Report of the Working Group on Staff Remote/Flexible Work Arrangements

COVID-19 introduced temporary changes to the nature of work on the Williams campus. Most notably, as a public health measure, many staff members moved to full-time remote work arrangements. Over the summer of 2021, all employees returned to their campus offices. However, the temporary transitions to remote work raised wider questions of whether Williams is best served by changes to work arrangements going forward.

The working group on staff remote/flexible work arrangements was charged with reviewing Williams' remote work policy in light of the questions raised and lessons learned during the 2020-21 academic year and making recommendations to Senior Staff for possible revisions to the policy.

Tasked with reaching out to a broad range of campus constituents, President Mandel asked the working group to consider the following:

1. Does Williams' current remote work policy serve the college and its diverse workforce well? If not, what changes could be made that would better address current needs?

2. Would a change in approach strengthen or hamper our efforts to reach our longer-term goals for diversity, equity, inclusion and accessibility; sustainability; and Williams as a residential learning community?

3. If the college makes changes to the remote work policy, what other changes would need to be considered as a consequence? In other words, are there particular structures or ways of organizing work that could allow for more flexibility without compromising the college's core mission? Do we have the right HR and other structures in place to support a more flexible workforce? If not, what changes would have to be made to support such a move? Are they advisable?

4. Are there models from academic and non-academic institutions that are worth considering at this stage in the college's history?

The Committee's Process

We began the work with an email notification to Williams faculty and staff of our charge and inviting them to share their ideas in writing by submitting their comments and questions via the [working group's webpage](#) and through a series of eight virtual listening sessions open to all staff held at various times throughout the summer. In addition, the working group met with the President's Administrative Group, Campus Life and other student-facing staff, College Relations

Managers, chairs of academic units, and individuals upon request. Several staff colleagues wrote to the working group members, individually and collectively, to share resources and their thoughts about alternative work arrangements for Williams staff.

Thirty-three individuals submitted written feedback through the committee's webpage. Seventy-nine individuals signed up for one of the eight scheduled listening sessions and several more met one-on-one with working group members.

In addition to soliciting input from the Williams community, the working group also researched various aspects of remote and flexible work. We collected, reviewed, and discussed dozens of articles and announcements; researched models and policies from outside higher education as well as those from other colleges and universities; attended virtual programs/panels featuring experts in labor law and HR; and consulted with colleagues from other institutions.

Feedback and Research

Does Williams' current remote work policy serve the college and its diverse workforce well? If not, what changes could be made that would better address current needs?

In addition to learning that many people were unaware of the existence of the current policy, several participants in the listening sessions felt it is written in a "forbidding" manner and discourages people from submitting requests and may even discourage promising job candidates from applying or accepting offers to work at the college. Others felt the policy itself is fine but that the process for approving a request was overly dependent on the individual manager being open to such an arrangement. Others suggested making the process more transparent by developing a rubric for the approval process and publishing the data around the number of submitted and approved requests. There were expressed concerns about managers visiting remote worksites and a suggestion for including why it might be necessary.

Some people expressed concern that the current policy of providing one workstation doesn't adequately support employees working in more than one location. We heard similar feedback about related policies governing office supplies, equipment, and technology.

Individuals noted that increasing remote working options would require more oversight by managers. Some pointed out the inequity of the policy since it doesn't apply to all positions. Many people shared a desire for flexible work arrangements to allow them to live in communities that are more diverse than the northern Berkshires or that better support their lives in other ways.

Would a change in approach strengthen or hamper our efforts to reach our longer-term goals for diversity, equity, inclusion and accessibility; sustainability; and Williams as a residential learning community?

As mentioned above, many people expressed a shared desire for flexible work arrangements to allow them to live in communities more diverse than the northern Berkshires. This sentiment suggests that more flexible work arrangements could reinforce DEI goals by extending the geographic reach of communities where people could live. Some suggested that permitting a hybrid model of working from home a few days per week would allow them to participate in both the campus community and their home community. We heard that reducing commuting time would allow people to dedicate more time to their personal community service goals. We heard of examples of job finalists declining offers because of concerns about living in the area for various reasons, including limited reasonably priced housing, the remoteness of the location, and a lack of diversity. Others pointed out that while remote work might increase workforce diversity, student-facing employees need to be predominately on campus.

