REMOTE WORK POLICY

The purpose of the Westchester Community College (WCC) Remote Work Policy is to support remote work where it is reasonable and feasible, based on the College's mission and operational needs. In alignment with its open-door mission which welcomes students from a wide range of experiences including many first generations, new immigrants, English as a Second Language, working adults, parents, career changers, and those in need of specialized academic support, among others, Westchester Community College is committed to a vibrant on-campus community with robust in-person operations that place students at the forefront.

This policy establishes guidelines which safeguard this commitment while balancing the interests of employees and other stakeholders. The policy offers college management the flexibility to manage remote work successfully and plan for future workforce needs. Interested individuals may apply for remote work options. Every application for remote work will be considered on an individual basis.

Definitions

Remote work-- A work arrangement that allows employees to conduct some of their work away from the official work site. Under the remote work arrangement, employees are expected to have the majority of their work via a regular in-person presence at the official work location. Employees should not expect to be approved for remote work on a full-time or near full-time basis. The number of days and which days an individual employee may be allowed to do remote work is determined by the department's manager(s) in consultation with the division's senior leadership based on daily operational needs. WCC employs skillful administrators to successfully execute day-to-day operations.

College Senior Leadership **–** The president, a vice-president or those who report to the president who have authority over the department/division reviewing/approving remote work.

Official Work Site -- The employee's WCC-provided, on-site, workstation. This is the employee's usual and customary work address. (The official assigned workstation may be shared during remote days when needed.)

Alternate Work Site – A specific location away from the WCC-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 remote worker's immediate supervisor/manager and the campus senior leadership. Any changes in the location of the Alternate Work Site must be approved in advance.

Remote Work Application – An application form, furnished by management, and completed by the employee requesting remote work or being officially assigned to work remotely. Each approved application shall be effective for a specified period, not to extend beyond the effective dates of this policy.

Remote Work Plan – A document, completed by the remote worker as part of the remote work application, which identifies the specific work to be performed on remote workdays, consistent with the employee's normal obligation.

Participation

Remote work is not an employee entitlement and is not operationally feasible for many job functions. Determination as to which job functions are eligible for remote work is subject to management discretion, based on operational need. While each supervisor/manager is free to determine where remote work is operationally feasible and desirable, they must ensure offices are open on-campus during normal business hours and that staff working on-campus are meeting student demand for in-person programs and services.

APPLICATION PROCEDURE

1. Applications may be submitted at any time.

2. An interested employee must submit a completed Remote Work Application to their immediate supervisor/manager. The employee should identify the   desired number of days and which days per week/pay period they wish to work remotely in the application.

3. The immediate supervisor/manager reviews the Remote Work Application, including the specified days per week, and issues an *initial* determination as to whether an employee meets the criteria. Any modification by the supervisor/manager of the number of days or specific days requested by the applicant is discussed with the employee/applicant prior to forwarding the application to the department/division leader. **(These steps should take place 2 weeks prior to the proposed start date for Remote Work.)**

4. The immediate supervisor/manager sends the approved application to the department/division leader for review/approval. The department/division leader provides feedback within a calendar week from day of receipt.

5. If approved, the department/division leader sends the application to senior leadership or their designee for final review/approval. All responses will be in writing. If the request for remote is denied, an explanation of the basis for the denial will be provided to the employee in writing.

6. Once final approval is received by senior leadership or their designee a copy of the Remote Work Application with all signatures will be forwarded to the Director of Human Resources or designee. The Director of Human Resources or designee will return a copy of the completed and approved Remote Work Application to the employee and the manager.

7. An individual's participation in the remote arrangement can be modified, suspended**,** or cancelled at any time by management with 3- calendar days advance written notice to the employee, where feasible, and consistent with operational needs.

8. An employee may suspend or cancel their remote work participation with 3-calendar days' advance written notice to their immediate supervisor/manager unless the immediate supervisor/manager agrees to a shorter period.

Remote Application Modification Process

1. If the remote work application of an employee in a job function deemed eligible for remote work is denied, the employee may seek to modify their request. The appeal shall state the reasons for disagreement with management's determination and the employee will be able to offer options for modification.

NOTE: Denials of applications for remote work are not grieve able under any collective bargaining agreement.

General Guidelines
Employees must comply with all NYS, WCC, rules, regulations, policies, and guidance required at the official remote work site. Failure to abide by all laws, rules, regulations, policies and guidance may result in exclusion from participation in remote work and/or other administrative response, including disciplinary action.

An employee's ability to effectively perform work functions in a remote setting should be one factor considered in approval of remote work plans.

