

COLLEGE of CHARLESTON

OFFICIAL POLICY

9.3.2

Telecommuting Policy

1/22/2026

Policy Statement

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE COLLEGE. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE COLLEGE RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

Purpose

Section 8-11-15(B) of the South Carolina Code of Laws says that state agencies “may use alternate work locations, including telecommuting, that result in greater efficiency and cost savings.” Therefore, to be compliant with the law, the decision to allow telecommuting should be based on clearly defined and measurable benefits for the College and the taxpayers.

The purpose of this policy is to define the College’s telecommuting program and the rules under which it will operate.

This policy does not address informal, intermittent, temporary, or emergency remote work. Additionally, this policy does not apply to faculty.

Authority

The President has the authority to establish a telecommuting program within the College, based on S.C. Code 8-11-15(B) of the South Carolina Code of Laws, as amended, and the Telecommuting and Remote Work Policies and Procedures established by the South Carolina Department of Administration’s (Admin) Division of State Human Resources (DSHR). The President or his designee has the ability to set the work schedule and work location for College employees subject to the requirements set forth in the South Carolina State Government Telecommuting and Remote Work Policies and Procedures regardless of whether an employee telecommutes or not.

The College’s telecommuting policy and plan must be approved by DSHR prior to the

College allowing telecommuting. DSHR may revoke the approval of the College's telecommuting plan if DSHR determines that the College is not in compliance with its approved telecommuting plan or if telecommuting is found to be adversely affecting the quantity or quality of work at the College. If this occurs, employees within the College will not be permitted to continue regular telecommuting arrangements.

Definitions

Telecommuting/Teleworking: a work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their primary workplace, in accordance with telecommuting agreements. May also be referred to as remote work.

Work from home on days when the College is closed due to hazardous weather OR field work where employees work at client or customer locations throughout the workday except for incidental and de minimis times where the employee needs to work from home or an alternate work location does not constitute telecommuting.

Three main categories of telecommuting exist:

- **Planned, recurring (regular) telecommuting** is not generally permitted at the College. In rare cases where a business case exception is requested by a Division Head and approved by the President, regular telecommuting will be limited to no more than two days per week. Regular telecommuting happens every week unless operational needs change. If approved, an employee is not permitted to telecommute on: (1) both Monday and Tuesday; (2) Thursday and Friday; or (3) Friday and the following Monday as part of a regular telecommuting arrangement.

Telecommuting for more than two days per week may only be permitted if the President determines that an exception is warranted and the request for an exception is approved by the Division of State Human Resources (DSHR) and the Governor or the Governor's designee.

Any planned, recurring (regular) telecommuting requires a formal agreement between the employee and the College, and the time telecommuting must be tracked.

- **Periodic, intermittent, telecommuting** arrangements such as when an employee is assigned a project with a short timeframe or one that requires uninterrupted time to complete. This level of telecommuting does not require a formal telecommuting agreement. While it is not required that employees in these arrangements sign a telecommuting agreement, departments should document the approval of the periodic, intermittent telecommuting arrangement in writing with the employee. These telecommuting arrangements must be reported to the College's human resources office.

- **Temporary or emergency telecommuting** may be used during short-term illness, transportation emergency due to weather, a natural disaster, pandemic health crises, or other similar unplanned emergent events. This level of telecommuting does not require a formal telecommuting agreement. These arrangements require a verbal agreement between the employee and the College. These arrangements should be limited to the duration of the short-term illness, transportation emergency due to weather, natural

disaster, pandemic health crisis (following directives from the State), or other similar unplanned emergent event. These telecommuting arrangements must be reported to the College's Human Resources office.

Primary Workplace: The telecommuter's usual and customary College workplace. This primary workplace may include the College's other office locations (e.g., satellite or county offices) in which the employee occasionally works. For employees who primarily work in the field, or who are full-time telecommuters, the primary work location should still be a College office.

Alternate Workplace: A workplace other than the employee's usual and customary workplace (primary workplace) and may include the employee's home. The alternate workplace is not a College office.

Telecommuting Application: The document used by supervisors and employees to evaluate the employee's ability to successfully telecommute, as well as to assess the appropriateness of the position for telecommuting.

Telecommuting Agreement: The signed document that outlines the understanding between the College and the employee regarding the telecommuting arrangement. A telecommuting agreement should be reviewed at least annually or as deemed necessary by the appropriate division head. The telecommuting agreement should be reviewed and updated if there is a permanent change to the employee's job duties or if the provisions of the telecommuting agreement change. Telecommuting agreements are not transferable from one position to another.

