BOSTON UNIVERSITY

GUIDELINES FOR REMOTE STAFF WORK ARRANGEMENTS

August 9, 2021

1. Introduction

As an international, private, comprehensive research university dedicated to generating and sharing knowledge through in-person community interactions, Boston University offers remote staff work arrangements that help our community excel. While remote work arrangements are not an entitlement or a University-wide benefit, these Guidelines recognize that they can enhance a number of institutional goals, including staff recruitment and retention, business continuity, enhanced support for strategic plan initiatives, and environmental sustainability. While the expectation is that most staff will be on campus for the majority of their workweek, the Guidelines provide appropriate flexibility for individual schools, colleges, and departments to meet the needs of both their mission and their staff.

2. Scope of the Guidelines

The Guidelines apply to regular US-based non-represented staff. The Guidelines do not apply to faculty, staff who are members of a bargaining unit (unless otherwise agreed between the applicable union and the University), temporary employees, student employees, or staff who work outside the United States.

3. Eligibility

Staff members who meet the following job performance criteria are eligible to request remote work arrangements: (1) no active corrective action; (2) an overall performance rating of 3 (successful) or above on the most recent performance evaluation, if applicable; and (3) compliance with all University Covid-19 policies and protocols (including providing proof of vaccination by September 2, 2021 unless a medical or religious exemption is granted). New staff members who have not yet received a performance evaluation may request remote work arrangements.

4. Request and Approval Procedures

Requests: **Eligible staff members may request to work remotely up to two days per week.** To request a remote work arrangement, a staff member must complete an online Remote Work Approval Form, described below. Managers may also require that staff members provide additional information relevant to the staff member's position, job duties, or the needs of the department.

Required Approvals: Remote work arrangements must be approved by the staff member's manager and the appropriate dean or vice president (or the designee of the dean or vice president). If the remote work location is outside Massachusetts, the arrangement must also be approved by the Vice President for Human Resources, as described in Section 8 below.

Exceptional Situations: In exceptional circumstances, deans and vice presidents may consider allowing staff to work remotely more than two days per week or fully remotely (*i.e.,* not coming to campus at all except for occasional on-campus departmental meetings or events).

Remote Work Approval Form: An online Remote Work Approval Form must be completed before a staff member begins a new remote work arrangement. The staff member will complete the form which will be automatically routed to their manager for additional information and first-level approval. The form will then be routed to the appropriate Dean, Vice President, or designee (and for out-of-state work, the Vice President for Human Resources) for additional approval. The completed document will be returned to the staff member and manager.

Pre-existing Remote Work Arrangements: Some staff members had existing remote work arrangements prior to the Covid-19 pandemic. Such pre-existing remote work arrangements will be subject to these Guidelines in all respects, and Remote Work Approval Forms must be completed for staff members with pre-existing remote work arrangements.

Requests for Reconsideration: A staff member whose request for a remote work arrangement is denied may seek reconsideration of the decision using the reconsideration process described in Section 7 below.

Management Discretion: Decisions regarding remote work arrangements, including decisions on requests for reconsideration, are at the discretion of management and are not subject to the Employee Grievance Process in the University's Employee Handbook.

5. Evaluating Requests for Remote Work Arrangements

Managers should carefully evaluate all requests for remote work arrangements using the guidance below.

Core Principles

Institutional Mission: Boston University is a vibrant residential research university, and intense collaboration and in-person interactions between students, staff, and faculty are crucial to our work. Remote work arrangements must support this mission.

Quality of Student Services: Remote work arrangements must not impinge on the student-centered nature of our residential research university.

Quality of Research Environment. Remote work arrangements must not impinge on the research activities which are physically based in our laboratories and offices.

Business Operations and Goals: Remote work arrangements must support business operations efficiency to ensure the success of each school, college, or department and the University as a whole in meeting and exceeding overall goals.

Employee Retention and Recruitment: Remote work arrangements will support talent recruitment and retention and contribute to the University community and employee morale.

Nature of Position

Remote work arrangements must be appropriate for the specific position and job duties. Not all positions are appropriate for remote work arrangements due to the nature of the role, the job duties, and the University's needs.

Roles that lend themselves to remote work arrangements are generally those that:

- involve work that can be accomplished independently with limited direct supervision;
- do not require frequent face-to-face contact with students, supervisors, staff, faculty, or the public on the University's campuses;
- do not require access to equipment, materials, or information that can be only accessed while on the University's campuses; and
- do not need to be conducted on campus because of security, logistical, or other business-related reasons.

Staff Member Job Performance

Staff members must meet the job performance criteria set forth in Section 3 above (*i.e.,* no active corrective action, a minimum overall performance rating of 3 (successful) on the most recent performance evaluation, if applicable, and compliance with all University Covid-19 policies and protocols) to be eligible to request and remain approved for a remote work arrangement. If a staff member receives corrective action or an overall rating below 3 on a performance evaluation or fails to comply with Covid-19 policies and protocols, a remote work arrangement will be withdrawn until the manager determines that the performance issue is resolved, absent an exception by the applicable dean or vice president. The job performance criteria apply to both new remote work arrangements and the continuation of existing remote work arrangements that were in place prior to the Covid-19 pandemic.

