

CANADIAN VALLEY TECHNOLOGY CENTER BOARD OF EDUCATION POLICY	<i>Section 6 – Employees General</i> Adopted: 10/8/2024
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REMOTE WORK POLICY

1. Policy Statement

Remote work is a voluntary arrangement that allows eligible CVTech employees to request to work remotely. Where approved, remote work is a cooperative arrangement between employees, supervisors, and CVTech.

Remote work is a workplace strategy to maximize resources and employee morale, and an employee privilege. It is neither an entitlement nor a vested right. Not all CVTech employees perform work that qualifies for remote work. An employee’s participation in remote work does not change their duties, obligations, responsibilities, or other terms and conditions of employment.

2. Overall Obligation

While performing remote work, participating employees are obligated to comply with all local, state, and federal laws, CVTech board policies, rules, regulations, and Employee Handbooks, as amended.

The violation of any law, board policy, rule, regulation, or applicable handbook may subject an employee to discipline, up to and including dismissal from employment, and may result in an employee’s removal from participation in the remote work program.

3. Approval

Employee approval in the remote work program is at the sole discretion of the Superintendent or designee. The decision of the Superintendent or designee to deny a request for remote work is final.

Remote work is not an alternative to dependent care or an employee’s other personal obligations and, when applicable, the remote worker must make appropriate arrangements for dependent care. Nothing in this policy shall limit a temporary arrangement between an employee and CVTech for occasional/non-recurring circumstances. For example, if an employee has a serious medical condition, the Superintendent or designee may, at their sole discretion, permit the employee to stay home and work remotely provided that the employee is still able to perform their job functions and their position is suitable for remote work. Such limited arrangement shall not necessitate a Remote Work Agreement or amendment to an existing Remote Work Agreement, provided the arrangement is not permanent in nature and does not exceed a thirty (30) day period.

4. Requests to Participate

Employees may request to participate in CVTech's remote work program by contacting their direct supervisor, who may consult with the relevant Campus Director, Program Director, and/or Superintendent or designee. CVTech may also suggest remote work as a viable option for employees.

5. Eligibility

Options and eligibility for remote work will vary among specific job classifications and department needs and requirements. A classification in one department may be eligible for remote work, whereas the same or similar classification in another department may not. This may also apply to employees in the same classification within the same department or division. Employee eligibility is dependent on several factors, including, but not limited to, training, skill, ability, knowledge, performance, operational need, and project or job assignment.

A position of employment may be suitable for remote work when the job responsibilities:

- Do not require the employee's immediate physical presence onsite.
- Do not require frequent in-person interactions with supervisors, coworkers, students, or the public at CVTech premises.
- Are generally independent in nature and remote work will not negatively impact the workload of others.

An employee may be suitable for remote work when they have demonstrated, as determined by the employee's supervisor, Superintendent, or their designees, they:

- Are dependable and responsible.
- Are effective communicators with supervisors, coworkers, students, and the public.
- Are self-motivated, able to prioritize workload, and capable of performing work independently.
- Are in possession of good organization and time management skills.
- Are knowledgeable and possess high-level skills for the position.
- Have a satisfactory or better performance level with no current record of negative performance or conduct issues.

Other considerations include, but are not limited to, the employee's ability to create a functional, reliable, safe, and secure remote workplace; the risk factors associated with performing the employee's job duties from a location separate from the physical worksite; the ability to measure the employee's work performance from a location separate from the physical worksite; the employee's supervisory responsibilities; the ability to maintain effective working relationships; and/or other considerations deemed necessary by the employee's immediate supervisor, relevant director or directors, and Superintendent or designee.

6. Termination of Participation

Remote work participation may be terminated at any time by either CVTech or the employee.

Employee Requests to Terminate Participation

An employee may request to terminate their participation in the remote work program by providing written notice to their supervisor or designee. Upon receipt of the written notice, the remote work arrangement shall be terminated on a date mutually acceptable to CVTech and the employee or, should there be no mutual agreement, thirty (30) calendar days from the date of the written notice.

