

**EMPLOYEES WORKING REMOTELY DURING MODIFIED OPERATIONS:
CONSIDERATIONS & RESOURCES TO GUIDE DECISION-MAKING
THROUGH THE END OF FY2020**

This version was updated on April 15, 2020 at 8:20 a.m.

This document has been written to help supervisors and department heads prepare for and manage situations where employees are working remotely during modified operations as part of the College response to the COVID-19 emergency. The intention is that it will be updated with additional information as the emergency unfolds and as issues are identified.

The College has issued directives to certain departments, in which employees are continuing to work on campus during the period of modified operations. These departments include but are not limited to Public Safety, Dining Services, Health Services, Facilities, Counseling Services, and the Post Office. Other departments and individual employees not in these departments may be added.

All departments must implement mitigation and social distancing protocols as required by public health authorities. This includes compliance with Governor Baker's March 23, 2020 [Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gatherings of More Than 10 People](#) and the accompanying [Exhibit identifying COVID-19 essential services](#), and prior March 15, 2020, [guidance from the Massachusetts Department of Public Health](#), which prohibit:

- any event or activity that brings together 10 or more persons in a single room or single space at the same time in a venue such as an auditorium, stadium, arena, large conference room, meeting hall, theatre, gymnasium, fitness center, private club or any other confined indoor or outdoor space; and
- on-premises consumption of food or drink in any eating establishment; provided that such establishments may continue to offer food for takeout and by delivery provided that they follow social distancing protocols that allow individuals to stay 6 feet apart. This means that all dining services locations on campus must provide only take-away meals and must prohibit individuals from eating on-site.

The same guidance also reiterates that all employees must continue to practice social distancing (staying approximately 6 feet away from other people), and to frequently wash their hands, use hand sanitizer, and practice proper respiratory etiquette (i.e., coughing or sneezing into a tissue that is then disposed of or into the inside of your arm/elbow). Questions regarding how this guidance may affect a department's operations or any particular job duties should be directed to Human Resources.

For all other departments, to advance mitigation and social distancing protocols, as required by public health authorities, the College has asked that department heads prepare and implement a regime of working remotely to the maximum extent possible.

Advice on working remotely is outlined below. In addition, HR staff are available to advise department heads with questions: contact [David Achenbach](#) or [Kate Kilby](#) or send an email to hr@holycross.edu.

Continuation of Regular Pay and Benefits through June 30, 2020 (The Draw-Down Period)¹

The College will continue to pay all regular full- and part- time employees, salaried and hourly, their normal base pay based on their regularly scheduled hours through the final payroll period of FY2020. To support this commitment, employees will be required to use or “draw down” an amount of accruable paid leave at least equal to the amount of vacation leave the employee accrues annually. Salaried employees must use **20 days of accruable paid leave days** before June 30, 2020. The amount of paid leave hourly employees will be required to use will depend on the employee’s years of service at the College; all leave must be taken prior to June 27, 2020, the end of the last hourly payroll period of FY2020. Employee benefits will continue. During this period, sick leave absences will not be charged to an employee’s leave bank so that there is no depletion of an employee’s paid sick leave. See *Suspension of Paid Sick Leave Depletion During the Draw-Down Period* below for more information.

Timekeeping and Overtime for Hourly Employees

Except to the extent the College communicates otherwise, regular timekeeping, pay and leave policies apply during the period employees are working remotely.

When employees are working remotely, department heads and supervisors should direct them to use one of the approved methods to report their time, which may include “remote time punching” from an off-campus device. Information regarding “remote time punching” will be provided to supervisors and department heads on the [Human Resources webpage](#).

Departments have persons designated as timekeepers who have, or will be given, remote access for time entry and time approval. If your designated department timekeeper does not have permission for remote access, or you have questions about remote access to time-reporting, contact [Karen Brosnihan](#) or [Jean Leavitt](#) or KRONOS@holycross.edu.

All supervisors are approved to enter and approve time from on- and off-campus locations. If you have questions, contact [Karen Brosnihan](#) or [Jean Leavitt](#) or KRONOS@holycross.edu.

Human Resources can also enter and approve time, if necessary. Send time to be entered to KRONOS@holycross.edu or a request that time be approved. The [Payroll Office](#) can also enter and approve time, including remotely.

Hourly employees must receive express permission from their supervisor before they perform any work outside of their regularly scheduled 40 hour work week. Supervisors must inform Human Resources when they approve an employee to work overtime by sending an email to KRONOS@holycross.edu.

