



Flexible Working – Phase 1: New Policy

To: Governance and Policy Committee

Date: 9 February, 2022

Report No.: 02-22-4260

Strategic Directions

- Create a Culture for Student and Staff Well-Being
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the Policy Development Work Plan, as presented in this report, be approved.

Context

While the COVID-19 pandemic brought numerous challenges, it also led to new opportunities as organizations had to cope with COVID related restrictions and closures. Working from home or a remote location became a new reality for several TDSB administrative and support staff. A positive remote working experience reported by many staff during the pandemic has prompted organizations to explore more deeply new models of work, including remote and hybrid work arrangements as a long-term strategy. A review of the literature demonstrates the many benefits that flexible working arrangements can bring to both organizations and employees (e.g., business continuity, higher job satisfaction and improved work-life balance, a tool for recruitment, retention and succession planning, and greater employee productivity/reduced absenteeism). As a result, public sector and private sector organizations alike are employing both remote as well as hybrid working methods to provide greater flexibility and equity for its workforce.

In order to position the TDSB as a leading and progressive employer in the post-pandemic era, staff recommends to initiate development of a new Flexible Working Policy. The Policy will advance the TDSB's commitment to employment equity, diversity, inclusion, employee mental health and well-being as outlined in the TDSB Multi-Year Strategic Plan, Employment Equity Policy (P029), Equity Policy (P037), and Accessibility Policy (P069).

The proposed Policy will focus on the following objectives:

- To establish requirements and expectations for flexible working at the TDSB;
- To enhance employee mental health and well-being, productivity and engagement through an improved work-life balance for employees;
- To maximize effective use of administrative office space;
- To promote equity principles, diversity, enhance the Board's hiring practices, talent acquisition and retention strategies; and,
- To improve service delivery and business continuity in the event of an emergency.

In developing the proposed Policy, staff will ensure alignment with legislative requirements, the Board's operational requirements and will take into consideration best practices.

As part of the policy development, staff prepared the Policy Development Work Plan (see Appendix A) which outlines rationale for the policy, detailed information on the proposed policy provisions, policy consultation requirements, and implementation timelines.

The proposed policy content is supported by and informed through the scan of related policies and practices in various public organizations, including municipalities, universities, and colleges (see Appendix B).

The Policy Development Work Plan is being presented for the Committee's consideration and approval.

Action Plan and Associated Timeline

Subject to the Committee's recommendation and approval of the Policy Development Work Plan by the Board of Trustees, the draft Policy will be developed in accordance with the Work Plan. Public consultations are expected to be conducted between March - April 2022. It is expected that the draft Policy will be presented to the Governance and Policy Committee in April 2022 and to the Board of Trustees in May 2022 for final approval.

Resource Implications

No additional resources will be required for the development and implementation of the Policy at this time.

Communications Considerations

Following Board approval, the Policy will be communicated the public in accordance with the Policy Development Work Plan.

Implementation of the new Flexible Working Policy and Procedure will be supported by a Change Management Plan led by Service Excellence Department.

Board Policy and Procedure Reference(s)

N/A

Appendices

- Appendix A: Policy Development Work Plan
- Appendix B: Scan of Selected Organizations: Remote Working

From

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POLICY DEVELOPMENT WORK PLAN

All policies will be developed to ensure consistency with the TDSB's Mission, Values and Goals Policy (P002), the Equity Policy (P037), and the Board's Multi-Year Strategic Plan.

Date: [February 9, 2022](#)

POLICY INFORMATION

Proposed Policy Title: [Flexible Working](#)

Executive Council member responsible for development of the new Policy:
[Associate Director, Business Operations and Service Excellence](#)

Phase I. APPROVAL OF POLICY RATIONALE

The rationale for the new Policy:

[The Flexible Working Policy \(the "Policy"\) supports the TDSB's commitment to flexible working, where practicable, in a manner that maintains performance standards, accountability, and service to the TDSB community.](#)

[The Policy advances the TDSB's commitment to employment equity, diversity, inclusion, employee mental health and well-being as outlined in the TDSB Multi-Year Strategic Plan, Employment Equity Policy \(P029\), Equity Policy \(P037\), and Accessibility Policy \(P069\).](#)

[The Policy also supports continuous improvement initiatives at the TDSB through Service Excellence and facilitates business continuity under the Enterprise Risk Management Framework.](#)

The development of the new Policy is subject to the Governance and Policy Committee's recommendation and approval by the Board of Trustees.

