



OCS Remote Work Procedures In Response to COVID-19

On March 11, Governor Roy Cooper declared a State of Emergency and issued Executive Order 117 to help mitigate the spread of COVID-19 (Coronavirus). The Governor has closed public schools to students through at least May 15, 2020. In addition, state and federal health officials have encouraged employers and employees to use remote work technologies to the greatest extent possible in an effort to slow the spread of COVID-19.

In light of these unprecedented circumstances, school principals and other staff supervisors are encouraged to work with the staff they supervise to determine whether staff members can effectively perform some or all of their essential work responsibilities through remote work (alternatively, “telework”). The Superintendent has adopted these procedures to permit and govern teleworking while schools remain closed to students.

Covered Employees

Remote working is available only to employees whose essential work duties, or duties assigned to them by their supervisor during the duration of the COVID-19-related school closures, can be performed at a location not operated by the District, and who have received written authorization from their supervisor to complete work remotely. The decision whether to grant an individual employee permission to telework is within the discretion of each supervisor, subject to review by the Superintendent.

Definitions

Remote Work Location: a worksite other than a workplace owned or operated by the Orange County Schools, which may include employees’ homes and satellite home offices

Regular Workplace: an employee’s assigned place of work or duty station owned or operated by the Orange County Schools (typically a school or school facility)

Telework/Remote Working: a flexible work arrangement in which supervisors direct or permit employees to perform some or all of their job duties at a remote work location away from their regular, District-operated workplace, in accordance with the same performance expectations that apply to performance of their job duties at their regular workplace, and subject to other terms (including the terms captured in the OCS Remote Work Procedures)

Teleworker/Remote Worker: an employee engaged in teleworking

Remote Work Agreement: a written acknowledgement by the teleworker that he/she has been granted permission to work remotely, understands these procedures (the OCS Remote Work Procedures), and agrees to comply with them

Work Schedule: the employee’s hours of work in the regular workplace



OCS Remote Work Procedures In Response to COVID-19

Conditions of Employment

All OCS policies, procedures, and practices apply to remote working, including but not limited to policies governing performance expectations, compensatory time and overtime, and confidentiality of student and employee information. Teleworking does not change or otherwise impact the conditions of employment or required compliance with OCS policies, procedures rules, and/or practices.

Terms of Telework/Remote Working

1. Participation in remote working: Supervisors will inform employees in writing if they are able to work remotely. Any OCS employee who wishes to work remotely who has not so been notified should consult with his or her supervisor to determine eligibility for remote work. Prior to working remotely, employees must seek and gain permission to do so by submitting the Remote Work Request form to their principal/supervisor. An email request to the principal/supervisor containing the information outlined in the form may be used to gain approval as well. Employees granted permission to perform some or all of their work via telework may still be instructed and required to report to District-operated sites to complete work duties, at the sole discretion of their supervisor, and subject to review by the Superintendent.
2. Permission to work remotely: Supervisors are encouraged to use maximum flexibility in determining whether or not employees can effectively perform their essential job functions through telework. If a supervisor has questions or concerns regarding the prospect of an employee working remotely, the supervisor should contact the Chief Human Resources Officer for assistance in responding to an employee's request to participate in telework. Permission to work remotely may be rescinded by a supervisor or by the Superintendent/her designee at any time, and for any reason.
3. Compensation and Benefits: An employee's compensation and benefits will not change when he/she teleworks, provided the employee continues to perform the assigned duties and for the same hours.
4. Workspace: Each teleworking employee must designate a workspace that shall serve as the employee's remote work location and inform his/her supervisor of this designation prior to teleworking. The employee is responsible for maintaining the workspace in a safe condition, free from hazards and other dangers to the teleworker.
5. Confidentiality: Teleworkers are subject to any and all District policies and governing law guarding the confidentiality of student and employee records. Student and employee records and other confidential materials must be maintained and accessed in a secure and confidential manner during remote work. Employees should access such data only via the District's virtual private network ("VPN"), or by district managed cloud storage (e.g., Google, Canvass) and shall ensure that any confidential information accessed in any way



OCS Remote Work Procedures In Response to COVID-19

is inaccessible to other individuals who may be in physical proximity to the remote workspace. No confidential records should be removed from District property. Employees should not upload or otherwise access confidential data via an unsecure site (e.g., Dropbox, Personal email, etc.). Employees are authorized to access approved online platforms that they regularly use to discharge their work obligations (e.g., platforms used for grading, homework, and parent communication) from their home or other remote work location. The teleworker's supervisor must approve in writing any non-routine access to student or employee information databases from the remote work location. Employees should direct questions regarding remote access to confidential information to their supervisors or Chief Human Resource Officer.

