A. Background and Definitions

Niagara College recognizes the value of remote work arrangements (RWA) and the benefits this may provide to employees. Niagara College campuses and work sites are the primary work location for all employees.

**Accommodation:** For the purpose of this policy, an accommodation is reasonable adjustment or change to work location to allow the employee to complete the essential duties of the job on the basis of a protected ground (e.g., disability, family status, etc.) as defined within the *Ontario Human Rights Code*.

**Eligible Employees:** All employees, including Administrative, Academic and Support Staff.

**High Speed Internet:** For the purpose of this policy, as of May 2022, at least 5 Mbps of upload and download bandwidth is required.

**Manager:** For the purpose of this policy, refers to an employee’s direct supervisor.

**Niagara College Property:** For the purposes of this policy, refers to equipment (including but not limited to, telecommunications, computers, printers, etc.) and services (including, but not limited to, software, networks, cloud technology and access codes and systems) provided by the College. Also included is information (proprietary, confidential or personal) received or produced through the course of performing Niagara College job duties.

**Primary Work Location:** For the purpose of this policy, the primary work location is the assigned Niagara College site.

**Remote Work:** Work performed at an approved location other than a Niagara College site, on a part-time or occasional basis, up to a maximum of 50% of the academic term (i.e., work from home). For the purposes of this policy, the academic term consists of the time period between the start of one academic term and the start of the next academic term, inclusive of course delivery weeks, exam periods and break weeks between academic terms.
B. Purpose

The Purpose of this policy is to define accepted practices and responsibilities for employees who request a RWA and who Niagara College authorizes to work in an RWA. This policy is intended to ensure consistent application across the College and ensure that employees participating in a RWA continue to provide a level of service equal to a conventional work arrangement.

C. Policy Statements

1. This policy shall not be utilized to address needs for accommodation based on human rights. All accommodation requests are to follow the respective policy and associated procedure.

2. All employees are expected to comply with Niagara College policies and procedures, meet all requirements, and perform the duties associated with their position, regardless of any RWA. The operational needs of the department and/or College will take precedent over any RWA. The application of existing policies and legislation continue to apply in any RWA.

3. RWAs are reviewed on a term-by-term basis and the College, at its sole discretion, may end or amend a RWA at any time.

4. This policy does not alter or replace the terms of an existing employment contract, collective agreement, or terms and conditions of employment.

5. In the context of this policy, RWAs are driven by employee requests and are contingent on management approval based on operational needs and other requirements as determined by the College.

6. In certain situations, as defined by the College (e.g., emergency closure of an office or site) a decision may be made to have employees work from a remote location for a specific period. In such instances, RWAs may be established by the manager for specific, identified purposes.
7. Approvals for RWAs are provided by the employee’s manager in accordance with the terms of this policy and are considered on an individual basis.

8. Employees approved for RWAs must remain permanent residents of and perform their work within the province of Ontario. The College will not approve any remote work requests for remote work locations outside the province of Ontario. Requests to work outside of the province of Ontario for a limited, short duration may be considered on a case-by-case basis at the discretion of the College.

9. Should an approved remote work location change during a RWA, employees are to advise their manager and complete a new Remote Workspace Self-Assessment. Continuance of the RWA is subject to manager approval.

10. Work hours (e.g., overtime, lieu time, etc.), compensation and leave scheduling will continue to comply with applicable policies, procedures, collective agreements, and terms and conditions of employment.

Eligibility
11. RWAs are initiated by employee request, however not all positions are appropriate for RWAs. The decision relative to which jobs are eligible for remote work is an exclusive management right. Nothing in this description shall limit or restrict management in exercising discretion and management rights pertaining to work locations and operational needs. When requests for RWAs are submitted, the following will guide the management review and approval process.

