GRIFFITH COLLEGE

<u>Right to Request Remote Working Policy</u>

Pilot arrangements – February 2023 update

Right to Request Remote Working Policy

Important Note: The following policy will operate on a pilot basis until the new legislation is in place. The policy will always comply with Government regulations and health guidelines and in particular, each of the specific terms and conditions outlined below may be altered, extended or omitted from any future permanent policy related to remote working. The intention of the pilot is solely to seek and advance an appropriate right to request remote working policy for the College in the interests of learners and staff alike.

From the 1st April 2023, staff members who are working from home but have not applied to Request Remote Working, are required to do so. This applies to all staff in all locations and is irrespective of your current arrangements.

By the 1st of May 2023 staff members who are working from home but have not applied to Request Remote Working are required to do so. They must complete and send the application to their Line Manager. It has to then be approved by the Line Manager and then has to be sent to the Approval Committee for a final approval.

Unapproved current arrangements will cease to be accepted from 1st March 2023.

PART ONE

Scope, Eligibility and Application Process

1. Introduction

This Remote working policy recognises that an improved work-life balance can enhance staff members motivation, performance and productivity. Griffith College seeks to support its staff to achieve a better balance between work and personal commitments and will make every reasonable effort where possible to accommodate remote working requests, considering the needs of the business as well as individual needs and the needs of the college's learners. As an equal opportunities and inclusive employer, Griffith College also complies with the law and best practice in this area and this policy sets out the basis on which it makes provision for the right to request remote working to be available to its employees.

This Right to Request Remote Working policy outlines the procedure for a staff member to submit a request for consideration by Griffith College to avail of a remote working arrangement as well as the procedure for agreed remote working arrangements. The application to request remote working should be submitted by every staff member to their Line manager for approval and then once all

remote working arrangements are agreed, the application is sent to the Approval Committee for ratification.

Any request for a remote working arrangement shall be considered by the Approval Committee of Griffith College in a fair and transparent manner in line with this policy. If the request is granted, the HR Department will agree a formal written remote working arrangement with the staff member that will outline the conditions governing their working arrangement, the responsibilities of Griffith College and the staff member as well as any governance controls or measures required for this working arrangement.

Neither this policy nor any agreed remote working arrangement confers or is intended to confer any legal or contractual entitlement on a staff member to work remotely. Griffith College reserves the right to refuse, modify or terminate any remote working arrangement.

All Griffith College's policies and procedures apply equally to any staff member on a remote working arrangement.

1.1 Definitions

Remote working – this is where a staff member regularly carries out all or some of their duties from a remote location. This can be from home, a co-working space or a hybrid model where work is carried out partly in the office and partly remote working.

Co-working space - Generally speaking, the definition of co-working is when people assemble in a neutral space to work independently on different projects, or in groups on the same projects. It's different than a typical office workspace because the people in a co-working environment generally are not working for the same company. Every coworking space must always have basics like WiFi, printers, usually, some type of conference room (and some will have tea, coffee, and snacks available).

The hybrid work model consists of a strategy where teams are free to work in varying environments, which can range from working from home [WFM], the office part-time, or even local coworking space.

2. Scope

The College's priority is the provision of services to its learners in-person on-campus. In this regard, there are many staff involved in the provision of learner facing roles/front-line services on-campus for whom remote working may not apply and may not be appropriate.

This policy applies to all employees who meet the eligibility criteria set out further in this document. Requests for remote working will be considered and agreed on a case-by-case basis.

Any remote working arrangement is a benefit and not an entitlement and therefore will be subject to the discretion of the College in accordance with this Policy.

The eligibility criteria must be satisfied in each individual application and agreeing to one request will not, in itself, set a precedent or create the right for another staff member to be granted a similar change to their working pattern. Employees and management are required to be reasonable and recognise that not all remote working arrangements will be appropriate for all roles.

There must be a fair distribution of how remote working is applied across the College.

Remote Working arrangements must also be spread proportionally across the working week. It will not be acceptable for a large proportion of remote working arrangements to be on a Monday and/or Friday.

There is not an entitlement to swap remote working arrangements with other staff members or to accrue remote working days if, for example, attendance on campus is required or if travelling on College business.

