

## Table of Contents

|     |                                        |    |
|-----|----------------------------------------|----|
| 1   | GENERAL .....                          | 2  |
| 1.1 | Application and authority.....         | 2  |
| 1.2 | Definitions .....                      | 2  |
| 2   | REMOTE WORK ARRANGEMENTS.....          | 2  |
| 2.1 | Request and approval process.....      | 2  |
| 2.2 | Remote work criteria .....             | 3  |
| 2.3 | Tracking and reporting .....           | 4  |
| 2.4 | Working in Yukon communities .....     | 5  |
| 2.5 | Working out-of-territory .....         | 6  |
| 2.6 | Ending remote work arrangements.....   | 7  |
| 2.7 | Occasional remote work.....            | 7  |
| 3   | HEALTH AND SAFETY .....                | 8  |
| 4   | REMOTE WORKPLACE .....                 | 9  |
| 4.1 | Information technology equipment ..... | 9  |
| 4.2 | Other costs and expenses .....         | 10 |
| 4.3 | Insurance and liability .....          | 11 |
| 4.4 | Tax implications.....                  | 11 |
| 5   | INFORMATION SECURITY .....             | 11 |
| 6   | PERFORMANCE AND ACCOUNTABILITY.....    | 12 |
| 6.1 | Performance management .....           | 12 |
| 6.2 | Remote work schedule.....              | 13 |
| 6.3 | Evaluation .....                       | 13 |
| 7   | WORKSPACE PLANNING .....               | 14 |

# 1 GENERAL

## 1.1 Application and authority

- These guidelines are to be read with GAM Policy 3.12 – Remote Work. Excerpts from the remote work policy are included below, accompanied by additional information to support the application of the policy.
- These guidelines may be updated with the approval of the Deputy Ministers' Human Resources Committee.

## 1.2 Definitions

Definitions listed in the GAM Policy 3.12 – Remote Work apply in these guidelines.

# 2 REMOTE WORK ARRANGEMENTS

## 2.1 Request and approval process

### **GAM 3.12 policy excerpt:**

- 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 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.

### **Guidelines:**

- In their written request, the employee should include their proposed remote work schedule, remote work location, and any other relevant details.
- Employees and supervisors may also wish to contact their departmental HR, who can help them interpret the remote work policy and the criteria outlined in section 2.2 of these guidelines and how it applies to a particular situation.
- Depending on the nature of a work unit, some supervisors may need to consult with their own supervisor or peers in assessing an employee's remote work request.
- In line with the principles of this policy, supervisors and employees are encouraged to be flexible in agreeing on a remote work arrangement that both meets the operational

needs of the work unit and considers the employee's preferences (for example, adjusting the number of days or days of the week that the employee will work remotely). A part-time remote work arrangement, in which the employee works some of the time remotely and some of the time in the official workplace, may help meet operational needs while still accommodating an employee request.

- Depending on the position of the employee making the request, the structure of the department, and the delegated authority to approve remote work requests, there may be some instances in which the supervisor has final decision-making authority for a remote work request.
- The remote work agreement must follow the template provided with the remote work policy.

## 2.2 Remote work criteria

### GAM 3.12 policy excerpt:

- 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.

### Guidelines:

- To be approved, a requested remote work arrangement must meet all of the following criteria:
  - i. **Operational needs:**
    - Will the remote work arrangement enable the employee and the work unit to meet operational requirements and maintain or improve service delivery to clients or the public?
    - Will the remote work arrangement avoid any negative impacts on colleagues and the work unit?
  - ii. **Position suitability:**
    - Can the employee complete their job duties, in whole or in part, outside the official workplace? For example:

- This position does not rely solely on specialized tools or paper records that are only in the official workplace; and
- This position does not require regular face-to-face interaction, such as in-person meetings with clients or patients or providing services to the public.

**iii. Employee suitability:**

- Has this employee demonstrated their ability to meet performance expectations, either in this role or in previous roles if they are new to their current position?
- Can this employee work well independently and with minimal face-to-face supervision?
- Can this employee be flexible and come to the official workplace for meetings or adjust the remote work schedule as needed for the work unit?