While remote options may enlarge the pool of potential job applicants, we also heard that having some workers in the office and others working remotely can create its own inequity, with remote workers potentially being pushed to the periphery if the majority of the team is onsite. Some suggested anchor days when everyone is together in the office.

Colleagues whose job responsibilities include travel believe that in-person gatherings combined with virtual meetings and events will reduce travel required to meet the job expectations. Others felt that fewer people driving daily to work would lead to a reduction in carbon emissions, which could be measured to track progress towards a stated goal of the college's sustainability plan.

Most of the people from whom we heard acknowledged the importance of supporting students and suggested that a hybrid approach—giving staff the flexibility to work from home one or two days per week—would be beneficial, not compromise the quality of service, and align better with how faculty work.

If the college makes changes to the remote work policy, what other changes would need to be considered as a consequence? In other words, are there particular structures or ways of organizing work that could allow for more flexibility without compromising the college's core mission? Do we have the right HR and other structures in place to support a more flexible workforce? If not, what changes would have to be made to support such a move? Are they advisable?

Technology: We consulted with the Chief Information Officer to learn what planning and resources would be required to consider any revisions to the policy. Currently, the college supplies services once for on-campus office space, furniture, internet, printing, scanning, and one computer and one set of peripherals. The college does not support peripheral devices for more than one location.

One concrete expense would be to replace workstations with laptop computers to allow for hybrid work. The estimated cost to purchase approximately 350 laptops to replace workstations is $560,000. This cost is not currently reflected in our budget. There will also be an anticipated annual expense of $50,000 for regular increased renewal costs of laptops relative to

workstations. OIT anticipates additional costs for departments to augment standard-issue laptops for increased computing power, storage capacity, and peripherals. They also anticipate a projected increase in computer repair expenses because laptops are more fragile and less reliable.

Working remotely may require additional security measures beyond what is required on campus. Remote and hybrid work proposals would need to affirm that all work is done on college-issued computers that are imaged, protected, and uploaded with college-provided software. The proposal would also need to affirm that no one other than the employee may use the college-provided computer. Guidelines will need to be reinforced for how to secure remote workspaces and the internet, and how to access, store, and transfer data. Ensuring information security is crucial in any transition to remote work.

Accessibility: To ensure accessibility, the college will need to strategically install specific technology to create "access hubs" in various campus buildings for group/team communication in a hybrid work environment. The technology allows one to loop-in remote team members for in-person meetings and provides appropriate access to individuals who require captions or augmented audio. As is the case with the IT needs mentioned above, this will require training and guidance for how best to use the technology.

HR/Labor Law Compliance: Each state has its own system of regulating the workplace, often with its own wage and hour rules (including varying requirements governing part-time work, overtime pay, and mandatory meal breaks), workplace safety and workers' compensation regulations, payroll tax and unemployment insurance obligations, privacy and information security rules, mandatory training requirements, and personal and family leave laws. In some places, local ordinances impose additional taxes or mandates. Many of these rules are incredibly complex and continually evolving, and compliance can be challenging and complicated.

Within this context, shifting from a model where almost all employees are working in facilities controlled by the college in either Massachusetts or Connecticut, to one where staff work in a variety of work sites dispersed across state lines, poses significant challenges for individual managers responsible for monitoring and supervising remote team members. These changes would compound the administrative burdens of complying with the wide range of employment laws and regulations in each state.

