

COVID-19 Temporary Remote Work Policy

Overview

As a part of the continued response to the novel coronavirus (COVID-19) pandemic, Vermont Law School may allow employees to temporarily telework (work remotely or work from home) until further notice.

Under this temporary remote work policy, employees will perform essentially the same work that they would at their on-campus workplace in accordance with performance expectations and other requirements determined by their supervisors.

Remote work arrangements for faculty and staff will be determined by department needs and the individual's requests to work on campus in accordance with their department's specific contingency plan and compliance with Vermont Law School's COVID19 protocols.

Remote work arrangements may not be feasible in all cases and requests to work remotely should not compromise continuity of operations for members of the VLS Community and the performance of essential functions of each office and department.

Who is affected by this policy?

All regular employees of Vermont Law School (Faculty and Staff). This policy does not apply to temporary employees or employees who are working remotely outside of the US.

For employees who have been previously approved for an ongoing telework arrangement prior to COVID19, policies and agreements applicable to that arrangement will remain in effect, unless circumstances relating to the COVID-19 outbreak warrant exception.

Definitions:

Telework/Remote Work - To work from home, or some other remote location, while using technology to connect with the office to which the employee is assigned.

Decision Makers:

Final remote work decisions and any specific arrangements for staff are made by the Director of Human Resources. Final remote work decision for faculty are made by the Vice Dean for Faculty.

Remote Work Agreement:

Remote work requests should be completed through your supervisor/Department Head and approved by Human Resources and the Vice Dean for Faculty. **Initial requests for Fall 2020 were submitted and approved with fall department plans.**

Updated requests or changes to an employees' remote work plan should be submitted in writing to your supervisor/Department Head. Once submitted, your direct supervisor may contact you for additional information and/or ask you to further explain (1) how you plan to fulfill work expectations remotely and (2) how you plan to communicate regularly with co-workers, supervisors, and members of the VLS community during regular work hours.

If updates or changes to remote work plans are approved by the Department Head and Human Resources/Vice Dean for Faculty, confirmation will be sent via email. Work performed remotely or from home is considered official VLS business; therefore, departments may establish specific conditions that apply to employees engaged in remote work.

Termination of the Temporary Remote Work Agreement:

Vermont Law School reserves the right to modify or terminate the temporary remote work arrangement at any time. For example, employees may be asked to return to the central workplace if deemed as having performance or work performance challenges, or if Vermont Law School feels it is in the best interest of the school and/or the employee to modify or suspend the arrangement, either permanently or temporarily.

If an employee is asked to return to work and believes they are unable to do so due to health reasons, a letter of accommodation from a Health Care Provider specific to COVID19 may be required for additional remote accommodations.

Hours of Work and Essential Functions:

To the extent possible, an employee's job duties and responsibilities will not change due to temporary teleworking.

Professionalism in performance of job duties, work output and productivity, and service to the employee's department, clients, students, and/or other constituencies, and related communications, must be maintained at the standards set generally by Vermont Law School and specifically by the employee's supervisor.

Temporary teleworking employees should be available during standard business hours via email, Microsoft Teams, and phone for communication with relevant constituencies, as necessary.

To the extent possible, the amount of time an employee is expected to work and/or productivity expectations will not change due to teleworking. However, temporary telework schedules may include flexible work hours outside of regular business hours, or reduced work hours, to accommodate the challenges employees may face in their homes and in their communities as a result of the COVID-19 outbreak. All such arrangements must be approved by the employee's Supervisor.

Open and ongoing communication between the teleworking employee and their supervisor is key to a successful temporary telework arrangement. It is expected that the employee and supervisor will work together to keep each other apprised of events or information obtained in the course of each working day.

Employees should communicate with their supervisor to identify in advance, and on an ongoing basis, any job duties or responsibilities that cannot be effectively performed during temporary telework. Likewise, employees must promptly notify their supervisor or Department Head in the event personal circumstances, such as illness or dependent care responsibilities, interfere with the employee's ability to fully perform the essential functions of their job. Employees testing positive for Covid19 must notify the Vermont Department of Health immediately.

Modifications will be considered as needed, and implemented when possible, to the extent deemed appropriate by department in conjunction with Human Resources.

Nonexempt Employees

Nonexempt teleworking employees are covered by the overtime requirements of the Fair Labor Standards Act, and therefore must comply with all recordkeeping requirements. Nonexempt teleworking employees must accurately record hours worked in Paylocity, and timely report all working time as a condition of continued participation in the teleworking program.