When considering requests for remote working, Griffith College will consider a number of factors including, but not limited to the following:

- Learner needs, business needs
- The suitability of the role for the remote working arrangement selected
- Eligibility requirements
- Costs associated with the proposed arrangement
- The skillset and ability of the individual
- The impact and effect of the proposed arrangement on other staff
- The need for, and effect on, supervision
- Existing remote working arrangements
- Availability of staff resources
- Whether it is a request for a reasonable adjustment related to a disability/illness, or health and safety issues.

3. Eligibility:

At Griffith College, we trust you to do your job well from wherever you may be, and want to ensure that you have all of the tools and support you need to do so.

Staff members are requested to review the eligibility criteria set out below in advance of requesting to work remotely.

The role must be suitable for working remotely as determined by management of each department, for example:

- ➢ tasks that do not require face-to-face interactions with enquiries, learners, stakeholders or other staff members. The work you do, and the needs of the school/department/unit will inform the decision on whether remote working is suitable for the role you perform. At all times the needs of the College are primary in the decision.
- ➢ once agreed remote working arrangements applies for your current role. If you move roles, you will have to make a new request as the role and position will be different and may or may not be suitable.
- ➢ some roles require individuals to be on site and in person. For example, facilities staff, catering staff, security, maintenance etc., therefore remote working is not an option for these roles.
- ➢ For face to face, in person student/other activities, remote working is not an option.
- ➢ tasks that require no interruption that may not be available in a shared office space.
- ➢ tasks that do not compromise cybersecurity or data privacy.

Staff members working remotely are required to:

- ➢ take full responsibility for observation of health and safety requirements in the home and indemnify the College accordingly.
- ➢ have an adequate and consistent internet connection that is sufficient to perform the role and duties to the required standard.

Other considerations:

- ➢ having evidence of the prior satisfactory performance of the staff member working remotely will be a consideration in the decision of whether or not the staff member can work remotely off-campus.
- ➢ if the nature of the role requires a physical presence and continuous interaction by team members to function effectively.

4. Policy

4.1. Application process for a remote working request

Employees should complete the remote working request form and send it to their line manager ensuring they provide all relevant details and complete all relevant sections. Line Manager takes into consideration needs of the entire unit and other working patterns before approving or refusing the request for remote working. Where a blended working arrangement cannot be accommodated, the deciding manager should set out the reason. To enable us to approve your request all necessary

information must be provided, otherwise we will have to revert to you. The form must be supported and signed off by staff member line manager before the staff member sends it to the Approval Committee. The Approval Committee consists of: Daniela Dana (HR Manager), Karen Sutton (Head of Faculty of Law), Steven Roberts (Head of Marketing), and Kevin O'Sullivan (Head of Limerick Campus).

Staff members having face to face interaction with learners, staff and stakeholders:

These are staff members who are lecturers, administrators and are in learner support functions including Heads of Faculty, Programme Directors, Service Departments. During term time, it is expected that opportunities to work remotely would normally be limited to one day per week (any variations and exceptions to this must be sanctioned in advance by collective body of the Board of Directors). Remote working arrangements should be made based on the College needs during teaching, exam, exam board and non-teaching weeks.

During the academic year, the assumption is that lecturers will deliver lectures face-to face as normal from the lecture room, hold all meetings with learners face-to-face and that remote working can be considered for days that are outside lecturing meeting and meetings days.

Where the College is closed for a bank holiday or another reason on a day when a staff member is due to be undertaking remote working that day cannot be transferred to another day in that week.

Employees who are in either formal or informal performance management processes may be excluded from remote working until such time it is deemed their performance has improved.

Service departments

These are the staff members who work in service departments and who do not have face-to face interaction with learners, staff and stakeholders on a daily basis.

Service departments staff members will be eligible normally for a maximum of two days of remote working per week, to cater to the needs of the business (any variation and exceptions to this must be sanctioned by the collective body of the Board of Directors).

Many activities like, setting up of labs, maintaining equipment, operating machinery, working on the grounds, supervising activities on campus, providing catering services etc. cannot be done remotely.

Service departments staff members (e.g. Housekeeping staff, Facilities staff, Maintenance staff, Security Officers) are not eligible to remote working as their tasks require a physical presence on campus to be fulfilled.