12. Employees whose work can be performed remotely will be determined by considering the following as applicable:
   a) The employee’s job must be suitable to be performed remotely, e.g., the employee’s job must not require physical presence on site on a regular basis
   b) The arrangement is suitable operationally relative to backup and coverage for other positions
   c) The employee does not require close supervision and job duties allow for a degree of independence
d) The employee is meeting performance expectations and is in good standing (no disciplinary action on record or in progress, strong record of performance), and level of attendance acceptable to the College

e) The degree to which work outcomes can be managed remotely and the impact on managerial responsibilities, including managing day-to-day student/client service operations, and staff

f) The degree to which the employee can maintain the expected quantity and quality of their work

g) The degree and type of collaboration required by the employee with the manager, colleagues and clients

h) The impact on other positions within the employee’s team and within the College more broadly

i) The degree of dependence on on-site resources

j) The employee has a suitable workspace in their remote work location

k) The employee’s remote work arrangement will not have any impact to student success, clients, or the employee’s productivity; and

l) Remote work must be performed within the province of Ontario.

Accountability, Roles and Responsibilities

13. RWAs shall not affect an employee’s ability to complete day-to-day functions, including attending on site meetings on short notice and communicating with colleagues, management, students and others as required.

14. Communication: Employees must remain updated on department and work events and be reasonably accessible by phone, email, video conferencing, etc., during working hours. Communication must be maintained to the same standards as are normally maintained while working on site.

Employees must keep their manager informed on the progress of deliverables and reach out for support if needed. Expectations regarding workload and deliverables will be communicated, evaluated and reviewed regularly.

15. Hours of Work: Employees participating in a RWA will have established and approved work hours that align with their usual hours of work while on site.
16. **Meal Periods and Breaks:** In accordance with respective legislation, college agreements, or terms and conditions of employment, employees are responsible to take breaks at suitable intervals while working remotely.

17. **Overtime** remains a pre-scheduled activity as determined, and approved, by the manager. Overtime payments will not be made without prior written authorization from the manager.

18. **Attendance:** The same expectations apply to those working in a RWA as those working on site. Employees are expected to attend work regularly and as scheduled regardless of their RWA. If the employee will not be available for a period of time during the day, the employee must obtain permission from their manager prior to the absence and set their out of office messages and Microsoft Teams status accordingly.

19. **Employee’s Role and Responsibilities:** An employee’s role and responsibilities while engaged in a RWA include, but are not limited to:
   a) Abiding by all terms and conditions of employment, including but not limited to, all College policies, relevant collective agreement and all other legal and regulatory requirements
   b) Ensuring their remote workspace is properly equipped, safe, and ergonomically sound
   c) Ensuring appropriate arrangements are in place for dependent care or personal responsibilities during the RWA
   d) Ensure appropriate high speed internet access is in place, at the employee’s expense, to prevent disruptions in work activities and that any College data remains secure
   e) Recording and reporting all deviations from the RWA to the manager
   f) Maintaining regular contact with the manager and the team to ensure participation and collaboration
   g) Maintaining a remote work schedule not to exceed 50% per academic term
   h) Reporting to Niagara College sites as required to attend meeting, training sessions, events, or any other required activities.

20. **Manager’s Role and Responsibilities:** A manager’s role and responsibilities with an employee engaged in a RWA include, but are not limited to:
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a) Reviewing requests for RWAs on a case-by-case basis and consulting with Human Resources (HR) as required

b) Ensuring the employee is able to maintain expected quantity and quality of work while in a RWA, and that the quality of service provided by the department is not negatively impacted

c) Maintaining regular contact with the employee and evaluating the RWA through regular check-ins with the employee. This may include:
   i. Meeting agreed upon deadlines
   ii. Employee productivity
   iii. Progress of individual and team assignments
   iv. Availability to receive and return calls, emails, etc.
   v. Impacts on the employee, students and/or colleagues
   vi. Student and customer service delivery
   vii. Attendance at meetings, either virtual or on-site, even with minimal notice; and
   viii. Other indicators as determined by the manager in consultation with the employee.

d) Ensuring RWA remains within 50% of the academic term

e) Modify or cease RWAs, at their sole discretion, as a result of changing work requirements, operational needs or employee performance issues.

