

TELECOMMUTING

I. PURPOSE

To identify and encourage telecommuting opportunities within the organization; to provide staff with alternative work schedules; to improve productivity and job performance; to reduce traffic and commuting costs; and to support continuity of operations plans, employee morale and employee retention. Allowing the option to telecommute is intended to create flexible conditions that will help employees accomplish their work effectively without disruption to City services during non-emergency work periods and during the period leading up to, throughout, and/or immediately after emergency events.

II. SCOPE

This policy applies to any position as deemed appropriate.

III. POLICY

Eligible employees will be considered for alternative work scheduling on a case-by-case basis in situations where alternate work schedules have been shown to accomplish both work and personal goals, to provide coverage for individual department operations and to serve the City and its citizens with increased productivity at no expense to quality output.

IV. DEFINITIONS

A. Alternative Worksite

The employee will establish an appropriate worksite within their home or another Director-approved established location for work purposes. Minimum requirements for the alternate worksite include a reasonably private location free from regular public traffic, access to a private broadband internet connection legally contracted in the employee's name or in the name of an immediate family member or provided at the primary residence, and of sufficient strength to conduct the employee's job effectively. The alternate worksite shall be professional in nature generally conform to an office-like environment, and be

free of any offensive, inappropriate, or illegal displays or items. The City will not be responsible for taxes, fees, or costs associated with the setup of the employee's alternate worksite, such as remodeling, furniture, data lines, Wi-Fi, broadband internet service, utility service, or lighting, nor for repairs or modifications to the alternate worksite.

B. Emergency Telecommuting

Temporary telecommuting arrangements may be approved by the City Manager or their designee in emergency circumstances. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance. Emergency telecommuting allows otherwise ineligible work groups and/or employees to telecommute for safety reasons during a weather event or public health emergency. See additional information related to eligibility for Emergency Telecommuting under Procedures below.

C. Flexible Work Schedule

Working hours which differ from the City's normal business hours of Monday thru Friday from eight to five to accommodate Quality of Life issues for employees while still working the full-time hours or the number of hours hired to work based upon the business needs of the City and the position per Policy #230.

D. Primary Work Location

The work location to which the employee would traditionally be assigned and report to for work when not telecommuting.

E. Regular Telecommuting

An arrangement in which an employee regularly performs work at an alternative worksite for a specified period not to exceed more than fifty percent of time worked during a pay period, or on a specified weekly schedule as defined in the Telecommuting Agreement. Employees may switch days with Supervisor approval. Telecommuters must have an approved signed Telecommuting Agreement uploaded in Workday. Occasional work off-site, including work while traveling on City of Esperton business, does not constitute telecommuting.

F. Situational Telecommuting Arrangements

Situational telecommuting arrangements are intended to accommodate special circumstances such as inclement weather, medical leave (where the employee is not disabled from working), and special work assignments, in addition to the business needs of the organization. Situational telecommuting arrangements are temporary in nature and are approved by a Department Director on a case-by-case basis.

G. Telecommuter

An employee who has an approved telecommuting work arrangement on file and is working from an approved alternate worksite.

H. Work Hours/Week

The workday, which must occur between 7 a.m. and 7 p.m., and week shall be established in writing and be included in the Telecommuting Agreement. Under Regular Telecommuting, no more than fifty percent of time worked during a pay period may be spent telecommuting for all employees.

V. PROCEDURES

A. Eligibility

Supervisors will identify those positions and responsibilities suited for telecommuting. Department Directors must concur and have final approval and revocation authority for Telecommuting Agreements. In emergency situations, the City Manager or their designee may authorize the establishment of temporary telecommuting arrangements for otherwise ineligible work groups and/or employees to telecommute for safety reasons during a weather event or public health emergency. Telecommuting Agreements established by the City Manager or their designee and outside of regular telecommuting shall continue at the discretion of the City Manager.

a. Eligible Employees: All employees who are in good standing, working in a position conducive to telecommuting, and are beyond the first (90) ninety days of starting a new position; have a record of successful performance (for example, are not currently on a Performance Improvement Plan or being counseled for poor performance); have no disciplinary actions in the last six (6) months; and have demonstrated the ability to work independently. Immediate supervisors of employees who are within the first (90) ninety days

of starting a new position should curtail participation in telecommuting to encourage maximum face-to-face onboarding. Outside employment should be given consideration in determining telecommuting eligibility. Outside employment, per policy #426, must be reported to the Supervisor and may not interfere with the employee's effective performance of duties. Directors must ensure that telecommuting decisions are made for appropriate, non-discriminatory reasons and should direct all questions to Human Resources.

