

# UW–Madison Remote Work Policy Procedures Manual

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## Introduction

This manual is intended to serve as a “how to” guide for Schools/Colleges/Divisions (S/C/Ds), supervisors, and employees working remotely in Wisconsin, in the U.S. (outside Wisconsin), or internationally. Topics include how an employee initiates a Remote Work Agreement, who approves it, what risks might be flagged, how those will be vetted and by whom, and how remote work arrangements are managed once approved. The manual is a guide to:

- Know what action to take
- Know when to take action
- Know who to contact

## Overview of UW–Madison Remote Work Policy

The [Remote Work Policy](#) applies to all new or revised remote work agreements after August 1, 2021. All remote work agreements in effect prior to August 1, 2021 must be re-executed to comply with the policy no later than August 31, 2021.

Because remote work has risks and liabilities, the policy requires all employees approved to work remotely to enter into a *Remote Work Agreement*. The agreement can be found in [MyUW](#) > Personal Information > “Update my personal information.”

The agreement process is vital to ensuring that the risks associated with remote work have been appropriately reviewed by consulting offices prior to approval. Approval minimally involves:

1. Level 1: the supervisor or time approver
2. Level 2 (and higher, up to Level 4, if applicable): The S/C/D Dean, Director, Vice Chancellor or their designee, such as HR.

The *Remote Work Agreement* will be kept by the S/C/D pursuant to record retention requirements and in the employee’s personnel file. Remote work agreements should be reviewed and updated at a minimum annually, or as warranted due to changes in work responsibilities, availability of equipment, or evolving workplace practices. During this review, S/C/Ds, divisional HR, the employee’s supervisor, and employee will determine whether remote work continues to be appropriate, including whether it continues to meet operational needs.

A *Remote Work Agreement* may be modified or revoked under Section III of the Remote Work Policy.

## Definitions

Business Necessity: A legitimate business purpose that fulfills the mission and objectives of the university and is not solely for the personal benefit of an employee.

International Remote Work: Remote work located outside the United States.

Onsite Work Location: The city where most of the important functions of an organization, or an employee's job responsibilities, are coordinated (known as headquarter city).

Out-of-State Remote Work: Remote work located outside the state of Wisconsin but within the United States.

Remote Work: A work arrangement in which some or all work is performed at an off-campus work site such as home or in an office space near home. This definition does not include workplace flexibilities, research trips, sabbaticals, or permanent off-campus work sites established by the university (e.g., field stations, CERN, IceCube).

Remote Work Agreement: An agreement that describes the terms and conditions of an employee's remote work arrangement, including a description of the alternative off-site work arrangement, guidelines for maintaining communication and work engagement, and necessary equipment and services. These agreements include out-of-state and international work agreements.

Remote Work Location: The city where an employee performs their remote work.

School/College/Division (S/C/D) Leadership: A school, college, or division dean or director, vice chancellor, or a supervisory designee having oversight of a department or unit.

Workplace Flexibility: Flexibility in which work is performed at an off-campus work site on a sporadic basis and does not follow a regular, repeated schedule.

## Roles and Responsibilities

### Employees

- Employees who engage in remote work are responsible for all of the following:
  - Working with their supervisors and other identified staff to ensure compliance with applicable laws, policies, and procedures;
  - Making any necessary adjustments for their personal income taxes and benefits;
  - Working with campus IT staff to ensure any technology necessary to perform their work roles is compatible, secure, and in good working order.

## Consulting Offices

S/C/Ds must follow the Remote Work Agreement process. In certain circumstances, this process may involve consultation with, or provision of technical guidance from, one or more of the following offices depending on the risks involved with the type and location of remote work:

- [Environment, Health & Safety/Occupational Health](#): Ergonomics and workspace safety
- [Export Control](#): Export Control compliance.
- [International Faculty & Staff Services \(IFSS\)](#): Visa, Immigration
- [Office of Compliance](#): Data Privacy ([HIPAA](#))
- [Office of Cybersecurity \(DoIT\)](#): Data Security and technology access
- [Office of Human Resources \(OHR\)](#): Employment Laws, Payroll and Benefits
- [Office of Legal Affairs \(OLA\)](#): Employment Laws, Liability Caps and Statutory Immunity
- [Research & Sponsored Programs \(RSP\)](#): Sponsored Projects in international locations
- [Risk Management \(Division of Business Services\)](#): Worker's Compensation

The [Approver Guide to Hard Stops, Risks, and Attestations in the Remote Work Agreement](#) provides additional information about risks.

## Approvers

- Level 1 Approver is the Supervisor or Time-Approver. This approver evaluates the initial remote work request via the automated agreement and determines if remote work is appropriate for the position.
  - Supervisors of remote work employees are responsible for:
    - Evaluating the Remote Work Agreement
    - Assisting in gathering necessary information in support of the remote work request and agreement
    - Ensuring compliance with the remote work agreement and all job-related expectations of the remote work employee
    - Communicating in advance what assignments and tasks are appropriate to be performed remotely and what assessment techniques will be used to measure success in meeting performance standards.
    - Reviewing and updating the Remote Work Agreement at a minimum annually and determining whether remote work continues to be appropriate, including whether it continues to meet operational needs.
- Level 2 (and higher) includes the S/C/D Dean, Director, or Vice Chancellor (or their designee). These approvers review any potential risks and liabilities related to data compliance and security and review by any other appropriate consulting office and decide if the request is approved or denied. This is the role of the Level 2 (and higher)

approver. Each S/C/D may have a different number of approvers (Levels 2, 3, 4) depending on needs.

## Before Completing a Remote Work Agreement

**Employees should NOT complete an agreement if any of these are true:**

1. Are you seeking workplace flexibility rather than remote work? **IF YES:** you do not need to fill out a Remote Work Agreement. Review the definitions of “remote work” and “workplace flexibility” in the [Remote Work Policy](#).
2. Are you considering the Remote Work Agreement as a way to obtain ADA (medical) accommodation(s)? **IF YES:** please reach out to the [Divisional Disability Representative \(DDR\)](#) in your School/College/Division (S/C/D).
  - Employees with disabilities can request remote work under the [policy](#) without making an accommodation request if they prefer to pursue an RWA without disclosing a disability. In this case, the RWA will be evaluated consistent with other RWAs , not as an accommodation under the Americans with Disabilities Act (ADA).
3. Are you seeking to work from an international location and needing confirmation of approval from your S/C/D's Dean/Director/Vice Chancellor for the "business necessity" requirement? **IF YES:** discuss with your manager/department chair who can escalate to HR.
  - **Examples of international RWAs that do *not* meet the definition of business necessity include (but are not limited to) vacation, personal illness, disability, family caregiving obligations, and other personal reasons.**
4. Are you seeking to work remotely from an international location that is considered an [E:1/E:2 embargoed country](#)? (Scroll to the bottom of this webpage.) **IF YES:** please email the Offices of [Export Control](#) and [Cybersecurity](#) before moving forward.
5. Are you a foreign national working at UW–Madison and requesting to work remotely off campus? **IF YES:** please contact [International Faculty and Staff Services \(IFSS\)](#) before moving forward. [International *students* should contact their [HR department](#).]

If the answer to any of these five questions is “YES,” employees should follow the guidance referenced in each section gathering information or attempting to complete an agreement.

## Gather Information

The UW—Madison *Remote Work Agreement* includes questions and attestations which require employees to provide specific information about their plans for working remotely in Wisconsin, out-of-state, or internationally. Some of this information will be easy to provide, while some may require extra time to gather or review prior to completing the agreement.

Employees are encouraged to use the [Employee Checklist for Completing a Remote Work Agreement](#) (an abbreviated version is copied below) for information, guidance, and potential action steps to prepare for successful completion of the Remote Work Agreement. This checklist is intended to provide information, guidance, and potential action steps to help you prepare for successful completion of your Remote Work Agreement.

## Employee Checklist

Use this checklist to prepare for successful completion of your Remote Work Agreement.

- Make sure your address is updated in [MyUW](#) > Personal Information > “Update my personal information.”
- Identify with your supervisor the start/end review dates for your RWA. It is critical that the dates you enter have been approved by your supervisor. Note that the policy requires an annual review at minimum.
- Determine the type of schedule that best reflects your work arrangement.
  - **General Hours** - select this if your start and end times will be consistent from day to day and you are working from only one remote location. Determine the average percentage of the total time you will work both remotely and onsite. You will record these percentages on the agreement, including a 0% for on-campus if your arrangement is 100% remote. (They should represent 100% of your total work time.)
  - **Daily Chart** - select this to specify different work hours or remote work locations depending on the day of the week. Work with your supervisor to determine your work schedule to record this information on the agreement.
- Discuss with your supervisor the expectations/requirements for attending meetings, training, or other onsite events outside of your set remote work schedule. You will need to enter this information on the agreement, if applicable.
- If you are requesting remote work from an international location, be prepared to document your job responsibilities/duties by providing a detailed written description—OR—if you have a copy, by attaching your most current Position Description (PD) or Position Vacancy Listing (PVL).

