

TELEWORK POLICY GUIDELINES

Telework programs allow employees to perform a portion of their assigned duties at an alternate worksite, such as the employee's home, a satellite office, or a telework center. Telework may or may not include the use of telecommunications or computer technologies.

Telework is an effective strategy for agencies to include in their emergency and commute trip reduction plans. Telework is a cost effective tool agencies can implement to assist in reducing the number of commute trips to the worksite and a strategy to use during disasters caused by weather, fire, earthquakes, damaged buildings due to pipes breaking, etc. or terrorist attacks. Telework may be a short-term solution for accommodating an employee who is temporarily unable to come to the main worksite, but is capable of working. This arrangement also allows agencies to keep valuable assets in key positions and maintain productivity.

Executive Order 01-03 directs agencies to take a leadership role by adopting and implementing telework policies. The agency's policy is to "consider an employee's request to telework in relation to the objectives of the agency's operating, business, and customer needs."

Offering state employees the opportunity to telework is a management option and employees must follow the policies established by their agency. The goals and objectives of any telework program must be clearly communicated by management to ensure that telework does not affect the level of service provided to the public. A written agreement between the teleworker and supervisor ensures accountability for both the teleworker and the agency.

Benefits for Agencies

Studies indicate that businesses benefit by:

- ◇ Enhanced employee job performance (productivity and work quality)
- ◇ Ability to attract and keep valued employees
- ◇ Improved employee morale and job satisfaction
- ◇ Increased access to new labor markets including the disabled, part-time and semi-retired
- ◇ Reduced office and parking space requirements
- ◇ Reduced sick leave and absenteeism
- ◇ Improved corporate image
- ◇ Increased ability to meet air quality and transportation demand management requirements

Benefits for Employees

- ◇ Improved work environment
- ◇ Enhanced job performance (productivity and work quality)
- ◇ Improved morale and job satisfaction
- ◇ Greater degree of responsibility
- ◇ Greater lifestyle flexibility
- ◇ Decreased commuting time and stress
- ◇ Reduced transportation costs

Benefits for the Community

- ◇ Reduced traffic congestion
- ◇ Reduced gasoline consumption
- ◇ Fewer vehicle emissions

- ◇ Increased opportunities for disabled, part-time, and semi-retired people
- ◇ Increased number of jobs in rural areas
- ◇ Reduced parking needs

ELEMENTS OF TELEWORKING

- ◇ Teleworking is not an employee entitlement. When employee participation is voluntary, telework may be terminated with reasonable notice by the employee or by the agency. **Note:** some positions include telework as a condition of employment. In these cases, unilateral termination of telework will not be possible.
- ◇ Employees' salaries, benefits, worker's compensation, and other employer insurance coverage do not change for the teleworker.
- ◇ Teleworker's work hours, overtime compensation, and the use of vacation and sick leave must conform to state and federal laws and regulations and agency rules and policies.

AGENCY RESPONSIBILITIES

- ◇ Require a written telework agreement. (*See "Agreements" at end of document*)
- ◇ The agency's mission and the level or quality of service provided to the public is not to be negatively affected by an agency's telework policy.
- ◇ Develop procedures to ensure that effective communications and workflow is maintained among clients, coworkers, and management.
- ◇ Instruct teleworkers to use the most cost effective means for work-related long distance phone calls.
- ◇ Agencies remain liable for state-owned equipment located at the employee's telework location and assume the risks associated with the equipment.
- ◇ All equipment and supplies furnished to teleworkers by their agency remain the property of the agency and are to be used only by authorized persons for state business.
 - ✓ Office supplies for use by teleworkers at their alternate worksites should be provided by the state and should be obtained during the teleworkers' in-office work time.
 - ✓ Include "check-in" procedure for equipment, supplies, work product(s), etc. for when the employee leaves the agency or state service.

EMPLOYEE RESPONSIBILITIES

- ◇ Have a written agreement outlining the employee and agency's responsibilities and expectations. (*See "Agreements" at end of document*)
- ◇ A teleworking employee is to be "seamless" to his/her customers, i.e. they are reachable by e-mail or phone so the customer is not aware that the employee is not at his/her desk.
- ◇ Work hours and phone coverage and other expectations of the employee must be outlined in the agreement signed by the employee and supervisor.
- ◇ When the alternate worksite is in the employee's home, the employee shall be responsible for maintaining a designated workspace in a safe, healthy, professional, and secure manner.
- ◇ All services furnished to teleworkers by their agency are to be used only by authorized persons for legitimate state purposes.
 - ✓ Out-of-pocket expenses for services, such as an additional phone line or DSL connection, may be reimbursed according to agency policy.