Department heads and supervisors should ensure that all employees report time off consistent with applicable protocols. Because remote work can sometimes make accurate accounting of time-off difficult, supervisors and department heads should insist and confirm that all time-off is properly recorded.

¹ The draw-down period for hourly employees begins on April 12, 2020 and extends to June 27, 2020, these dates correspond with the hourly payroll cycle during this period. The draw-down period for salaried employees extends to June 30, 2020, the last day of the salaried payroll cycle and end of FY2020.

Prescheduled Leave

Per guidance from public health officials, [the College recommends that employees reconsider non-essential travel plans](#) in light of the unfolding emergency. Department heads and supervisors should discuss with their employees potential changes to their previously scheduled leave. Department heads and supervisors have the right to refuse, approve or adjust previously scheduled leave, but should try to be reasonable. Questions or concerns about changes to previously scheduled leave should be directed to [Human Resources](#).

Draw-Down of Accruable Paid Leave

During the draw-down period, beginning on April 12, 2020 and continuing until June 30, 2020, all employees (including both salaried, hourly, full- and part-time) will be required to use their accruable paid leave. For purposes of this policy, “accruable paid leave” means vacation accrued in FY2019 for use in FY2020, vacation accrued in FY2020 for use in FY2021, floating holiday, personal (hourly only), time due leave, and perfect attendance award leave (hourly only)). Salaried employees will be required to use 20 days of paid leave during this period. Hourly employees, depending on years of service, will be required to take the following increments of accruable paid leave:

- **Full-time hourly employees**
 - Full-time hourly employees with **0-7 years** of service will be required to take **10 days** of leave
 - Full-time hourly employees with **7-15 years** of service will be required to take **15 days** of leave
 - Full-time hourly employees with **15 or more years** of service will be required to take **20 days** of leave
- **Part-time hourly employees**
 - Part-time hourly employees with **0-5 years** of service will be required to take **5 days** of leave
 - Part-time hourly employees with **5 or more years** of service will be required to take **10 days** of leave

All employees must communicate with their supervisors to determine which days they will take as accruable paid leave days, and must make express arrangements with their colleagues and supervisors to ensure that others can cover their duties on accruable paid leave days. Employees with sufficient accruable paid leave may take more leave than required, with supervisor approval, as long as doing so would not result in more than 100% of their standard weekly pay.

The College’s usual policy that vacation leave accrued in one fiscal year is not available for use until the next fiscal year is suspended. Employees will be required to use leave earned in FY2019 (for use in FY2020) and leave accrued in FY2020 (for use in FY2021) during the draw-down period. Employees who do not have the requisite amount of vacation time needed during the draw-down period will be permitted to accrue a negative vacation leave balance, meaning that the College will advance an employee vacation days to ensure the employee receives 100% of their pay. Employees will be permitted to “go negative” up to a maximum of 20 days.

All employees will continue to accrue vacation time during the draw-down period. Employees who have additional leave left in their leave bank after the draw-down period will be allowed to carry over up to one week of vacation leave for use in FY2021, consistent with existing carry-over rules.

Exemptions from the Required Accruable Paid Leave Draw-Down Period

Hourly employees working 100% of their time or more on campus are exempted from using accrued paid leave during the draw-down period. Salaried employees who, because of the nature of their work during the emergency, need to continue to work their regular schedules should consult with their supervisors to be exempted from using accrued leave during the draw-down period. Supervisors must obtain written authorization from the Division Vice President for any employee the supervisor recommends for an exemption.

Pay and Leave Directives for Department Heads and Supervisors of Hourly Employees

Consistent with the College's existing policies and applicable law, all hourly employees working on-campus or remotely, will be paid for hours actually worked, including overtime hours. (See section on *Typical Work Duties, Other Duties as Assigned, and Overtime Guidance below.*) If during a weekly period, an hourly employee only works a fraction of their regularly scheduled hours, and the requisite accruable leave is used, but those hours combined are still less than the employee's regularly weekly hours, then the College will "gross up" the employee's hours so that the employee receives 100% of their pay for that week. When additional hours are paid so that the employee earns 100% of their pay, those hours will be recorded as "COVID-19 Hours."

Pay and Leave Directives for Department Heads and Supervisors of Salaried Employees

Consistent with the College's existing policies and applicable law, salaried employees will continue to be paid 100% of their salary on a semi-monthly basis so long as they perform some work each week, irrespective of the amount of hours worked in any given work week. During the draw-down period, if a salaried employee must perform more than a de minimis amount of work on a pre-scheduled leave day (e.g., work that entails more than just periodic checks of email and forwarding time-sensitive tasks to appropriate colleagues) then that day must be considered a work day for the employee, and the employee's accrued paid leave day must be rescheduled. All salaried employees must use their 20 days of accrued paid leave prior to June 30, 2020. Supervisors and department heads should be flexible in allowing employees to tailor their schedules around an employee's work obligations, and employees should remain in frequent communication with their supervisors about their assignments.

