



UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG

(G-C-2020-048)

Name of Policy

POLICY ON WORKING REMOTELY

Version No.1

Table of Contents

1.	CONTEXT / BACKGROUND	3
2.	PURPOSE	3
3.	SCOPE OF APPLICATION.....	3
4.	PRINCIPLES	4
5.	RIGHTS AND OBLIGATIONS OF THE EMPLOYEES	5
	Working remotely on a mandatory basis	5
	Working remotely on an elective basis	5
6.	RIGHTS AND OBLIGATIONS OF THE UNIVERSITY	5
	Working remotely on a mandatory basis	5
	Working remotely on an elective basis	6
	Limitation of liability	6
7	PROCESS OF APPLYING FOR AND/OR IMPLEMENTING EACH CATEGORY OF REMOTE WORKING ARRANGEMENTS	6
8.	POLICY REVIEW	6
	ANNEXURE A	8

Policy Title	POLICY ON WORKING REMOTELY
Policy Officer	Human Resources
Date Approved	25 September 2020
Date Effective From	Immediate
Last updated	11 September 2020

1. CONTEXT / BACKGROUND

- 1.1 As a “contact-learning” institution, the University has been managed traditionally and operated on the basis that employees are always physically present at the University’s Precincts or at another specified worksite to ensure delivery of services as per the institutional mandate.
- 1.2 The University has faced times of disrupted delivery of services, and challenges in accommodating such times through suitable and coordinated arrangements for employees to work remotely.
- 1.3 While this Policy emanates from the need of the University to maintain service delivery during the lockdown period (COVID-19) beyond the provision of essential services, it should be broadened to cater for business continuity through remote working arrangements.

2. PURPOSE

Acknowledging that remote working may be either mandatory or optional, this Policy is not intended to vary the conditions of employment of employees but to enable the achievement thereof by regulating remote working as follows:

- 2.1 Establishing conditions under which employees are permitted or required to work remotely;
- 2.2 Establishing the process of applying for and/or implementing each category of remote working arrangements;
- 2.3 Identifying categories of remote working arrangements; and
- 2.4 Providing guidelines for the management of expectations and incidents that emerge whilst employees work remotely, including rights and obligations of the employees and the University.

3. SCOPE OF APPLICATION

- 3.1 The Policy applies to all categories of employees of the University subject to 3.2 below.

- 3.2 It is acknowledged that for employees performing essential services, it is mandatory to perform such services on campus subject to the conditions as specified by the regulations under the Constitution and/or the National Disaster Management Act, 57 of 2000 (NDMA). Accordingly, this Policy **does not apply** to those employees whose jobs cannot be performed remotely, including but not limited to, the performance of activities relating to security, safety, cleaning, maintenance, medical laboratory services, mortuaries, animal care and any other services that are deemed essential to operational continuity of the University or as defined by law at the applicable time.

4. PRINCIPLES

Categories of working remotely arrangements

- 4.1 The University acknowledges that there are situations that adversely affect operational continuity, which could be mitigated by allowing employees to work remotely.
- 4.2 These situations may be categorised as either mandatory, as per the regulatory framework promulgated under the Constitution and/or the NDMA, or optional as elected by employees.
- 4.3 While the lockdown conditions in respect of COVID-19 subsist, employees with comorbidities and those who are precluded by the applicable regulations from working onsite must continue to work remotely.

Conditions for working remotely

- 4.4 Employees who are not essential services and are able to fulfil their contractual obligations by working remotely shall be provided with the necessary equipment to do so in terms of this Policy.
- 4.5 Working remotely shall be on full pay and no additional payment shall accrue to employees.
- 4.6 Hours of work as per the contract of employment shall strictly be adhered to, but could be varied by agreement with the affected employee in accordance with Section 11 of the Basic Conditions of Employment Act, 75 of 1997, which regulates compression of the working week.

Management of expectations and incidents that emerge from working remotely

- 4.7 Any employee that works remotely is expected to perform their duties in accordance with their contracts of employment, conditions of service, and/or their respective job descriptions.
- 4.8 Employees working remotely must be contactable at all times during working hours, unless they are on leave.
- 4.9 In the event there is continued disruption in the employee's ability to work remotely in an effective manner, the employee must promptly communicate such disruptions to the line manager so that appropriate alternative arrangements can be made.

5. RIGHTS AND OBLIGATIONS OF THE EMPLOYEES

Working remotely on a mandatory basis

- 5.1 This section deals with employees who are required to work remotely as a result of the NDMA.
- 5.2 The employee and the relevant line manager must, as soon as practicable, agree on measures to ensure continued service delivery.
- 5.3 The employee's usual and agreed working hours and performance expectations remain unchanged, unless otherwise agreed. In instances of lack of output, the line manager may take appropriate management action to remedy the situation.
- 5.4 Where University owned equipment is to be used outside of the precincts of the University in terms of this Policy, the employee and the relevant line manager must compile and sign a list of equipment/devices used by the employee in the course of carrying out remote work, as part of the University's requirements for maintaining its assets register, and confirming the employee is permitted to remove University equipment from the its Precincts (**Annexure A**, *ex post facto* if needs be).
- 5.5 Employees must ensure that any problems that they identify with respect to any University owned hardware or licensed software are promptly reported to the University's ICT Department for attention.
- 5.6 Employees must ensure that any loss of or damage to any University owned property is promptly reported to the University's Finance Department for insurance and/or reporting purposes.