Additionally, managers should consider whether a staff member has demonstrated the following:

- ability to work independently;
- consistently high levels of productivity;
- strong problem-solving capabilities;
- strong organizational skills;
- effective communication skills;
- ability to work within timelines and meet deadlines; and
- ability to work efficiently in an informal, non-office environment.

Seasonal Remote Work Arrangements

Managers may choose to approve remote work arrangements on a seasonal basis (e.g., for periods outside of the fall and spring semesters) based on organizational needs.

6. Ongoing Review of Remote Work Arrangements

Staff members with approved remote work arrangements are expected to meet all performance standards of their school, college, or department and to be as productive as if they were working on campus.

Managers will review approved remote work arrangements regularly, including during a staff member's annual performance evaluation, to determine whether they should be continued, considering staff member job performance, operational needs, team dynamics, and other relevant considerations. Such reviews should be conducted at least annually and more frequently for new remote work arrangements. Managers have the discretion to revoke remote work arrangements at any time upon 30 days' notice, with the approval of the applicable dean or vice president (or designee).

Managers may consider approving remote work arrangements for a trial period to assess their success and viability.

7. Reconsideration Process

The reconsideration process allows a staff member whose request for a remote work arrangement has been denied to seek reconsideration of the decision. Requests for reconsideration must be directed to the applicable dean or vice president, except those concerning denials by Human Resources for remote work outside of Massachusetts, which must be directed to the Vice President for Human Resources.

To request reconsideration of a denial of a remote work arrangement, the staff member must send an email to the appropriate dean or vice president articulating the reason for requesting reconsideration, the rationale for the remote work arrangement, the submitted remote work request, and any prior written correspondence to or from the manager relating to the requested remote work arrangement. A decision will be made as soon as practical, typically within 10 business days from receipt of the request for reconsideration. Reconsideration decisions are final.

A dean or vice president may designate another administrator to decide requests for reconsideration relating to remote work arrangements on their behalf.

8. Remote Work Outside Massachusetts

Any remote work arrangement involving work that will be performed at a location outside the Commonwealth of Massachusetts must be approved by Human Resources in addition to the appropriate individuals in the applicable school, college, or department. Human Resources, in consultation with the appropriate individuals in the applicable school, college, or department, will consider whether to approve out-of-state remote work arrangements based on the following factors:

- staff recruitment or retention needs;
- the needs of the school, college, or department; and
- tax, legal, and compliance considerations.

To ensure compliance with applicable tax and other laws, managers must notify the applicable Human Resources Business Partner and receive approval from Human Resources before a staff member is allowed to work remotely outside the Commonwealth of Massachusetts. Staff who perform work outside the Commonwealth of Massachusetts are responsible for ensuring that they are aware of the tax implications, and the University encourages such staff to consult a qualified tax professional. The University does not provide tax advice.

Staff must obtain approval from their manager and Human Resources before changing their remote work location if the new location is outside of Massachusetts. A staff member's work location for a remote work arrangement must be within the United States.

In the event that an exception is granted and a fully remote position outside of Massachusetts is approved, compensation may be adjusted based on the cost-of-living in the location where the work is performed. Additionally, for staff members performing work outside of Massachusetts, adjustments to University policies, benefits, and practices may be required to comply with applicable law.

9. Availability for On-Campus Work

Staff with approved remote work arrangements may from time to time be required to be on campus at times they are typically scheduled to work remotely. Additionally, organizational needs may require temporary suspension of a remote work arrangement to support unusual projects or conditions in the school, college, or department.

Schools, colleges, and departments may have specific requirements that staff with remote work arrangements be on campus for certain events.

Managers must give notice of the need for unanticipated on-campus presence or temporary suspensions of remote work arrangements as soon as practicable, but no particular notice period is required. Such decisions are at the discretion of managers and are not subject to requests for reconsideration.

10. Work Hours, Dependent Care Arrangements, and Absences

Work Hours/Attendance

Remote work arrangements do not modify the days of the week or the hours of the day that a staff member works. Staff members are required to follow their regular work schedule when working remotely. Requests for changes to work schedules are handled under Section 201.4 of the Employee Handbook: Variations in Work Schedules.

The University's policies regarding hours of work (including meal periods, rest periods, overtime, and time reporting) apply to work performed remotely as well as on campus. Non-exempt staff may not work more than their regularly scheduled hours without manager pre-approval, and must accurately report all hours worked.

Staff members must comply with the University's policies on attendance and authorized absences from work (including vacation leave and sick leave) while working remotely.

Dependent Care Arrangements

Staff members may not be the primary care provider for any dependent during remote work hours and must make regular dependent care arrangements during work hours.

