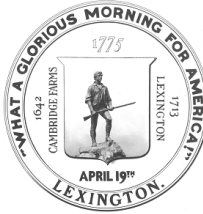

TOWN OF LEXINGTON

REMOTE WORK POLICY



Background:

This Remote Work policy was developed as the result of the COVID-19 pandemic which has had a significant impact on how the Town conducts business and serves the public. The Town, similar to many private businesses and entities has had to rethink how it operates following the sudden shift of entire departments to remote work as a result of the COVID-19 pandemic and Governor Baker's public emergency declaration. That coupled with the fact that many Town employees continue to grapple with the effects of the pandemic, including limited access to childcare, the coordination of homeschooling, and the need to care for sick/homebound loved ones, has led to the development of a Remote Work Policy.

Work-from-home or remote work policies are traditionally viewed as a strategy to provide more flexibility or a work-life balance options for employees. However, the Town believes that moving forward and post-COVID-19, providing a remote work option, when possible, can increase employee productivity and satisfaction, help recruit and retain talent, save employees hours spent commuting, address office space needs and significantly reduce the Town's workforce carbon footprint.

Policy:

This policy establishes guidelines for administering and evaluating remote work requests or assignments. The option to work remotely allows employees to work from home or another location on a full, part-time, or intermittent basis. It is expected that most remote work arrangements will permit one or two days of remote work on a weekly basis and not every employee will have the ability to work remotely due to their specific job responsibilities or work productivity. The ability to work remotely is not an entitlement or benefit of employment. It is an alternative means of meeting the needs of the Town outside of the office. In some cases, employees may be mandated to work remotely to ensure continuity of operations in the event of an emergency such as inclement weather, a pandemic, a lack of available space, or under other extenuating circumstances. While remote work provides some flexibility in an employee's schedule, the remote work arrangement is not designed to be a substitute or replacement for childcare.

The option to work remotely requires the approval of the employee's Department Head, the Human Resources Director, and the Town Manager or his/her designee. All employees who are eligible to work remotely must read this Remote Work policy and complete the application and agreement forms in advance. Participation in the remote work arrangement will not alter the employee's terms or conditions of employment with the Town, except for those specifically addressed as part of a Remote Work Agreement.

Any decision regarding the eligibility to work remotely shall be at the sole discretion of the Town and shall not be grievable.

Eligibility:

An employee may request, or a Department Head may initiate a discussion about a remote work arrangement. Eligibility to work remotely on a consistent or routine basis is contingent on job responsibilities (rather than job title), type of position (supervisory or public facing), work habits, and work schedule. There are some positions eligible for remote working that have been formerly identified in advance by the Senior Management Team. (See attachment A). Employees may also request a short-term remote working arrangement for circumstances such as family or medical leave with the consent of the employee's health care provider, if appropriate. Moreover, jobs acceptable for remote work are those that can be performed without diminishing the quality of work, level of services provided, and without disrupting productivity. This policy does not apply to introductory/probationary, seasonal, or temporary employees.

Occasional Remote Work

- Occasional remote work requests are approved on a case-by-case basis, are intermittent, and are not regularly scheduled. Approval by a Department Head must be documented. For example, this type of remote work arrangement may be appropriate when a supervisor or Department head assigns a specific task or project to an employee who is likely to be more productive and efficient at home without workplace distractions.

Routine Remote Work

- Routine remote work arrangements are for ongoing purposes, include both full and part-time requests, and must be supported by a written agreement that specifies the requirements and details of the arrangement. Routine part-time remote working arrangements must be approved by a Department Head, Human Resources Director, and the Town Manager or his/her designee. The arrangement can last for a defined period or can continue indefinitely with regular review.

Procedures

Employees- Requesting a Remote Work Assignment

1. An employee interested in working remotely must first initiate a discussion with their Department Head to determine eligibility.
2. If the Department Head is supportive of the request to work remotely, the employee must submit the Remote Work application to the Human Resources Department.
3. The request will be elevated by HR staff, the Department Head, and Town Manager (or his/her designee) for approval.
4. If approved, the employee will be required to read and agree to this Remote Work Policy and the Technical Guidelines and submit confirmation of this to Human Resources
5. Prior to starting their remote work assignment, the employee will be required to complete the Remote Work Survey to help the Town gather data and evaluate the program.
6. After all paperwork is complete and the survey has been submitted, the employee can begin their remote work assignment.

