

 <p>Cree School Board Commission scolaire crie</p>	<h2>Policy on Telework</h2>	
	<p><b>Department responsible:</b> Human Resources  <b>Effective date:</b> March 10, 2022  <b>Approved by:</b> Resolution EC 2022-042</p>	
	<i>References:</i>	<ul style="list-style-type: none"> <li>▪ An Act Respecting Occupational Health and Safety: s. 9 (CQLR c. S-2.1)</li> </ul>
	<i>Other related policies</i>	<ul style="list-style-type: none"> <li>▪ Overtime (HR-08)</li> <li>▪ Employee attendance (HR-10)</li> <li>▪ Code of Ethics and Professional Conduct of employees (ADM-13)</li> <li>▪ Records Retention &amp; Management (Archiving) (SG-02)</li> <li>▪ Use of Internet, e-mail and Other Wide Area Networked Resources (IT-01)</li> <li>▪ Information Systems Security Breach Response (IT-02)</li> <li>▪ Telecommunication Services (IT-05)</li> </ul>

The purpose of this Policy is to establish the framework and conditions under which telework may be authorized and approved as well to determine the responsibilities of the Cree School Board and of its employees working from home or from another location away from the usual place of work.

The objectives of the Telework Policy are to:

- establish a uniform, objective, impartial and transparent approach that governs teleworking;
- allow employees to work in another location while continuing to contribute to the achievement of the Board's mandate;
- ensure compliance with any legal requirements applicable to teleworking;
- improve and support employee motivation, productivity, recruitment, and well-being;
- ensure telework does not add undue burden or costs on the team or the Board.

Telework is not an employee right and this Policy does not give individual employees a legal right to telework.

This Policy is divided into 3 parts:

- **PART I** is covering long-term telework that must be supported by a written agreement between the Board and the employee and which will specify the requirements and details of the arrangements. The agreement can be for a defined period or can continue indefinitely with regular review.
- **PART II** is covering temporary telework when interim measures for more flexible and widespread telework arrangements are necessary during an adverse situation such as office closure (power failure, weather, moving, renovation, etc.) or public state of emergency (pandemic, fire, etc.).
- **PART III** establishes the obligations and conditions applicable to both long-term and temporary telework.

## 1) Definitions

### Definitions

1.1. In this Policy, the following words or expressions mean:

- a) **Cree community**: one of the 9 Cree communities of Eeyou/Eenou Istchee;
- b) **Designated workplace**: the location of a position as originally determined by the Board in the Personnel Plan;
- c) **HR**: the CSB Human Resources Department;
- d) **Telework location**: the residence of the employee or another location agreed with the Board.

## PART I / Long-Term Telework Arrangements

This section applies exclusively to long-term arrangements supported by an agreement between the Board and an employee, in addition to provisions applicable under Part III. These agreements are subject to conditions established in the applicable working conditions, including any required approval from the concerned union or party where applicable.

## 2) Conditions and Requirements

### Principle

2.1. When evaluating the request, the Board must determine that the employee can effectively perform the job duties of the position while teleworking. Certain positions may not be eligible to telework due to specific job requirements, impact on a team, or performance concerns, or any other reason deemed valid by the Board.

The objective of the Board is to maintain as much as possible the positions in the Cree community or where the employee's department is located (e.g., PSSS Montreal or Gatineau). In-community telework shall always be first considered in order notably to maintain contact with the community, culture and social context which are key to better support the specific mission of the Board. Only in exceptional circumstances telework should be authorized outside the communities for reasons such as difficulty to fill positions at the Designated workplace or shortage of housing or workspace.

### Exclusion

2.2. A position shall not be considered for telework when the duties of the position include at least one of the following characteristics:

- a) requires a high degree of supervision or scrutiny;
- b) does not lend itself to objective performance monitoring of outcomes comparable to those if they were not teleworking;
- c) requires the employee to be a member of a team and that direct interaction on a daily or regular basis with other team members at the office-based site is an integral part of the job's responsibilities, or
- d) requires a direct interaction with students or other stakeholders on a frequent basis.

### Exception

However, for regional positions where the employee would have to travel on a regular basis to different communities for this direct interaction with the students, an analysis of the cost/effectiveness, could

allow these criteria to be waived. This possibility is exceptional and should be considered only after unsuccessful postings and proof of shortage of qualified candidates.

### **3) Process / Assessment, Approval & Agreement**

#### Request & assessment

**3.1.** A request for long-term telework arrangements is submitted to HR by the Director of the concerned department. HR will assess the request considering notably the following:

- a) alignment with organizational and students' needs;
- b) readiness of the employee for telework is established (autonomy, competencies, etc.);
- c) access to necessary tools (CSB software, files, data, etc.);
- d) the employee shall not be on a probationary or assessment period unless appropriate measures of evaluation and supervision are taken;

#### *Performance*

- e) ensure the employee can maintain the expected quantity and quality of their work while teleworking. Performance standards for teleworking employees are the same as for non-teleworking employees.

