



## Department Policy No. HR-225-02

<b>Subject:</b>	Telework
<b>Former Number:</b>	18-00
<b>Authorizing Source:</b>	RCW 70.94 Commute Trip Reduction WAC 357 Department of Enterprise Services Governor's Executive Order 01-03 Governor's Executive Order 14-02
<b>Information Contact:</b>	Human Resource Director Building 33 (253) 512-7941
<b>Effective Date:</b>	April 30, 2002
<b>Revised</b>	October 28, 2015
<b>Mandatory Review Date:</b>	October 28, 2019
<b>Approved By:</b>	 Bret Daugherty, Major General The Adjutant General Washington WMD Director

### Purpose

The Governor's Executive Order Number 14-02 directs agencies to adopt a written policy that defines specific criteria and procedures for teleworking. This policy establishes the Washington Military Department's (WMD) criteria and procedures for telework.

### Applicability

This policy applies to all state employees of the WMD who work at home or from an alternate work site not located within the WMD. This policy does not apply to guard members on state active duty or to federal personnel to include Active Guard Reserve (AGR) members, traditional Washington National Guard members in a federal military status or military technicians.

In the event of an emergency requiring implementation of the Agency Continuity of Operations Plan in all or part or the activation of the State EOC, the Agency Director and/or his designee may temporarily suspend any or all parts of this procedure in order to sustain operations at their maximum potential.

## Definitions

**Telework:** a fixed work schedule that regularly allows the employee to work from the employee's home or from another alternate work site (e.g. another office) near the employee's home, rather than from the principal place of employment.

**Telework Schedule:** Documentation by date of intent to telework at a location other than the employee's primary work station (alternate work station); and amount of time worked in telework status.

**Primary Work Station:** The WMD address of the employee's office or the physical location where the employee is assigned to work..

**Alternate Work Station:** The WMD address of the worksite on WMD Property designated as a worksite for staff who are unable to work at their Primary Work Station and have not been approved for Telework.

## Policy

Participation in the telework program is an exception to normal agency operational policy/procedure and is not an employee right. This policy is intended to encourage retention of valuable employees within the office and shall not impede services to the public nor impede the agency from accomplishing its mission.

Where operational need, workload, or other unordinary circumstances arise, the supervisor may approve telework on an exception basis. A report of work accomplished is still required as outlined in this policy.

Inclement weather does not automatically authorize or constitute telework as defined in policy HR- 220-10; but can be considered an acceptable reason for unscheduled telework when work duties and products are accessible without prior planning. Note: all employees connected to the Army/Air computer servers are required to also follow current DoD and/or National Guard policy regarding telework.

### 1. Eligibility Criteria

- a. The employee must be in permanent status in their job classification (Probationary and trial service employees should not be authorized to telework until satisfactory completion of their probationary or trial service period).
- a. The employee's job tasks can be successfully performed at an alternative work site without compromising data security, customer service, or agency mission responsibilities.
- b. The availability of computer equipment and software approved for telework use is available to the employee and will not cause an unnecessary financial expense.
- c. Approval of a telework agreement is at the discretion of the employee's supervisor and Division Director. Factors to be considered in the approval process include but are not limited to:

- The employee's demonstrated competency in his/her job and history of being reliable and self-directed.
- The absence of the employee from the primary workstation will not be detrimental to the work group's productivity or needs of the clients/customers.
- The employee, supervisor, and Division Director are willing to sign and abide by a mutually defined telework agreement.
- Both the supervisor and the employee are willing to participate fully in telework training/evaluation efforts.
- Competing work schedule or leave requests and potential costs or savings to the state should be considered.

## **2. Work Schedule**

- b. A telework employee, like a non-telework employee, shall remain flexible to accommodate highly concentrated periods of work. The telework employee is expected to return to work at the primary worksite when requested. If an employee approved for telework is requested to return to the primary worksite, commuting time from the telework site to the primary worksite is not considered time worked.
- c. Work hours on telework days must conform to the employee's approved regular work schedule unless arrangements have been made specifically between the employee and their supervisor for extenuating circumstances. The same provisions apply to a telework employee as a non-telework employee regarding work hours, overtime compensation, use of vacation and sick leave, and compliance with normal office reporting procedures.

## **3. Reporting**

Employees must submit a telework report (WMD Form 2025-15) at least once per week. Managers are responsible to read, review and file telework reports in the employee's Supervisory file. Reports shall be retained during an entire evaluation period.

## **4. Work Periods, Wages and Responsibilities**

An employee's required working hours, salary, responsibilities, and state provided benefits will not change as a result of telework and/or using alternate work sites.

