GUIDE TO TEMPORARY TELECOMMUTING WORK ARRANGEMENTS

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Dated: March 16, 2020 | Version 1.1

Table of Contents:

Special Note: The current guideline, and the information it includes, is based off the "Temporary Special Telecommuting Work Arrangements Guideline" as created and distributed by the University of Toronto. Brock University would like to thank U of T for making that resource available.

General Guidelines

Brock University (the "University") is continuing to work to protect the health and safety of students, faculty and staff and as such continues to closely monitor the COVID-19 situation. In keeping with the guidelines of the federal and provincial governments, as well at Public Health, this guideline has been designed to help managers and employees assess the suitability of a temporary telecommuting work arrangement for employees, which is in alignment with the University's response to the COVID-19 health situation.

The University is asking all supervisors to be as flexible as possible, while still ensuring effective operations, when considering requests for alternate work arrangements during this time, including the creation of temporary telecommuting arrangements. Telecommuting work arrangements are not suitable for all positions and situations, and as such, all employee telecommuting work arrangements are to be determined in collaboration with, and having approval of, the employee's Manager and the Department Head.

As the situation and the University's response to it continues to evolve, the employee and their manager must refer to the most recent official communications from the University regarding this issue, as new temporary telecommuting arrangements are discussed, and existing temporary telecommuting arrangement as assessed.

This guideline is not intended to apply to employees who are themselves sick and unable to attend work, either with COVID-19 or some other illness, and on that basis will not be working. Employees who are sick are asked to follow your department's usual processes, as applicable when they are unable to work due to illness.

DEFINITION OF TELECOMMUTING

Telecommuting is an arrangement whereby an employee fulfills their job responsibilities at a remote location that is not operated by the employer for one or more days per week. The alternate location is typically the employee's home but may be another location approved with the formal temporary telecommuting arrangement.

Requests to commence a temporary telecommuting arrangement related to COVID-19 and the University's response to the current situation may be initiated either by the employee or by the University.

GENERAL PARAMETERS

When requesting, assessing and managing possible temporary telecommuting arrangements, the following parameters are in force:

Approval of Telecommuting Arrangement:

- The proposed arrangement must be reasonable and include a rationale linked to the COVID-19 health matter and be consistent with the University's current response.

- The general nature of the work must be suitable for a telecommuting work arrangement as determined by the employee's manager, in consultation with the Department Head.
- An employee's manager, in consultation with the Department Head, must approve all telecommuting arrangements. The manager has the discretion to approve or not approve a request, or to approve a request in part, or approve the request subject to specific changes or parameters.
- Requests and approvals (or denials) are all to be completed and outlined in writing (email is sufficient). Such approvals must include the location the employee will be working from, methods to connect with the employee at the identified location, and any other relevant information to facilitate a successful telecommuting arrangement.
- The approval of a temporary telecommuting work arrangement in response to the impacts of COVID-19 is not a guarantee that the employee will be approved for a telecommuting work arrangement in the future. Each request for a telecommuting work arrangement will be reviewed independently with the consideration of all relevant factors and in accordance with the University policy.

Impact to Employee's Terms of Employment:

- If the temporary telecommuting work arrangement is approved, the arrangement does not change the employee's basic terms and conditions of employment with the University under the applicable collective agreement, employment contract, policies and/or laws.
- Telecommuting work arrangements should maintain an employee's regular number of work hours per week and income/wages such that it does not affect the employee's pension and benefit plans provided by the University (if applicable).
- The University will not typically subsidize the cost of the employee's remote workspace including equipment or supplies. Nonetheless, the Manager and Department Head can consider requests relating to equipment or supplies required for an employee to telecommute that are beyond what an employee would ordinarily have at home or would keep at home following the end of the telecommuting arrangement under this guideline. Employees must seek approval before such purchases are made to qualify for reimbursement.
- A telecommuting work arrangement does not constitute a guarantee of continued employment during that time. The University retains its contractual rights including the right to assign work, to reorganize the workplace and the work, and/or to terminate employment with or without cause, pursuant to applicable collective agreements, employment contracts and laws.

Communicating with Manager:

- In some cases, a manager may require the employee to report to the manager in different ways or with a different level of frequency than when the employee is working on University property, to keep the manager up to date on the work of the employee who is not on-site every workday. For example, the manager may wish to schedule additional update meetings, have updates provided by email or implement other schedules and methods of reporting.

Ending the Temporary Telecommuting Arrangement:

- The telecommuting work arrangement under this guideline is temporary and will end. Notice of the end of the telecommuting work arrangement should be provided as soon as reasonably practicable in the circumstances.
- Termination of telecommuting work arrangement does not constitute termination of employment, constructive or otherwise.

