



The City of  
**WORCESTER**

**EMPLOYEE TELEWORK POLICY**

## Purpose:

The term telework refers to a “work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.” (Telework Enhancement Act of 2010). The City of Worcester (“City”) is committed to fostering a flexible workplace environment that recognizes employees’ ongoing navigation of career and life responsibilities.

The City through its Telework Policy (the “Policy”) is providing eligible City employees with a more flexible workplace and the opportunity to work remotely. This option is available to employees within certain departments that can maintain official City business operations while the employee is working from an alternate work location. Telework can be a viable option if work can be performed remotely with the same level of services as performed onsite.

The purpose of this Policy is to implement guidelines to enable a consistent application of telework practices across City departments, to ensure the security of City information and systems, support continuity of operations planning, and sustain the hiring and retention of a highly qualified workforce by enhancing work/life balance.

## Principle:

Flexibility is the key principle of Telework. Flexibility in the workplace, a business principle widely used to manage people, time, space, and workload supports the City’s goals related to employee recruitment, retention, and sustainability, employee excellence and well-being, and overall financial savings for the City.

1. **Types of flexibility:** The City offers numerous types of workplace flexibility (see Section A of this Policy, entitled “Work Schedule,” under Telework Guidelines), recognizing that not all forms of flexibility are applicable to *all* positions, or are a good fit for the specific skills of *all* employees.

Flexibility ultimately depends on the Department’s goals and specific employee functions, skills, and responsibilities.

2. **How to manage flexible work:** Departments are encouraged to have open dialogues regarding flexible work and integrate the concept as part of the workplace environment, as appropriate. The determination of whether an employee is eligible to participate in a flexible work arrangement shall be made at the discretion of the Department Head, on a case by-case basis, considering the needs of the department. Telework Agreements should be reviewed on a consistent basis and modified accordingly.

All mutually agreed upon flexible work arrangements must be in writing on a Flexible Work Arrangement Agreement Form (the “Agreement”) (see Related Resources) signed by the employee, the Department Head, and the Director of Human Resources (“HR”). The Agreement guides Department Heads and employees in specifying the particular details of a flexible work arrangement.

3. **What to do when issues or concerns occur:** If an employee has an issue or concern regarding a decision made under this Policy, it should first be brought to the attention of the Department Head for resolution. If the matter cannot be resolved, the employee may consult with the Human Resources Department.

## Definitions:

Term	Definition
Alternative Arrival/Departure	An arrangement that permits variations in starting and departure times, but does not alter the total number of hours worked in a workweek.
Cloud Storage/Files	Documents and data stored in the cloud, enabling remote teams to work together anywhere in real-time.
Flexible Job	A flexible job can be variable in hours or location, allowing employees to have complete or partial autonomy when it comes to schedule.
Telework Schedule	A schedule that is tailored to the individual employee and doesn't fall into a typical 9 am to 5 pm schedule.
Telework Agreement	An agreement established between an employee and the City wherein the time or location of work performed is different than the customary schedule or work location.
Hybrid Department	A City Department with some remote employees and some in-office employees.
Telework Technology	Includes any technology related to working remotely. Ex. Messaging software, video conferencing, VPN. Etc.
Telework Policy	A policy that outlines when, how and with what support employees may work remotely.
Designee	The individual in a department or division appointed by the Department Head, with primary responsibility for the regular and customary supervision of individual positions and telework arrangements. The designee may also be referred to as a manager or supervisor.
Working From Home	Working from home encompasses both employees who work remotely from a home office or shared workspace full time or those who work remotely some of the time.
Video Conferencing	Using video to conduct meetings, interviews, or any other business; requires video conferencing software and a web camera.
VPN	Virtual private network, used for security and enables remote employees to access company files from home.
Primary Work Location	The City work site where the employee would be required to work if they did not telework.
Telework Location	An approved work site other than the employee's primary work location where official City business is performed. Such locations may include an employee's home.
Teleworker	A City employee who has been authorized to work remotely and has an approved Telework Agreement.
Human Resources Department	The department that administers the human resources activities of the City, including personnel administration, collective bargaining, affirmative action, group insurance, employee training and education, workers compensation and injured-onduty.

