



Policy Name:	Remote Work Policy		
Associated Form(s):	Remote Work Agreement	Policy Number:	2021-17
Reviewed:	Non-Academic Policy Committee	Approved:	October 12, 2021
Approval Authority:	President <i>Timothy L. Hall</i>	Adopted:	October 29, 2021
Responsible Executive(s):	Vice President of Finance/CFO	Revised:	N/A
Responsible Office(s):	Human Resources	Contact(s):	Director of Human Resources

I. Scope and Purpose

This Policy applies to all full-time and part-time eligible Mercy University employees. This Policy does not apply to full-time and part-time faculty.

This policy is to seek the balance of remote and in-person on-campus work that best meets the needs of Mercy University and its employees while assuring the fundamental in-person character of the institution is maintained.

II. Definitions

- A. Alternate work locations: approved locations, other than the employee's primary University workplace, where official University business is performed. Alternate work locations may include working onsite from other than the employee's primary campus location. The most common alternate work location is the home of an employee.
- B. Remote Work Application and Agreement: a work arrangement where the employee requests a remote work schedule and if approved, enters into a formal agreement with Mercy University to perform their usual job duties in an alternate work location at least one day per week, or some other duration or period of time.

III. Policy

Remote work is a voluntary work alternative that is appropriate for some employees and some jobs but not all employees and all positions. No University employee is entitled to or guaranteed the opportunity to work remotely. Whether a particular employee may be approved for remote work is a decision made on a case-by-case basis by the employee's department vice president, taking into consideration an evaluation of the likelihood of the employee succeeding in a remote work arrangement and an evaluation of the supervisor's ability to manage remote workers. Remote work arrangements most commonly are for partial remote work, for example one to two days per week.

IV. Eligible Positions and Employees

Department vice presidents, in consultation with the Office of Human Resources and the relevant department supervisor(s), will analyze the nature of a position and how the work is performed and determine which positions are appropriate to designate or approve for remote work. Several factors should be considered in determining the feasibility of remote work, including the University's ability to supervise the employee adequately and whether any duties require use of certain equipment or tools that cannot be replicated at home. Other critical considerations include the following:

- Each department/area must provide sufficient on-campus office coverage every day the University is open;

- There is a need for face-to-face interaction and coordination of work with other employees and/or with outside colleagues, clients, students, or customers;
- The position in question requires the employee to have immediate, or easy access to documents or other information located only in the workplace;
- The alternate work location is in New York State (if not, an out-of-state form needs to be completed and approved first);
- The remote work arrangement will impact service quality or University operations, or increase workload for other employees;
- The position can be structured to be performed independently of others with minimal need for support and little face-to-face interaction or can be performed successfully using online platforms; and
- Performance can be measured by quantitative or qualitative results-oriented standards, not time spent doing the job

If an employee in an eligible position requests approval for remote work, the department vice president, in consultation with the department supervisor(s) and the Office of Human Resources, determines whether the employee is eligible. Generally, the following conditions will be taken into consideration in determining whether to approve an employee for teleworking:

- The employee has completed three-months of employment with the University;
- The employee has no disciplinary actions within the last three years;
- The employee has a demonstrated ability to work productively on his/her own and is self-motivated and flexible; and
- The employee's performance meets standards.

Vice presidents must ensure that remote work decisions are made for appropriate, non-discriminatory reasons.

V. Reasonable Accommodations

Remote work may also be considered on a case-by-case basis as a reasonable accommodation as provided by the *University's Reasonable Accommodation Policy* for qualified employees with disabilities.

VI. Leaves

Employees cannot use remote work in place of sick leave, Family and Medical Leave, Workers' Compensation leave, or other types of leave. The University may, however, determine whether it is appropriate to offer remote work as an opportunity for partial or full return to work based on the University's return-to-work policies following an injury or illness.

VII. Remote Work Application and Agreement

Employees will be required to request a remote work option. Upon approval, they will be required fill out the Remote Work Application and Agreement attesting that they have read and will observe the terms outlined in the remote work policy and understand that all terms and conditions of employment remain unchanged except those specifically addressed in this agreement. This agreement may be modified by mutual agreement of Mercy University and the employee.

