

Remote Work Policy Pilot Program

Policy Statement

Mohawk Valley Community College supports remote work where it is reasonable to do so based on the College's culture, mission, operational, and program needs.

Rationale

This pilot program is to support implementation of a remote work program that is beneficial to college operations, employees, and students. The College reserves the right to determine whether an employee will be granted permission for new or continuing remote work arrangements. Remote work is not a college-wide benefit and employees are not entitled to or guaranteed the opportunity to work remotely, even if their job positions are designated as suitable.

All remote work will comply with applicable federal and state laws and all College policies, procedures, and practices including but not limited to policies regarding confidentiality of information, work schedules, work hours, use of equipment, use of leave-time, and tracking of work hours.

A remote work agreement does not change the terms and conditions of an individual's employment with the College. All policies related to conflict of interest, outside compensated activities, secondary employment, and approved leave are in effect with a remote work agreement. Failure to meet job requirements may result in termination of the remote work agreement, disciplinary action and/or termination of employment.

Procedure

Purpose: To provide guidelines and criteria to be used to determine, review, approve, and manage remote work arrangements for eligible employees. This pilot program does not apply to faculty, full-time UPSEU employees, and part-time employees.

Definitions

Remote Work: An alternate work arrangement that allows employees to conduct some of their work away from the official work site. Eligible employees are expected to have a regular in-person presence at the official work location. Employees should not expect to be approved to work remotely on a full-time or near full-time basis.

Official Work Site: The employee's MVCC-provided, on-campus, workstation/location. This is the employee's usual and customary designated work address.

Alternate Work Site: A specific location away from the work site where the employee is authorized to conduct business. This location must meet all criteria set forth in the procedure and be approved in advance by the employee's immediate supervisor/manager and campus senior leadership. Any changes in the location of the Alternate Work Site must be approved in advance.

Remote Work Application: An electronic application form that must be completed by the employee requesting to work remotely. Each approved application shall be effective for a specified period.

Cabinet: The executive leadership team.

Eligibility

Full-time exempt and non-exempt staff may be eligible to be considered for a remote work arrangement. Employees must be employed by the College for a minimum of 3 (three) months to be eligible for a remote work arrangement, unless otherwise approved by Cabinet. Faculty, full-time UPSEU employees, and part-time employees are not eligible for a remote work arrangement.

The following provides examples of characteristics to consider when applying for remote work arrangements.

Characteristics of positions that DO NOT lend themselves to remote work

- Job duties require access to specific personnel, onsite files, or specialized space/equipment/technology in order to effectively perform the job.
- The position has regular in-person client/customer/student interaction.
- The position's job duties require participation in onsite meetings or presentations.
- Remote work arrangement adds additional cost to the employer.
- Remote work arrangement negatively impacts team performance, service quality, or organizational operations of the College.

The number of days and which days an individual employee may be allowed to work remotely is determined by management based on operational need. The maximum allowable days per week that may be approved for remote work is 2 (two) workdays, provided, however, that the College reserves its right to designate appropriate positions as full-time remote positions.

Request for Remote Work

- Employees interested in remote work should first discuss the request with their supervisors.
- Employees will be required to complete the Remote Work Request Form for regular remote work arrangements.
- Infrequent or episodic remote work requests which are short in duration (1-3 days) and are not regular or recurring do not require a Request for Remote Work form to be completed. Episodic remote work must be approved by a supervisor in advance. Examples of episodic instances may include: Being home with a sick child; if a plumber is coming to the house to perform a repair; if an employee needs to focus on a project without the standard interruptions common in the workplace; and/or to attend a virtual training and/or meetings. All requirements as described in the Requirements section of this Remote Work Policy still apply for episodic remote work.

- Supervisors and Cabinet retain the right to determine whether remote work will be an option in their departments.
- Once an application is submitted, the immediate supervisor will make the initial determination of eligibility. If the supervisor approves, he/she will forward to the appropriate Cabinet member, and in some cases, Human Resources for final approval.
- The supervisor and/or department head will assess the request along with the requests of other employees in the department to determine feasibility. Supervisors must ensure offices are open on-campus during normal business hours and that staff working on-campus are meeting student and employee demand for in-person programs and services.
- The supervisor reserves the right to end a remote work agreement at any time in the event of the employee's performance, attendance or conduct issues, or other staffing issues which adversely affect the operations of the department.

Requirements

Student needs and the College culture are still highly dependent on face-to-face, in-person interactions. As such, employees are required to be available to report to the office during the scheduled workday as deemed necessary, even if approved for remote work. This remote work pilot program requires that employees reside in New York State.