- a. Employee will continue to be responsible for management of vacation, sick leave, holiday and overtime by submission of punctual time sheets, travel vouchers, and other required paperwork etc., through appropriate channels.
- b. When teleworking, the alternative work site is the official station for travel expense voucher purposes except that the travel to and from the employee's normal worksite is not a reimbursable expense.
- c. All Washington Administrative Codes (WAC) regarding leave, hours of work, overtime, and scheduling work; Fair Labor Standards Act (FLSA) on overtime;

Office of Financial Management (OFM) rules, and WMD policies and procedures on travel, vehicle use, leave, etc., apply to all employees who telework and use alternate work sites.

- d. For employees in the “overtime eligible” and “overtime exempt” work period designations, supervisors and employees must ensure compliance with FLSA and WAC rules on overtime, or signed collective bargaining agreements with WMD.

## **5. Telework Participant Agreement**

In order to telework an employee must have a completed and signed Telework Participant Agreement approved by Division Director. (WMD Form 2024-15)

The employee’s Division Director, manager, or supervisor may terminate a telework agreement with one day’s notice.

## **6. Workspace and Safety Standards**

- a. The employee’s workspace while teleworking is considered an extension of the primary worksite.
- b. Workers’ Compensation liability will be limited to the scheduled work hours and designated workspace as opposed to applying to all areas of the alternate worksite. The WMD retains the right to make onsite inspections at the alternate worksite. The telework employee must follow WMD procedures for reporting work-related injuries.
- c. Prior to performing telework duties, the employee is responsible to ensure, to the best of their ability, that the immediate work area is free of recognized hazards. In addition, the employee is required to report any and all injuries or hazards that are directly related to the immediate work area and incurred when performing WMD business at their respective telework station.
- d. 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.
- e. The state assumes no liability for loss, damage, or wear of any employee-owned equipment or facilities used while teleworking.
- f. Employees are responsible for personal office equipment such as desks, file cabinets, and chairs as well as any additional expenses caused by the telework arrangement. The additional expenses may include, but are not limited to, auto/homeowners insurance, internet service provider, cellular service including overage costs associated with data or minute usage, incidental residential utility costs, and individual tax implications.
- g. The telework station or space will be identified in the Telework Participant Agreement.
- h. Employees will complete a Telework Safety Assessment as a part of their Telework Application.

## **7. Communication with Agency Staff and the Public**

- a. Employees shall adhere to current Agency policy for use of internet responding to e-mail, voicemail and other messages. Employees will be available by a pre-designated phone number during their scheduled working hours to their supervisors, managers, division directors, other agency staff, and customers. Employees are responsible to keep their work designated telephone lines updated with current information indicating the telephone number and times in which they can be reached while engaged in telework activities. Employees and their supervisors may develop additional standards for more effective communication, if necessary.
- b. The employee will use the State Controlled Area Network (SCAN) system or other agency provided telecommunication services to place any long distance phone calls required to carry out Agency business. Long distance business calls made on personal telephone lines and not with an issued SCAN card will not be reimbursed unless approved in advance by the employee's supervisor. Any connectivity to the agency intranet system will be discussed between the employee, the supervisor and respective IT staff, including the agreement on any associated costs of availability.

## **8. Performance Standards**

- a. Performance evaluation requirements, elements, and standards for telework employees are the same as non-telework employees.
- b. Professionalism in terms of job responsibilities, work output and customer orientation will continue to follow the high standards required from all Agency personnel.
- c. Telework shall not be used as a substitute for family care. The employee shall not have responsibility for childcare, dependent adult care or other duties not ordinarily a part of the Agency job responsibilities at the designated telework site during work hours. Instances of telework employees providing these types of dependent care at their telework location will lead to immediate termination of the telework agreement and a return to the primary work station.
- d. Telework shall not normally be used as a substitute for the use of leave when the employee is ill or injured unless previously discussed with the manager and meets the eligibility criteria noted in this policy.

## **9. WMD Equipment and Supplies**

- a. The employee shall be responsible for maintaining a designated workspace in a safe, healthy, professional and secure manner.
- b. The telework employee assumes responsibility for loss, damage, or abnormal wear of state-provided equipment and for lost supplies furnished by the state while teleworking.

