

CITY OF DENTON

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SECTION: HUMAN RESOURCES	REFERENCE NUMBER: 103.02
SUBJECT: SPECIAL CATEGORIES OF EMPLOYMENT	INITIAL EFFECTIVE DATE: 02/01/2000
TITLE: TELECOMMUTING	LAST REVISION DATE: 11/19/2018

POLICY STATEMENT

It is the policy of the City of Denton to consider the work alternative of telecommuting which would allow regular full-time, regular part-time and contract employees to work from home or a remote location when it is mutually beneficial to the organization and the employee and when it complies with guidelines as set forth by the City.

Telecommuting is not a widespread employee benefit, but an alternative method of meeting the needs of the City. Since telecommuting is a privilege, the organization has the right to refuse to make telecommuting available to an employee and to terminate a telecommuting arrangement at any time.

Employees are not required to telecommute and employees have the right to refuse to telecommute if the option is made available to them. Employees who do choose to telecommute have the right to cease telecommuting and return to his or her former in-office work pattern at any time.

ADMINISTRATIVE PROCEDURES

I. Telecommuting Profile

A. Not every employee, supervisor, or job is appropriate for telecommuting. The specific nature of the job will indicate whether or not telecommuting is feasible. Possible jobs to consider for telecommuting would be those jobs that do not require constant face-to-face interaction with customers or other employees; field positions that could go directly from home to customers and back are also viable options. Positions where an employee works alone in performing tasks may also be well suited. These tasks may include:

- Planning
- Scheduling
- Preparing performance reviews
- Writing reports
- Audits
- Research and analysis
- Conceptualizing, reading and writing
- Conducting business by telephone
- Working with data

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- B. While the nature and responsibility of a job are key factors in determining whether or not telecommuting is an option, personal traits and characteristics of the employee and supervisor must be considered.

Ideal Telecommuting Manager

- Has strong communication skills
- Manages by results and not by monitoring work hours
- Delegates work easily
- Is well organized
- Open to new ideas
- Trusts his or her employees to do a good job

Ideal Telecommuting Employee

- Is self-motivated
- Has high productivity
- Requires minimal supervision
- Has a high degree of job knowledge and skill
- Possesses strong organization and time management skills

II. Telecommuting Guidelines

- A. The decision to allow an employee to telecommute will be left to the discretion of their department head and will be coordinated with the Director of Human Resources or designee. To protect the rights of all involved, employees and their managers will develop and sign a Telecommuting Agreement (Exhibit A). The Director of Human Resources or designee will assist in drafting the agreement ensuring that it meets with organizational and legal approval. The agreement explains the guidelines of the telecommuting program, outlines job expectations, and specifies work hours.
- B. If an employee currently works for the City of Denton, they must have satisfactory performance to be eligible to participate in the program.
- C. Salary, Benefits and Workers' Compensation
 - 1. Regular full-time and part-time employees participating in the telecommuting program will maintain the same salary, benefits, and insurance coverage. Only the work location will change on certain days.

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2. Telecommuting employees who are injured in the course and scope of their employment, at the designated off-site location, will be covered under the City’s workers’ compensation program. Employees who telecommute are responsible for maintaining safe working conditions at the designated off-site work location and should follow all rules and regulations, and practice the same safety habits that they would in an office environment. In case of an injury, the employee should contact their supervisor immediately to get instructions for obtaining medical treatment. The City of Denton assumes no responsibility for injuries that occur in the employee’s off-site work location outside of the agreed-upon work hours, and/or if the employee is not in the course and scope of their employment. To ensure that safe working conditions exist, the employee’s supervisor, and/or a Human Resources representative, has the right to make on-site inspections at mutually agreed upon times to evaluate the safety of the designated off-site work location.

D. Work Hours/Schedule

1. The number of work hours per pay period will not change due to participation in the telecommuting program, unless a reduced work schedule is approved. Non-exempt employees will be responsible for providing bi-weekly documentation of time worked according to City of Denton standards.
2. Departmental requirements take precedence over the schedule and telecommuting arrangements specified in the Telecommuting Agreement if there is a scheduling conflict. Management will provide the employee with advance notice, if at all possible, when flextime schedules or telecommuting must be curtailed. Employees are required to report to the office when requested.
3. Employees should be available by telephone during the specified work hours and should notify the office in the event that they leave the off-site work location.
4. The telecommuting employee must be at the main work location as specified in the telecommuting agreement and must attend any regularly scheduled meetings. The employee’s department head has the discretion to alter these requirements.

E. Work Plan and Assignments

1. A telecommuting work plan will be developed by the employee and their supervisor outlining the days for telecommuting and the work to be performed during those days. Any changes to the agreed upon work plan must be reviewed and approved by the supervisor in advance.

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2. The telecommuting employee will consult with the supervisor, through mutually agreed upon mode(s) of communication to receive or review completed assignments.

