Working from Home Minimum Standard

November, 2015

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<th>Responsible Officer</th>
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1 Executive Summary
This minimum standard sets out the requirements for an agreement between the University and an employee requesting to undertake work in a home based work environment.

2 More Information
For further information, contact the Human Resources - WHS Unit
Email: health.safety@utas.edu.au

3 Using this Minimum Standard
The University subscribes to the fundamental values of honesty, integrity, responsibility, trust and trustworthiness, respect and self-respect, and fairness and justice that act as the basis for collective principled action; as expressed in the UTAS Statement of Values.

These values underpin the arrangements between the University and staff for the undertaking of University work in a home based work environment.

Mutual benefits accrue to the staff member and to the University from a working from home arrangement, reflecting the commitment to ‘creating and serving shared purpose’.

3.1 Working from Home
While it is preferable that work be conducted at a University based work site, there are situations where home based work provides an efficient and effective alternative.

Tasks most suited to home based work are those that are largely autonomous and require minimal supervision, such as:

- research
- assignment marking
- report writing
- project work
- systems design and development
- policy development and analysis.

Home based work arrangements are not recommended for tasks that:

- require a high degree of supervision
- require direct face-to-face contact with staff, students or the public, particularly if the role requires regular team work
- are difficult to monitor effectively or measure performance
- require substantial use of files and other resources located at the University
- involve management of confidential or sensitive information
- require the staff member to maintain or service University facilities and assets
- have other characteristics deemed by the University as unsuitable for home-based work.
3.2 The Home as a Workplace

Where agreement is entered into for home based work, the home work environment becomes a ‘workplace’ under the Work Health and Safety Act.

The University has a primary duty of care under the Act and must ensure, so far as is reasonably practicable, the health and safety of workers engaged by the University while they are at work, including home based work.

The staff member as a ‘worker’ also has a duty under the Act and while undertaking home based work must:

- take reasonable care for their own health and safety
- comply so far as they are reasonably able, with any reasonable instruction that is given by the University, and
- cooperate with any reasonable policy or procedure of the University relating to health or safety at the workplace that has been notified to them.

See: Section 28 of the Work Health and Safety Act - Duties of Workers for further information.

3.3 Health and Wellbeing

The University supports the flexibility and other benefits that working from home can bring, but is also mindful of the risks to staff.

In the interests of staff health and wellbeing, staff working from home are strongly encouraged to:

- consider work life balance and observe healthy working hours
- take regular breaks and exercise
- balance the efficiencies of working from home with the benefits of social interaction with colleagues at work.

3.4 Exemptions

From time to time a staff member may request to work from home on a one-off basis. Such arrangements may best be managed between the staff member and their Manager/Supervisor on a case by case basis, rather than through a formal agreement. Prior discussion and approval must occur in each instance.

It should be noted that in the event of an incident impacting on the health and safety of the staff member, an approved and signed agreement makes it clear that the home based work being undertaken is authorised by the University, is ‘work’ within the meaning of the Work Health and Safety Act and is covered by Workers’ Compensation insurance.

Any exemption for a requirement under this minimum standard will be considered by the Work Health and Safety (WHS) Unit, following consultation with the relevant Organisational Unit head.

4 Standard Provisions

Where a staff member requests to undertake part of their role from a home based work environment a Working from Home Agreement is to be completed and approved, prior to the work from home commencing.

Work from home on a routine basis will be considered, provided:
it is practical to do so, and
there is balance, such that some work time is spent at the University office based site.

The purpose of the Working from Home Agreement is to:
- assess the proposed task and working environment
- establish that the work environment is appropriate and
- identify any actions required prior to approval being granted.

4.1 Agreement in Principle

An initial request to work from home (verbal or written) is to be made by the staff member to their Manager/Supervisor. The type of home based work to be performed and the suitability of the work environment is then to be discussed and reviewed.

Where agreement in principle is provided by the Manager/Supervisor, a more comprehensive assessment is to be progressed through completion of the Working from Home Agreement.

If not approved, the employee’s Manager/Supervisor will discuss the reasons with the employee.

Note that where working from home is commonly undertaken by University staff in similar roles, the requirement for a working from home arrangement for a new staff member may be anticipated by the Manager/Supervisor and discussed during the induction process.