This Work Plan has been discussed with the Policy Coordinator:

Yes

No

Phase II. OBTAINING TRUSTEES' DIRECTIONS AND DRAFTING POLICY

This Policy Development Work Plan will be discussed at the Governance and Policy Committee meeting held on: [February 9, 2022](#)

Creating the Draft Policy

The draft Policy will be created and aligned with the current Policy Template (see Operational Procedure PR501, Policy Development and Management, Appendix A):

Yes

No

Detailed information on the proposed policy provisions:

- Consider flexible working options, including remote working, for eligible administrative and supervisory staff;
- Establish the requirements and expectations for flexible working at the TDSB;
- Outline eligibility based on employee job description, duties and responsibilities, performance history and expectations, and the ability to carry out job responsibilities remotely;
- Demonstrate the TDSB's commitment to employee mental health and well-being, productivity and engagement through an improved work-life balance for employees;
- Promote diversity, enhance the Board's hiring practices, talent acquisition and retention strategies;
- Consider expanding flexible working options to include flex time, compressed work weeks/hours for those not eligible for remote working to enhance equity across the TDSB;
- Enhance the TDSB's performance evaluation processes focused on results, outcomes for the TDSB system, including for remote working employees;
- Align with directions of the TDSB's Administrative Sites Review, including maximizing effective use of administrative office space;
- Improve service delivery and business continuity in the event of an emergency;
- Outline TDSB flexible working employee expectations under the terms and conditions of employment, including the relevant employment and collective agreement, TDSB policies and procedures, and any applicable legislation, including the *Ontario Employment Standards Act*, and regulatory requirements.
- Outline compliance requirements for attendance reporting and work-related injury reporting procedures and emphasize that the TDSB will not be responsible for injuries at personal residences;
- Develop a policy section on flexible working resources and equipment and distinguish what will be provided by the TDSB for flexible working employees (e.g., standard information technology package) and what will be covered by the employee (e.g., home furnishings, internet, hydro, etc.)
- Introduce technology compliance and records/information management and the protection of privacy requirements including use of VP, encrypted

devices, secure storage of TDSB records, password protection, management of confidential records and instructions to follow in the event of a privacy breach, etc.

- A review of leading practices for similar policies across jurisdictions has been conducted and is included with this Work Plan.

Phase III. INTERNAL REVIEWS AND SIGN-OFFS

The draft Policy will include input from TDSB departments affected by the Policy:

- Business Operations and Service Excellence
- Equity, Well-Being and School Improvement
- Human Rights and Indigenous Education
- Leadership, Learning and School Improvement

In addition, the following departments will be required to sign-off on the proposed draft Policy:

- Legal Services
- Policy Services
- Government, Public and Community Relations

Following internal reviews and TDSB departments' sign-offs, the draft Policy will be submitted to Executive Council on: [March 2022](#)

A sign-off from the Director of Education will be obtained before proceeding with external consultations and/or Committee/Board approval.

- Director of Education

Phase IV. EXTERNAL CONSULTATIONS

Are external consultations applicable to this Policy?

- Yes
- No (*Ministry of Education mandated policy or corporate policy without external stakeholders*)

Mandatory external consultations will include, at a minimum:

1. Posting of the working draft Policy on TDSB website for public feedback (45 days minimum): [45 days \(March – April 2022\)](#)

2. Extending invitations for consultation to:

Student Senate

and

all Community Advisory Committees of the Board and conducting consultations with the Community Advisory Committees that expressed interest (either individually with each interested committee or collectively with representatives of all interested committees):

