranged in the same timeframe to ensure fair treatment. A flexible work arrangement that is appropriate for one position may not be appropriate for another, for the reasons set forth in this section.

D. Flexible Work Agreements

Flexible work is most likely to be successful when there is a clear understanding and agreement between the academic appointee and department, program, or unit of what is expected and how responsibilities can be accomplished. Flexible work agreements must serve the best interests of the University's academic and programmatic needs. The agreements detailed here are most likely to be developed for non-faculty academic appointees.

The flexible work agreement must be written and must be signed and dated by the academic appointee and the department, program, or unit head or designee. Agreements should be for a specified timeframe with a designated end date. A copy should be provided to the academic appointee and the original agreement should be kept in the academic appointee's personnel file in accordance with local procedures.

Flexible work agreements should be as specific as possible and may include the following:

- Times the academic appointee is expected to be working, as appropriate to the role
- Where the duties are to be performed
- Expectations regarding availability of the academic appointee, communication with the department, program, or unit head or designee and adequate means of communication
- Methods of contact
- Expectations regarding travel to the job location with reasonable notice based on academic and programmatic needs
- A statement that the academic appointee agrees to maintain a safe and healthy work environment, and that the academic appointee agrees to hold the University harmless for injury to others at the non-University worksite
- A statement that the academic appointee agrees to provide a secure location for University-owned equipment and materials, and will not use, or allow others to use, such equipment for purposes other than University business; and that the University is entitled to reasonable access to its equipment and materials
- A statement that the academic appointee must ensure that any University records in their possession are available to the department when requested
- A statement that the department, program, or unit retains the right to modify the agreement on a temporary basis as a result of business necessity, or as a result of an academic appointee request supported by the department, program, or unit head or designee
- Reimbursable expenses, if any
- An inventoried list of all equipment including serial numbers or other identifying characteristics (e.g. model numbers) the academic appointee is using in their remote work location

**Guidance Regarding Return to Onsite Work
for Academic Appointees
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Flexible work agreements are subject to ongoing review by departments, programs, or units and may be modified or rescinded with reasonable notice in accordance with local procedures. Examples of situations that may require an amendment or rescission of an approved flexible work agreement include but are not limited to:

- Academic mission is not adequately met
- Programmatic needs change or are no longer being met
- Job or job requirements change

The process used to revise or end a work arrangement should be as careful as the process to initiate it. If an academic appointee wishes to dispute the terms or conditions of their flexible work arrangement, the department, program, or unit should attempt to resolve the matter informally with the academic appointee. If needed, departments, programs, or units should consult with their campus Academic Personnel office. If an informal resolution cannot be made, departments, programs, or units should inform the academic appointee in writing that the academic appointee should file a complaint in accordance with the academic appointee's applicable complaint process.

E. Academic Personnel Considerations

1. Compensation

An academic appointee's salary must be consistent with academic personnel compensation policies, even for fully remote academic appointees whose services are performed away from the job location in California or in another state. Academic Personnel Manual – 600 series (Salary Administration), collective bargaining agreements (CBAs), and applicable local procedures govern academic compensation. The work expectations should not be affected by the academic appointee's flexible work schedule.

2. Health and Welfare Benefits

Academic appointees who live or relocate outside of a benefit plan's coverage area may have limited benefits and provider options. If academic appointees have questions about specific insurance options when they move outside of their plan's coverage area or out of state, they should be directed to their local Benefits Office.

Academic appointees are responsible for updating their personal information in UCPath. Academic appointees who move out of their plan's coverage area have the opportunity to select a new plan that will offer in-network care. If academic appointees have specific questions about updating their personal information or changing their benefit plan, they should contact UCPath.

3. Disability Management

Requests for disability accommodation should be handled in accordance with [APM – 711 Reasonable Accommodation for Academic Appointees with Disabilities](#) or the applicable CBA. This includes situations where an academic appointee with a disability requests a flexible work arrangement as a reasonable accommodation. It also includes situations where a remote academic appointee with a disability or a hybrid remote academic appointee with a disability may need a reasonable accommodation in order to perform the essential functions of their position.