- Create a list of the equipment you will use when working remotely among the categories below:
  - UW–Madison-owned hardware
  - UW–Madison-owned communication resources (e.g., laptop, mobile)
  - UW–Madison-owned Office Equipment provided to you (not including computer equipment)
  - Employee-Owned Hardware, Communication Resources, and Office Equipment used in Remote Work (e.g., items that store/manipulate data such as computers and flash drives—but NOT routers/modems, monitors, nor personal mobile devices for *occasional* email use).
    - The Office of Compliance does not recommend using personal devices\*\* to access restricted data, including protected health information (PHI). Use of personal devices for the access of restricted data poses significant risks to the security of the data both in transmission and storage. The Office of Compliance recommends using University owned or managed devices for accessing restricted data. Your school/college/division will assume the additional risk associated with employee use of personal devices.
    - \*\*This does not refer to occasional use of mobile devices, tablets, etc.
  - Additional equipment, if applicable
  - S/C/D reimbursable expenses that have received prior approval, if applicable
- Be prepared to attest that your workspace is safe and functional per the following:
  - Your workspace is set-up per this [Workspace Checklist](#), and as needed, use the [Ergonomics: A Guide to Setting Up Your Computer Workstation](#) resource, to make any recommended modifications.
  - Your remote work location has smoke and fire detectors installed and operating; is free from recognized fall hazards; and you have a plan for seeking shelter during weather emergencies.
- Review the descriptions of [UW—Madison’s four data classification categories](#) or the [Data Classification Policy](#) to determine the type(s) of data you work with. You will select at least one, and all that apply, on the agreement.
  - Public Data
  - Internal Data
  - Sensitive Data
  - Restricted Data
    - Personal Health Information (PHI)



- Be prepared to attest that you will comply with the policies below in order to 1) maintain a safe and secure work environment at all times, 2) protect the privacy, security, confidentiality, and integrity of data, files and other materials you use in the course of your work, and 3) report the loss of any personal device that you'll use for remote work.
  - [Regent Policy Document 25-3: Acceptable Use of Information Technology Resources](#)
  - [UW–Madison’s Division of Information Technology \(DoIT\) guidelines for securing a remote workstation](#)
  - [UW–Madison’s Office of Cybersecurity and Office of Compliance policies](#)
  - [UW–Madison’s Incident Reporting and Response Policy](#) [for IT]

**If you will be working remotely outside of the United States at least part of the time, you will also need to consider the following before completing your Remote Work Agreement.**

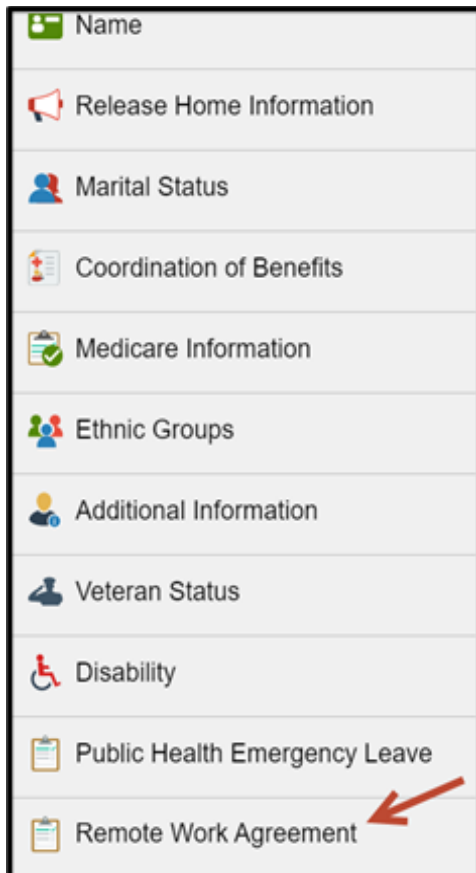
- “[Business Necessity](#)” is required for international remote work. You must obtain this approval from your S/C/D’s Dean, Director or Vice Chancellor *before* completing the agreement. If business necessity has not been approved, discuss with your manager/department chair who can escalate to HR.
  - Examples of international RWAs that do not meet the definition of business necessity include but are not limited to vacation, personal illness, disability, family caregiving obligations, or other personal reasons.
- [Contact the Export Control Office](#) and be prepared to answer the following questions on your agreement:
  - Is an export license required for you to conduct this work internationally? To check before answering, read [Export Control | Research](#) (click on **licenses**).
  - Will your remote work be conducted from a U.S. government [E:1/E:2 country](#)? (click on **E:1/E:2 country**)
  - Does your job require that you access information that is Export Controlled under the [International Trafficking in Arms Regulations \(ITAR\)](#) or [Export Administration Regulations \(EAR\)](#)?
  - If you answer **YES** to any of the above, you must email the Offices of [Export Control](#) and [Cybersecurity](#) before completing the Remote Work Agreement because, in some cases, special licenses are required from the federal government, and licenses can take several months to obtain or may be denied altogether.
  - Please contact the Export Control Office if you are unsure of the answers to these questions and need help making a determination. Please do not assume these requirements don’t apply to your international remote work situation.

- If your work involves sponsored projects overseen by [Research & Sponsored Programs \(RSP\)](#), and you are planning to work remotely from an international location, discern (in conjunction with your supervisor/PI/department/division) whether you are paid on any of these funds: Fund 133, 143, or 144 (managed by RSP) or 142 (managed by CALS). You will need to document this on the agreement, along with the project or award number(s). You are advised to have your PI/department [email RSP](#) as soon as possible with the Award ID/Project ID so RSP can review the terms and conditions of the award. (The PI/department or you can access the award agreement with the sponsor via WISER on the Documents tab. This lists all terms, conditions, and sponsor regulations that the PI and UW–Madison must adhere to.)
  - In some cases, the project sponsor may need to approve your remote work, and obtaining this approval can take a month or more. In these cases, remote work cannot be approved until the sponsor approves.
  - If the award requires sponsor approval for international remote work, [Research and Sponsored Programs \(RSP\)](#) will work with the PI/department/division to prepare a request. RSP will contact the sponsor to request permission you to work remotely.
  - In cases where sponsor approval is required, your division should ensure sponsor approval is obtained prior to approving remote work.
- If you are a foreign national seeking to work remotely from an international location, you are required to provide the [Office of Human Resources Payroll Office](#) documentation to ensure that you are appropriately taxed when working outside the U.S., and that you receive the correct tax reporting documents at year end. See the [Foreign Source Income website](#). This alone will not delay the approval of your agreement but is a required follow-up for you and the Office of Human Resources (OHR) Payroll.

**Employees who have been working under an RWA that will soon expire must initiate a *new* RWA to cover the next reporting period.**

## Employee Access to the Remote Work Agreement

1. To complete an agreement: Go to [MyUW](#) > Personal Information > Update my personal information.
2. Click on “Remote Work Agreement” located at the bottom of the Menu bar on the right.



3. Begin on the [Remote Work Landing Page](#). Read and review the contents of this page to make certain that completing a Remote Work Agreement is appropriate for you.



- Once you confirm that a Remote Work Agreement is appropriate for your individual work arrangement, proceed to the agreement by clicking on **Add a Remote Work Agreement** in the top left menu bar. The Remote Work Agreement will load on your screen for you to begin entering the required information.

The screenshot shows the 'UWMSN Remote Work Agreement' landing page. On the left is a sidebar menu with options: 'Remote Work Landing Page', 'Add a Remote Work Agreement' (highlighted in green), 'Evaluate Remote Work Agreement', 'Update a Remote Work Agreement', and 'View a Remote Work Agreement'. The main content area has a header 'Remote Work Agreement for Wisconsin, U.S., and International Remote Work' with a 'Help' link. Below this is a 'Timeout Warning' in red text: 'Timeout Warning: Unsavd changes will be lost after 30 minutes of inactivity. If you need to collect additional information or need to step away for a period of time, click Save at the bottom of the agreement to avoid losing your work.' A note below states: 'If a required field doesn't apply to you, enter "N/A," "not applicable," or "none."' At the bottom right, there is an 'Important' label.

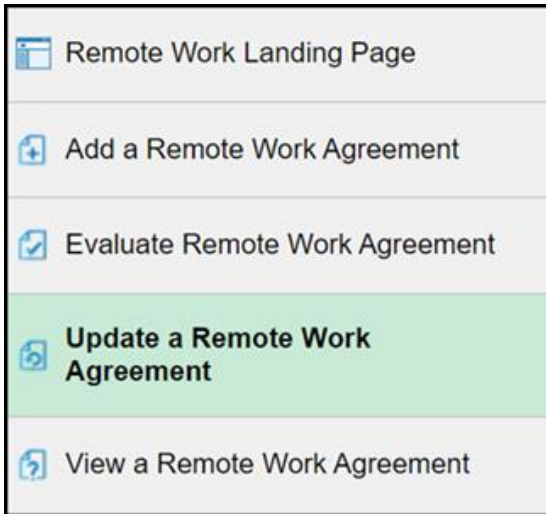
IMPORTANT NOTES:

- As you are completing the agreement, the system may pause to process your prior inputs. You'll see a blue moving ring when this happens. Wait before continuing to enter information when that happens.

The screenshot shows the 'Remote Work Agreement' form. It includes fields for 'Agreement Start Date' (set to 07/20/2021) and 'Agreement End/Review Date'. A note states: 'Agreement Start Date may differ from ACTUAL Start Date based on the time it takes to approve your request.' Below this is a blue circular progress indicator. Further down, text reads: 'Remote work agreements should be reviewed and updated at a minimum annually, or as warranted due to changes in work responsibilities, availability of equipment, or evolving workplace practices. Work with your supervisor who can check with HR about School/College/Division-specific requirements.' A section titled 'Attestation Statement - Insurance' contains a paragraph of text and a toggle switch labeled 'No'.

- Timeout Warning:** This agreement "times out" if there is no activity (e.g., entering information in any field on the page) for more than 30 minutes. Click Save at the bottom of the agreement if you need to step away.

- When you save the agreement, you can return to it by selecting **Update a Remote Work Agreement** from the navigation menu. It will open to your existing agreement if you only have one. Otherwise, you'll choose from multiple agreements that you have started.

