

GENERAL ADMINISTRATION MANUAL
VOLUME 3: HUMAN RESOURCES POLICIES
TITLE: REMOTE WORK
EFFECTIVE: October 28, 2021

1 GENERAL

1.1 Authority

This policy is issued under the authority of DMRC Minute No. 21-21, dated October 12, 2021.

This policy replaces the existing GAM Policy 3.12 – Telework.

1.2 Application

- a) This policy applies to all employees hired under the *Public Service Act*. Refer to the remote work guidelines for more information about the application of this policy.
- b) This policy does not apply in instances where remote work is used to accommodate a disability or medical need. The duty to accommodate is a legal requirement of the Yukon *Human Rights Act* and is reflected in GAM Policy 3.59 – Accommodating Employees with Disabilities.

1.3 Background

- a) The Yukon government is committed to developing an engaged and diverse public service that embraces innovation to deliver positive outcomes for Yukoners. Remote work arrangements, where they make sense for both the employee and the organization, support the Yukon government and its employees to continue providing high-quality services and programs for Yukoners.
- b) While some positions or tasks within the government can be done remotely, other roles or tasks are not suitable for remote work. Ensuring operational needs can be met is an important criterion for any remote work arrangement.
- c) Remote work is part of a suite of flexible work arrangements available to Yukon government employees.
- d) Participating in a remote work arrangement under this policy is voluntary for employees.
- e) A remote work arrangement requires the mutual agreement of the employee and employer. It is not an entitlement of any employee.

1.4 Purpose

This policy provides a framework for remote work arrangements in the Yukon government. Remote work arrangements may be approved where they align with the policy objectives and meet the criteria set out in this policy.

1.5 Objectives

Remote work arrangements can benefit both employees and the Yukon government.

The ultimate goal of the remote work policy is to enable the public service to deliver high-quality programs and services to the public. Supporting remote work arrangements in the Yukon government will achieve this goal through some or all of the following objectives:

- a) increasing employee satisfaction with their working arrangements, contributing to improved employee engagement and productivity;
- b) improving the Yukon government's competitiveness as an employer, allowing the organization to better recruit and retain employees who are interested in remote work arrangements;
- c) reducing carbon emissions as fewer employees commute to the official workplace on fewer days;
- d) contributing to the efficient use of government resources, including office space; and
- e) supporting a more inclusive and representative workforce by enabling employees to work remotely, in particular from Yukon communities outside of Whitehorse.

1.6 Principles

This policy is based on the following principles:

- a) **Accountability:** The public service is accountable to the public for meeting high standards of work quality and productivity and using public funds efficiently. Meeting these accountability standards is an important part of maintaining public trust. Remote work arrangements must align with these accountability standards.
- b) **Client service:** Maintaining or improving service delivery to clients or the public is a key criterion that must be met for remote work arrangements to be approved.
- c) **Flexibility:** Successful remote work arrangements depend on flexibility from the department, supervisor, and employee. The employer and employees will need to work together to find solutions for work arrangements that both meet operational needs and consider employees' preferences.
- d) **Consistency:** The policy objectives and remote work criteria should inform a consistent approach to decisions about remote work arrangements across the organization. However, given the diversity of work units in the Yukon government, the outcomes of those decisions will be different.
- e) **Innovation:** The Yukon government embraces new ways of working that will help the organization respond to challenges, both today and in the future.

1.7 Definitions

In this policy, the following definitions apply:

- a) **occasional remote work:** An ad-hoc, temporary situation in which an employee works remotely, usually to respond to specific, short-term circumstances.

- b) **official workplace:** The location where the employee would normally work, if there were no remote work arrangement. “Official workplace” has the same meaning as “headquarters” in the collective agreement and the Travel Directive,
- c) **remote workplace:** The alternate work location that is listed in the remote work agreement (usually the employee’s home).
- d) **remote work agreement:** A document signed by the employee, supervisor, and deputy minister or delegate that contains the details of a remote work arrangement.
- e) **remote work arrangement:** A flexible work arrangement in which an employee conducts their work at a location outside the official workplace, on a set schedule or recurring basis. A remote work arrangement may be full-time or part-time.
- f) **remote work guidelines:** A supporting document to this policy that provides more information and guidance on the application of this policy.
- g) **remote work health and safety checklist:** A document that the employee and supervisor complete for a remote work arrangement that identifies any potential hazards in the remote workplace and who will take which actions to mitigate any hazards.
- h) **supervisor:** An employee’s direct supervisor, whether in the MG occupational group or not.

2 **REMOTE WORK ARRANGEMENTS**

2.1 **Request and approval process**

- a) An employee who wishes to work remotely must make a request for a remote work arrangement to their supervisor, in writing.
- b) The supervisor must assess the request based on the criteria in section 2.2 of this policy.
- c) The supervisor must forward the request to the deputy minister or delegate with their recommendation. The deputy minister or delegate decides whether to approve or deny the request.
- d) If the request is approved, the employee, supervisor, and deputy minister or delegate will sign the remote work agreement.
- e) If the deputy minister or delegate does not approve the request, they must provide their rationale to the employee in writing.

2.2 **Remote work criteria**

- a) When assessing a remote work request, the supervisor must consider whether the remote work arrangement aligns with the policy objectives outlined in section 1.5.
- b) The decision to approve or deny a remote work request must be based on the criteria in these four areas, as described in the remote work guidelines:
 - i. operational needs;

- ii. position suitability;
- iii. employee suitability; and
- iv. remote workplace suitability.

2.3 Tracking and reporting

If a remote work arrangement is approved, the employee must enter the arrangement in the online remote work tracking system in MyHR and the supervisor must approve the arrangement in MyHR.

