



<b>Moved By</b>	<u>Deputy Mayor Suzanne Séguin</u>	<b>Resolution No.:</b>
<b>Last Name Printed</b>	<u>Séguin</u>	276-22
<b>Seconded By</b>	<u>Councillor Nicole Beatty</u>	<b>Council Date:</b>
<b>Last Name Printed</b>	<u>Beatty</u>	August 22, 2022

**WHEREAS** at the Committee of the Whole Meeting on August 15, 2022, Council considered a memo from the Manager, Human Resources, regarding the Human Resources Policy Update – Hybrid Work Policy;

**NOW THEREFORE BE IT RESOLVED THAT** Council approve the Town of Cobourg Hybrid Work Policy



COBOURG

## Corporation of the Town of Cobourg

### Policy Title: Hybrid Work Policy

**Division:** General Administration  
**Effective Date:** July 1, 2022  
**Approval Level:** Municipal Council  
**Section Number:** 2-20

**Department:** Human Resources  
**Revision Date:** July 1, 2025  
**Review Date:**  
**Policy Number:** HR-AP-00XX

#### **Purpose**

The purpose of the Hybrid Work Policy is to support a flexible work culture and to encourage working from home arrangements, when feasible. It is important that working from home arrangements are designed to ensure that a sense of community and organizational culture can be maintained and operational requirements, collaboration, information sharing, innovation, and effective service delivery needs are met. The Town recognizes that there may be instances when work from home will be approved on a temporary basis, or in order to complete a particular task (e.g. special project, detailed project review).

It is not possible to offer hybrid working arrangements to all Employees as the requirements for many jobs will not be suitable for such arrangements. All arrangements are subject to the discretion of management and can be arranged or revoked on a case-by-case basis.

This policy outlines the process used and expectations for hybrid work and is meant to ensure that Employees working from an alternate location continue to provide a level of service equal to the typical Town standards and service levels.

The Town also recognizes that in extreme circumstances, including, but not limited to a pandemic, natural disaster, emergency or other unforeseen forces, hybrid work arrangements may be added or removed by the CAO or Division Directors to address health and safety concerns. In such cases, Employees will be provided with appropriate equipment and resources to perform their duties from an alternate location. The duration of the hybrid work arrangement will be determined by the CAO in consultation with Senior Management. In such instances, the provisions and expectations in this policy shall apply.

#### **Definitions**

**Confidential Documents** are documents that include, but not limited to, privileged information, draft by-laws or staff reports, third party information, personal information, technical, financial or scientific information and any other information collected, obtained or derived for or from Town records that must or may be kept confidential under the Municipal Freedom of Information of Privacy Act, 1990, the Personal Health Information Protection Act, 2004.

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**Hybrid Work** is a flexible working model that supports a blend of in-office and remote work for Employees. This may be from the Employee's home or an alternative workspace. Employees approved to conduct their work through a hybrid work agreement will be permitted to work remotely no more than 50% of their time.

#### **Policy**

This policy will address situations where there is an identified need for Employees to work remotely on a part-time basis.

This framework will ensure that consistent and clear standards are applied as well as determining the types of positions and work that are eligible for hybrid work arrangements.

#### Notes:

- All arrangements are subject to the discretion of the Town. Employees will only be permitted to work remotely if approved by their Director to do so.
- This policy does not alter or replace the terms of an existing employment contract. Employees must comply with all Town rules, policies, and instructions that would apply if the Employee were working at the regular Town workplace.
- Work hours, compensation and leave scheduling will continue to conform to applicable policies and agreements.
- Requests to work overtime or use leave time must be approved by the Employee's Supervisor in the usual manner.
- Hybrid work arrangements may be more feasible for those Employees whose work requires them to write, perform research, or complete data analysis. Hybrid work arrangements may also be made for a temporary workplace accommodation or in response to a health and safety emergency. In addition, hybrid work arrangements may be more feasible for Employees who already work at various locations, given the nature of their jobs, and are capable of working at alternate locations (such as Information Technology support).
- If an Employee is required to have face-to-face contact with other Employees, residents, clients, public, or requires frequent access to material and documents that cannot be removed from the workplace, Employees may not be permitted to participate in hybrid work. Confidential documents must not be electronically transmitted to personal destinations for the purposes of accessing them from remote.

