



ADMINISTRATIVE PROCEDURES

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William Spencer, Acting Executive Director

TELEWORK PROGRAM

AUTHORITY

These Administrative Procedures were initially adopted by the Executive Director on July 1, 1996. The policy was last amended February 10, 2025.

APPLICATION

These Administrative Procedures apply to Merit System and Contract employees. Represented Merit System employees should refer to specific guidance in their Collective Bargaining Agreement. If any portion of these Administrative Procedures is inconsistent with relevant employment laws, the Merit System Rules and Regulations, M-NCPPC Practices, or applicable Collective Bargaining Agreements, the language in those sources shall prevail.

PURPOSE/BACKGROUND

These Procedures establish the agency's Telework Program as part of the M-NCPPC Work/Life Program (Administrative Practice 2-18). The Telework Program allows work to be performed at locations other than the employee's assigned/traditional worksite. These Procedures specifically describe the requirements of the Telework Program and the responsibilities for its administration.

Since the Telework Program's initial adoption, these Administrative Procedures have been amended as follows:

- August 6, 2021: The policy has been amended to communicate the requirement for completion of security awareness training on an ongoing basis as a condition of telework.
- February 5, 2021: Amendments made to reduce the eligibility waiting period for Scheduled/Ongoing agreements, update explanation and authorization of Ad-Hoc telework agreements, remove requirements for teleworkers to submit a photograph of their workspace, update security-related protocols, and update requirements for teleworking during agency-wide closings.
- August 31, 2015: Amendments made to clarify employee eligibility, incorporate annual reauthorization of Scheduled/Ongoing telework arrangements, remove the requirement for homeowners/renter's insurance, address Ad-Hoc telework, and provide guidance on telework during M-NCPPC declared Liberal Leave status and emergency closings.

- January 28, 2003: Program enhancements issued through additional guidance on program eligibility, responsibilities for implementation, and assessment tools to support successful telework arrangements.
- August 6, 2022: Amended to communicate the requirement for completion of security awareness training on an ongoing basis as a condition of telework.
- October 18, 2022: Amended to incorporate rules for approval of telework when employees travel internationally.
- February 10, 2025: Amended to clarify conditions for approving 100% telework for eligible employees.

REFERENCES

- M-NCPPC Merit System Rules and Regulations
- M -NCPPC Administrative Practice 2-24 Code of Ethics
- M-NCPPC Administrative Practice 2-16, Seasonal/Intermittent, Temporary, and Term Employment (Contract Employees)
- M -NCPPC Administrative Practice 2-18, Work/Life Program
- M-NCPPC Administrative Practice 6-13, Electronic Communications Policy
- M-NCPPC Notice 11-08, Preparation, Staffing, and Compensation During Emergency Conditions

DEFINITIONS

Alternative Work Site: A designated telework space within the employee’s home, an M-NCPPC facility that is different from the employee’s assigned/traditional worksite, or another site approved by the agency as acceptable for telework.

Assigned/Traditional Work Site: The employee’s standard or regular M-NCPPC work site.

International Telework: Telework when an employee works remotely while outside of the United States, including the contiguous/lower 48 States, as well as Alaska, Hawaii, and US territories.

Pay Period: The time period for which employees are paid on a bi-weekly basis.

Standard Work Week: A standard workweek for full-time employees is forty (40) hours.

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POLICY

Telework is a type of alternative work arrangement that provides an opportunity for employees to work from a site other than their assigned/traditional office or worksite. While employees generally telework from home, they may also utilize a different Alternative Work Site, as authorized by management. Telework arrangements may be authorized for part of the workday or for one or more full workdays during the workweek.

Employees may request telework on a voluntary basis. Telework may also be implemented by management to ensure the continuity of operations during critical or unforeseeable events.

The suitability and approval of telework are based on a review of agency needs, the departmental work program, the suitability of position duties, and performance level. Some positions within the agency may not be appropriate for teleworking. Final determinations of the appropriateness for work units, positions, and employees to participate in the Telework Program are made by the approving authority. As a condition of Telework, employees must complete and remain up to date on any cybersecurity awareness training required by the Commission.

Telework has many beneficial purposes, including:

1. Ensuring continuity of operations and services.
2. Providing an environment conducive to retaining quality staff and making M-NCPPC an employer of choice for new talent. Retaining employees has the added benefit of reducing organizational costs related to employee turnover and absenteeism.
3. Offering staff an opportunity to minimize commute time while maintaining and/or increasing the agency's productivity and effectiveness.
4. Improving staff efficiency and effectiveness and providing greater flexibility to meet the changing needs of business and services offered by the agency.
5. Helping staff and supervisors better balance the challenges of increased work demands and personal life while focusing on the agency's business requirements.
6. Supporting the agency's efforts to be a more sustainable organization and regional efforts to improve air quality through the reduction of automotive cold starts and highway congestion.

Telework arrangements may be authorized as:

1. **Scheduled/Ongoing Telework**: These arrangements are intended for longer-term requests or project-based assignments that have a known start and end date. They are typically initiated by an employee as a voluntary arrangement. However, management may also initiate this arrangement as part of a position's work assignment. These arrangements require an employee to complete an application using the telework application (*Telework Screening Survey and Agreement*) in advance of the telework arrangement. The request and approval of Scheduled/Ongoing telework is covered in Section II, Scheduled/Ongoing Telework Arrangements.
2. **Ad-Hoc Telework**: These arrangements may be authorized by management to ensure continuity of agency operations during critical situations, address unplanned short-term events, or respond to other unforeseen circumstances. See Section III, Ad-Hoc Telework Arrangements for more details on this type of telework.