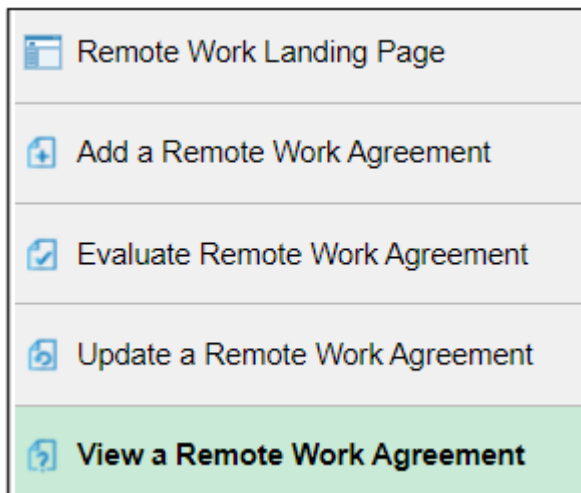


- For more information, see the [Employee Tipsheet for the Remote Work Agreement](#)

#### To print a PDF Copy of Agreement

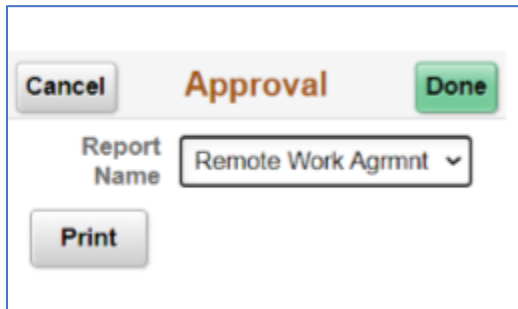
Employees can create a printed PDF copy of the agreement(s). Chrome is the recommended browser.

1. Open your completed agreement by selecting **View a Remote Work Agreement**.



2. Click the Print button at the bottom of the page on the agreement.

3. Select Remote Work Agreement in the Report Name, and then click Print.



## Employee Workflow

ALL Employees - regardless of remote work location

1. Is your request subject to the [Remote Work Policy](#) (i.e., is not “workplace flexibility” nor an accommodation under Americans with Disabilities Act (ADA))? **IF NO:** Do not complete this form. Contact your HR office.
  - a. REMOTE WORK: A work arrangement in which some or all work is performed at an off-campus work site such as home or in an office space near home. This definition does not include workplace flexibilities, research trips, sabbaticals, or permanent off-campus work sites established by the university (e.g., field stations, CERN, IceCube).
  - b. WORKPLACE FLEXIBILITY: Flexibility in which work is performed at an off-campus work site on a sporadic basis and does not follow a regular, repeated schedule.
  - c. ADA ACCOMMODATION: Contact your [Divisional Disability Representation \(DDR\)](#) to make a reasonable accommodation request for remote work. Note: Employees with disabilities can choose to request remote work under the Remote Work Policy without making an accommodation request nor disclosing a disability.
2. Are you in one of the employee categories for which the remote work policy applies? **IF NO:** Do not complete this agreement.
  - a. Academic Staff (other than CHS Faculty/CT Faculty (e.g., clinical professors, clinical instructors))
  - b. University Staff
  - c. Limited Employees
  - d. Temporary Employees
  - e. Post-Degree Training Appointments
  - f. Student Hourly Employees
  - g. Employees categorized as Zero-Dollar Appointments

- h. *For out-of-state or international remote work only*—Faculty, CHS Faculty, CT Faculty (e.g., clinical professors, clinical instructors) and Graduate Assistants (i.e., Teaching Assistants, Research Assistants, and Project/Program Assistants)
- 3. Can your work be performed at a location away from your assigned work location? **IF NO:** Do not complete this agreement.
- 4. Want to work from an E1/E2 Embargoed Country? **IF YES:** Do not complete this agreement. Contact [Export Control](#) and [Cybersecurity](#). Remote work is typically not allowed due to risk.
- 5. Is this an international request? **IF YES:** Do not complete this agreement until you confirm that you have approval for “business necessity” for international remote work. Discuss with your manager/department chair.
- 6. Are you a foreign national working at UW–Madison? **IF YES:** Do not complete this agreement until you contact [International Faculty and Staff Services \(IFSS\)](#). Your immigration status may require modification.

IF NONE OF THE ABOVE FLAGGED ANSWERS APPLY TO YOU:

- 7. Log on to [MyUW](#) > Personal Information > Update My Personal Information to complete agreement.
- 8. Select \*NEW\* Remote Work Agreement (Note: \*UPDATE\* is only available if an already-started agreement has not yet been approved/denied)
  - a. Complete an agreement for each job for which you intend to work remotely. Your employee information (Empl ID, Empl Record, Working Title, Dept, business contact information, supervisor, and supervisor email) auto-populates for your primary job. If you have multiple jobs, complete a NEW agreement for each.
  - b. If necessary, click “UPDATE ADDRESSES.” Your remote work location can populate with any location currently stored in MyUW. Addresses need to be in MyUW to appear on the remote work agreement. Employees can add up to three remote work locations. Contact your local HR office for help.
- ☐ Enter agreement start date, end/review date. It is critical that the dates you enter have been approved by your supervisor. Note that the policy requires an annual review at minimum.
  - c. Complete **ATTESTATION - Insurance:** *“I understand that I am responsible for all instances of loss or damage that may occur to my personally-owned property and/or equipment. I also understand that I may be liable for damages or injury to third-parties that occur at my remote work home location. I acknowledge that UW–Madison recommends I maintain personal homeowner’s/condo/ renter’s insurance to provide protection to myself against these personal risks.”* **IF NO:** Form will not be able to be submitted.
  - d. Complete **ATTESTATION - Visitors:** *“I agree that I may not host business visitors, including students and other employees, in my home while engaged in remote*

*work. I understand that hosting business visitors in my remote work location could result in personal legal liability to me. IF NO: Agreement will not be able to be submitted.*

- e. List your SCHEDULE: via either “general hours” or “daily chart.” Enter any comments in the comment box.
- f. Indicate any onsite REQUIRED ATTENDANCE in the comment box.
- g. **If this is an international remote work agreement**, enter JOB RESPONSIBILITIES/DUTIES (either as text in comment box, or upload a PVL at end of agreement, if you have it on hand).
- h. Answer: Not including commuting to/from UW--Madison (or applicable onsite work location), will you use an automobile in performance of remote work duties?
- i. List UW-OWNED and EMPLOYEE-OWNED hardware, communication resources, office and other equipment; employee-owned hardware, communication resources and office equipment; whether any items will need to be shipped to you in your remote work location; and any expenses reimbursable by your S/C/D.
  - i. The Office of Compliance does not recommend using personal devices\*\* to access restricted data, including protected health information (PHI). Use of personal devices for the access of restricted data poses significant risks to the security of the data both in transmission and storage. The Office of Compliance recommends using University owned or managed devices for accessing restricted data. Your school/college/division will assume the additional risk associated with employee use of personal devices.  
\*\*This does not refer to occasional use of mobile devices, tablets, etc.
- j. Complete **ATTESTATION - Safe and functional workspace**: *I attest that my remote workspace is safe and functional and that I agree to: (i) Set up my workspace per the [Workspace Checklist](#) and as needed, use the resource, [Ergonomics: A Guide to Setting Up Your Computer Workstation](#), to make any recommended modifications. (ii) Ensure smoke and fire detectors are installed and operating. (iii) Make certain my remote workspace is free from recognized fall hazards. (iv) Have a plan for seeking shelter during weather emergencies. IF NO: Agreement will not be able to be submitted.*
- k. Answer: What types of data (Public, Internal, [Sensitive, Restricted](#), PHI (a type of Restricted)) do you work with?
  - i. **IF YES** to Restricted data, answer: Are you working with Protected Health Information (PHI)?
    - 1. **IF YES** to PHI, answer: Can the goals of your work in a remote location be achieved by using de-identified data?
      - a. If NO to using de-identified data, answer: Have you completed current UW--Madison HIPAA Training?



2. **IF YES** to PHI, answer: Will you limit your access/transfer/ storage of this data to UW approved tools?
- l. Complete **ATTESTATION - Technology Access and Privacy 1 of 3**: *I agree to comply with [UW–Madison’s Division of Information Technology \(DoIT\) guidelines for securing a remote workstation](#); to maintain a safe and secure work environment at all times in compliance with UW–Madison’s Office of Cybersecurity and Office of Compliance [policies](#) applicable to my work; to implement good information security practices in the home-office or alternative work site setting and will check with my supervisor when cybersecurity matters arise. **IF NO**: Agreement will not be able to be submitted.*
  - m. Complete **ATTESTATION - Technology Access and Privacy 2 of 3**: *I agree to take all necessary precautions to secure all university equipment and to protect the privacy, security, confidentiality, and integrity of data, files and other materials handled by me in the course of my work. This includes use of VPN, anti-virus, MFA DUO, Net ID login, etc. **IF NO**: Agreement will not be able to be submitted.*
  - n. Complete **ATTESTATION - Technology Access and Privacy 3 of 3**: *I agree to report the loss of any personal device that I am using in the course of my remote work, per [UW–Madison’s Incident Reporting and Response Policy](#). **IF NO**: Agreement will not be able to be submitted.*
9. Read and **attest to Terms of Agreement**: *I have read and understand the above/attached expectations related to the remote work arrangement. I understand that my failure to adhere to these expectations and comply with UW–Madison’s Remote Work Policy may result in the immediate termination of this remote work arrangement and/or discipline up to and including termination of employment. **IF NO**: Agreement will not be able to be submitted.*
10. Complete **Attestation - Changes to Agreement**: *If anything in this agreement changes (e.g., work location, scope/type, access to different data types), I agree that I will complete a revised form. **IF NO**: Agreement will not be able to be submitted.*

#### Employees working remotely in the U.S. (outside WI)

Complete ATTESTATION: *I understand that I must contact my [HR/Payroll office](#) regarding payroll tax outside the State of Wisconsin. **IF NO**: Agreement will not be able to be submitted.*

#### Employees working remotely internationally

1. Answer: Has your Dean/VC approved your international remote work request as a business necessity? **IF NO**: Agreement will not be able to be submitted.