## **Eligibility:**

This Policy is for all nonunion and union personnel, unless otherwise stated in a Collective Bargaining Agreement. Telework Schedules and Agreements must be approved and authorized, in writing, by the Department Head and HR.

To be eligible to participate in Telework, employees must be employed with the City for a minimum of three months (90 days). Exceptions to this requirement may be granted by the Department Head, with the approval of the Director of Human Resources.

Employees must be meeting work expectations, fulfilling the duties of their job description, have no recent history of performance or conduct issues, including verbal or written warnings, and no sick time abuse to be eligible.

### **A. Suitable Position and Assignments**

Full-time, part-time, seasonal or temporary positions may be eligible to participate in telework. The nature of the work performed and service provided must be considered in determining whether telework is an option for a particular position. Whether a position is suitable for telework shall be made at the discretion of the Department Head and will be evaluated on an individual basis considering the following criteria:

1. Some, or all, of the job functions are portable, or can be accessed electronically, and therefore can be performed effectively while working away from the primary work location. The work does not require access to equipment or materials that cannot be removed from the primary work location.
2. The employee's participation in the telework program will not adversely affect the department's ability to meet and/or exceed customers' needs.
3. The position does not require daily unscheduled face-to-face contact with other employees or the public at the primary work location. The employee has the ability to set up meetings with other employees, supervisors or customers at the primary work location.
4. Positions with established metrics that can be met in a telework environment.

### **B. Employee Performance**

Employees suited for telework need to possess several attributes which indicate they can work well and meet job expectations with this type of work arrangement:

1. Solid performer who knows the duties of the job and the department's standards and expectations.
2. Be able to work independently without close supervision and fulfill job duties and expectations.
3. Have the ability to prioritize work effectively and utilize good time management skills.
4. Be reliable, disciplined, and self-motivated with a high sense of responsibility in accomplishing work assignments.
5. No recent history of performance or conduct issues, including but not limited to sick time abuse.
  - a. Sick time abuse will be determined by the Director of HR. Anything over eight (8) sick days a year, excluding FMLA could be considered an abuse of sick time.

## **Responsibilities:**

### **A. Department Head**

- Serves as the sponsor of the department's telework program.
- Implements telework policies and goals.
- Approves or denies employee requests for telework based on several factors, including but not limited to suitability of the work and employee and work responsibilities, as outlined in the job description.
- Implements metrics, or a means of measuring work outcomes, for all positions eligible for telework.
- Reviews and authorizes the required forms for approved telework agreements and technology requests.
- May appoint a designee who shall be responsible for the regular and customary supervision of individual positions, teleworkers, telework arrangements and any other duties and responsibilities the Department Head deems appropriate. . This person may be called a supervisor or manager.

### **B. Designee**

- The Department Head Designee shall be responsible for implementing approved Telework Agreements in the Department and any ancillary issues that may arise out of the telework arrangement and the Agreement.
- Provide an environment that is conducive to telework, including scheduling and logistical support to employees.
- Obtain feedback regarding the impact of the telework arrangement on the teleworker, other employees of the Department, and the Department as a whole.
- The Designee may be called a manager or supervisor.

### **C. Technical Services Department**

- Provides technical support and problem escalation for City employees, including those with an authorized Telework Agreement.
- Sets the appropriate technology standards to facilitate telework.
- Provides options for remote access to the City's data and telecommunications network.
- Provides expertise and consultation for the telework program such as preparing technical user documentation and reviewing technology-related program material.
- Provides information security and cybersecurity awareness training to all employees.