4.2 Working from Home Agreement

Each Working from Home Agreement application will be considered on a case by case basis.

An approved and signed Working from Home Agreement is to be completed before home based work is undertaken.

A copy of the completed Working from Home Agreement is to be forwarded to Human Resources to be included in the employee’s personal file.

4.3 Equipment Required when Working From Home

Any equipment required to work safely from home and the person who is responsible for providing such equipment is to be recorded in the Working from Home Agreement.

- Ordinarily, the employee will be responsible for all reasonable costs associated with ensuring the home-based work environment is compliant, with the exception of computer equipment.
- Whoever provides/owns an item is responsible for its maintenance and insurance.
- University provided equipment is only to be used by the employee and only for approved University work related tasks.
- Movement of equipment between an on-campus location and an off-campus location is to be recorded by the Organisational Unit administration (e.g. in an Asset Register).

When installing or removing University equipment required by the employee to safely work from home:
• the University will take all reasonable care to minimise damage to the employee’s home and/or property, and

• if when installing/removing equipment, damage should be caused by the University’s actions, the University will be responsible for repairs, replacement or compensation.

The employee is to:

• notify the University of any problems or difficulties which may arise with the operation of University provided equipment

• ensure equipment is returned to the University campus when required for replacement, service or repair

• not service, upgrade or repair the equipment supplied by the University

• take reasonable care to ensure University equipment in their home based work environment is cared for so as to minimise damage to the equipment and/or injury to themselves or others.

4.4 University Access to the Home Based Work Environment

Where access to the home based work environment is required by the University, the employee’s consent is required prior to conducting the visit. The following conditions apply:

• access is to be at a mutually agreed time, within a reasonable timeframe and preferably within normal working hours

• the purpose of the visit is to be stipulated when seeking the employee’s consent and may include access for the following reasons:
  o WHS purposes, including general inspections, incident investigations and issue/dispute resolution
  o maintenance of faulty equipment
  o audit and routine maintenance of equipment and supplies
  o assessing and monitoring security arrangements of equipment and documents
  o supervision/performance reviews, and
  o any other reason deemed appropriate by the Manager/Supervisor.

4.5 Security of University Assets and Information

Security of information, data integrity and privacy in the home based work environment is to mirror the University’s office based policies, with the employee required to abide by the University’s Information and Communication Technology (ICT) Services and Facilities Use Policy and Records Security Guidelines as they would on the University’s premises.

4.6 Incident Reporting

Staff are to notify the University of any incident resulting from carrying out tasks in the home based work environment, in accordance with the University WHS Incident Response and Investigation Procedure.

The employee is to notify their Manager/Supervisor if they are unwell and unable to perform designated tasks scheduled to be performed whilst at home. An application for sick leave is also to be made.
4.7 Reimbursement of Work Related Expenses

An employee may be reimbursed for reasonable work related expenses incurred whilst working from home. Prior approval must be obtained from the Manager/Supervisor. Such expenses may include:

- telephone calls made in relation to the work
- internet access costs necessary to fulfil the requirements of the position
- consumables necessary for the work undertaken.

Documentation and receipts are to be submitted with any claims for reimbursement.

4.8 Monitoring

Work performance when working from home is to be regularly assessed in terms of quality and quantity and to ensure expectations and required standards of work are being met.

Any variation to working hours and/or home based work conditions/requirements is to be negotiated with the Manager/Supervisor, and clearly documented.

4.9 Review

The Working from Home Agreement is to be reviewed where:

- changes to the working from home arrangement are being proposed
- the work at home location is changed or modified in a way that impacts on the agreement
- the nature or scope of work being conducted is changed
- there are alterations to the work requirements of the organisational unit or team which impact on the arrangement, and

A review is to be undertaken at least annually and preferably at the time of the annual performance and career development review.

The review date is to be noted on the Working from Home Agreement.

4.10 Term of the Agreement

The term of an agreement is to be specified in the Working from Home Agreement with a maximum term of three years.

On expiry the working from home arrangement ceases unless the term is extended, or another Working from Home Agreement is entered into.