**iv. Remote workplace suitability:**

- Does the remote workplace meet health and safety requirements?
- Does the remote workplace meet requirements for the protection of confidential and personal information? For example:
  - The employee has the ability to securely store paper files that contain confidential information; and
  - The employee has access to a private space for confidential phone calls.
- Is the remote workplace relatively free of distractions? For example:
  - The employee has made or will maintain dependent care arrangements, if applicable; and
  - The employee has a quiet place to focus on work.
- Departments should also consider the principles of the remote work policy when making decisions about remote work requests.
- Decisions about remote work requests must be based on these criteria and must not be made arbitrarily or in bad faith.
- Some departments may have positions that, based on operational need, do not meet the criteria above for remote work arrangements. Departments may communicate to their employees that some types of positions are ineligible for remote work based on the operational requirements of the position.

## 2.3 Tracking and reporting

**GAM 3.12 policy excerpt:**

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.

**Guidelines:**

- While formal approval of the arrangement is represented by signatures on the remote work agreement, the supervisor must approve the arrangement in MyHR for tracking purposes.
- If changes are made to the remote work arrangement, the employee and supervisor must update the information in the online remote work tracking system as well.
- The Public Service Commission will use the information entered into MyHR to report regularly on remote work arrangements across the organization.

## 2.4 Working in Yukon communities

**GAM 3.12 policy excerpt:**

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.

**Guidelines:**

- A department may consider a remote work arrangement for a successful candidate who applies to a job based in Whitehorse but who is located in another Yukon community. The hiring department must determine if the arrangement will meet the remote work criteria and is encouraged to assess the candidate for competencies that would support a successful remote work arrangement (for example, through interview questions or reference checks).
- If an employee is approved to work remotely from a Yukon community while their position is based in Whitehorse, the “headquarters” location of their position will not change.
- The remote employee will only be entitled to the community-based allowances in the YEU collective agreement, Section M, or GAM 3.8 that apply to their headquarters position.
- When thinking about their remote workplace location, the employee should remember that the employer may end the remote work arrangement with two weeks' notice if the arrangement no longer meets the criteria in section 2.2 of the policy (for example, if the employee is not meeting expectations or the operational needs of the work unit change).
- If the employee is approved to work remotely from another community, the employee may be required to attend the official workplace for meetings or training, with reasonable notice from their supervisor.
- An employee working remotely from another community will be responsible for the costs of their travel from the remote workplace to the official workplace. The employee

will not be considered to be on “travel status,” as defined in the Travel Directive, when travelling from the remote workplace to the official workplace.

- Generally, an employee whose position is based in a Yukon community other than Whitehorse will not be permitted to enter into a remote work arrangement to work remotely from Whitehorse.
  - As stated in the objectives in section 1.5 of the remote work policy, the intent of this policy is to support a more inclusive workforce by enabling employees to work remotely from rural Yukon communities.
  - Remote work arrangements that locate employees in Whitehorse when their positions are based in other communities do not align with the intent of the policy.
  - Departments may consider temporary exceptions to this element of the policy in rare cases, such as an arrangement that will allow the department to meet a pressing operational need.

## 2.5 Working out-of-territory

### **GAM 3.12 policy excerpt:**

- a) Remote work arrangements for Yukon government employees must occur in 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.

### **Guidelines:**

- If a supervisor is considering an out-of-territory remote work arrangement request from an employee, they should refer to the Out-of-Territory Remote Work Guidelines and consult with their departmental HR.
- Ad-hoc work outside of Canada may occur in some instances where it is a requirement of a position, such as an employee travelling to an international conference or trade fair. Such ad-hoc circumstances for working internationally do not represent a remote work arrangement.

## 2.6 Ending remote work arrangements

### **GAM 3.12 policy excerpt:**

- 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, policies, or a health and safety risk. In such instances, the employer does not need to provide two weeks' notice.

