

COMMUNITY COLLEGE OF VERMONT

REMOTE WORK POLICY

November 3, 2022

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POLICY

This policy is applicable to full and part-time staff as well as temporary employees. References to “employees” in this policy pertain only to these groups.

The Community College of Vermont (CCV) supports remote working arrangements that enhance both employee morale and the College’s operations. Remote work arrangements are generally appropriate when an employee’s job requirements are not place based and there is no negative impact on the delivery of services needed to effect the College’s mission.

Requests are reviewed on a case-by-case basis using established guidelines. Partial remote work requests are approved or denied by the appropriate President Council level manager, in consultation with the President and the Dean of People and Culture. Fully remote work requests are approved or denied by the President, who will consider the recommendations of the employee’s supervisor and President Council level manager. Remote work is not a benefit or right of employment and the arrangement may be modified or discontinued at any time in the College’s sole discretion.

Employees are not permitted to conduct work remotely from any location outside of the United States. The Vermont State College System (VSCS) does not allow employees to hold or establish their primary residence in the following U.S. States: North Dakota, Ohio, Washington, and Wyoming. This list of states may be amended as deemed necessary.

DEFINITIONS

Business Hours: the span of time designated by management during which department business operations are conducted (e.g., 8:00 am – 9:00 pm).

Core Hours: the span of time designated by management for a specific position (e.g., 8:00 am – 4:30 pm).

Fully Remote Work: when an employee routinely performs their regular work from a location that is not owned or maintained by the College four or more days per week and/or the employee rarely, if ever, works in a CCV center.

Partial Remote Work: when an employee consistently performs their regular work both in-person at a CCV center and from a location that is not owned or maintained by the College (e.g., remote work two days a week and in-person from a CCV center three days a week). Partial remote work schedules may be approved for one, two, or up to three days per week.

In-Person Work: when an employee performs their regular work from a location owned or maintained by the College (e.g., a CCV center).

Occasional Remote Work: informal, limited time arrangements to work from a location that is not owned or maintained by the College due to inclement weather, College emergency, public emergency, worksite closure, or the temporary and unanticipated needs of an employee. Occasional telework that is not directed by the College is limited to no more than two weeks or it no longer qualifies as “occasional.”

ELIGIBILITY

Employee Initiated Requests:

Employees are eligible to request a partial remote work schedule from their date of hire. Student employees, including work-study students, are not eligible for remote work.

Fully remote work requests will be considered from otherwise eligible employees when: 1) an employee has worked for the College in the same job for at least two consecutive years; or 2) an employee with a disability is making a reasonable accommodation request under the Americans with Disability Act as Amended.

Exceptions to the two-year minimum eligibility requirement will be considered under extenuating circumstances and must be approved in advance by the President.

CCV Directed Remote Work:

CCV may, in its sole discretion, identify and/or establish positions that are eligible for fully remote work. These fully remote positions will be advertised and posted as fully remote job opportunities.

PROCEDURES

These procedures do not apply to occasional remote work. In the event occasional remote work is required by the College, the employee will be informed by their supervisor. If an employee wishes to engage in occasional remote work, they may discuss directly with their supervisor, who will approve or deny the request, as they deem appropriate.

The expectations for remote work include but are not limited to:

- Employees must follow applicable policies, procedures, standards, agreements and regulations regardless of work location.
- Employees will ensure privacy of student data, personnel information, and other confidential information.
- Remote working employees must meet the same requirements as in-person working employees in terms of hours worked and time reporting. Any overtime (hours worked in excess of those scheduled per day/workweek) require advance written approval from their supervisor.
- Remote working employees must adhere to the terms of their remote work agreement regarding availability during core hours and perform their work during scheduled work times, including occasional variances.
- Remote work is not intended to permit employees to work at other jobs, or to run their own businesses, or to provide full-time childcare or eldercare.
- Employees are responsible for home office expenses, including but not limited to rent, utilities, and telephone/cable/internet connection.
- The remote office space must be safe, secure, ergonomically correct and have consistent wireless/internet access and cell signal.
- Employees approved for fully remote work are responsible for their own travel and commuting expenses to attend in-person meetings as may be scheduled.
- Employees approved for partial remote work may be eligible for mileage reimbursement, in accordance with VSCS policy, to attend in-person meetings outside of their assigned CCV center.
- At a minimum, remote work agreements must be reviewed annually. Supervisors may initiate a review at any time. Employees may request a review every six months.
- If an employee's remote work arrangement is discontinued for any reason, they will return to work in-person within two weeks of being notified.