**Guidance Regarding Return to Onsite Work
for Academic Appointees
Issued – June 23, 2021**

F. Other Flexible Work Considerations

1. Ergonomics

The University is responsible for ensuring that that work assigned to the academic appointee can be performed safely offsite and for providing the academic appointee with ergonomic equipment in accordance with local procedures. When performing work for the University, the academic appointee is responsible for maintaining a safe and secure work environment and for arranging the remote worksite in an ergonomically sound manner. Departments, programs, or units should direct the academic appointee to Environment Health and Safety for assistance in setting up an ergonomically correct non-University worksite and may provide telecommuting academic appointees with information on a safe and ergonomically sound work environment.

2. Workers' Compensation

Work-related injuries incurred in the non-University worksite, during agreed upon working hours, should be reported promptly to the department, program, or unit. Such reports of injuries will be handled in the same manner as reports of injuries in the normal workplace.

Academic appointees working in California should address any questions to the Workers' Compensation manager at their location. Workers' compensation laws vary by state. Academic appointees working outside California should address any questions to the Workers' Compensation manager at their location or to Systemwide Risk Services.

3. Payroll and Tax

The University is registered in all 44 states that impose an income tax. To ensure appropriate tax withholding, current UC academic appointees who relocate outside California must change their address and withholding information in UCPath to the state in which the academic appointee's services are performed (not the UC job location).

Tax withholding for fully remote UC academic appointees who reside and work outside California is based upon the state where the academic appointee's services are performed. Academic appointees should be aware of California tax residency rules and work with their outside tax adviser to ensure that they do not also have a California tax liability if they have not completely severed their residency in California.

Departments should be aware that there are some jurisdictions, such as the City of Seattle, that have a payroll expense tax that is imposed on the employer but not the academic appointee.

4. Technology Needs

Standard IT equipment needed to perform job duties should be provided in accordance with applicable policies and procedures. Additional equipment may be provided for accommodation needs. The academic appointee is responsible for supplying any additional equipment needed for their workspace not provided by the University. Any University-owned equipment must be properly returned prior to separating from University employment. The academic appointee is responsible for working with the appropriate department to arrange timely return of equipment.

The University provides a wide range of tools that aid effective and productive teamwork, including but

**Guidance Regarding Return to Onsite Work
for Academic Appointees
Issued – June 23, 2021**

not limited to virtual private network (VPN) software, single sign on (SSO) & two-factor authentication, email and calendar, soft phone dialer, video and audio conferencing, electronic document storage, and other corporate technology tools such as financial, collaboration and productivity applications.

5. Reimbursable Expenses for Remote Work

Remote and hybrid-remote academic appointees who are working outside of the job location at their own convenience are not on travel status as defined in [Business and Finance Bulletin G-28, Travel Regulations](#), as “the period during which a traveler is traveling on official University business outside the vicinity of their headquarters or residence.” If an academic appointee must travel to their job location, that is considered a non-reimbursable commuting expense.

Reimbursement for work-related travel should be made from the academic appointee’s job location, not from where the academic appointee’s services are performed (for remote academic appointees, the academic appointee’s home or other work location).

Expenses related to work needs, such as internet connectivity or phone usage, are governed by [Business and Finance Bulletin G-46: Guidelines for the Purchase of Cell Phones and Other Electronic Devices](#). Only business-related equipment that can be returned to the office at the end of the remote work arrangement should be reimbursed. If any item needs to be installed, charges related to the installation are the responsibility of the academic appointee. Locations should evaluate on a case-by-case basis where reimbursement is necessary for academic appointees with specific needs not already met with existing resources.

Academic appointees should work with their departments, programs, or units for regular office supply needs. Such supplies may be shipped to remote academic appointees if needed.

6. Academic Appointee Resources

An academic appointee’s mental health is as important as their physical health. Departments, programs, or units should inform academic appointees of available resources on well-being and self-care, including mindfulness practices and their local academic appointee assistance program.