- 2SLGBTQ+ Community Advisory Committee
- Alternative Schools Community Advisory Committee
- Black Student Achievement Community Advisory Committee
- Community Use of Schools Community Advisory Committee
- Early Years Community Advisory Committee
- Environmental Sustainability Community Advisory Committee
- Equity Policy Community Advisory Committee
- French-as-a-Second-Language Community Advisory Committee
- Inner City Community Advisory Committee
- Parent Involvement Advisory Committee (PIAC)
- Special Education Advisory Committee (SEAC)
- Urban Indigenous Community Advisory Committee

In addition to mandatory consultations, other external participants and projected dates of consultation(s) include:

- School Councils
- Professional Associations and Unions
- Other:

The following methods will be applied in the external consultations:

- Public meeting
- Facilitated focus group
- Call for public delegations
- Expert panel discussion
- Survey
- Posting on the TDSB website
- Other (e.g., electronic communication):

Phase V. COMMITTEE/BOARD APPROVALS

Following external consultations and revisions, the draft Policy will be presented to the Governance and Policy Committee on the following date: [April 27, 2022](#)

Following recommendation by the Governance and Policy Committee, the draft Policy will be presented to the Board on the following date: [May 25, 2022](#)

Once approved, the new Policy will be added to the TDSB website.

Phase VI. IMPLEMENTATION

Following Board approval, the new Policy will be communicated through:

- Posting of the new Policy on the TDSB website through the Policy Coordinator
- Sharing with staff through the System Leaders' Bulletin
- Informing departments at staff meetings and channeling information to staff through Executive Team members

- Implementation of a broad communication plan for internal and external audiences, include summary of policy provisions and expected outcomes

Policy implementation will include:

- Conducting information/training sessions to TDSB staff affected by the Policy

The projected time period for conducting information/training sessions to staff will be: [June – August 2022](#)

- Initiate development of new procedures or review of associated procedure: [June – August 2022](#)

**Scan of Selected Organizations:
Remote Working**

Summary:

This scan of selected organizations covers the more recent but evolving concept of flexible work arrangements, primarily remote working which is also known as “telecommuting” or “telework”: a type of alternate work arrangement whereby work that is traditionally conducted in employer offices may be performed at an alternate location such as the employee’s home.

At the TDSB, a protocol is currently in place during the COVID-19 pandemic which permits certain employee groups to work remotely. Beyond an emergency situation, the pandemic has now accelerated organizational approaches to, and readiness for, organizational-wide remote working, while also presenting an opportunity to rethink the future of its workplace. A key aspect of enabling a flexible and mobile workplace is the adoption of modern employment policies allowing staff, including unionized employees, greater flexibility and choice as to where, how and when they work. Statistics Canada now estimates that under “normal” circumstances, 4 in 10 workers can realistically conduct their work remotely.

Benefits cited include:

<i>Individual</i>	<i>Organizational</i>
More flexibility with organization of daily tasks (better personal time management)	Often greater employee productivity
Higher job satisfaction and more engaged employees	Talent acquisition and retention strategies, especially for younger generations/ the “new workforce” and persons with accessibility issues
Savings in time and commuting costs (reclaimed commute time for more efficient use of time)	Reduced unscheduled absenteeism and attrition
Improved quality of life – reduced stress and the ability to balance family time and personal time with work time	Savings in energy, office space requirements, maintenance and housekeeping.
Higher quality of work	Expands talent pool/increases number of potential candidates for a job
Improved trust in the organization	Less lost hours due to traffic problems and improved air quality resulting from lower vehicle emissions
	Ensures continuity of operations in the event of a disaster

APPENDIX B

	Improves performance measurement systems. (For telework to work, employees must be measured by what they do, not where or how they do it.)
	Increased ability to respond to employee accessibility needs in support of the <i>Accessibility for Ontarians with Disabilities Act</i>

Challenges, which can generally be mitigated through education and training (e.g., change management) as well as pilot or phased programming, may include:

