



## **REMOTE WORK POLICY PROGRAM**

### **Policy Statement**

Tompkins Cortland Community College's Remote Work Policy is to support remote work where it is reasonable, based on the College's mission, operational, and program needs. The College's primary operational modality is to provide face-to-face instruction and services to both students and staff.

### **Rationale**

This program's purpose is to support the implementation of remote work programs, when and where desired, and establish guidelines designed to clearly articulate employee and campus expectations. The College considers telecommuting a viable work option when both the employee and the job are suited to such an arrangement. We seek to operate a successful remote work program and plan for future workforce needs. This program will afford the College the opportunity to explore the value of providing the remote option to faculty/staff members to better carry out its mission.

The needs of the workforce have changed drastically during the pandemic, especially as it relates to the possibility of working remotely. There is an increased demand for employees to work remotely across the globe. This leaves management groups seeking policies that can meet this demand without sacrificing the missions, values, and goals of institutions. Higher education is no different, and the College hopes to implement a remote work policy that is fair, transparent, and can help recruit and retain employees. Prior to the pilot, the College has primarily allowed remote work as a sporadic option rather than a recurring plan of employment. While not every position is eligible for remote work based on job duties, the College hopes to identify positions where this is possible and provide a means for faculty/staff to request recurring remote work options as appropriate.

This policy is not intended for temporary or ad hoc telecommuting arrangements such as special projects, business travel, family medical leave or other short term arrangements. These circumstances are approved by the supervisor on an as needed basis only, with no expectation of ongoing continuance. Telecommuting requests are distinct from accommodations under the Americans with Disabilities Act. Contact the Office of Human Resources for ADA accommodations.

The President, in consultation with Human Resources and the Executive Council member, may offer critical difficult to fill positions with negotiated offers that include remote work arrangements.

The Provost's Office has sole discretion as to the remote work option for classes and teaching faculty. ADA accommodations and remote arrangements for limited terms are not under the purview of this policy.

## **Definitions**

Official Work Site -- The employee's TC3-provided, on-campus or satellite workstation. This is the employee's usual and customary work address.

Alternate Work Site – A specific location away from the TC3-provided work site where the employee is authorized to conduct business. This location must meet all criteria set forth in this document and be approved in advance by the employee's immediate supervisor/manager and the campus senior leadership. Any changes in the location of the Alternate Work Site must be reported and approved in advance.

Employee – A member of the College or FSA staff.

Fully remote - the entirety of one's work would take place away from the Official Work Site location. Staff members working remotely and who previously had a campus-based office, may retain that office. Their office could be shared with other staff members during this period. This will not be feasible for permanent out-of-state residents. This is not an option for any persons who are required to have face to face contact with students or other employees.

Partially Remote - It is expected that the employee would have a campus-based office and would conduct most of their work on campus (3 or 4 days) while the remainder remotely (1 or 2 days).

Remote Work Application – An application form, furnished by management, and completed by the employee and their supervisor/manager following their discussion. Each approved application shall be effective for a specified period, not to extend beyond the effective dates of this program. Decisions regarding working remotely will be made semester-by-semester rather than for the full academic year.

Remote Work Plan – A document, part of the remote work application, completed by the employee following a meeting with their supervisor/manager which identifies the specific work to be performed on remote work days, consistent with the employee's normal obligation. The remote work application must indicate when the employee will be available during the normally scheduled work day, through which mode(s) of communication (e.g. Teams, telephone, Zoom, etc.), conditions for the work environment, security, safety, meeting requirements, etc. Telecommuting is not intended to avoid use of sick or personal time.

Supervisor – The person authorized by the College to direct your day to day work activities. The application must be approved by both the Supervisor as well as the Executive Council member.

Executive Council Member – A single cabinet level employee at the campus who has authority over the department/division reviewing/approving remote work. Member of the President’s Executive Council.

## **Participation**

The College recognizes the importance of faculty, staff, student, and community members’ interactions and how such interactions impact the student experience. This remote work policy will provide options, where viable, in departments to meet operational needs. Remote work is not an employee entitlement and is not operationally feasible for many job functions. Determinations as to which job functions are eligible for remote work are subject to management discretion, based on operational need. Every application will be considered on an individual basis.