b. Eligible Work Groups: Eligible work groups will consist of employees who perform tasks that are suitable for working independently, such as reading, writing, editing, analysis, computer programming, data entry or work primarily utilizing a computer terminal and telephone. Work groups participating in the program must be able to perform their regular job duties or special assignments as productively at the alternate worksite as they would at their regular worksite. The need for specialized material or equipment available only at the regularly assigned worksite must either be minimal or flexible. Other considerations should include whether the job requires constant face-to-face interactions with customers and employees, and whether the job requires supervision of on-site staff.

B. Telecommuting Agreement

Before entering any telecommuting arrangement, the Supervisor, with the approval of the Department Director, must determine the suitability of such an arrangement. In the event any question arises, the Human Resources Department is available to answer any questions. Supervisors should be reviewing the following areas when making determinations:

- a. Suitability: Supervisor and employee will assess the needs and work habits of the employee, equipment needs, workspace considerations and scheduling issues. The employee must meet the requirements of an Eligible Employee as defined above.
- b. Job Responsibilities: Supervisor and employee will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement. Primary job functions should not require daily face-to-face interactions with the public. Jobs that qualify for telecommuting will note this eligibility during the recruiting and hiring process. Supervisors will clearly define productivity and response-time expectations along with the metrics used to track them.

c.Approvals: If the Supervisor determines that telecommuting is an appropriate arrangement, the Supervisor and employee should complete a Telecommuting Agreement, which must be signed by the Department Director.

i.In the event of a large-scale emergency, the City Manager, or an authorized designee, can declare the City in an emergency event status, such as a public health emergency, and activate the Emergency Telecommuting portion of this policy. Department Directors may approve temporary Emergency Telecommuting arrangements on an as-needed basis only, with no expectation of ongoing continuance.

ii.Telecommuting Agreements must take into consideration work center coverage regardless of the physical work location in order to continue providing high-quality customer service.

d.Exceptions

i.In Situational and Emergency Telecommuting events that are unplanned and have an anticipated duration of less than five (5) days; an email between the Supervisor and employee setting forth the terms of the arrangement may suffice instead of a complete Telecommuting Agreement. If the unplanned event is extended, a Telecommuting Agreement shall be completed.

e.Updates to Agreement:

i.Telecommuting Agreements need to be updated and uploaded to Workday when significant changes are made to an employee's job responsibilities.

ii.Employees changing positions or supervisory organizations must go through the telecommuting agreement process again.

iii.Situational Telecommuting Agreements will expire after the reason for the agreement has ended.

iv.

f. Retention of Telecommuting Agreements: Telecommuting Agreement forms will be maintained in Workday. Upon termination of telecommuting status, the Supervisor will upload a copy of the revised terminated Telecommuting Agreement.

C. Equipment

On a case-by-case basis, the City will determine, with information supplied by the employee and the Supervisor, the appropriate equipment needs (including hardware, software, and other office equipment) for each telecommuting arrangement. All employees who work on a computer are issued a single City computer for work purposes. Hardware and other equipment may not be purchased by the City for the sole purpose of telecommuting. The City will not duplicate resources between the primary worksite and the alternate worksite, including the purchase of additional laptops or monitors for the purpose of telecommuting. The employee may supplement City-provided equipment at the employee's expense (excluding personal computers). An employee's personal computer may not be connected to the City's corporate network. If an employee is using a computer not provided by the City, they may only access web-based services intended for access from alternative locations (Workday, MS Office web clients, email). A list of standard equipment available for a telecommuting arrangement is included in the Telecommuting Agreement. The Information Technology Department will serve as resources in this matter.

Telecommuting employees must be reachable by phone for City business. Work phones shall be forwarded to the employee's cell or home phone.

