



*Policies and Procedures*

## **Telecommuting or Teleworking**

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Approved:	Approval Date:

Reference: [62 O.S. §§ 34.11.7](#)

### **A. Purpose**

Telework as a work option for Oklahoma Conservation Commission (Commission) employees ensures that the Commission complies with state initiatives encouraging telework as an alternative to incurring costs for additional office space for state government, and it plays a key role in conserving our natural resources and reducing pollution. The Commission endorses responsible, effective, and well-designed telework for those employees with the ability and drive to make telework valuable and worthwhile. The Commission strives to be an example of how telework can be a successful strategy in our employee's quality of life while advancing the agency's mission.

Telework is consistent with sound business practices and will help the agency be more competitive in attracting talented and skilled employees. Telework can also increase productivity and morale of employees, boost efficiency in the use of space, and reduce operating costs.

### **B. Policy**

It is the policy of the Commission to allow employees to telework when opportunities exist for improved employee performance, agency savings, and to meet the needs of the Commission and the public. Telework is NOT an employee right and this policy creates no employee rights in relation to telework. Telework is a privilege that will be granted to certain qualifying employees when circumstances, conditions, considerations, and continuity of operation allow for its success.

Telework shall be voluntary unless specifically stated as a condition of employment. Telework, also known as telecommuting, may not be suitable or workable for all employees and/or positions. Management decisions regarding the approval and conditions of telework are not subject to appeal except as outlined in this policy. The Commission or the employee may discontinue the arrangement at any time unless otherwise provided in the Telework Agreement. Telework may be temporarily suspended due to operational needs of the Commission.

The Commission is committed to supporting and improving the capacity for telework through reasonable provisions including necessary equipment (PC's and routine peripherals), media (flash drives and discs), and enabling of remote network access via VPN.

This policy addresses regular telework and temporary forms of telework arrangements. This policy does not set conditions for employees whose official workstation is in the home. In the rare case that this is allowed arrangements for full-time home-stationed workers shall be arranged on a case-by-case basis.

This policy complies with all applicable provisions of the Americans with Disabilities Act (ADA) of 1990.

### C. Definitions

Regular Telework.	Regular telework, also known as telecommuting, is defined as a mutually agreed-upon work option between the Commission and the employee where the employee works at a telework site (home or an alternative work site) on specified days and/or hours during a pay period, and at the assigned duty station the remainder of the time, retaining flexibility as necessary to meet the needs of the work unit. Regular telework requires the establishment of a set schedule that is agreed upon by the employee's supervisor. Exceptions may be approved by the teleworker's supervisor.
Medical Telework	Medical telework is defined as temporary work at home on a full or part-time basis with physician's documentation. Examples include recovery from injury, surgery, or prolonged illness, or a communicable disease which does not affect the employee's ability to perform his or her regular work assignment through teleworking. This type of telework may be the equivalent of full-time, but is not intended to be a permanent arrangement. Medical telework needs to be requested by the employee and evaluated/approved on a case-by-case basis by the employee's supervisor with considerations given on all limitations and restrictions documented by a physician.
Emergency Telework	Emergency telework enables employees to work from home or other locations during emergencies such as a natural disaster, a terrorist attack, disruption to facilities, or a pandemic health crisis. It is a key tool in continuing the agency's vital role in providing essential services in conservation and public safety in the face of an emergency. In such an emergency, any employee—with or without a telework agreement—may be requested or required to telework with limited notice from the Commission.
Situational Telework	Situational telework is appropriate for assignments of specific limited duration or that may occur intermittently and would include teleworking as a result of inclement weather, doctor appointment, or special work assignments/projects, and is sometimes also referred to as episodic, intermittent, unscheduled, or ad-hoc telework. This type of telework will be evaluated and approved on a case-by-case basis by employee's supervisor.
Assigned Duty Station	The assigned duty station means the employee's officially assigned work location or workstation.
Telework Site	Telework site means a work site alternative to the officially assigned duty station as specified in the Telework Agreement. It may be in the employee's home or at a satellite office closer to the employee's home than the officially assigned duty station and owned, leased, or made available to the Commission through work relationship.
Remote Access	Remote access is defined as an employee's ability to access IT resources (e.g., networks, files, programs) from the employee's telework site that enables normal work function and capacity. Remote access may or may not be part of the Telework Agreement. Any authorized Commission employee, including non-teleworkers, may remotely access the Commission servers.