A supervisor must approve, in advance, any hours worked in excess of those specified per day and per week, in accordance with local, state and federal requirements. VLS may revoke the temporary remote working privileges of any employee failing to comply with this requirement.

Requests for Leave

Unless a flexible schedule is agreed to, employees should not permit non-work-related events and activities to disrupt or interfere with scheduled work time. Requests to use sick leave, vacation or other leave must be approved in the same manner as the employee who does not work remotely. If a nonexempt employee becomes ill while working at an alternate work location, the employee must report the hours actually worked and use sick or personal time for those hours not worked.

Compliance with Vermont Law School Policies:

Employees agree to comply with Vermont Law School rules, policies, handbooks, practices and instructions and understand that violation of such may result in the termination of the temporary remote work arrangement and/or disciplinary action, up to and including dismissal.

Employees working on campus during the COVID19 pandemic are required to follow the COVID19 safety protocols.

Employee Travel:

All work-related travel for employees is suspended until further notice. Any exceptions to this must be approved by the OVAT team and/or the Dean/President.

If an employee chooses to travel to an area requiring quarantine upon return to Vermont for personal reasons (vacation, etc), employees should notify supervisor prior to scheduling time off or travel. This is critical if quarantine time will interfere with essential job functions or on-campus work. Employees traveling for personal reasons must comply with Vermont health quarantine/testing rules prior to returning to campus for work.

Security of Information and Records:

Employees must use secure remote access procedures and are responsible for the security of all documents and records in their possession while remote working and must adhere to Vermont Law School's IT and other security procedures to ensure confidentiality and security of data. Employees working remotely agree not to share individual log-in passwords with anyone outside of the VLS. Any use of restricted-access information or materials at an alternate work location must be approved and described in the remote work agreement, along with procedures for removing and returning those materials. Employees approved to telework agree that their access and connection to Vermont Law

School's network(s) may be monitored to record dates, times, and duration of access. If any unauthorized access or disclosure occurs, the employee must inform the direct supervisor immediately.

Equipment and Materials:

Employees approved to telework must agree to use equipment provided by the department and supplies for business purposes only and to notify the supervisor immediately of equipment malfunction in order to schedule repair or replacement. Please work with the IT Helpdesk at helpdesk@vermontlaw.edu to address any of these issues. Any damage or theft of the equipment should immediately be reported to your supervisor or Department Head. VLS-owned equipment used in the normal course of employment will be maintained and repaired by the IT Department or Department Heads. Employees approved to telework must return all VLS-owned property when the remote work arrangement ends. When employees are authorized to use their own equipment, the IT department will not assume responsibility for costs of repairs, maintenance, or service.

Other Costs:

Under this temporary policy, Vermont Law School is not responsible for operating costs (such as electric bills, internet, etc.), home maintenance, or other costs incurred by employees in the use of their homes as alternate work locations.

Liability:

VLS assumes no responsibility for injuries occurring in the employee's alternate work location outside the agreed-upon work hours, or for liability damages to employee's real or personal property resulting from participation in the telework program. Workers' compensation coverage is limited to designated work areas in employees' homes or alternate work locations. Workers' compensation does not apply to injuries to any third parties or members of the employee's family on the employee's premises. Employees agree to practice the same safety habits they would use in the workplace and maintain safe conditions in their alternate work locations. Employees must follow normal procedures for reporting illness or injury, and report such to Human Resources within 24 business hours of injury.

Duration of the Temporary Teleworking Arrangement

All temporary telecommuting arrangements required practically by the COVID-19 outbreak and granted under this policy are granted on a revocable basis. Consequently, in its sole discretion, Vermont Law School may modify or terminate any teleworking/remote work arrangement at any time, although reasonable advance notice will be provided where practicable. Unless other arrangements have been made, upon termination of the teleworking arrangement or employment, whichever is first, the employee must return all Vermont Law School-owned property to Vermont Law School in good working order, less any normal wear and tear.

This Policy is not intended to alter the employment at-will relationship in any way. Accordingly, unless an employee has a valid written and signed contract of employment stating otherwise, employment is at-will and can be terminated by the employee or by Vermont Law School at any time without cause and without notice.

Other Questions:

Please contact the Office of Human Resources if you have any questions regarding this policy or if you have questions about teleworking that are not addressed in this policy.

