

TELECOMMUTING FOR DISASTER RESPONSE – GUIDELINES

APPLIES TO: All Employees

Beth Israel Lahey Health (BILH) is adopting these Telecommuting for Disaster Response guidelines as part of BILH's overall response to the spread of the novel coronavirus, which causes the illness known as COVID-19.

Effective Date

The use of these guidelines will occur when the organization makes the decision to activate the use of telecommuting as part of a disaster response. The following leaders are authorized to make the decision to activate the use of the telecommuting as part of the disaster response: Chief Executive Officer, EVP Hospitals and Ambulatory Services, EVP, Chief Population Health Officer, and President BILH Primary Care Network. Telecommuting should not be initiated or allowed until the organization has made the decision to activate the use of telecommuting as part of a disaster response. The use of the guidelines and telecommuting will end when the organization, in its sole discretion, has determined that telecommuting is no longer needed as part of a disaster response. Even in advance of the determination that telecommuting is no longer needed as part of a disaster response, the use of the guidelines and telecommuting will also terminate if there is a business necessity, in its sole discretion of the organization, to have certain staff members return to the work site. The Telecommuting For Disaster Response Guidelines are for temporary use only in response to disasters. This Telecommuting For Disaster Response Guidelines supersedes any other existing telecommuting policies. The Telecommuting For Disaster Response Guidelines will control during this disaster response.

Eligibility for Telecommuting

Non-exempt and exempt level positions eligible for telecommuting are based upon the organizational needs. The following steps should be followed by the department to determine the positions suitable for telecommuting:

Step 1: Has the organization made the decision to trigger the use of the Telecommuting For Disaster Response guidelines? **If no, this policy does not apply.** If yes, proceed to step 2.

Step 2: The department needs to determine if work can be done successfully working remotely by answering the following questions:

Q1: Can the essential functions of the job be effectively performed off-site (example employee's home)? (See BILH's Emergency Management Plan for position classification). In answering Q1, the department needs to take into account:

- 1) Requirements for direct, face-to-face interaction with patients and/or other workers.
- 2) General ability to perform the job duties remotely.

Q2: Does the employee have the tools necessary to effectively do the work remotely, including:

- 1) Information and telephonic technology
- 2) Data security, privacy, and confidentiality requirements fulfilled

If you answered "YES" to all sections of Q1 and Q2 of Step 2, then the department may consider allowing the employee to work remotely.

Telecommuting is not available to all employees because of the nature and scope of direct patient care and supporting services. Moreover, telecommuting may not be suitable in some instances where the job duties of a position cannot effectively be performed remotely. BILH will determine at its discretion which positions are eligible for telecommuting. Some examples (not an exhaustive list) of potential eligible/ineligible positions for telecommuting include:

- May Be Eligible (Employees Not Providing Direct Patient Care): Performance Improvement, Finance, Quality, Risk Management, IT, Coders.
- May Be Ineligible (Employees Providing Direct Patient Care): Facilities, Transporter, Food Service, Environmental Services, Clinical Associates, Pharmacists, Social Workers, RNs, Physicians, Phlebotomists, Radiology Tech, Registration

Supervisors will communicate to employees whether they have the option or are required to work remotely.

In addition to employees instructed to work remotely, some employees who cannot work at their usual work locations due to COVID-19 related reasons, for example, if they are quarantined due to potential exposure or recent travel, may be eligible to work remotely depending on their ability to work and the eligibility of their position.

A Director/Manager/Supervisor/Chair of a department should complete the Telecommuting For Disaster Response Checklist attached to these Guidelines to ensure that all appropriate criteria are met before telecommuting arrangements are approved and assigned.

For some positions, the regularly scheduled hours may be reduced to reflect the amount of work that can effectively be performed remotely. Some employees may also be redeployed to meet the operational needs of BILH.

All telecommuting arrangements under these guidelines will be evaluated on an ongoing basis to ensure that the schedule, work assignments, and work conditions are, at BILH's discretion, meeting the operating needs of BILH.