<i>Individual</i>	<i>Organizational/Supervisor</i>
Potential for Isolation (emphasis on voluntary programming)	Change in the way teams communicate (training on managing virtual teams) and inability to track time spent on the job (implement standards and expectations and focus on results, not process; trust and empower your staff)
Motivation and time management (staff on telework assignment should be given goals/timelines and already exemplifying competency in these areas)	Individual employees taking advantage of the at-home arrangement (effective management and technological controls should be in place)
Initial workplace setup and equipment/operational costs, if employee provided (savings in commuting will exceed any costs associated with internet or phone, which the employee is already likely paying for at home)	Initial workplace setup and equipment costs, if employer provided (in the long run, real estate and central office savings will be realized)
Overworking (education and understanding of work-life balance)	Inequity as telework would be based on nature of an employee's role could result in an imbalanced and disgruntled workforce (offer different alternative work arrangements such as flexible schedules, job sharing, flex days or periodic telework days).
Disruption in the event that a teleworking program is offered and then rescinded (an employee must know that the opportunity would be a privilege and not a right, per the telework agreement)	Health and Safety compliance (the organization should establish a telework employee checklist and have the employee complete and affirm periodically)
Concern about dependent and home care getting in the way (an employee	Union staff involvement (challenges related to collective agreements and

<p>must establish a proper office with the privacy and space for productivity; therefore, arrangements must be made to ensure this doesn't disturb working hours</p>	<p>assignment to teleworking if offered to union staff – consult with the OPS' agreements, which consider teleworking a non-grievable matter)</p>
	<p>Uncertainty about the success of an arrangement (pilot the program to sections, departments or individuals)</p>

*Possible solutions to mitigate challenges in parentheses

Through a scan and subsequent review of twenty (20) organizations, the policies and procedures reviewed all included a commitment to remote working and other alternative work arrangements such as flex schedules and compressed work weeks to benefit all employees regardless of the position. Several organizations have expanded their pilot and temporary emergency programs into permanent telework programs. Indeed, according to one local municipality (i.e., City of Mississauga) in its October 2020 report: “for almost 40% of City employees working remotely is no longer an alternative way of work but a regular way of work.”

Key Themes of Other Jurisdictional Policies:

Remote Working – Emergency, Periodic and Permanent Basis

Virtually all public sector organizations included in this scan are currently offering telework or remote working on an interim basis where possible due to the COVID-19 pandemic. Many organizations (e.g., City of Calgary, City of Guelph, City of Mississauga, Municipal Property Assessment Corporation, University of Washington) provide certain employee groups, depending on role and function, the opportunity to work remotely on a regular/permanent basis. At the same time, these organizations (e.g., Ontario Public Service, City of Guelph) also offer remote working on a periodic basis depending on the agreement between management and that particular employee or employee group. Research across various disciplines demonstrates that both options have proven successful with appropriate management and employee agreements and performance evaluation processes similar to those who carry out their work in a traditional office environment.

One of the key lessons from the current COVID-19 pandemic is that workplaces need to be more resilient and responsive to future emergencies—whether a global pandemic or another emergency that would impact work places—and how employees can access and/or work in them. It is for this reason that numerous organizations are now in the stages of planning and implementing workforce modernization practices. In an example of a statewide effort (i.e., California Department of General Services), it is the policy of California to encourage the state-wide use of teleworking as a management work option on both a casual and

regular basis for its agencies, municipalities and commissions.¹ In a more local example, the Ontario Public Service (OPS) supports flexible work arrangements (including telework) and building a flexible work culture demonstrating flexibility in when, where, and how people work. It cites the purpose of the flexible arrangements is to respond to changing workplace expectations of employees of all ages, boost employee engagement and retain high-performing employees and demonstrate the employer commitment to being a modern employer.

Similarly, other organizations (i.e., City of Toronto, MPAC) through their newly established Office Portfolio Optimization and/or Workforce Modernization Plans propose to accelerate a transition to a modern work environment. Benefits cited are not limited to a reduction in the number of office locations and improving the overall efficiency of the office footprint, but to also transform how and where employees work to foster a more productive work environment, improve work-life balance and adapt to changing workforce needs. Though various employee groups will be able to work remotely on a regular basis, the Workplace Modernization Plan at one organization (i.e., City of Toronto) is based on the assumption (informed by an employee survey) that most office employees will work remotely at least two to three days a week on average, when presented with the opportunity. By contrast, another organization (i.e., MPAC) is increasing the number of remote workers on a permanent basis. For employees who visit the office on a regular or periodic basis, this organization has adopted an “anytime, anywhere, with anyone” workplace modernization program whereby “built office spaces” are now open, flexible, collaborative workspaces. Generally speaking, this organization has also made a concerted effort to adopt flexible human resources policies to improve mental health, well-being and work-life balance.²

