

MANAGEMENT'S ATTEMPT TO LIMIT REMOTE WORK

Our current remote work arrangement is contained in a “side letter”, not our CBA. Our demands for remote work are simple: assure that all staff enjoy the right to remote work equally, move remote work from the side letter into the CBA, and to expand remote work to six days per pay period.

Management's proposed changes to our remote work arrangement would create a two-tier system that can force any staff— especially support staff—into the office whenever supervisors can think of a reason. At the bargaining table, management has insisted that everyone must have a supervisor approved schedule and that any flexibility in their proposed policy did not apply to support staff, especially receptionists. Management also wants to add unnecessary language that all employees must be “actively engaged in work during their working hours.”

Management's proposal is a significant change from our current remote work policy.

Below in black is the language in the current contract, and in red are the proposed management changes.

Delivering high-quality, client-centered services through a community lawyering model is critical to our mission. Technology and recent experience show us that much work can be done effectively from home, and also that some work cannot be done effectively from home.

1. Employees whose jobs can be performed remotely are permitted to work remotely, on a regular basis, up to five (5) days a pay period **for full-time employees and up to fifty percent (50%) of the days in a pay period for part-time employees. This permission is subject to the employee, in collaboration with the employee's supervisor, developing a schedule that considers any specific duties or obligations, including training, supervision, duties related to clients or practice group, office needs, and the employee's needs. Assuming the above, permission is granted to work remotely up to five days a pay period.**
2. Hotline paralegals employed by the central access line, in recognition of the unique nature of their job duties, may work remotely up to five (5) days a week but are expected to be in the office for duties or obligations, including training, supervision, duties related to clients or practice group, and office needs. **This permission is subject to a plan developed collaboratively with the supervisor.**
3. **Employees will collaborate with their supervisors to develop a remote work schedule, which shall be in writing and shall be approved by their supervisor before being permitted to work remotely. This permission is subject to the employee, in collaboration with the employee's supervisor, developing a schedule that considers:** The approved schedule will take into account any specific duties or obligations, including training, supervision, duties related to clients or practice group, office needs, and the employee's needs. An employee's schedule may be temporarily adjusted at the request of the employee or the supervisor due to client, office, case needs or personal emergencies. **These requests must be made no later than by 3:00 pm, if possible or as soon thereafter as practicable, the day prior if in order to make necessary arrangements for coverage are**

- ~~necessary~~. Permission to work remotely in these circumstances will not be unreasonably withheld.
4. An in-person day for offsite work (e.g., working from a clinic, courthouse, or other client-based location) shall be defined as at least five (5) hours or more of in-person work. ~~In situations where a schedule of remote work has not been agreed to, or in emergencies, written or electronic mail notice that the employee will be working remotely must be made by 3:00 pm, if possible, the day prior if arrangements for coverage are necessary. Permission to work remotely in these circumstances will not be unreasonably withheld.~~
 5. While working remotely, employees are expected to:
 - a. Be available and actively engaged in work during their working hours and be responsive by email or by phone similar to as if they were in the office ~~when working remotely~~;
 - b. If an employee is not going to be available during their working hours, they must ~~Account~~ account for their time in Legal Server and use appropriate leave time ~~if they are not working~~ in accordance with Articles 6.2(D) and 6.4; and
 - c. Make themselves available for emergencies that may affect their clients or colleagues. This may require, for example, that they call their client, call the court, or go to court or come into the office ~~when possible~~ if necessary; and
 - d. Remote work must happen in an environment consistent with the privacy and confidentiality appropriate for the type of work being done. If employees are unable to maintain the level of confidentiality and security necessary when performing remote work, they should work at the office.
 6. Employees may not work remotely if such work unduly burdens other coworkers.
 7. Employees shall offer to hold client meetings in-person or remotely based on the client's preference. Employees are also expected to come into the office for meetings with supervisors, team/unit/project/staff meetings, and trainings, when requested and with reasonable notice.
 8. Remote work may be a reasonable accommodation for a qualifying disability that is separate and apart from the above ~~WFH-Remote Work~~ policy. Please contact the Benefits Administrator and/or your union representative to learn more about reasonable accommodations. This policy in no way curtails the ability of those applying for a reasonable accommodation to utilize the remote work provisions described above.
 9. All employees, regardless of whether they are working remotely or in-person are required to work weekly hours consistent with Article 4.1(A) and their job duties.

This bargaining summary was prepared by the Member Education Committee - contact allisonhrabar@gmail.com with questions or to join the Committee.