Hours of Work/Timekeeping

Telecommuting employees are expected to work during the employee's regular scheduled hours of work, or as directed by their supervisor, and not to perform personal or other business. Hourly employees must document all hours worked from the beginning to the conclusion of their work day in accordance with the BILH's timekeeping practices and should take appropriate meal and other breaks. If the usual timekeeping process cannot be used, alternate arrangements for timekeeping and certifying time worked must be made with the supervisor. Overtime work for a non-exempt employee must be pre-approved by the employee's supervisor. All hours worked will be paid according to applicable law. Failure to record time worked or working overtime without approval may result in disciplinary action, up to and including termination of employment.

The telecommuting employee must obtain approval before taking leave or paid time off in accordance with BILH's paid time off and leave policies. Employees who are assigned to work remotely and are not able to work, for example, due to illness, family illness, or other factors, will be required to use paid time off and may be eligible for a temporary leave of absence. Exempt staff should follow local time-keeping policies.

Safety

The employee's telecommuting worksite must be maintained by the employee in a safe manner, free from hazards. The telecommuting employee is responsible for immediately informing his or her supervisor of any injury that occurs during the employee's defined work hours at the telecommuting worksite. The telecommuting employee cannot hold business visits or meetings with professional employees, customers, or the public at the telecommuting worksite.

Remote Access, Data Security, Confidentiality, and Privacy

Departments should work with Information Technology to arrange for remote access and other work related technologies, such as conference lines, video conferencing services, and helpdesk services.

Employees are expected to comply with all BILH policies and procedures relating to data security, confidentiality, and privacy (including HIPAA). BILH records, files and documents should be protected from unauthorized disclosure or damage at the telecommuting worksite. Before working remotely, employees must comply with all BILH policies and procedures for remote access, including encryption requirements. Employees should contact BILH's information technology department for information relating to these requirements and for set up instructions. Employees must also work with management to ensure appropriate data security, confidentiality, and privacy while working remotely.

Equipment and Materials

BILH may provide, at its discretion, equipment and materials needed by telecommuting employees to effectively perform their duties. Equipment purchased by BILH should be maintained in good working condition by the employee and will remain the property of BILH. BILH-owned equipment and software may only be used for BILH business purposes. Telecommuting employees are responsible for protecting BILH-owned equipment from theft, damage and unauthorized use. Employees must immediately report damage to or theft of equipment to management. Telecommuting employees must return all BILH equipment in good working order. Telecommuting employees may not duplicate BILH-owned software. Equipment must only be used by authorized employees.

BILH may permit the use of employee-owned equipment if used with proper security and access tools. When telecommuting employees are authorized to use their own equipment, BILH will not assume responsibility for the cost of equipment, repair, service, theft or loss. The cost for maintenance of BILH equipment will be covered by BILH, if approved by department management in advance.

Compliance with [Entity Name] Policies

The telecommuting employee is required to comply with all BILH policies and guidelines while telecommuting, as if he/she were at a BILH facility. Failure to follow policy and procedures may result in termination of the telework arrangement and/or disciplinary action, up to and including termination of employment. Employment with the BILH remains at-will and the Telecommuting Agreement does not constitute a contract of employment with the telecommuting employee.

Temporary Guidelines/Returning to Work at the Usual Work Location

The remote work program created by these guidelines is temporary and is part of BILH's disaster response. These guidelines can be changed or rescinded at the discretion of BILH. Employees will be required to return to work at their usual location as directed by BILH, subject to the following section. Nothing in these guidelines creates a long-term or permanent remote work arrangement for any employee. Upon being directed to return to their usual work location, employees will be expected to regularly work at their usual work location on the same basis as before they started working remotely under these guidelines.

Reporting Travel, Exposure, and Symptoms

Employees working remotely must inform Employee Health if they have traveled to risk areas for COVID-19 (based upon CDC guidance), had a community or workplace exposure, or present with applicable symptoms, so that Employee Health can monitor symptoms and assess the employee's ability to return to their usual work location.