4.2. Responding to a remote working request

Each request will be considered on a case-by-case basis factoring in the criteria set out earlier in this policy. The staff member will be informed in writing of the Approval Committee of the college 's decision [decision of the College Approval Committee] as soon as is reasonable, but no later than 10 working days.

The request may be granted in full, in part or refused. Griffith College may propose any of the following:

- A modified version of the request
- It may be granted on a temporary basis

If the request is agreed, the HR Department will issue the staff member with a confirmation letter which will include details of the agreed **hybrid or remote working arrangements**, the matters to be attended to by the staff member and an envisaged start date. A trial period will apply to assess the suitability of the remote working arrangement.

4.3. Right to appeal decision

The staff member may appeal the decision if their working arrangements are modified. The staff member can address their appeal to collective body of Board of Directors bod@griffith.ie . This must be made in writing within 7 working days and they must clearly state the grounds on which they are appealing the decision. The appeal will be heard within 14 working days. The HR Department will inform the staff member of the outcome to their appeal within 14 working days of the appeal meeting. The decision made on the appeal will be final.

4.4. Trailing the new remote working arrangement

In the case where a request has been granted on a fixed term basis subject to a trial period, this trial period will operate for up to 3 months. The trial period will allow sufficient time for the staff member and the College to implement and see how the new working practice operates. A review meeting will take place once the trial period has ended.

This meeting will explore either the need to extend the original trial period, the necessity to cease the arrangement or explore the long-term viability of the new arrangement. Once an agreement has been made, the staff member will be required to sign the agreement.

Griffith College reserves the right, at the end of the agreed trial period, to require the staff member to revert to their previous working arrangement.

5. Procedure for agreed Remote working arrangements

5.1. Risk Assessment

The home or other office must have sufficient space to allow the staff member to give his/her full effort and attention to the performance of his/her duties during working hours in an environment that is free of noise and distraction.

The home or other office must be suitably equipped and configured to enable the staff member to perform his/her role and duties effectively and will typically need to be equipped with the following:

- desk
- chair
- secure storage
- suitable lighting and heat
- computer
- a set of headphones
- adequate and reliable internet access

Where a remote working arrangement is agreed the equipment to be provided will be discussed with each staff member prior to the commencement of the remote working arrangement on a case by case basis.

The staff member will take reasonable care of any Griffith College property within their possession and arrange for its secure storage. As per the staff member's contractual terms, they agree to return and/or facilitate the return of Griffith College's equipment, furnishings and materials when requested, upon the termination of the remote working arrangement and/or the staff member's employment.

In time the College would like to introduce a system whereby some staff who works from home would be assigned a 'hot desk 'in the College. This would facilitate the transfer of existing offices to use as either classrooms and / or student spaces. The 'hot desk' would be a desk used by a number of people on a shared basis.

The staff member may be eligible for government tax relief on expenses such as light, heat, internet usage and may claim these directly from the Revenue Commissioners. The Revenue Commissioners have a website that covers this https://www.revenue.ie/en/jobs-and-pensions/eworking/index.aspx.

5.2. Remote Working Arrangement

Any special conditions applicable to, or measures required to facilitate remote work will be detailed in the remote working arrangement. Adherence with such essential conditions and the successful implementation of required measures are fundamental, therefore any failures in this regard may result in a remote work arrangement being terminated.

PART TWO
TERMS AND CONDITIONS OF REMOTE WORKING ARRANGEMENTS

The formal arrangement for Remote working will cover the following:

6. Frequency and Duration of Remote Work

Days in the office and days worked remotely must be agreed by both parties Line Manager and staff member prior to starting working remotely. There may be certain dates or times when a staff member is required to attend for agreed time/events/meetings/training.

The staff member will be required to attend the College 's office on the remaining days or other location as specified by the College.

There may be exceptional and/or unforeseen occasions, which do not amount to a termination or modification of the arrangement formally (as per 6.11 below), but where attendance is, nonetheless, required onsite on a day when an employee would normally work remotely, or a greater proportion of onsite work is needed within a given week in order to maintain critical onsite activity and attendance during that time.