A telework application (*Telework Screening Survey and Agreement*) does not need to be completed for Ad-Hoc telework arrangements. However, Ad-Hoc arrangements must be approved by the appropriate authority as indicated in Section III.

I. ELIGIBILITY FOR TELEWORK

Employees who have worked for the agency for at least six (6) months are eligible to apply for Scheduled/Ongoing telework arrangements. The waiting period is not applicable when telework is being implemented on an Ad-Hoc basis, as defined in this policy.

The waiting period for Scheduled/Ongoing arrangements may be waived by the Department Head on a case-by-case basis, following a review of the telework arrangement, suitability of the employee and their duties, and the needs of the work program. The Department Head may also waive the waiting period for multiple positions or units.

Department Heads also may choose to offer telework to Contract employees whose positions are defined by Practice 2-16, Seasonal/Intermittent, Temporary, and Term Employment.

II. SCHEDULED/ONGOING TELEWORK ARRANGEMENTS

Scheduled/Ongoing telework arrangements are intended for longer-term or planned project-based assignments that have a known start and end date. These arrangements are typically initiated by an employee as a voluntary arrangement. However, management may also initiate this arrangement as part of a position's work assignment.

The following Procedures apply to the request and review of Scheduled/Ongoing telework assignments:

- A. After reviewing this full policy document (Telework Program Administrative Procedures), **the employee** submits a completed application using the *Telework Screening Survey and Agreement* (Appendix A). This application is submitted to the employee's supervisor.

Please note, the telework application (*Telework Screening Survey and Agreement*) is not required for Ad-Hoc telework, which is limited to a maximum of 14 calendar days, as explained in Section III, Ad-Hoc Telework Arrangements, of these Procedures.

- B. The **Supervisor and Division Chief** review the employee's request (*Telework Screening Survey and Agreement*) (Appendix A) to ensure that:

1. The department continues to meet operational requirements and provides the same or better level of service to its customers.
2. The employee's position is suitable for telework based on a review of the telework application (*Telework Screening Survey and Agreement*) (Appendix A).
3. The employee has a satisfactory performance and attendance record.
4. The telework arrangement does not diminish the department's ability to assign future responsibilities related to the employee's official duties.
5. The approval of the employee's request does not compromise work products or services in instances where other employees in the unit have already been approved for telework.

Based on the review, the supervisor and Division Chief recommends approval or denial of the employee's request and forwards the signed telework application (*Telework Screening Survey and Agreement*) to the Department Head. If denial is recommended, the supervisor must provide a written basis for denial in the appropriate section of the telework application (*Telework Screening Survey and Agreement*) before forwarding it to the Department Head along with the employee's request.

- C. The **Department Head** reviews the telework forms and associated documentation and approves or denies the employee's request. If the telework request involves 100% remote work for more than two weeks, the Department Head will consult with the Human Resources Director and General Counsel, or their designees, to evaluate the reason for the request and ensure consistent review across the Commission. In all cases, the Department Head's decision is final and is not grievable.

D. **The Department** shall maintain all telework requests (approvals and denials). The original approved telework application (*Telework Screening Survey and Agreement*) will be placed in the employee's departmental personnel file. On an ongoing basis, the department shall also track approved telework applications (*Telework Screening Survey and Agreement*) to ensure they meet agency requirements for telework.

E. Changes to Scheduled/Ongoing Telework Schedules: **An employee** may advise their supervisor and Division Chief when they wish to terminate their telework arrangement. Any other modification that is proposed requires five (5) workdays notice to the supervisor and Division Chief. The request must be placed in writing and is subject to approval by the supervisor /Division Chief and Department Head.

Management may instruct the employee, by written notice, to terminate or modify the telework arrangement if the service and operating requirements of the work unit are not being met. Written notification requires at least five (5) workdays. The department may also make temporary changes to the telework arrangement to maintain the effectiveness of the employee's work unit. Temporary changes by management may be made without prior written notification.

F. Reauthorization of Scheduled/Ongoing Telework Agreements: **Departments** are required to review Scheduled/Ongoing telework arrangements on an annual basis. This occurs at the time of the teleworker's performance evaluation review.

III. AD-HOC TELEWORK ARRANGEMENTS

Ad-Hoc telework arrangements may be utilized to ensure continuity of operations during critical situations, address unplanned short-term events, or respond to other unforeseen circumstances. Such events include:

- Critical situations in which the agency enacts Ad-Hoc telework to ensure continuity of operations. Ad-Hoc telework may be authorized by management for any period of time deemed necessary to address events such as weather events, facility closures, public health emergencies, etc.
- Other situations authorized by management include, but are not limited to, short-term assignments or events affecting individual situations.

A telework application (*Telework Screening Survey and Agreement*) is not required for Ad-Hoc telework arrangements.

Authorization of Ad-Hoc telework is as follows:

A. Ad-Hoc telework authorizations for up to 14 days in any 12-month cycle: The Department Head may elect to delegate the authorization of these short-term telework arrangements to Division Chiefs.

