

# TOWN OF SOUTHBOROUGH

# REMOTE WORK POLICY

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## Background:

This Remote Work policy was developed as the result of the COVID-19 pandemic which has had a significant impact on how the Town conducts business and serves the public. The Town, similar to many private businesses and entities has had to rethink how it operates following the sudden shift of some departments to remote work as a result of the COVID-19 pandemic and Governor Baker's public emergency declaration. That, coupled with the fact that many Town employees continue to grapple with the effects of the pandemic, has led to the development of a Remote Work Policy.

A work-from-home or remote work policy is traditionally viewed as a strategy to provide more flexibility or a work-life balance options for employees. However, the Town believes that moving forward and post- COVID-19, providing a remote work option, when possible, can increase employee productivity and satisfaction, help recruit and retain talent, save employees hours spent commuting, address office space needs and significantly reduce the Town's workforce carbon footprint.

## Policy:

This policy establishes guidelines for administering and evaluating remote work requests or assignments. The option to work remotely allows employees to work from home or another location on a part-time or intermittent basis. It is expected that most remote work arrangements will permit a portion of an individual's hours to be conducted off site and not every employee will have the ability to work remotely due to their specific job responsibilities or work productivity. The ability to work remotely is not an entitlement or benefit of employment. *It is an alternative means of meeting the needs of the Town outside of the office.* In some cases, employees may be mandated to work remotely to ensure continuity of operations in the event of an emergency such as inclement weather, a pandemic, a lack of available space, or under other extenuating circumstances. While remote work provides some flexibility in an employee's schedule, the remote work arrangement is not designed to be a substitute or replacement for childcare.

The option to work remotely requires the approval of the employee's Department Head and the appointing authority of the employee's position; for departments under the jurisdiction of the Board of Selectmen, the Town Administrator shall be required to approve applications. Participation in the remote work arrangement will not alter the employee's terms or conditions of employment with the Town, except for those specifically addressed as part of a Remote Work Agreement. Any decision regarding the eligibility to work remotely shall be at the sole discretion of the Town and shall not be grievable.

## **Eligibility:**

An employee may request, or a Department Head may initiate a discussion about a remote work arrangement. Eligibility to work remotely on a consistent or routine basis is contingent on job responsibilities (rather than job title), type of position (supervisory or public-facing), work habits, and work schedule. Employees may also request a short-term remote working arrangement for circumstances such as family or medical leave with the consent of the employee's health care provider, if appropriate. Moreover, jobs acceptable for remote work are those that can be performed without diminishing the quality of work or the level of services provided [including office coverage], and without disrupting productivity. This policy does not apply to introductory/probationary, seasonal or temporary employees.

### **Occasional Remote Work**

Occasional remote work requests are approved on a case-by-case basis, are intermittent, and are not regularly scheduled. Approval by a Department Head must be documented. For example, this type of remote work arrangement may be appropriate when a supervisor or Department head assigns a specific task or project to an employee who is likely to be more productive and efficient at home without workplace distractions.

### **Routine Remote Work**

Routine remote work arrangements are for ongoing purposes and must be supported by a written agreement that specifies the requirements and details of the arrangement. Routine part-time remote working arrangements must be approved in advance and will be reviewed and renewed annually [by June 30 of each year].

## **Procedures**

### **Employees- Requesting a Remote Work Assignment**

1. An employee interested in working remotely must first initiate a discussion with their Department Head to determine eligibility.
2. If the Department Head is supportive of the request to work remotely, the employee must submit a Remote Work Application to their appointing authority.
3. The request will be elevated to the appointing authority if deemed eligible.
4. After all paperwork is completed, the employee can begin their remote work assignment.

### **Department Head – Managing Remote Work Assignments**

Each Department Head is responsible for evaluating remote work requests. The arrangement is intended to benefit the Town and its employees without putting an added burden on other employees, individual departments, or the services provided by the Town [e.g. office coverage]. Department Heads should contact the Assistant Town Administrator with any policy questions. When evaluating a remote work request, the Department Head should:

1. Consider whether the employee has a record of satisfactory performance (evaluation) in the workplace, and has demonstrated the ability to:
  - Prioritize work to meet deadlines;
  - Accomplish job duties with minimal supervision;
  - Communicate effectively with officials, stakeholders, supervisors and team members;
  - Manage time effectively; and that
  - Operational demands are unaffected & met without an impact to overtime or other employees.
2. Set clear expectations with staff by creating a communication plan and regularly checking in.
3. For remote work arrangements that are approved, the Department Head shall conduct an initial review of the remote work activity two weeks after it begins and again at one month after it begins. After the first month, the Department Head should review the remote work activity with the employee at least quarterly to discuss the success/shortcomings of the arrangement and to make any necessary adjustments based on those reviews.

## Contingency Plans

Each Department Head reserves the right to cancel, modify, or suspend a work-from-home assignment as necessary, to address planned or unplanned short-term and long-term employee absences, emergencies, office coverage and vacations. This also includes mandatory meetings, trainings, or other work assignments.

## Expectations

Employees working remotely are required to comply with all Town policies and regulations that would apply if the employee were at their normal worksite. Employees working remotely are expected to be actively working during the agreed upon hours of work and must be available to communicate in a timely fashion via email, telephone or any other means of virtual communication. Supervisors and/or Department Heads may require employees to provide reports/updates of work performed while working remotely.

## Work Schedule, Environment & Equipment

### Work Schedule

Employees who are classified as non-exempt under the Fair Labor Standards Act must obtain advance approval from their Department Head prior to working in excess of their scheduled hours per day or per work week, including overtime hours.