Working remotely on an elective basis

- 5.7 The need to work safely in remote settings and in a healthy environment remain imperative and is the sole responsibility of the employee who elect and is subsequently authorised to do so.
- 5.8 All the provisions included in paragraphs 5.1 through 5.6 apply *mutatis mutandis* to employees who elect to work remotely.

6. RIGHTS AND OBLIGATIONS OF THE UNIVERSITY

Working remotely on a mandatory basis

- 6.1 In the event that working remotely as a result of the NDMA and related regulations, the University shall ensure continued service delivery by providing the necessary equipment and resources in terms of the University's Policy on Mobile Devices and Enhancements.
- 6.2 In providing the necessary equipment and resources, the line manager must consider the general nature of the job and its requirements, including the employee's ability to work remotely without supervision.
- 6.3 The University will endeavour to ensure that the relevant anti-virus software on University owned computers is up-to-date.

Working remotely on an elective basis

- 6.4 While the requests for working remotely may not be unreasonably rejected, the University reserves the right to not approve any requests for working remotely by employees for operational reasons.
- 6.5 Information technology devices and/or data *may* be provided in terms of the Policy on Mobile Devices and Enhancements. This is subject to the discretion of the relevant Head of School or department bearing in mind financial sustainability.

Limitation of liability

- 6.6 The University has insured itself for its liability arising from the acts and omissions of persons acting on its behalf and that its staff and individuals who are subject to the University's, rules, regulations, policies, procedures and standing orders as amended from time to time are insured during the course and scope of their registered courses and/or within the scope of University business. This is subject to the proviso that the University's maximum liability will be limited, whether for a single or multiple events, to the extent that it is covered therefor.

7 PROCESS OF APPLYING FOR AND/OR IMPLEMENTING EACH CATEGORY OF REMOTE WORKING ARRANGEMENTS

- 7.1 Where an employee seeks authority to work remotely as a mechanism to manage or to assist in managing any disability, long-term illness, or as a reasonable accommodation, they must approach the Disability Rights Unit in terms of the relevant University policy.
- 7.2 Where an employee elects to work remotely for any other justifiable reasons (e.g. child care responsibilities not accommodated in the Leave Policy), they must approach the line manager, who will have the authority to consider the request with due consideration for the established principles in administrative justice¹.
- 7.3 SET, in consultation with the University Council, shall issue directives pertaining to remote working as necessitated by the regulatory framework, including but not limited to the determination of essential services and conditions of service for the duration of the regulated period.

8. POLICY REVIEW

This Policy will be amended as appropriate or in line with changes in legislative requirements and/or sector requirements. Provisions of this Policy related to the COVID19 pandemic will be reviewed 6 months after approval of this Policy.

¹ Fairness (procedural and substantive), reasonableness and reviewability of the decision made (Promotion of Administrative Justice Act, 3 of 2000 as amended)

VERSION HISTORY

Version	Date	Summary	Changed by
1	25 September 2020	This Policy is not intended to vary the conditions of employment of employees but to enable the achievement thereof by regulating remote working	Council

ANNEXURE A

AUTHORITY TO TAKE EQUIPMENT OFF CAMPUS

FACULTY/SCHOOL/DEPARTMENT:
NAME OF PERSON RESPONSIBLE FOR TAKING ASSET OFF CAMPUS
STAFF / STUDENT NO.:
REASON FOR TAKING EQUIPMENT OFF CAMPUS:
ADDRESS WHERE EQUIPMENT WILL BE HELD / KEPT:
EQUIPMENT DETAILS (ATTACH SCHEDULE IF INSUFFICIENT SPACE)

ITEM	DESCRIPTION	SERIAL NO.	WITS BAR CODE NO. (IF ANY)	MODEL	SUPPLIERS
1.					
2.					
3.					
4.					
5.					

ASSETS RELEASED	
DATE TAKEN OUT :	
EXPECTED RETURN DATE :	
SIGNATURE :	STAFF/STUDENT NUMBER :
	DATE :
APPROVER'S NAME :	DATE :
APPROVERS SIGNATURE :	
CONDITION OF ASSETS RELEASED :	

ASSETS RETURNED	
DATE OF ASSET RETURNED :	
ASSET INSPECTED BY :	
CONDITION OF ASSETS RETURNED :	
SIGNATURE :	STAFF/STUDENT NUMBER :
	DATE :
APPROVER'S NAME :	DATE :
APPROVER'S SIGNATURE :	

POSITION OF APPROVER:
(HEAD OF DEPT/HEAD OF SCHOOL/DEAN/DVC)

PLEASE NOTE:

1. University Regulation requires that staff using University Property look after it as if it were their own, i.e. lock up securely, not left unattended, if in car lock up in boot, keep it in a safe place where it is not exposed to the elements. Failure to take minimal precautions will be construed as negligence.
2. Theft should be reported immediately to Policy and Campus Control, and a claim form completed and sent to the Insurance Office in Finance. Accidental damage should be reported immediately to Campus Control and a claim form completed and sent to the Insurance Office in Finance.
3. **Filing:** This form must be completed in full and kept on file by the approver. In the event of a claim due to theft or damage, a copy of the report should be attached to the claim form and submitted to the Insurance Office in Finance.