Duties and Obligations of Employees During Telecommuting Work Arrangements

While existing terms and conditions of employment remain in place, various additional arrangements need to be made for telecommuting to be successful. Employees may need to be aware of employment terms and conditions that are more relevant or applied differently when they are telecommuting. Telecommuting employees should pay particular attention to the following:

PERFORMANCE OF JOB DUTIES DURING WORKING HOURS

Just as the employee is required to do while working on University premises, the telecommuting employee is expected to perform work duties in the normal course and must be available and accessible during agreed upon working hours. The quality and quantity of work should be maintained at a level equivalent to normal work expectations.

Collaborating with and meeting with other employees should be done through virtual and/or remote means including, but not limited to, phone calls, emails, instant messaging, Microsoft Teams virtual meetings, and other virtual methods (e.g. Skype). As well, employees should use other approved collaboration tools such as SharePoint and Brock Box to facilitate work.

REQUESTING VACATION, OVERTIME, ETC.

The normal departmental processes apply for seeking approval for overtime and requesting vacation, or other absences. Managers who are uncertain whether such requests are compatible with the telecommuting arrangement can contact their HR Advising Manager for clarification. For clarity, telecommuting arrangements in and of themselves shall not trigger overtime.

SUITABLE WORKSPACE

The telecommuting employee is responsible for providing a suitable remote workspace (e.g. taking into account considerations of safety, ergonomics, privacy and confidentiality – see Telecommuter Remote Safety Checklist below). Typically, this will be within their residence (where they are the owner/occupant). The employee must provide an address and other information as may be reasonably requested by their manager to ensure the workspace is suitable.

The offsite workspace should be regarded as the telecommuters' private workspace during their designated hours of work and respect it accordingly. The arrangement is designed for the employee who will work independently away from the office (e.g. in their home). The off-site workspace is not for receiving visitors, holding meetings, receiving supplies or otherwise conducting duties with others. If the telecommuting employee needs to meet with others for any reason in the performance of their duties, arrangements should be made to do so at the University or arrangements for virtual meetings can be made using enterprise

software (e.g. Microsoft Teams). The University will not be held liable for any accidents or losses to third party residents or visitors to the Home Office.

EQUIPMENT AND SUPPLIES

For purposes of this guideline the term equipment includes but is not limited to any information technology hardware software and connectivity. The University will not typically subsidize the cost of the employee's remote workspace (e.g. computer hardware or internet service at home). Specific requirements in terms of equipment (e.g. connectivity via internet, virtual private network, VPN remote desktop) maybe arranged with the assistance of the employee's manager and Information Technology Services.

If the University provides any equipment or supplies, such equipment or supplies are to be used solely for the purposes of the employee's duties for the University. They remain the property of the University and are subject to the employee's requirement to for proper maintenance and return at the end of the telecommuting arrangement, or earlier if requested by the University (as described below under "return of University property"). The telecommuting employee is responsible for insuring any employee-owned equipment used in the performance of their work and for informing their house insurance carrier of their intent to work remotely.

COMMUNICATIONS

The telecommuting employee must be reachable by telephone, text, instant message, email or other agreed upon methods of contact during the agreed upon hours of work to the extent they would be available if working on University premises. This may include a requirement for the telecommuting employee to use a personal/home phone number in order to maintain communication with their manager and colleagues.

REPORTING OBLIGATIONS

The employee will be advised if required to report to their manager and maintain contact with coworkers in a different way or with a different level of frequency while telecommuting.

The employee is responsible for notifying their manager as soon as possible in the event of equipment or connectivity malfunction. In such cases it is expected that every reasonable effort will be made by the telecommuter to minimize work disruption

Telecommuters are also reminded that all the usual reporting obligations exist during times they are working off-site, including the obligation to report to the supervisor in accordance with normal departmental practices in the event the employee is sick or otherwise unable to work during scheduled working hours (including, for example, attending a medical appointment or other personal obligations).

RETURN OF UNIVERSITY PROPERTY

When the telecommuting arrangement ends for any reason the employee will return any University property that was provided to them for purposes of telecommuting. This includes all University owned equipment and supplies as well as documents, materials, files etc.

INJURY AND INCIDENTS

The telecommuting employee must report any injuries and incidents that occur in the course of their employment to their manager as soon as reasonably possible, but no later than 24 hours after such injury /incident. The Brock University Injury/Incident Report Form should be used to make such reports. The telecommuting employee agrees that a University representative may visit their remote workspace to investigate injury or incident circumstances and agrees to facilitate such a visit as soon as reasonably possible after the injury or incident.

PRIVACY AND CONFIDENTIALITY

All University information that is not public must be treated as confidential. The University is subject to various requirements regarding privacy and confidentiality that arise out of legislation and policy. All such requirements must be met by the telecommuting employee in respect of any electronic or hardcopy information or records outside secure University environments, and that the employee accesses electronically from offsite.