2. Answer: What is your Country of Citizenship? [Country drop down; second country drop down for dual citizenship.]
3. Answer: Did you previously work for UW–Madison while living in the U.S.?
4. Answer: Do you plan to move or return to the U.S. while working for UW–Madison?
  - a. **IF YES:** If so, what is the expected duration of the international remote work? (Open comment box)
5. Answer: Is an export license required for you to conduct this work internationally? **IF YES:** you must contact [Export Control](#).
6. Answer: Will your remote work be conducted from an E1/E2 embargoed country? **IF YES:** you must contact [Export Control](#).
7. Answer: Does your job require that you access information that is export controlled under the International Traffic in Arms Regulations (ITAR) or Export Administration Regulations (EAR)? **IF YES:** you must contact [Export Control](#).
8. Answer: Are you currently paid or will you be paid on sponsored projects, i.e., funds 133, 142, 143, or 144?
  - a. **IF YES:**, answer: If known, please list sponsor(s) (e.g., National Institutes of Health), award number (e.g., MSN123456), or project number (e.g., AAA1234), as sponsor prior approval may be required.
  - b. **IF YES:** the employee must contact RSP.
9. Answer: Please indicate if you are a foreign national working outside of the United States.
  - a. **IF YES:** Complete ATTESTATION: *I acknowledge that I am responsible for providing documents to my local HR to establish and verify my U.S. tax status and determine appropriate payroll taxation following the [procedure documented here](#).* **IF NO:** Agreement will not be able to be submitted.

**NOTE that the employee may withdraw their request at any point during the approval process.**

### What happens next?

The agreement is routed to the Level 1 Approver (supervisor/time approver) for approval.

- a. Does the Level 1 Approver (supervisor/time approver) approve the agreement? The employee will receive an email notification (approved/ denied/ pushed back for editing). **IF APPROVED:** Agreement is routed to Level 2 for approval.
- b. Does the Level 2 Approver approve the agreement? **IF YES:** Agreement is routed to Level 3 for approval. The employee will receive an email notification (approved/ denied/ pushed back for editing).
  - i. **\*\*If Level 2 is the highest approver level in your S/C/D, this decision will be final\***

- ii. \*\* If there are additional levels of approval in your S/C/D, the process continues:
- c. Does the Level 3 Approver approve the agreement? **IF YES:** Agreement is routed to Level 4 for approval. The employee will receive an email notification (approved/ denied/ pushed back for editing).
  - i. \*\*If Level 3 is the highest approver level in your S/C/D, this decision will be final.
  - ii. \*\* If there is an additional level of approval in your S/C/D, the process continues:
- d. Does the Level 4 Approver approve the agreement? **IF YES:** Agreement is considered approved. The employee will receive an email notification (approved/ denied/ pushed back for editing).
  - i. \*\*This decision will be final.

(continued on next page)

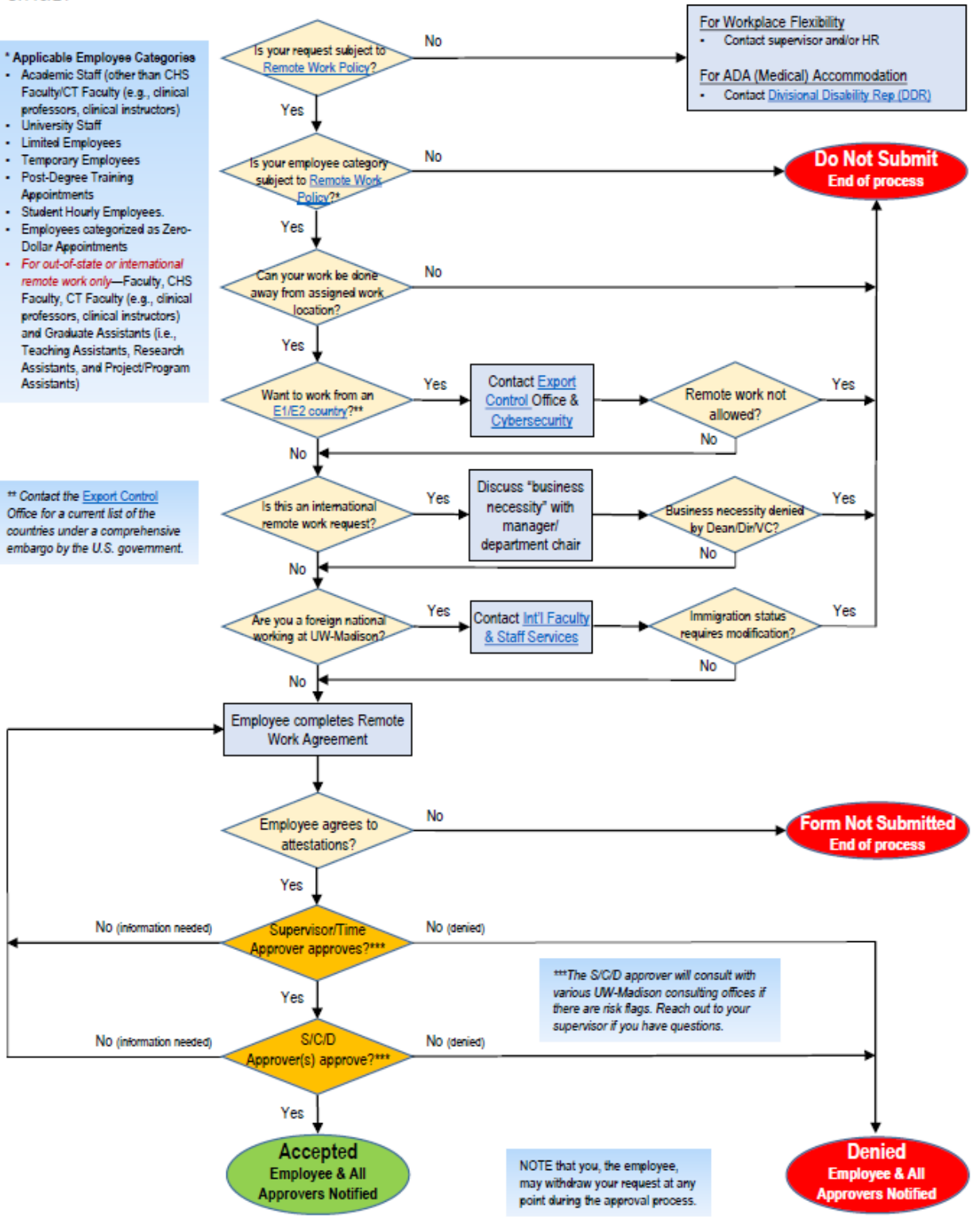
# Remote Work Agreement—Employee Workflow

07/19/21

## \* Applicable Employee Categories

- Academic Staff (other than CHS Faculty/CT Faculty (e.g., clinical professors, clinical instructors)
- University Staff
- Limited Employees
- Temporary Employees
- Post-Degree Training Appointments
- Student Hourly Employees.
- Employees categorized as Zero-Dollar Appointments
- *For out-of-state or international remote work only*—Faculty, CHS Faculty, CT Faculty (e.g., clinical professors, clinical instructors) and Graduate Assistants (i.e., Teaching Assistants, Research Assistants, and Project/Program Assistants)

\*\* Contact the [Export Control Office](#) for a current list of the countries under a comprehensive embargo by the U.S. government.



# Approver Workflow

## Definitions

- **Level 1 Approver** is the Supervisor (in “Reports To” in HRS). If the supervisor is on Leave of Absence (LOA), then the agreement will also go to the Time Approver(s). If there’s no Supervisor listed in HRS, then the Time Approver(s) will receive the agreement. If there’s neither a Supervisor nor a Time Approver listed in HRS, the employee won’t be able to submit an agreement.
- **Time Approver** is the UW Time Approver(s) and UW Time Approver Backup(s) active in HRS.
- **Levels 2 thru 4 Approver** is defined in each School/College/Division’s (S/C/D’s) “Custom Approver Table,” which is established by [S/C/D HR](#). If there are no approvers on the Custom Approver Table for the employee’s selected Empl Record, the employee won’t be able to submit the agreement.
- **Consulting Offices** assess risk and advise S/C/D. These offices include Office of Compliance, Cybersecurity, Export Control, OHR Payroll, Research and Sponsored Programs, and Risk Management.

The highest-level approver in each S/C/D is responsible for contacting relevant Consulting Offices if there are known risk flags prior to making a decision.

## Notification Process

1. Employee accesses agreement in [MyUW](#) > Personal Information > Update My Personal Information > Remote Work Agreement.
2. Employee submits agreement; it’s routed to the Level 1 Approver
  - a. Employee receives a notification email: “Agreement has been submitted.”
3. Is the Supervisor on Leave of Absence (paid or unpaid)?
  - a. **IF NO:** agreement is routed to Supervisor
    - i. Supervisor receives notification email: “Agreement needs to be evaluated.”
  - b. **IF YES:** agreement is routed to Supervisor AND Time Approver(s).
    - i. Supervisor and Time Approver(s) receive notification email: “Agreement needs to be evaluated.”
- c. The Level 1 Approver (Supervisor and/or Time Approver) is notified of risks when they receive the form to review. The email states: *The risk flags, if any, are identified here. Your S/C/D's leadership will be notified of these risks if/when you approve the request. They will need to consult with relevant offices to assess risk.*

4. Is agreement approved by Supervisor OR Time Approver (depending on YES/NO in #3 above)?
  - a. **IF YES:** the Employee receives a notification email: "Agreement has been approved by Level 1 Approver (with name of who approved)."
  - b. **IF YES:** Level 1 Approver(s) receive notification email: "Supervisor or Time Approver has approved the agreement for routing to Level 2."
5. Is there at least one Risk Flag?
  - a. Consulting Offices receive a notification email when risk flag(s) relevant to their office are triggered: agreement was submitted. Risk detail included. Email repeats when agreement is Pushed-back, Denied, and at Final Approval.
  - b. Consulting Office(s) advise S/C/D on risk.
6. Agreement is routed to Level 2 Approver(s)
  - a. Level 2 Approver(s) receive notification email: "Agreement needs to be evaluated; flagged risk(s) included in email.
  - b. One Level 2 Approver must respond.
7. Is agreement approved by a Level 2 Approver?
  - a. **IF YES:** is this the final approver?
    - i. **If YES:**
      1. Final approver should consult on risk(s) before deciding whether to approve/deny/push back the agreement to the employee to update information.
      2. Employee receives a notification email: "Agreement has FINAL approval."
      3. All Approvers receive a notification email: "Agreement has been approved, by whom, and final status confirmed."
    - ii. **If NO:**
      1. Employee receives a notification email: "Agreement has been approved and by whom; agreement has been routed to the next level."
      2. All Approvers receive a notification email: "Agreement has been approved and by whom; agreement has been routed to next level."
8. If applicable, agreement is routed to the next approver level (Level 3, 4 respectively).
  - a. All Approvers receives a notification email: "Agreement needs to be evaluated."
  - b. Level 3, 4 (if applicable) must respond.

