

Remote Work

The following procedure shall apply to eligible staff, managers and faculty with respect to their assigned student contact hours. All employees shall adhere to the requirements of negotiated collective bargaining agreements. This procedure does not supersede such agreements, and in the event of a conflict, the collective bargaining agreement for bargaining unit employees shall prevail. The terms and conditions related to working remotely for faculty performing instructional duties are currently addressed through the District's collective bargaining agreement with the faculty Guild, as are the *terms and conditions for all faculty when performing professional duties during* unscheduled hours. Article VI, Section 1, Subsection A of the collective bargaining agreement provides, in pertinent part:

“All individual daily schedules (including office hours) shall be submitted to the appropriate Vice-President for approval. All faculty shall spend as much time as necessary, both on campus and off campus, to properly perform their instructional and professional duties, including but not limited to preparation and planning; professional reading; reviewing and evaluating students' work, and conferring with students, administration and staff. In addition, full-time faculty shall spend as much time as necessary, both in-person and remote, to perform professional duties including, but not limited to curriculum development, governance participation, and attending to department, division, college, and committee duties and meetings. In performing these duties, fulltime faculty may be obligated to be present in-person during a Monday, Tuesday, Wednesday, Thursday and/or Friday, regardless of whether their primary assignment is a 4-day schedule or 100% DE schedule. Nonscheduled hours may be fulfilled remotely.”

Employees whose working conditions are covered in any part by this procedure shall also adhere to all other relevant Board Policies and Administrative Procedures as an essential requirement of participation in the Remote Work Program. Working remotely, or telecommuting is a privilege and not an entitlement of employment. It is recognized that both the District and employees should benefit from any approved remote work arrangement.

Managers, supervisors, division chairs, and employees facilitating remote work under this procedure must understand that adherence to the policy and procedures is essential to the efficacy and success of the AR 7280 Remote Work Program.

I. BACKGROUND

Working remotely, or telecommuting, is defined as periodic work away from an employee's typical on-site work location, one or more days per week, at an agreed upon location, usually the employee's residence, utilizing effective technologies to partially substitute an employee's regular commute to their campus.

Remote Work options allow employees and supervisors to mutually agree upon a varied geographic and daily distribution of their normal work hours. It does not change the number of days and/or hours worked. Nor will it, without supervisor authorization and appropriate notice under relevant collective bargaining agreements, change an employee's District-assigned daily/weekly work schedule. Remote work allows individuals the flexibility to adjust their work location and/or schedule to better manage their personal needs while maintaining or increasing the efficiency, effectiveness, and equity of outcomes of their work.

A remote work arrangement granted under this procedure, when effective, has the potential to:

1. Improve program operational outcomes, individual productivity, and morale;
2. Reduce absenteeism;
3. Expand opportunities for employee health and wellness;
4. Decrease the spread of communicable diseases;
5. Decrease commuter traffic and improve regional air quality;
6. Improve employee recruitment and retention;
7. Effectively allow departments to continue business as a part of a disaster recovery or emergency plan.

This procedure addresses remote work that may be conducted by covered employees and/or the portion of an employee's assignment covered by this procedure in order to complete particular tasks assigned by their supervisor in their specific role at the District.

This procedure does not address obligations for employees to fulfill related professional responsibilities, such as serving on District governance or hiring committees, attending District meetings, and responsibilities of an employee beyond work typically assigned by their supervisor which require an on-site presence. As with all faculty, employees spend as much time on-campus as is necessary to complete their work, including functions that are necessary to conduct in-person, or face-to-face.

Eligibility

All permanent District employees in positions where one or more essential functions may be performed remotely are eligible for a Remote Work assignment, pending approval as outlined below.

Temporary, short-term, substitute, and other non-permanent employees may be eligible for Remote Work when specific job duties allow. A Remote Work assignment for a temporary, short-term, substitute, or other non-permanent employee must be approved by the appropriate executive manager (President, or Vice President) or their designee.

General Eligibility Requirements:

1. Employees cannot be on a performance improvement plan.
2. Employees cannot have an outstanding, unpaid financial debt to the District.
3. Employees' remote work location must be at an agreed upon location, approved in writing by their supervisor, and must primarily be the location in which the employee resides.
4. Employees must keep their accrued vacation leave balance at or below the established maximum for their position.

The appropriate executive manager (President or Vice-President) may approve exceptions to the general eligibility requirements in consultation with the Chief Human Resources Officer.