CVTech's Termination of Remote Work

CVTech may terminate the employee's participation in the remote work program at any time and with or without notice. Unless the reason for termination is due to work performance, an operational district need, or disciplinary reasons, CVTech will work with the employee to decide upon a mutually agreeable date for the termination of the employee's participation in the remote work program. Should there be no mutual agreement regarding the termination date, the remote work arrangement will be terminated thirty (30) calendar days from the date of written notice.

Performance or Disciplinary Recall Performance or Discipline

Employees failing to comply with all local, state, and federal laws, board policies, rules, regulations, and the Employee Handbook, as amended, may be immediately recalled from participation in the remote work program.

Employees who are not upholding obligations, such as meeting acceptable performance or conduct expectations and standards, as determined by their supervisor, Superintendent, or designee, may be immediately recalled from the remote work program.

7. Working Hours

Remote work schedules shall comply with the Fair Labor Standards Act (FLSA). The remote work schedule will be arranged between the supervisor and the employee. Participation in the remote work program does not constitute a schedule change. Nothing in this policy shall limit the ability of departments to require employees to be present at physical worksites on a limited basis or hybrid model due to an operational or business need.

Participating employees:

- a. Must perform designated work during scheduled work hours.
- b. Must take meal and rest breaks as if they were reporting to the physical work site.
- c. Must be available to report to a physical worksite if directed to do so on their scheduled workday. CVTech will endeavor to give advance notice of 24 hours.
- d. Must be available via telephone, email, or other electronic means during all scheduled work hours, except during authorized breaks.

- e. Must account for, and report, time spent working remotely the same way they would at the physical worksite, or according to the terms of their remote work agreement.
- f. If non-exempt, may work overtime only when directed or approved to do so in advance by their supervisor.
- g. Must obtain approval to use vacation, sick, or other paid leave in the same manner as employees who do not work remotely.
- h. Shall ensure dependent care will not interfere with work responsibilities.
- i. Must inform their supervisor if they become ill during their shift and report the hours worked and the sick leave hours used.

8. Remote Worksite

In order to focus and perform duties safely and efficiently, participating employees must work in an environment free of distractions. Employees are responsible for ensuring they have an adequate work area that meets guidelines for workplace ergonomics, lighting, power, temperature control, and reliable Internet service with adequate bandwidth to allow for a constant remote connection to CVTech services suitable for performing official CVTech business.

CVTech reserves the right to enter the employee's designated remote work area, or require a video visit for inspection of the employee's designated remote work area, to determine compliance with health and safety rules and applicable board policies. CVTech will endeavor to provide 48 hours advance notice to the employee prior to an in-home inspection; however, a short notice or unannounced inspection may be conducted in exigent circumstances or in the discretion of CVTech.

Employees are covered by workers' compensation laws when performing work duties at their designated remote work location during work hours. The designated work location must meet applicable safety rules for the workplace, including, but not limited to, a functioning smoke detector; working fire extinguisher; clear, unobstructed exits; removal of hazards that could cause falls; adequate electrical circuit, and appropriate furniture. Employees who suffer a work-related injury or illness while working remotely must notify their supervisor immediately.

9. Liability

The remote work location is an extension of the CVTech's workplace only when used for work. All existing workplace health and safety rules, as well as all existing employment laws, rules, and policies, apply the same as they would for employees reporting to the office.

CVTech is not responsible for any injuries to family members, visitors, or other guests at the employee's remote work location. Excluding incidental activities and the specific requirements within this policy, the employee shall not have any coworkers or business guests visit the remote work location in the course of the employee's workday.

The remote employee is solely responsible for any tax implications and insurance requirements, and compliance with state and local laws and ordinances when the remote work location is a residence.