Criteria Used to Evaluate and Review Remote Work Requests:

- **Job Suitability:** The employee's essential job duties must be such that the College can maintain high quality service while the employee is working remotely. Fully remote work is not suitable when the job requires an in-person presence at a center, community

events, outside businesses and schools, etc.

- **Employee Suitability:** Includes consideration of performance and disciplinary history, past productivity, organizational skills, years of service, and supervisory confidence.
- **Business Operations and Workplace Culture:** Must not delay work or otherwise negatively affect continuity of operations. Peer/Team interactions must be thoughtful, inclusive, and promote a positive sense of community.
- **Suitable Home Office:** Employee accepts responsibility for creating a safe home office set up which must include reliable, high-speed internet access and cell service. Employee agrees to safeguard and protect sensitive data, including student information and/or personnel information in accordance with applicable laws, rules, and regulations. CCV will provide a personal computer (with built in or add on microphone/speakers/camera), one computer monitor, and a desk chair (if requested) for at home use. A digital telephone will be provided for at home use when an employee is responsible for answering hunt-group phone calls.
 - Additional equipment at home such as a standing desk or extra monitor will be at the employee's expense. A computer keyboard or mouse may be provided by CCV, depending on available stock.

Process Steps:

1. Employee discusses remote work request (fully remote or partial remote) with their supervisor. Supervisor makes recommendation to President Council (PC) level manager.
 - a. **Partial remote. Requests to work remotely three days or less per week:**
Supervisor will recommend approval or denial of the employee's request. The PC manager will approve or deny the request.
 - b. **Fully remote. Requests to work remotely four or more days per week:**
Supervisor and PC manager will jointly recommend approval or denial of the employee's request. The President (or the President's designee) will approve or deny the request.
2. President and PC manager's decision(s) are final. If an employee's request is denied, they may make another remote work request after six months. Approved requests and arrangements will be documented using individual remote working agreements. Substantive modifications to the agreement require the concurrence of the PC manager or President, as applicable (see Step 1 above).
3. Human Resources will record all denials and fully remote requests electronically. Remote working agreements will be maintained electronically by CCV through use of an e-Form.

Appendix A

CCV Remote Work - Additional Guidance

Conditions of Employment. The employee's conditions of employment shall remain the same as for employees who do not work remotely: wages, benefits and leave accrual will remain unchanged.

Dependent Care. Remote work is not a substitute for childcare or other dependent care. Employees who work remotely shall make or maintain childcare arrangements to permit full attention to CCV duties during regular agreed-upon work hours.

Disruptions. If there is an emergency at the remote work site, such as a power outage, the employee will notify the supervisor as soon as possible. The employee may be reassigned to the primary work site or an alternate work site. Employees will promptly notify the supervisor of any disruption in network access or normal functioning.

Equipment. Home worksite furniture and equipment shall generally be provided by the employee. In the event that equipment and software is provided by CCV at the remote work site, such equipment and software shall be used exclusively by the employee for the purposes of conducting CCV business. If CCV provides equipment, the employee is responsible for safe transportation and set-up of such equipment.

Equipment liability. CCV will repair and maintain, at the CCV worksite, any CCV owned equipment. Employee agrees to use surge protectors at all times with any CCV computer used at the remote site. The employee will be responsible for:

- any intentional damage to the equipment;
- damage resulting from gross negligence by the employee or any member or guest of the employee's household;
- damage resulting from a power surge if no surge protector is used;
- maintaining the current virus protection software;
- maintaining all electronic devices that send or store data in conformity with VSCS and CCV Policies.

