

**TELEWORK POLICY OF THE
MASSACHUSETTS COMMUNITY COLLEGE SYSTEM**

I. INTRODUCTION

The Community College System permits, in each College's sole discretion, the creation of telework opportunities for employees.

This Policy establishes the guidelines for the Colleges regarding the allowance for – and the boundaries of – teleworking applicable to employees.

Each College may choose to supplement but not supplant this Policy.

II. GENERAL PARAMETERS AND PRINCIPLES

Approval of an individual telework arrangement is at the sole discretion of the College utilizing the considerations in Section III Procedures.

Telework does not change an employee's job duties or an employee's scheduled work hours and is not applicable to MCCC DAY faculty workload assignments which are otherwise set in accordance with assigned workload as in Article 12 or to DCE course assignments.

Telework employees may not perform any other non-work duties while teleworking from home.

Employees shall recognize that they may need to report on-site on a day otherwise scheduled for telework at the directive of their supervisor or if any assignment requires them to be in-person with as much advance notice as reasonably possible with parameters set forth in the approval process; however, this alone is not considered to place an employee in an on-call or stand-by status.

Employees shall comply with all applicable College policies and procedures and also any applicable department-specific rules and procedures during all scheduled telework hours.

As initiated by an employee request, telework arrangements will be considered on a rolling basis for a period up to six months, but must be renewed prior to January 1 and July 1 each year. An employee must submit a request twenty-one (21) days prior to January 1 and July 1 of each year in order for the College to again consider the telework arrangement request going forward. Otherwise, the telework arrangement will terminate on each January 1/July 1, whichever occurs first.

III. PROCEDURES

Unless otherwise expressly stated by the College's Human Resources Department, an employee must submit to their supervisor (copying Human Resources) a completed version of the attached "Application Form" at least twenty-one (21) days prior to the requested date to begin teleworking. The request shall include at a minimum: the employee's name, title, email, telephone number, and on-site work location; reason for the request including how the request anticipates meeting their assigned job duties; their supervisor's name; the requested telework schedule, and anticipated start and stop dates. Employees may ask questions of their supervisor concerning teleworking including questions relative to operational needs prior to and during the application process. An employee requesting telework as a reasonable accommodation for a disability shall submit their written request with supporting documentation to the College's ADA Coordinator. *This does not preclude such employee from independently applying pursuant to this policy exclusive of the ADA Process.*

Within ten (10) days of receipt of the completed Application Form, a supervisor, in consultation with Human Resources, must either approve, approve with modifications, or deny the application and notify the employee in writing. Approvals shall be placed in the employee's personnel file. Application denials shall not be kept in individual personnel files but shall be kept in a separate Telework file in the College's Human Resources Office. A denial by itself will not be considered a negative factor in any employee evaluation. An approved application shall include the approved telework schedule as determined by the supervisor, including an approved schedule that may be modified from the one requested by the employee. If the request is denied because it lacks sufficient information, the employee may resubmit the Application Form, thereby restarting the ten (10) day review period. Otherwise, the decision made is final.

In reviewing an application, supervisors, in consultation with Human Resources, shall document their considerations on each of the following factors:

- The Department/Work Area's current and anticipated operational needs and ability to avoid disruption and maintain productivity;
- Their ability to supervise the employee adequately;
- The nature of the work and the ability to perform it via telework either on a fixed /variable and/or weekly schedule;
- The employee's recent performance history; and
- Any increased costs or burden on behalf of the College.

When a supervisor, in consultation with Human Resources, approves or denies an employee for telework, Human Resources and the supervisor shall communicate the decision to the employee in writing. Colleges may choose to use the attached "Approval Form" or "Denial Form" for this purpose.