6. Work Hours, Accessibility, and Productivity: Work hours are not expected to change during remote work, and employees are expected to be accessible via email and phone consistently and throughout the hours they are working. Employees should provide their supervisor with their contact information to ensure they can be readily accessed during normal work hours. For classified employees, no compensatory time or overtime may be worked without written approval from the employee's supervisor.
7. Work Schedule: Teleworkers agree to work hours assigned by their supervisor, including times when the teleworkers will be available for telephone conferences with students, parents, school teams, and others. Teleworkers may be granted authority to complete some or all of their work responsibilities and/or hours of work remotely. Teleworkers acknowledge that their obligations to participate in meetings and to report to and/or communicate with supervisors on a regular basis, as determined by that supervisor, shall remain the same during teleworking unless they are otherwise notified by their supervisors.

Teachers are to continue holding "office hours" for students and families via email and/or phone March 17- May 15. The designated office hours are from 9 am to 12 pm. These designated office hours are dictated as such to provide consistency across the district in support of continued student learning. If you choose not to work all or some of your normal work hours, please submit the appropriate leave for hours not worked.

Exempt employees are expected to work in hourly increments in accordance with their assigned duties and defined workday. If they choose not to work the entire day, the employee must submit the appropriate leave to cover the hours not worked. Non-exempt/classified employees (those who normally clock in) must record the hours worked on the Remote Activity Log form.

8. Reporting: Non-exempt/classified employees must complete and submit electronically the Remote Work Activity Log provided by their supervisor certifying the hours or days worked and duties performed. This log should be signed and submitted electronically to the supervisor on or before Friday of each week. Exempt employees may also be required to complete and return the Remote Activity Log form or otherwise account for work completed remotely at the discretion of their supervisor.



OCS Remote Work Procedures In Response to COVID-19

9. OCS Equipment: Teleworkers who have OCS computers and other teleworking equipment agree that such equipment is provided only for school business, must be used consistent with District policies and procedures, and must not be used by non-school employees, such as family members, except in case of emergency. The teleworker agrees to take reasonable steps to protect OCS-owned resources from theft, damage, or misuse. Any damage to OCS equipment shall be reported immediately to the teleworker's supervisor. OCS assumes no responsibility for any damage to, wear of, or loss of the teleworker's personal property under this teleworking arrangement.
10. Worker's Compensation: OCS will be responsible for any work-related injuries if the injuries are covered under North Carolina's Workers Compensation program. OCS is not liable for injuries to third parties (including members of the employee's family) at the remote work location under the Worker's Compensation program. Work-related injuries that occur while an employee is working remotely must be reported to the employee's supervisor and the Chief of Human Resources immediately.
11. Remote Location Only to be Used by Teleworker for OCS Business: The teleworker agrees that he/she will be the only person, school employee or otherwise, engaged in OCS business at the remote location unless engagement of another OCS employee at the same location is approved in writing beforehand by the teleworker's supervisor.
12. Dependent Care: Teleworkers should be available to give OCS work their undivided attention during assigned work hours. While the school district understands that many employees may be responsible for children or other dependents during this time, teleworkers must manage these responsibilities in a way that permits full performance of assigned duties. To the extent a teleworker has concerns at any time about his/her ability to fulfill work obligations as result of dependent care, the teleworker should communicate those concerns to his/her supervisor.
13. Income Tax: It will be the employee's responsibility to determine any income tax implications of maintaining a home office area. OCS will not provide tax guidance nor will OCS assume any additional tax liabilities. Employees are encouraged to consult with a qualified tax professional to discuss income tax implications.
14. Teleworking agreement: Each employee must indicate his or her agreement to abide by these terms via the OCS Remote Work Request Form or an email to his/her supervisor capturing the same information reflected in the form.
15. Termination of teleworking agreement: OCS may terminate teleworking privileges within its sole discretion and for any reason, including but not limited to changing school district circumstances and the teleworker's failure to comply with the teleworking agreement.
16. Subject to change: Terms and requirements for the teleworking agreement are subject to change to meet the evolving circumstances of this health emergency or for other reasons.



OCS Remote Work Procedures In Response to COVID-19

Further, these procedures and the opportunity to work remotely may be rescinded at any time. These procedures are designed to assist the District in adapting to the unique challenges and circumstances presented by COVID-19, and they do not create or give rise to any substantive or procedural rights beyond those provided by governing state and federal law and Board policy.