

MARK ARMIJO ACADEMY TEMPORARY TELEWORKING POLICY

General Statement of Policy. This Policy shall be in effect during periods in which it is permissible or otherwise essential for Mark Armijo Academy (“School”) employees to perform their School employment duties from home, by reason of: Executive (Governor of New Mexico) or New Mexico Department of Health (DOH) orders relating to the COVID 19 pandemic; other public health emergencies; natural disasters; or other School-declared emergencies.

“Telework” for purposes of this policy, means that all or most of an employee’s essential functions of the job are performed from a location other than on School premises.

Who is Eligible. Not all employment categories may be appropriate for telework arrangements; the Head Administrator shall make the determination as to whether your job may be temporarily performed from home during emergency periods. Teleworking is not available to employees whose jobs may only be performed on School premises, such as food service preparation and delivery; services to clean, maintain, supervise, and sanitize the building, property, materials and supplies; in-person teaching of students deemed eligible for in-person, small group instruction; and such other positions that the Head Administrator determines must be performed on School premises.

Employees may elect to work at School if they do not have adequate work-from-home accommodations and internet connectivity to perform their job responsibilities. All staff who are working or otherwise physically on School premises must follow the School’s safety protocol without exception.

Duration of Telework Option/Work Expectations. Teleworking options shall end when an Executive or DOH order is issued announcing that schools may reopen in the hybrid operating model as described in the New Mexico Public Education Department’s Reentry Guidance. If the School is required to return to online instruction because of a School-wide closure due to a COVID 19 outbreak or subsequent Executive or DOH order, this policy shall apply. Employees should not assume any specified duration for emergency telework arrangements. The Head Administrator shall inform teleworking employees by email or text of the date on which a teleworking employee is to return to work at the School, giving as much notice as reasonably possible under the circumstances. However, employees should stay informed about applicable Executive and DOH orders related to the current COVID 19 pandemic to avoid conflicts with employment and ability to return to in-person work.

The School understands that employees will likely not be able to perform all of the essential functions of their jobs while working remotely, specifically in-person attendance; this policy and procedure is designed to allow the School and its employees to function in ‘emergency mode’ during temporary periods of the COVID 19 pandemic or other health and/or safety emergency. Because regular, in-person attendance is traditionally an essential function of all employee jobs at School, once the appropriate public health orders permit employees to return to in-person attendance, employees will be expected to return and perform all essential functions of their position without exception.

However, note that telework may be offered as a reasonable accommodation under the Americans with Disabilities Act (ADA), where appropriate. Please refer to School policies and procedures for employees

with disabilities and, during pandemics, policies/procedures for employees who may be 'high-risk' for COVID 19 susceptibility.

Home Office. Employees working from home will establish an appropriate work environment within their homes for work purposes. School is not responsible for costs associated with the setup of the employee's home office or workspace, such as remodeling, furniture or lighting, nor for repairs or modifications to home office spaces. However, if you are required by a public safety order to shelter in place **and** simultaneously telework, and in order to telework under said circumstances you would require an additional phone, internet or would incur other expenses (beyond what you otherwise would pay for personal use) so you can telework, please contact the Head Administrator/your supervisor for instructions on how to request assistance. The School will not pay for additional expenses unless you are prohibited by a public safety order from coming to the School Building to access phone and internet services that you would not otherwise have at home for your personal use.

School will determine the equipment/supply needs for each teleworking employee on a case-by-case basis. Any equipment supplied by the School shall remain the property of the School and shall be used for School business purposes only. Employees using School equipment at home shall be required to sign an equipment use agreement and must adhere to the School's information technology-related policies and procedures. Please see the school business manager if you think you need additional equipment or supplies at home to perform your job duties. If you have been issued a School computer, you are expected to use the computer for work-related activities and follow computer and technology use policies. Employees are reminded that they should have no expectation of privacy as it relates to information stored on School-owned computers or electronic devices.

Information Security. Consistent with School expectations and requirements for information security for employees working at the School facility, employees working from home are expected to ensure the protection of confidential student education records, confidential employee information, proprietary materials, and other School-related information in keeping with FERPA and other applicable privacy laws. Employee's computers used for School-related functions, and materials containing student, employee and other such confidential information must be secured daily by the employee and be inaccessible to employee's household members/household visitors who may have access to an employee's home office. Members of the employee's household/household visitors may not utilize School equipment and software, for any reason.

School Policies Apply. Employees who telework must comply with all School policies and procedures. Employee telework performance and conduct may be monitored by School administration during employee work hours.

The **Working From Home Expectations** contained herein are part of this Policy and, along with this policy, must be followed by any employee temporarily working from home, including those working from home because of an ADA or similar accommodation.

