

PPM #56

Policy Name: *Telework Policy*

Effective Date: *July 1, 2022*

Revision Date:

Authorization:



Nancy Watkins, Undersecretary

I. REGULATORY AUTHORITY

In accordance with SCS Rule 11.4.1.

II. PURPOSE

The purpose of this policy is to provide telework as a viable, flexible work option when both the employee and the employee's position are suitable for such arrangement. The Office of the Lieutenant Governor (OLG) and Department of Culture, Recreation and Tourism (DCRT) aims to increase efficiencies while also sustaining the recruitment and retention of highly qualified employees. Telework is not an entitlement and in no way changes the terms and conditions of employment. Employees are not entitled to telework; rather telework is driven by business-related operational needs and can be modified or rescinded at any time.

III. APPLICABILITY

This policy applies to unclassified and classified employees of OLG and DCRT authorized by the Lieutenant Governor or an Appointing Authority to work from home.

IV. DEFINITIONS

1. Eligible Employee - Employees of OLG/DCRT.
2. Telework – A work flexibility arrangement under which an employee performs the duties and responsibilities of their position from an approved alternative worksite (e.g., the employee's home).
3. Telework – Formal – Telework that occurs as part of an approved on-going, regular schedule or within established limits (e.g., full time or a set number of days per week).

4. Telework – Situational – Telework that is approved on a case-by-case basis generally for a fixed duration or time and where hours worked are not part of a previously approved, on-going and regular telework schedule (e.g., telework approved as a result of inclement weather, declared emergency, reasonable accommodation, or office closures).
5. Teleworker - An employee approved by their Appointing Authority to work from their approved alternative worksite.
6. Alternative Worksite – An approved worksite other than the employee’s customary/primary in-office worksite, most commonly established through an approved telework agreement.
7. Primary Worksite – The employee’s usual and customary in-office worksite.

V. ELIGIBILITY FOR TELEWORK

1. Position Eligibility – A position that is suitable for telework is one that has responsibilities that can be, at any given time, conducted from an alternative worksite without affecting service quality or organizational operations. The Appointing Authority shall determine which positions are suitable for telework.

Factors in considering suitability may include, but are not limited to:

- Nature of the work performed;
- Efficiency of work processes;
- Impact on ability to provide quality customer service;
- Utilization of office space;
- Utilization of technology;
- Effectiveness of existing project teams; and
- Impact on agency budget and fiscal resources

2. Employee Eligibility – Unless mandated by the Appointing Authority, telework is strictly voluntary. An employee who is eligible for telework is one who has responsibilities that can be, at any given time, conducted from an alternative worksite without affecting service quality or organizational operations. The Appointing Authority may approve telework status for an employee.

Factors in considered eligibility may include, but are not limited to:

- The employee’s length of service with the agency;
- The employee’s work performance;
- The employee’s ability to function independently;
- Completion of required telework training;

- The employee's ability to provide technology resources outlined in the DCRT Telework Agreement; and
- Completion of the required training courses as outlined in Section X.

VI. TELEWORK ARRANGEMENT

1. Telework – Formal – Formal telework is an on-going work arrangement in which the employee has received approval to work from an alternative worksite. No out-of-state alternative worksites will be allowed. For continuity of operations and other necessary business needs, the Appointing Authority or his/her designee may restrict telework days for a specific unit or division to "fixed" telework days (e.g., every Tuesday) or prohibit telework on specific days (e.g., Unit Meeting days).
2. Telework – Situational – Situational telework is a work arrangement in which the employee has received approval from the Appointing Authority or his/her designee to work from an alternative worksite on a case-by-case basis.

VII. REQUEST FOR TELEWORK

1. Telework – Formal – Employees who desire to participate in a formal telework arrangement must complete the DCRT Telework Agreement Form. This form shall be submitted to the employee's direct supervisor for processing in accordance with the form's instructions. Final approval of the telework agreement rests with the Appointing Authority or his/her designee.