1. Employee requests for voluntary Ad-Hoc telework may be approved to address short-term, temporary needs (e.g., personal emergencies).
 2. Approval of this type of arrangement may not exceed 14 calendar days in a 12-month period. For purposes of this policy, the 12 months shall be considered rolling for this period. The 14 calendar days may be consecutive or intermittent. For example, if the first approval is on April 1st, the rolling 12-month period would end on March 31st of the following year.
 3. An employee who requests Ad-Hoc telework assignments on a regular basis must complete the telework application (*Telework Screening Survey and Agreement*).
- B. Management initiated Ad-Hoc arrangements require the approval of the Department Head or Executive Director. Management initiated Ad-Hoc arrangements affecting:
1. An employee, unit, facility, or department must be approved by the respective Department Head.
 2. One or more entire departments requires the approval of the Executive Director after consultation with the respective Planning Board Chair(s).

IV. INTERNATIONAL TELEWORK ARRANGEMENTS

Employees are prohibited from taking agency electronic equipment, including, for example, cell phones, laptops, and tablets, outside of the United States and its territories, without a valid business need that has been approved by their respective Department Head. Therefore, the Commission has implemented geo-fencing to prevent access to agency networks from outside of the United States. Employees who travel internationally may be targeted by criminal or nation-state actors based on their position or because of a perceived opportunity. Electronic equipment can be an attractive target for cybersecurity breaches. In addition, except for exceptional circumstances, the agency does not permit access to its networks from outside of the United States and its territories due to cybersecurity threats.

Permission for international telework may be granted by a Department Head in exceptional circumstances when there is a critical business need that cannot be accomplished in the absence of the employee. When there is a sufficiently valid business need that requires an employee's remote access to agency networks outside of the United States and its territories, the reason for the request must be documented and approved, using the *International Telework Agreement* (Appendix C). Approval for international telework for a Department Head must be obtained from the respective Planning Board Chair, or the Chair of the Commission for Bi-County Departments.

The Office of the Chief Information Officer (OCIO) and the IT Division Chiefs may issue standard operating procedures (SOPs) for accessing agency data systems and applications; as well as handling and reporting security breaches, lost equipment or devices, and returning agency equipment when used for international telework.

In addition, the following conditions apply to requests for international telework arrangements:

- A. The employee shall request authorization for international telework from their respective Department Head and departmental IT Division Chief at least two weeks before departure.
- B. Upon approval of international telework, the employee shall notify the departmental IT Division Chief of planned travel. During travel, employees must utilize an agency-issued cell phone, laptop, or tablet, or request loaner equipment.
- C. Upon return from international travel, the employee shall not access or connect to any agency network and shall surrender their electronic equipment to their departmental IT Division so that it can be sanitized or wiped clean based on a determination from the respective IT Division.
- D. Privileged, confidential, or sensitive information shall not be taken outside of the United States and its territories.
- E. Only required information shall be physically stored in an encrypted format on agency-owned electronic equipment taken on international travel.
- F. Network access to agency resources will be limited to the Office 365 environment, including, for example, Outlook, OneDrive, SharePoint, and Teams. The Department Head, as needed on a case-by-case basis, may authorize an employee's access to systems other than the Office 365 environment.
- G. The departmental IT Division has the right to restrict network access when traveling outside the United States and its territories at any time, based on a security concern.
- H. Remote access to restricted systems containing privileged, confidential, or sensitive information, such as Enterprise Resource Planning (ERP), ELIX, Accounting Online System (AOS), and LaborSoft shall be denied. The Department Head or their designee may elect to restrict other systems or applications critical to their operations, as well.
- I. Remote access for privileged actions on systems shall not be provided, such as changing addresses, direct deposit information, and IT administrative access.
- J. Electronic equipment used for international telework shall be secured in a locked room or safe, when not in use.

Additional Guidelines:

- A. Consult the U.S. State Department's website to learn about safety and security in the destination country, local laws, threats, and advisories before departure.

- B. Refrain from using unknown networks, especially accessing wireless internet connections in places such as airports, cafes, and other public places.
- C. Avoid using public computers at hotels and other public places.
- D. Ensure that all removable media devices are scanned with an up-to-date antivirus product before use.
- E. Refrain from engaging in casual conversations about workplace activities, position, job duties, and details about lodging and travel logistics.

V. CONDITIONS AND RESPONSIBILITIES FOR ALL TELEWORK ARRANGEMENTS

A teleworker must receive approval before commencing telework. The employee may be permitted to telework for part of the workday, or one or more full workdays during the workweek. The arrangement can be approved for telework that occurs on a Scheduled/Ongoing basis (e.g., one day every week), as an Ad-Hoc arrangement, or as an international telework arrangement.

In authorizing telework arrangements, managers and Department Heads are encouraged to promote consistency and predictability.

- A. Salary, benefits, and job responsibilities **do not change** as a result of telework.
- B. Employees must continue working their standard workweek hours and arrange telework hours to ensure they are accessible during core and service delivery work hours established by their department.
 - 1. Core and service delivery hours are the portion of a standard workday when all full-time employees must be accessible.
 - 2. Core and service delivery hours are determined by the Department Head and may vary during peak and seasonal periods, as well as in emergencies.

These hours may be adjusted by the respective Department Head during unforeseen emergencies or other critical situations.

- C. Telework should be transparent and seamless to constituents and colleagues. Constituents and colleagues must receive the same, or better, quality of services from teleworkers. As such, teleworkers must provide their contact information, so they are readily accessible to their managers and colleagues.
- D. Managers may deny an employee's telework request for telework or may modify/terminate an existing telework arrangement with notice if the position duties do not lend themselves to telework or the request does not meet business needs and established expectations.