Health and Safety

21. The safety of employees is important to Niagara College, regardless of the location of their worksite. The employee’s remote workspace will be considered an extension of the Niagara College workspace. While working remotely, employees and the College are jointly responsible for ensuring that the alternative worksite is safe and ergonomically sound.

22. All workplace parties have the duty to take every reasonable precaution to promote a healthy and safe work environment which includes regularly reviewing health and safety conditions at the remote work location. In addition, all employees working remotely should take steps to ensure that their physical and mental wellbeing is maintained.

23. The College reserves the right to inspect the proposed remote worksite and direct any ergonomic adjustments that the employee shall make at their own expense in order for the
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RWA to be approved. As RWAs, in the context of this policy, are initiated by employee request, the employee bears the responsibility for purchasing suitable office equipment.

24. Health and Safety’s role and responsibilities related to employees engaged in a RWA include, but are not limited to:
   a) Addressing any questions or concerns
   b) Documenting any remote work injuries and advising the HR consultant
   c) Providing resources regarding safe workspaces; and
   d) Reserving the right to inspecting a remote worksite, directing ergonomic requirements as necessary for approval of the RWA

25. Human Resources role and responsibilities related to employees engaged in a RWA include, but are not limited to:
   a) Answering questions and providing support to managers and employees
   b) Ensuring managers are aware of their roles and responsibilities related to RWAs; and
   c) Updating policies and documents as required

26. Information Technology Services role and responsibilities related to employees engaged in a RWA include, but are not limited to:
   a) Providing advice and technological support as required within the implementation of this policy
   b) Supporting employees working remotely to perform their work effectively and securely through the provision of approved technology resources, tools, software and access controls
   c) Providing guidelines, expectations and requirements to maintaining the College’s confidential data, system integrity and information security
   d) Providing resource aids and/or training on software and/or technologies when necessary; and
   e) Investigating compliance with college policies when necessary

Information Technology (IT) and Equipment
27. All Niagara College resources, whether accessed on-site, remotely, or by using personal and/or individual equipment, must comply with all College policies and guidelines for acceptable use and security.
28. Employees are responsible for exercising good judgement regarding the reasonableness of personal use of College IT equipment, systems and networks. Personal use should never impact any other employee, student, or user in any way.

29. All equipment, including data and software on such equipment remains the property of Niagara College. The College reserves the right to enforce data governance and cyber security regulations.

30. All college-issued equipment must be used in accordance with instructions, safe methods and systems of working and must be returned at the end of employment, or at the conclusion of a remote work agreement.

31. Prior to the use of a personal (not college-issued) device for work purposes, employees are to consult with their manager to ensure policy and procedure compliance, and adequate IT security is in place.

32. Requests to remove college-issued equipment from the on-site location (with the exception of laptops) requires the prior approval of the manager.

**Confidentiality**

33. All resources used for works associated with Niagara College should be treated as confidential and proprietary. Accordingly, they must be kept in a secure work area and must not be accessible to others. Unauthorized individuals are not to be permitted to any files, equipment or documents.

34. All necessary steps are to be taken to ensure that all Niagara College electronic and physical data is properly secured, locked and protected and not accessible to others at all times.

35. Employees must not work in public places such as coffee shops, use public wireless connections, or leave passwords/unlocked computers readily visible. Employees must not work in communal open areas shared with other individuals that are not authorized to access information related to the College and areas where confidentiality cannot be maintained. A separate, enclosed work area should be used to accommodate private conversations with students, colleagues and others.
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D. Related Documents

Policies: NC200 Information Technology Acceptable Use & Security Awareness
NC600 Conflict of Interest
NC600 Disability Management
NC600 Employee Code of Conduct

Procedure: NC600 Remote Work

Other: Academic Employees Collective Agreement
Support Staff Collective Agreement
Part-Time Support Staff Collective Agreement

E. Document History

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