The remote work policy is not intended to address singular requests for workplace flexibility, or modifications of regular working hours. Single instances for flexibility should be determined between the employee and their immediate supervisor/manager.

Applicants must assure that all of the job duties to be carried out remotely must be performed efficiently, effectively, in a timely manner, and without increased reliance on co-workers or other colleagues who work on campus.

Individuals requesting formal telecommuting arrangements must have a minimum of six months of continuous, regular employment and must have a satisfactory performance record. Exceptions apply to the President’s employment offers and details within the domain of the Provost’s Office.

To request to participate, an interested employee must have a discussion with their immediate supervisor/manager to discuss their interest in a remote work. The employee should identify the preferred remote work schedule and articulate how work responsibilities will be completed in the remote work environment. Any possible modification by the supervisor/manager to the identified days requested by the employee should be discussed with the employee prior to processing the application. The employee, following the discussion with their supervisor/manager, must submit a remote work application, signed by the employee and supervisor. Applications may be submitted at any time; there is no specified application period. The application then will be sent to the Department Head/Senior Leadership for review/approval which should be provided within 7 (seven) working days of receipt. All responses will be in writing. If the request for remote work is denied, an explanation of the basis for the denial will be provided to the employee.

Once a remote work application has been approved, participation and start dates may be subject to equipment availability and management discretion. A remote work arrangement shall not commence until it has received written final approval.

An individual’s participation in the remote work arrangement can be modified, suspended or cancelled at any time by management with 2 (two) weeks advance written notice to the employee where feasible and consistent with operational needs. Employees who have had an arrangement cancelled or suspended may reapply one year from date of cancellation or suspension. An employee may suspend or cancel their participation with 2 (two) weeks advance written notice to

their immediate supervisor/manager unless the immediate supervisor/manager agrees to a shorter period of time.

## **Appeal Process**

If an employee in a job function deemed eligible for remote work has their remote work application disapproved, they may appeal to the V.P. of Human Resources or their designee in writing within 7 (seven) working days following receipt of the denial. The appeal shall state the reasons for disagreement with management's determination. A decision on the appeal shall be rendered by the V.P. of Human Resources or their designee(s) within seven (7) working days of receipt of the appeal stating the reasons for the decision if denied. Denials of applications for remote work under the Remote Work Program are not grievable under any collective bargaining agreements. Employees who have had an application denied or rescinded may reapply one year from the date of the decision on the appeal referenced herein.

## **General Guidelines**

Employees must comply with all NYS, SUNY, and Tompkins Cortland CC laws, rules, regulations, policies, and guidance required at the official work site when working remotely. Failure to abide by all laws, rules, regulations, policies and guidance may result in exclusion from the Remote Work Program and/or administrative action, including disciplinary action.

Remote employees are responsible for submitting remote work plans to their immediate supervisor/manager which identify the specific work to be performed on approved telecommuting days. The work plan originally submitted with the remote work application may be modified at a later date by the immediate supervisor/manager, with written notice to the employee. An employee must provide to their immediate supervisor/manager regular updates/check-ins (as identified in the remote work plan) describing work completed while remote working on a periodic basis.

Employee ability to effectively perform work functions in a remote work setting should be one factor considered in approval of remote work plans.

Remote employees will treat remote work days like regular workdays and will be expected to maintain their normal work schedule/workday (including overtime when appropriate and authorized in advance) and routine while remote working. Supervisors/managers should make clear expectations for meeting core service to students, other College offices, as well as internal and external constituents while remotely working.

Telecommuting employees who are not exempt from overtime requirements of the Fair Labor Standards Act will be required to accurately record all their hours using the time-keeping system. Hours worked in excess of those scheduled per day and per workweek require advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting option.

Remote employees must request time off in advance and submit all leave requests as currently required. All current laws, regulations, contract provisions and standard rules governing employee work schedules apply including, but not limited to, existing call-in procedures.

A remote employee may be required to report to the official work site on a scheduled remote work day to engage in functions which require an in-person presence and cannot be scheduled for an in-office workday.

When remote employees are required to report to the official work site on a scheduled remote work day, there is no expectation that the remote employee will be granted a substitute remote work day in return. However, with flexibility as a key component of the program, with management approval, a scheduled remote work day may be changed within the same pay period.