Telework Agreement            The Telework Agreement, specifying terms and conditions of telework, shall be signed by the employee and employee’s supervisor.

[Telework Agreement](#)

Telework Home Safety        An employee that has requested telework in writing must also review and submit the “Home Safety Guidelines for Teleworkers” form. These guidelines allow the employee and supervisor to assess and discuss suitability and safety of a proposed home office or other telework site.

[Home Safety Guidelines for Teleworkers](#)

Telework Self- Assessment    An employee that has requested telework in writing must also complete and submit the “Telework Self-Assessment.” This assessment allows the employee and supervisor to evaluate the employee’s suitability as a prospective teleworker, as well as the suitability of the employee’s job for teleworking.

[Telework Self-Assessment](#)

**D. General Requirements**

1. **How to apply.** An employee who has been with the Commission six (6) months or longer may make a written request for telework to their immediate supervisor. In addition to the written request, the employee must also complete and submit the “Home Safety Guidelines for Teleworkers” and the “Telework Self-Assessment” to their supervisor. Once these steps are completed, the supervisor will schedule a meeting with the employee to review and discuss the submitted information. The Executive Director or designee retains the authority to waive the six (6) month waiting requirement and may execute this option on a case-by-case basis.

The state of Oklahoma offers a number of telework online trainings. Supervisors should encourage prospective telework employees to take at least one training before they start teleworking for the first time and incorporate continuity of telework training as a part of the employee’s Development Plan in the Performance Management Process (PMP).

2. **Considerations.** Consideration will be given to employees who have demonstrated work habits and performance well-suited to successful telework in cases when the telework provides opportunity for improved employee performance, employee retention, or agency savings. The following guidelines need to be considered:

**Work habits.** Teleworkers must have demonstrated self-motivation, self-discipline, the ability to work independently, the ability to manage distractions, and the ability to meet deadlines.

**Position.** The teleworker's position must have minimum requirements for direct supervision or contact with the public; the teleworker's need for specialized material must be minimal or flexible; and the teleworker’s work objectives and tasks must be clearly defined with measurable results.

**Service.** The telework must be arranged so that there is no difference in the level of service provided to the agency and the public as well as not negatively affecting the public’s perception of the agency’s responsibilities to its customer base.

**Location.** The location of work must not significantly alter the teleworker's job duties or those of co-workers and management.

**Cost.** The cost of supporting the teleworker (see Supplies, Equipment, Furniture section) must be reasonable in comparison to savings to the Commission (i.e. office space, phone lines, etc.).

**Equipment.** The teleworker's equipment and software must meet organization standards. Specific equipment needs for the employee's job will be addressed and set out in their individualized Telework Agreement.

**Support.** The teleworker's needs for Information Technical Services' (IT) support must be minimal or within scope of service with State IT support.

**Office continuity.** All supervisors need to develop, update, maintain, and effect sound and fair office/personnel continuity plans. These plans need to ensure that all in-office work and responsibilities are being covered effectively when an employee(s) are approved to telework.

3. **Site Limitation.** Telework sites must be in Oklahoma.

4. **Investigations.** In case of injury, theft, loss, or tort liability related to telework, the teleworker must allow agents of the Commission to investigate and/or inspect the telework site. Reasonable notice of inspection and/or investigation will be given to the teleworker.

5. **Site Maintenance.** Where telework sites are located in the home, the teleworker is responsible for establishing and maintaining the work site.

#### **E. Terms of Employment**

1. The teleworker's conditions of employment shall remain the same as for non-telework employees. Employee salary, benefits and employer-sponsored insurance coverage shall not change as a result of telework.

2. The Commission policies, rules, and practices shall apply at the telework site, including those governing communicating internally and with the public, employee rights and responsibilities, facilities and equipment management, financial management, information resource management, purchasing of property and services, and safety. Failure to follow policy, rules and procedures may result in termination of the telework arrangement and/or disciplinary action.

3. The teleworker will not be paid for time or reimbursed for costs involved in travel between the telework site and officially assigned duty station.