During the pandemic, declared states of emergency, sheltering directives, and work-from-home orders temporarily exempted employers from complying with various state laws and regulations. These exemptions have expired. Consequently, providing the flexibility for some employees to work remotely while simultaneously fulfilling the college's obligation to comply with the law would minimally require the following:

- Identifying those states where the college can readily comply with labor, employment, and other laws that are pre-approved locations for remote work as well as the states or locations that will be excluded from remote work.
- Providing checklists and guidelines to help all staff and their supervisors identify the necessary prerequisites for remote work arrangements, the compliance risks associated with remote work, and the systems and work practices that will need to be implemented to ensure compliance.
    - For example, when non-exempt employees are working remotely, the employees and their managers may need new systems to ensure employees are complying with regulations regarding work schedules and meal breaks, and to ensure supervisors are not sending requests for work outside work hours.
- Providing detailed agreements prescribing where (state) the work will be performed, if 60% is in Massachusetts and 40% in Vermont, taxes will have to be applied in each state. Payroll staff must file quarterly tax withholdings in each state where the college employees work. Training for remote workers and their supervisors in best practices to maximize the probability of success for the remote worker and the hybrid team, office, and department.
- Providing template agreements to document each party's responsibilities and the conditions for the remote work arrangement.
- Providing additional resources for outside professional advisors and service providers to guide the tax, legal, and regulatory compliance in each additional state.
- Providing training and best practices for managing remote and hybrid teams.

What We Recommend:

Proposal for Staff Alternative Work Arrangements

Our primary commitment is to the educational mission of Williams College. To do so, we expect the vast majority of jobs will require staff to primarily be on campus or other college offices (Mystic, Investment Office & the Williams Exeter Programme at Oxford) to support the students, faculty, staff, alumni, and others who make up the residential college community.

We recognize, however, that there are jobs that may lend themselves to a part-time or temporary alternative work arrangement. We recommend extending this flexibility when doing so would benefit both the college and the employee.

We propose implementing a pilot through June 30, 2023, for Alternative Work Arrangements. The pilot will help shape and inform our Staff Alternative Work Arrangement Program for the future. Department leaders, managers, and senior staff will identify which options best serve the needs of the programs, departments, divisions, and the college.

The college would retain the discretion to authorize or implement temporary alternative work arrangements outside of this pilot, including in response to extraordinary circumstances. The

college currently does not require any employee to work remotely and would provide workspace on campus or in a college office to all employees.

The alternative work arrangement pilot is intended to help the college learn, as well as meet the changing needs of our workforce, recruit and retain excellent staff, provide more flexible work arrangements for eligible staff, contribute to the college's diversity, equity, and inclusion goals and help the college reduce its carbon footprint. During the pilot, experiment with different meeting room options and user training to facilitate inclusive hybrid meetings. Assess budget and equipment requirements.

We understand alternative work arrangements as agreed-upon structures and practices for staff whose work can be performed in accordance with these guidelines outside a college office and/or traditional work schedule for part or all of the workweek. We envision these arrangements falling into three broad categories: flextime (flexible), hybrid, and remote work.

Flextime/Compressed Work Week

Flextime offers flexibility in arrival, departure, and/or lunchtimes, typically with a designated core midday schedule during which staff are customarily on-site. Flextime can be arranged weekly, monthly, seasonally. Another example of flextime is a **Compressed Work Schedule[1]**: traditional 37.5- to 40-hour workweek is condensed into fewer than 5 days of work. Common compressed work schedules for the traditional workweeks include: four 10-hour days for a 40-hour week; or three 10-hour days and one 7.5-hour day for a 37.5-hour workweek.

Hybrid Work

A regular schedule that is a mix of on-site and remote work. A hybrid work schedule can be based on a weekly schedule or based on specific times of the year.

The schedule can be based on specific types of job tasks (e.g., those that specifically require a presence on campus vs. planning and administrative work) and schedules (e.g., bi-monthly data processing activities). The Working Group recommends that any weekly hybrid arrangement would be for less than 50% of the week working off-site.

Primarily Remote Work

Rare circumstances may allow for the job to be performed primarily off-site, on a regular, recurring basis. Remote work is a pre-arranged, regularly scheduled, approved work arrangement that is primarily performed off-campus. These arrangements are reviewed and evaluated periodically by the staff and the supervisor—at least once a year but preferably quarterly. Even remote staff members may be required to periodically travel to and work from campus, as needed.