Leaves of Absence/Disability Accommodation

Remote work arrangements are not intended to be a replacement for disability accommodations or family or medical leaves of absence. Staff can find more information about disability accommodations here and leaves of absence here.

11. Safety and Health

Staff working remotely must maintain a safe and secure workspace free from hazards. Unless the University is informed otherwise, a staff member's remote workspace is understood to be a work surface (desk or table), seat, computer and accessories, telephone, and, if applicable, a designated location for storing hard copy records. Work performed outside of this remote workspace is not authorized by the University.

Staff must report any work-related injuries that occur during remote work to their manager and the Boston University Occupational Health Center at the earliest reasonable opportunity and within 24 hours.

12. Expenses

Staff who work remotely at their own request will not be reimbursed for home office equipment (e.g., personal computers and furniture) or services (e.g., internet and phone service), unless otherwise required by law. The University is not responsible for the operating costs, maintenance, property or liability insurance, or other expenses for a staff member's home or other remote work location. University insurance does not cover staff members' personal property used for remote work. Commuting costs to a staff member's on-campus or remote work locations are not paid by the University.

Staff who are required by the University to work remotely will be provided or reimbursed for certain equipment or expenses as agreed upon with the applicable school, college, or department.

Grant or contract funds may not be used to purchase remote work equipment or reimburse remote work expenses unless such purchases or expenses are explicitly budgeted and approved in the award agreement.

13. Workspace, Technology/Equipment, and Data Security

Schools, colleges, and departments offering remote work arrangements and staff with such arrangements must ensure that the physical space, technology, and data security requirements below are met. Schools, colleges, and departments may also adopt additional requirements specific to their work, including specialized requirements for ensuring confidentiality of information.

Staff must fully comply with the University's Data Protection Standards and all other policies regarding privacy and security and information management when working remotely.

Physical Space

Staff working remotely should work from a space that is appropriate for the type of work being done. The space should generally be private so that others cannot overhear confidential conversations or meetings or view computer screens that contain sensitive information. For staff who do not have a private remote workspace available, schools, colleges, and departments should consider whether alternative ways of complying with the University's Data Protection Standards are feasible.

Staff who work with physical documents must have a secure location to store those documents and a secure method to destroy papers or media that contain sensitive information. Schools, colleges, and departments must consider how physical documents or media are exchanged between the staff member and the University to ensure the security is adequate under the Data Protection Standards.

Staff members may not hold in-person work meetings at their remote work location.

Technology/Equipment

Equipment: Staff in positions requiring a computer must be provided with a single set of necessary equipment from the list of BU Standards upon the start of their employment with the University. As a general rule, schools, colleges, and departments will not provide staff who work remotely at their own request with any additional computers or accessories (e.g., mouse, keyboard, external monitors) for on-campus offices or remote work locations. The University will also not provide other home office equipment (e.g., furniture) to staff who work remotely at their own request.

Internet Connection: Staff with remote work arrangements must have a stable, non-public internet connection with sufficient bandwidth to participate in video meetings and other regular activities.

Technology-Related Challenges: Staff are responsible for addressing technology-related issues at the remote work location, except for issues with equipment provided by the University, which should be communicated to a staff member's manager.

Data Security

All University employees must protect University data as described in the Data Protection Standards. Schools, colleges, and departments that offer remote work arrangements should consider the types of University data that remote staff will access and use by referring to the University's Data Classification Policy. Schools, colleges, and departments should confirm that devices to be used with University data meet Minimum Security Standards, and may require staff who have access to University-owned equipment (such as laptops) for remote work to use them. Schools, colleges, and departments will instruct staff with remote work arrangements about use of University systems to transmit and store data, as well as specific security requirements based on the nature of the work.

Staff must ensure that the computers or other technology used to access University data meet the Minimum Security Standards for that data. Staff who use personal devices should ensure that those devices meet the requirements for Endpoint Devices set out in the Minimum Security Standards. In particular, staff should follow the University's best practices, including the following:

- secure all devices that will access, use, or store University data;
- ensure that devices and the software they run are patched and updated;
- ensure that devices are running software to protect them from viruses, spyware, and other malicious behavior;
- use the University's VPN to access University information systems that require it, or any Restricted Use data (as defined in the Data Classification Policy); and
- ensure that University data is stored in appropriate University systems, databases or repositories as required by the Department and the University's Record Retention Policy, rather than on personally owned devices.

In the event that a device that is used to access or store University data is lost, infected with a virus or malware, subject to a phishing attack, or otherwise compromised, notify the University's Incident Response Team immediately. In the event a cybersecurity incident impacts a personal device used to access or store University data, the staff member must fully cooperate with the University's investigation, which in some cases may involve providing the device to IT for forensic investigation.

14. University Property

All equipment the University provides to a staff member, whether used on campus or in connection with a remote work arrangement, remains the property of the University and must be returned upon separation from employment or at any other time upon notice from the University.

15. Nature of Employment

Nothing in the Guidelines alters the at-will nature of employment for any staff member.