If a remote employee is required to report to their official work site, they will not be paid or reimbursed for their commute to/from the official work site.

Remote employees must be available via all required methods of communication throughout the workday. Should a remote worker not be available through official channels, management may contact the remote employee via their personal contact information provided in the Work Plan.

Remote employees may be required to forward their official work site phone to the phone that will be used while remote working or have other technical support to ensure phone calls related to work are attended to in a timely fashion.

In-Person meetings at the remote employee's alternate work site are *prohibited*. This restriction does not preclude a remote worker from participating in, or being required to participate in, phone or web-based meetings from their alternate work site.

Remote employees agree that, with job-related cause, the College may inspect campus-issued equipment or records for the purposes of assessing safety concerns and/or data security concerns. Employees are obligated to return campus-issued equipment within thirty days following separation of service. Failure to return College property may be seen as an unlawful taking and subject to legal action.

Unless otherwise directed, remote employees will be excused from work when a directed departure is issued for the official work site (e.g. snow day). Conversely, if an emergency occurs at the alternate work site and the remote employee is unable to work at the remote work site that day or if the remote worker is unable to, for any reason, continue working during their scheduled hours, the immediate supervisor/manager may direct the employee to come to the official work site or grant authority to charge accruals.

Employees must safeguard all passwords used in connection with agency/facility/campus service files or programs and ensure sensitive information is protected.

We trust that those selected for remote work will honor the trust placed in them by their supervisor/manager. In the rare case where an individual is found to be misusing their time, disciplinary steps as outlined in the contract will be followed. Additionally, the opportunity to work remotely may be terminated.

## **Supervisor Considerations**

- The proposed remote work does not require in-person student/constituent interaction, classroom presence and/or contact and the work is typically performed away from the end customer (i.e. the student).
- The work can be performed as effectively from a remote work location as a campus location.
- The remote work arrangement does not necessitate the transfer of work which increases the workload of co-workers on campus. The remote schedules and contact numbers should be posted in the department so all members of the department will be aware of the remote days for each person in the department.
- The assignments completed in the remote work location are consistent with the employee's performance program and scope of responsibilities, or job description.
- Key performance metrics such as quality of work products, quantity of work produced, response time/turnaround time, level of service, etc., are measurable and are routinely measured and assessed consistent with the employee's regular professional obligation or job description.
- The immediate supervisor/manager is accountable for communicating performance expectations, monitoring and measuring performance, providing ongoing performance feedback and formally addressing performance issues via established policies and collective bargaining agreements.
- Recognizing that remote work arrangements cannot be approached in a one-size fits all manner, supervisors/managers must ensure equity when evaluating the operational need for remote work arrangements.
- Remote work arrangements shall not close entire offices completely. Supervisors/managers should work with employees to arrange schedules to ensure an on-campus presence exists to serve the community.
- Remote work arrangements must be evaluated, reviewed, documented, and approved by the immediate supervisor/manager, department head, and senior campus leadership. There should be quarterly discussion as to the success of the arrangements. An annual review with written comments to the HR file is encouraged.
- Remote work arrangements are reviewed for effectiveness on an ongoing basis and in conjunction with the ongoing assessment of the employee's performance.
- Remote work arrangements may be modified or terminated at any time following appropriate notice (as discussed above) by an immediate supervisor/manager in consultation with HR, based on operational needs, performance concerns, or any other non-discriminatory reason.

## **Equipment and Supplies**

The employer will not provide remote employees durable equipment such as desks, chairs, file cabinets, or other office-related furniture. The employer will provide a laptop or other similar device to remote workers to facilitate work at the remote worksite; alternatively, employees may be allowed to bring work-assigned equipment to the remote worksite where authorized in advance. Employees are discouraged from utilizing a personal laptop or desktop devices for conducting official college business.

Generally, the remote employee must have an internet connection with bandwidth that is appropriate for conducting the telecommuter's full professional obligation/job description and

TC3 official business without disruption. The remote employee must be able to demonstrate their internet connection is stable and adequate to meet the needs of the work assignments (e.g. audio, visual/camera). The employee is responsible to secure and pay for an internet connection. The College will not reimburse internet costs. In limited instances, remote work assignments that do not require an internet connection may be available. Where such assignments meet operating needs, they may be made/approved.