### **D. Human Resources Department**

- Develops and implements telework guidelines.
- Prepares, maintains and disseminates Telework Program information.
- Provides trainings and briefings for City employees in matters related to telework.
- Provides or coordinates trainings to prepare employees who have been approved for telework and provide them with the necessary skills to be productive while working remotely. Examples of training for this include team skills training and time management training.
- Provides analysis of the effectiveness of the Telework Program to departments and recommends appropriate modifications or remedial actions for specific situations arising from a Telework

Agreement.

- Provides analysis of the effectiveness of the Telework Program across all City departments and reports to the city manager or city council, as appropriate.

#### **E. Teleworkers**

- Must keep informed of the City's Telework Policy requirements, as updated, and any related procedures, guidelines and regulations and ensure compliance.
- Remain accessible to customers, co-workers, supervisors and provide seamless customer service.
- Plan and organize job tasks for telework for efficiency and productivity.
- Request approval from Department Head prior to incurring any overtime.
- Develop proficiency in the use of the technology required for telework.
- Adhere to the provisions in the Telework Agreement.

## **Telework Guidelines:**

### **A. Work Schedule**

#### **Forms of Flexibility**

##### Alternative Arrival/Departure Times

The core hours for a position are typically set by the department. An employee may seek to alter their arrival or departure time on a temporary or consistent basis. This form of flexibility does not typically alter the total number of hours per week the employee works.

One option under this type of flexibility is when the Department Head and employee work together to determine an agreed upon arrival and departure time which is outside the "core hours" of the job description. Alternatively, a Department Head may set a range of time during which an employee is expected to arrive. For instance, a Department Head may determine it is critical for the job functions of an employee to be working between the hours of 9:00 a.m. and 3:00 p.m. and may permit an employee to arrive anytime between 7:00-9:00 a.m., and work until the hours assigned for that day are complete.

##### Compressed Schedule

A compressed schedule is another form of alternative arrival/departure flexibility, wherein the total number of hours expected to work each week are conducted in less than five (5) full workdays. The most common compressed schedule is four (4) ten (10) hour workdays per week.

##### Reduction in Time Commitment

An employee may seek to reduce their time commitment to the City on a permanent or temporary basis to accommodate personal life transitions (e.g., returning from parental leave, preparing for retirement, pursuing a degree, etc.). An employee seeking this type of flexibility must work with the Department Head and HR to determine feasibility, duration of time, impact on pay and benefits, and whether there any other policies or local ordinances or regulations that may apply to the request.

### **B. Procedures**

Outlined below are the basic procedures for proposing, authorizing and implementing a telework arrangement. Employees seeking approval for a Telework Agreement shall first submit a proposal (see Telework Agreement Request Form in Related Resources) to the Department Head for review. The Department Head shall review the proposal and, at their discretion, consult with other departments (Technical Services, Human Resources, etc.) or personnel prior to making a determination. If approved, the Department Head and employee shall complete a Flexible Work Arrangement Agreement Form, which shall be reviewed, signed, and filed with HR. Once a Telework Agreement is authorized, the Department Head, or Designee, shall routinely review the Agreement and make adjustments to address concerns/challenges. An initial review shall be scheduled within thirty (30) days of the effective date of the Agreement; thereafter, reviews must be scheduled routinely and at a minimum shall be conducted annually, although they may occur more frequently. If a Department Head determines to deny a request for a Telework Agreement they should work with HR to notify, in writing, the employee of the denial and reasons thereof.

### Agreement

It is recommended that Telework Agreements are limited to no more than five (5) days per week; however, exceptions may be granted by the Department Head. A clearly defined schedule of work hours, including specific work hours and break times, must be set prior to the employee starting to telework. Based on the job description some employees may be expected to work outside of regularly scheduled hours. The expectations of an employee's availability and scheduled work hours shall be detailed in the Telework Agreement. Employees are not authorized to work during preapproved break times. The total number of hours that an employee works in a workweek shall not be affected or altered by teleworking.

For non-exempt employees, hours of work beyond the authorized workweek and any overtime require prior approval and will be compensated according to Fair Labor Standards Act (FLSA) regulations.