Upon approval of the DCRT Telework Agreement Form, supervisors shall maintain responsibility for approving requested telework days.

Supervisors may require advance scheduling of telework days to accommodate the needs of the agency. In addition, supervisors shall ensure that a physical presence is maintained at the primary worksite within each division each workday.

All telework agreements must be reviewed annually for renewal by the Appointing Authority or his/her designee.

2. Telework – Situational – The Appointing Authority or his/her designee may authorize an employee to participate in a situational telework arrangement when the needs of the organization or the employee dictate. When an employee has a need for situational telework, they should discuss the need with their supervisor. The supervisor shall forward all requests for situational telework to the Appointing Authority or his/her designee for approval.

This type of employment requires approval via the DCRT Telework Agreement Form, unless the employee already has an existing agreement under a formal

telework arrangement. Should the situational telework need exceed 30 days, a new DCRT Telework Agreement Form shall be submitted and approved.

Upon approval of the DCRT Telework Agreement Form, supervisors shall maintain responsibility for approving requesting telework days.

VIII. COMPLIANCE WITH DEPARTMENT POLICIES

Employees who participate in telework shall continue to comply with all DCRT policies and procedures, State Civil Service Rules, and other applicable Federal and State Laws while working from an alternative worksite. This includes but is not limited to, the use of leave, prior approval for overtime, timely reporting of accidents/injuries, timely entry and e-certification of time statements, appropriate use of computer equipment and refraining from prohibited behavior of a sexual, harassing, or discriminatory nature.

IX. TIME AND ATTENDANCE, WORK PERFORMANCE, AND OVERTIME

Teleworkers shall satisfactorily complete all assigned work as established and assigned by their supervisor and are required to follow normal agency procedures regarding the requesting and approval of overtime, compensatory time and leave. Teleworkers may not engage in personal business during work hours for any purpose for which leave (annual, sick, FMLA, etc.) would be otherwise required.

X. REQUIRED TELEWORK TRAINING

As a condition of eligibility for telework, the supervisor and employee must complete one time training of the following required telework training courses in LEO:

Employees:

- CPTP SCS Teleworking for Employees WBT

Supervisors:

- CPTP SCS Teleworking for Employees WBT
- CPTP SCS Managing Teleworkers WBT

Additional training resources should be made available as follows:

- CPTP Developing Others WBT
- CPTP Time Management for Teleworkers WBT
- CPTP Virtual Meeting Etiquette WBT

XI. ALTERNATIVE WORKSITE

1. Worksite Location – Employees shall designate their alternative worksite on the DCRT Telework Agreement Form. Once approved, the alternative worksite is the only location from which the employee shall be allowed to telework. Any circumstances requiring a change in location shall be brought to the employee's supervisor's attention immediately.
2. Worksite Conditions – The alternative worksite shall be a clean, safe, and dedicated work space that is to be principally used for the purpose of teleworking. The alternative worksite shall be able to accommodate any equipment that is necessary to perform the functions of an employee's job.

DCRT may conduct unannounced inspections of the teleworker's alternative worksite, as deemed necessary, to account for and ensure the physical safety and security of the employee's alternative worksite meets all privacy, data security, and/or other requirements referenced in this policy.

3. Worksite Liability – DCRT will not be liable for damages to the employee's property resulting from telework. By signing the DCRT Telework Agreement Form, the employee agrees to hold the State harmless against any and all claims, excluding workers' compensation claims. The employee accepts responsibility for maintaining the security, condition and confidentiality of agency equipment and materials (including but not limited to files, applications, manuals, forms, etc.) at the alternative worksite. Furthermore, the employee is responsible for ensuring there is not unauthorized use of DCRT equipment.

No employee engaged in telework will be allowed to conduct in-person face-to-face agency-related business at the alternative worksite.