#### **F. Work Schedule and Accessibility**

1. The number of hours worked will not change because of telework. A consistent schedule of telework work days and hours is necessary to ensure regular and predictable availability with the Commission staff and others. For some positions, more flexibility in work hours and days may be feasible and will be evaluated if requested.

2. The Telework Agreement will specify work schedules that are in compliance with Federal Labor Standards Act (FLSA) regulations and Commission Policy and that comply with Commission's "Work Schedule" Policy Number OCC-01. Any work schedule hours being considered in a telework agreement outside of the hours of 6 am - 6 pm must be approved in advance by the Commission's principal staff or the Executive Director.

3. Any overtime must comply with the Commission's "Work Schedule" Policy Number OCC-01 requirements.

4. A teleworking employee needs to be available by email and/or phone during their scheduled work hours. The supervisor and the employee should minimize work being conducted outside the employee's scheduled work hours.

5. The telework schedule must ensure adequate time at the assigned duty station for in person meetings, access to necessary facilities and supplies to continue work duties and communication with other employees and customers. Telework must not adversely affect service delivery, employee productivity, or the progress of an individual or team assignment.

In approving the telework schedule, the employee supervisor will take into consideration the overall impact of the teleworker's total time out of the officially assigned duty station. Considerations include flex time and compressed work week schedules, meetings, consultations, presentations and conferences.

Consideration will also be given to the overall effect of the teleworker's and co-workers' schedules in maintaining adequate communication, developing and sustaining agency relationships, and fulfilling the work duties that require the employee's presence at their officially assigned duty station.

6. The teleworker will attend job-related meetings, training sessions, and conferences, as requested by their supervisor. In addition, the teleworker may be requested to attend "short notice" meetings. Teleconferencing may be used as an alternative to requesting attendance at short notice meetings.

7. While teleworking, the teleworker must be reachable via telephone and e-mail during agreed-upon work hours, specific core hours of accessibility, or as requested. The supervisor and teleworker will agree on how to handle telephone messages and emails, including the feasibility of call forwarding and frequency of checking telephone and email messages.

8. If the officially assigned duty station is closed (e.g., emergency, inclement weather), the supervisor will contact the teleworker. The teleworker will continue to work at the telework site unless leave is approved. If there is an emergency or other interruption at the telework site (e.g., power outage), the teleworker will notify their supervisor as soon as possible. The teleworker may be redirected to their assigned duty station or an alternate work site.

## **G. Dependent and Elder Care**

Teleworkers will not act as routine, primary caregivers for dependents, children and elderly, during the agreed-upon work hours. This does not mean dependents will be absent from the home during the telework hours. Rather, it means that the dependents **will not** require the teleworker's attention during work hours. Teleworkers must make dependent care arrangements during scheduled work hours to permit concentration on work assignments.

EXCEPTION: Should a non-routine situation arise (e.g., local emergency, school closings, pandemic response) where dependent(s) must remain or are sent home unexpectedly, the Commission will be flexible in working with employees to accommodate the dependent(s) and the employee's work/telework situation.

## **H. Reviews and Performance Evaluations**

**1. First Review.** Sometime between the first 30 to 90 days of teleworking, a supervisor shall conduct a telework satisfaction review with the employee. This review is meant to be an open discussion of the benefits and problems that the employee, the division, program, or Commission are experiencing with

the particular teleworking situation. This would include discussing the employee's overall health and well-being and any adjustments necessary to make the employee's telework successful. If an employee is struggling with telework or is unhappy teleworking the Commission shall work with the employee for possible solutions, including but not limited to, lessening the number of teleworking hours or cessation of telework.

**2. Standard Telework Agreement Reviews.** All other Telework Agreement reviews will be conducted in conjunction with the employee's Performance Management Process (PMP) which requires a minimum of at least start-up, mid-year, and annual review sessions. The supervisor and employee will revise the Telework Agreement as necessary.

**3. PMP Methods.** The method of monitoring and evaluating telework performance may depend on the number of days that an employee teleworks. PMP's assess performance of accountabilities and behaviors and overall employee development based on work results and direct observations. For those employees teleworking a majority of the time, the PMP will rely more heavily on results rather than direct observation. The standard of employee performance will be fulfillment of the "Accountabilities" and "Behaviors" as detailed in the employee's specific PMP, regardless of whether an employee teleworks or not.