10. Equipment and Supplies

The remote work program is intended to be cost-neutral, and CVTech assumes no responsibility for the setup or operating costs of working remotely, as the employee has volunteered for the benefits of working remotely. CVTech shall generally not be responsible for personal costs that are associated with remote work, including, but not limited to, energy, data or maintenance costs, network costs, homeowners' insurance or coverage, home maintenance, home workspace furniture, ergonomic equipment, liability for third-party claims, or any other incidental costs (e.g., utilities associated with the employee's remote work). Exceptions will be evaluated on a case-by-case basis, as needed. Participating employees must have a suitable desk/work area and chair to work safely and without disruption, and must have the necessary equipment, software, supplies, and support required to successfully work remotely. If CVTech does not provide the needed equipment, software, supplies, or support, and the employee does not have them, the employee will not be eligible to participate in the remote work program.

11. CVTech Equipment

Equipment, software, or supplies provided by CVTech are for CVTech business only. Participating employees do not obtain any rights to CVTech equipment, software, or supplies provided in connection with remote work and must return CVTech equipment no later than seven (7) calendar days from the conclusion of the remote work arrangement or at CVTech's request. Participating employees must protect CVTech equipment, software, and supplies from possible theft, loss, and damage. Participating employees may be liable for replacement of supplies or repair of the equipment, software, and supplies caused by negligence or intentional conduct that results in theft, loss, or damage. Any repairs or required maintenance on CVTech-provided equipment will require the item to be physically brought to the IT department or the employee's primary physical district workplace if the issue cannot be resolved remotely by IT staff. Departments must have a process to reliably track CVTech-owned assets before allowing employees to check out equipment.

Employees should minimize printing documents remotely. If there is a need to print confidential information, employees should report to a physical worksite to use a multi-function printer and dispose of confidential documents in CVTech-secured shred bins. Any equipment, software, files, and databases provided by CVTech shall remain the property of CVTech. Participating employees must adhere to all software copyright laws and may not make unauthorized copies of any CVTech-provided software. Participating employees may not add hardware or software to CVTech equipment without prior written approval. All remote access connections to CVTech's networks will be made through the approved remote access methods employing data encryption and multi-factor authentication. Participating employees have no reasonable expectation of privacy when using CVTech equipment while working for CVTech, excepting applicable laws. To manage systems and enforce security, CVTech may log, review, and otherwise utilize any information data stored on or passing through its systems. CVTech may capture all participating employee activity, including, but not limited to, telephone numbers dialed, websites visited, and content downloaded.

12. Personal Equipment

Participating employees who use their personal equipment for remote work are responsible for the installation, repair, and maintenance of the equipment. Personal equipment connecting to CVTech information resources should be up to date with the latest security patches and have an anti-malware checking system enabled. In the event of an Open Records Act request, employees shall be required to provide to CVTech responsive records stored on a personal computer, system, or device.

13. Security of Confidential Information

All files, records, papers, or other materials created while working remotely are the property of CVTech. CVTech may require employees to work in private locations when handling confidential or sensitive material(s). Areas containing confidential information should be physically restricted to those people with a need to know. Confidential information should always be protected from unauthorized disclosure. When left unattended, confidential information in paper form should be locked away. CVTech may prohibit employees from printing confidential information in remote work locations to avoid breaches of confidentiality. Participating employees shall secure CVTech equipment when not in use and ensure they are logged off the CVTech network. Participating employees shall not disclose confidential or private files, records, materials, or information, and shall not allow access to CVTech networks or databases to anyone who is not authorized to have access.

Participating employees must notify their supervisor and the IT department immediately in the event of a hacking incident or any compromise of data and network systems.

14. Policy Not Subject to Grievance or Appeal

Employees do not have a property right to remote work assignments. An employee's participation in, or removal from, remote work is not subject to any grievance or appeal process and this policy supersedes previous remote work agreements and policies. A denial of an employee's participation in the remote work program shall not be grievable or appealable, except the employee may request a review of the reason(s) for the denial and request reconsideration by submitting a request in writing to the Superintendent within seven (7) calendar days of receipt of the denial. A meeting with the Superintendent will be scheduled within seven (7) calendar days of receipt of the written request to address the employee's concern(s). A response and final decision will be rendered by the Superintendent or designee, within seven (7) calendar days of the meeting. While participating in the review process, employees are obligated to abide by the direction of their direct supervisor or Superintendent, or designee regarding participation in remote work.