

Policy Title:	Remote Work
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Manual Classification:	Section 3 – Human Resources
Approved by:	Board of Governors
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Contacts for Policy Interpretation:	Vice President, Organizational Effectiveness and Human Resources

1.0 – Policy Overview

As Fleming College (the “**College**”) prepares to welcome our workforce back to our campuses as it becomes safe to do so, we recognize there may be opportunities for some work to be performed entirely remotely. This Policy describes how the College will manage remote work opportunities, optimizing operational effectiveness, while taking employee preferences into account where possible. The College is committed to operationalizing this policy in a fair and equitable manner that complies with legislation, regulations, and contractual obligations including collective agreements.

The College recognizes that there is a significant workforce interest in hybrid work arrangements (partially on-site and partially remote) and will consider hybrid work as part of the next scheduled review of this Policy.

The College reserves the right to amend or revoke this Policy at any time.

2.0 – Purpose

The purpose of this Policy is to:

- Outline the guiding principles the College is committed to when considering remote work arrangements
- Provide a framework for identifying positions eligible for remote work arrangements
- Provide employee eligibility considerations to aid leaders in reviewing requests in a fair and equitable manner
- Outline the approval process

3.0 – Definitions and Acronyms

The following definitions and/or acronyms apply in this Policy:

Designated Remote Position	A position which the College has identified can be effectively performed entirely off-campus.
Remote Work	An approved arrangement for an employee in a Designated Remote Position to carry out defined duties, typically from the employee's home-based worksite, during the agreed hours for a specified period of time, the terms of which are set out in a 'Remote Working Agreement' entered into between the College and the employee. For unionized employees, the Collective Agreement continues to apply. For non-unionized employees, all existing terms and conditions of their employment continue to apply.

4.0 – Scope

This policy is applicable to all College employees at all campuses, except insofar as teaching faculty are governed by Article 11.01 G 1 of the Academic Collective Agreement.

5.0 – General Principles

5.1– Guiding Principles

- a) Above all, the College remains committed to protecting the health and safety of the College community, including our students, employees, contractors, and visitors, as well as our local communities. All decisions made under this Policy will comply with applicable public health guidelines, directives, legislation, and policies, including College Policy #1-113, *COVID-19 Vaccination Requirement*.
- b) The College is committed to providing students with an outstanding academic and community experience.
- c) The College will make fiscally responsible decisions and effectively manage our resources as stewards of the organization.
- d) The College will mitigate risk and liability to the extent possible.
- e) The College will continue advancing our strategic priorities aligned to our Vision, Mission, and Values.

- f) The College will take an objective, fact-based approach to identifying positions which can be performed remotely and to considering requests for Remote Work arrangements from employee incumbents of Designated Remote Positions.
- g) A Remote Work arrangement does not change the terms and conditions of employment for an employee, including collective agreement compliance and the requirement to comply with all College policies, including but not limited to the College Policy #3-311, *Harassment and Discrimination Prevention and Response*.
- h) A Remote Work arrangement is not intended to confer any benefit or drawback to the employee (for example, enhanced opportunity for flexibility in working hours or lessened opportunity for learning and development or career growth).
- i) Employees on approved Remote Work arrangements will remain linked to their home campus; a remote work location will not be designated as the primary work location for purposes of charging mileage to attend home campus for meetings or as otherwise required.
- j) Remote work can only be performed within the Province of Ontario. An approved Remote Work Arrangement will not authorize work being performed outside of Ontario or Canada.

5.2 – Criteria for Identifying Designated Remote Positions

When identifying Designated Remote Positions, the College will ensure to the extent possible that there is:

- a) No negative impact on College operations or service to students if the work is performed remotely.
- b) No loss of productivity or transfer of job responsibilities to another position to enable remote work.
- c) No incremental or new expenditure is required for equipment, furniture, or supplies required to perform the position which are available to the employee on campus. Employees on approved Remote Work arrangements will be provided with a standardized set of equipment including a computer, up to two monitors, and an ergonomic office chair, on loan from the College.
- d) No specialized equipment, information, security, or confidentiality requirements are needed to perform the position duties that would be compromised by remote work.