**4. Telework Trainings.** The state of Oklahoma offers a number of telework online trainings. Supervisors shall encourage and ensure that current teleworking employees are receiving telework training(s). Courses can be required or encouraged in Section F: Summary /Development Plan of the employee's PMP.

#### **I. Telework Site**

1. The teleworker will maintain a designated workspace that is clean, safe, and free from distractions. Please see *Home Safety Guidelines for Teleworkers* for guidance.
2. In the event of a job-related (a.k.a., OTJ) incident or accident during telework hours, the teleworker will still follow Commission policy for OTJ injuries, the first step of which is to immediately report the event to their supervisor. The state's workers' compensation program applies when injury to an employee arising out of and in the course of employment. However, the Commission does not assume responsibility or liability for injury to any persons other than the teleworker at the telework site.
3. The teleworker will not hold business meetings with clients or customers, the public, or professional colleagues at his or her residence. Meetings with other Commission staff will not be scheduled on a regular basis at the teleworker's residence and must be approved in advance by the employee's supervisor.
4. Teleworkers are advised to consult with their insurance agent and a tax consultant for information regarding home work sites. Individual tax implications, auto and homeowners insurance, and incidental residential utility costs or related issues are the responsibility of the teleworker.

#### **J. Supplies, Equipment, and Furniture**

1. The Telework Agreement must specify all reimbursable costs. Any additional costs related to telework must be authorized by the supervisor prior to purchase or installation. The Commission will provide standard office supplies (pens, paper, pencils, etc.). Out-of-pocket expenses for supplies normally available at the Commission offices will not be reimbursed. Teleworkers should obtain all standard supplies while at the Commission offices.

2. Teleworkers shall be responsible for providing home telework site furniture and will work with the Commission through their Telework Agreement to document Commission issued equipment, computers, software, and other property.

3. The following conditions shall apply to use of supplies, organization records, computers and other Commission-owned equipment and assets:

- Use of Commission equipment in the home shall be the same as at Commission offices.
- Restricted-access materials shall not be taken out of the employee's officially assigned duty station or accessed from the telework location unless approved in advance by the supervisor.
- Products, documents, and records used and/or developed while teleworking shall remain the property of the Commission; and are subject to Commission policies regarding confidentiality and records retention requirements.
- Products, documents, and records that are used, developed, or revised while teleworking must be copied or restored to the Commission's computerized records.
- In extenuating instances when records and files are temporarily stored on the teleworker's personal computer, those assets must be stored in a way that will allow the Commission easy access, while protecting the teleworker's personal files. It is suggested that all telework-related information be located in a file or files designated for the employee's work and that this information be backed up per the most updated Commission or state policy.
- For telework jobs that have security and/or confidentiality requirements, procedures must be established at the telework location to guarantee protection of confidential information. Procedures may include secured workplace access, computer access passwords, or restricted use of files at the telework site. If security and/or breach of confidentiality issues exist, they must be addressed in the Telework Agreement.

4. Teleworkers shall be in compliance with all the Commission guidelines for use of computer hardware and software, including:

- Standard virus and surge protection on home computers
- Software licensing provisions
- Duplication of organization-owned or licensed software
- Maintaining system security
- Access to files
- Passwords

5. The Commission is not responsible for loss, damage, or wear and tear of teleworker-owned equipment and furniture. Repair and/or replacement costs and liability for privately owned equipment and furniture used during telework is the responsibility of the teleworker.

6. Normal use and wear that results in repair and/or replacement costs and liability for Commission-owned equipment used during telework by the employee is the responsibility of the Commission. ("Normal use and wear" means not as a result of negligence or deliberate damage, destruction, or loss.)

7. The Commission may pursue recovery from the teleworker for its property that is deliberately, or through negligence, damaged, destroyed, or lost while in the teleworker's care, custody, or control.

8. All the Commission equipment, computers, software, and other assigned assets used at the telework site must be documented on the Telework Agreement.

#### **K. Request Process**

Employee: Reviews the Commission's telework policy and completes the Home Safety Guidelines for Teleworkers, Telework Self-Assessment, and submits a written request for telework to their employee supervisor. Employee should commit to completing an online telework course provided by the state before they start their first day of regular teleworking.