CCV may pursue recovery from the employee for College property that is deliberately, or through negligence, damaged, destroyed, or lost while in the employee's care, custody or control. Damage or theft of CCV equipment that occurs outside the employee's control will be covered by CCV. CCV does not assume liability for loss, damage, or wear of employee-owned equipment.

Incidental Costs. All incidental costs, such as residential utility costs, internet service or cleaning services, are the responsibility of the employee.

Injuries. The employee will be covered by workers' compensation for job related injuries that occur in the designated workspace, including the employee's home, during the defined work period. In the case of injury occurring during the defined work period, the employee shall immediately report the injury to their supervisor and to CCV Human Resources at ccvhr@ccv.edu. Workers' compensation will not apply and CCV is not responsible for any injury sustained at the remote work location that is not sustained in the course of performing job duties for CCV. CCV is not responsible for injury to any persons other than the employee at the remote work site. Employee agrees that their homeowners' insurance shall be kept up to date and is the sole source of liability coverage for any injury that is not work related or that occurs to any person other than to employee.

Inspections. In case of injury, theft, loss, or tort liability related to remote work, the employee agrees that agents of CCV may investigate and/or inspect the remote work site.

Insurance. CCV assumes no liability for injuries occurring in the employee's home or remote workspace outside of work hours or injuries not sustained in the course of performing job duties for CCV. Employees should note that some homeowner policies do not automatically cover injuries arising out of, or relating to, the business use of the home. Employees are responsible to ensure that the homeowners' insurance is adequate to cover anticipated losses and is in effect at all times.

Office Supplies. CCV will provide necessary office supplies. Out-of-pocket expenses voluntarily incurred by employee for supplies normally available in the office will not be reimbursed.

Performance & Evaluations. The supervisor and employee will formulate objectives, expected results, and evaluation procedures for work completed while the employee is working remotely. The supervisor and employee will meet at regular intervals to review the employee's work performance.

Personal Business. Employees shall not perform personal business during hours agreed upon as work hours.

Policies. CCV policies, rules and practices shall apply at the remote work site, including but not limited to those governing communicating internally and with the public, employee rights and responsibilities, facilities and equipment management, financial management, information resource management, purchasing of property and services, and safety. Failure to follow policy, rules and procedures may result in termination of the remote work arrangement and/or disciplinary action.

Quality of Work. All work shall be performed according to the same high standards as would normally be expected at the primary worksite.

Record Retention. Products, documents, and records that are used, developed, or revised while working remotely shall be copied or restored to CCV's network record system. Whenever possible, all such information shall be backed up, preferably on a thumb drive or on the VPN server.

Remote Work Site. Employee warrants that the home or other designated remote work site is quiet, clean, and safe, with adequate lighting and ventilation. Unless pre-approved by the employee's supervisor, the employee will not hold business visits or meetings with professional colleagues, customers, or the public at the remote worksite.

Security. Security and confidentiality shall be maintained by the employee at the same level as expected at all worksites. Restricted access or confidential material shall not be taken out of the primary worksite or accessed through a computer unless approved in advance by the supervisor. The employee is responsible to ensure that non-employees do not access CCV data or records, either in print or electronic form. All confidential or private material must be maintained in a locked, secure location.

Taxes. A home office is not an automatic tax deduction. Employees should consult with a tax expert to examine the tax implications of a home office.

Income taxes will be withheld based on the location of where the work is performed. Employees who live in a state other than Vermont are required to maintain accurate information in UKG/Ultipro for their home address and to immediately advise their supervisor if they move to another state. Supervisors must advise Human Resources of any agreement with an employee who lives in a state other than Vermont. Employees may wish to consult their tax advisor with respect to other tax consequences.

Telephone/Internet Expenses. CCV will not reimburse employee for telephone or internet service at a remote work site.

Travel. The employee will not be paid for time or mileage involved in travel between the remote work site and the primary work site (assigned CCV center). Fully remote employees are responsible for their own travel and commuting expenses to attend in-person meetings as may be scheduled.