- E. Telework is not a substitute for dependent care or the performance of other personal business during scheduled work hours. Care must be taken to ensure required work hours are carried out during the telework assignment. However, during an Ad-Hoc/emergency use of telework, the event triggering the use of telework may require consideration of extenuating circumstances including adjusting work hours to provide the necessary flexibility to address critical needs. Management will make the final determination on the adjustment of work hours based on a review of the circumstances and service delivery/work program needs.
1. Adjustments to the schedule may be initiated by management consistent with applicable work schedule policies.
 2. Employees may request consideration of an alternate work schedule that addresses required work hours and completion of assigned work.
 3. Employees should refer to the agency's Administrative Procedures 95-01, Flextime and Administrative Procedures 95-02, Compressed Work Schedule.
- F. If a teleworker becomes ill or is otherwise unable to work during their approved telework schedule, he/she must immediately report the circumstance to their supervisor and request the use of their leave to cover hours not worked.
- G. Technology Equipment, Security, and Telework Costs. The need for telework equipment/supplies is determined on a case-by-case basis and may range from standard office supplies to computer equipment.

Although agency-issued equipment/technology is not an entitlement of a telework arrangement, the Department Head and their respective departmental technology division shall evaluate security and technology needs and may require teleworkers to use agency-issued equipment/software. Decisions must comply with the agency's cybersecurity policy/standards to ensure confidential and sensitive data remains secure.

M-NCPPC-issued equipment or technology is for use only by the employee and for agency-related business. The department must keep an inventory of M-NCPPC assigned property (including, but not limited to, computers, monitors, printers, mobile technology, and software).

Any work products, software solutions, and data sets created as a result of work-related activities are the property of M-NCPPC.

In addition to the conditions stated above, employee responsibilities include:

1. Complying with all cybersecurity policies/standards and taking the necessary steps to safeguard sensitive and confidential materials.

All employees are responsible for completing and remaining current on any Commission-required security awareness training as a condition of commencing telework. Any periodic updates issued by the Commission also need to be completed to continue telework arrangements. Exceptions on completion must be authorized in writing by the employee's Department Director.

2. Ensuring M-NCPPC-owned data, software, equipment, and supplies are properly protected and secured. All agency equipment/property must be returned to the department upon the termination of a telework arrangement.
 3. Using only licensed software and maintaining up-to-date anti-virus software on any computer or device used for teleworking.
 4. When an employee must use their own computer, internet service, or software, they are responsible for:
 - a. Ensuring they comply with all M-NCPPC security protocols.
 - b. Purchasing, installing, and maintaining equipment.
 5. Covering all costs associated with setting up a workspace in the home. Employees must provide a worktable, chair, telephone, and any other equipment and supplies needed to perform their work. Employees are also responsible for costs of utilities (e.g., telephone, utilities, insurance, internet service, etc.).
 6. Covering expenses associated with commuting to and from the authorized telework location.
- H. Outside/Secondary Employment: Employees are responsible for disclosing any secondary employment as consideration for approval or continuance of a telework arrangement. Employees shall not participate in secondary employment activities during scheduled telework hours.
- I. Employees are responsible for all damages resulting from any non-work-related injury that he/she sustains. If an employee is injured in their personal workspace during non-telework hours or sustains a non-work-related injury during telework hours, M-NCPPC has no liability for this incident.
- J. Employees are also responsible for any injury sustained by a third party within the workspace, either during or outside of telework hours. Employees must further indemnify and hold harmless the M-NCPPC against all legal action for these injuries. The agency will not be liable unless mandated by an applicable authority.

K. Telework During Declared Emergency Closings and Liberal Leave Status. In the event of severe weather or critical events that affect agency operations, M-NCPPC may declare an emergency closing or Liberal Leave status. The declaration of emergencies follow M-NCPPC policy found in *Notice 11-08, Preparation, Staffing, and Compensation During Emergency Conditions*. The continuation of telework is generally consistent with the agency's emergency work policies for the general workforce. The following provisions highlight the handling of teleworkers during M-NCPPC declared emergency closings and Liberal Leave status.

1. **In the Event of an M-NCPPC Declared Emergency Closing:**

During agency-declared emergency closings (e.g., due to weather and other unforeseen events) teleworkers are expected to continue working their regular scheduled hours. During approved telework hours employees receive the normal rate of pay (straight time) for all regularly scheduled hours worked during the closing. A teleworker may request the use of their own leave during declared emergency closings with the approval of their supervisor.

In the event that a teleworker is required by management to come in and deliver onsite services as an essential employee, these affected employees will receive emergency premium pay consistent with the following established compensation policies:

- a. Merit employees should refer to the Merit System Rules and Regulations, Section 1270 (Premium Pay).
- b. Contract employees should refer to Practice 2-16, Seasonal/Intermittent, Temporary, and Term Employment.
- c. Employees in positions represented by a Union should refer to their respective collective bargaining agreements.

2. **Liberal Leave**

Liberal Leave is generally declared to provide employees flexibility in traveling to/from work or addressing personal needs such as providing dependent care due to inclement weather or other emergencies. Liberal Leave allows employees to use their own accrued leave to remain home from work, or to leave work early without obtaining prior approval from their supervisor. The agency generally follows the Liberal Leave designation of the County government in which the M-NCPPC facility is located. However, M-NCPPC may also declare Liberal Leave Status for situations that are unique to the agency. The application of Liberal Leave is based on whether the employee is designated "essential" or "non-essential."

- a. Essential Employees: Teleworkers in this designation are required to continue working during Liberal Leave status, unless released by their respective supervisor. Similar to the handling of closings, the supervisor may permit the employee to work remotely or report to a work location. Liberal Leave may not be elected by essential employees unless specifically approved by their supervisor.