- ◇ Employees are expected to use the same high standard of care for state-owned equipment at telework sites as they would for equipment in their office.
- ◇ The teleworker has the same reporting requirements for identifying workplace safety issues and timely reporting of injuries or illnesses that may arise while teleworking.
- ◇ Unless there is an advance written agreement between agency management and the employee that specifies otherwise, the state assumes no liability for loss, damage, or wear of any employee-owned equipment or facilities used while teleworking.
- ◇ Teleworkers shall make necessary arrangements for their dependents during agreed upon work hours to ensure the successful completion of the teleworkers' assigned work duties.

TECHNOLOGY

- ◇ Agencies must determine what state security policies, standards, and guidelines are to be followed in order to appropriately protect state information accessed over the network. This must be completed before the teleworker assignment begins.
- ◇ Agency policies must address issues raised when employees must use restricted-access or confidential information while teleworking.

EQUIPMENT

Telework equipment includes hardware, software and security. Each agency's telework policy must address equipment, keeping in mind the continual changes in equipment and technology.

Considerations:

- ◇ While most telework arrangements will rely on the use of a computer or other telecommunication equipment, telework is not dependent upon them.
- ◇ Telework purchases must be made from existing agency allocations.
- ◇ If providing a state-owned computer, consider laptops with docking stations that can be used in the office or at a telework site.
- ◇ Consider making it mandatory that the teleworker use only a state-owned computer.
- ◇ Provide internet connection.

PROCESS GUIDELINES

- A. Ensure that all relevant institutional policy, payroll, personnel, labor relations, information technology, and risk management considerations are addressed in the agency's telework policy.
- B. Develop/adopt a telework policy and procedures that include, but are not be limited to:
 1. Statement that the adoption of a telework program will not diminish the agency's ability to meet its obligations or service to the public.
 2. Criteria and procedures that will be used to evaluate the feasibility of telework.
 3. An explanation of how telework is approved, including forms that the agency or unit requires to be completed, including a signed agreement.
 4. Statement on notification requirements for termination by either the employee or supervisor.
 5. Address security issues. Telework arrangements must comply with relevant state security policies, standards and guidelines.

6. Address records retention and E-Discovery issues when using personal computer while teleworking. (addition suggested from Bruce Eisentrout)
7. Statement that teleworkers using state-provided computer software shall adhere to the manufacturer's licensing agreements, including the prohibition against unauthorized duplication.
8. Statement that when the alternate worksite is in the employee's home, the employee shall be responsible for maintaining a designated workspace in a safe, healthy, professional and secure manner.
9. Statement on expected work schedule of the teleworker. Be clear that any hours worked outside of the agreed to work schedule or changes in the agreed to work hours (including working hours beyond what has been agreed to) must be pre-approved in writing by the employee's supervisor.
10. Statement of how the teleworker and supervisor will ensure that effective work flow and communications are maintained among clients, coworkers, and management.
11. Statement that the teleworker will use the state SCAN system to place work-related long distance phone calls. Long distance call charges using other carriers will be reimbursed according to existing agency procedures.
12. Statement of employee's responsibility for the return of equipment if the telework assignment ends or the employee leaves the agency or state government.

AGREEMENTS

Best Practices and Risk Management support individualized written and signed agreements or an approval request form with their employees who telework. On-line versions per agency practices are acceptable. A copy of the agreement or approval request form should be kept in the employee's file or database as determined by agency practices.

The agreement must not be so cumbersome as to be a disincentive for an employee to telework. Elements to include in an agreement:

- ◇ Work schedule, i.e. number of times per week/month, hours, specific day(s), etc. Include a statement that any hours worked outside of the agreed to work schedule or changes in the agreed to work hours (including working additional hours) must be pre-approved in writing.
- ◇ Location of the alternate worksite. If the alternate worksite is in the employee's home, include a description of the work area where the teleworker will perform his/her work duties. Include the following:
 - ✓ Description of the location in area of the home where the employee will perform his or her work.
 - ✓ Statement signed by the employee certifying that the home work-area as described is safe.
 - ✓ Brief description of the work activities involved and performance measurers, including a notation of specific assigned deliverables by the employee.
- ◇ Communications procedures with the agency and with customers.
- ◇ What equipment and supplies (including computer hardware/software configurations) will be used and who will provide them.
- ◇ Applicable data security procedures.
- ◇ E-Discovery statement

- ◇ Date the agreement goes into effect, when it expires or needs to be renewed, and where a copy(s) will be filed.
- ◇ The process and requirements (for both the agency and employee) that an employee or agency uses to terminate a telework agreement.