Approval communications shall include, at a minimum, a copy of this Policy, and the following details:

- Whether it is a fixed/variable and/or weekly schedule;
- Employee recognizes that they may need to report on-site on a day otherwise scheduled for telework at the directive of their supervisor or if any assignment requires them to be in-person with as much advance notice as reasonably possible with parameters set forth in the approval process; however, this alone is not considered to place an employee in an on-call or stand-by status.
- That the arrangement terminates on or before January 1 and July 1 of each year, requiring a renewed request at least twenty-one (21) days prior to said date(s), whichever occurs first;
- Employees accept the terms of this Policy and shall continue to comply with all other applicable policies, practices and procedures of the College and the employee's department during all telework; and

- Supervisor may revoke authorization to telework with two-week notice, in their sole discretion.

An employee is not required to sign the Approval Form but must agree to the telework arrangement in some written format, including by responding via email with ***“I accept this telework arrangement as written.”*** Said communication and the employee’s acceptance of its terms in writing shall be kept in the employee’s personnel file.

At an employee’s written request they will be entitled to attend a meeting with their supervisor and a Human Resources designee to discuss the reasons a request to telework was denied; such a meeting shall not be provided if a request was approved in part. At the employee’s option, an employee may be accompanied by a campus level union representative.

IV. RESPONSIBILITIES

A. BENEFITS/TIME-KEEPING/CLOSURES/LIABILITY

Employees that telework receive the same benefits, and are subject to the same policies and notice requirements as non-teleworking employees, including for the use of sick, vacation, personal, compensatory and other leave. Employees shall telework according to their regular work schedule or as directed by their supervisor as detailed in the written arrangement. Accordingly, if the teleworking employee is unable to work any portion of their teleworking day(s), they must request supervisor approval to use applicable sick, vacation, personal, compensatory, and other leave for the hours not worked. Unless otherwise directed employees shall use the time reporting code “TEL” for any hours spent teleworking.

In the event that workers at an employee’s regular work location are dismissed due to an emergency or closure, teleworking employees will be excused from teleworking as well, consistent with any applicable collective bargaining agreement and non-unit handbooks. If an employee incurs a work-related injury while teleworking, workers’ compensation laws and rules will apply just as they would if such an injury occurred at the regular work site.

B. SUPPLIES/OFFICE/TELEWORK LOCATION

Telework location furniture and equipment shall generally be provided by the employee. In the event that equipment and/or software is approved by the supervisor and provided by the College at the telework location, such equipment and/or software shall be used exclusively by the employee for conducting College business within the employee’s scope of employment.

Employees are solely responsible for College equipment and/or software used by an employee at the telework location if such equipment is lost, damaged, destroyed or stolen. Upon such occurrence, employees must report it to their supervisor immediately. The College will address such losses consistent with applicable law and collective bargaining agreements or non-unit handbooks. Any equipment and/or software owned by the College must be returned to the College at the end of the telework term (if not re-approved); upon the employee’s termination or resignation; or at the request/directive of the College at any time. All incidental costs, such as residential utility costs, personal phone and internet usage or cleaning services, are the responsibility of the employee. Employees are required to bring said equipment/software on campus in the case it needs to be fixed or evaluated by the IT Department.

Any work-related expenses or purchases must be approved by the employee's supervisor prior to incurring the expense or purchase. If approved, the employee will submit a dated itemized receipt of the expense/purchase. Such expenses/purchases may include increased charges above what the employee incurs for personal use, as determined unilaterally by the employee's supervisor.

The employee is responsible for addressing and resolving any tax questions about the employee's ability to deduct expenses related to teleworking including the use of a home office. Employees who are teleworking will not be reimbursed for travel between their home and College facilities on any day they are required to be in-person.

C. CONFIDENTIALITY/WORK PRODUCT

An employee's telework location should be free of interruption and provide a confidential and quiet setting for conducting College-related business.

All College-related documents and materials, whether hardcopy or electronic, shall be maintained by the employee in a secure and confidential manner. Employees will protect all College records and data against unauthorized disclosure, access, destruction, etc. in accordance with applicable state and federal laws and College policy.

All work product developed by the employee shall remain the property of the College in the same manner as such work would be if performed at the College.