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- Each Division must maintain an adequate number of Employees at on-site work locations to meet the Divisions requirements.
- Working exclusively from home is discouraged, other than when deemed necessary by the CAO or Division Director. A blended work schedule that provides for a hybrid work arrangement with on-site work location (in office) attendance is strongly preferred.

#### 1. Approval Process

Hybrid work must be pre-approved and will be reviewed regularly by the Employee's Supervisor. Employees may submit a request to enter into an agreement with the Town for an ongoing or a short-term hybrid arrangement. These requests shall be submitted in writing to the Employee's Supervisor at least one pay period in advance and will be either approved or denied at the discretion of Town. If at any time the arrangement no longer meets business or productivity goals, the Town reserves the right to revoke the agreement.

#### 2. Qualifying Conditions

All hybrid work decisions shall be made in a fair, equitable, and transparent manner. Each request will be dealt with on a case-by-case basis, taking into consideration the feasibility and operational requirements of the Town, provisions of workplace policies, procedures, Collective Agreements (where applicable) and the cost effectiveness of the arrangement.

Factors that may be considered when determining the feasibility of a hybrid work arrangement include:

- Whether it meets the organization's operational needs.
- Whether the Employee is required to attend at their work location.
- Whether supervision is possible.
- Whether normal productivity standards can be met.
- Whether the Employee's position requires face-to-face interaction with others at the workplace, including supervision of others.
- Whether the Employee's position has a customer service focus.
- Whether equipment, supplies, and reliable internet connectivity is essential to perform the job.
- Whether confidentiality and records management requirements for the position can be maintained remotely.
- The ability for the Town to provide Town equipment to perform the work.

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Eligibility to be able to work from an alternate location is dependent on specific criteria being fulfilled. The Employee must:

- Obtain prior written approval by the Division Director recognized by signing the hybrid work agreement between the Employer and Employee.
- Confirm the required hours of work and schedule (hybrid hours and on-site hours) with the Division Director.
- Ensure the workspace is conducive to standard levels of productivity and free of other distractions (e.g. dependent care responsibilities).
- Accomplish all agreed upon objectives.
- Ensure that all daily operations of the position can be maintained.
- Have a designated workspace which is private to ensure confidentiality.
- Be able to work independently with moderate to minimal supervision.
- Understand the core functions of their job and be proven performers.
- Be self-motivated, well organized, and efficient in their approach to work.
- Be capable of mentally separating their workspace from the rest of their home and the demands of work from the demands of their family.
- Able to provide proper furniture (desk, chair, etc.) at remote work location at own expense.

### **3. Authorization to Work at Alternate Location**

When an Employee makes a request, prior authorization is required before an Employee can work at an alternate location. The Employee must make the request to their Supervisor, who will review the request in consultation with the Division Director and the CAO.

Once authorization has been established, the Employee will sign the individual hybrid work agreement. The specific terms of the hybrid work agreement will be determined by the Employee's Supervisor in consultation with the Employee's Director. The agreement will include, but is not limited to, the address of the alternate work location, the agreement start date, the period of validity, the schedule of working hours (including remote work hours and on-site work locations hours), and equipment provided by the Town. The agreement will be signed and dated by the Employee, their Supervisor and the Director.

The Town reserves the right to withdraw the approval for a hybrid work arrangement at any time.

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#### 4. Work Arrangements

##### Allotment of Days

Employees approved to conduct their work through a hybrid work agreement will be permitted to work remotely no more than 50% of their time. The number of days per week and any variation to a schedule must be approved by the Division Director. Consideration will be given to office location coverage as well as customer service and operational needs.

##### Performance Management

Hybrid work arrangements must not affect an Employee's ability to complete day-to-day functions, including communicating with colleagues, management, and members of the public. Employees must stay updated on Division and work information and events.