Under the Remote Work Program, telecommuting for covered District employees may include a direct supervisor's approval for up to the amount of time representing 40% of the employee's regular work week hours. An employee's supervisor who approves any amount of remote work for a covered employee of up to 40% of the employee's regular work week obligated at all times to adhere to all directives given by their management related to the operations of their department or area. Approval for remote work does not guarantee a baseline level of hours or days to work remotely each week.

Flexibility for temporary ad-hoc or fixed remote work arrangements greater than 40% may only be approved by a Vice President in consultation with the Chief Human Resources Officer. Temporary remote work greater than 40% must be reviewed and affirmatively renewed every 6 months.

100% Remote Work assignments will typically not be allowed and may only be approved by the Superintendent/President.

No Remote Work assignment will be approved if the employee is not physically able to return to the office within 24 hours.

Remote Work Assignment Options

1. Ad Hoc: a periodic Remote Work assignment at the request of the employee and with the prior written approval by the appropriate supervisor or manager.
2. Fixed: a set, reoccurring schedule of remote work and onsite work assignments at the request of the employee with prior written approval by the appropriate supervisor or manager.

All employees, as outlined under “Eligibility” above, may request an Ad Hoc or Fixed Remote Work assignment. Ad hoc assignments are situational and not reflective of whether an employee will be granted a similar fixed remote work assignment. Employees may not be assigned a Remote Work assignment without their consent unless the assignment is necessary for continuity of operations during an emergency.

Employees who are experiencing illness during a remote work assignment shall follow established leave and absence reporting procedures. Employees who are contagious or not well enough to work should not report to work. Employees who may be contagious but are well enough to work may consider requesting ad-hoc remote work due to these issues. Requests for reasonable accommodation or leave due to temporary or permanent disability or other protected reasons shall be addressed through Human Resources, not through this procedure.

The decision to approve or disapprove of a Remote Work assignment shall be at the sole discretion of the District as part of management’s retained right of assignment of each collective bargaining agreement or employee handbook.

A Remote Work assignment with remote and onsite work in the same day may only be approved as part of a split shift schedule. The employee must use the unpaid time off during the split shift schedule to change work locations. Travel time and mileage for a split shift work location change is not reimbursable.

Employee Responsibilities

Employees must be working and available for regular communication to their managers, supervisors, colleagues and students while working remotely. Regular communication may include, but is not limited to, telephone, email, video conferencing, texting, webchat, and other readily available forms of communication. The supervisor may assign acceptable communication methods and expectations for timely response as long as they are consistent with onsite work expectations and standard business practices. Acceptable communication methods and expectations shall be clearly communicated to the employee.

Employees must maintain substantially similar overall work performance while working remotely. While some tasks, projects, and assignments may be improved while working remotely and others may be less efficient or effective, the overall level of performance must meet expected onsite work performance standards.

Employees must complete a safety and ergonomic checklist attesting that their Remote Work location is safe and that they have appropriate equipment.

Employees must maintain the confidentiality and privacy of documents, communications, data, and any other information used while working remotely. The District will provide training as needed for the employee to effectively maintain confidentiality and privacy.

Employees must comply with District IT policies and procedures, including appropriate use of District equipment, timely and routine software and firmware updates, and other protocols to protect the integrity and operations of the District's IT resources.

Supervisor Responsibilities

Supervisors must provide timely support, feedback, and direction for employees working remotely in a substantially similar manner to employees working onsite. Supervisors must be available through regular communication methods during their work hours, with clear expectations for responses to employees' communications.

Supervisors must proactively monitor employee performance, provide support and feedback, and ensure services and operations are not negatively impacted by remote work assignments. Supervisors must manage coverage and availability of services to ensure students, other District employees, and/or the general public receive timely and adequate service. For those individuals who supervise non-instructional faculty and professional staff who are assigned to support academic divisions, supervisors shall be in regular consultation with Division Chairs to evaluate both the feasibility and efficacy of any remote work assignment that impacts their division.

Supervisors must ensure employees have completed all requirements to participate in Remote Work and maintain eligibility, or promptly notify HR and the employee when they are no longer eligible for Remote Work.

Supervisors must complete training on managing remote work assignments successfully and maintain substantially similar performance in their supervisory duties.

Supervisors must take all reasonable steps to ensure employees on a Remote Work assignment comply with all confidentiality and privacy requirements and District IT policies and requirements.

Supervisors shall endeavor to provide equitable Remote Work opportunities to all employees under their supervision.