Remote workers will treat remote workdays 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. Managers should make clear expectations for meeting core service to students, partner offices, as well as internal and external constituents during remote work.

Remote workers 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 worker may be required to report to the official work site, with advance notice, on a remote workday to engage in functions which require an in-person presence.

When a remote worker is required to report to the official work site on a scheduled remote workday, there is no expectation that the remote worker will be granted a substitute remote workday in return.

If a remote worker 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 workers 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 worker via their personal contact information provided in the Work Plan.

Remote workers may be required to forward their official work site phone to the phone that will be used while remote 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 worker's alternative 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.

Unless otherwise directed, a remote worker will not be excused from work when a directed departure is issued for the official work site. Conversely, if an emergency occurs at the alternate work site and the remote worker is unable to work at the remote 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 remote worker to come to the official work site or grant authority to charge accruals.

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

Supervisor/College Considerations:

1. The proposed remote work does not require in-person student/constituent interaction, or classroom presence.
2. The work can be performed as effectively from a remote location as from a campus location.
3. The remote arrangement does not necessitate the transfer of work which increases the workload to co-workers on campus.
4. The assignments completed in the remote location are consistent with the employee's performance requirements and scope of responsibilities, or job description based upon civil service title or established job description.
5. 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.
6. 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.
7. Recognizing that remote arrangements cannot be approached in a one-size-fits-all manner, supervisors must ensure equity when evaluating the operational need for remote work arrangements. For example, assignments may be limited to allow for rotation of remote days to ensure equitable assignment of selected days.
8. Remote work arrangements must be evaluated, reviewed, documented, and approved by the immediate supervisor/manager, department head/division leader of the area, and senior campus leadership.
9. Remote work arrangements are reviewed for effectiveness on an ongoing basis and in conjunction with the ongoing assessment of employees' performance.
10. Remote Arrangements should consider BLACKOUT periods that exist in some areas of the College.
11. Remote arrangements may be modified or terminated at any time following appropriate notice (as stated above) by an immediate supervisor/manager in consultation with HR, based on operational needs, performance concerns, or any other non-discriminatory reason.

Employee Responsibilities

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:

1. 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.
2. Employees meet or exceed all performance goals and expectations as outlined in programs and/or in alignment with special projects and other duties as assigned.
3. 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.
4. Employees must return to campus for scheduled onsite meetings, teambuilding activities, training etc., as required.
5. Employees will continue to submit requests for scheduled time off (vacations, holidays, etc.) in accordance with established policies and/or contracts and charge appropriate time off benefits.

6. Employees notify the immediate supervisor/manager of unanticipated full-day or partial-day absences or lateness in accordance with established policies and/or contracts and charge appropriate time-off benefits.
7. 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 stated above). Likewise, remote work arrangements may be terminated at any time by an employee following appropriate notice to their immediate supervisor/manager and HR.
8. Employees understand and acknowledge that remote work arrangements do not change their terms and conditions of employment, including an employee's classification, base compensation, or benefits.
9. Employees understand and acknowledge that WCC may temporarily assign their onsite workstations based on operational needs.
10. Employees understand and acknowledge that the WCC campus is not responsible for equipping their remote location(s) and the specific policies of individual campuses related to loaning, borrowing, transporting and/or supporting supplies and equipment will apply.

NYS Workers Compensation through the State Insurance Fund covers the employee working from a flexible location. It is the employee's responsibility to ensure that a remote work arrangement is permissible under their homeowners or renters insurance policy. Employees must practice safe work habits and do all they can to minimize the risk of work-related injuries. Claims are subject to standard investigative procedures.

Family and Medical Leave Act (FMLA) The following terms of this policy are subject to the provisions of the **Family and Medical Leave Act (FMLA)** of the U.S. Department of Labor.
- Remote work should not be considered a substitute for child- or elder- care. Employees are expected to plan for child- or elder- care that do not adversely impact remote workflow availability and/or productivity.
- Employees who have childcare obligations, family-care obligations and/or any other obligations that would prevent them from focusing their full time and attention on work, must follow all leave and/or time off policies, as needed.

Equipment and Supplies

Westchester Community College will not provide remote workers durable equipment such as desks, chairs, file cabinets, or other office-related furniture. Westchester Community College may, at its discretion, provide a laptop or other similar device to a remote worker to facilitate work at the remote worksite; alternatively, with prior authorization, employees may be allowed to bring work-assigned equipment to the remote worksite.