9. Is agreement approved by the Level 3, 4 Approver?

**a. If YES:**

i. Is this the final approver?

**1. If YES:**

- a. Final approver should consult on risk(s) before deciding whether to approve/deny/push back the agreement to the employee to update information.
- b. Employee receives a notification email: "Agreement has FINAL approval."
- c. All Approvers receive a notification email: "Agreement has been approved, by whom, and final status confirmed."

**2. If NO:**

- a. Employee receives a notification email: "Agreement has been approved and by whom; agreement has been routed to the next level."
- b. All Approvers receive a notification email: "Agreement has been approved and by whom; agreement has been routed to next level."

Most email notifications will have email subject lines that include employee's Empl Name (Dept ID, Empl Class).

Consulting Offices receive a notification email when risk flag(s) relevant to their office are triggered: agreement was submitted. Risk detail will be included in the email.

The notification email repeats when an agreement is pushed-back, denied, and at final approval.

**NOTE: An employee can withdraw a request at any point in the approval process. There will be email notifications to the employee and approvers when this happens.**

If an employee withdraws the request, or if a request is pushed back or denied, the employee and any approvers of the request receive notification of the status change.

See the [Approver Guide to Hard Stops, Risks and Attestations in the Remote Work Agreement](#) (copied below) for next steps for the highest-level approver who is tasked with making a decision about agreements.





## Approver Guide to Hard Stops, Risks and Attestations in the Remote Work Agreement

This guide highlights key considerations for vetting agreements prior to a decision: to approve or deny a request, or to pause for obtaining more information. The intended audience is Level 2 or higher approvers, although is available to Level 1 approvers (supervisors/time approvers) as well.

### Conditions Inappropriate for Remote Work

Employees should **NOT** complete the Remote Work Agreement under these circumstances:

1. When seeking workplace flexibility (see definitions in [Remote Work Policy](#)).
  - **Why?** Because this agreement is strictly for remote work.
2. When an employee with a disability requests remote work as an accommodation.
  - **Why?** Because employees should contact their [Divisional Disability Representative \(DDR\)](#) for accommodations.
  - Note: Employees with disabilities can choose to request remote work under the [policy](#) without making an accommodation request if they prefer to pursue a remote work agreement without disclosing their disability. However, their request will be evaluated consistent with other remote work requests, not as an accommodation under the Americans with Disabilities Act (ADA).
3. When attempting to work remotely from an international location without approval of business necessity from the School/College/Division (S/C/D) Dean, Director, or Vice Chancellor.
  - **Why?** Because approval of business necessity by the S/C/D Dean, Director, or Vice Chancellor is required, per [policy](#).
  - **Important Note:** Examples of international RWAs that do not meet the definition of business necessity include but are not limited to vacation, personal illness, disability, family caregiving obligations, or other personal reasons.
  - **Next Step:** The employee must obtain this approval *before* completing the agreement. Employees seeking approval should discuss with their manager/department chair who can escalate to HR.
4. When attempting to work remotely from an [E:1/E:2 embargoed country](#).
  - **Why?** Because in some cases, special licenses are required from the federal government, and licenses can take several months to obtain or may be denied altogether.
  - **Next Step:** The employee must email the Offices of [Export Control](#) and [Cybersecurity](#) before completing the Remote Work Agreement.
5. When a foreign national working at UW–Madison is requesting to work off campus.
  - **Why?** Because immigration status may be affected in this scenario.

- **Next Step:** The employee must contact their employing unit (local HR) and [International Faculty and Staff Services \(IFSS\)](#) before completing a remote work request. HR and IFSS will assess and may solicit involvement of the S/C/D's Dean's office. [If you are an international *student*, please contact your [HR department](#) instead.]

Level 1 Approvers (Supervisors) are encouraged to verify the appropriateness of the Remote Work Agreement before approving it, at which point the agreement will be routed to the Level 2 (and higher, if appropriate) Approvers appointed by the S/C/D. The ultimate decision-making rests with the highest approver level in the S/C/D.

### Risk Flags

There are eleven (11) risk flags that may be triggered by discrete answers on the RWA. Seven risk flags pertain to **international** requests. Of the remaining four risk flags, three involve use of **employee-owned hardware\*\*** while working with Restricted data (including PHI) or Sensitive data. The remaining risk involves employees who work with PHI without using [UW-approved data access/transfer/storage tools](#).

\*\*Employee-owned hardware does *not* include *occasional* use of mobile devices, tablets, etc.

While the vast majority of RWAs from employees working remotely within Wisconsin and the U.S. are not flagged, highest approvers are strongly encouraged to vet any risk flags *prior* to approval of any RWA—by discussing risk(s) with the relevant consulting offices.

Risk	The “Why”	Next Step(s)
1. Business Necessity Approved? <b>[NO]</b>	This is required for International Remote Work Agreements, per <a href="#">policy</a> . The S/C/D Dean, Director, or Vice Chancellor (or designee) must approve business necessity in order for the employee to be eligible to work remotely from an international location.	The employee must obtain this approval <i>before</i> completing the agreement. If business necessity has <i>not</i> been approved, they should discuss with their manager/department chair who can escalate to HR.  <b>The employee will not be able to submit an RWA unless business necessity is indicated as approved and the reason is documented.</b>

Risk	The “Why”	Next Step(s)
<p>2. International Remote Work? [YES]</p>	<p>If an employee’s remote work address is international, the Offices of Cybersecurity, Compliance (Privacy), Export Control, and Risk Management must review information on the agreement to assess risk in their respective areas. For example, an employee’s specific location and type of work needs to be reviewed by Export Control and Risk Management because licenses and insurance may need to be obtained. These offices will obtain more information and make a recommendation to the highest-level approver. Licenses from the federal government can take several months to obtain or may be denied altogether.</p>	<p>The <a href="#">Office of Compliance (Privacy Officer)</a> will review submitted information along with information available through other sources (such as <a href="#">ARROW</a>) and will follow up with the employee when needed. Whenever Compliance is flagged, the highest approver will be alerted/advised about risks.</p> <p><a href="#">Export Control</a> will obtain more information (if necessary) by contacting appropriate parties and will contact all approvers to share its recommendations.</p> <p><a href="#">Risk Management</a> notification:</p> <p>Highest approvers must understand that UW–Madison’s Worker’s Compensation (WC) coverage through the State of WI Self-Funded WC Program is <i>not</i> established to respond to occupational injuries/illnesses that occur for employees in the context of international RWAs.</p> <p>Employees who work remotely outside of the U.S. and who are injured in the course of work are required to seek medical treatment <i>within Wisconsin</i> to receive coverage under UW-Madison’s WC program. This is a notable risk for highest approvers to consider before evaluating the decision to approve international RWAs. Contact <a href="#">Risk Management</a> with questions.</p>

Risk	The “Why”	Next Step(s)
3. Remote work from an E1/E2 Embargoed Country? [YES]	All requests from employees who wish to work remotely from an <a href="#">E1/E2 embargoed international location</a> must be reviewed by Export Control and Cybersecurity because of the high risk associated with these locations.	<p>Highest approver <i>must</i> discuss risks with both <b>Export Control</b> and <b>Cybersecurity</b>.</p> <p><i>Licenses from the federal government are often required if the RWA is pursued, and may take several months to obtain or be denied altogether. (They are usually denied.)</i></p> <p>Both consulting offices will obtain more information directly from the employee, and:</p> <p><a href="#">Export Control</a> will contact highest approver to share recommendations.</p> <p>The <a href="#">Office of Cybersecurity</a> will email the employee, manager and S/C/D HR contact to discuss the employee’s level of risk. During these discussions, Cybersecurity may decide that the employee needs to enter additional information via <a href="#">OneTrust</a> for generation of a risk report. This report should be reviewed and accepted by the highest approver <i>prior</i> to approving the RWA with these conditions.</p>
4. International Remote Work with Sensitive Data, Using Employee-Owned Hardware? [YES]	There are especially high risks associated with this combination.	<p>The <a href="#">Office of Cybersecurity</a> will email the employee, manager and S/C/D HR contact to discuss the employee’s level of risk. During these discussions, Cybersecurity may decide that the employee needs to enter additional information via <a href="#">OneTrust</a> for generation of a risk report. This report should be reviewed and accepted by the highest approver <i>prior</i> to approving the RWA with these conditions.</p>

Risk	The “Why”	Next Step(s)
<p>5. International Remote Work with Restricted Data, Using Employee-Owned Hardware? [YES]</p>	<p>There are high risks associated with this combination, even if within the U.S. or WI.</p> <p><b>**The Office of Compliance does not recommend using employee-owned devices to access restricted data, including protected health information (PHI). Employee-owned devices used to access restricted data poses significant risks to the security of data both in transmission and storage. The Office of Compliance recommends using University owned or managed devices for accessing restricted data. S/C/D assumes additional risk associated with employee use of personal devices.</b></p>	<p>The <a href="#">Office of Compliance (Privacy Officer)</a> will review submitted information along with information available through other sources (such as <a href="#">ARROW</a>) and will follow up with the employee when needed. Whenever Compliance is flagged, the highest approver will be alerted/advised about risks.</p> <p>The <a href="#">Office of Cybersecurity</a> will email the employee, manager and S/C/D HR contact to discuss the employee’s level of risk. During these discussions, Cybersecurity may decide that the employee needs to enter additional information via <a href="#">OneTrust</a> for generation of a risk report. This report should be reviewed and accepted by the highest approver <i>prior</i> to approving the RWA with these conditions.</p>
<p>6. Using Employee-Owned Hardware, with Sensitive Data? [YES]</p>	<p>There are high risks associated with this combination, even if within the U.S. or WI.</p>	<p>The <a href="#">Office of Cybersecurity</a> will email the employee, manager and S/C/D HR contact to discuss the employee’s level of risk. During these discussions, Cybersecurity may decide that the employee needs to enter additional information via <a href="#">OneTrust</a> for generation of a risk report. This report should be reviewed and accepted by the highest approver <i>prior</i> to approving the RWA with these conditions.</p>