2.4 Working in Yukon communities

If an employee's position is based in Whitehorse, they may be approved to work remotely from another Yukon community. The employee and employer must agree on the remote workplace location as part of the remote work agreement.

2.5 Working out-of-territory

- a) Remote work arrangements for Yukon government employees must occur in the Yukon.
- b) A department may only consider arrangements for an employee to work remotely from another province or territory in Canada in exceptional and/or time-limited circumstances.
- c) Out-of-territory remote work arrangements must be:
 - i. requested by the employee;
 - ii. recommended by their supervisor;
 - iii. approved by their department's deputy minister; and
 - iv. approved by the Public Service Commissioner.
- d) No employee will be approved to work remotely outside of Canada, except where it is a requirement of their position.

2.6 Ending remote work arrangements

- a) The employer or the employee (with the employer's approval) can end a remote work arrangement by providing two weeks' notice or other mutually agreed-upon period of notice, in writing.
- b) The employer may end a remote work arrangement immediately with cause, such as a breach of employment conditions or policies, or a health and safety risk. In such instances, the employer does not need to provide two weeks' notice.

2.7 Occasional remote work

- a) With the approval of their supervisor, an employee may work remotely on occasion to respond to specific, ad-hoc, and short-term circumstances. Occasional remote work is not a remote work arrangement under this policy.
- b) The employee and supervisor are not required to sign a formal remote work agreement for occasional remote work, but they should complete a remote work health and safety checklist in advance if they anticipate the need for occasional remote work.

- c) During occasional remote work, the employee remains responsible for identifying and mitigating hazards in the remote workplace and taking the necessary precautions to protect government information.
- d) Occasional remote work is not a substitute for dependent care; however, there may be some instances where dependent care is compatible with occasional remote work, with supervisor approval.

2.8 Dependent care

A remote work arrangement is not a substitute for dependent care arrangements. When entering a remote work agreement, the employee must make or maintain alternate arrangements for the care of children or other dependents where required.

3 HEALTH AND SAFETY

- a) When entering into a remote work agreement, the employee and supervisor must complete the remote work health and safety checklist. The employee must regularly use the checklist to inspect their remote workplace and, if the employee notes any changes, identify actions they will take to address the changes, in writing, to their supervisor.
- b) The employee must report any work-related incidents or injuries sustained in the remote workplace to their supervisor, as they would normally in the workplace.
- c) In the event that a serious health and safety incident occurs at the remote workplace, the employee's supervisor and/or a health and safety committee member may enter the remote workplace to investigate, with reasonable notice.
- d) The health and safety checklist and the remote work agreement are specific to one remote workplace, and the employee must seek separate approval if they wish to work from another remote workplace.

4 REMOTE WORKPLACE

4.1 Information technology equipment

The supervisor must ensure that the employee has the necessary information technology equipment (e.g., computer and phone) to perform their work remotely, whether government-issued or personal devices.

4.2 Other costs and expenses

- a) The employee must provide home office furniture for the remote workplace.
- b) The employee must pay the costs of maintaining the remote workplace, including homeowner or tenant insurance premiums, home internet and other utilities, and any renovations required to establish a home office.
- c) The employee must pay for any expenses related to travel from the remote workplace to the official workplace. All other travel expenses may be reimbursed according to the Travel Directive.

4.3 Insurance and liability

- a) The employee is responsible for having appropriate insurance coverage for the remote workplace. The employer is not liable for damages to the employee's remote workplace or the employee's personal property.
- b) The employee must not hold any in-person work meetings with patients, clients, colleagues or supervisors at the remote workplace.

5 INFORMATION SECURITY

The employee must follow the relevant laws (including the Access to Information and Protection of Privacy Act and the Health Information Privacy and Management Act), policies and guidelines related to managing and protecting government information, as outlined in the remote work guidelines.

6 PERFORMANCE AND ACCOUNTABILITY

6.1 Performance management

- a) The employee and supervisor must maintain regular contact during the remote work arrangement to discuss work duties and expected results and to ensure the employee's wellbeing.
- b) During a remote work arrangement, the employee must meet the same performance standards that apply in the official workplace. The supervisor remains responsible for managing the employee's performance.
- c) Remote work arrangements are contingent on the employee's ability to meet performance expectations. The employer may end remote work arrangements if performance expectations are not being met.

6.2 Remote work schedule

- a) The employee must maintain hours of work pursuant to the YEU Collective Agreement, Section M or GAM 3.8 and follow normal procedures to request adjustment to hours or leave.
- b) The employee must attend the official workplace or other work locations for meetings, training sessions, or other work that must be done in person, as required by their supervisor with reasonable notice.

6.3 Evaluation

The supervisor must evaluate the remote work arrangement as part of the regular performance planning and review process. The remote work arrangement must be reviewed at least once a year.

7 ADMINISTRATION OF REMOTE WORK POLICY

7.1 Role of deputy ministers

Deputy ministers are responsible for ensuring a consistent application of the objectives and principles of this policy throughout their department.

7.2 Role of the Public Service Commission

The Public Service Commission is responsible for:

- a) monitoring and evaluating the remote work policy;
- b) advising Yukon government human resources staff on the application of this policy;
- c) approving requests for out-of-territory remote work arrangements;
- d) updating the remote work guidelines, agreement template, and health and safety checklist as needed, for approval by the Deputy Ministers' Human Resources Committee; and
- e) reporting annually on the use of the remote work policy, including statistics on employees working from Yukon communities outside of Whitehorse.

References

- Remote work guidelines
- Out-of-territory remote work guidelines
- Remote work agreement template
- Remote work health and safety checklist