

# ***EXHIBIT B***



**BOARD OF TRUSTEES**

**Bylaw, Policy, and Curriculum Committee Agenda Items**

**To:** Board of Trustees  
**From:** Office of the President  
**Date:** October 5, 2021

The following Bylaw, Policy, and Curriculum Committee items are recommended to the Ocean County College Board of Trustees for approval at its meeting/retreat on **Thursday, October 7, 2021**:

1. Recommend approval of the following revised policy:
  - a. Policy #3317, Personnel, Non-Academic Staff, General, Remote Work (**Exhibit B-1**)

***EXHIBIT B-1***

Ocean County College, Toms River, NJ

PERSONNEL  
NON-ACADEMIC STAFF  
General  
Remote Work #3317

## POLICY

Ocean County College recognizes the benefit and utility of permitting employees to work from remote work locations, under special conditions and with prior approval. Remote work arrangements do not change an employee's terms and conditions of employment, including compliance with or the application of College policies and procedures.

For purposes of this policy, a remote work arrangement is one whereby an eligible College employee is authorized by appropriate management to perform the normal duties and responsibilities of his/her position, through the use of computers and other telecommunication tools, at a designated site other than the College location assigned to the employee.

Remote work arrangements are not intended to permit an employee to have time to work at other jobs, attend to personal business, or to provide dependent care. If persons in need of primary dependent care are regularly present in the remote work location when the employee is scheduled to work, the employee must demonstrate that another individual is present to provide the necessary care.

An employee working remotely is subject to the same policies, statutes, and procedures applicable to all employees, including, but not limited to, time and attendance and leave policies. Supervisors are responsible for ensuring compliance with the Fair Labor Standards Act. Remote work arrangements are not intended to circumvent any leave that an employee needs or has requested and is entitled to, pursuant to state and/or federal law or College policy.

Additionally, Ocean County College is a public employer, and as such, the NJ First Act, N.J.S.A. 52:14-7, will remain in force, and residency requirements must be met for all positions not exempted.

### There are four ~~four~~ types of remote work arrangements covered by this policy:

~~1. **Recurring Remote Work Arrangement:** A recurring remote work arrangement is one that consists of the same day or days each week when an employee works at the remote location. These pre-approved arrangements may be for finite or indefinite periods of time, within the parameters of this policy. The recurring remote work arrangement must be approved by the employee's supervisor, area Vice President, and the Associate Vice President of Human Resources through a formal agreement which will cover: Terms of the Agreement, Employee Responsibilities, and College Responsibilities.~~

~~A recurring remote work arrangement is a privilege that may be granted under appropriate circumstances to an individual who is deemed suited for such an arrangement, including the suitability of the employee's position.~~

~~Approved recurring remote work arrangements are not transferrable. If an employee transfers to a new position, unit, or department, the existing remote work arrangement becomes null and void. If the employee wishes to pursue the same or similar remote work arrangement in the new position, the employee must go through the approval process again.~~

~~**Employees eligible for recurring remote work arrangements:** A Non-Affiliated Administrative and Non-Affiliated Hourly employee who has successfully completed his/her probationary period and is in good standing is eligible to apply for a recurring remote work arrangement consisting of up to two (2) remote work days per week, under the guidelines set forth in this policy. Good standing is defined as not being in any stage of a formal performance improvement, progressive disciplinary, or corrective action plan.~~

1. **Occasional (Non-Emergency):** This category of remote work encompasses the occasional, pre-approved occurrence, requested by the employee or assigned by the supervisor. All parameters of this policy apply. The employee's supervisor has the authority to approve these occasional instances of working remotely including instances in which an employee is feeling unwell, but can still work (not to exceed three days). The College may require the use of sick leave if it is found that the employee can't fully perform the responsibilities of the position. The College reserves the right to require documentation at any time when it deems it reasonable to do so.

All Requests for Accommodation must be managed through the Office of Human Resources. A supervisor has no authority to grant accommodations, under any circumstances.

2. **Remote Work While Quarantining:** An eligible employee may be permitted to work remotely when required to quarantine per COVID-19 protocols, or when responsible for a dependent who is required to quarantine per COVID-19 protocols. These requests must be managed by the Office of Human Resources in conjunction with the employee's supervisor and Area Vice President. The use of sick leave or other leave programs may be required if the employee is unable to fulfill the requirements of the position.

3. **Emergency:** This remote work arrangement is precipitated by a crisis or other emergency that significantly disrupts the operations of the College or a unit within the College. When needed to achieve business continuity and to maintain critical functions, operations, and services, remote work arrangements may be established until normal operations are restored at the regular work location. The College President, or designee, must invoke an emergency remote work order.

4. **Designated Remote Position:** The College may, in its sole discretion, designate a position to be performed remotely. In general, this designation will be made at the time of position posting and will be advertised as such.

#### **Remote Work Site:**

The location proposed by the employee for a remote work arrangement should be a predetermined site, such as a home office, and have a fixed work area that will provide the employee with adequate access to the tools necessary for remote work, such as a telephone, internet connection, etc. During the approval process, the employee and his/her supervisor will perform a work site assessment to determine the feasibility of the proposed location as the remote work site.

Workers Compensation Insurance covers job-related injuries that occur in the course and scope of employment. Injuries sustained at the remote work site, during scheduled work hours, should be reported immediately to the Office of Human Resources. The College reserves the right to inspect, or have a designated third party inspect, the remote work site in relation to reported work injuries and/or in the

resolution of workers compensation cases.

Under no circumstances should the remote work site be used to hold in-person meetings or business visits with professional colleagues, vendors, students, or the public. Remote work arrangements do not convert the remote work site to a College place of business.

**Costs/Expenses:**

The College will provide the employee with a laptop computer and any necessary maintenance associated with the laptop. All other costs, whether related to the initial set-up or the maintenance of a remote work arrangement and/or location, will be borne by the employee. The College does not assume responsibility for operating costs, home maintenance, furniture purchases, or other costs incurred by the employee in the use of his/her home or other alternative work location.

The College may provide equipment beyond a laptop to be used by the employee in his/her remote work location. Any equipment provided to the employee is to be used only for authorized College business. The employee is responsible for protecting the equipment from theft, damage, and/or unauthorized use.

Miscellaneous office supplies are available from the employee's department and can be retrieved from campus as directed.

**Accountability and Availability:**

In general, a remote work arrangement should not change the regular days and hours that an employee is expected to be working. Changes to a work schedule should be pre-approved, and compensable overtime hours must be approved prior to work being performed.

If it is found that an employee is not performing work during regularly scheduled hours, the remote work arrangement may be revoked and the employee may be subject to disciplinary action.

An employee working remotely shall be as available for communication and contact during the scheduled work times as if he or she were working at the regularly-assigned work location.

The employee shall report to his/her regularly-assigned, on-campus work location on days when the remote work arrangement is not in effect. An employee may be required to report to the regularly-assigned work location or elsewhere, as needed, for work-related meetings or other events. Supervisors will give as much notice as is practicable; however, there is no notice requirement for this situation. Additionally, there will be no substitution made for a "missed" remote work day in the event an employee is required to report to the regularly-assigned work location or elsewhere on a day that is normally designated as a "remote work day."

An employee interested in requesting a remote work arrangement shall follow the procedure to this policy.

Adopted: August 26, 2021

Revised: October 7, 2021