Telecommuter or Teleworker: An employee who has an agreed-upon schedule during which they are expected to work at an alternate workplace rather than the employee's primary workplace.

Telecommuting Coordinator: The person responsible for providing support to telecommuting employees and their supervisors and monitoring the success of the telecommuting program.

Child Care and Dependent Care: Telecommuting workers may have household members or others who depend on them for care. Telecommuters with these obligations must have adequate care arrangements that do not interfere with their job responsibilities. Telecommuting is not a substitute for childcare, dependent care or other personal responsibilities. Telecommuters are required to use accrued leave, when necessary, to provide dependent care or when addressing other personal responsibilities during work hours. This includes time spent caring for ill household members or other people.

Safety Checklist: The signed document that certifies that the separate workspace in the alternate workplace is maintained in a safe condition, free from hazards and other dangers to the employee and the College's equipment. The employee must complete and return to the College's Office of Human Resources the **Telecommuting Safety**

Checklist before the employee may begin planned, recurring telecommuting.

Business Case Exception Requirements for Telecommuting

Telecommuting is a management option and not a universal employee benefit. Regular telecommuting is not permitted at the College unless authorized by the President. While telecommuting is not generally permitted, Division Heads may submit limited requests for a business case exception to the President for consideration.

Division Heads who submit exceptions must:

- Ensure that the employee meets the eligibility criteria set forth by the Division of State Human Resources (DSHR).
- Provide the business case for the exception which describes the operational necessity for the College along with evidence of direct cost savings and increased efficiencies for the College.

Division of State Human Resources (DSHR) eligibility criteria:

- An employee must have **completed one year of satisfactory employment with the College to be considered for an exception**. This requirement may be waived if determined necessary by the College President and approved by the Division of State Human Resources (DSHR) and the Governor or the Governor's designee.
- Employees subject to a warning period of substandard performance or performance improvement plan or those who were **recently (within the preceding 12 months) subject to disciplinary action are not eligible for telecommuting**.
- The College's President and their Executive Staff are not permitted to telecommute. This includes employees who report directly to the President.
- The President may designate a position as telecommuting only, if approved by the Division of State Human Resources (DSHR) and the Governor or the Governor's designee.

The decision about whether to grant an exception which would allow an employee to telecommute is solely at the discretion of the President. If the requested exception is approved, the employee will be required to complete all requested documents including the application and the employee attestation to complete the process.

Division Heads are required to ensure that appropriate physical office coverage and services are maintained during the College's normal operating schedule, 8:30 am – 5:00 pm, Monday through Friday, or as may be required otherwise.

The College may revoke the approval of any employee to telecommute at any time, with or without notice, and the decision to revoke the ability to telecommute is not a grievable action under the South Carolina Employee Grievance Procedure Act.

Conditions of Employment

The employee's duties, responsibilities, and conditions of employment remain the same as if the employee were working at the College's primary workplace. The telecommuter's supervisor may, however, assign additional duties related to communication, work progress and productivity. The employee will continue to comply with federal and state law, and College policies and procedures while working at an alternate workplace. The employee shall remain subject to all College disciplinary policies and procedures while performing work at the alternate workplace. This includes Fair Labor Standards Act (FLSA) requirements related to the payment for time worked and overtime compensation.

Work Hours

Work hours and location are specified as part of the telecommuting agreement. The employee must be accessible during the specified work hours. The College and the employee agree that, at the President's or their designee's discretion, the employee may perform assigned work for the College at a location other than the College's on-site office as a "telecommuter." Failure to observe assigned work hours may result in disciplinary action and immediate revocation of the agreement.

Telecommuters are expected to be working and focused on the performance of their job duties during all work hours. All personal activities, including child and dependent care, pet care, housework, yardwork, personal errands, etc., should be done only during established break times, lunch time and before and after work hours. Telecommuters are required to use accrued leave, when necessary, to provide dependent care or when addressing other personal responsibilities. This includes time spent caring for an ill household member or other person.

Working hours cannot coincide or overlap with any other type of employment.

Work Assignments and Evaluation of Work

The supervisor must meet with the employee regularly to provide assignments and to review completed work. The employee must complete all assigned work according to procedures agreed upon with the supervisor. The employee is required to adhere to those standards agreed upon with the employee's manager for telecommuting purposes. Evaluation of the employee's job performance will be based on established standards and documented and evaluated in accordance with the College's annual EPMS process. Performance must remain satisfactory to remain eligible for telecommuting.