Department Head – Managing Remote Work Assignments

Each Department Head is responsible for evaluating and approving remote work requests. The arrangement is intended to benefit the Town and its employees without putting an undue burden or added expense on other employees, individual departments, or the services provided by the Town. Department Heads should contact the Human Resources Director or the Deputy Town Manager with any questions.

1. When evaluating a remote work request, the Department Head should consider whether the employee has a record of satisfactory performance (evaluation) in the workplace, and has demonstrated the ability to:
 - Prioritize work to meet deadlines
 - Accomplish job duties with minimal supervision
 - Communicate effectively with clients, stakeholders, supervisors, and team members
 - Manage time effectively; and that
 - Operational demands are unaffected and met without an impact to overtime or to other employees.
2. After evaluating the employee's request to work remotely, if you support the request, please ensure your employee making the request reads the policy and completes the appropriate paperwork and survey.
3. Set clear expectations with your staff by creating a communication plan and regularly checking in. Audit non-exempt employee time records regularly to confirm compliance and accuracy.

4. An initial review of the remote work plan should take place at two weeks and again at one month. After the first month, the manager should review the remote work plan with the employee at least quarterly to discuss the success/shortcomings of the arrangement and to make any necessary adjustments based on those reviews.

Contingency Plans

Each department head reserves the right to cancel, modify, or suspend a work-from-home assignment as necessary, to address planned or unplanned short-term and long-term employee absences, emergencies, and vacations. This also includes mandatory meetings, trainings, or other work assignments.

Expectations

Employees working remotely are required to comply with all Town policies and regulations that would apply if the employee were at their normal worksite. Employees working remotely are expected to be actively working during the agreed upon hours of work and must be available to communicate in a timely fashion via email, telephone or any other means of virtual communication. The employee may not hold any business meetings with internal or external clients, citizens or colleagues at their remote work site and may not conduct any unauthorized external (non-work) during their remote work schedule.

Daily contact between the employee and Department Head may be necessary to verify that the employee is actively working as well as to resolve any problems that may arise. Employees working remotely may require more frequent interaction and communication between the employee and their Department Head and other employees. Communication must be at a level consistent with employees working at the office or in a manner and frequency appropriate for the job and the individuals involved. Supervisors and/or Department Heads may require employees to provide reports or updates of work performed or accomplished while working remotely.

Work Schedule, Environment & Equipment

Work Schedule

It is the responsibility of employee working remotely to track and record their time correctly. An employee may be asked to provide evidence or regular updates to their supervisor or Department Head.

Employees who are classified as non-exempt under the Fair Labor Standards Act must obtain advance approval from their Department Head prior to working in excess of their scheduled hours per day or per workweek, including overtime hours. Non-exempt employees should be able to access time-tracking systems remotely. If not, it is incumbent upon the Department Head and employee to consider and agree on how time will be tracked remotely.

Employees who are classified as non-exempt continue to be required to work the number of hours needed to accomplish their assigned duties. Participation in a remote work plan does not limit the number of hours that an exempt employee must work to accomplish those responsibilities.

All employees on a remote work plan will be required to take leave to accommodate personal business at their home or sick leave if the employee is unable to work remotely due to illness. While remote work provides some flexibility in an employee's schedule, the remote work arrangement is not designed to be a substitute or replacement for childcare.

Work Environment

The employee is responsible for setting up or establishing a suitable work environment for purposes of working remotely. The area should be free from obvious safety hazards and suitable for the type of work being performed by the employee. The Town will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

Equipment & Software

The Department Head, in coordination with the IT department staff, will determine the equipment needs for each employee on a case-by-case basis and in accordance with the Town's standard policies and procedures. Equipment supplied by the Town is to be used for work purposes only and may not be used by anyone other than the employee. The employee understands that all Town-issued equipment issued to the employee as part of the remote work arrangement remains the property of the Town at all times.