### **Guidelines:**

- The employer may end the remote work arrangement with two weeks' notice when it determines that the arrangement no longer meets the remote work criteria as described in section 2.2 of these guidelines. This may include situations such as the employee no longer meeting performance expectations or a change in the operational needs of the work unit.
- When a remote work agreement ends, the employee will return to their official workplace.
- When a remote work agreement ends, the employee will also return all government property, including government-issued devices and any government information, to the official workplace.
- If the employee changes positions within the government, either permanently or temporarily, the remote work agreement ends automatically. The employee may request a remote work arrangement once in their new position, if they wish.

## 2.7 Occasional remote work

### **GAM 3.12 policy excerpt:**

- 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.

**Guidelines:**

- Where the employee works remotely on a recurring basis or on a set schedule, the remote work is no longer occasional and the employee, supervisor and deputy minister or delegate must sign a remote work agreement. As general guidance, remote work for a continuous period longer than two weeks or on a recurring basis for more than a few days per month should no longer be considered occasional.
- While it is not possible to list every circumstance where short-term, occasional remote work may be appropriate, some common examples include:
  - construction at the official workplace that makes it preferable to work remotely;
  - work that requires sustained focus and minimal interruptions that is easier to achieve at home; and
  - extreme weather conditions that prevent the employee from traveling to the official workplace.
- Occasional remote work is not a substitute for child care or other dependent care arrangements, and employees are responsible for managing their personal responsibilities in a way that does not interfere with the requirements of their position. However, there may be instances where dependent care is compatible with occasional remote work (such as an older child who is home sick but does not require regular care and attention during the workday). A supervisor may decide, at their sole discretion, whether to permit occasional remote work for an employee with dependent care responsibilities.
- Supervisors should use their judgment to ensure that occasional remote work is not used where existing collective agreement provisions or policies that address time away from work are more appropriate (e.g. vacation; sick leave; special leave).

### 3 HEALTH AND SAFETY

**GAM 3.12 policy excerpt:**

- 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) On the very rare occasion 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.

**Guidelines:**

- As noted in the health and safety checklist, the employee must send a photo of the remote workplace to the supervisor.
- If a remote employee sustains an employment-related injury at the remote workplace, the normal processes for reporting incidents and injuries to the employer and potentially filing a claim for compensation with the Yukon Workers' Compensation Health and Safety Board apply.
- To work remotely temporarily from another location or community in the Yukon, an employee must get the approval of their supervisor and confirm with their supervisor that the other location is safe and free of hazards.
- If the employee wants to work from this alternate location as an ongoing arrangement and is approved to do so, they must amend the remote work agreement and complete another remote work health and safety checklist for this location.

## 4 REMOTE WORKPLACE

### 4.1 Information technology equipment

**GAM 3.12 policy excerpt:**

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.

**Guidelines:**

- Information technology equipment does not include a home internet connection and assorted devices (for example, a wireless router), which are the responsibility of the employee to provide. It also does not include scanners, printers, or associated items like printer ink or printer paper.
- Where possible, the department should consider providing government-issued devices for the remote work arrangement. As many remote work arrangements will be part-

time, the department should provide devices that the employee can use in both the remote workplace and the official workplace (for example, a laptop and a VOIP phone or cell phone).

- Alternatively, an employee may use their personal devices to work remotely, with their supervisor’s approval, in the following instances:
  - occasional remote work,
  - where an employee prefers their personal device, or
  - where a lack of government-issued devices would otherwise be a barrier to a remote work arrangement.
- If an employee is using a personal device, they must use secure tools to access government information and follow guidelines for protecting government information as described in section 5 of these guidelines.
- Departments should refer to the [Reimbursement/Compensation Guideline: Personal Device Use for Work Purposes](#) if an employee is regularly using their personal cell phone to work remotely. The Reimbursement/Compensation Guideline does not apply if a personal device is used only for occasional remote work.
- The employee will be provided one set of computer accessories (for example, a monitor, keyboard, or mouse) that may be used in the official workplace or the remote workplace. If an employee requires a second set of accessories to work remotely, they will be responsible for purchasing them.
- The employee working remotely can access IT support normally by phoning or emailing the service desk. If the government-issued IT equipment requires repairs or maintenance, the employee will be responsible for taking it to the service desk in person. IT support will not be provided in-person at an employee’s remote workplace.
- An employee using a personal device for work purposes is responsible for the maintenance of the personal device. The employee is also responsible for the maintenance of their home internet connection.
- The employee must follow the [Computer Use Guidelines](#) when using government-issued devices.
- If the employee is using a government-issued device in the remote workplace, they must take precautions to store the device securely and protect it from damage or unauthorized use.