Suspension of Paid Sick Leave Depletion During the Draw-Down Period

As discussed above in *Continuation of Regular Pay and Benefits*, during the draw-down period, sick leave will not be charged to an employee's sick leave bank so that there is no depletion of an employee's paid sick leave. This applies to all employee sick leave absences, even those that were previously approved as sick leave (e.g., an employee on FMLA leave using sick leave to continue in paid status during the FMLA absence period). Rules regarding providing notice of, requesting, and (if required) approving paid time off will continue to apply.

Human Resources will notify all employees the date on which sick leave will once again begin to be charged to an employee's sick leave bank.

Sick Leave & COVID-19

All employees must continue to report to their supervisor when they are ill; rules regarding providing supervisors notice of, requesting, and (where appropriate) approving sick leave will continue to apply. This rule applies even if working from home, so that we may identify, and maintain a record of, potential exposure to COVID-19.

If an employee informs a department head or supervisor that they have been exposed to and/or are exhibiting symptoms consistent with Covid-19, or have been quarantined, the employee must be directed TO STAY AWAY FROM CAMPUS and to immediately contact their health care provider. Then the department head or supervisor must immediately contact [Melissa Cutroni](#) in Human Resources.

Human Resources will permit sick leave to be used by employees who require time off to self-quarantine, when directed by a healthcare professional or when consistent with recommendations from public health authorities, irrespective of whether the employee is ultimately determined to be “sick.” Additionally, employees may use any or all available sick leave to care for a sick or quarantined family member; the usual rule that a maximum of 40 hours of sick leave may be used to care for a family member will be waived.

If an employee reports that they are not feeling well for other reasons, they should be directed to follow regular sick time protocols for contacting their supervisor and remain away from campus until they are well.

For employees who are unable to work as a result of a Covid-19 diagnosis (whether the person diagnosed is the employee or a family member), or other serious medical condition, leave under the Family and Medical Leave policy (“FMLA leave”) may be available. Please contact [Melissa Cutroni](#) in Human Resources in these circumstances, or if an employee inquires about FMLA leave.

When an employee who has been diagnosed with, or exposed to, COVID-19 seeks to return to work, they should communicate as far in advance as possible with Human Resources about a return-to-work plan. As a general protocol, Human Resources will require such employees to obtain return-to-work certifications or other appropriate documentation of full recovery from their medical providers. If this proves impracticable or impossible, Human Resources can determine, based on available evidence and information, whether and when it is safe for the employee to return to work.

Exposure to COVID-19 While on Campus

If a department head or supervisor is informed by an employee that the employee believes they have been exposed to Covid-19 while on campus, please immediately contact [Melissa Cutroni](#) in Human Resources at (508) 793-3566.

Deciding on and Memorializing Remote Work Arrangements

Supervisors and department heads must, in consultation with Human Resources, determine whether any individuals who are working on campus do not fall within the Essential Services exempted from the Governor’s work-from-home order, and direct such employees to work from home effective immediately.

Consistent with this requirement, supervisors and department heads should avoid reflexive assumptions that employees must work on campus. Supervisors and department heads should think creatively about

the types of work that might be usefully performed remotely during the modified operations period. This might be the employees own work or “other duties as assigned.” For example, consider whether there may be work that could be swapped between an employee working remotely and an employee who continues to perform essential work on campus. Similarly, consider whether work that needs to be performed on campus can be bundled so that it is done by a single individual or smaller number of employees who otherwise are otherwise performing essential work on campus – or who can take turns coming to campus to perform essential work – while allowing all other tasks to be performed remotely.

Arrangements to work remotely should be memorialized in writing, such as an email from the supervisor or department head to the employee. Any specific terms or conditions that will apply to an employee’s particular remote work arrangements should also be memorialized in writing to the extent possible.

For example, an email memorializing a remote work arrangement may include the following language as appropriate. Please consult with Human Resources if you have any questions about what should be included in such an email.

Dear [*Employee Name*],

This email confirms that you will be working remotely beginning on [*date*] until otherwise directed. This is a temporary arrangement and the College reserves the right to alter or end it. You are expected to work remotely [*all days or certain days*], to stay in close communication with me and other colleagues as you normally would, to continue to follow all College rules and policies, and to review and comply with the [remote work protocols](#) the College has implemented.