Equipment supplied by the organization will be maintained and services provided by the organization. Employees must provide their own computer monitors that are compatible with the employee's City-issued computer. Computer equipment taken to the Alternative Worksite may only include the employee's City issued laptop, docking station, and any supplemental keyboard or computer mouse. Exceptions may be granted for Situational Teleworking. Equipment supplied by the employee, including data access/Wi-Fi if deemed appropriate by the organization, will be maintained and provided by the employee. The City accepts no responsibility for damage or repairs to employee-owned equipment, communications devices, equipment, furniture, and facilities. The City reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the City is to be used for business purposes only. The telecommuter must agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all City property will be

returned to the City or the value of each will be taken out of the employee's final paycheck, unless other arrangements have been made. In the event of theft or destruction of equipment, the employee agrees to provide the appropriate documentation evidencing legal reporting of that event for use by the City as an insurable interest. Employees will not be reimbursed for supplies or equipment used to outfit their home office. At-home printers will not be supported on City computer systems. Printing should be done remotely to an office printer or an employee should come to the office to print and pickup printed documents, as necessary.

D. Meeting with Customers or Coworkers

Employees are required to come to the office for work-related meetings, training or other events that cannot be accomplished through an online platform such as Skype, Zoom or Microsoft Teams, even if such meetings occur on the employee's scheduled telecommuting day.

Employees are expected to comply with City Policy for appropriate professional appearance when participating in meetings on these online platforms. Employees participating in online platform meetings will be required to activate their web cameras. To minimize the City's exposure to worker's compensation claims, telecommuters may not conduct in-person meetings in their homes.

E. Time Worked

Regardless of whether an employee is on a regular eight (8) hours per day schedule, or other flexible schedule, all employees' time must be documented for record-keeping purposes using the time-keeping system within Workday. Daily hours may be comprised of worked time, or a combination of work time and accrued leave to total the scheduled hours per day.

Telecommuting employees are required to accurately record all hours worked using the City's time-keeping system in Workday. Telecommuting hours worked shall be entered using time entry code "Telecommuting" in Workday. Hours worked in excess of those hours scheduled per day and per workweek require the advance approval of the employee's Supervisor (Overtime Approval). Failure to comply with this requirement may result in the immediate termination of the Telecommuting Work Arrangement for the employee and/or disciplinary action.

F. Use of Accrued Leave

Employees cannot use telecommuting in place of vacation, sick or other types of leave when an employee is not available for work. Taking occasional calls or replying to an email is not considered telecommuting when on vacation or utilizing sick time. Vacation, sick and compensatory time policies apply and employees must obtain approval before taking accrued and available leave. An employee is expected to be productively engaged at the work terminal at the alternate worksite during the same regularly scheduled hours as would be applicable at the primary worksite.

G. Dependent Care

Telecommuting employees will not undertake the primary care of a dependent child or provide primary care for an elderly adult at the off-site location during the agreed-upon work hours.

Exceptions will be considered for employees who are authorized to telecommute when on approved medical leave designated to care for a dependent.

H. Closure of Primary or Alternate Worksite

If the primary worksite is closed due to an emergency or inclement weather, the Supervisor will contact the employee. The telecommuting employee may continue to work at the alternate worksite. If there is an emergency at the alternate worksite, such as a power outage, loss of connectivity, or any other event that renders the employee unproductive the telecommuting employee will notify the Supervisor as soon as possible. The telecommuting employee may be reassigned to the primary worksite or another alternate worksite.

I. Security

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees are expected to ensure the protection of proprietary City information accessible from their alternate worksite. Steps may include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

J. Alternate Worksite Safety

Employees will maintain their approved alternate worksite in a safe manner, free from safety hazards. Injuries sustained by the employee in an alternate worksite

location and in conjunction with his or her regular work duties are normally covered by the City's workers' compensation policy. Telecommuting employees are responsible for notifying their Supervisor of such injuries as soon as practicable but no later than 24 hours after the incident. Telecommuting employees agree to permit a City representative access to the alternate worksite at a reasonable hour as part of the post-accident investigation. The City is not liable for any injuries sustained by visitors to a telecommuting employee's alternate worksite.

K. Situational Telecommuting Agreements

Situational telecommuting may be allowed on a non-regular basis in the following circumstances:

a. Medical Leave: employees on FMLA or approved medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate. However, the City may determine whether it is appropriate to offer telecommuting as an opportunity for partial or full return to work based on the City's return-to-work policies following an injury or illness.

i. An employee on a protected leave may not be required to telecommute.

ii. Any employee who is considered disabled from working, receiving short- or long-term disability, or receiving worker's compensation pay is not eligible to telecommute.

b. Illness or Injury of Dependent Child: if a dependent child is injured, ill, quarantined, or experiences a sudden daycare or school closure, the employee may temporarily provide care for that child while performing work with Supervisor approval.

c. Illness or Injury of Employee: if the employee is injured, ill, or quarantined, the employee may temporarily telecommute with Supervisor approval.

d. Inclement Weather: closure for a weather event such as an ice storm. See Emergency Telecommuting procedures below.

e. As a reasonable accommodation for a condition protected under the Americans with Disabilities Act (ADA).