V. FINAL CONSIDERATIONS

All determinations approving or denying telework are final. If denied, an employee may resubmit their request prior to the next January 1 or July 1, whichever comes first.

This Policy shall be interpreted in harmony with existing collective bargaining agreements and non-unit handbooks; approvals/denials under this Policy shall not be grievable under any applicable collective bargaining agreement or non-unit handbooks.

TELEWORK POLICY OF THE
MASSACHUSETTS COMMUNITY COLLEGE SYSTEM – APPLICATION FORM

Employees must submit this Application Form simultaneously to both the Humans Resources Department and their supervisor, on a rolling basis, twenty-one (21) days prior to the anticipated start date of the telework arrangement, or as otherwise instructed by the Human Resources Department. Employees are required to re-submit this application at least twenty-one (21) days prior to January 1/July 1 (whichever occurs first) each year, otherwise their telework arrangement will automatically terminate prior to said date(s). ***An employee requesting telework as a reasonable accommodation for a disability shall not use this Application Form, and instead should submit their written request with supporting documentation to the College’s ADA Coordinator. This does not preclude such employee from independently applying pursuant to this policy exclusive of the ADA Process.***

Employee’s name:

Title:

Email and telephone number:

On-site work location:

Reason for the request including how the request anticipates meeting their assigned job duties:

Supervisor’s name:

Requested telework schedule (*provide sufficient detail, fixed/variable and/or weekly schedule, etc.*):

Anticipated start and stop date (*if no anticipated stop date is requested, then write-in the upcoming January 1/July 1, whichever occurs first*):

By submitting this application, I agree I have read and agree to comply with the “Telework Policy of the Massachusetts Community College System.”

(Print name above)

(Sign name above)

(Write in date above)

**TELEWORK POLICY OF THE
MASSACHUSETTS COMMUNITY COLLEGE SYSTEM – APPROVAL FORM**

On _____(date), _____(supervisor), in consultation with the Human Resources Department, approved the below-listed telework arrangement for _____(employee name), beginning on _____ and ending on _____ (if no end date, then write-in January 1/July 1, whichever occurs first). The above-referenced employee agrees to comply with the following:

Telework schedule (fixed/variable and/or weekly schedule, etc.) and any pertinent Telework arrangement details:

Employee recognizes that they may need to report on-site on a day otherwise scheduled for telework at the directive of their supervisor or if any assignment requires them to be in-person with as much advance notice as reasonably possible with parameters set forth in the approval process;

That the arrangement terminates on or before January 1 and July 1 of each year, requiring a renewed request at least twenty-one (21) days prior to said date(s), whichever occurs first;

Employee accepts the terms of the attached/enclosed “Telework Policy of the Massachusetts Community College System” (Policy) and shall comply with all applicable policies, practices and procedures of the College and the employee’s department during all telework; and

Employees recognize that their supervisor may revoke authorization to telework with two-week notice, in their sole discretion.

By signing and returning this Approval Form simultaneously to their supervisor and the Human Resources Department, I agree I have read and agree to comply with the (attached/enclosed) Policy as well as the telework arrangement as contemplated above.

(Print name above)

(Sign name above)

(Write in date above)

TELEWORK POLICY OF THE
MASSACHUSETTS COMMUNITY COLLEGE SYSTEM - DOCUMENTATION OF
DENIAL

Employee Name:_____

Specify which of the following factors resulted in the denial of employee's application:

The Department/Work Area's current and anticipated operational needs and ability to avoid disruption and maintain productivity:_____

Their ability to supervise the employee adequately:_____

The nature of the work and the ability to perform it via telework either on a fixed /variable and/or weekly schedule:_____

The employee's recent performance history:_____

Any increased costs or burden on behalf of the College:_____

Lack of sufficient information in Application:_____

Note: if the above denial is due to lack of sufficient information in application, the request may be resubmitted within ten (10) calendar days.

Supervisor:_____

Human Resources:_____

Date:_____