The remote employee is responsible for having a phone for all work-related calls or having other technical support to ensure phone calls related to work are attended to in a timely fashion. The College will not pay employees for phone service.

If assigned work equipment or other work item is lost or stolen, the remote employee must immediately notify their immediate supervisor/manager and refer to the College's usage agreement and complete all steps outlined within the policy/procedure.

The College accepts no responsibility for repairs or damage to employee-owned equipment. The College reserves the right to make determinations as to appropriate equipment, subject to change at any time. College equipment is to be used for College business only. Individuals must sign an inventory of all College property received.

When the Remote Work Program ends, the employee must return all College issued devices and equipment, provided to facilitate work at the alternate worksite, if applicable, and any supplies issued on their next workday unless otherwise specified by management.

### **Guidelines and Employee Expectations**

Remote work arrangements allow work to be performed in settings other than the traditional on-campus worksite. All policies, work rules, performance expectations, professional obligations and codes of conduct apply as they normally would in a traditional campus setting. Specific employee responsibilities include:

- Employees are actively working towards and are fully focused on business goals and professional obligations during normally scheduled hours of work. Employees are easily accessible throughout the workday, answer phones, and respond to emails and other inquiries in a prompt and timely manner.
- Employees meet or exceed all performance goals and expectations as outlined in performance program and/or in alignment with special projects and other duties as assigned.
- Employees ensure effective and productive communication with their immediate supervisor/manager, team members and all other constituents or campus partners. Employees' behavior is professional, courteous, service-oriented and aligned with codes of conduct, campus values, etc.
- Employees return to campus for onsite meetings, teambuilding activities, trainings etc., as required.
- Employees submit requests for scheduled time off (vacations, sick leave, etc.) in accordance with established policies and/or union contracts and charge appropriate leave benefits.

- Employees notify immediate supervisor/manager of unanticipated absences or lateness in accordance with established policies and/or union contracts and charge appropriate leave benefits.
- Employees are expected to manage any personal obligations and make any such arrangements so as not to adversely impact remote workflow and productivity (e.g. child or elder care).
- Employees who have obligations that would prevent them from focusing their full time attention on work, must follow all leave policies as needed.
- Employees must practice safe work habits and do all they can to minimize the risk of work-related injuries.
- Employees understand and acknowledge that remote work arrangements are not an entitlement and can be modified or discontinued by management at any time following appropriate notice (as discussed above). Likewise, remote work arrangements may be terminated at any time by an employee following appropriate notice to their immediate supervisor/manager and HR.
- While it is expected that those working remotely may not be on campus with any regularity, working remotely does not preclude an employee from stopping by campus if necessary. In those cases, employees will comply with protocols (e.g. COVID protocols) in place prior to arrival and notify their supervisor/manager.
- Employees understand and acknowledge that remote work arrangements do not change the employee's terms and conditions of employment including an employee's classification, base compensation, or benefits.
- Employees understand and acknowledge that the College is not responsible for equipping their remote work location(s) and the College policy related to loaning, borrowing, transporting and/or supporting supplies and equipment will apply.
- Employees are expected to maintain their workspace in a safe manner. Injuries sustained by the employee in a home office location and in conjunction with their regular work duties are normally covered by worker's compensation plan but may be challenged by worker's compensation. Telecommuting employees are responsible for notifying the College of any injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to their home worksite.

### **Return to On-Campus Status**

If the supervisor/manager and/or the employee decide that a return to campus is warranted and/or necessary to ensure satisfactory job performance, then notification must be made in writing by the party initiating the request to the secondary party (i.e., either the supervisor or the employee) and Human Resources at least five (5) calendar days in advance of the anticipated return to their official work site or sooner if mutually agreed upon. If the individual does not currently have an on-campus office, one will be assigned at the time of return.

### **Effective Date**

This Remote Work Program is effective as of June 15, 2023. Where required by exigent operational concerns, Tompkins Cortland Community College reserves the right to suspend or terminate this remote work program at any time with proper notice. Should the President or their designee determine that such action is necessary, advance consultation *with affected unions* and reasonable advance notice to program participants will be provided to the greatest extent allowed



by the exigent operational concerns determined by the President. The College will review annually and assess the Program prior to any revision or extension of the policy.

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