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[1] Pay for hours worked beyond 40 hours in a week is paid at one and one-half times the employee's regular hourly rate in compliance with the Fair Labor Standards Act.

Remote and hybrid work locations must be in the United States. At this initial stage, locations within the U.S. are currently limited to Massachusetts and Connecticut. Note that Governor Baker's COVID-19 emergency order directed Massachusetts employers to treat all remote workers as if they worked in Massachusetts. This order has expired and we now need to comply with the complicated tax and labor laws that vary from state to state. We expect that we will be able to add New York and Vermont as additional locations in the near future as we expand our compliance program.

Phase One (by March 31)

In consultation with team members, department heads will develop an alternative work proposal for their unit. Proposals should:

- Evaluate all positions and determine which ones are appropriate for on-site, flextime/compressed workweek, hybrid, remote.
- Ensure that the unit remains open and staffed during core business hours of the workweek
- Maintain necessary and appropriate levels of in-person student, staff, and faculty support
- Identify potential barriers that might impact campus collaborators
- Include the work location (specific state). This is important in determining the feasibility of an alternative work arrangement outside of Massachusetts or Connecticut.[2]
- Provide training to managers/department heads, as well as individuals with hybrid work plans on best practices.

Then senior staff will collectively vet and approve these proposals.

Phase Two (Ends on June 30, 2023)

Once approved, department heads will inform their teams and invite those eligible and interested to submit individual alternative work requests consistent with the vetted unit plan.

The manager will review the performance standing and remote location for individuals employed in positions that qualify for any of the alternative work arrangements.

Given the complexities of wage and hours laws, remote and hybrid work is more straightforward to implement for staff in full-time, exempt positions. Due to the compliance complications created by wage and hour regulations, implementing remote or hybrid work arrangements for nonexempt and part-time employees may require more extensive review and more detailed plans prior to approval. Staff who are permitted to work a hybrid or remote schedule may be called to the office to help provide short term or rotational support at the manager's discretion. Some positions, including but not limited to, those responsible for providing in-person student and faculty services or requiring on-campus presence may not be suited for certain alternative work arrangements.

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[2] Proposals should be specific about the amount of time spent working in an out of state office as the college is obligated to withhold and remit income taxes to each relevant state.

Whether considering flextime, hybrid or remote work schedules, during the pilot period, all alternative work arrangements must be authorized, in advance, by the appropriate supervisor, department manager, and senior staff member. All alternative work arrangements are granted on a temporary and revocable basis, and may be discontinued by the employee at any time or by the employee's supervisor. Furthermore, alternative work arrangements may be abbreviated or discontinued should office coverage become a problem due to changes in work demands, office staffing or other operational needs. Additionally, alternative work arrangements are not to permit employees to work at other jobs or to run their own businesses. Failure to fulfill normal work requirements due to other employment may be cause for disciplinary action up to and including termination.

The employee's compensation, work status, and work responsibilities will not change due to their participation in alternative work arrangements. Given the variety of state laws governing family and medical leaves, the geographic limits of health insurance networks, and other factors, benefits may vary from state to state. The amount of time the employee is expected to work per pay period will not change due to participation in alternative work arrangements.

Staff who participate in alternative work arrangements are subject to all college policies and procedures including, but not limited to those regarding confidentiality, disclosure of information, conflict of interest, and acceptable use of information technology resources.

Phase Three (July 2023)

Assessment: During the pilot period, senior staff will collect feedback from all stakeholders and assess whether the working arrangements have placed pressure on campus units or support services or support services. We will assess whether our mission has been supported by the new pilot policy, if we have the right training and support structures in place, and whether the new work arrangements have strengthened our commitments to DEI and sustainability.

Guidelines for Alternative Work Agreements

We offer the following guidelines to staff, the supervisors, the department heads, Human Resources, and senior staff in hopes of creating a pilot program that is consistent and mutually beneficial to all parties involved.