When teleworking, employees must be available and accessible during work hours to internal/external customers, employees in their department, and any managers or supervisors and the Department Head. During teleworking hours, an employee is required to participate in scheduled meetings via teleconference; however, there may be times when teleconference is not appropriate and the employee shall arrange to be at the primary work location during the employee's Telework Schedule. Notwithstanding the agreed upon Telework Schedule, at a Department Head's discretion, an employee may be required to report to the primary work location, or other designated locations, at any time for any task related to the employees job duties and functions.

### **C. Work Expectations**

Teleworkers are subject to the same work expectations and job performance competencies as if the employee were at the primary work location. Employees are expected to provide the same level of customer service, work outcomes, and quality of work while teleworking. Time spent and work accomplished from a remote location should appear seamless to customers.

### **D. Confidentiality**

Employees must maintain appropriate confidentiality of all work-related information, including written documents, electronic files, and verbal communication. Any work performed at the telework

location is considered official City business. If an employee requires hardcopy confidential information at the telework location, they shall first obtain approval from the Department Head or data owner, and once said information has been transferred to the telework location use best efforts to store said information temporarily. Electronic files and automated records must be safeguarded to protect unauthorized disclosure or damage.

Employees must store all protected health information, Personally Identifiable Information (PII), and confidential records in a secure location. Any verbal communication of confidential work-related information should be conducted in a private area.

Confidential information shall not be downloaded to a local laptop or workstation or placed in the cloud. Printing of confidential City materials in the remote telework location should be done in a secure manner.

#### **E. Work Space**

Employees are responsible for designating a work space for the purpose of performing work for the City.

The work space must be sufficient for the employee to perform the requirements of the job, including appropriate furniture, equipment, supplies and lighting. The remote work location must be safe and free from hazards, including ensuring the location is in compliance with all applicable building codes. The City is under no obligation to maintain or repair any structure at the telework location or the remote work space. Employees are not permitted to conduct face-to-face meetings in the employee's home.

Employees shall apply approved safeguards to protect all City records, including confidential documents as mentioned above, from unauthorized disclosure or damage and shall store all said documents in a secure location.

#### **F. Personal Vehicle**

Employees shall notify the Department Head, Designee, or direct supervisor in as much advance as possible when scheduling meetings that require traveling to another location on foot or via motor vehicle during scheduled work hours.

Without prior notification, an employee's travel in a motor vehicle during work hours may be considered a personal and non-work related activity. Such travel without permission may result in termination of telework privileges and/or other discipline.

#### **G. Equipment, Technology and Supplies**

The decision to purchase new equipment or supplies for a telework location is at the discretion of the Department Head and is contingent upon the availability of department funding to support the request. All such requests shall be discussed with the Department Head prior to initiating a Telework Agreement.

All equipment, supplies or other property provided by the City remain property of the City. Employees must take reasonable and prudent precautions to protect City equipment against damage, loss or abuse while in the employee's custody. Use of City equipment is governed by the City of Worcester Computer Usage Policy and any other applicable policies. City equipment is serviced and repaired by



Technical Services at City facilities; support technicians will not travel to a telework site. Only City approved software shall be downloaded on City equipment

Departments may provide the following resources as part of the City's support for telework:

- Telecommunications equipment including, voice over IP soft phone for computer and configuration for "extension to cellular phone." Line charges for use of home telephone equipment will not be reimbursed.
- City- issued laptop for use at the telework site.
- Standard office supplies such as paper, pens and pencils, folders, etc., as needed for the employee's work.
- Use of a City printer at a telework location must be approved by the Department Head and the Technical Services Department.
- The Teleworker must immediately notify Technical Service of any City allocated equipment that malfunctions

Employees who choose to telework must maintain internet service at their own expense and have a phone. Teleworkers are prohibited from using their home computer for City related work unless the City's secure remote access tools are used. For all City-issued laptops, employees must bring the laptop onsite, when requested by Technical Services, for updates and security patches. If equipment needs to be serviced or repaired, the employee must contact Technical Services to coordinate services. Employees shall bring the equipment to a City building location for service.