#### Approval / Arrangements

**3.2.** Any long-term telework arrangement must be approved by the Executive Committee based on the HR assessment and on the request of the director of the concerned department. However, any telework arrangements concerning officers' positions<sup>1</sup> must be approved by the Council of Commissioners.

#### Agreement

**3.2.1.** A telework agreement is prepared by HR and signed by the employee, the HR Director and the director of the concerned department.

A telework agreement is not an employment agreement and may not be construed as one.

#### *Renewal*

**3.2.2.** Any telework agreement renewal of a period not exceeding one year may be done by the Director General upon request and recommendation of the Director of the concerned department and HR.

#### Equipment and work space

**3.3.** During a long-term telework arrangement, the employee may be provided with certain Board-owned equipment such as a laptop, depending on what specific equipment is required to fulfill their duties. Otherwise, the employee is responsible for:

- a) supplying, as necessary, their own desk and work chair, lockable filing cabinet, personal shredder, telephone and printer;
- b) purchasing their office supplies; however pre-approved expenses may be reimbursed by the Board;
- c) maintaining a high-speed internet connection. Business-related long-distance charges may be reimbursed by the Board as supported by receipts;
- d) assuming all utility costs related to maintaining their telework location;
- e) maintaining proper insurance coverage for any equipment.

<sup>1</sup> Director General, Deputy Director General (Pedagogy), Deputy Director General (Operations) and Secretary-General

*Inspection /  
telework location*

**3.3.1.** The employee agrees that the Board may make on-site visits to the telework location for the purposes of determining that the site is safe and free from hazards, or to maintain, repair, inspect or retrieve the Board-owned equipment, software, data and/or supplies. The Board must provide the employee with at least 24 hours' notice of an inspection and make inspections only during normal working hours.

## **4) Termination of the Telework Agreement**

**4.1.** A long-term telework agreement may be terminated by the Board:

Reasons

- a) due to operational requirements;
- b) on grounds of inefficiency of the arrangements;
- c) in the event of failure by the employee to comply with occupational health and safety or security measures;
- d) when the reason why the long-term telework was in place no longer exists;
- e) for any other breach of policies or agreements by the employee.

Relocation

**4.2.** Upon termination of a telework agreement, the employee shall return to the Designated workplace within a reasonable period of time, but not later than 60 days after having received the Termination Notice. The Board may assume certain expenses incurred by the employee, in accordance with the working conditions and applicable Board policies.

If the employee refuses or neglects to return to the Designated workplace within 60 days of the receipt of the Termination Notice, unless otherwise agreed by the Board, the Employee will be deemed to have resigned from their employment with the Board subject to the applicable collective agreement or working conditions regarding breach of contract, etc.

**4.2.1.** Should the employee wish to relocate to the Designated workplace, he may submit a request at least 35 days before the termination of the Telework Agreement subject to the availability of adequate housing and workspace.

## PART II / Temporary Telework Measures

As part of exceptional measures, the Board considers that temporary telework is a way of reducing the impacts of an extraordinary situation by allowing employees to work remotely. This section applies exclusively to temporary telework, in addition to the provisions established in Part III of this Policy.

### **5) Conditions and Requirements**

#### Situations

**5.1.** The Board may decide to implement temporary telework measures for certain employees during an adverse situation such as office closure (e.g., power failure, moving, renovation, etc.) or public state of emergency (e.g., pandemic, fire, etc.). This type of telework may be occasional or for a specific period of time.

#### Goal

**5.2.** The goal of temporary telework is to allow the Board to maintain certain activities by involving employees who are not required to be present in the workplace but who can work remotely.

#### Eligibility

**5.3.** The nature of the work operationally possible as well as the eligible positions for temporary telework are determined by the Director General after consultation with HR and the concerned managers and may be subject to change.

#### Equipment

**5.4.** During temporary telework measures imposed by the Board, the latter will as much as possible provide the necessary equipment to the employee based on the duration of the measure, the needs, the resources available and feasibility. The Board will assess each situation and determine what needs to be provided, such as:

- a laptop, desk and work chair, lockable filing cabinet, shredder, telephone and printer;
- office supplies: as pre-approved by the Board;
- reimburse the employee for any extra cost as supported by receipts for maintaining a high-speed internet, business-related phone calls as per IT policies in effect.

#### End of the temporary telework

**5.5.** A temporary telework measure may be terminated at any time by the Board and the employee shall return to the Designated workplace as required.