4.11 Termination of the Working from Home Arrangement

A Working from Home Agreement may be terminated in writing with reasonable notice (normally 2 weeks) by either the University (Manager/Supervisor) or the employee.

Reasons may include (but are not limited to):

- the employee no longer wishes to work from home for any reason
- agreed work requirements/performance outcomes are not being met
- workplace changes/issues have occurred that no longer make working from home practical
changes make the home environment unsuitable or unsafe as a workplace
the agreement expires.
On termination of the Agreement, the employee is to return any University owned equipment within 7 days, in a reasonable condition.

4.12 Issue Resolution
Should a dispute arise in relation to a home based work arrangement decision, resolution of the issue shall be carried out in accordance with the University WHS Issue Resolution WHS Procedure.

5 Responsibilities

Employee
Comply with all applicable WHS legislation, Codes of Practice and University WHS policies, minimum standards and procedures.
Abide by the agreed Working from Home Agreement.
Abide by the Records Security Guidelines
Undertake WHS inspections of the home based work environment.
Notify their Manager/Supervisor as soon as practicable of any work related incident arising out of working from home. (completion of the online incident notification form is the preferred method);
Assess the personal implications of commencing home based work with respect to taxation, insurance or leasing arrangements.
Pay for (unless otherwise agreed with the University) reasonable adjustments to be completed to the home office where adjustments are identified through the WHS checklist.

Human Resources
Maintain Working from Home Agreements on an employee’s personal file.

Manager / Supervisor
Review, approve and monitor Working from Home Agreements.

WHS Unit
Oversee the University's compliance with this Minimum Standard, and provide advice/guidance to Organisational Units.
Approve any exemptions to meeting Minimum Standard requirements.

6 Glossary

Term/Acronym | Definition
--- | ---
Employee | For the purposes of this minimum standard, an employee is a person employed by the University who has either an ongoing or fixed term or casual contract with the University.
Home based work  Regular performance of University work for agreed hours from an approved home based work environment.

Home based work environment  An agreed area in the employee’s private dwelling identified for the purpose of performing the duties agreed between the University and the employee.

Office based site  The location where the employee would ordinarily work at the University should there be no Working from Home Agreement.

Organisational Unit  College, Faculty, School, Centre, University Institute, other University entity, Division, Section or University Business Enterprise

Manager/Supervisor  An individual, who assumes responsibility for the health or welfare of any other person in a workplace by providing instruction, direction, assistance, advice or service, (which includes those with responsibility for students).

Working From Home Agreement  A formal, signed agreement clearly documenting the conditions of a home based work arrangement between the University and an employee.

Workplace  In accordance with S8 (1) of the WHS Act - “A workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work”.

7  Versioning

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8  Appendices

Appendix 1 – Working From Home Flowchart

9  Forms

- Working from Home Agreement
- Home-Based Work Environment Assessment Checklist
AN EMPLOYEE REQUESTS TO WORK FROM HOME

General discussion with Manager / Supervisor

Agreement in principle?

Complete Working from Home Agreement

Manager / Supervisor & Employee

Approved?

Manager / Supervisor & Employee Declaration

Have all actions been undertaken?

Manager / Supervisor &/or Employee

Employee can commence work from home

Monitor & review performance

Termination of Agreement

End of Agreement

Does the Employee want to continue work from home?

Manager / Supervisor

Review Working From Home Agreement

Employee stops Working from Home

Follow WHS Procedure - Issue Resolution

Any issues?

Yes

Discuss decision with Employee

Employee must not commence work from home

Manager / Supervisor

Agreement on personal file

Supply of Equipment

Other actions

Manager / Supervisor & Employee

Does the Employee want to continue work from home?

Manager / Supervisor

End of Agreement

Manager / Supervisor & Employee

Any issues?

Yes

Discuss decision with Employee

Employee must not commence work from home

Manager / Supervisor

Agreement on personal file

Supply of Equipment

Other actions

Manager / Supervisor & Employee

Does the Employee want to continue work from home?

Manager / Supervisor

End of Agreement

Manager / Supervisor & Employee

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Yes

Discuss decision with Employee

Employee must not commence work from home

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Supply of Equipment

Other actions

Manager / Supervisor & Employee