Positions Suitable for Remote Working

Organizations which have had teleworking programs in place for some time now (e.g., City of Fremont, City of Hamilton, City of Mississauga, MPAC, Ontario Public Service) all emphasize and identify positions in their workforce which are conducive to teleworking. Of these organizations, several have had a telework program in place for more than five (5) years with one of the earliest adopters of a telework program being the City of Mississauga, which started its current and award-winning program in 2008. Some of these organizations list ideal roles in their policies and/or procedures, and state that positions suitable for remote working include jobs that are administrative, project-based or involve working alone or working with specialized software or equipment that can be transported or available electronically. On the contrary, positions which require physical presence to perform the duties effectively are normally not suitable for telecommuting. Examples include client-facing positions that require special equipment or vehicles, and positions that are necessary to protect and support the safety and wellbeing of the community.

¹ Department of General Services, California <https://www.dgs.ca.gov/Resources/Telework>

² MPAC, <https://www.benefitscanada.com/news/mpac-supporting-staff-mental-health-during-pandemic-with-live-leader-chats-146570>

However, as demonstrated in the next section below, most organizations offer some form of alternative and flexible work arrangements for all employee groups where possible.

Alternative / Flexible Work Arrangements

In an effort to provide greater flexibility for employees across an organization, including those in client-facing positions which may not be suitable for remote working, most organizations (e.g., City of Calgary, City of Guelph, City of Mississauga, Ontario Public Service) offer several types of alternative and flexible work arrangements in addition to remote working. These include:

- **Compressed Work Week:** employee works a longer work day in exchange for a reduction in the number of working days.
- **Flex time, Staggered Working Hours:** employee works their regular daily and weekly hours but outside the normal start and end times of their regular shift. Some organizations (e.g., City of Santa Monica) require minimum availability during designated “core” hours.
- **Job sharing:** two or more employees share the responsibilities of one position.
- **Pre-Retirement and Part-time Options:** an employee works fewer hours or fewer days in a week than is standard and is paid a prorated salary.
- **Co-Working Spaces, Satellite Office Locations and Hoteling:** employees allocate a portion of their time and dynamically schedule their use of workspaces such as desks, cubicles, and office locations throughout the city.
- **Voluntary Reduced Hours:** when all other work arrangements have been explored, a compassionate work arrangement provides an employee with reduced hours of work, with a proportional reduction in salary, generally for up to 3 months or longer if an extension is granted. This is suitable when an employee is ill or experiencing a crisis.

Across the organizations scanned, alternative work arrangements vary and the degree of flexibility available often depends on an evaluation of job types and business functions and is not intended to be a “one size fits all” approach. At most organizations (e.g., City of Calgary, City of Guelph, City of Toronto), this is completed with the assistance of a workplace consultant. In other organizations (e.g., City of Guelph, Ontario Public Service, Ryerson University), a request must be submitted by the employee or employee group and is then reviewed by management on a case-by-case basis. One organization’s (e.g., Ryerson University) policy and program aim to be open to all requests and stipulates that if a request simply isn’t feasible (e.g., employee responsible for front line general inquiries cannot be accommodated), a manager should show their willingness to negotiate something else that works for both the organization and the employee (e.g., job sharing, compressed work week, one day a week when report-writing, etc.). In another organization (e.g., City of Hamilton), if the program is offered in a particular role or department/unit, a determination is made as to whether an

employee would be a good candidate for telecommuting. Considerations include: the employee's past performance history; attributes such as the ability to work well independently, good communication skills, reliable, results-oriented, able to meet deadlines; and whether or not the employee has been disciplined. Requests are prioritized on a first received basis and experience and seniority in the role if multiple employees apply is factored in. Sometimes, the manager/department considers a rotating cycle.