Risk	The “Why”	Next Step(s)
7. Using Employee-Owned Hardware, with Restricted Data? [YES]	<p>There are high risks associated with this combination, even if within the U.S. or WI.</p> <p><b>**The Office of Compliance does not recommend using employee-owned devices to access restricted data, including protected health information (PHI). Employee-owned devices used to access restricted data poses significant risks to the security of data both in transmission and storage. The Office of Compliance recommends using University owned or managed devices for accessing restricted data. S/C/D assumes additional risk associated with employee use of personal devices.</b></p>	<p>The <a href="#">Office of Compliance (Privacy Officer)</a> will review submitted information along with information available through other sources (such as <a href="#">ARROW</a>) and will follow up with the employee when needed. Whenever Compliance is flagged, the highest approver will be alerted/advised about risks.</p> <p>The <a href="#">Office of Cybersecurity</a> will email the employee, manager and S/C/D HR contact to discuss the employee’s level of risk. During these discussions, Cybersecurity may decide that the employee needs to enter additional information via <a href="#">OneTrust</a> for generation of a risk report. This report should be reviewed and accepted by the highest approver <i>prior</i> to approving the RWA with these conditions.</p>
8. Using Employee-Owned Hardware, with Sensitive Data, and Working with PHI? [YES]	<p>There are especially high risks associated with this combination.</p>	<p>The <a href="#">Office of Compliance (Privacy Officer)</a> will review submitted information along with information available through other sources (such as <a href="#">ARROW</a>) and will follow up with the employee when needed. Whenever Compliance is flagged, the highest approver will be alerted/advised about risks.</p>
9. Working with PHI and not Limiting Access/Transfer / Storage of Data to <a href="#">UW–Madison Approved Tools</a> ? [YES]	<p>There are especially high risks associated with this combination.</p>	<p>The <a href="#">Office of Cybersecurity</a> will email the employee, manager and S/C/D HR contact to discuss the employee’s level of risk. During these discussions, Cybersecurity may decide that the employee needs to enter additional information via <a href="#">OneTrust</a> for generation of a risk report. This report should be reviewed and accepted by the highest approver <i>prior</i> to approving the RWA with these conditions.</p>

Risk	The “Why”	Next Step(s)
<p>10. International Remote Work on Research Fund 133, 142,143, OR 144? <b>[YES]</b></p>	<p>If the employee’s work involves sponsored projects overseen by <a href="#">Research &amp; Sponsored Programs (RSP)</a>, and the employee is planning to work remotely from an international location, the employee must discern (in conjunction with supervisor/PI/department/division) whether they are paid on any of these funds: Fund 133, 143, or 144 (managed by RSP) or 142 (managed by CALS).</p>	<p>The PI/department is advised to <a href="#">email RSP</a> as soon as possible with the Award ID/ Project ID so RSP can review the terms and conditions of the award. (The PI/ department/employee can access the award agreement with the sponsor via WISER on the Documents tab. This lists all terms, conditions, and sponsor regulations that the PI and UW–Madison must adhere to.)</p> <p>RSP will reach out to the highest-level approver at the division when they learn that international remote work on a sponsored project is being contemplated. RSP may need more information from the PI, department, or division.</p> <p><b>In some cases, the project sponsor may need to approve the employee’s remote work, and obtaining this approval can take a month or more.</b> If the award requires sponsor approval for international remote work, <a href="#">Research and Sponsored Programs (RSP)</a> will work with the PI/department/ division to prepare a request. RSP will contact the sponsor to request permission for employee to work remotely.</p> <p><b>In cases where sponsor approval is required, the division should ensure sponsor approval is obtained prior to approving remote work.</b></p>
<p>11. International Remote Work, and a Foreign National? <b>[YES]</b></p>	<p>This poses a tax risk. If the employee is a foreign national, the employee is required to provide the Office of Human Resources Payroll Office documentation to ensure that the employee is appropriately taxed when working</p>	<p>No action needed by highest-level approver. This is informational only:</p> <p>The <a href="#">Office of Human Resources Payroll Office</a> will work with the employee to collect the required foreign source income documentation.</p>

	outside the U.S., and that they receive the correct tax reporting documents at year end. See the <a href="#">Foreign Source Income website</a> .	This alone need not delay approval of the agreement but is a required follow-up for OHR Payroll and the employee.
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## Scope of Risk Flags

- Seven of the 11 triggers (64%) pertain to **international** requests.
- Of the remaining four, three (27%) involve employee use of **employee-owned hardware** (computer, iPad, tablet) while working with Restricted data (including PHI) or Sensitive data.
- The remaining one involves employee work with PHI without using [UW-approved data access/transfer/storage tools](#).
- The vast majority of Remote Work Agreements will not trigger a risk flag.

When a risk flag is triggered, the system will send the approver an email with specific information. Here's a sample:

A Remote Work Agreement for \_\_\_\_\_ has been submitted for your review. You have the option to approve to the next level, deny, or push back the request to the employee for additional information. Any comments are noted below.

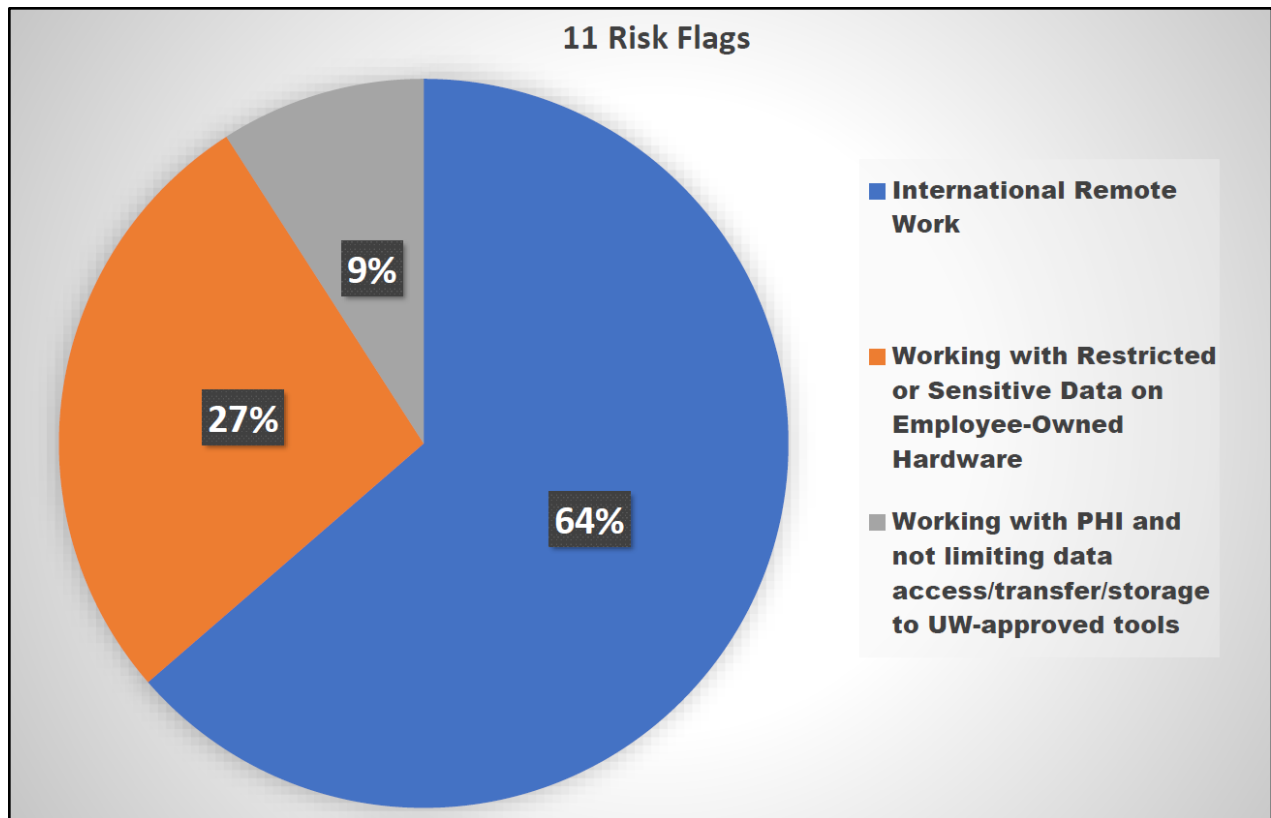
This is your notification that there are risks, if any are listed below. The highest approver should take the prescribed action(s) for each listed risk, as noted in the [Approver Guide](#), referring particularly to the Risk Flag chart on pages 2-4. They will need to consult with relevant offices to assess risk. (This section is not applicable if there are no items listed below.)

This is a request from an employee who wishes to work remotely from WI or elsewhere in the U.S., using employee-owned hardware and working with Restricted data. This request requires review by the Office of Cybersecurity ([rmc-cybersecurity@cio.wisc.edu](mailto:rmc-cybersecurity@cio.wisc.edu)) and the Office of Compliance ([hipaa@wisc.edu](mailto:hipaa@wisc.edu)).

This is a request from an employee who wishes to work remotely from WI or elsewhere in the U.S., using personally-owned hardware and working with Restricted data and Protected Health Information (PHI). This request requires review by the Office of Compliance ([hipaa@wisc.edu](mailto:hipaa@wisc.edu)).