- IT staff will work with employees to ensure they have the proper equipment, access to email, the Town's network, and remote communication tools available to them working from home.
- Employees must sign an inventory of all Town property received and agree to take appropriate action to protect items from damage and theft. Employees shall report any damage to or theft of Town-issued property to their supervisor immediately, and in all cases within one (1) work day.
- The Town accepts no responsibility for damage or repairs to employee-owned equipment.
- Upon the end of the remote work assignment or termination of employment, all Town property will be promptly returned, unless other arrangements have been made.

Security and Safety

Consistent with the Town's expectation of information security for employees who have a physical presence working at the office, employees working remotely will be expected to ensure the protection of confidential information accessible while working from home. As such, the employee must sign out of their remote connection and/or Town-owned computer when not at their computer to ensure the security and the

integrity of the Town's network. Any information that is considered confidential or protected will not be removed from Town premises unless expressly approved in advance by a supervisor or Senior Manager. The employee is also expected to adhere to all Town policies concerning information security and technology use.

Workers' Compensation

Employees are expected to maintain a home workspace that is free from safety hazards and other dangers to the employee and Town-issued equipment. Employees working remotely are covered by workers' compensation for job-related injuries that occur in the course and scope of employment. When the employee is working from home, workers' compensation does not cover injuries that are not job related and the Town assumes no liability for injuries to the employee or others occurring in the employee's home work space outside the agreed-upon work hours. Further, the Town is not liable for loss, destruction, or personal injury that may occur in or to the employee's home and/or non-employee property. This includes family members, visitors, or others that become injured within or around the employee's home. Employees are responsible for the timely reporting of workers' compensation injuries.

Compensation & Benefits

Unless otherwise agreed due to changes in responsibilities or hours worked, an employee's compensation, benefits, work status, and work responsibilities will not change due to working from home.

Leave Time

Vacation or sick time leave used on a scheduled remote workday will be administered under the same provisions as leave used on days an employee would otherwise be in the office.

Termination of Agreement

An employee's remote working assignment is at the sole discretion of the Town. The Town reserves the right to modify or terminate such agreement with ten (10) days' notice, at any time for any reason. As such, no Town employee is entitled to or guaranteed the opportunity to work remotely. The Town further reserves the right to terminate an employee's remote work arrangement with ten (10) days' notice in the event that the employee fails to maintain satisfactory performance as determined by the employee's supervisor and/or Department Head. The Town will not be held responsible for costs, damages, or losses resulting from termination of an employee's participation in the remote working program. The Remote Work Agreement is not a contract of employment and may not be construed as such.

Roles and Responsibilities

Employees

Employees who work remotely or plan to work remotely are responsible for:

- Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.
- Initiating a written request if they are interested in entering into a remote work agreement.
- Reporting to their immediate supervisor as early as possible if they are unable to work on a remote work day.
- Establishing and maintaining an adequate, safe and ergonomic workspace in their home.
- Maintaining appropriate care and security of any Town equipment used at the employee's home. Employees who work remotely from home are subject to the same internal Town policies regarding the use of Town provided equipment (hardware and software) and services as that of employees at the centrally located worksite. Employees shall return all Town provided equipment within 14 days after the completion of their remote work agreement. Employees are responsible for maintenance and repair of their personally owned equipment.
- Maintaining the confidentiality of Town information and documents, preventing unauthorized access to any Town system or information, and disposing of work related documents in a manner that will not jeopardize the interests of the Town.
- Any injuries to third parties and/or members of the employee's family on the employee's premises during the employee's telecommuting work period.
- Abiding by all of the terms of Town of Lexington's Remote Work Policy.

Department Directors/Division Heads

Department Directors or Division Heads are responsible for:

- Reviewing employee requests for working remotely and making recommendation for approval or denial to the Town Manager.
- Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.
- Communicating to the employee performance expectations and monitoring accomplishment of those expectations.
- Abiding by all of the terms of Town of Lexington's Remote Work Policy.
- Monitoring policy use to ensure that the policy is being applied consistently.

Town Manager

Town Manager is responsible for:

- Reviewing employee requests and recommendations from Department Directors or Division Heads for remote work and either approving or denying the requests. If an employee's request is denied, a reason must be provided to the employee.
- Providing written notice granting or denying requests and written notice for termination of agreements to employees.

For more information or questions please contact the Town's Human Resources Director.