Employees should submit their completed and signed agreement form to their supervisor as far in advance as possible. The department vice president will consult with the Office of Human Resources and the employee's supervisor(s) as needed and respond to the request within a reasonable amount of time.

Employees approved for remote work perform essentially the same work that they would in the workplace in accordance with their same performance expectations and other agreed-upon terms. Remote work agreements may be established for a long-term or short-term period.

VIII. Remote Work Arrangements

Approval of a remote work arrangement is not intended to alter the employee's normal work responsibilities or to appreciably increase the employee's normal work responsibilities and will not modify any policies set forth by Mercy University.

Remote work arrangements are not a right or entitlement of employment and, as such, are discretionary and subject to operational needs.

IX. Remote Work Approval Conditions and Technical Support:

Approval for remote work assignments may be granted under the following conditions:

Employees working remotely are required to be available during their working hours, which hours may be modified in agreement with the supervisor, and to be responsive to students, coworkers, supervisors, vendors and clients while working remotely. Remote employees should be actively attending to work responsibilities throughout the agreed-upon workday and should be reachable by email, Microsoft Teams, Zoom, etc. and agreed upon contact telephone number(s) provided by the employee for use during their scheduled working hours.

- Employees approved for remote work will also have a telephone or cell phone available to make or return phone calls. Supervisors may not require employees to be available for more hours per week than otherwise required.
- If equipment (including internet service) relied upon as a condition for remote work is not operational on a scheduled workday, the remote employee is required to promptly contact the supervisor to discuss alternate remote or assignment arrangements.

Appropriate technical support will be reasonably available to the employee.

X. Policies and Conduct Rules

Employees must continue to comply with all applicable Mercy University policies and conduct rules. Existing policies and practices regarding recording all hours worked and meal periods, and regarding obtaining supervisory approval prior to working unscheduled overtime hours or taking time off will remain in effect. Employees are reminded of the need for strict adherence to the Confidentiality policy, regardless of whether their work location is at home or in the office.

XI. Compensation and Benefits

An employee's classification, compensation, and benefits will not change if the employee is approved for remote work.

XII. Safe and Secure Remote Work Environment

Employees approved for remote work agree to maintain a safe and secure work environment and to report work-related injuries to employee's supervisor at the earliest opportunity. Employees agree to hold Mercy University harmless for injury to any other individual at the alternate work site, except if that individual is a Mercy University employee who is present at the alternate work site at Mercy's direction. In-person meetings are not permitted to occur within private residences unless previously approved by the supervisor.

XIII. Equipment, Records and Materials

Employees working remotely understand that all equipment, if any, records, and materials provided by Mercy University shall remain the property of Mercy University. Employees agree to use reasonable care to protect Mercy University-owned equipment, records, and materials from unauthorized or accidental access, use, modification or damage. Employees agree to promptly report to their manager any incidents of loss, damage, or unauthorized access.

Employees must safeguard University information used or accessed while working remotely, in accordance with the University's applicable University policies, including information technology, confidentiality and FERPA policies.

XIV. Remote Work Costs

Mercy University is not obligated to assume responsibility for operating costs, home maintenance, internet and cell/home phone costs and other costs incurred by employees in the use of their homes as alternate work locations.

XV. Childcare Arrangements

Remote work is not intended to serve as a substitute for child or adult care. If children or adults in need of primary care are in the alternate work location during employees' work hours, another person must be present to provide the care. An exception to this requirement may be

granted in special or limited circumstances. Employees should check with Human Resources on available options. Please note, the Employee is still required to work their total hours for each work week (typically 40 hours for full-time employees) in these circumstances, but the hours may be adjusted around child and/or elder care duties with advance permission from the Employee's supervisor.

XVI. End of Remote Work Agreement

The University retains full discretion whether to allow employees to work remotely, and may terminate the remote work option and agreement for any employee, at any time, in its sole discretion. The University will make every effort to provide reasonable notice to employees of the requirement to return to on-site work, where practicable. Additional time to return to onsite work will be granted if necessary to meet documented travel restrictions or quarantine requirements. In certain circumstances, including but not limited to where it is believed the employee is not abiding by the terms of this policy and/or the Remote Work Agreement, the employee may be required to cease remote work immediately and return onsite.