- e) No adverse impact on team cohesion and consideration of opportunities for both on campus and remote designations where there are multiple positions/incumbents involved.

5.3 – Criteria for Considering Employee Applications for Remote Work

- a) The employee's position must be a Designated Remote Position.
- b) The employee must have demonstrated or be able to demonstrate their ability to perform effectively under remote work conditions. Applications from employees with performance concerns may be declined or granted on a short-term, trial basis.
- c) The employee must attest to being able to provide a safe / ergonomic workplace with a reliable internet connection and the ability to meet appropriate security and confidentiality protocols, including the ability to protect the College's Intellectual Property and the ability to comply with the College's contractual obligations. These responsibilities continue throughout the life of the Remote Work arrangement.
- d) The employee agrees to take fully responsibility for any costs they incur as a direct or indirect result of Remote Work, including but not limited to internet services sufficient to support effective performance of job requirements.
- e) The employee takes fully responsibility for maintaining employee-supplied work equipment. Where work equipment is on loan from the College, the employee is responsible for a normal standard of care and the College is responsible for any required maintenance or repairs.
- f) The employee agrees to being fully responsible to determine any income tax implications of maintaining a home/remote office. The College will not provide tax guidance, nor will it assume any additional tax liabilities. Where remote working is approved, the College will issue tax forms in accordance with its legislated responsibility and guidance from the Canada Revenue Agency

5.4 – Additional Considerations

- a) Teaching positions are subject to the arrangements in place for program and course delivery at any given time. Only teaching positions for courses being delivered entirely on-line may be Designated Remote Positions and that designation may change from semester to semester and/or as conditions change. In any case, teachers are subject to the provisions of Article 11.01 G 1 of the Academic Collective Agreement.

- b) This policy is not intended to replace formal Human Rights accommodation procedures and Human Rights accommodations are available to employees on Remote Work arrangements.
- c) A remote work arrangement is not guaranteed and may be altered or terminated by the College with two weeks' notice.
- d) Remote work arrangements are reviewed quarterly in the first year and may be reviewed, altered, or cancelled by the College with two weeks' notice at any time.
- e) Employees with approved remote work arrangements may apply to cancel the arrangement at any time and the College will endeavour to provide on-campus work space as soon as is reasonably possible. Employees returning from a remote work arrangement are not entitled to their pre-remote work workspace and may be assigned an alternative on campus work station as the College redevelops space.
- f) Leaders are expected to provide the same level of supervision, coaching, performance management, and other support to employees on a remote work arrangement they would on campus
- g) Employees on approved remote work arrangements will be required to attend campus regularly or from time to time as outlined in their remote work agreement and/or directed by Administration on an exception basis (for example, to attend a specific meeting in person).
- h) Employees approved for Remote Work are expected to perform their work with the same diligence and focus as they would on campus. Employees experiencing challenges relating to childcare, personal or family illness or injury, and other similar circumstances are expected to request support through the relevant procedures that would apply if they were working on campus.
- i) Any instance of time theft or other fraudulent activity is subject to the same disciplinary measures as in the case of employees working on campus.

5.5 – Exceptions

- a) Exceptions to this policy include:
 - Accommodation arrangements, including Return to Work/Medical Accommodations, on *Ontario Human Rights Code* protected grounds, particularly but not exclusively disability (medical);
 - Employment agreements providing for hybrid work arrangements;
 - Occasional or as-needed remote work arrangements not intended to be ongoing;

- Critical situations with unexpected, unknown, and evolving circumstances, including exceptional situations requiring the College to impose remote work arrangements.

5.6 – Process

- a) Leaders will review all positions in their area of responsibility and submit initial recommendations for Designated Remote Positions to their Senior Management Team (SMT) member.
- b) Senior Management Team will review and approve the list of Designated Remote Positions.
- c) Employees employed in Designated Remote Positions will be given the opportunity to apply to work remotely.

6.0 – Related Documents

- *Ontario Human Rights Code*
- *College Policy #1-113, COVID-19 Vaccination Requirement*
- Operating Procedure – pending
- Academic Employees Collective Agreement
- Support Staff Collective Agreement
- Part-Time Support Staff Collective Agreement

7.0 – History of Amendments/Reviews

Approved by Board of Governors September 22, 2021