- c. With the exception of charges incurred related to long distance service by SCAN or other provided telecommunications sites, the Agency will not be responsible for telephone, data lines, utility expenses, installation, monthly charges or costs incurred by the telework employee in connection with the approved Telework Participant Agreement.
- d. Equipment and supplies furnished to the telework employee by the State remain the property of the WMD and shall be used only by authorized persons for official state business as specified in RCW 42.52.160.
  - The appropriate Division must approve the use of WMD equipment. It is appropriate to work with IT staff for support.
  - Employees will not be reimbursed for costs associated with the use of equipment not located at a WMD facility or assigned telework center (copiers, fax machines, printers) unless authorized due to emergency circumstances.
- e. All employees who telework will use only approved computer equipment and software.
  - Any hardware or software purchased or licensed by WMD remains the property of the WMD and is to be used only for business purposes.
  - Each teleworker shall adhere to the manufacturer's licensing agreements, including, but not limited to, prohibition of unauthorized duplication.
  - All hardware or software that is checked out to a WMD employee for telework must be returned before the employee leaves WMD for any reason or upon termination of the Telework Participant Agreement.
  - Use of state-owned software by the employee shall at all times be in compliance with applicable software licenses.
  - No unauthorized software will be installed on any equipment furnished by the WMD.
  - Employees may use their own equipment to access Secure Web Based State programs/portals in order to perform their work (i.e., Outlook, TEMS, HRMS, SAP).
  - Only authorized WMD Information Technology (IT) personnel will perform repairs or necessary maintenance on any WMD equipment that is provided to the telework employee. In addition, all repairs or maintenance will be performed in the responsible Division's or IT section spaces and not in an employee's home or alternate work area.
  - Employees must follow established practices in maintaining security of WMD equipment and data; this includes proper backup of computer data and the prevention of unauthorized use by non-WMD employees.
- f. The employee is responsible for the proper use of all state-provided equipment and supplies in accordance with state and WMD policies. Office supplies for use

by the telework employee at the alternate worksite will be provided by the WMD and should be obtained through the primary worksite.

- The employer is responsible to pay for any needed repair or maintenance of any WMD issued equipment that is no longer under warranty. It is the responsibility of the employee to return that equipment to WMD.
- An employee is responsible for maintaining and repairing their personally-owned equipment to include computers, printers, telephones, work spaces (desks), etc.

**Procedures**

<i><b>TELEWORK INITIATION</b></i>	
<i><b>RESPONSIBILITY</b></i>	<i><b>ACTION</b></i>
Employee	Reviews eligibility requirements. If meets eligibility requirements, submits completed Telework Application Form to their supervisor.
Immediate Supervisor	Evaluates the feasibility of allowing the employee to participate in telework status, taking into consideration the impact the proposed telework will have on the workload of the unit. Completes Telework Employee Eligibility Checklist Form.  Reviews and discusses the Telework Application Form with the employee and may conduct an onsite inspection of alternate worksite as appropriate. If employee meets eligibility requirements, reviews Telework Application Form with Information Technology (IT) for equipment software and security related issues and with Human Resources for job requirements and personnel related issues that may occur as a result of telework.  Meets with employee to have them complete a Telework Participant Agreement.  Reviews agreement and determines need for other internal division review and obtains approval if required. Recommends approval or denial to Division Director.
Division Director	Reviews the negotiated Telework Participant Agreement and the recommendation of the supervisor, taking into consideration the impact the proposed schedule or telework will have on the division's workload. Approves or denies the Telework Participant Agreement (Approvals of more than eight (8) hours per week require the additional approval of the TAG). If approved, submits original documentation to Human Resources with copies to the supervisor and employee. If denied, returns original to employee with reason for the denial with a copy to the supervisor.
Human Resource Office	Makes copy and files Telework Participant Agreement into personnel file. Files copy in the Commute Trip Reduction file for retention for annual report.

<p>Employee/                  Immediate                  Supervisor/                  Division                  Director</p>	<p>Employee submits Telework Reports at least weekly to supervisor outlining proposed tasks. At the completion of the telework day/period submits the report showing which tasks were completed. Supervisor reviews the report and discusses any issues / concerns with employee. Supervisor files copy of report in Employee's Supervisory File. A spreadsheet that allows collaborative tracking is available from the Human Resources office for staff who wish to utilize in lieu of passing reports.</p>
<p>Employee/                  Immediate                  Supervisor/                  Division                  Director</p>	<p>Monitors and reviews Telework Participant Agreement as necessary. Any modification to the telework agreement requires written approval by the employee's supervisor, Division Director, or his/her designee. The Telework Participant Agreement, and any modifications, must be kept on file at the primary worksite in the employee's supervisory file as well as the employee's official personnel file.</p>
<p><b><i>TELEWORK TERMINATION/Schedule Change</i></b></p>	
<p><b><i>RESPONSIBILITY</i></b></p>	<p><b><i>ACTION</i></b></p>
<p>Employee/                  Supervisor</p>	<p>The party wishing to terminate the agreement completes the Telework Withdrawal Notice and submits it to the other party with a copy to the Human Resources Office. Managers who are terminating telework agreements are encouraged to work through the Human Resources Office prior to issuing the withdrawal notice to the employee.</p> <p>The party wishing to change their telework schedule completes a Schedule Change Form and processes it per Agency Policy. Must notify the Commute Trip Reduction Coordinator for tracking purposes.</p>