## PART III / Obligations and Conditions Applicable to both Long Term and Temporary Telework

### **6) Responsibilities**

#### Board

- 6.1.** The responsibilities of the Board during any telework measure are to:
- a) promote flexible management by achieving results;
  - b) adopt management practices allowing teleworking employees to benefit from the supervision necessary for the performance of their duties;
  - c) establish the method of evaluation and monitoring of the employee's work;
  - d) determine the expectations related to the individual contribution;
  - e) maintain a link and communication with the employee and determine the modalities and means of communication;
  - f) respect the employee's work schedule as if he was working in the office or as otherwise agreed upon.

#### Employees

- 6.2.** The responsibilities of the employees during any telework measure are to:
- a) provide a work performance that meets the requirements of the Board;
  - b) collaborate with co-workers to achieve the results desired by the Board;
  - c) respect the established work schedule;
  - d) make themselves available under the terms established with the Board and can be reached according to management needs as if they were working in the office;
  - e) report to the workplace as required;
  - f) ensure they maintain and have access to a reliable network, Internet and phone access at all times for communications;
  - g) respect the applicable terms of employment, collective agreement, legislation and policies<sup>2</sup>;
  - h) use exclusively for their professional activities, the supplies, equipment and electronic networks belonging to the Board and must not allow non-Board employees to use such equipment unless explicitly authorized by the Board. Employees may be held responsible for any costs resulting from damages, loss, theft or extensive wear, outside of usual wear for Board-owned equipment.

#### Inability to perform the work

- 6.2.1.** When employees cannot perform their work (e.g., power failure, computer issues, illness, etc.) or must leave their home during working hours that have been previously determined by management, they must communicate with their immediate supervisor without delay in order to notify or address the situation.

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<sup>2</sup> Notably the Overtime Policy stating that only overtime explicitly and directly scheduled and approved by the immediate supervisor is considered legitimate overtime hours and can be paid under the terms and conditions in this Policy. All overtime must have prior approval of the employee's supervisor.

## **7) Safety of the Telework Location**

[Home office /  
work  
environment](#)

7.1. In establishing the telework location, employees shall ensure that all safety and health practices have been followed and provide a safe work environment for them and others who may enter it. To be considered suitable for long-term teleworking, the work station must notably:

- a) be a separate, discrete area capable of being closed off from the rest of the domicile in order to provide an adequate space free from distractions or interruptions during working hours;
- b) be clean and free of workplace hazards;
- c) meet the fire safety requirements;
- d) be adequately lighted, heated and ventilated and;
- e) be ergonomically-sound in order namely to prevent injuries.

Employees must inform their immediate supervisor of any situation that may constitute a risk for their health or safety.

[Accident,  
injury and  
safety](#)

7.2. In the event of a work accident or occupational disease, the same rules apply to teleworking employees as to other employees, including the responsibility to notify the employer immediately after an event has occurred or an injury.

The Act respecting Occupational Health and Safety applies to employees who work from home and they must therefore participate with the employer in identifying and eliminating the risks of occupational accidents and occupational diseases at their place of telework and take the necessary measures to protect their health, safety and physical well-being. This is a shared responsibility between the employee and the Board.

Any work accident must be reported to the Board as soon as possible and in accordance with its procedures.

## **8) Confidentiality and Security of the Information**

8.1. The immediate supervisor determines the documentation, data and programs that the employee can keep at home. Employees:

- a) are subject to the ethics and confidentiality rules in force at the Board at all times;
- b) are responsible for:
  - maintaining the security and confidentiality of the data and information they use
  - protecting and managing records and other sensitive information stored on devices and transmitted across external networks
  - keeping Board's property and information safe, secure and separate from their personal property and information;
- c) must not compromise the integrity of the data and information of the Board. They must also take all the necessary measures to protect the documents relating to their work (e.g.: keep confidential documents in a

secure manner, shut down their computer and ensure the confidentiality of their passwords);

In addition:

- d) if employees must have a confidential document destroyed, they must destroy it using a shredder. If they do not have at their home a room or a locked filing cabinet and a shredder, the person must bring the confidential documents to be protected or destroyed to the office;
- e) ensure that:
  - all their work is saved on the Board drive or structure and not on the drive of their computer
  - any archiving requirements for the documents they detained are followed according to the Board policies.

## **9) Benefits**

### [Premium](#)

**9.1.** When the telework location is not in a Cree community, the employee is not entitled to the retention premium neither to the regional disparities benefits.

## **10) Application of this Policy**

### [Official version](#)

**10.1.** The official version of this Policy is kept by the Secretary-General of the Board.

### [Responsibility](#)

**10.2.** Any person referred to in this Policy must abide by all its provisions and all managers of the School Board are responsible for ensuring that all its provisions are applied and respected.

The Director of Human Resources is the person responsible for providing support in the interpretation of this Policy and to ensure its revision when necessary.