The use of an employee's personal computer to access work-related sites, applications, systems, and other information, will be dependent on the use of appropriate security protocols, which will be deployed at the discretion of, and as directed by, the employer. Examples of security protocols include but are not limited to Virtual Desktop Infrastructure (VDI), Virtual Private Network (VPN) access, and/or multi-factor authentication. Management will determine which connection mechanism is appropriate, based on operational need. Remote workers using personal devices will receive instruction on how to implement any necessary software, hardware and/or other security processes, all of which must be tested before remote work can begin.

Minimal office supplies may be provided by the employer and should be requested during the remote worker's in-office work period. Supplies will not be shipped to the remote work site. Any out-of-pocket expenses incurred for supplies, equipment, food, commuting, etc. will not be reimbursed.

The remote worker must have an internet connection with bandwidth that is appropriate for conducting the remote worker's full professional obligation/job description and WCC official business without disruption. The remote worker is responsible for securing and paying 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 worker 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. Unless issued a college phone, this expense is not covered by the institution. Nor will this expense be reimbursed by the institution.

If assigned work equipment or other work item is lost or stolen, the remote worker must immediately notify their immediate supervisor/manager and refer to the college's usage agreement for portable Media and End User Devices and complete all steps outlined within the policy/procedure.

On the next workday after remote work ends, the employee must return all WCC-issued devices and equipment, provided to facilitate work at the remote worksite, if applicable, and any supplies issued, unless otherwise specified by management.

WCC Policies/Security of Information
Any WCC campus information possessed by the remote worker cannot be shared with or made available to any other individuals except as appropriate, consistent with their campus work obligation.

Remote workers must ensure that official records and information are secure and not maintained in a way that would make them available to any other individuals except as appropriate, consistent with their campus work obligation.

Remote workers are responsible for adhering to the WCC Information Technology Usage Policy and all State, College or campus policies, procedures and standards concerning use of computer equipment and the security of data/information. Such policies, procedures and standards can be found in the Policies and Procedures section of the College website.

Unauthorized access to or disclosure of official information or systems must be immediately reported to the remote worker's immediate supervisor/manager. Such unauthorized access or disclosure, including the release of confidential information or the personally identifiable information of college or campus staff or customers, which happens due to the remote worker's neglect, will be addressed through administrative actions.

Remote workers must protect, and safeguard files, documents, equipment, and other materials transported back and forth between the official work site and the remote work site. Remote workers shall protect official records and documents from unauthorized disclosure or damage and shall comply with all established policies and procedures regarding such matters.

Remote workers must also take the following specific precautions:
a. No confidential information should be taken offsite, unless authorized in advance by the immediate supervisor/manager.
b. Avoid transmitting confidential information from work e-mail to personal e-mail addresses or text messaging services (e.g., icloud.com, aol.com, yahoo.com or g-mail.com).
c. Securely store all hard copy documents or office media so that others cannot access them.

d. Do not communicate confidential information where others can listen.
e. Place documents requiring destruction in Confidential/Sensitive destruction bins located at the official work site.

Remote workers will be required to take appropriate action to protect items from damage or theft. Loss or theft of equipment must be reported immediately to the remote worker's immediate supervisor/manager.

Any suspected data breach containing sensitive data must be reported immediately to the remote worker's supervisor and the College Information Officer and Security, consistent with the WCC Cyber Incident Reporting requirements. The remote worker must complete any required documentation regarding the suspected breach.

Every effort should be made to avoid transferring or storing official data or information on any personal devices. Under no circumstance may the remote worker allow College issued equipment to be used by any other person except as appropriate consistent with their campus work obligation.

Remote workers should log off and secure any computer being utilized to conduct official business when not in use, consistent with WCC computer use policies.

Management will not require access to personal equipment unless legally required and will not access or otherwise use any personal information on an employee's personal device.

Travel Arrangements
Employees who are assigned remote work and attend meetings, conferences, etc. for college business will receive mileage that originates from their assigned WCC facility, in accordance with the mileage reimbursement scale**.**

Effective Dates

This WCC remote work arrangement is a pilot that is effective as of January 2022 and shall end June 31, 2022, unless extended by WCC. Where required by exigent operational concerns, WCC College Senior Leadership reserves the right to suspend or terminate this remote work arrangement prior to June 31, 2022. Should the President or designees determine that such action is necessary, advance consultation with affected unions and reasonable advance notice to remote work participants will be provided to the greatest extent allowed by the exigent operational concerns on which the President's determination is based.

Resources

- Professional development support will continuously be available for management to achieve successful outcomes in adherence to the college's mission.

- Remote Application and Work Plan

- Remote Progress Reports-End of the Month or Bi-monthly Update meetings