

December 16, 2021

DAVID BRUNDAGE  
Chair, Academic Senate

**RE: Revised Proposed Remote Work Guidelines for Senate Faculty**

Dear David,

The experience during the pandemic has led to some new approaches to work. The campus has developed [guidance for staff](#) who are interested in an ongoing remote work arrangement, allowing new flexibility to work partly or completely remotely. We have received inquiries from faculty about the possibility of post-pandemic remote work as well, with some faculty asking about working entirely remotely. Thus, we are proposing guidelines for faculty who are interested in a remote work arrangement. This would allow increased flexibility for faculty compared to the current expectation of working physically on campus locally in fall, winter, and spring. These guidelines are intended for ongoing operations, and are not meant to apply to any emergency measures taken during pandemic times.

Current systemwide and campus interpretations of policy are that all Senate faculty are expected to be in residence for every quarter they are in active service (i.e., not on sabbatical or leave), with the exception of summer. Policy requires shorter-term absences from campus to be approved by the chair (for less than a week) or the dean (for more than a week), including situations in which the faculty member is working remotely, such as attending an extended professional conference or conducting field work. All other UC campuses currently adhere to this paradigm, although a few are considering changes such as the ones we propose here. The relevant policies are:

[APM 025.8.a](#): “faculty members must maintain a significant presence on campus”.

[APM 700-0](#): “Academic year appointees are expected to be present from the beginning of the Fall Semester (Quarter) through the end of the Spring Semester (Quarter).”

[CAPM 900.700.B](#): “Because nine-month academic appointees are expected to be present from the beginning of the Fall quarter through the end of the Spring quarter, any appointee returning after the beginning of the Fall quarter or leaving before the end of the Spring quarter should apply for a leave of absence in accordance with the applicable leave policy.”

[CAPM 902.000](#): “A change of duty station is approved when the faculty member's regular, ongoing, University duties must be carried out at a location other than the campus. The request must have some time aspect; in other words, the material to be studied is only available at certain periods of the year, or the facilities to be employed are

only available at certain times. The faculty member is not relieved of teaching, research, or service duties, but carries out these responsibilities at a different location.”

[APM 700-30](#): ““Absent from academic duty” means a lack of physical presence coupled with a failure by an academic appointee to meet assigned or contractual responsibilities. In times when working remotely is approved by the Chancellor, “absent from academic duty” means a lack of regular, consistent communication and engagement in normal University duties coupled with a failure by an academic appointee to meet assigned or contractual responsibilities.”

[CAPM 900.700.H](#): ““Absent from academic duty” means a lack of physical presence coupled with a failure by an academic appointee to meet assigned or contractual responsibilities.”

The purpose of this proposal is to provide more opportunity for fully remote work than what is currently envisioned under policy. Nothing in this proposal would create any new obligations or expectations for faculty. Faculty taking advantage of the new remote work option would complete an agreement form, parallel to the agreement form in use for staff employees, which clearly spells out the obligations of the faculty member and the university during such a period of remote work. The remote work guidelines would augment, not replace, CAPM 902.000, and could be incorporated into CAPM 902.000 in the future.

We appreciate the feedback that the Senate provided in spring 2021, and we have tried to incorporate all of this feedback into the proposed revisions. While some committees have suggested that more specificity might be helpful, P&T argued for more department discretion, and we have tried to retain as much department flexibility as possible, which limits our ability to craft more specific guidelines. We also want to emphasize that emergency remote measures taken during the COVID-19 pandemic or in future emergencies would continue to be allowable exceptions to these guidelines.

The restriction that routine remote work must be done within the United States is due to tax, employment, and immigration laws. The university is not currently able to employ people based outside of the United States because it is not a registered tax-paying employer in any other country. A remote work arrangement is not considered business travel, and thus is subject to local tax and labor laws in the country of residence, which may not align with our own. An exception was made by the university during the COVID-19 pandemic and associated travel bans and visa processing delays, in order to ensure operational continuity; however, this exception expired December 31, 2021. For more information, see <https://apo.ucsc.edu/covid-19/working-remotely.html>. The Office of the President does not provide any flexibility to the campuses on this issue. Please note that faculty on sabbatical leave are considered to be based in California and traveling for university business.

CAAD asked about use of research funds or start-up for equipment for remote work. Such expenditures would generally be allowable for the remote work location if they are allowable expenditures for on-campus work, i.e., if the funding source can be used for that type of equipment on campus, it can also be used to purchase the equipment for a remote work location.

Obvious exceptions would include equipment that requires specialized infrastructure or specialized maintenance such that it could not be supported at the remote work location. Language has been added to the remote work agreement directing faculty to consult with their research accountants.

CIT recommended a “Remote Technology Checklist”. For many faculty, Zoom will be the most computing intensive and internet intensive application they run, so Zoom hardware and connectivity specifications have been added to the Remote Work Agreement in the Working Environment section. Faculty with more specialized software needs may have additional requirements, so an item for specialized needs has also been added.

COT notes that during the pandemic, students are in many different time zones. While there may continue to be a small number of remote students post-pandemic, the expectation is that the faculty member will hold at least two hours of office hours at times appropriate for students in Santa Cruz. They may hold additional office hours at other times at their discretion.

COT asked about the restriction against any in-person meetings at the remote worksite. This restriction exists to address two potential concerns. The first is actually raised by GC, in that we want to be clear that graduate students cannot be expected to meet at the remote location. The second is an issue of liability. The university is not in a position to be able to take on liability for third parties at the remote location, when it does not have any control over the physical space.

We would appreciate Senate comments and feedback on this revised proposed policy by February 25, 2022. Please let me know if you have any questions.

Sincerely,



Herbert Lee

Vice Provost for Academic Affairs

#### Attachments

Cc: AVP McClintock  
Director Mednick  
Academic Senate Office