[*State any other particular arrangements applicable to the employee.*]

If you have any questions or concerns, now or during the period you are working remotely, please contact me, Human Resources, or, if the issue relates to technology, the ITS helpdesk.

We appreciate your flexibility during this period of modified operations and your efforts to continue the College’s work during this difficult time.

Sincerely,

[*Insert your name here*]

Technology, Access and Security

In general, you’ll want to be thinking about issues like technology, access and security.

Technology. You’ll need to think about what the employee needs to operate remotely. Do they have a College laptop or other computer that is adequate for work use? Do they have and will they need a printer? If they need a phone to work, do they have a suitable phone? Are there other business resources which they need to have with them in order to do their job? [Contact ITS](#) to determine what resources may be available and how they can be obtained.

Access. You’ll need to think about whether the employee needs remote access to network resources via the College’s Virtual Private Network (VPN). Some resources can only be accessed from inside

the College's firewall and different rules apply in the case of more secured resources. [ITS has a webpage dedicated to answering these questions.](#)

Communication. Office phones may need to be forwarded so that calls can be answered by a home or cell phone. [The ITS webpage has instructions for call forwarding.](#) The ITS webpage also has instructions for [how to conduct virtual meetings](#) using Google hangout or teleconferencing.

Other Security Concerns. Please ensure employees continue to follow standard security protocols. Remind employees to consider whether work needs to be conducted in a private setting (e.g., not overheard or viewed by others who are in the remote environment). If hardcopy documents – such as papers, files, books, or records – must be removed or copied for use in the remote environment, please ensure appropriate safeguards are in place to avoid unauthorized or unwitting disclosure. Additional useful information is available at the [ITS Information Security webpage.](#)

Management Concerns, Tips and Pitfalls

Although circumstances have developed rapidly and certain decisions may need to be made with more limited deliberation than might typically be warranted, it is important to take all necessary steps to ensure compliance with College policies and the law, and to adapt so that the College's work can continue unimpeded. Accordingly, supervisors and department heads must be thoughtful, creative, and flexible in order to promptly address any issues that may arise. Below are some common issues that may arise in a remote work setting.

Setting Expectations. Supervisors and department heads will need to determine and communicate frequently with employees about job expectations while working remotely. Such issues are best addressed promptly to avoid confusion, misunderstandings or misconduct. For example, you may need to set different rules than those currently in effect, such as expectations for returning phone calls, responding to emails and being available for conference calls or other virtual meetings.

Tracking Work. Consider the use of regularly scheduled times for reporting status, department meetings and manager/employee meetings. Use secured shared drives, such as Google Drives and network drives, to keep track of progress on work.

Redesigning Processes, Electronic Signatures, etc. You may need to redesign workflows to maintain efficiencies while employees are working remotely. For example, electronic signatures may take the place of "wet ink" signatures, approvals may be accomplished by email, or by moving documents from one folder ("pending approval") to another one ("approved"). HR has expertise in working on workflow issues and is [available to consult.](#)

Conflicting Responsibilities. Does the employee have conflicting responsibilities that might interfere with their ability to work effectively in the remote environment? You should promptly discuss and address any such issues and be as flexible as possible consistent with applicable rules and protocols.

Requests for Reasonable Accommodations

Department heads and supervisors should refer employee requests for reasonable accommodations while working remotely to Human Resources which will follow [normal College policy and procedures.](#) Note that accommodation requests may not be explicit, e.g. the employee may not use the term "accommodation" or may provide information simply indicating that they are having difficulty

performing job tasks. In these circumstances the College may have an obligation to explore reasonable accommodations. If there is any question that the employee may require an accommodation, consult with Human Resources. Information related to accommodation requests, medical conditions, and/or disability-related issues, including information relating to potential Covid-19 diagnoses or quarantines, must be kept confidential, consistent with College policy.

Non-Discrimination

Department heads and supervisors are reminded not to discriminate on any unlawful basis, including in the assignment of work, decisions regarding working remotely, disciplinary matters, scheduling, or other terms and conditions of employment. Notwithstanding the heightened risk from Covid-19 to certain populations, such as older persons and persons with underlying medical conditions, department heads and supervisors should not assume that any class of employees is any less capable of performing work or is more or less suitable for remote work under the current circumstances.

Student Employment

Student employment will not continue after March 21, 2020. Exceptions will be made for student employees whose services are critical to continued academic institutional support. Those student employees have been identified by their departments and are permitted to work remotely. These student employees will be paid for hours actually worked. Students will not be required to take leave during the draw-down period, as they do not accrue paid leave.