This will be determined by the Line Manager who will ensure that as much notice, as is reasonably practicable in the circumstances, is given to the staff member(s). Employees are expected to make themselves available to work onsite in such circumstances.

As a consequence, Remote Working arrangements will be paused in the following instances (this list is not exhaustive):

● where, due to unforeseen leave, force majeure or other cause of absence, the resources in the Faculty or other College office have become insufficient to meet service demands;

● during delivery of on campus staff training courses deemed to require on campus attendance;

● if an important event, meeting or other College activity requires attendance on campus;

● any other activity the College may feel is critical to its service provision for a finite and temporary period of time.

Please note that an employee will not be entitled to swap a remote working day for any of the above reasons.

6.1. Additional clauses for a remote working arrangement:

In some circumstances, the maximum number of days per week which a staff member may work remotely from home or another office is 4 days of the working week but this must be sanctioned in-advance by the collective body of the Board of Directors.

For exceptional circumstances, Griffith College may authorise a staff member to work on a remote basis from home or another office for 5 days per week but this must be sanctioned in-advance by the collective body of the Board of Directors.

All remote work arrangements will be subject to a formal review at the end of the trial period and to an annual review.

6.2. Availability and communication requirements

The staff member is reminded of the increased importance of communication around availability and accessibility and should follow these communications in line with Griffith College practices.

The staff member will liaise with their manager to agree regular, 'in-office days' when the staff member will be based in Griffith College offices and be available for team and other meetings. The staff member and their manager must establish clear expectations for response times for all parties and agreed appropriate communication methods via Griffith College channels [email/phone/Zoom/Teams etc.]

6.3. Absence Management

All absences and sick leave should be notified in line with Griffith College's Absence and Sick Leave policy (Policy 14 in Griffith College Policies and Procedures 2009). If a staff member is unable to work on campus due to ill health, they should not work remotely either. A staff member can work remotely if their ill health merely precludes them from travelling to the campus. (e.g. A sore foot that makes travelling to work difficult). Please refer to Griffith College policies and procedures (sharepoint.com)

6.4. Health and Safety

A remote working arrangement will only be facilitated on the basis that the designated workspace is a suitable work environment which allows Griffith College and staff member to fulfil their corresponding obligations under the Safety, Health and Welfare at Work Act 2005 https://www.irishstatutebook.ie/eli/2005/act/10/enacted/en/print which includes particular cognisance of the Display Screen Regulations and the minimum requirements detailed in Schedule 4, Regulation 72 that govern an staff member working in a home or other office.

While Griffith College is cognisant of and implements measures to meet their obligations as far as is reasonably practicable to provide a safe place and safe system of work, a staff member performing remote work is also responsible for their part in the provision of a safe place of work and to be responsible for their own health and safety and that of others.

The staff member will use equipment properly and as instructed, cooperate with Griffith College on all health and safety matters, attend any training sessions, and report any suspected health and safety defects or issues including any work-related stress issues.

6.5. Accident and Incident Reporting

Staff members are reminded of the continued importance of reporting any incident or near misses that occur that is related to their remote working arrangement. Any accident and incident should be reported with no delay to the staff member Line Manager.

6.6. Security and Data Protection

Employees are, as with all Griffith College policies, reminded of the continued and heightened importance of data protection and privacy rights while working remotely and are referred to the Griffith College polices in this regard in particular those outlined in Griffith College 's Data Protection, IT, E-mail and social media policies that relate to IT usage and documentation storage (Policy 23 Griffith College Policies and Procedures 2009 sharepoint.com).

The IT Department may need to assess the employee's access, storage and back-up requirements and make recommendations for the necessary measures and safeguards required to ensure that such measures implemented are appropriate for a remote working arrangement. These measures may include, but are not limited to the following:

- Commitment to adhere to IT/data protection protocols, policies and procedures when working remotely.

- Undertake additional IT training on data protection and IT security.
- Keep passwords secure and never share user accounts, passwords or credentials with anyone else.
- Take reasonable care to prevent the loss or theft of mobile devices, laptops and associated IT equipment etc and prevent any unauthorised access to data or systems including paper-based documents.
- Report any loss or theft of mobile devices, laptops and associated IT Equipment etc. to the IT Department.
- Maintain strict confidentiality of all data and correspondence, both electronic and manual.