Expenses

Employees participate in this Remote Work program voluntarily and are responsible for any costs incurred to work remotely, including utilities, internet service, phone service, and other costs and fees. The District will provide equipment it determines employees are required to use to perform their job remotely. Employees must request equipment

and supplies that are determined by the District to be necessary to perform their job from their supervisor if they do not have access to them. Ensuring an ergonomically sound and safe worksite may be at the sole cost of the employee. In the event the employee is unable to maintain the remote worksite as required by the checklist, the employee's Remote Work agreement will be subject to immediate cancellation. Employees that purchase and use any equipment and/or supplies without prior approval will not be reimbursed.

Mileage reimbursement will not be provided for travel between the official worksite and the telecommuting offsite location for telecommuting employees. Travel time to and from work does not constitute hours worked. (29 C.F.R sec. 785.35). Travels from home to a main office before the regular workday and return travels home at the end of the work day, are considered ordinary home-to-work travel, which is a normal incident of employment and not considered work time.

Remote Work Assignment Considerations

The work to be performed will be a significant determining factor for remote work.

Participation in the District telecommuting program will be based on the ability of the employee to perform tasks that can be completed from remote locations, such as their home office and the supervisor's assessment of the employee's ability to complete those tasks with satisfactory quality and in a reasonable amount of time.

Remote Work assignments are considered based on the essential job functions and employee performance. Division Chairs shall provide feedback on each of these criteria to their dean when a request for remote work covered under this procedure in their division is being considered. The following elements must be considered before a Remote Work assignment is approved:

1. Job Knowledge – does the employee have adequate job knowledge to perform their core functions without close supervisor or regular input from their supervisor and coworkers that would impede the efficiency of working remotely.
2. Employee Characteristics – does the employee's past performance demonstrate the necessary work quality, consistency, responsibility, accountability, and self-direction for successful remote work.
3. Task, Assignment, and Projects – can the employee's core work responsibilities be assigned, performed, completed, and managed away from the office.
4. Student/Employee/Public Contact – can the employee's routine interpersonal interactions be conducted remotely without reducing the effectiveness, efficiency, or equity of services provided.
5. Reference Materials – does the employee have access to necessary

information, guides, manuals, and similar resources and materials necessary to perform their work remotely.

6. Technology Resources – does the employee have adequate technology resources to perform work remotely (e.g. high speed internet, monitors, etc.).
7. Special Equipment – do the employee’s routine work assignments require any special equipment requiring them to be onsite to complete core tasks.
8. Information Security – can the District provide adequate security of confidential and private information stored and transmitted through internet technologies and can the employee provide adequate security of information possessed, viewed, and used while working remotely.
9. Travel – will the employee be able to meet work travel needs while working remotely.

Remote Work Assignment Termination

Employees may request to end a remote assignment and return to onsite work at any time.

Supervisors may cancel an employee’s remote work agreement based on performance concerns with 10 business days’ notice.

Supervisors may cancel an employee’s Remote Work agreement based on a validated conduct issue with 24 hours’ notice, excluding weekends and holidays.

Supervisors may require employees to report to work onsite temporarily due to an unforeseen business necessity or emergency with 24 hours’ notice.

Supervisors may require employees to report to work onsite immediately during an emergency as directed by the Superintendent/President or a Vice President.

Official Worksite

The official worksite for a remote worker remains the place where they would normally work (main office), not their telecommuting location. Employees who are approved for remote work may share an official worksite with other employees who have a fixed remote work assignment. In practical effect, this means that two employees may share an onsite workspace, but are not expected to be present simultaneously.

III. PROCEDURES

Participation Approval

Participation in the Remote Work Program is voluntary and subject to approval by the employee's immediate supervisor for assignments not exceeding 40% remote work of a regular work week. In the case of a covered remote work assignment exceeding 40% of a regular work week, an employee's participation in the program is subject to the approval of the appropriate Vice President. Approvals must be appropriately executed under written agreement prior to the start of the employee's remote work schedule, which may only be obtained completing all required training and submitting a Safety Self- Attestation Form and a District Equipment Use Agreement. A signed Supervisor's Checklist must also be included by the employee's supervisor as a supporting document with an executed Remote Work agreement.

Checklists and Agreement

The steps below are to be followed prior to an employee beginning participation in the District's telecommuting program.