When telework options are provided, most organizations stipulate in the agreement that the employer has the right to deny, alter or cancel the flexible hours of work arrangements or telework arrangements. At the same time, the employee is entitled to return to their normal working location if desired and with appropriate notice. Interestingly, at one organization (e.g., Ontario Public Service) which offers telecommuting to its non-union and unionized staff, the employer's exercise of discretion regarding alternative work arrangements is not "grievable".

As organizations evolve post pandemic, it is anticipated that the traditional office environment will never be the same. While organizations like the City of Mississauga indicate that employees who work remotely will not be provided with a dedicated desk at their organization's office and instead would be able to access hoteling desks, the City of Toronto and MPAC are organizations who have either implemented or are looking at ways to optimize its workplace which would provide no assigned seating for employees, including no dedicated offices. This allows the re-imagined future workplace to be more flexible, adaptable and create a less hierarchical environment where all employees have access to all spaces. A limited number of exceptions will be considered based on accessibility requirements, for instance roles or individual employees who may require the use of equipment or technology installed at a particular desk.

Work Load, Availability and Performance

In a telework environment, all policies scanned emphasized that duties, expectations, and deadlines should be clearly outlined and agreed upon by both the supervisor and the remote worker. For those employees/positions eligible for remote working, some organizations (e.g., City of Hamilton, City of Santa Monica) embedded as a standard that employees are required to continue to provide a level of service equal to or better than that provided while at an on-site work location.

Across all organizations, several general rules were adopted to ensure work load management, availability/responsiveness and high performance, including:

- Specific goals and objectives for each remote worker will be established by the employee and supervisor, and approved by the department head. The goals and objectives are documented in the employee's remote working agreement and routinely reported on.
- The employee is still required to report time worked and/or activities completed in accordance with procedures and a teleworking employee's

performance will be monitored in the same manner as non-teleworking employees through the organization's evaluation process (e.g., City of Fremont)

- Teleworking employees are required to be accessible and responsive in the same manner as if they were working at their central workplace. Teleworking employees are in an on-duty status when teleworking and are expected to have the resources necessary to perform their job and concentrate on job duties without undue interruption (e.g., City of Santa Monica).
- The employee must be available during business hours and is required to attend any on-site meeting. Any required on-site meetings will be scheduled in advance and teleworkers will be provided advance notice. Teleworkers may be allowed to participate via conference call.
- Any overtime will be subject to supervisor/manager pre-approval and the teleworker is advised to be careful not to "overwork". There are natural breaks in an office environment that will not occur at home. For example, discussions with co-workers or a quick walk to the printer at the traditional work place offer opportunities for a change in body position.

Similar to employees who work at an office, performance evaluation is important for measuring performance and cited by most organizations (e.g., City of Fremont, City of Hamilton, City of Sacramento, City of Santa Monica) as a critical component of a successful remote working program. These organizations generally require periodic performance evaluations and at minimum on an annual basis. Criteria to evaluate the success of an arrangement may include whether the remote worker is meeting deadlines; overall employee productivity; progress of individual and team assignments; responsiveness; impacts on the employee at home as well as other staff in the office; service delivery and customer expectations and the ability to attend meetings, even on short notice. Many organizations (e.g., City of Irwindale) will terminate remote working if the employee fails to meet working requirements and may require that employee to return to an office location as required.

Remote Workplace Setup and Equipment

Most organizations establish parameters around work space and equipment/infrastructure requirements as part of their remote working agreements. Several organizations (e.g., City of Hamilton, City of Mississauga, MPAC) either provide or allocate a budget for remote working equipment such as laptops, printers and basic furniture.

At the City of Mississauga, for example, employees who work remotely are eligible for reimbursement of specific job related items that are not provided by the City. The table below outlines this organization's current allowable expenses for remote workers. Exceptions include internet, electricity and phone costs, other than BYOD.