4. Workers Compensation – The alternative worksite is considered an extension of the employee's primary workplace; therefore, workers' compensation coverage will continue to exist for the employee while performing official work duties in the designated area of the alternative worksite during approved teleworking hours. Any work-related injuries must be reported to the employee's supervisor and the DCRT Safety Coordinator immediately.
5. Operating Costs – DCRT will not be responsible for operating costs, maintenance, or any other incidental costs to the employee's alternative worksite (e.g. utilities). DCRT will not pay for phone, internet service, nor the repair, technical support, or maintenance of personal equipment such as home networking connectivity, routers, modems, etc.

XII. USE AND SECURITY OF EQUIPMENT

Teleworkers are required to abide by the same information security policies and procedures regardless of where they are conducting official business. Data accessed using privately owned equipment may not be stored on privately owned equipment. Official data may only be stored on OLG/DCRT furnished equipment. Teleworkers are responsible for the security of all official state and agency data. OLG/DCRT furnished equipment must only be used for official duties, and may not be used by non-OLG/DCRT employees. Teleworkers assigned equipment must take appropriate actions to secure the safety of the equipment.

If specific software is needed for a teleworker to perform his duties using privately owned equipment, OLG/DCRT will be responsible for obtaining software licenses and must be approved by the Appointing Authority. When privately used equipment is no longer needed, it is the responsibility of the teleworker to remove and return all state-owned software to OLG/DCRT. OLG/DCRT furnished software is subject to copyright laws and shall not be copied onto other systems that are not authorized.

If teleworkers are issued state-owned equipment, OLG/DCRT will be required for the maintenance of such equipment. The teleworker may be required to bring such equipment into the office for periodic maintenance. All state-owned furnished equipment and material shall be returned to OLG/DCRT when employment or teleworking agreement terminates.

Teleworkers shall be connected to OLG/DCRT Virtual Private Network (VPN) at all times while performing work from their state-owned laptop at the alternative worksite. In the event an employee will need to disconnect from the VPN for stability issues, notification to disconnect will be provided by OLG/DCRT.

Use of OLG/DCRT equipment and networks is for official business purposes only and must comply with all applicable laws, policies, and protocols. Personal use of these items is prohibited, even during non-working hours.

Teleworkers shall immediately inform their supervisor of any equipment failures, VPN issues, repair, or other issues that prevents them from teleworking. Should there be a delay in the repair or replacement of equipment, the teleworker may be required to return to the physical office building until the situation is rectified.

XIII. OFFICIAL OFFICE CLOSURES

Depending on the reason (i.e. weather, road conditions, etc.), an office closure may be declared to a specific building, city/town, parish, or the entire State. The official domicile for an employee that teleworks is the city/parish where the

employee's primary worksite is located, as this is the location where the majority of work will be performed. An employee may only have one (1) domicile. Any exceptions to the official domicile as defined above shall be approved by the Appointing Authority.

XIV. EMPLOYEE NOTIFICATION OF POLICY

This policy may be accessed on OLG/DCRT's intranet, Channel Z, under Human Resources → Policies. Supervisors in the Department are responsible for notifying their employees of this policy and providing a copy of this policy to those who do not have intranet access.

XV. TERMINATION OF TELEWORK

OLG/DCRT may terminate Telework Agreements at any time, with or without cause, at its convenience.

In the event an employee leaves employments with OLG/DCRT, or is removed from telework for any reason, the employee must return all agency equipment, supplies, and work documents and materials to OLG/DCRT within 48 hours or a mutually agreed upon reasonable time period. If the employee fails to return all property, he or she shall reimburse OLG/DCRT for all unreturned property.

XVI. EXCEPTIONS

The Lieutenant Governor, Secretary or designee may grant an exception to any provisions of this policy, provided such exception shall not be in conflict with Civil Service Rules and Regulations.

XVII. VIOLATIONS

Employees found to be in violation of this policy will be subject to disciplinary action, up to and including termination, and may face criminal prosecution for payroll fraud.

XVIII. QUESTIONS

Questions regarding this policy should be directed to the Human Resources Division.