- b. Non-Essential Employees: Teleworkers in this designation will continue to work their regularly scheduled hours **or** use their own accrued leave for any scheduled work hours which fall within the declared Liberal Leave status period. Teleworkers who elect to take Liberal Leave are required to notify their supervisor prior to their intention to take such leave. The supervisor will provide the appropriate method to communicate leave status remotely (e.g., phone call, email, etc.).
- c. Consistent with agency policy, emergency pay is not applicable to hours worked during liberal leave status.

V. RESPONSIBILITIES

The Executive Director is responsible for:

- 1. Oversight for the agency's telework program and authorizing any updates to this policy.
- 2. Authorizing agency-wide Ad-Hoc telework in the event of unforeseen crisis following consultation with the Chair and Vice-Chair of the Commission and input of Department Heads.

The General Counsel is responsible for reviewing and providing input on requests for 100% telework program forwarded by a Department Head.

The Department Head is responsible for:

- 1. Reviewing and approving departmental requests for telework.
- 2. Authorizing any Scheduled/Ongoing telework arrangements.
 - a. When a manager (if applicable) has recommended denial of a request, the Department Head will review the request and the managers reason for recommending denial.
 - b. The Department Head may approve or disapprove an employee's request and will notify the manager and the employee of the decision in writing.
 - c. Authorizing Ad-Hoc arrangements related to localized emergencies, closures, or other unforeseen events affecting their respective employees, units, facilities, or department.
 - d. Forwarding any recommended approvals for 100% telework to the Director of Human Resources and General Counsel for consultation.
- 3. Working with the respective departmental Chief Technology Officers (CTO) to ensure the employee has access to applicable M-NCPPC equipment and supplies for telework.

4. Identifying any departmental units or positions not appropriate for telework.
5. Ensuring that reauthorization of Scheduled/Ongoing telework occurs on an annual basis during the employee's annual performance reviews.
6. Determining core and service delivery hours, including adjusting these hours during unforeseen emergencies or other critical situations.
7. Coordinating and ensuring the completion of telework training.

The Supervisor/Division Chief is responsible for:

1. For Scheduled/Ongoing Telework: Reviewing telework requests and *Screening Guidelines* (See Appendix B) and providing the Department Head with recommendations for approval or denial. Ensure *Agreements* are reviewed at least once a year during the employee's annual performance review. The *Agreement* must be reviewed for continued authorization, modification, or termination.
2. For Ad-Hoc Telework: When the authority to approve these arrangements has been delegated to a Division Chief by the Department Head: Authorizing short-term voluntary requests of Ad-Hoc to address short-term, temporary needs (e.g. personal emergencies). Approval of this telework may not exceed 14 days per 12-month period unless authorized by the Department or Executive Director as described in Section III, Ad-Hoc Telework Arrangements.
3. For approved Telework arrangements, the supervisor and Division Chief must:
 - a. Define the period for which the telework arrangement would be authorized.
 - b. Establish the work schedule that will be maintained during telework. Management must ensure that telework hours do not result in non-exempt employees working more than forty (40) hours in a workweek consistent with the agency's policy on overtime.
 - c. Discuss with the employee the method for communicating and assessing performance expectations during telework.
4. Ensuring compliance with software-licensing requirements when the employee is accessing or using M-NCPPC software from a remote computer and monitoring any agency equipment lent to employees. The supervisor is responsible for ensuring their employees have completed all required training.
5. Ensuring that the telework arrangement is not being misused and is conducive to the work program. Supervisors and Division Chiefs will have the discretion to periodically review the telework arrangement.

- a. Ability to provide regular feedback to the teleworker.
- b. The ability to establish clear objectives and assignments.
- c. Ability to measure the performance of telework and measurements.

The Employee is responsible for:

1. Reading and complying with the requirements of this policy.
2. For Scheduled/Ongoing Telework Arrangements:
 - a. Initiating a request for telework through completion of the telework application (*Telework Screening Survey and Agreement*). The employee must submit the form to their supervisor and Division Chief.
 - b. Understanding that the telework arrangement is valid only for the period designated in the Agreement as authorized by the Department Head. At a minimum, continuing telework arrangements must be reauthorized by the Division Chief/Department Head during the employee's annual performance review. Employees requesting reauthorization of an existing telework arrangement should complete a new telework application (*Telework Screening Survey and Agreement*). The form should be provided to the employee's supervisor at least fourteen (14) workdays before the anniversary date or scheduled performance review, whichever date is sooner. The supervisor shall review the request at the same time as the employee's performance review. The supervisor's recommendation must be forwarded to the Division Chief and Department Head for final authorization. Employees requesting modification of an existing telework agreement prior to expiration, or termination of an authorized telework work arrangement, should complete a new telework application (*Telework Screening Survey and Agreement*) and submit it to their supervisor within five (5) workdays of the desired effective date of the proposed change.
3. Securing supervisory approval before taking any necessary confidential material to the telework location. If using a computer, securing departmental approval for remote access to applicable software, databases, Intranet/servers. See also Section IV(7), Technology Equipment, Security, and Telework Costs.
4. Completing any agency-required telework training.
5. Coverage During Telework Hours:
 - a. Maintaining telework hours approved by the supervisor. Overtime while teleworking is strongly discouraged. The employee must receive approval from their supervisor/Department Head before working overtime hours while teleworking.

