

*Superintendent File: GBEF*

## ***STAFF TELECOMMUTING AND REMOTE WORK***

This policy shall apply to all District employees who are approved by the District to temporarily work remotely.

### **Policy Statement**

Telecommuting allows employees to work at an alternate location for all or part of their workweek. The District considers telecommuting to be temporarily permissible, in narrow circumstances, when both the individual employee and his or her job are suited to such an arrangement and/or when telecommuting/remote work is required consistent with an applicable Public Health Order or is required in order to further the District's delivery of educational programming and resources in response to health and safety considerations. Telecommuting may be appropriate for some employees and jobs but not for others, and the appropriateness of telecommuting is to be determined as directed by the District for health and safety reasons and/or by an employee's supervisor in consultation with the District's Human Resources Department. Employees who telecommute and work remotely shall do so consistent with the requirements of this policy and employees who violate this Policy are subject to discipline, up to and including termination.

Telecommuting is not an entitlement, it is not a District-wide benefit, and it in no way changes the terms and conditions of employment with the District. Any telecommuting arrangement is subject to continued review by the District and may be altered or discontinued at the District's discretion. The District will endeavor to provide employees reasonable notice prior to altering or discontinuing any remote working arrangement.

Nothing in this policy shall be construed to imply in any manner the establishment of any property rights or expectancy or entitlement to continued employment. Neither shall this policy be deemed or construed to establish any conditions prerequisite relative to renewal of contracts, transfer, assignment, dismissal or other employment decisions.

A supervisor may require an employee to agree to a written remote work agreement. A form of a written remote work agreement can be found at Superintendent File: GBEF-E.

### **Eligible Positions and Employees**

School and department supervisors, in consultation with the Human Resources Department, will analyze the nature of a position and how the work is performed to determine which positions are appropriate for remote work. Several factors may be considered in

determining the feasibility of telecommuting, including the District's ability to supervise the employee adequately and whether there are any duties that cannot be performed remotely. Other critical considerations include whether:

- There is a need for in-person interaction with students, staff, and/or the public;
- The position in question requires the employee to have immediate access to tools, devices, equipment, documents or other information located only in the workplace;
- The proposed alternate work location is acceptable to the employee's supervisor;
- The remote work assignment will impact service quality or District operations, or increase workload for other employees;
- The position can be structured to be performed independently of others with minimal need for in person support and little in person interaction; and
- Employee performance can be measured by quantitative or qualitative results-oriented standards, not time spent doing the job at the job site.

Certain employees may be directed to work remotely in order for the District to address public health and safety issues and/or as may be required in response to an applicable Public Health Order. In such circumstances, the General Expectations and Conditions described in this policy are applicable and shall be followed by employees. In other circumstances, if an employee in an eligible position requests approval for telecommuting, his or her supervisor, in consultation with the Human Resources Department, will determine whether the employee is eligible. Generally, the following conditions must be met to approve an employee for telecommuting:

- The employee has a demonstrated ability to work productively on his/her own and is self-motivated and flexible; and
- The employee has no formal disciplinary actions on file for the current or immediately preceding school years;
- The employee has a designated alternate work site which is acceptable to the supervisor and supports the employee so that the General Expectations and Conditions described in this policy can be met to assure the employee can fulfill his or her work responsibilities remotely. It is generally expected that an employee who is working remotely will be working from their primary residence (home). An employee's supervisor can require ready access to information related to the employee's remote work location and the employee must be readily accessible to his or her supervisor during normal work hours.

### **General Expectations and Conditions**

1. Compliance with Policies: Employees must comply with federal and state law and District policies, rules, and practices during any period of remote work. Employees who violate same are subject to discipline, up to and including termination.

2. Performance: The District expects the same level of productivity from telecommuting employees that is expected from employees performing in-person work. While working remotely, employees must be available via telephone, email, or videoconference and must respond to communications in a typical and timely fashion. Supervisors may require employees to report to a central workplace as needed for work-related meetings or other events as needed to discuss work progress or other work related issues.

The number of work hours that remote workers are expected to perform shall not change unless otherwise agreed to by a supervisor. Telecommuting employees who are not exempt from the overtime requirements of federal and state law will be required to record all hours worked in a manner designated by the District. Hours worked in excess of those agreed to between the employee and employee's supervisor will require the advance approval of the supervisor. Non-exempt employees are prohibited from working overtime hours without supervisor approval.

3. Use of Leave: Employees cannot use telecommuting in place of federal or state mandated leave, District leave, Workers' Compensation leave, or other types of available leave. Working from home is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance.
4. Liability: The District assumes no responsibility for injuries occurring in the employee's alternate work location outside the agreed upon work hours or for injuries that occur during working hours but do not arise out of and in the course of employment. The District also assumes no liability for damages to employee's real or personal property resulting from working remotely, or for injuries to family members, visitors, or others that are injured within or around the employee's home. Workers' Compensation coverage is generally limited to designated work areas in an employee's alternate work site. Employees agree to practice the same safety habits they would use during in-person work and to maintain safe conditions in their alternate work location. Employees must follow normal procedures for reporting illness or injury.
5. Internet Capabilities: Internet capabilities must be sufficient to support remote work with no significant disruption to employee's regular tasks as well as to be able to support the District's video conference and collaboration technologies.
6. Equipment and Materials: The District at its discretion may provide employees equipment and material to facilitate telecommuting. Remote work employees may use District-owned equipment for work-related purposes only. Remote work employees are responsible for protecting District-owned equipment from theft, damage and unauthorized use. The District will maintain, service and repair District-owned

equipment used in the normal course of employment. Employees may use their own equipment while telecommuting, but the District is not responsible for the cost, repair or service of the employee's personal equipment.

7. Costs of Telecommuting: The District is not responsible for operating costs, home maintenance, utilities, or other incidental costs incurred by employees in the use of their homes, or any other permissible location, as an alternate work location.
8. Confidential Information: Employees must safeguard District information used or accessed while telecommuting in accordance with District policies, rules and regulations, including all applicable laws, regulations, professional standards and Board policies related to maintenance of confidential information. Employees must further adhere to all laws and District policies pertaining to the confidentiality of student information and employ best practices to keep such information safe from disclosure, such as keeping electronic devices and written material locked when unattended and ensuring that confidential conversations cannot be heard by third parties.

Adopted: November 16, 2020

CROSS REFS.:

GBEB, Staff Conduct

GBEBA, Staff Dress Code

GBEE, Staff Use of Internet and Electronic Communications

GBEE-R, Employee Computer and Internet Use Rules

GBEF-E, Temporary Telecommuting and Remote Work Agreement