Supervisor:

1. Reviews the Home Safety Guidelines for Teleworkers, Telework Self-Assessment, and the employee's job duties and responsibilities.
2. Determines if employee's request meets general requirements for telework. General requirements that need to be satisfactorily addressed include but are not limited to work schedule, accessibility issues, dependent care, location, healthy balance of in-office work with co-workers and management, and equipment issues.
3. Reviews the office/division continuity plan to ensure that all in office work and responsibilities are being covered effectively if the employee is approved for telework.

Employee & Supervisor: Schedule a time to review telework arrangement and expectations and discuss the proposed terms of the Telework Agreement.

Supervisor:

1. Upon completion of a Telework Agreement, submits a telework request that includes the proposed Telework Agreement, completed Home Safety Guidelines for Teleworkers, and a completed Telework Self-Assessment to the Commission's principal staff for review, discussion, and possible approval at the next monthly principal staff meeting.
2. If telework request is APPROVED, refers to the *Implementing Telework* section of this policy.
3. If telework request is DENIED, refers to *Telework Denied/Request for Reconsideration* section of this policy.

#### **L. Implementing Telework**

Supervisor: Notifies requesting employee that the Telework Application has been approved.

Employee & Supervisor: Sign finalized Telework Agreement.

Supervisor:

1. Notifies the employee's co-workers and others with whom the employee interacts about the employee's new telework schedule, start date, and how arrangements will work. Discusses concerns and problems.
2. Informs Commission and relevant individuals regarding all pertinent means of contacting the teleworking employee.
3. Ensures that Commission-owned equipment to be used by the employee for teleworking documented in the Telework Agreement are shared with the Commission employee in-charge of maintaining the Commission's inventory list.
4. Sends original telework request, Home Safety Guidelines for Teleworkers, Telework Self-Assessment and Telework Agreement to the appropriate Commission personnel contact for filing, retains a copy for supervisor's files, provides a copy of these documents to the employee for their records, and provides a copy of the Telework Agreement to supervisor's supervisor.

Personnel Contact: Files original telework materials in the teleworker's personnel file and provides a copy of the Telework Agreement to the Commission's Fiscal personnel.



Employee & Supervisor: Respond quickly to all information and requests from the Commission.

#### **M. Telework Agreement Revisions**

Employee & Supervisor: The employee and supervisor will review as routine, formal course the Telework Agreement in conjunction with the employee's PMP, unless circumstances dictate that a change must be made immediately. Most revisions can be reviewed and approved by the Supervisor and the next highest level of supervision. Revisions regarding increases in number of days teleworking or work schedule hours outside of the 6 am to 6 pm time frame must be reviewed and approved by the principal staff.

#### **N. Telework Denied/Request for Reconsideration**

Supervisor: If decision is made to DENY telework, the supervisor shall inform the employee of the decision in writing.

Employee: May either accept the decision or request in writing reconsideration by the Executive Director/designee.

Supervisor: Will schedule an appointment with Executive Director/designee to review reconsideration request.

Exec. Director/designee,

Employee, & Supervisor: At reconsideration appointment, all three discuss, either in person or by telephone, the reason(s) for the denial and if there are other actions available that would make telework feasible for the employee. Ultimately, the Executive Director/designee is the final decision maker. The final decision shall be issued in writing to the employee.

#### **O. To Rescind or Terminate Agreement**

Employee: If the employee wishes to terminate the Telework Agreement they should meet with their supervisor and set an effective date for termination of the Telework Agreement.

Supervisor: If the supervisor wishes to terminate the Telework Agreement, the supervisor shall first seek approval from their supervisor and set a meeting with the employee to explain the reason(s). The supervisor shall set the effective date for termination of the Telework Agreement. (The supervisor should note any employee concerns in the employee's PMP.)

Employee & Supervisor: To rescind a Telework Agreement on a temporary basis, they shall discuss the time period and revise the Telework Agreement accordingly.

Supervisor: When a Telework Agreement is rescinded or terminated, the supervisor shall send notification to the Commission personnel contact indicating date of termination and reason(s). The supervisor will also ensure that all equipment, files, and supplies are returned.