- b. Complying with departmental procedures for recording time worked.
- c. Being readily available to their supervisor, co-workers, and customers during telework hours.
- d. Making the employee's telework phone number and telework hours available to appropriate staff members as determined by the supervisor. The employee is required to continue providing continuity of services as if they were working on site.
- e. Adjusting the telework schedule to attend meetings in person, as required. In persons meetings should not be conducted at the employee's home.
- f. Providing contact information to supervisors and promptly responding to calls during authorized telework hours.
- g. Making sure that telework hours are not being used to care for dependents or to engage in other personal activities that interfere with the accomplishment of their assigned duties/work program. Employees may request leave or a modification in their scheduled telework hours to address personal issues which may arise. See also Section IV(5).

6. Safety:

- a. Notifying their supervisor immediately if injured while teleworking and follow established agency procedures for reporting on-the-job injuries. Workers' Compensation covers the employee only while working at the designated workspace at the Alternative Work Site during designated working hours, and in the performance of agency-related work. It does not cover, for example, an injury that occurs while the employee is making lunch in the kitchen or using stairs within the Alternative Work Site.
- b. Third-party liability is not covered by M-NCPPC.
- c. Employees must indemnify, and hold harmless, M-NCPPC from and against all legal actions, liabilities, claims or suits brought in relation to any injury sustained by a third party at the Alternative Work Site.
- d. Homeowners/renters insurance is not required as a condition of approval for telework. It is recommended teleworkers consider maintaining homeowners/renter's insurance to protect themselves in the event a third party is injured in their home during telework hours. Employees should note that some homeowner/renter policies do not automatically cover injuries arising out of, or relating to, the business use of the home. It is recommended that employees consider having their homeowners/renter's liability policy endorsed to cover bodily injury and property damage to all third parties arising out of or relating to the business use of their home.
- e. The agency reserves the right to conduct an assessment of the telework space. In these

situations, the Risk Management/Safety Office will arrange the visit with the employee during regular office hours. The employee will be provided reasonable advance notice and given the opportunity to request that their supervisor also be present during the on-site inspection. On-site inspections will be required in the event of any Workers' Compensation claim.

- f. Complying with technology security measures in Section IV(7), Technology Equipment, Security, and Telework Costs.

The Department of Human Resources and Management is responsible for

1. Administering the agency's Telework Program and assisting departments with the implementation of telework arrangements.
2. For Scheduled/Ongoing Telework: The Risk Management/Safety Office may conduct an on-site assessment of a telework location when deemed necessary by the agency.

The Human Resources Director is responsible for reviewing and providing input on requests for 100% telework program forwarded by a Department Head.

VIOLATIONS

Users who violate any portion of these Procedures are subject to termination of teleworking privileges and/or disciplinary action. Disciplinary actions for employees shall be handled in accordance with the Merit System Rules and Regulations; applicable Collective Bargaining Agreements; or Administrative Practice 2-16, "Seasonal/Intermittent, Temporary, and Term Employment."

Attachments:

Appendix A: Telework Application for Scheduled/Ongoing Arrangements: Telework Screening Survey and Agreement

Appendix B: Screening Guidelines for Supervisors

Appendix C: International Telework Agreement

TELEWORK SCREENING SURVEY AND AGREEMENT FOR SCHEDULED/ONGOING TELEWORK

This Telework Form shall be used (1) by an employee to request telework; (2) by management to assign telework; (3) by employee/management to modify an existing telework arrangement; or (4) by employee/management to terminate an existing telework arrangement. Once approved and signed, this form shall serve as the Telework Agreement containing the terms and conditions governing the approved telework arrangement.

Questions regarding the implementation and management of the Telework Agreement should be cross-referenced against M-NCPPC Administrative Practice 2-18 (Work/Life Program) and Administrative Procedure 03-01 (Telework Program).

EMPLOYEE INFORMATION

Employee Name: _____ Department/Division: _____
 Position/Title: _____ Office Phone: _____
 Manager/Supervisor: _____ Email: _____

EMPLOYMENT STATUS

☐ Career Merit ☐ Term Contract ☐ Seasonal/Intermittent

___ Check here if you have been employed with M-NCPPC for less than 6 months

TYPE OF REQUEST

- ☐ New Request for Scheduled/Ongoing Telework
☐ New Request for Project-Based Telework (Project name/approximate duration _____)
☐ Management initiated request (as part of a position's work assignment) for Scheduled/Ongoing Telework
☐ Reauthorization of Scheduled/Ongoing Telework
 ___ I am submitting a re-authorization of an existing telework arrangement with no modifications.
 ___ I am submitting a re-authorization of an existing telework arrangement with modifications, as indicated.
☐ Modify Existing Telework Arrangement (Date of Original Agreement: _____)
☐ Terminate Existing Telework Arrangement

Explain the type of work you will be doing while teleworking (use an additional sheet if necessary):

Describe how telework will benefit the work unit and the employee (use an additional sheet if necessary):

Briefly describe your daily/weekly responsibilities including interaction with customers, external partners/vendors, use of critical equipment, phone calls, emails, supervisory, and administrative work (use additional sheet if necessary):

Indicate tasks to be performed while teleworking:

- | | | |
|---|--|---|
| <input type="checkbox"/> Writing/Typing | <input type="checkbox"/> Data Management | <input type="checkbox"/> Sending/drafting/reading electronic mail |
| <input type="checkbox"/> Administrative | <input type="checkbox"/> Field Visits | <input type="checkbox"/> Phone work |
| <input type="checkbox"/> Reviewing staff work | <input type="checkbox"/> Research | <input type="checkbox"/> Computer Programming |