Employees must keep Supervisors informed on the progress of assignments and reach out for support, if needed. If an Employee's presence is required for a meeting at the worksite, reasonable notice will be provided to the Employee.

Employees are expected to be fully dedicated to their work during work hours and are not permitted to engage in non-Town work or household management tasks, including, but not limited to, childcare, family caregiving, meal preparation, laundry, yardwork, other paid or unpaid work or personal business activities.

##### Employee Requirements

- Ensure that they maintain frequent contact with their Supervisor during hours of work.
- Ensure that the office phone number is forwarded to a cellphone. Virtual meetings are encouraged on a regular basis for those who work remotely.
- Have the necessary internet connectivity to participate in virtual meetings as required by the Employer. Should there be any costs to the Employee to upgrade internet service to an acceptable standard, these costs will not be reimbursed by the Town.
- Where uniforms are not required, abide by the Dress Code Policy when interacting virtually with colleagues, members of the public, or community partners.
- Remain easily accessible during set work hours when contacted by the Supervisor or others.
- Maintain their regular lunch and break schedules or other pre-agreed break times as arranged between the Employee and their immediate Supervisor.

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- Be available for on-site work on any scheduled workday, when requested, to maintain office coverage and meet Town business needs.

#### **5. Confidentiality and Access – Use of Town Property / Equipment**

When working remotely, Employees must use Town provided devices or secure connectivity options as provided by the IT Department to ensure that the appropriate software and programs are being used while maintaining data security and confidentiality.

All equipment provided by the Town for the purposes of working remotely will be subject to inspections and maintenance as required by the Town. The Employee is expected to take reasonable care of all equipment and to use it in accordance with operating instructions and all applicable Town policies.

All completed and working copies of documents must be saved on the Town online system with appropriate/limited access so that information is available to those who may require its use. Failure to use Town approved devices will leave Town data vulnerable to a breach and may result in disciplinary action up to and including termination.

All equipment provided by the Town must be returned to the workplace at the end of the hybrid work arrangement.

The Employee is expected to have sufficient internet bandwidth available at their home to support access to the Town's network.

Town owned resources may only be used for business purposes. Employees must take reasonable steps to protect any Town property from theft, damage, or misuse. Depending on the circumstances, the Employee may be responsible for any damage to or loss of Town property.

Equipment and files shall only be accessible to the Employee and must be safeguarded from access by other members of the household and visitors. Other Town staff may require access, at a reasonable time, to equipment and Town records (paper and electronic) kept at an Employee's alternate location. All records (paper and electronic) must be protected from unauthorized access, modification, loss, theft, or damage. Any confidential documents shall not be disposed of via household waste; documents must be securely retained until they can be disposed of onsite in accordance with the Town's Records Retention Program Policy. Official records may only be disposed of with authorization via confidential, irreversible methods.

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Employees who are working from home are required to designate a private area in their home as a specific alternate worksite in order to ensure confidentiality. Employees must keep documents in the designated area, secured by lock wherever possible.

Employees must immediately report any missing, lost, or damaged records, or devices containing records, to their Supervisor/Director. Any events involving a possible/suspected privacy breach or near-miss must also be reported immediately.

Employees approved for a hybrid work arrangement may be required to submit all work time, distinguishing remote work hours and on-site hours worked. No changes will be made to the method of payment or the amount. If an Employee is found to have made false reports on their time reporting, they may be subject to discipline up to and including termination.

#### **6. Absence Reporting**

In the event that the Employee is ill or requires time off during a period of working at an alternate location, the normal process of requesting approval and recording hours taken will apply. All sick time must be reported to the Employee's immediate Supervisor.

#### **7. Health and Safety**

The Town is committed to ensuring that the alternate worksite is safe and ergonomic. Employees must maintain their alternate worksite in good condition and free from health and safety hazards. The Town may make onsite visits to the Employee's worksite at a mutually agreed upon time to ensure that the designated workspace is safe and free from hazards. If the workspace is unsafe and cannot be made safe, the Town may refuse or revoke the Employee's hybrid work arrangement.