The attached **Short-Term Telework Agreement** shall be acknowledged and signed by each School employee temporarily working remotely, and a copy shall be placed in each employee's personnel file.

Violation of the MOU or any provisions of this policy shall subject an employee to disciplinary actions as set forth in the School's employee policies. **EMPLOYEE'S REFUSAL TO SIGN THE AGREEMENT DOES NOT RELEASE EMPLOYEE FROM THE SCHOOL'S TEMPORARY TELEWORKING POLICY.**

This Temporary Teleworking Policy is a temporary policy which may be utilized only in the emergency circumstances specified above, as determined by School administration. **EMPLOYEES ABILITY TO TELEWORK FROM HOME DURING THESE EMERGENCY CIRCUMSTANCES DOES NOT MEAN EMPLOYEES WILL BE ALLOWED TO WORK FROM HOME OR ALTER THEIR REGULAR WORK ARRANGEMENTS AFTER THE EMERGENCY PERIOD IS OVER.**

WORKING FROM HOME EXPECTATIONS

- You are expected to be available to perform the tasks/instruction designated by the Head Administrator/your supervisor during regular School hours or according to a schedule as otherwise set by the Head Administrator/your supervisor.
- You are expected to attend scheduled meetings and 'check-ins' as designated by the Head Administrator/your supervisor.
- Hourly/nonexempt workers are required to track their actual work hours in the manner designated by the Head Administrator/supervisor; **the School's overtime policies and procedures remain in effect.**
- Exempt employees may be asked to keep logs of work performed during the work day, if the Head Administrator/Supervisor deems it necessary.
- You should take lunch and periodic rest breaks, as you would if you were working at School.
- Employees are expected to work from a dedicated teleworking area in your home. Where possible, work should be performed in a separate room away from others, with a door that may be closed when necessary to maintain confidentiality.
- While teleworking, avoid using public Wi-Fi.
- Ensure all computers/devices you use to access School data have current firewall protection; contact the School's IT Coordinator, _____, if you have questions.
- Use a hotspot or encrypted web connection, which will prevent other persons on the same Wi-Fi connection from gaining access to School information
- Your full attention must be given to your School-related tasks and duties during your scheduled work or instructional period(s): please eliminate visual/auditory distractions to the maximum extent possible in your home office during videoconference/instructional time, including but not limited to: pets, children, family members/visitors in the background; pet/children/family member/visitor interruptions; background noise/glare.
- Do not "work out" (engage in physical exercise such as jogging or walking on a treadmill, exercise bike, or similar activity) while teleworking.
- If you are conducting a class or meeting by videoconference, ensure that your background 'scene' is appropriate (no inappropriate or offensive materials visible in the background).
- Refrain from eating during videoconferences.

- All applicable School policies, including but without limitation the School's drug/alcohol policies remain in place during your designated working hours.
- You must be fully clothed in clothing appropriate to your position if you are participating in a videoconference. You are expected to portray professional demeanor, physical appearance and language at all times when videoconferencing with students, peers and families.
- You are responsible for the safety of your home office environment, and your own safety while performing School-related work at home. The School will not conduct onsite safety inspections of an employee's home office, but your supervisor may conduct a virtual inspection of your immediate working environment to look for potential hazards (overloaded extension cords, tripping hazards, etc.) and appropriate desk/seating arrangements. You must follow all School recommendations to improve your home office safety that are offered by your supervisor. If you are injured while performing School-related work at home, you must contact your supervisor immediately or as soon as reasonably possible. In addition, you should report said injuries to your homeowner's or renter's insurance policy provider immediately.
- Ensure that your computer workstation and seating are ergonomically appropriate. Take periodic 'stretch' breaks from computer use, when possible.
- If you become ill/symptomatic while working from home and are no longer able to work, and/or need additional accommodations due to illness or to care for a family member, see the School's employee leave policies and procedures, and notify your supervisor immediately.
- Secure School equipment, storage devices and School/student data. Never leave a laptop or thumb drive containing School data or School-owned device in your car or unsecured in your home.
- You must report all security breaches related to disclosure of confidential student or employee information immediately. Notify the IT Coordinator immediately of any suspected breach of computer or internet security.
- Be on time and properly prepared for video meetings, classes, and conferences.
- If you must take personal leave during regular School hours, you are required to follow School policies for requesting leave in advance.
- If you are not able to continue teleworking for any reason, you must notify your supervisor.

If you have difficulty complying with any of these guidelines/expectations, please let your supervisor know right away so that he/she may offer appropriate assistance/support.