ASSESSMENT OF JOB CHARACTERISTICS

This chart will help determine the extent to which your position can accommodate telework. Please fill in a percentage number in each box indicating how often your responsibilities involve the following job characteristics:

| Job Characteristics | On a Daily Basis | On a Weekly Basis |
|--|-------------------------|--------------------------|
| Responsible for in-person contact with employees and customers | % | % |
| Ease of scheduling required meetings into predetermined times | % | % |
| Amount of work that must be coordinated with other co-workers/team members | % | % |
| Degree job permits you to control your workflow | % | % |
| Degree job requires you to use materials/equipment only available on site | % | % |
| Degree job can be performed without required in-person supervision | % | % |
| Degree of supervisory responsibilities, if applicable | % | % |

ALTERNATIVE WORK SITE DETAILS

☐ Employee's Residence ☐ M-NCPPC Facility ☐ Other (describe): _____

Address _____

Phone: _____ Email (if different than above) _____

- ☐ Check here to confirm that the proposed alternative workspace has a functional computer, telephone, reliable high-speed internet access, worktable/desk, chair, adequate electrical outlets, and sufficient lighting.

List any additional equipment/supplies required to fulfill responsibilities while teleworking:

PROPOSED TELEWORK SCHEDULE

On the chart below, fill in the appropriate hours. Write a “T” in those days telework is requested.

| -----Week One----- | | | | | | -----Week Two----- | | | | | |
|-------------------------|------------------|----------------|--------------|----------------|---------------|--------------------|-------------------------|----------------|--------------|----------------|---------------|
| | Start Workday | Lunch Start | Lunch End | End Workday | Work Hours | | Start Workday | Lunch Start | Lunch End | End Workday | Work Hours |
| Monday | | | | | | | | | | | |
| Tuesday | | | | | | | | | | | |
| Wednesday | | | | | | | | | | | |
| Thursday | | | | | | | | | | | |
| Friday | | | | | | | | | | | |
| Saturday | | | | | | | | | | | |
| Total Work Hours: _____ | | | | | | | Total Work Hours: _____ | | | | |

- Start Date: _____ End Date: _____ (if known)
Note: Telework Agreements require annual reauthorization.
- I am requesting the following workweek schedule:
 _____ Work hours at the assigned/traditional location **and** _____ work hours at the telework location.
- Average daily round-trip commuting mileage to and from the assigned/traditional work site _____. Information may be used to assess the agency’s efforts to reduce environmental impact.

EMPLOYEE ACKNOWLEDGEMENT

Employee (Print full name) _____

- ☐ I have reviewed and understand my responsibilities outlined in Administrative Procedure 03-01 for telework as an employee with the Maryland-National Capital Park and Planning Commission (“M-NCPPC” or “agency”) and this *Telework Screening Survey and Agreement*; **and**
- ☐ I understand (i) that the telework arrangement may only commence after I have completed necessary telework training, or (ii) if this is a request for modification to an existing telework arrangement and there have been no modifications to the telework location, that telework will commence after management approval; **and**
- ☐ I understand that management may periodically review, modify, and/or terminate this *Telework Screening Survey and Agreement* if necessary; **and**

- ☐ I agree that all M-NCPPC-owned data, software, equipment, facilities, and supplies must be properly protected and secured. M-NCPPC-owned data, software, equipment, facilities, and supplies must not be used to create employee-owned software or personal data. I will comply with all of the agency's policies and instructions regarding security or confidential information. Any work products, software solutions, and data sets created as a result of work-related activities are the property of M-NCPPC. Restricted access materials shall not be taken out of the central work site or accessed through the computer unless approved in advance by my Supervisor; **and**
- ☐ I understand I must complete all training required by the agency, including but not limited to security awareness training. Failure to complete required training, including necessary updates, can result in losing eligibility for telework; **and**
- ☐ I agree to protect the M-NCPPC records from unauthorized disclosure or damage and will comply with all requirements of law regarding the disclosure of agency information; **and**
- ☐ I understand that the *Telework Screening Survey and Agreement* for Scheduled/Ongoing telework must be reviewed for reauthorization annually; **and**
- ☐ I understand that I am responsible for disclosing any secondary employment as consideration for approval or continuance of the telework arrangement. I also will not participate in secondary employment activities during my agreed-upon scheduled telework hours; **and**
- ☐ I shall indemnify and hold harmless the Maryland-National Capital Park and Planning Commission from and against all legal actions, liabilities, claims, or suits of any kind that may be brought or made against the M-NCPPC and for which it must incur and pay any damages, legal costs, or other expenses of any kind, as a result of my negligence under this *Telework Screening Survey and Agreement*; **and**
- ☐ I understand that the telework policy expressly prohibits meetings or gatherings during telework hours at locations that are neither M-NCPPC facilities nor agency-approved Alternative Work Sites. I am responsible for all damages resulting from any non-work-related injury that I sustain. I am also responsible for any injury sustained by a third party within the workspace, either during or outside of telework hours. I further indemnify and hold harmless the M-NCPPC against all legal action for these injuries, as stated in the prior paragraph. The agency shall not be so liable unless mandated by applicable authority; **and**
- ☐ I further understand that if I am injured in my workspace during non-telework hours or sustain a non-work-related injury during telework hours, M-NCPPC has no liability for this incident, and I waive all claims against the agency for such injury.

Employee Signature: _____ Date _____

MANAGEMENT SIGNATURES

Supervisor

☐ Approved (no modifications) ☐ Approved with Modifications (see below) ☐ Denied ☐ Terminated

If approved, please complete the following:

- The employee must work _____ number of hours during their pay period.
- The service hours that must be met are _____ to _____.
- The length of the lunch period is _____.