Eligibility is for staff who have demonstrated consistently high performance and the ability to work independently without compromising the quality of work, client service, or the overall team dynamic and performance. Alternative work does not change position requirements and may not compromise the levels of availability and responsiveness to co-workers and service to constituents.

During the pilot phase, department heads will initiate discussions within their units to assess the best strategy for remote and flexible work. Coordinated proposals for how departmental priorities will be met with these considerations will then be submitted to senior staff for vetting and approval.

Individual staff proposals must be prepared and approved by their immediate supervisor and department head. After which, the department head will forward it to their senior staff member.

Approval is at the discretion of the supervisor, the department head, and the member of senior staff to whom the department reports, with input from HR (and/or the college's legal counsel) to ensure compliance with applicable tax and labor laws.

The following requirements should apply to all Alternative Work Agreements:

1. Alternative work arrangements are structured and ongoing, with a designated remote work location with an approved work space. A clear schedule of days on- and off-campus, with specific hours and a location for each day of the week or week in the year, needs to be identified and followed. Occasional requirements to be on campus for meetings or events may supersede the schedule.

2. The agreement should clearly document expectations about the type and quantity of work to be performed; responsiveness, availability, and communication with colleagues, students, constituents and clients; and metrics of success.

3. Out-of-state work arrangements have additional tax and legal complexities, and a remote work request may be denied on this basis alone. Individuals who wish to change their remote work location must submit new requests.

4. Alternative work arrangements are not to be used to provide ongoing care for family members nor the occasional need to work from home.

5. Alternative work arrangements are not to be used to work at other jobs or businesses.

6. A review period should be established with regular, defined evaluations by both the employee and the supervisor to determine the effectiveness of the arrangement. We recommend the arrangement be reviewed quarterly, or annually at a minimum.

7. Success will be measured based on the quality of work and internal and external client feedback including but not limited to the remote working arrangement's impacts, if any, on overall team dynamic and performance.

8. All equipment provided by the college as part of this agreement remains college property to be used for college purposes only, and only by the employee. No additional equipment will be provided by OIT beyond standard deployments.

9. Remote work under this policy is entirely voluntary. As part of any remote work arrangement through this policy, employees will agree to be responsible for expenses associated with the remote work space, including but not limited to heat, electricity, internet service, phone, and printer.

10. Except with the prior written approval of the applicable senior staff member, the employee is responsible for the cost of any travel and/or accommodations required for on-campus work.

11. Consistent with the college's expectations of information security for employees working at the office, remote employees are expected to ensure the protection of any sensitive information that they have access to. Steps include closely following the college's data classification and usage policy, using multi-factor authentication and strong passwords, the use of secured college-owned computers and locked file cabinets and desks, and any other measures appropriate for the job and the environment. Proposals from any employee with access to protected data must be approved by counsel and the director of information security.

12. Employees are expected to maintain their remote workspaces in a safe manner, free from safety hazards. Human Resources will provide each remote worker with a safety checklist that must be completed at least once per year. Injuries sustained by the employee in a remote office location and in conjunction with his or her regular work duties may be covered by the college's workers' compensation policy. Remote employees are responsible for notifying the college of such injuries as soon as practicable and shall make the work site accessible to college representatives for inspection. The college is not responsible for any injuries sustained by non-employee visitors to the remote worksite, including members of the employee's household.

13. Remote employees who are not exempt from the overtime requirements of the Fair Labor Standards Act and applicable state law will be required to accurately record all hours worked. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the individual's supervisor. Failure to comply with this requirement may result in the immediate termination of the remote work agreement.

14. The agreements implementing Alternative Work Arrangements must include a timeline for review and can be revoked at any time by either party.

Other Tools and Resources

[Department Planning Tool for Alternative Work Arrangement](#)

[Individual Planning Tool for Alternative Work Arrangement](#)

[Alternative Work Arrangement Guidelines for Managers](#)

[Alternative Work Arrangement Agreement](#)

[Remote Work Safety Checklist](#)

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