To initiate a request for participation, the employee shall submit a request on the designated form via email to their immediate supervisor, who will review the request make a recommendation to the appropriate Vice President or their designee as to whether it should be approved. If the request is approved by the authorized manager, the following steps must be followed before participation in the telecommuting program may occur:

1. The employees and supervisor shall document that all required training modules have been completed.
2. The employee and supervisor shall ensure the following documents are satisfactorily completed and fully executed (signed and dated) by both the employee and supervisor to show mutual understanding and agreement to the terms contained therein:
 - Safety Self-Attestation Form
 - Supervisor's Checklist for Remote Work
 - Equipment Use Agreement
3. Next, the employee and supervisor shall review and complete the District's Remote Work Agreement together before signing and dating the agreement to evidence mutual understanding of the agreement's expectations and terms.
4. All signed documents shall be advanced as a single packet for final approval by the authorizing Vice President. If approved, the authorizing manager shall provide the employee, supervisor and Human Resources with a copy of each of the fully executed documents evidencing approval of the participation based on the terms described. The authorizing manager shall retain the original copy of the document packet supporting the approval for the employee's participation. The employee is also required to retain a copy of the Remote Work Agreement and associated Checklists.

Modification of a Remote Work Agreement

Pursuant to Board Policy 7280, the Remote Work Program is discretionary and can be discontinued at any time by the Superintendent/President. If the Remote Work Program is modified or the remote worker's offsite working location or environment changes, the covered employee is responsible for immediately informing their supervisor and a new Remote Work Agreement and Safety Self-Attestation Checklist may be required.

WORK ENVIRONMENT CRITERIA

The opportunity to participate in an offsite Remote Work Program is offered with the understanding that it is the responsibility of the employee to ensure that a proper work environment is maintained as follows:

- When telecommuting, employees are expected to attend to their District work only. Employees may not work on any non-District projects during paid work hours when working remotely.
- In general, those performing their work remotely shall be able to replicate the working conditions of a District-provided office/location to ensure comparable availability and productivity at all times.

District Owned Equipment

Remote Workers shall typically use District-owned equipment, complying with the District's information technology standards, in order to conduct District business when participating in the Remote Work Program. Additionally:

- Remote Workers shall make a reasonable effort at all times to safeguard District-owned equipment from damage, theft, or other loss;
- Remote Workers shall immediately report to their supervisor any issues that arise related to the employee's ability to utilize their District-owned equipment.

The District will not, as a standard, purchase Internet or phone services, specialized devices, or office equipment such as printers, fax machines, calculators, or furniture for in-home telecommuting.

Information Security

Security of confidential information is of primary importance to the District. Remote Workers, like all District employees, are expected to adhere to all applicable laws, rules, regulations, District policies, and procedures regarding information security. Failure to adhere to District policies, procedures or information security directives shall result in removal from the Remote Work Program.

Health and Safety

Health and safety being vital to employee well-being, remote work agreements must ensure appropriate and safe environments. Failure to maintain a proper and safe work environment, in accordance with this policy, shall be cause for terminating remote work for the employee. If an employee incurs a work-related injury in the specifically approved telecommuting location (for example, a particular room utilized as an office within the employee's residence) during agreed upon remote work hours, workers' compensation laws and rules apply just as they would if such an injury occurred at the main office. Employees must, nonetheless, notify their supervisors immediately and complete all necessary documents regarding any injury that occurred during working hours so that appropriate assistance can be rendered.

Setting up an Offsite Office

It is important for all employees to maintain a healthy, safe and ergonomically sound work environment while working in the office or at a remote location. Designate an area that allows for working in an office setting. Ensure that the equipment necessary to perform the work is in the designated area.

A "Safety Checklist" must be completed by the potential remote worker prior to the beginning of home telecommuting and all items must be reviewed and evaluated as being satisfactory by the employee's supervisor.

During the process of requesting a telecommuting arrangement, it is a good time to consider how the physical environment affects concentration, comfort, and health. The requesting employee shall complete a self-assessment to improve ergonomic habits and learn how to make simple adjustments. Employees should explore the resources on this webpage, no matter where they work, to ensure safe ergonomic practices and workspaces for long and healthy careers.

Fire Protection

Smoke Detectors - The Health and Safety Code, Sections 13113.7 and 13113.8 require that dwellings be provided with smoke detectors. Employees are responsible for assuring home compliance with these requirements. Smoke detectors placed in the home work area must meet the following criteria:

- Detectors must be placed in locations, which monitor the work area, and any electronic equipment used to support telecommuting.

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Administrative Regulations

- Detectors must be approved by Underwriter's Laboratory (UL) and/or State Fire Marshall, and have a functional test mechanism.
- Detectors should be tested at the time of installation and on a monthly basis. Detectors which are wired into the house electrical system and have a battery backup should be checked with main power both on and off. Battery operated detectors should be cleaned and equipped with fresh batteries, as recommended by the manufacturer.