Appointments and meetings with work related visitors must not be conducted in the Employee's home. All in-person work related meetings must be held at a Town owned facility. Work related deliveries must not be made to the Employee's home address. All work-related deliveries of materials, supplies and equipment must be delivered to a Town facility.

Employees using a hybrid work arrangement will be covered by workers' compensation for job related injuries that arise out of or in the course and scope of employment while working within a hybrid work arrangement. The Employee remains liable for injuries to third parties and/or family members that occur on the Employee's premises. Employees must immediately report any work-related injuries to their Supervisor and to Human Resources.



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#### **8. Travel and Other Expenses**

Any travel expenses will be reimbursed as per the Town's policies on expense and mileage reimbursements. Mileage will be paid from either the alternate work location or the normal work location whichever is less. Upon submission of receipts, expenses will be reviewed and then processed if the Town finds they are work related.

Office supplies will not be reimbursed. All typical office stationery supplies will be supplied by the Town. Staff are to collect required supplies during on-site work hours. Employees approved to work remotely are expected to provide their own utilities including but not limited to furniture, lighting, heating, internet, telephone, etc. The Town assumes no responsibility for any damage to, wear of, or loss of an Employee's personal property.

Employees may refer to the Canada Revenue Agency (CRA) website for guidelines and up to date information regarding tax benefits for Employees who have hybrid work arrangements. The eligibility to deduct Employee expenses is a matter between the Employee and the CRA. The Town will not provide advice on CRA eligibility rules and Employees are encouraged to review CRA publications and/or seek advice from their personal tax consultant/accountant.

If an Employee determines they are eligible to claim home office expenses on their tax return they are required to complete a draft T2200 Form together with a brief written statement outlining the type of expenses incurred and the basis for requesting the T2200 Form, to be submitted to Payroll for consideration by January 15<sup>th</sup>. Employees may contact payroll for further details regarding this process.

#### **9. Insurance Coverage**

Employees are advised that working from home with any regularity may affect the provisions of any home contents insurance and are advised to inform their insurance provider(s) prior to commencing working from home.

The Town will not be held liable for any damages to an Employee's alternate work location or any injuries to family members, visitors, or others in the alternate work location. It is the Employee's responsibility to consult with an insurance agent for any coverage implications due to working from an alternative location.

Office equipment provided by the Town will be insured through Town policies as long as it is used on suitable secured premises and not left unattended in a vehicle.

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#### 10. Compliance

Failure to comply with any aspect of this policy or related policies, including but not limited to Health and Safety, Information Technology, Records Management, Freedom of Information and Protection of Privacy Act policies, may constitute an action subject to discipline, up to and including, termination of employment.

#### 11. End of Agreement

At the end of a hybrid working agreement, Employees must promptly return all Town property used for during the arrangement. Failure to return any equipment may result in discipline for current Employees or legal action if the Employee no longer works for the Town. If an agreement is being revoked, Employees will receive reasonable notice to make any arrangements necessary to return the Town property to the worksite.

#### Scope

This policy applies to all Employees of the Town including union members subject to the respective collective agreements.

Where an Employee is represented by a union and a general provision of this policy conflicts with a specific provision in that Employee's collective agreement, the collective agreement provisions will prevail.

#### Review

This policy will be monitored on an ongoing basis and shall be reviewed as needed. The Town may review and amend the Hybrid Work Agreement at any time. This policy is subject to review and does not form any part of the employment contract.

#### Cross Reference

- Town of Cobourg Health and Safety Policy (Policy #2-20 HR-AP-HS1)
- Town of Cobourg Rights and Responsibilities of the Individual Procedure (Procedure #2-20 HR-AP-HS1.1)
- Town of Cobourg Disconnecting From Work Policy (Policy #2-20 HR)

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- Town of Cobourg Non-Union Benefits Policy (Policy #2-20 HR)
- Records Management Policy (Policy #3-1 LEG-ADM4)
- Municipal Freedom of Information of Privacy Act, 1990
- Personal Health Information Protection Act, 2004

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Resolution # 276-22	Revision Description:	Signature/Municipal Clerk: 	Council Approval Date: August 22, 2022
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