

**ADMINISTRATIVE PROCEDURE 7900 EMPLOYEE REMOTE
WORK**

This Administrative Procedure (AP) governs the Peralta Community College District's ("District" or "PCCD") case-by-case approval for employees who submit formal requests to Remote Work off-site. Remote work is working at an alternate worksite such as a private residence or other location that is not the official working location for one or more days per week, month, or selected time period, and is designed to support the District, Colleges, and individual department's operations to the greatest extent possible, allowing flexibility and alignment with the District's Environmental Sustainability Policy. Not all job classifications are eligible for remote work assignments given that the essential functions of their work require their job duties to be performed in-person. The approval of remote work plans is "position" specific not "person" specific. Remote work agreements are not permanent and may be terminated at any time by either the College/District or the employee. No individual has the right to work remotely. Remote work assignments shall not negatively impact PCCD's service to students, adversely impact faculty, staff, administration, interfere with efficient conduct of daily business or the employee's ability to perform the functions of their job. Telework agreements do not change conditions of employment, expectations of the position, or required compliance with PCCD policies and administrative procedures. Denials of remote work are subject to current collective bargaining agreements. This AP does not apply to faculty.

This AP applies to District employee requests for regularly scheduled remote work.

Remote working employees and their supervisors must familiarize themselves with the procedures set forth in this document.

A. Approval Process.

The District reserves the right to refuse any employee request to remote work. Denials shall be clearly documented in writing.

Remote work is only approved on a case-by-case basis, where remote work is mutually beneficial to the employee and the District's ability to fulfill its operational needs and requirements.

To initiate a remote work request, a Remote Work Plan must be approved by the employee's direct supervisor with the concurrence of the second level supervisor utilizing the eForm for this purpose in HCM Employee Self-service. Following department approval, and the department approved remote work plan will be forwarded to via HCM to the Department of Human Resources (hr@peralta.edu) for final approval. Prior to approval, the employee's direct supervisor must weigh the following considerations:

- whether remote work approval will contribute to District objectives, while maintaining or improving efficiency, productivity, and levels and quality of service

- whether other employees working on-site are negatively impacted;
- the employee's duties and responsibilities;
- the employee's record of performance, if applicable;
- the costs and benefits of a remote work arrangement, particularly if it requires additional expense for equipment or supplies; and
- any other relevant circumstances

After weighing these considerations, the employee's direct supervisor may reject the request for remote work.

B. Legal Conditions of Approved Remote Work

A request for flexible work schedule shall not be unreasonably denied. Approved remote work is a voluntary arrangement between the District and the employee that can be discontinued by either the District or the employee. Any approved remote work is subject to the District's right to suspend or permanently discontinue approved remote work, with reasonable notice to the employee in writing in the event of a termination of a remote work agreement.

Employee compensation benefits, work status, and work responsibilities do not change due to remote work approval. The amount of time a remote working employee is expected to work per pay period does not change. For example, the same rules and parameters defining start times, lunches, breaks and/or rest periods, and ending work times apply, as agreed upon within the remote plan agreement between the employee and direct supervisor.

Remote work is not leave or vacation. Employees must obtain supervisory approval before taking any type of leave or vacation. The District's policies for leave or vacation include Administrative Procedures 7340 ("Vacation"), 7341 ("Personal Illness or Accident Leave"), 7342 ("Leave for Illness of Family Member"), 7343 ("Bereavement Leave"), 7344 ("Leave for Required Court Appearance"), 7345 ("Leaves of Absence Without Pay"), 7346 ("Occupational Disability Leave"), 7347 ("Sabbatical Leave"), and 7349 ("Catastrophic Leave").

C. Remote Work Plan.

Before commencing remote work, an employee approved for remote work must coordinate with their direct supervisor to complete a formal Remote Work Plan that is approved by the supervisor, with the concurrence of the second level supervisor. A remote work plan does not change the employee's status of employment. Remote work plans are available on the District HR website.

The Remote Work Plan must specify the terms of the agreement and its expiration date. Requests made to extend this agreement must be modified and/or renewed.

The remote work plan must confirm in writing the employee's work schedule, including the approved regularly scheduled remote work. Any change in the agreed upon remote work schedule must be approved and appended to the remote work plan.

The remote work plan must notify the employee in writing that during designated work hours, District employees approved for remote work are expected to be accessible and promptly responsive to the District via telephone, email, and Zoom or other teleconferencing software, or any other communication protocol required by the employee's direct supervisor.

Where applicable, the Remote Work Plan must memorialize:

- A protocol to submit hours worked;
- A schedule for supervisor/employee check-ins; and
- A communication protocol to notify the employee of required on-site work and appearances (*e.g.*, team meetings)
- Any equipment approved for off-site use, as well as any TAG for the equipment that is provided by the IT Department. (See Section E)

The Remote Work Plan must state expressly that the employee approved for remote work shall forego remote work when their physical presence is required in the office on a regularly scheduled remote work day, at the discretion of the employee's direct supervisor.