6.7. Performance management

Griffith College must monitor and manage the performance of all of its staff members effectively including those who are working remotely from home or other office. In the case of a staff member performing remote work, Griffith College's line of sight will differ and may be more limited than for office-based staff.

Prior to the commencement of any remote working arrangement, a staff member and their manager must agree and implement a suitable process for managing and monitoring the staff member's performance and productivity as well as measuring the effectiveness of the remote working arrangement. The staff member and manager must agree specific effectiveness criteria and/or measurements and feedback mechanisms. These must be clearly specified in the agreement for remote working.

6.8. Meetings

Employees on a remote working arrangement must not use their own home to meet with learners or stakeholders nor should they give out their home address or personal telephone number.

6.9. Dress code and Professional background

Employees in a remote working arrangement are expected to dress in a professional manner and have a professional background when conducted video conferencing calls with learners, colleagues and another stakeholder.

6.10. Regular review

All remote working arrangements will be subject to review on an ongoing basis as required to evaluate the suitability and effectiveness of the arrangement and may be subject to a formal review on an annual basis.

6.11. Termination or modification of a remote working arrangement

Where Griffith College decides to modify or terminate a remote working arrangement, the staff member will be notified in writing giving 2 weeks' notice. In the case that the remote working arrangement will be modified, the staff member will be provided with the details of the modification(s) and the measures required. The staff member will be advised of any actions they need to carry out if applicable and within a certain time frame. Failure to implement the modifications may result in the termination of the remote working arrangement. Where Griffith College decides to modify or terminate a remote working arrangement, it will endeavour to provide the specified notice of its decision prior to such modification or termination taking effect. However, the provision of notice prior to the modification or termination of a remote working arrangement may not be possible in all circumstances.

A remote working request may be refused on the following grounds but is not limited to:

- The Nature of the work not allowing for the work to be done remotely
- Potential Negative impact on quality of business product or service
- Potential Negative impact on performance of staff member or other staff members
- Concerns for the protection of business confidentiality or intellectual property
- Concerns for the suitability of the proposed workspace on health and safety grounds
- Concerns for the internet connectivity of the proposed remote working location
- Staff member is the subject of ongoing or recently concluded formal disciplinary procedure

7. Responsibility

Griffith College Management Board is responsible for overseeing this policy and its operational procedures.

8. Guidelines for Line Managers

1 The Line Manager ensures that up to date contact details are provided by all team members to enable ongoing communication as required

2 The Line Manager ensures that the staff member who is requesting to work remotely completes the "Application to Request Remote Working and Self-Risk Assessment." The form is at the end of this document. This form needs to be approved by the manager first. The form needs to be sent to the Approval Committee for final approval. Written confirmation of the request being approved or denied will be provided by the HR Department.

3 The Line Manager approves work to be carried out while a staff member is working remotely. It is important to clarify expectations and outcomes for all parties, especially where a staff member lectures.

4 The Line Manager ensures that the staff member is sufficiently equipped (and pre-agreed with IT if required) with the necessary resources and equipment to enable they to carry out the work from home effectively.

5 The Line Manager ensures that the advice of the College's Data Protection Officer related to Data Protection is followed.

6 The Line Manager ensures that the guidelines issued by the IT department regarding the various technical considerations for remote working are followed. These can be found on the College's website.

7 The Line Manager conducts regular one-to-one or team meetings with the staff member who is working remotely. Regular communication is important. Normal contact should be maintained by email, phone, zoom or any other methods available.

8 The Line Manager may withdraw permission to work remotely if they believe the staff member is under performing while working remotely. The Line Manager is required to manage the staff member's performance before withdrawing permission to work remotely. In such a case the staff member will be required to work on campus within a specified time frame to be set by the Line Manager.

10 The Line Manager contacts the Approval and Appeals Committee in advance, for any advice or concerns relating to this policy.