Approved with the following modifications:

Reason for Denial

- ☐ Position duties require physical presence each scheduled workday, and do not include any portable or administrative work that can be accomplished from an alternative work site.
- ☐ Employee did not receive or is not expected to receive a satisfactory performance rating and/or has an unsatisfactory attendance record within the past 12 months.
- ☐ Position duties require access to and/or use of specialized equipment located only at the assigned/traditional work site and do not include any portable or administrative work that can be accomplished from an alternate office or location.
- ☐ Position duties require access to the handling of classified materials on each scheduled workday and do not include any portable or administrative work that can be accomplished from an alternative work site.
- ☐ Other Reason for Denial:

Reason for Termination of Telework Agreement

☐ Employee Initiated ☐ Management Initiated ☐ Other Reason for Termination: _____

Telework Agreement approved on: _____(date) is being terminated effective: _____(date)

Supervisor Signature: _____ Date: _____

Note: The supervisor must forward the signed request to the Division Chief

Division Chief

- ☐ Recommend **Approval** of request;
☐ Recommend **Denial** of request.

Division Chief Signature: _____ Date: _____

Department Head

- ☐ **Approve** request for telework
☐ **Deny** request for telework.

Department Head Signature: _____ Date: _____

EFFECTIVE DATE OF AGREEMENT

Once the employee completes the necessary training, then telework may begin at the time agreed upon by the employee and their Supervisor.

The date on which this *Telework Agreement* takes effect is _____.
(To be completed by employee's supervisor.)

Reauthorization date (if applicable): _____.

This agreement is not an employment contract. The terms and conditions of employment are governed by all applicable laws and established Commission policies, this agreement notwithstanding. If any conflict exists between this document and any laws or Commission policies, the laws and Commission policies shall govern.

Distribution of Completed Agreement

Copies of signed agreement: Employee
 Supervisor
 Department Personnel file

SCREENING GUIDELINES FOR SUPERVISORS FOR SCHEDULED/ONGOING TELEWORK

Supervisors shall consider these Screening Guidelines, along with the completed telework application (*Telework Screening Survey and Agreement*), to assist in their evaluation of whether a proposed telework arrangement is well advised.

Introduction

There are three main elements to a telework application:

1. The elements of the job to be performed while teleworking;
2. The characteristics and habits of the person who seeks to telework; and
3. The supervisor's management style.

Job Considerations

Jobs with the following characteristics are well suited for telework:

- There is little need for face-to-face communication with other employees, supervisors, or the public (communication can be handled over the telephone, voice mail, or electronic mail).
- The job includes tasks that can be done alone, such as writing, reading, telephoning, planning, computer programming, word processing, and data entry.
- The telework tasks include clearly defined assignments and work products.
- The tasks include identifiable time frames and performance measures.

Employee Considerations

The best teleworkers are strong performers with a thorough knowledge of the job, are self-disciplined, highly motivated, and are comfortable working alone. Employees who require constant direction and supervision may make poor teleworkers. Telework is generally not for a marginal employee or a new employee just learning their job. Telework is not appropriate while an employee is on a Performance Improvement Plan (PIP).

Teleworkers should have the following characteristics:

- A proven ability to perform.
- Thorough, substantive knowledge of the job.
- A self-motivated, self-disciplined, self-directed personality.
- A desire to make telework effective.
- Above-average skills in planning, organizing, managing time, and meeting clear standards and objectives.

Supervisor Considerations

The supervisor's role is also critical to the telework arrangement. There are traits that help make telework successful. They include:

- Ability to provide regular feedback to the teleworker;
- The ability to establish clear objectives and assignments; and
- Ability to measure performance of telework and measurements.

If the teleworker is out of the office more than one day a week, schedule regular communication, (*e.g.*, face-to-face meetings, teleconferencing, or video-assisted conferencing), with the teleworker to assess needs, give feedback, discuss problems, and catch up. By doing this you will not feel as if you are losing contact, and the teleworker will be less isolated. When face-to-face meetings are not possible, utilize other means, such as e-mail and the phone, to keep the lines of communication open.

The most successful programs allow teleworking one or two days a week. Very few individuals can successfully stay at home five days a week. Complete isolation from the office has inherent drawbacks that should be avoided.

INTERNATIONAL TELEWORK AGREEMENT

This Telework Form shall be used by an employee to request international telework outside of the United States and its territories, pursuant to M-NCPPC Administrative Procedure 03-01 (Telework Program).

EMPLOYEE INFORMATION

Employee Name: _____

Position/Title: _____

Division: _____ Department: _____

EMPLOYMENT STATUS

☐ Career Merit ☐ Term Contract ☐ Seasonal/Intermittent

____ Check here if you have been employed with M-NCPPC for less than 6 months.

REQUESTED PERIOD OF INTERNATIONAL TELEWORK

Start date: _____ End date: _____

COUNTRIES TO BE VISITED

M-NCPPC LOANER EQUIPMENT REQUESTED (if applicable)

☐ laptop ☐ tablet ☐ Cell Phone (Note: Requires IT-arranged international phone plan)

REASON FOR REQUEST

Briefly describe the extenuating circumstances that necessitate the need for international telework:

SOFTWARE/APPLICATIONS REQUESTED

By signing, I understand my responsibilities under Administrative Procedures, 03-01 (Telework Policy):

Employee Signature: _____ Date: _____

Division Chief Signature: _____ Date: _____

Department IT Chief Signature: _____ Date: _____

Department Head Signature: _____ Date: _____