Pay and Attendance

The employee's salary and benefits remain the same as if the employee were working at the College's primary workplace. If the employee works less than the employee's normal workweek, salary and benefits must be adjusted accordingly.

Telecommuters who have provided a medical certification prohibiting them from working are similarly prohibited from working remotely.

An employee will be compensated for all pay, leave, and overtime (for non-exempt employees) as if all duties were being performed at the employee's primary workplace.

Advancement

Telecommuting will not adversely affect an employee's eligibility for advancement or any other employee right or benefit.

Leave and Overtime

Requests to work overtime and use sick, annual or any other leave must be approved by the College in the same manner as when working at the College's primary workplace. **An employee shall not work overtime unless authorized in advance by the College or as otherwise authorized by the College's overtime policy.** Telecommuting hours are regular work hours and, therefore, employees may not perform personal activities during these hours. The employee agrees that telecommuting is not to be viewed as a substitute for dependent care. Telecommuters with dependent care requirements must make arrangements for someone else to provide dependent care services during the agreed upon work hours. Telecommuters are required to follow College leave policies and procedures to request time off from telecommuting to engage in non-work activities.

Office and Telecommuting Location

The employee will work at the primary workplace or the approved alternate workplace, and not from another unapproved site. Failure to comply with this provision may result in termination of the agreement, and other appropriate disciplinary action. The College will establish agreed upon expectations relative to the time the employee would need to spend in the primary workplace and to give adequate notice when these expectations are subject to change, when possible.

Employees who telecommute may be required to share office space as necessary. **Regardless of the telecommuting arrangement, an employee can be required to report to the office location at any time without advance notice, upon request by the College.**

Generally, the alternate workplace should be in South Carolina. **Under no circumstances may an employee conduct work from a location outside of the state of South Carolina unless approval is received from their supervisor, division head, Vice President of Human Resources or their designee, and the President or designee.** If the College deems it necessary to approve a request to designate an alternate workplace outside of South Carolina, the College will review applicable tax, workers' compensation and other implications of work performed by employees in another state. **No work may be performed at a location outside of the United States.**

If the alternate workplace is in the employee's home, the employee is responsible for reviewing their home or rental insurance to ensure there is no prohibition against a home office and any relevant zoning requirements to ensure a home office is permitted.

Workspace Safety

The employee agrees to designate a separate workspace in the alternate workplace for the purposes of telecommuting and will maintain this area in a safe condition, free from hazards and other dangers to the employee and the College's equipment. To ensure the safety of the workspace, the employee agrees to complete and return to the College a Telecommuting Workplace Safety Checklist (part of the telecommuting agreement) which will certify the employee's alternate workplace complies with health and safety requirements. The employee must submit this checklist to the College before the employee may begin telecommuting. The employee agrees that the College shall have reasonable access to the alternate workplace for the purposes of inspection of the site and retrieval of state-owned property. An employee understands that they will be liable for injuries or damages to the person or property of third parties or any members of the employee's family in the alternate workplace if it is in the employee's home. The employee agrees to consult with the College before moving any heavy equipment or furniture in the alternate workplace.

Liability and Home Safety

The College of Charleston will not be liable for damages to the employee's property resulting from participation in the telecommuting program. In signing the telecommuting agreement, the employee agrees to hold the College harmless against any and all claims, excluding workers' compensation claims. The employee accepts responsibility for maintaining the security, condition, and confidentiality of the College's equipment, materials and data (including but not limited to files, applications, manuals, forms) that are at the alternate workplace. No employee engaged in telecommuting will be allowed to conduct face-to-face College-related business at the alternate workplace, if it is the employee's home. In signing the agreement, the employee also verifies that the alternate workplace, if it is the employee's home, is free of safety and fire hazards.

Workers' Compensation

The alternate workplace is considered an extension of the employee's primary workplace; therefore, workers' compensation will continue to exist for the employee when performing official work duties in the alternate workplace during approved telecommuting hours. Any work-related injuries must be reported to the employee's supervisor immediately.

Equipment and its Maintenance

The College may provide all or part of the equipment necessary for accomplishing work assignments. However, where agreements specify, employees may be authorized to use their own equipment.

- **College-Owned Equipment** - College of Charleston equipment may be used only for legitimate purposes by authorized employees. Any College equipment issued to an employee for use in telecommuting must be recorded in the telecommuting agreement.