Employees who are classified as exempt continue to be required to work the number of hours needed to accomplish their assigned duties. Participation in a remote work plan does not limit the number of hours that an exempt employee must work to accomplish those responsibilities.

All employees on a remote work plan will be required to take leave to accommodate personal business at their home or sick leave if the employee is unable to work remotely due to illness. While remote work provides some flexibility in an employee's schedule, the remote work arrangement is not designed to be a substitute or replacement for childcare.

### Work Environment

The employee is responsible for setting up or establishing a suitable work environment for purposes of working remotely. The area should be free from obvious safety hazards and suitable for the type of work being performed by the employee. The Town will not be responsible for costs associated with setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

### Equipment & Software

The Department Head, in coordination with the IT department, will determine the equipment needs for each employee in accordance with the Town's standard policies and procedures. Equipment supplied by the Town is to be used for work purposes only and may not be used by anyone other than the employee. The employee understands that all Town-issued equipment issued to the employee remains the property of the Town at all times. Employees must sign an inventory of all Town property received and agree to take appropriate action to protect items from damage and theft. Employees shall report any damage to or theft of Town-issued property to their supervisor immediately.

- The Town accepts no responsibility for damage or repairs to employee-owned equipment.
- Upon the end of the remote work assignment, or termination of employment, all Town property will be promptly returned, unless other arrangements have been made.

### Security and Safety

Consistent with the Town's expectation of information security for employees who have a physical presence working at the office, employees working remotely will be expected to ensure the protection of confidential information accessible while working from home. As such, the employee must sign out of their remote connection and/or Town-owned computer when not at their computer to ensure the security and the integrity of the Town's network. Any information that is considered confidential or protected will not be removed from Town premises unless expressly approved in advance by a Department Head or the IT Manager. The employee is also expected to adhere to all Town policies concerning information security and technology use.

### Workers' Compensation

Employees are expected to maintain a home workspace that is free from safety hazards and other dangers to the employee and Town-issued equipment. Employees working remotely are covered by workers' compensation for job-related injuries that occur in the course and scope of employment.

When the employee is working from home, workers' compensation does not cover injuries that are **not job related** and the Town assumes no liability for injuries to the employee or others occurring in the employee's home work space outside the agreed-upon work hours. Further, the Town is not liable for loss, destruction, or personal injury that may occur in or to the employee's home and/or non-employee property. This includes family members, visitors, or others who become injured within or around the employee's home. Employees are responsible for the timely reporting of workers' compensation injuries per normal protocol.

## Compensation & Benefits

Unless otherwise agreed due to changes in responsibilities or hours worked, an employee's compensation, benefits, work status, and work responsibilities will not change due to working from home.

### Leave Time

Vacation or sick time leave used on a scheduled remote workday will be administered under the same provisions as leave used on days an employee would otherwise be in the office.

## Termination of Agreement

An employee's remote working assignment is at the sole discretion of the Town. The Town reserves the right to modify or terminate such agreement with ten (10) days' notice, at any time for any reason. As such, no Town employee is entitled to or guaranteed the opportunity to work remotely. The Town further reserves the right to terminate an employee's remote work arrangement with ten (10) days' notice in the event that the employee fails to maintain satisfactory performance as determined by the employee's supervisor and/or Department Head. The Town will not be responsible for costs, damages, or losses resulting from termination of an employee's participation in the remote working program. The Remote Work Agreement is not a contract of employment and may not be construed as such.

## Roles and Responsibilities

### Employees

Employees who work remotely or plan to work remotely are responsible for:

- Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.
- Initiating a Remote Work Application if they are interested in entering into a remote work agreement.
- Reporting to their supervisor as early as possible if they are unable to work on a remote work day.
- Establishing and maintaining an adequate, safe and ergonomic workspace in their home.
- Maintaining appropriate care and security of any Town equipment used at the employee's home.

Employees who work remotely from home are subject to the same internal Town policies regarding the use of Town-provided equipment (hardware and software) and services as that of employees at the centrally located worksite. Employees are responsible for maintenance and repair of their personally owned equipment.

- Maintaining the confidentiality of Town information and documents, preventing unauthorized access to any Town system or information, and disposing of work-related documents in a manner that will not jeopardize the interests of the Town.
- Abiding by all of the terms of Town of Southborough's Remote Work Policy.

### Department Directors/Division Heads

Department Heads are responsible for:

- Reviewing employee requests for working remotely and making recommendation for approval or denial to the appointing authority.
- Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.
- Communicating performance expectations to the employee & monitoring accomplishment of those expectations.
- Abiding by all of the terms of Town of Southborough's Remote Work Policy.
- Monitoring policy use to ensure that the policy is being applied consistently.

### Town Administrator

Town Administrator (or as applicable, the appointing authority) is responsible for:

- Reviewing approved requests which have been completed and submitted to determine if the program is successful and not a detriment to any service provided by the Town of Southborough.
- Ascertaining that written notice has been provided to an employee if their request has been denied. Although employees of elected boards do have jurisdiction over their own employees, it should be noted that Section 15(b) of the Salary Administration Plan denotes that the Town Administrator is the Personnel Director and is responsible for promulgating policies and procedures on behalf of the Board of Selectmen that benefit all town employees.

## *Town of Southborough Remote Work Agreement*

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_

Department: \_\_\_\_\_ Department Head: \_\_\_\_\_

Normal employee schedule

Remote work schedule [contingent on approval]

Duration:

Reason for request

### **\*Acknowledgement\***

I fully understand the terms of this remote work arrangement as outlined in the above policy. I understand my supervisor or the Town may discontinue my participation in remote work at any time with or without cause.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Town Administrator/Chair Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved      Denied

If denied, please state supporting reason: