



# TOWN OF ERVING

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ADM-195

## Policy

### Remote Work Policy

Approved: \_\_\_\_\_

*Select Board Chair, Jacob A. Smith*

Date: February 27, 2023

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#### **.01 Issue Date / Effective Date**

This policy is issued and effective on February 27, 2023.

#### **.02 Purpose**

This policy establishes guidelines for administering and evaluating remote work (telecommuting) requests or assignments. The potential to work remotely allows eligible employees to work from home or another location on a full, part-time, or intermittent basis. Generally, it is expected that most remote work arrangements will permit one or two days of remote work on a weekly basis. Not every employee, however, will be able or authorized to work remotely due to their specific job duties and responsibilities and/or work productivity. This Policy does not apply to any employees of the Erving School Department.

### **.03 Policy**

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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. 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 care of family members and/or dependents.

The option to work remotely requires the approval of the eligible employee's Department Head, the Town Administrator, or their designee. All employees who are eligible to work remotely must read this Remote Work policy and complete the application and agreement forms in advance of working remotely. Participation in the remote work arrangement will not alter the employee's terms or conditions of employment with the Town in any way, 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, shall be final and binding, and shall not be grieved under the Conflict Resolution Procedure set forth in Section 9 of the Town's Personnel Bylaw

### **.04 Eligibility**

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Regular employees of the Town of Erving (the "Town") may be eligible to work from home, subject to the requirements and limitations of this Policy. 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 and subject to job duties and responsibilities (rather than job title), type of position (e.g., supervisory or public facing vs. non-supervisory or non-public facing), work habits, and work schedule. 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.

### **.05 Procedures**

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- A. Employees – Requesting a Remote Work Assignment:
  - a. An employee interested in working remotely must first initiate a discussion with their Department Head to determine eligibility. (As noted in Section .04 above, a Department Head may also initiate a discussion with an employee about a remote work assignment or arrangement.)
  - b. If the Department Head is supportive of the request to work remotely, the request will be elevated by the Department Head to the Town Administrator (or their designee) for approval. In addition, the employee must submit a Remote Work application to the Town Administrator.
  - c. If approved, the employee will be required to read and agree to this Remote Work Policy and any Technical Guidelines developed by the Town Administrator and submit confirmation of such compliance to the Town Administrator's office.
  - d. After all necessary paperwork has been completed, the employee can begin their remote work assignment.
- B. 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 or individual departments, nor is it intended to disrupt or diminish the services provided by the Town. Department Heads should contact the Town Administrator with any questions.
  - a. 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:
    - i. Prioritize work to meet deadlines;

- ii. Accomplish job duties with minimal supervision;
  - iii. Communicate effectively with clients, stakeholders, supervisors, and team members;
  - iv. Manage time effectively; and that
  - v. Operational demands are unaffected and met without an impact to overtime or to other employees.
- b. After evaluating the employee's request to work remotely, if the Department Head supports the request, Department Heads shall ensure that the employee making the request reads the policy and completes the appropriate paperwork and survey.
- c. Department Heads will set clear expectations with the employee by creating a communication plan and by regularly checking in. The Department Head shall audit non-exempt employee time records on a regular basis to confirm compliance and accuracy.
- d. An initial review of the remote work plan should take place within two (2) weeks and again within one (1) month. After the first month, the Department Head should review the remote work plan with the employee, at least twice annually, to discuss the success/shortcomings of the arrangement and to make any necessary adjustments based on those reviews.

#### **.06 Contingency Plan**

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Each Department Head reserves the right to cancel, modify, or suspend a work-from-home assignment as the Department Head deems necessary in their sole discretion, 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

#### **.07 Work Schedule**

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It is the employee's responsibility to give accurate and up-to-date information to the Department Head regarding work location and hours. Full-time, exempt employees must be available for work at all times during the regular business hours established for the respective Department in accordance with the remote work arrangement in place between the employee and the Department Head, unless they are on leave.

Employees working remotely are required to record all hours worked in the same manner as done while in the office.

Non-exempt employees may not work more than the regular business hours established for the Department with this arrangement between the employee and the Department Head, or more than 40 hours in a week without the prior written authorization of their respective Department Head.

Vacation time, sick leave, and other leave must be authorized according to the policy of the Town.

#### **.08 Workers' Compensation Insurance**

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A designated workspace shall be maintained by each employee who works from home. Notice of such designated workspace shall be given by each employee to their Department Head. Workers' compensation liability will be limited to work-related injuries at this designated workspace listed during hours of work as opposed to applying to all areas of an employee's home.

Each employee shall notify the Town immediately of any injuries sustained during hours of work in the designated workspace. Employees shall authorize, if requested by the Town, health and safety inspections to make sure their workplace is appropriate. Each employee shall maintain adequate and reasonable liability and property insurance on the premises where the work at home will take place.

## **.09 Work Area, Health & Safety**

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Employees who are authorized to work remotely must establish an appropriate work environment within their home for work purposes. Notice of such designated workspace shall be given by each employee to their Department Head. The Town shall not be responsible for any costs associated with setup of an employee's home office, such as remodeling, furniture or lighting, or for repairs or modifications to the home office space.

Each employee is solely responsible for their respective workplace (i.e., designated workspace within their home) being safe and not in violation of any building, fire or health codes.

Workplaces may not be maintained in garages, kitchens, attics, basements, or any unfinished spaces. Employees shall authorize, if requested by the Town, health and safety inspections to make sure their workplace is appropriate.

The workplace is to be presentable and appropriate for remote work that includes video & audio conferencing and telephone calls. The workplace should be conducive for remote work and should be reasonably free of frequent or loud noises and other distractions that would interfere with remote work.

## **.10 Trainings and Meetings**

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Certain Town meetings are mandatory and will require employees to come to the Town's offices. If possible, reasonable notice of upcoming meetings will be given to those employees. If a face-to-face work meeting is necessary, it is the employee's responsibility to attend the meeting at the Town's office.

All meetings with clients or other business visitors must be conducted face-to-face at the Town's office or other assigned places, but not at the employee's home.

## **.11 Equipment**

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The Town will determine, with information supplied by the employee and their Department Head, appropriate equipment needs, if any, for employees working remotely. The Town reserves the right to make determinations as to appropriate equipment, subject to change at any time.

All employees who work remotely are required to have their own phone lines, data lines, and modems. The costs associated with this equipment and services are the responsibility of the employee requesting remote work. Any equipment supplied by the Town must be maintained by the employee, and the Town will assist as appropriate. The Town accepts no responsibility for damage, repairs or maintenance to employee-owned equipment.

Town equipment is for Town-related projects only. Employees may not use Town equipment for unlawful purposes or for conducting work for other employers, nor may such employees allow other persons use it. Likewise, employees may not use Town equipment for personal use.

Any hardware or software purchased by the Town remains the property of the Town and will be returned to the Town on request. Software used by an employee is subject to the same restrictions on duplication and unauthorized use as software used in the office.

Equipment provided by the Town will be maintained by the Town. The Town is not responsible for the temporary loss of workdays due to equipment maintenance or repair of Town equipment located at an employee's home. In such a case, the telecommuting employee is expected to report to the office or obtain approved leave.

Equipment no longer used by an employee must be returned on their next day in the office. If an employee that is working remotely leaves their position with the Town, the employee will return all Town-owned equipment to their Department Head no later than the last day of employment with the Town.

The Town assumes no responsibility for the repair, maintenance, or replacement of personally owned equipment used by an employee when working from home. If loan equipment is available during the repair period, then the employee may continue to work from home; however, if there is no available loan equipment, then the employee must work at the office.

## **.12 Visits**

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Visits to employee home offices will be made usually on a pre-arranged basis with the employee. Health and safety inspections may need to be arranged between the employee and the Town. Each employee working from home shall consent to the Town visiting the respective employee's home office unannounced in order to retrieve Town equipment that the employee has not returned after being requested to do so.

## **.13 Security of Information**

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Employees who work from home may not compromise the confidentiality or security of Town or citizen/resident information due to telecommuting, remote computer access, or for any other reason. Steps employees must take to secure such data include, but are not limited to, using locked file cabinets and desks, regular password maintenance, and any other steps appropriate for the job and the environment.

Breaches of information security, whether by accident or design, while telecommuting or otherwise working from home may result in disciplinary action up to and including termination from employment.

## **.14 Reimbursements and Expenses**

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Employees working at home must obtain supplies stocked at the Town's office and will not be reimbursed if they are obtained elsewhere. The Town shall not be liable for lease or use expenses because of working from home.

Other expenses not specifically covered above will be dealt with on a case-by-case basis, taking into account the type and reasonableness of the expense. Employees cannot be assured of reimbursements for expenses not approved in advance.

## **.15 Domestic Care**

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During established work hours, employees who work from home agree that family care demands may not shall not compete with work. Working at home may not be used as a substitute for day-care providing. In the event an employee who is working remotely has a competing family care demand, such employee must use any accrued, unused vacation or personal leave rather than working remotely on that date. If such employee does not have any accrued, unused vacation or personal leave available, the leave shall be unpaid.

## **.16 Local Zoning Ordinances**

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Each employee working at home is responsible for observing any municipal zoning ordinances regulating the performance of work at home and advising the Town if local law does not permit working at the location designated for working at home.

**.17      Liability Insurance**

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Each employee shall maintain adequate and reasonable liability and property insurance on the premises where the work at home will take place.

**.18      Amendment, Suspension, Discontinuation, or Rescission of this Policy**

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The Town reserves the right, in its sole discretion, to change, suspend, or discontinue the provisions of this policy, with or without prior notice. The Town may adopt guidelines and protocols to carry out this policy.

**.19      Continuity of Operations During Emergency Situations**

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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, natural disaster, a pandemic or other public health crisis, a lack of available/accessible physical workspace, or under other extenuating circumstances. Due to the nature of these types of situations, portions of this policy may be suspended as deemed necessary by the Select Board or their designee.

**.20      Adoption of Protocols and Guidelines to Carry Out This Policy**

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The Town Administrator may adopt protocols and technical guidelines to carry out this Policy.