This is a request from an employee who wishes to work remotely from WI or elsewhere in the U.S., using employee-owned hardware and working with Sensitive data. This request requires review by the Office of Cybersecurity ([rmc-cybersecurity@cio.wisc.edu](mailto:rmc-cybersecurity@cio.wisc.edu)).





Data as of September 1, 2021

(Continued next page)

## Changes to Agreement

Changes to Remote Work Agreement			
Content	Requires Revised Agreement	Update during Annual Review	Comment
Employee information		x	Changes that occur in HRS during the year will be reflected when a new agreement is created and pulls in current employee information
Employee contact		x	Changes that occur in HRS during the year will be reflected when a new agreement is created and pulls in current employee contact information
Remote work location	x		Remote work location may affect risk potential
Agreement start date		x	
Agreement end/review date		x	
Schedule		x	
Required attendance		x	
Job responsibilities		x	
Equipment		x	
Reimbursable expenditures		x	
Type of data (e.g., sensitive, restricted, PHI)	x		Increased risk potential
Personally-owned hardware	x		Increased risk potential
Business necessity	x		Policy requires "business necessity" determination and approval
International remote work	x		Increased risk potential
Work from embargoed country	x		Increased risk potential
Research fund 133, 142, 143, or 144	x		Increased risk potential
Attestations - insurance; business visitors; workspace; technology access, cybersecurity, and compliance; terms of agreements; changes to agreement	x		Attestations are hard stop
Attestations (out-of-state and international remote work) - taxes outside of WI; international tax	x		Attestations are hard stop
Foreign source income	x		Increased risk potential

## Attestations for All Employees

There are eight (8) attestations for all employees, regardless of remote work location. The employee must acknowledge/agree with all attestations in order to submit the agreement.

### 1. INSURANCE

- I understand that I am responsible for all instances of loss or damage that may occur to my personally-owned property and/or equipment. I also understand that I may be liable for damages or injury to third-parties that occur at my remote work home location. I acknowledge that UW–Madison recommends I maintain personal homeowner's/condo/ renter's insurance to provide protection to myself against these personal risks.
- **Why?** Because this insurance protects employees, and not all employees may know this.

## 2. BUSINESS VISITORS

- I agree that I may not host business visitors, including students and other employees, in my home while engaged in remote work. I understand that hosting business visitors in my remote work location could result in personal legal liability to me.
- **Why?** Because if a business visitor (including colleagues or students) is injured while at an employee's home during the course of remote work, the employee may be personally liable for damages or injury to business visitors.

## 3. WORKSPACE

- I attest that my remote workspace is safe and functional and that I agree to:
  - i. Set up my workspace per the [Workspace Checklist](#) and as needed, use the resource, [Ergonomics: A Guide to Setting Up Your Computer Workstation](#), to make any recommended modifications.
  - ii. Ensure smoke and fire detectors are installed and operating.
  - iii. Make certain my remote workspace is free from recognized fall hazards.
  - iv. Have a plan for seeking shelter during weather emergencies.
- **Why?** Because the university has a vested interest in maintaining the health and well-being of its employees and to avoid unnecessary worker's compensation claims due to avoidable work-related injury while the employee is working remotely.

## 4. Technology Access, Cybersecurity, and Compliance (1/3)

- I agree to comply with [UW–Madison's Division of Information Technology \(DoIT\) guidelines for securing a remote workstation](#); to maintain a safe and secure work environment at all times in compliance with UW–Madison's Office of Cybersecurity and Office of Compliance [policies](#) applicable to my work; to implement good information security practices in the home-office or alternative work site setting and will check with my supervisor when cybersecurity matters arise.
- **Why?** Because maintaining a secure remote workstation, work environment, and good security practices are essential protections for employees and UW–Madison.

5. Technology Access, Cybersecurity, and Compliance (2/3)

- I agree to take all necessary precautions to secure all university equipment and to protect the privacy, security, confidentiality, and integrity of data, files and other materials handled by me in the course of my work. This includes use of VPN, anti-virus, MFA DUO, Net ID login, etc.
- **Why?** Because protecting privacy and security via use of these tools are essential for protections for employees, students, research subjects, patients, and UW–Madison.

6. Technology Access, Cybersecurity, and Compliance (3/3)

- I agree to report the loss of any personal device that I am using in the course of my remote work, per [UW–Madison’s Incident Reporting and Response Policy](#).
- **Why?** Because unauthorized access to restricted data and sensitive data can be detrimental to the affected individuals or the institution. UW–Madison has an obligation to mitigate associated risks, including conducting any required investigations.

7. TERMS OF AGREEMENT

- I have read and understand the above/attached expectations related to the remote work arrangement. I understand that my failure to adhere to these expectations and comply with UW–Madison’s Remote Work Policy may result in the immediate termination of this remote work arrangement and/or discipline up to and including termination of employment.
- **Why?** Because employees who complete a Remote Work Agreement must adhere to the [Remote Work Policy](#).

8. CHANGES TO AGREEMENT

- If anything in this agreement changes (e.g., work location, scope/type, access to different data types), I agree that I will complete a revised agreement.
- **Why?** Because changes may change the risk factors. When changes are made, risk needs to be re-evaluated. See Addendum: Changes to Agreement.

## Attestation for U.S. (outside WI) Remote Employees

### 9. TAXES OUTSIDE OF WI (FOR REMOTE WORK ELSEWHERE IN U.S.)

- I understand that I must contact my [division's HR/Payroll office](#) regarding payroll tax outside the State of Wisconsin.
- **Why?** Employees working outside of Wisconsin will have tax implications. To avoid surprises, employees should work with their local payroll office.

## Attestation for International Remote Employees

### 10. INTERNATIONAL TAX (FOR INTERNATIONAL WORK)

- I acknowledge that I am responsible for providing documents to my local HR to establish and verify my U.S. tax status and determine appropriate payroll taxation following the [procedure documented here](#).
- **Why?** Employees working outside of the U.S. will have taxable foreign source income. To avoid surprises, employees should work with their OHR Payroll.

## What else is in the agreement?

These sections apply to all employees who are requesting to work remotely:

1. Employee Information & Contact – When the employee logs on to [MyUW](#) and authenticates their ID using MFA DUO, this information is populated via HRS.
  - a. The employee with multiple jobs can select the correct job under “Working Title.”
  - b. A separate Remote Work Agreement is required for each job when working remotely.
  - c. Supervisor and supervisor’s email are included in contact information. If there is no supervisor listed in the “Reports To” field then the request will be assigned to the Time and Labor (TL) approver at the time the employee submits the agreement.
    - i. If an employee has neither a supervisor nor a time approver assigned, they will receive a message that they need to reach out to their supervisor to work with division HR to resolve this issue.
    - ii. Either a Reports To (preferred) or a TL approver needs to be assigned in HRS before the employee can proceed.
2. Remote Work Locations and Agreement Duration – Here, the employee specifies:
  - a. Remote work location(s) – Addresses currently entered into HRS will populate here. When the employee chooses the address type, the details of the address will populate based on what is listed in HRS.
  - b. The employee can add up to three remote work addresses, by selecting “enter additional remote location.”

- c. If an employee needs to select an address that is not yet entered into HRS, they will need to contact their HR to add a new address into HRS. Once in HRS, it can be used in the Remote Work Agreement.
  - d. Agreement Start Date – Note: the start and actual date may differ, depending on the time to approve the agreement.
  - e. Agreement End/Review Date – The employee should work with supervisor who can check with HR about S/C/D-specific requirements related to RWA review periods. Approvers must review start/end dates and push back if employee has entered dates outside of the S/C/D approval window. **Why?** Because the policy requires an annual review at minimum.
- 3. Schedule – The employee will record their schedule using either Daily Chart or General Hours. All schedules should be recorded using U.S. Central Standard Time (CST).
  - a. The employee selects Daily Chart to specify different work hours or remote work locations depending on the day of the week.
  - b. The employee selects General Hours if start and end times will be consistent from day to day and the employee is working from only one remote location. The employee will enter on and off campus weekly average percentages of total time. (Percentages should total 100%, even if part time. These percentages represent “total effort.”)
- 4. Required Attendance – This is a space for the employee to add situations for which onsite work is required. The employee is advised to discuss expectations with the supervisor, and to record these situations in the space provided. **Why?** Because sometimes onsite work may be required, even when the remote work schedule would suggest otherwise.
- 5. Job Responsibilities/Duties
  - a. Employees who are seeking to work remotely from an international location must enter text or upload a PVL (if they have a copy). **Why?** This is needed by various consulting offices who assess risk, for example, related to worker’s compensation.
  - b. The employee must also answer: “Not including commuting to/from UW–Madison (or applicable onsite work location), will you use an automobile in the performance of your remote work duties/tasks?” **Why?** Because Risk Management must mitigate risks when the employee uses a personal automobile for work outside of Wisconsin.
- 6. Equipment for Workspace – Here, the employee will enter into open text boxes what they’re using in the course of remote work, and answer one question:
  - a. UW–Madison-Owned Hardware (e.g., computer equipment, external drives, instruments)
  - b. UW–Madison-Owned Communication Resources (e.g., mobile devices, tablets)
  - c. Office Equipment not including computer equipment provided to employee for remote work (e.g., office chairs, standing desks)