College equipment used in the normal course of employment will be maintained, serviced, and repaired by the College's IT Service Desk. If equipment cannot be repaired remotely, the employee will be responsible for delivering the equipment to the IT Service

Desk on campus.

- **Employee-Owned Equipment** - When employees are authorized to use their own equipment, the College will not assume responsibility for the cost of repair, maintenance, or service.

The College and the employee must agree upon the equipment to be used in telecommuting. The employee must protect equipment provided by the College against damage and unauthorized use. Equipment provided by the employee will be at no cost to the College and will be maintained by the employee.

The employee agrees that the College shall have reasonable access to the alternate workplace for business-related purposes such as inspection of the space and retrieval of College property. The employee also agrees that any personal equipment used to conduct College business could be subject to disclosure by subpoena or the Freedom of Information Act.

Operating Costs

The College will not be responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities), associated with the use of the employee's residence.

Protecting Computer Systems and Records

The College's security controls and conditions for use of state-owned equipment for the official work location will also apply to alternate workplaces. All College of Charleston records, files, and documents must be protected from unauthorized disclosure or damage and returned safely to the primary workplace. The employee agrees to abide by any rules promulgated by the College concerning the use of computer equipment (which may include protecting the employee's home PC against computer "viruses") and understands that these rules may be changed at any time, with advance notice, where feasible. The employee agrees to follow College of Charleston procedures for network access and to take all necessary steps to protect the integrity of systems including but not limited to: protecting passwords, not duplicating College of Charleston-owned software, and not allowing College of Charleston files to be viewed by others.

Reporting Requirements

Every employee who telecommutes as part of their normal telecommuting schedule must record telecommuting hours each day they work at the alternate work location. Managers will need to approve this time. Remote work time will be recorded daily using the College's Remote Work Log. Note that both FLSA exempt and non-exempt employees will be required to report their telecommuting time.

Division heads or their designee are required to provide a weekly report to the office of Human Resources documenting any deviation from the College's approved telecommuting plan, as applicable for their division. This includes employees working in the office on days they are scheduled to telecommute or telecommuting on days they are scheduled to be in the office. This also includes employees who telecommute and who do not have a normal telecommuting schedule. Weekly reports will be reviewed regularly by

Human Resources to ensure that deviations from the College's approved telecommuting plan are granted only in appropriate situations. Remote work time and deviations will be recorded daily using the College's Remote Work Log.

Quarterly reports (prior to the 15th of the month following the end of a quarter) must be submitted by the College to the Division of State Human Resources (DSHR) documenting the College's utilization of telecommuting. Quarterly reports include the roster of employees who telecommuted under the program, any actual costs associated with the program, and the actual savings and benefits realized by the College.

If the College deviates from the approved telecommuting plan and allows an employee to telecommute outside the plan guidelines for more than a week, the College must report the deviation from the approved telecommuting plan, in writing, to the Division of State Human Resources (DSHR). Division heads are responsible for timely notifying Human Resources of any deviations applicable to their areas.

Curtailment of the Agreement

The College of Charleston has the right to remove the employee from the telecommuting program if participation fails to benefit organizational needs. Additionally, employees may be removed from the program at the discretion of the division head. In the event the employee ceases employment with the College, or this telecommuting arrangement is discontinued for any reason, the employee agrees to return all College equipment and supplies in good condition to the primary workplace within 48 hours or a mutually agreed upon reasonable time. If the employee fails to do so, the employee will be responsible for reimbursing the College for all unreturned property to the extent permitted by State and Federal law. All work documents will be returned immediately to the College. In addition, this agreement shall automatically terminate when the employee ceases to be employed by the College of Charleston.

The College of Charleston may terminate the telecommuting arrangement at any time with or without cause at its convenience, and this termination is final in terms of administrative review. By participating in a telecommuting arrangement, the employee agrees that any termination of working from the alternate workplace will not constitute an involuntary reassignment under the State Employee Grievance Procedure Act.

Policy Manager and Responsible Department or Office

Vice President of Human Resources
Office of Human Resources

Policy

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Departments/Offices Affected by the Policy

All departments and offices are affected by this policy.
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Procedures Related to the Policy

Telecommuting Application/Telecommuting Assessment/Telecommuting Safety Checklist

Related Policies, Documents or Forms

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Issue Date: 1.22.2026 Date of Policy Revision: 1.22.2026

Next Review Date: 1.22.2031

POLICY APPROVAL

(For use by the Office of the Board of Trustees or the Office of the President)

Policy Number: 9.3.2

President or
Chairman, Board of Trustees



Date: 1/28/26