



## **NUP and AFSCME Hybrid Work Arrangement Procedure**

Massachusetts College of Liberal Arts' priority is to elevate students as individuals, leaders and communicators by offering a high-quality, affordable education in a close-knit living and learning community. We provide in-person services to our students, staff, faculty, community and visitors and must be staffed appropriately to achieve our educational mission. Hybrid work arrangements must support students as well as the functions of departments, divisions and the College.

An assessment of current job descriptions and other indicators help determine whether specific positions are suitable for hybrid work arrangements of one to two days per week. When clearly outlined and implemented, hybrid work arrangements can benefit all parties. Such arrangements can provide more varied service modalities and make more effective use of space and equipment. Staff members may find an improved sense of work-life fit, better job satisfaction, and a greater sense of overall well-being. It is important to note that there are positions that are not suitable for and cannot be adapted to a hybrid arrangement. However, recognizing the range of responsibilities required of College staff, there may be circumstances that will allow for hybrid work arrangements of one to two days per week for NUP and AFSCME staff members.

The availability of hybrid work arrangements of one to two days per week will vary by division, department, position, duties, peak periods of work (cyclical times of year when business activity or work volume is high), etc., and will be based on business and operational needs. Hybrid work arrangements will be in adherence with the AFSCME collective bargaining agreement. AFSCME hybrid work arrangements do not change the nature of the work, staff member's work schedule, terms and conditions of employment, position classification, compensation structure or benefits.

Staff members requesting a hybrid work arrangement must complete the Staff Member Hybrid Work Arrangement Request Form and attach an accurate, up-to-date job description. Every request will be evaluated on a case-by-case basis. The Area Supervisor will discuss the request with the staff member regarding the reasons for the request and the needs of the department. Approval is at the sole discretion of initially the Area Supervisor, then the Divisional Vice President, and finally the Executive Director of Human Resources/Payroll Office. Any of these parties may request additional information.

Overall eligibility for hybrid work arrangements is based on whether a particular job can be done remotely, reviewing each duty outlined on the position description to assess if remote completion is suitable. Considerations include but are not limited to the nature of the position responsibilities, student/staff member service and support, impact on departmental operations and efficiency, suitability for success and productivity with limited supervision, etc. Staff member performance must meet established performance standards.

Hybrid work arrangements are not based upon personal circumstances, commute, or family care arrangements; they are not intended to be used in place of vacation, sick, personal or other types of leave. Staff members should request leave in accordance with college policy when they are unable to work during an approved hybrid work arrangement just as they would if they were working onsite and plan for family care during standard business hours. AFSCME members with approved requests, may use compensatory time as requested based on the hours they are scheduled to work. Remote work requests made due to medical circumstances are considered through the Reasonable Accommodation process.

The option of some remote work being performed away from an MCLA facility implicates potential legal or compliance requirements based upon the work location. Work outside of the Commonwealth raises additional concerns as state employment laws vary and may trigger responsibilities on the part of the employer or the staff member. Staff members will therefore be required to disclose on the Hybrid Work Arrangement Request Form the remote work location. Telework requests to work remotely outside of Massachusetts may not be approved, and previously approved agreements may be revoked, based on the evaluation of legal requirements and considerations (i.e.: differing state tax laws) related to out-of-state telework at a specific point in time.

Staff members will be notified of a decision regarding the request within thirty (30) days. If approved, the staff member will sign a Hybrid Work Arrangement Agreement. The approval will be for a designated period. Hybrid work arrangements will be assessed periodically, including at the end of August, 2022. This form and the Request Form will be placed in the personnel file. MCLA reserves the right to approve or deny any hybrid work arrangement and to modify or revoke such arrangements once approved at any time. If the request is denied, the staff member will be given an explanation. The basis for denials shall not be arbitrary or capricious. Denials, changes or cessation of hybrid work requests aren't subject to the AFSCME grievance and arbitration procedure.

MCLA has sole discretion to determine the appropriateness of hardware and software used by staff members working remotely, and may require and/or provide specific equipment and/or software, as well as standard office supplies. The college is not liable for any damages to a staff member's property that result from a hybrid work arrangement. Upon termination of employment, the staff member agrees to return all college-owned property.

Neither staff members working fully on campus nor those working a hybrid work arrangement will be reimbursed for travel between their home and their work location.

Hybrid work requests should not be promised as part of an offer of appointment. A position may be suitable, but it might be difficult to immediately assess their suitability for such an arrangement for a new staff member. Furthermore, it can be beneficial to require new staff members to work on-site for a period of time to form essential relationships, learn how the organization and department functions, and to develop a connection to the MCLA community.

At the discretion of the College, staff members working remotely will not be excused from working because staff members at their regular work location are dismissed due to an emergency.

To the extent practicable, a NUP staff member shall be provided with ten (10) business days advance notice of cancellation unless the arrangement is terminated due to performance, productivity concerns, staff member conduct or if area operations are being negatively impacted. AFSCME will receive fourteen (14) calendar days advance notice. Staff members may request in writing a change, suspension or termination of arrangements at any time, subject to the above approval process. Changes must be communicated to Human Resources.

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### Staff Member Expectations

Staff members with approved hybrid work arrangements are on official duty status and must:

- Maintain established performance standards while working remotely;
- Be in an official duty status while working their designated schedule;
- Be available during their regular work schedule by phone, email, virtually, etc., for participation in meetings, etc. remotely and not perform any non-work-related duties during that time;
- Make necessary arrangements to attend meetings in person when required, including ad hoc meetings needed in the course of the business day;
- Comply with all applicable employment laws, college policies, procedures and practices, including the obligation to safeguard confidential information;
- Maintain internet connectivity and technology. Staff members are solely responsible for all operating costs, furniture, home maintenance, and incidental costs;
- Ensure that their remote work location does not allow non-employees to view, access or take possession of any college equipment, technology, information or data;
- Maintain a safe, ergonomically appropriate remote work environment and immediately report work-related injuries to Human Resources;
- Upon request, staff members must provide a summary of the work performed remotely, in manner, modality and frequency determined by the Area Supervisor, such as weekly virtual meetings, e-mail summaries, telephone conferences, etc.;
- Work at the identified hybrid work arrangement location;
- Not conduct in-person work-related meetings at remote work locations;
- Take regular meal periods and breaks as outlined in the collective bargaining agreements;
- Report their work time using the TEL time code in the time and attendance system;
- Staff members eligible for overtime must not work overtime unless requested and/or approved by their supervisor.

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### Area Supervisor Expectations

An appreciation of hybrid work arrangements and a willingness to trust staff members to effectively work remotely is key to making these arrangements successful. Teleworking presents an opportunity for leaders to focus on measuring results and reaching objectives. The staff member's completed work product is one indicator of success.

Area Supervisors of staff members with approved hybrid work arrangements must:

- Ensure their departments perform all necessary work to maintain operations;
- Communicate expectations and measurable tasks to be performed while working remotely;
- Request regular updates of remote work performed to ensure continued productivity;
- Maintain ongoing, effective communication with staff members on days they work remotely, and communicate with hourly staff members during established work hours;
- Ensure adherence to college policies and procedures, including time and attendance policies;
- Regularly assess hybrid work arrangements to ensure they are productive, effective and in the best interest of the college.
- Keep accurate records reflecting the hybrid work arrangements approved for their area.

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All hybrid work arrangements are subject to applicable employment laws, including the Fair Labor Standards Act, state and federal employment laws and the Workers Compensation Act.