D. Remote Work Responsibilities for Employees and Supervisors

District employees approved for remote work must:

- Account for, and where necessary document, the hours they have remote worked;
- Establish a dedicated workspace that is principally used for the performance of assigned work during days of scheduled remote work;
- Ensure the responsible safekeeping of any confidential materials in the dedicated workspace;
- Maintain the dedicated workspace in a safe, unobstructed, and clean fashion;
- Ensure the dedicated workspace is ergonomic:
 - Eliminate trip and fall obstructions or hazards;
 - Avoid obstructions in the work area;
 - Ensure proper lighting and ventilation;

- Ensure the dedicated workspace is safe:
 - Dedicated workspace must include access to working fire extinguisher, smoke detector, and first-aid kit, as well as a pre-established emergency evacuation plan;
 - Remote workers are responsible for self-certifying that the dedicated workspace complies with identified safety requirements;
- Ensure information security at all times;
- Technology used at remote worksites to complete assigned job duties must meet Peralta's minimum technology security standards;
 - Only IT-approved hardware and software shall be used for remote work;
 - Only District-owned computing equipment may be used to connect to District IT infrastructure at the network-level.

Direct supervisors of employees approved for remote work must:

- Oversee all of the above-identified employee remote work requirements.
- Retain copies of any remote working employee's remote work plan for the duration of the remote work assignment;
- Ensure Human Resources has a copy of each approved Remote Work Plan for inclusion in the employee's personnel file;
- Where necessary, ensure a remote working employee is trained in the use of equipment and software as required for remote working to function effectively and independently;
- Provide remote working employees with specific, measurable, and attainable assignments, just as they do on-site employees;
- Oversee the day-to-day performance of remote working employees, just as they do on-site employees, including communicating general office updates and related information to remote workers; and
- Define, in writing, work tasks, corresponding deadlines, and expectations of work performance.

E. Off-Site Use of District Equipment for Remote Work

Departments are responsible for providing and funding remote employee equipment needs. Prior to an employee's off-site use of District equipment for remote work, the

employee's direct supervisor must ensure any equipment approved for off-site use is properly inventoried, and the employee must sign for any District-owned equipment prior to off- site use.

Use of equipment is subject to all applicable District policies, including PCCD Board Policy 3720 ("Information Technology Use") and PCCD Administrative Procedure 3720 ("Telephone, Computer, and Network Use"). All off-site approved equipment shall remain District property.

While IT will endeavor to provide telephone and/or remote desktop assistance, such as Zoom and Teams, to remote workers for district owned equipment the District will not provide technical assistance at remote worksites.

If equipment malfunctions, the employee must notify his or her supervisor immediately. A supervisor will determine at their discretion if equipment down-time requires the remote worker to report to work on-site. The employee is responsible for returning the malfunctioning equipment on-site for prompt repair.

F. Reimbursement/Use of District-Owned Supplies for Remote Work

Unless specifically approved as reflected in writing by the employee's direct supervisor in advance of purchase, the District takes no financial responsibility for operating costs, home maintenance, utilities, telephone, insurance, or other costs associated with the employee's off-site remote work location.

All approved reimbursement arising from approved remote work must be made via purchase and/or reimbursement procedures.

The District will not reimburse employees for out-of-pocket expenses for supplies that are readily available on-site at a District location. Any use of District-provided supplies must be pre-approved by a direct supervisor prior to off-site use for remote work. Any such approval must be in accordance with applicable District policies/procedures.

G. ADA Accommodation

For District employee requests to telework as a reasonable accommodation covered by the Americans with Disabilities Act, the District proceeds under PCCD Administrative Procedure 3411 ("Disability Non-Discrimination And Reasonable Accommodations For Employees").

This Administrative Procedure has no bearing on workplace accommodations.

References:

PCCD Board Policy 3411 ("Disability Non-Discrimination And Reasonable Accommodations For Employees").

PCCD Board Policy 3720 ("Information Technology Use")

PCCD AP 3720 ("Telephone, Computer, and Network Use").

PCCD AP 7340 (“Vacation”)
PCCD AP 7341 (“Personal Illness or Accident Leave”)
PCCD AP 7342 (“Leave for Illness of Family Member”)
PCCD AP 7343 (“Bereavement Leave”),
PCCD AP 7344 (“Leave for Required Court Appearance”)
PCCD AP 7345 (“Leaves of Absence Without Pay”) PCCD
AP 7346 (“Occupational Disability Leave”)
PCCD AP 7347 (“Sabbatical Leave”)
PCCD AP 7349 (“Catastrophic Leave”)

Approved by the Chancellor: October 16, 2023