11 This policy will be reviewed on a continual basis and is subject to change.

9. Legislation and Regulation

9.1 Protection of Employees (Part-Time Work) Act 2001
https://www.irishstatutebook.ie/eli/2001/act/45/enacted/en/html

9.2 Employment Equality Acts 1998 to 2015 https://www.ihrec.ie/guides-and-tools/human-rights-and-equality-for-employers/what-does-the-law-say/eea-summary/

9.3 Organisation of Working Time Act 1997

https://www.irishstatutebook.ie/eli/1997/act/20/enacted/en/html

9.4 Safety, Health and Welfare at work Act 2005

https://www.irishstatutebook.ie/eli/2005/act/10/enacted/en/print

10. Document Control

Griffith College reserves the right to alter or amend this policy from time to time and staff members will be notified of amendments by way of written notice and/or electronic notice (which may be by e-mail or by notice on the staff intranet or shared drive).

Application to Request Remote Working & Self-Risk Assessment form

The staff member's safety is at the forefront of working remotely. The College wishes to ensure that the staff member will have a safe work environment while working remotely. This form allows the staff member to request remote work and ensure that the work environment is safe. Both the College and the staff members have the responsibility to ensure that a safe work environment is developed and maintained when working remotely.

The staff member should complete this application form, including the self-risk assessment. The completed form should be returned to the staff member's Line Manager for approval. If approved, the form will be sent to the Approval Committee where a final decision will be made. The outcome of this will be confirmed in writing.

Staff member information: to be completed by the staff member requesting remote working

Staff member's name:	
Line manager's name:	
Department or faculty and campus:	

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Date when form completed (after discussion with the staff member's line manager):	
Reason for requesting remote working:	
Preferred start date of remote working:	
Duration of request:	
Specific days and times requested for remote working, as agreed/discussed with line manager:	

Self-risk assessment: to be completed by the staff member requesting remote working. This section is to assess the level of potential safety and health risk to the staff members at the proposed remote work location.

		Yes (mark with 'x')	No (mark with 'x')	Comments
1	Is there access to a suitable workspace that is uninterrupted, professional with a pre-demonstrated reliable WIFI/ internet connection?			
2	Is there safe and easy access to the workspace?			
3	Is there adequate heat, lighting and ventilation to allow you to work comfortably?			
4	Is there adequate space to work without twisting, bending, or sitting/standing awkwardly?			
5	Is the workspace large enough to accommodate work equipment?			
6	Is the floor free from trailing cables etc. to prevent slip, trips or falls?			
7	Are electrical sockets, plugs and cables in good repair?			
8	Is there access to a private work area (e.g. not the kitchen table) and freedom from disturbances?			
9	Are you aware of how to set up work station correctly? Refer to guidance on Home Office Ergonomics on below link https://www.griffith.ie/offices/staff/latest-tips			
11	Is there an escape plan in the event of a fire?			
12	Is your proposed remote workplace (i.e. your home) fitted with a smoke detector or fire alarm that is regularly checked?			

13	Are you aware of the agreed formal communication system in place including updating your voicemail and checking your voicemails regularly and outlining your phone number on your email signature?			
14	Are you sufficiently equipped with the necessary resources and equipment to enable you to carry out the work from home effectively?			
15	Will you take scheduled breaks while working remotely to maintain a healthy work-life balance?			
16	Are you aware of how to access supports in the event of systems / ICT failure?			
17	Are you aware of the arrangements for reporting incidents to the line manager?			

Performance Management Process

1	Did you and your Line Manager agree a Performance Management process prior to commence remote working?			
2	Did you and your Line Manager agree the feedback mechanisms on your performance while remote working?			
3	Did you and your Line Manager agree time frames for your performance review meetings?			

Approval section: to be completed by the line manager, followed by the approval committee and finally by the staff member

Line manager's name:		
Comments (if any):		
Request approved:	Yes	No
Date of approval:		
Manager's signature:		

Approval committee member's name:	

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Comments (if any):		
Request approved:	Yes	No
Date of approval:		
Approval committee member's signature:		

I have completed the staff and self-assessment section to the best of my knowledge. I have read, understood and agree to abide by the terms and conditions of this policy. I am aware that I will need to agree and sign an addendum to my contract of employment in due course.	
Staff member's name:	
Staff member's signature:	
Date:	
Comments (if any):	

Document created by Human Resources Department (2023). The College has the right to change any of the HR policies as needed and as applicable. In such circumstances, ample notice will be given where possible, however, sometimes changes may have to be implemented without notice.