- d. Employee-Owned Hardware, Communication Resources, and Office Equipment used in Remote Work. **Why?** Use of employee-owned hardware—particularly computing hardware which stores or manipulates data (e.g., include computers and flash drives, but not routers/modems or monitors)—can be risky in combination with other factors, such as the type of data that the employee works with. Please reference [Protecting Data - Technical IT Staff](#) and [Approved Tools for Exchanging and/or Storing Protected Health Information \(PHI\)](#).
  - i. The Office of Compliance does not recommend using personal devices\*\* to access restricted data, including protected health information (PHI). Use of personal devices for the access of restricted data poses significant risks to the security of the data both in transmission and storage. The Office of Compliance recommends using University owned or managed devices for accessing restricted data. Your school/college/division will assume the additional risk associated with employee use of personal devices.  
 \*\*This does not refer to *occasional* use of mobile devices, tablets, etc.
  - ii. For more information:
    - 1. UW-133 [HIPAA Security - Remote Access to Protected Health Information](#)
    - 2. UW-136 [HIPAA Security - Workstation and Mobile Device Use and Security Configuration](#)
- e. Additional equipment, if applicable
- f. Reimbursable expenditures. **Why?** Expenses that are reimbursable should be negotiated up front prior to agreement. See the [UW-3024 Expense Reimbursement Policy](#) for more information.
- g. Question: “Will UW need to ship anything to you in your remote work location?” **Why?** Because shipping to other countries can create risks that Export Control, for example, would need to mitigate.
- 7. Technology Access, Cybersecurity, and Compliance
  - a. Employee must answer: “What type(s) of data do you work with? (check all that apply - see [definitions](#) and [more information](#)).” **Why?** Because while working with public and internal data poses less risk, working with sensitive and restricted data from remote work locations can pose risk in combination with other factors, such as working remotely on employee-owned hardware, or working internationally.
    - i. **If YES** to Restricted Data, employee is asked:
      - 1. Are you working with Protected Health Information (PHI)? **If YES**, employees will see this message: “When PHI is involved, the Office of Compliance will review any prior instances of [HIPAA](#)-related concern.”
      - 2. Can the goals of your work in a remote location be achieved by using de-identified data? **If NO**: have you completed current [UW–Madison HIPAA Training](#)? **Why?** Sometimes the employee can

mitigate risk by working with de-identified data. HIPAA training is critical when this is not possible.

- ii. **If YES** to Restricted data and **IF YES** to PHI, the employee is asked: Will you limit your access/transfer/storage of this data to [UW approved tools](#)?

**Why?** Using non-UW approved tools creates compliance risks.

- b. Employee must answer: “Are you using personally-owned hardware when accessing data?” **Why?** Using employee-owned hardware while working remotely, in concert with other factors, such as the type of data worked with, creates compliance risks.

[Applies only to employees who are requesting to work remotely out-of-state \(within U.S.\)](#)

Payroll Tax – The employee will be asked to attest to the following statement:

- I understand that I must contact my [division’s HR/Payroll office](#) regarding payroll tax outside the State of Wisconsin. **Why?** Employees working outside of Wisconsin will have tax implications. To avoid surprises, employees should work with their local payroll office.

[Applies only to employees who are requesting to work remotely internationally](#)

International Remote Work – The employee will be asked questions:

- General questions – The employee will be asked the following:
  - Approved by S/C/D Dean, Director, or Vice Chancellor as Business Necessity? **Why?** Without approval of business necessity, the agreement itself may not be approved.
  - Country of Citizenship (with up to two dropdowns for those with dual citizenship). **Why?** Because citizenship poses a greater risk in concert with other factors, such as location of work.
  - Did you previously work for UW–Madison while living in the U.S.? **Why?** To assess the likelihood of UW–Madison being subject to the employment laws of the foreign jurisdiction.
  - Do you plan to move to the U.S. while working for UW–Madison? **Why?** To assess the likelihood of UW–Madison being subject to the employment laws of the foreign jurisdiction.



- Export Control – The employee will be asked the following:
  - Is an export license required for you to conduct this work internationally? To check before answering, read [Export Control | Research](#) (click on licenses). **Why?** Because **IF YES**, Export Control will have to apply for a license from the federal government.
  - Will your remote work be conducted from an U.S. government E:1/E:2 embargoed country [Export Control E:1/E:2 countries](#)? (Scroll to the bottom of this webpage.) **Why?** Because these agreements are usually denied. If the agreement is pursued, licenses from the federal government may be required, and may take several months to obtain, or be denied altogether.
  - Does your job require that you access information that is Export Controlled under the [International Traffic in Arms Regulations \(ITAR\)](#) or [Export Administration Regulations \(EAR\)](#)? **Why?** Because **IF YES**, this poses greater risk. An export license from the federal government may be required.
  - The employee is notified in the agreement that if they answer **YES** to any of the above, they must email the Offices of [Export Control](#) and [Cybersecurity](#) before completing the Remote Work Agreement.
- Research and Sponsored Programs – The employee will be asked: “Are you currently paid or will you be paid on sponsored projects, i.e., funds 133, 142,143, or 144?” **Why?** Because the project sponsor may have to approve the international remote work. RSP will contact the sponsor to request permission for the employee to work remotely. Level 2 (or highest) Approver must pause until sponsor approves. This may take a month or more. The PI/department/division can ensure this is in progress by emailing RSP proactively.
- Foreign Source Income – Please indicate if you are a foreign national working outside of the United States. **Why?** Because the [Office of Human Resources Payroll Office](#) will work with the employee to collect the required documentation. This need not hold up approval but is a required follow-up for OHR Payroll and the employee.

### What might our consulting offices look for behind the scenes?

Some of the consulting offices do not need to be consulted prior to approval but will work to mitigate risks on the back end. For example:

- Risk Management will pull reports of approved agreements to assess insurance and liability risk for employees working remotely out-of-state (in the U.S.) and internationally. **Why?** Risk Management will utilize these reports to evaluate and determine need to secure insurance coverage for out-of-state and international risks, in consultation with State of Wisconsin Department of Administration Bureau of State Risk Management,

which provides insurance coverage for UW–Madison employees (as for employees of all state agencies) through the State of Wisconsin’s self-funded insurance programs.

- The Office of Legal Affairs (OLA), will help arrange outside counsel if UW–Madison or its employees (for actions in the course/scope of employment) are sued in another state for something related to their work. **Why?** The DOJ provides defense counsel if UW–Madison or employees (for actions in the course/scope of employment) are sued in Wisconsin, but this counsel is not available for employees who are sued in another state for something related to their work.
- The Office of Human Resources Payroll Office will respond to any wage verifications or employment verifications required by the state in which an employee is working remotely if the employee is laid off. The employee would follow standard unemployment procedures.

## Ongoing Management of Remote Work

### Expectations of Employees

An employee who works remotely (full or part-time) is expected to follow the same expectations as employees performing similar duties onsite. An employee who works remotely must:

- Perform all job responsibilities in a manner that meets the identified expectations of the position and as identified in the remote work agreement;
- Maintain a safe and functional workspace that supports meeting job expectations;
- Maintain regularly scheduled and approved work hours (determined by the S/C/D) and be accessible during those hours;
- Communicate with their supervisor and colleagues as necessary to meet operational needs and the requirements of the position;
- Comply with UW–Madison’s employee policies and procedures including training and compliance; timekeeping, overtime, and paid time off; and maintain records of time worked in the manner directed by the S/C/D;
- Attend meetings and functions onsite as articulated in remote work agreement which may include days they would customarily work remotely;
- Comply with UW–Madison’s Division of Information Technology (DoIT) guidelines for securing a remote workstation;
- Use safeguards to maintain the privacy, confidentiality, security, and integrity of all data, including written and spoken communications; and
- Follow expectations outlined in this manual.

The rules and regulations governing overtime, compensatory time accrual, and leave time accrual and use that apply at an employee's designated UW–Madison work location also apply while the employee is working remotely.

### Expectations of Supervisors

- Communicate about assignments/tasks
- Monitor performance and address any concerns
- Verify if the arrangement is working well for the employee and the organization
- Regularly review the agreement (at a minimum, annually) and contact an employee if changes in the information contained in the agreement require a revised agreement
- Verify workspace security measures
- Monitor work hours and schedule

### Expectations of Employing Organizations

- Maintain a copy of the agreement in the employee's personnel file
- Regularly review the agreement (at a minimum, annually) and contact an employee if changes in the information contained in the agreement require a revised agreement
- Note/track remote work status and details of the arrangements
- Handle expenses incurred by remote work employees, working with Division of Business Services

## Additional resources

### UW–Madison Remote Work Policy

- [Full Policy](#)
- [Policy Overview for Supervisors](#)

### Supplemental Resources

- [Remote Work: Guidance and Resources for Employees](#)
- [Remote Work: Guidance and Resources for Supervisors](#)
- [Remote Work Suitability Assessment for Managers](#) (Note: Each school, college, or division (S/C/D) determines the specific procedures for evaluating and approving or denying a remote work request. This resource is intended as a general resource. The process outlined in this resource may differ based on the S/C/D.)

## Consulting Offices' Resources

### **Compliance**

- [Approved Tools for Exchanging and Storing PHI](#)
- [Health Insurance Portability and Accountability Act \(HIPAA\)](#)
- [UW—Madison HIPAA Training](#)

### **Cybersecurity & Technology Access**

- [UW—Madison IT Policies](#)
- [Acceptable Use of Information Technology Resources](#)
- [Cloud Fax Service](#)
- [How to Securely Connect to the UW Network](#)
- [How to Stay Safe Online While Accessing Campus Remotely](#)
- [Technology for Working Remotely](#)
- [Video Conferencing and Webinar Tools](#)

### **Division of Business Services**

- [UW-3024 Expense Reimbursement Policy](#)
- [Travel Policies](#)
- [Travel and Reimbursement](#)

### **Environment, Health & Safety/Occupational Health**

- [Ergonomics](#)
- [Healthy Homes Checklist \(CDC\)](#)
- [Healthy Homes: Keep Your Homes Safe and Healthy \(WI DHS\)](#)

### **Research & Sponsored Programs**

- [Guidance for Contracting External Services on Sponsored Projects](#)

### **Risk Management**

- [Worker's Compensation](#)

## Tipsheets for Entering/Approving the Remote Work Agreement

- [Employee Tipsheet for the Remote Work Agreement](#)
- [Approver Tipsheet for the Remote Work Agreement](#)

## Contact

- Employees should discuss issues first with their supervisor/manager/department chair or their local HR department.
- Employees, supervisors and approvers can email [remotework@ohr.wisc.edu](mailto:remotework@ohr.wisc.edu) for assistance not otherwise provided in this manual.