- f. Unforeseen circumstances: there may be temporary situations not specifically contemplated or specified elsewhere in this policy in which the Department Director determines the employee can continue to add value by telecommuting while at home instead of using leave. Temporary in this case is defined as no more than four (4) consecutive calendar weeks.
- g. Where situational telecommuting applies to an employee whose regular job duties are not suited for telecommuting, the employee must be assigned meaningful work. Examples include special projects, online training, document audits, and so on.
- h. When appropriate, the City Manager or their authorized designee will approve the situational telecommuting arrangement. Situational telecommuting will be temporary in nature.
- i. Situational telecommuting will not be allowed in the following circumstances:
 - i. Military: Employees who are on leave to perform military service may not simultaneously telecommute.
 - ii. Any employee who is considered disabled from working, receiving short- or long-term disability, or receiving worker's compensation pay is not eligible to telecommute.
 - iii. During a suspension from work for disciplinary or investigative purposes.

L. Emergency Event

All City employees are considered essential employees for the continuity of governmental operations in the event of a large-scale emergency, such as a weather event. Telecommuting Agreements may be suspended if the employee has responsibilities in the EOC or is needed at a City location. All employees must be ready to assist in managing the emergency event.

M. Emergency Telecommuting

In the event of a large-scale emergency, the City Manager, or an authorized designee, can declare the City in an emergency event status, such as a public health emergency, and activate the Emergency Telecommuting portion of this

policy. Executive Team members may approve temporary Emergency Telecommuting arrangements on an as-needed basis only, with no expectation of ongoing continuance. Even if approved for telecommuting, all employees must be ready to assist in managing the crisis and will be considered essential for the continuity of governmental operations and may be asked to perform jobs in the EOC. Telecommuting employees must focus on job performance, meeting business demands, and ensuring that City services are maintained at their highest level possible during the emergency.

Emergency Telecommuting arrangements will differ from a Regular Telecommuting Arrangement by allowing a broader range of employees to telecommute. Eligibility will be considered as to whether the employee's regular work duties were impacted by the emergency situation (such as a facility closure, reduced hours or reduced public interaction) and the availability of meaningful work such as a special project or assignment.

Approval for Emergency Telecommuting will also take into consideration an employee's underlying medical condition(s) which might be negatively impacted by the health emergency. Outside of these specified differences, the scope, eligibility, procedures, and responsibilities detailed in this policy apply to all Emergency Telecommuting arrangements.

N. Tax and Other Legal Implications

The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee. The City will continue to pay payroll taxes etc. as if the employee were working full-time at a City work location.

O. Accountability

Supervisors and Department Directors will bear complete accountability for the employees under their charge authorized for telecommuting. Supervisors are required to implement controls to maintain levels of productivity and output. Immediate supervisors, of employees who are within the first (90) ninety days of starting a new position, should curtail participation in telecommuting to encourage maximum face-to-face onboarding. Productivity must remain the same regardless of the location work is performed. Supervisors will be accountable to the City Manager through the supervisory chain for ensuring high quality work standards are met. Supervisors are expected to meet regularly with

telecommuting employees, and to assure productivity and customer service standards are met. Human Resources is available to assist and provide tools to help Supervisors manage telecommuting employees' productivity.

Supervisors and Department Directors must consider the service plan of each work group when scheduling telecommuting, placing an emphasis on having staff together for key days each week in order to maximize in-person meeting effectiveness.

Compliance with this and all other City policies by telecommuting employees is the responsibility of the immediate supervisor. Telecommuting is authorized only with Supervisor concurrence and can be rescinded at the discretion of the supervisor. At no time will telecommuting status of a Supervisor or an employee under a Supervisor be sufficient justification for failing to maintain the established standards the City and its citizens have come to expect.

P. Enforcement

All Supervisors, Managers, and Department Directors who have employees who are actively participating in the City of Esperton telecommuting program have primary responsibility for enforcing or reporting to the appropriate authority all violations of the provisions set forth in this policy.