F. Equipment and Office Supplies

1. The City of Denton will provide any equipment needed to perform the employee's duties and responsibilities. If an employee uses their own equipment, the City will not be liable for any cost, damage, or depreciation to the equipment. Further, anti-virus protection software should be installed on all equipment not owned by the City of Denton in order to protect hardware and software security and data integrity. Any software needed must be used in accordance with the license agreement provided in the software documentation.
2. The use of the employee's Internet service usage, if applicable, will not be reimbursed.
3. Office supplies will be provided by the City of Denton and should be obtained during days of on-site work. Any out of pocket expenses will not be reimbursed to the employee for supplies normally available in the office unless prior approval is granted by the employee's supervisor.
4. The employee understands that all equipment loaned by the City of Denton should be maintained in good condition and should only be used for performing job responsibilities. Upon resignation or termination of this agreement, the telecommuting employee agrees to return the equipment in good working order and in comparable condition as when loaned. Regular wear and tear as a result of standard usage will be taken into consideration. In the event equipment is not returned, the telecommuting employee will be responsible for the replacement value of the equipment. In the event equipment is damaged beyond normal wear and tear upon its return, the telecommuting employee may be responsible for the replacement value of the equipment. Such determination should be discussed with the Director of Human Resources or designee. When possible, the replacement value will be deducted from the employee's pay check
5. The security of the City's property in the employee's home is as important as it is in the office. Telecommuting employees are expected to take reasonable precautions to protect the equipment from theft, damage or misuse. Employees should consult with their homeowner's insurance provider to determine whether or not replacement cost of City-owned equipment will be covered. If the equipment will not be covered, the employee will be responsible to the same degree as all other employees who are responsible for similar types of equipment.

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G. Confidentiality and Security

1. Restricted-access materials will not be taken out of the office unless approved in advance by the employee's department head and/or supervisor.
2. Telecommuting employees may not work on any confidential or secure information without prior approval from their supervisor. Telecommuting employees must make every effort to ensure the confidentiality and security of City information. Breach of confidentiality or security could terminate the telecommuting agreement and or jeopardize the employee's continued employment with the City of Denton.

H. Dependent Care: The telecommuting employee 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. However, if a dependent child is injured or ill, the employee may, on a temporary basis, provide care for that child, subject to approval of his or her supervisor.

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

I. Coordination with Sick Leave, Family Medical Leave (FMLA), and the American's with Disabilities Act (ADA)

1. Telecommuters are expected to comply with departmental policies and procedures for using accrued sick leave. Employees using accrued sick leave should not perform any work unless prior approval is obtained from their supervisor.
2. Employees on FMLA due to a serious condition of self should not perform any work or be offered telecommuting as an accommodation under ADA unless prior approval is obtained from their supervisor AND the Director of Human Resources or designee. Under no circumstances will an employee be allowed to perform work while on FMLA due to a serious condition of self unless written permission from the employee's doctor(s) is obtained.

J. Tax Liability: Any income tax implications of maintaining a home office area as a result of telecommuting are entirely the responsibility of the telecommuter. Telecommuters are encouraged to seek professional advice in this area.

K. Telecommuters are expected to comply with all City of Denton policies and procedures, where applicable.

TELECOMMUTING AGREEMENT
Exhibit A

Telecommuting, or working from another location such as home or an office close to home, is a work alternative that the City of Denton may choose to make available to employees when a mutually beneficial situation exists.

Telecommuting is not an employee benefit, but rather is an alternate method of meeting the needs of the City. Employees do not have the "right" to telecommute; either the employee or the City can terminate the arrangement at any time with or without cause.

Employee Name: _____

Department/Division: _____

Supervisor: _____

Telecommuting Start Date: _____

These are the conditions of telecommuting agreed upon by the telecommuter and his or her supervisor:

1. The employee agrees to work at the following location: _____

Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____ Fax: _____

2. The employee will telecommute _____ days per week.

3. The employee's hours will be as follows:

Any scheduled changes to these hours must be documented and approved by the employee's supervisor prior to working the new hours.

4. When requested, the employee agrees to provide the supervisor a Telecommuting Work Plan which identifies the assignments to be worked on during telecommuting hours.

5. The following equipment will be used by the employee in the remote work location:

This equipment will be provided by the City and should be recorded on the equipment inventory log included in Appendix D in the Telecommuting Handbook. Should the employee use their own equipment, the City will not be liable for any cost, damage, or depreciation of the equipment. The employee will not be reimbursed for costs associated with Internet service usage, if applicable.

3. The employee understands that all equipment loaned by the City of Denton should be maintained in good condition and should only be used for performing job responsibilities. Upon resignation or termination of this agreement, the telecommuting employee agrees to return the equipment in good working order and in comparable condition as when loaned. Regular wear and tear as a result of standard usage will be taken into consideration. In the event equipment is not returned, the telecommuting employee will be responsible for the replacement value of the equipment. In the event equipment is damaged beyond normal wear and tear upon its return, the telecommuting employee may be responsible for the replacement value of the equipment. Such determination should be discussed with the Director of Human Resources or designee. When possible, the replacement value will be deducted from the employee's pay check.

The security of the City's property in the employee's home is as important as it is in the office. Telecommuting employees are expected to take reasonable precautions to protect the equipment from theft, damage or misuse.

6. The following is the arrangement agreed upon for handling telephone calls made by the telecommuter from the remote work location for City business:

7. The employee agrees to call the central office to obtain his or her messages at least _____ times per day.
8. The employee agrees to obtain from the central office all supplies needed for work at the alternate location; out-of-pocket expenses for supplies regularly available at the City office will not be reimbursed unless prior approval is granted by the employee's supervisor.
9. The employee agrees to abide by the guidelines outlined in the Telecommuting policy.

10. Additional conditions agreed upon by the telecommuter and the supervisor are as follows:

The contents of this agreement do not in any way constitute the terms of a contract of employment and should not be construed as a guarantee of continued employment with the City of Denton. Employment with the City of Denton is on an “at-will” basis which means that the employment relationship may be terminated at any time by either the City or the employee for any reason not expressly prohibited by law.

Date

Employee

I have reviewed the above information with _____ prior to their participation in the City's telecommuting program.

Date

Supervisor

Date

Department Head

Date

Director of Human Resources or Designee