## 4.2 Other costs and expenses

### GAM 3.12 policy excerpt:

- 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 adequate homeowner or tenant insurance, 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.

**Guidelines:**

- The employee can access office supplies (for example, stationary, writing utensils and notebooks) from the official workplace for the purposes of remote work. The employee may take these items to the remote workplace as needed.
- Refer to the [Travel Directive](#) for more information about reimbursement for travel to a work location other than the official workplace (for example, for meetings).

**4.3 Insurance and liability****GAM 3.12 policy excerpt:**

- 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 meetings with patients, clients, colleagues or supervisors at the remote workplace.

**Guidelines:**

- The employee is responsible for notifying their insurer when the remote workplace is their home and ensuring that their remote work arrangement does not contravene the terms of their insurance policy.
- The employee is not required to provide proof of insurance to the supervisor for the remote work arrangement.

**4.4 Tax implications****Guidelines:**

- The employee is responsible for dealing with the Canada Revenue Agency regarding any personal tax implications that may result from their remote work arrangement.

**5 INFORMATION SECURITY****GAM 3.12 policy excerpt:**

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.

**Guidelines:**

- To protect government information, employees must follow the [Guidance for Protecting Government Information for Employees Working Remotely](#).
  - If the employee works with confidential paper documents at the remote workplace, they must ensure that the documents are stored and disposed of securely and will not be accessed by anyone else.
  - The employee must also have a private space to conduct meetings and phone calls so that any confidential information is not overheard.
  - The employee must also ensure the security of digital devices and paper materials when transporting them between the official workplace and the remote workplace (for example, devices and materials must not be left unattended in unlocked vehicles).
  - The employee must not save any government information to a personally owned device.
- All material and files, whether hard copy or electronic, are the property of the employer and must be returned when the remote work arrangement ends or when employment ends. Paper files must also be returned to the office when complete or requested by the supervisor.

## 6 PERFORMANCE AND ACCOUNTABILITY

### 6.1 Performance management

**GAM 3.12 policy excerpt:**

- 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.

**Guidelines:**

- While supervisors are responsible for continuing to manage remote employees' performance, some adaptation of management strategies may be required for an employee who is not in the official workplace. This includes evaluating an employee's performance based on the results they achieve, rather than their physical presence in the office. For example, when assessing a remote employee's performance, a supervisor may consider questions such as:
  - Does the employee complete assignments within expected timeframes and meet assigned deadlines?
  - Is the employee meeting expected standards for work quality?
- Employees and supervisors are encouraged to discuss communication methods and expectations as part of the remote work agreement.
- Participation in a remote work arrangement is contingent on an employee's ability to meet expectations for performance. One of the approval criteria for remote work is that the employee has demonstrated their ability to meet performance expectations.

## 6.2 Remote work schedule

**GAM 3.12 policy excerpt:**

- 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 for meetings, training sessions or other work that must be done in person, as required by their supervisor with reasonable notice.

**Guidelines:**

- A remote work arrangement does not change an employee's hours of work. Employees working remotely are expected to be working and available for the same hours that they would be if they were in the official workplace.
- When an employee is working remotely, they should ensure that others who may need to contact them, whether colleagues or clients, know how to do so.

## 6.3 Evaluation

**GAM 3.12 policy excerpt:**

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.

**Guidelines:**

- Supervisors and employees must regularly assess individual remote work arrangements to ensure they continue to meet operational needs and the needs of the employee.
- Supervisors must include discussions about the successes and challenges of the remote work arrangement as part of their regular feedback and performance planning (PPP/PDP) conversations with the employee.

## 7 WORKSPACE PLANNING

**Guidelines:**

- While remote employees must still be provided a workspace when they come to the official workplace, they are not entitled to a designated work station in the official workplace.
- Supervisors may consider options like hot desks or hoteling stations, instead of dedicated work spaces, for employees with a remote work agreement.