The following guidelines apply to employees who have been approved for remote work:

1. Employees must continue to work the required hours per day, and if unable to do so, take appropriate leave.
2. Non-exempt employees must obtain prior approval for overtime before overtime hours are worked during any approved period of remote work.
3. Remote work is not a substitute for dependent care. However, a dependent may be at home with the employee if they are independently pursuing their own activities.
4. All records and information will remain the property of the College.
5. Employees may be required to report to campus in the event a circumstance cannot be handled remotely.
 - An employee may be required to report to the official work site on a scheduled remote workday to engage in functions which require in-person presence, including meetings.
 - When employees are required to report to the official work site on a scheduled remote workday, there is no expectation that the employee will be granted a substitute remote workday in return. However, with supervisor approval, a scheduled remote workday may be changed within the same week.
 - If an employee is required to report to their official worksite, the employee will not be paid or reimbursed for their commute to/from the official work site.
6. Employees must be available via all required methods of communication during their regular designated office hours unless other arrangements have been approved by the supervisor. If the employee is unable to meet this requirement, leave time must be used. Should an employee who is working remotely not be available through official MVCC channels, management may contact the employee via their personal contact information.

7. The College will maintain college-owned equipment. Equipment needing repair or maintenance should be brought to IT immediately. The College will supply the employee with appropriate office supplies such as pens, paper, etc. as deemed necessary and should be requisitioned through the College.
8. The employee will purchase and maintain adequate and necessary internet connections and workspace furniture in order to work effectively under their remote work agreement. The College will not be responsible for operating costs, utilities, or other incidentals associated with the use of the employee's remote worksite. Inadequate internet service that affects job performance is cause for termination of a remote work agreement.
9. Proper precautions must be taken to ensure confidentiality and protection of sensitive information. It is the employee's responsibility to ensure his/her home workspace allows him/her to review and work with medical records or student educational records, if required by the job, without the threat of being viewed by non-College employees.
10. Employees must maintain a satisfactory level of performance, as deemed by their supervisors, while working remotely. Working remotely must not result in a reduction of service to internal or external customers or co-workers, or a reduction in productivity. If a satisfactory level of performance is not met, the privilege to work remotely may be terminated, and the employee required to return to Campus.
11. The remote work arrangement does not necessitate the transfer of work which increases the workload to co-workers on campus.
12. Employees are required to attend all meetings, activities, or other obligations, either face-to-face, or online using Teams, GoToMeeting, Zoom, etc., where appropriate.
13. Employees may be required to forward their official work site phone to a phone that will be used while working remotely or have other technical support to ensure phone calls related to work are attended to in a timely fashion and in no more than a 48-hour period. The College will not reimburse cell phone expenses.
14. In-person meetings at the employee's alternative worksite are prohibited. This restriction does not preclude an employee from participating in, or being required to participate in, phone or web-based meetings from their alternative work site.
15. Employees agree that, with job-related cause, the College may access the alternate work site following 48 hours' advance notice to the employee unless exigent circumstances require less notice. Such access shall be for the purposes of assessing safety concerns or data security concerns, or to inspect or retrieve campus-issued equipment for our records.

Appeals Process

If an employee in a job function deemed eligible for remote work has their remote work application denied, they may appeal to the President or their designee in writing within 7 (seven) calendar days following receipt of the denial. The appeal shall state the reasons for disagreement with the supervisor's determination. A decision on the appeal shall be rendered by the President or their designee(s) within seven (7) calendar days of receipt of the appeal stating the reasons for the decision if denied.

Denial, Modification or Termination of Agreement

Denials of applications for remote work under this program are not grievable under any collective bargaining agreements, other than upon claims of discrimination on the basis of a protected characteristic in violation of college policy. Employees who have had an application denied may reapply 6 (six) months from the date of the decision.

The College retains the right to modify or terminate the agreement for any reason at any time, or as a result of an employee request supported by the supervisor.

Upon termination of the remote work agreement, College equipment used to work remotely must be returned.

The decision to modify or terminate an agreement shall not be subject to any grievance, reconsideration, or appeal.

Effective Date

This Remote Work Pilot Program is a pilot that is effective as of September 1, 2022 and shall end on December 31, 2022, unless extended by the College. Where required by exigent operational concerns, Mohawk Valley Community College reserves the right to suspend or terminate this remote work pilot program prior to that date. The College will review and assess the pilot program following December 2022 and prior to any revision or extension of the policy.

Additional Resources

[Remote Work Request Form](#)