Provided by the City	Allowable Business Expenses Policy	Personal Spending / Wellness Account
Computer/Laptop/Tablet Keyboard Monitor Cables/Cords/Docking Station Headset Chair Printer (office location) Shredder (office location) Stationery: pens, pencils, erasers, notepads, document holder, etc. Printing services (i.e. Print Shop) Cell phone or phone plan (reimbursement as Per City BYOD policy)	Desks (one time): <ul style="list-style-type: none"> • Regular (up to \$200) • Height Adjustable desk subject to City guidelines (up to \$300) (see Notes, below) Ergonomics (<i>keyboard, mouse, footrest, mouse pad</i>) upon EHS approval via preferred City vendor In certain circumstances only and in accordance with IT guidelines USB External Webcam USB Headphones Glare Screen Privacy screen Please contact IT.Storefront@mississauga.ca for items not included on this list.	Personal Printer and printer ink Personal shredder Desk or office lights Laptop table/stand Filing cabinet External microphone Ergonomic chair Exercise ball chair Anti-fatigue floor mat

At this organization (i.e., City of Mississauga), eligible employees are those who work remotely for a minimum of 60% of their paid working hours during the calendar year. For example: if an employee who works five days per week works remotely an average of three days per week, the employee would be eligible. Preapproval by the applicable manager/supervisor or budget controller for any such expenses is required. Managers/supervisors are responsible to monitor the frequency and costs of reimbursement related to working remotely to ensure they are reasonable.

Similarly, another organization (i.e., Municipal Property Assessment Corporation) offers a similar equipment and wellness package but also covers partial internet expenses (50%)³ which aligns with most private sector organizations given the considerable savings from reduced office expenses (including size, number of buildings and infrastructure requirements). In another example (i.e., Ontario Public Service), the employer determines what organizational equipment is required and should be provided at the telework place. This equipment, if provided, will only be used as part of the employee’s official duties. A list of equipment provided to the employee should be attached to the agreement. Importantly, the employer should not be responsible for costs relating to the “teleworkplace” beyond the purchase,

³ MPAC, Transforming the Workplace <https://www.oma.on.ca/en/workshops-and-events/resources/2017-Spring-Workshop/Nicole-McNeil---MPAC---Transforming-the-Workplace.pdf> and <https://reviews.canadastop100.com/top-employer-municipal-property-assessment>

installation and maintenance of organization issued equipment or furniture if applicable.

However, in cases where there were budget constraints and remote working employees were approved to use personal equipment and resources to perform work at their alternative work location, the remote working employee and not the employer was responsible for the expenses and costs of the equipment and resources. Savings by the teleworker were instead realized through a reduced or stopped commute. Most organizations also emphasized that remote working employees would not be entitled to mileage claims when required to visit an office site for meetings. Furthermore, normal household expenses associated with the alternative work arrangement (e.g., home maintenance, utilities, internet access, rent, insurance) are the sole responsibility of the remote working employee and non-reimbursable, according to some organizational policies (e.g., City of Santa Monica). Basic office supplies can be obtained through normal department procurement processes and any long distance calls or transmissions for board business may be reimbursed upon validation, provided that the employee has exhausted all options possible to use in-house organizational resources before incurring such expenses.

For many organizations, (e.g., City of Fremont, City of Hamilton, City of Santa Monica, Ryerson University), the employer and employee mutually agree to other standards and/or minimum requirements for a teleworkplace set up, including:

- Information security, software licensing, internet access and data privacy
- Dedicated space or room where it is easy to concentrate;
- Managing the records of the organization at the remote workplace and level of security as required by the workplace, especially as it relates to the handling of sensitive and confidential information;
- Necessary telephone lines (separate from personal lines) and answering machine or voice mail, which can be achieved through Skype IP or other secure voice telephone apps;
- Control over temperature, light and sound;
- Securing the remote workplace from fire, theft or other losses;
- Household members who will understand you are working and will not disturb you unnecessarily.

Given the need to maintain connectivity, which is similar to the traditional or central workplace, teleworking employees were instructed to notify their immediate supervisor of any disruptions at the alternative work location such as equipment failure, power outages, etc.) that would impact the employee's performance. A few organizations (e.g., City of Mississauga, Ryerson University, Treasury Board Secretariat) noted that because the teleworker's home or workspace becomes their "workplace", an employee will either need to complete periodic inspections via a checklist or could be required to grant access to the "teleworkplace" to authorized representatives of the employer, to carry out maintenance or technical support for organizational property, on the basis of mutual arrangement.