City equipment must be used for official City business only. Unauthorized persons are prohibited from using City equipment. Employees will be responsible for transporting and installing the equipment at the telework location.

Lost, stolen, or compromised devices must be reported, as soon as possible, to Technical Services, the Department Head, and to the Police, as appropriate, related to a telework location theft.

The Teleworker must safeguard access to City systems. A City-issued laptop computer, used to connect remotely, is subject to scanning by the City to check for performance issues and general compliance with City technology standards.

## **H. City Policies and Procedures**

Compensation and benefits including hours of work, leave and overtime will remain the same for teleworkers as for all other employees.

All personnel regulations and other applicable City, state and federal regulations, policies and procedures apply to Teleworkers. This includes policies and procedures that address employee standards of conduct, the privacy and protection of information, electronic and e-mail use policies, responsibility for proper use and care of City-owned equipment, and City liability for on-the-job injuries.

## **I. Liability**

The determination of compensability for remote work site injuries shall be determined like any other off site location for purposes of Workers' Compensation. Employees agree to notify their Department Head immediately of any accident or injury that occurs at the alternate work site and to comply with

City policies covering on-the-job injury. The City will not be liable for injuries occurring during scheduled telework hours if the employee is conducting personal, non-work related activities. Employees understand that the City will not be liable for any injuries to third parties or for damages to an employee's personal or real property while the employee is working at the alternate work site.

Information on the Teleworker's laptop or workstation may be subject to the Massachusetts Public Records Law and subpoena requests.

The City will not be liable for any damages to the employee's property that results from participation in the City's telework program. The City will not be responsible for operating costs, home maintenance, or any incidental cost (e.g. utilities) associated with the employee's use of their residence for telework for the City.

#### **J. Dependent Care**

Telework is not a substitute for child care or other dependent care responsibilities. If a child or dependent who would normally require child or other dependent care is present during scheduled telework hours, the employee shall make other arrangements for the care of the child or dependent. Employees may provide limited care for the child or dependent who requires occasional care in the telework location.

#### **K. Inclement Weather and Emergency Events**

When an employee is teleworking during inclement weather or emergency events, he/she is subject to department essential staffing requirements. An employee who is working a Telework Schedule may be required to come to the primary work location during adverse weather or emergency events.

In addition, telework employees may be required to work under the department's Continuity of Operations Plan (COOP).

#### **L. Telephone or Internet Service Outage**

In the event of an outage impacting telephone or internet service at the telework location, the employee should contact his/her supervisor to discuss whether to report to the City primary work location, work from an alternate telework location, work on assignments not impacted by loss of service, or take Personal Time Off ("PTO") for the time when work cannot be performed.

#### **M. Modifying, Renewing and Terminating a Telework Agreement**

Exceptions to an employee's regular Telework Schedule, such as adding or changing telework days, should be approved by the Department Head in advance, when possible. If an employee is not able to obtain prior approval of a schedule change they must at a minimum notify, in writing (via email), the Department Head, Designee, or direct supervisor of the change of schedule.

A Telework Agreement should be reviewed when an employee's job role, work assignments, or Department Head change. Telework Agreements are not automatically transferred from one position or Department Head to another. Telework Agreements must be reviewed and renewed annually to ensure there is a continued benefit to both the City and employee.

A Department Head, at their sole discretion, shall have the authority to modify any portion of a Telework Agreement.

Either party may terminate a Telework Agreement at any time, without cause, so long as at least 14 days' notice of said termination is given to the other party. Termination of a Telework Agreement by a Department Head is not eligible for appeal. Written notification of modification, suspension, or termination of a Telework Agreement shall be provided to the employee. Department Heads shall work with HR when seeking to modify, suspend, or terminate a Telework Agreement.

**Effective:** This Policy shall become