The telecommuting employee must take all reasonable steps to secure and maintain the confidentiality of all University information and documents while they are being transported to and from the employee's offsite workspace and while the documents are in the offsite workspace. Such steps will include protecting such documents from being damaged, destroyed, stolen, copied or otherwise accessed by unauthorized individuals. University documents that are to be disposed of or destroyed in the course of the employee's work are to be disposed of or destroyed on site at the University in accordance with policy.

There may be some documents that the telecommuting employee will not be permitted to take out of the Departmental office due to privacy or confidentiality concerns.

If a breach of privacy or confidentiality occurs, the employee must inform their manager as soon as reasonably possible, as well as inform the Coordinator, Freedom of Information & Privacy.

The telecommuting employee should familiarize themselves with the University guidelines regarding security of personal and other confidential information.

RESPONSIBILITY FOR LOSS LIMITATION OF LIABILITY

The telecommuting employee is wholly responsible for any personal injury or accident involving any other individual or for any loss or damage to the personal property of such other individuals in the remote workspace or the dwelling in which it is located.

The telecommuting employee shall indemnify and save harmless the University, its trustees, officers, employees and agents from any and all claims and/or any and all liability arising out of the employee performing their duties at the remote workspace, except the extent if any that such claims reliability are caused by the negligent act or omission of the University, its governors, officers or other employees or agents.

INFORMATION SECURITY

The telecommuting employee is responsible for protecting University data and systems by adhering to ITS policies on the appropriate use of information and communication technology. ITS policies can be found at https://brocku.ca/policies/. The telecommuting employees must comply with all University guidelines to protect University data and the use of the computer hardware and software, including but not limited to:

- Following the Password Parameters of the End User Logical Access Standards including only using your Brock password within the Brock University infrastructure.
- Securing your account by enrolling Multi-Factor Authentication (MFA)
- Encryption of data storage on PCs, laptops, mobile devices and USB keys. See the following site for information on setting up encryption: https://brocku.ca/information-technology/security/encryption/
- Using a University sanctioned remote access solution to securely connect back to University systems (Remote Desktop (MFA required), BrockBox)
- Store all documents in Office 365 (OneDrive, SharePoint) for secure access and collaboration.
- Devices being used to perform University work must be up to date with patches and have current anti-malware software installed and configured.

The telecommuting employee must report any data security breaches to their manager and ITS as soon as reasonably possible.

Additional information can be accessed on the ITS website or by contacting the ITS Help Desk directly.

Telecommuter Remote Safety Checklist

The remote workspace should, to the extent possible, provide the same level of health safety and security that an employee would receive at a regular work office. Employees working in a remote workspace are responsible for assessing that worksite for existing or potential health and safety hazards and for taking corrective steps in consultation with the Brock University Health, Safety & Wellness (HSW) where appropriate. In order to prevent the development of unsafe or unhealthy work conditions employees are advised to consider the information below with respect their remote workspace. For more information please visit the [Brock University, Health, Safety Wellness site](#), or contact HSW at besafe@brocku.ca.

Consider the following information to enhance safety in the home work environment.

GENERAL SAFETY CONSIDERATIONS IN THE HOME OFFICE WORK ENVIRONMENT

- Review the ergonomic tips on setting up your workstation that can be found [Sakai](#), under the Health and Safety heading entitled "Office Ergonomics an Optimal Setup."
- Ensure all office furniture is free from sharp edges and their drawers/doors are kept closed when not in use to avoid struck/contact incidents and/or trip and fall incidents.
- Ensure the access routes to and from the work environment are free and clear and materials are stored in a manner that does not contribute to slip, trip and fall incidents.
- Ensure storage shelves are secured and are not overloaded with weight. Store heavier items lower on storage shelves (no higher than shoulder height) and lighter items higher in the shelf.
- Ensure lighting levels are appropriate to support efficient work.

EMERGENCY PROCEDURES

- Ensure emergency contact numbers are posted in a prominent area at the workspace.
- Employees are to ensure emergency contact information has been provided to their Supervisor.
- Establish emergency evacuation routes for the home office.
- Consider having first aid supplies readily available.
- Appropriate smoke and carbon monoxide detectors located in the home are fully functioning and tested (i.e. devices are charged appropriately or with batteries that are changed every six months).
- Consider having a fire extinguisher that is readily accessible in the workspace. The extinguisher should be fully charged, the tamper seal unbroken, have proper classification, visually inspected monthly and professionally inspected annually.

ELECTRICAL SAFETY

- Ensure adequate surge production is utilized with all electrical equipment.
- Ensure electrical outlets are not overloaded.

- Consider using electrical power bars in place of extension cords where possible. If extension cords are used, they are Canadian Standards Association (CSA) approved and grounded with three prongs.
- Ensure electrical cords are in good condition and working properly.
- Ensure electrical cords are neatly secured out of the way and anchored when possible.
- Ensure there is minimal clutter around all electrical equipment for ventilation purposes.
- Ensure electrical panels are properly covered and easily accessible.
- Ensure lighting is working properly and appropriate bulb wattages are being used.