Other Compensation, Benefits and Sickness

Virtually all organizations (e.g., City of Fremont, City of Hamilton, City of Mississauga, Ontario Public Service) highlight that the employee's compensation, benefits, work status and work responsibilities do not change due to participation in a telework or remote working program. All forms of remote working imply an employer-employee relationship with the employee receiving the same benefits as a non-remote working colleague. Most organizations noted that remote working is not a substitute for paid time off and if an employee is sick; they are required to use their sick time or through other allowable leaves.

Occupational Health and Safety/Human Rights Considerations

Remote workers should not be subjected to reduced health and safety standards at home. Some health and safety considerations include:

- Will the employer or the Health and Safety Committee have access to the house for safety inspections? Or, will alternative arrangements be made such as the worker using checklists and submitting photos of the work area?
- What parts of the house will be considered the 'workplace' under the OHSA?
- Maintaining a smoke-free workplace if one smokes in their own home
- Teleworkers will be required to immediately report any incident or injury to their supervisor just as they would at the office. How will incidents be investigated?
- To ensure safety and reasonable privacy of the home location, there is a provision in the agreement whereby the employee should meet with clients only at the Employer's official work place (office), or if applicable, in the field, and not at the home work location.

Many organizations (e.g., Ryerson University, California Department of General Services) have developed health and safety checklists (sections include: workplace conditions, workplace violence protection, personal safety, electrical, fire protection, emergency procedures, first aid kit availability, emergency contacts) to help manage their remote working programs. Before a remote working arrangement is authorized, the employee, supervisor and/or human resources will complete through a home office safety checklist whether the proposed remote working place is a safe environment. Below are several additional considerations:

Workplace Injuries

Most organizations included in the scan emphasized that when an employee is injured while working from home or remotely, they must comply with the normal reporting requirements for any work-related accident. Employees should first treat or seek treatment for the injury, and then report the injury to their supervisor, just as they would if they were injured at the office. The organization is not responsible and assumes no liability for any injuries to family members, visitors, and others in the employee's home.

Workers' Compensation

According to the Workplace Safety and Insurance Act, remote working employees that are injured while working in their home offices are eligible to apply for WSIB benefits. While the WSIB assesses each case individually based on its circumstances, generally the injury must have occurred in the course of telework and/or in the teleworkplace, which the Ministry of Labour defines as the actual space where work is conducted, during the time when work is being done.

Disability Insurance

Since the employer-employee relationship remains unchanged, the employee's access to certain benefit plans, such as disability insurance remains the same. In determining approval of the claim for disability insurance, work location is not a factor. When an employee is ill or injured and unable to work, they must comply with the normal for absences due to illness and injury.

Workplace Violence

Workplace violence policies require all community members including teleworking employees to report incidents of violence that occur in the workplace, as well as behaviours (including uncivil or harassing behaviours) that may indicate a risk of workplace violence. Remote working employees should be subject to all of the same policies and procedures and expected standards of conduct as all other employees. If an employee reports an act of violence or threat of violence, one organization (i.e., Ryerson University) requires that supervisors notify Human Resources or the appropriate office in accordance with its workplace violence prevention policy. A decision will be made, based on the risk, whether or not the remote working agreement should be continued. This same organization requires that before a telework arrangement will be authorized, supervisors must ascertain, through the Home Office Safety Checklist whether the proposed "teleworkplace" is a safe environment. The telework agreement will not be approved if the supervisor determines that there is a predisposed risk of violence to occur.

Meeting Visitors

Across all organizations scanned, health and safety reasons prohibit remote working employees from having work meetings with clients or others in their homes. This restriction is generally included in remote working agreements.

Organizations Reviewed (20): California Department of General Services, City of Fremont, City of Guelph, City of Hamilton, City of Irwindale, City of Mississauga, City of Napa, City of Rohnert Park, City of Santa Monica, City of Sacramento, City of Sunnyvale, City of Toronto, Municipal Property Assessment Corporation (MPAC), Ontario Public Service, Province of British Columbia, Treasury Board Secretariat of Canada, Southern California Association of Governments, Toronto DSB, U.S. Office of Personnel Management, University of Washington.