

City of Syracuse Teleworking Policy and Procedure

Purpose

The City of Syracuse is committed to providing employees with a safe, productive, and engaging workplace. Advances in technology and the evolution of job responsibilities may now allow for mutually beneficial alternatives to traditional work environments. This policy establishes a framework for establishing teleworking as one such alternative.

Overview

Teleworking allows employees to work at home or in a satellite location for all or part of their workweek. The City of Syracuse considers teleworking to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Because teleworking may be appropriate for some employees and jobs but not for others, the City reserves sole discretion for approving remote work privileges to the appropriate Department Head. Teleworking is not an entitlement nor a citywide benefit, and it in no way changes the terms and conditions of employment with the City of Syracuse.

Considerations

- Teleworking is a cooperative arrangement and must be based on:
 - The needs of the job, Department, and City
 - The employee's past and present levels of performance
 - The business benefit to the City as confirmed by management in its approval of a Teleworking Agreement
- Not all positions or work assignments may be appropriate for teleworking. No employee is entitled or guaranteed the opportunity to telework.
- Teleworking is a tool allowing for flexibility in work options. Clearly defined tasks and deliverables typically characterize jobs suitable for teleworking.
- Teleworking may be considered as part of an employee's reasonable accommodation as defined by ADA, depending on business requirements of the position and the City.
- Teleworking is not a substitute for caretaking such as dependent or elder care.

Procedures

Teleworking can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below. Formal teleworking arrangements should be submitted in writing and signed by the employee, supervisor, and Department Head. Either an employee or a supervisor can suggest teleworking as a possible work arrangement. All formal teleworking work arrangements are approved at the discretion of the Department Head/Commissioner. Teleworking plans approved by the Department Head must also receive Senior Staff approval.

Any teleworking arrangement made will be on a trial basis for the first three months and may be discontinued at will and at any time at the request of either the telecommuter or the Department. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, child care and other issues that may arise from the termination of a teleworking arrangement. There may be instances, however, when no notice is possible.

Upon termination of an employee's teleworking arrangement or employment, the employee must return all City files, supplies and equipment to their assigned City workplace.

Eligibility

Generally Individuals requesting formal teleworking arrangements must be employed with the City of Syracuse for a minimum of 6 months of continuous, regular employment, and have fully oriented to the position. Exceptions to this requirement may be made by Senior Staff. Employees with an unsatisfactory performance record or who require close supervision, will not be considered for teleworking arrangements.

Before entering into a teleworking agreement, the employee and manager, with the assistance of the Human Resources department, will evaluate the suitability of such an arrangement by reviewing the following areas:

- Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters. Some employees are not comfortable with physical isolation from other employees, or do not work well independently, or cannot create a home workspace that is safe and free from distractions.
- Job responsibilities. The employee and manager will discuss the job responsibilities. The focus must be on results. The supervisor should communicate in advance what assignments or tasks are expected to be performed, and what assessment techniques will be used to measure success in meeting performance standards. The Department Head will ultimately determine if the job is appropriate for a teleworking arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and Department Head agree, and the Human Resources Department concurs, a draft teleworking agreement will be prepared and signed by all parties, and a three-month trial period will commence.

Evaluation of telecommuting arrangement during the trial period will include regular interaction by phone and e-mail between the employee and the supervisor, and weekly face-to-face meetings to

discuss work progress and problems. At the end of the trial period, the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. These evaluations will be shared with, and evaluated by the Department Head. Evaluation of the telecommuting arrangement beyond the trial period will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the manager and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

Wages & Benefits

- Teleworking does not change the terms and conditions of employment as a City employee.
- A telecommuter's salary, job responsibilities, benefits and insurance do not change because of teleworking.
- State Worker's Compensation Laws and applicable City policies and procedures governing such matters shall apply to telecommuters.

Scheduling

- The work schedule for telecommuters will depend on the type of work performed, the needs of the department and the employee's personal situation. Nevertheless, some employees may be expected to work some hours each week at the central work site.
- The telecommuter's supervisor must agree and approve individual schedules for on-site and off-site work hours.
- Customers and other staff should not be adversely affected by a teleworking schedule. If teleworking creates adverse effects, the city and the telecommuter shall work to eliminate them. The City retains the right to end the Teleworking Agreement if the adverse effects continue.

Equipment

On a case-by-case basis, the City of Syracuse will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, and other office equipment) for each teleworking arrangement. The Human Resources and Information Technology departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The City of Syracuse accepts no responsibility for damage or repairs to employee-owned equipment. The City of Syracuse reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The teleworker must sign an inventory of all City of Syracuse property received and agree to take appropriate action to protect the items from damage or

theft. Upon termination of employment or the teleworking arrangement, all City property will be returned to the City, unless other arrangements have been made.

The City of Syracuse will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. The City of Syracuse will also reimburse the employee for pre-approved business-related expenses that are reasonably incurred in carrying out the employee's job.

The City will not be responsible for the costs of any non-City issued telephone charges, internet access, electric bills or any unapproved expenses.

The employee will establish an appropriate work environment within his or her home for work purposes. The City of Syracuse will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

Accessibility

- Teleworkers will be as accessible as their on-site counterparts during their agreed upon scheduled work hours, and reachable through electronic means, regardless of their work location.
- In person City meetings, including meetings with third parties, may be conducted off-site, but not in an employee's residence.
- Telecommuters are expected to attend on-site meetings related to the performance of their jobs, as necessary.

Security

Consistent with the organization's expectations of information security for employees working at the office, teleworking employees will be expected to ensure the protection of proprietary or confidential City and constituent information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. The City of Syracuse will provide each telecommuter with a safety checklist that must be completed at least twice per year. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the city's workers' compensation policy. Teleworking employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Teleworking is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement

must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of teleworking with family members prior to entering a trial period.

Time Worked

Teleworking employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the teleworker's supervisor. Failure to comply with this requirement may result in the immediate termination of the teleworking agreement.

Documentation & Review

When a request to telecommute is approved, the employee will be required to sign a written teleworking agreement that explains:

- Permission to telework can be withdrawn at any time.
- The agreed-upon hours of work and how hours will be recorded.
- Expectations regarding how frequently employee and supervisor will communicate (for example, daily phone calls/weekly status reports/in-office visits).
- Employee responsibilities, including safeguarding the City's equipment and confidential information.
- Work space setup, including ergonomics.
- Acknowledgement that this agreement does not create a contract of employment with the City.
- Teleworking agreements should be saved in the employee's personnel file.

Policies Remain In Effect

Employees permitted to telework must continue to abide by the City's employment policies. Failure to follow the City's policies may result in discipline and/or termination of the teleworking arrangement.

Employees are prohibited from performing work for another employer during their teleworking work hours.

Ad Hoc Arrangements

Temporary teleworking arrangements may be approved for circumstances such as inclement weather, special projects or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate.

All informal teleworking arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

Employees Covered Under a Collective Bargaining Agreement

The employment terms set out in this policy work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement between the City and union. Wherever employment terms in this policy differ from the terms expressed in the applicable collective bargaining agreement with the City, employees should refer to the specific terms of the collective bargaining agreement, which will control.