

Westchester County Telework Handbook

Westchester County Department of Human Resources

TABLE OF CONTENTS

I.	Background	3
II.	Purpose	3
III.	Benefits	4
	▪ For the Teleworker	4
	▪ For the Employer	4
	▪ For the Community	5
IV.	Responsibilities	6
	▪ Managers and Supervisors	6
	▪ Employees	6
	▪ Telework Coordinator	7
	▪ Safety Coordination – Office of Risk Management	7
	▪ County Human Resources Department	8
	▪ Department of Information Technology	8
V.	Participation and Selection	10
	▪ Eligibility	11
	▪ Appropriate Telework Duties	11
	▪ Selection Criteria	12
	Job Characteristics	12
	Personal Characteristics	12
	▪ Managers and Supervisors of Teleworkers	13
	▪ Termination of Participation in the Program	14
VI.	Records Management	15
VII.	Management Issues	16
	▪ Work Schedules	16
	▪ Position and Performance Issues	16
	▪ Time and Attendance Issues	17
	▪ Fair Labor Standards Act (FLSA)	18
	▪ Worker Compensation	18
	▪ Pay Issues	19
VIII.	Facilities Issues	20
	▪ Home Office Space	20
	▪ Home Utility Expenses	21
	▪ Miscellaneous Expenses	21
IX.	Equipment	22
X.	Training	22
XI.	Other Issues	23
	▪ Liability	23
	▪ Tax Benefits	24
	▪ Miscellaneous	24
XII.	Application Process and Procedures	24
XIII.	Telework Agreement	25
XIV.	Definitions	25
XV.	Telework Program Forms	26

I. BACKGROUND

The Westchester County Telework Program is a flexible work arrangement where selected employees have the opportunity to perform their duties at alternate work sites (i.e., home office, telework center, satellite office) during an agreed-upon portion of their workweek. Westchester County encourages the use of telework where it is a viable work option with clearly defined benefits to the County.

Telework is not a universal employee benefit or entitlement, but a management option and alternative method of meeting the work needs of the County. This handbook creates no employee rights in relation to telework. Management decisions regarding telework are not subject to appeal. Managers and employees must understand that adherence to the policy and procedures in this handbook are an essential requirement of the telework program. Westchester County retains the right to make telework available to an employee and to terminate a telework arrangement at any time.

Telework does not suit every job, function, employee or employer, but it has the potential to benefit the employee, employer and the community in many ways – a win-win-win proposition that helps provide the employer a distinct competitive edge. Employees are not required to telework and have the right to refuse to telework if the option is made available to them. Employees who do choose to telework have the right to cease teleworking and return to their former in-office work pattern with reasonable notice.

II. PURPOSE

The main goals of the Westchester County Telework Program are to allow employees to: Telework when opportunities exist for improved employee performance and productivity, reduce commuting mileage to contribute to the County's conservation efforts in support of clean air objectives, reduce turnover and absenteeism, improve the County's ability to attract and retain qualified personnel, create organizational savings, and to enhance the spirit, morale, and welfare of employees. Telework may not be suitable for all employees and/or positions.

Our employees are essential to providing the best and most cost effective services to the residents of Westchester County. In our efforts to constantly achieve high levels of performance, efficiency, and productivity, with limited budgetary resources, the creative application of new technology, new organizational configurations and innovative human resource management will contribute to these goals. Reduction of the stress on our workforce, which is caused by commuting in this highly congested metropolitan area, will benefit employees and their ability to support the programs and services provided for and available to county residents.

Additionally, applying alternative work scheduling and worker deployment techniques can reduce air pollution, which is the result of commuter-associated emissions. We can support local conservation efforts through the environmental benefits that accrue from telework.

The purpose of this handbook is to describe the telework program for Westchester County and the guidelines and rules under which it will operate. It provides a general framework for teleworkers and does not attempt to address the special conditions and needs of all individuals.

III. BENEFITS

A telework environment can benefit Westchester County in many ways and provide a means of responding to rapidly changing factors that are impacting today's workforce - demographic, societal, and technological. Telework has proven benefits for the teleworker, the employer and the community.

Benefits for the teleworker may include:

- ♦ Improved quality of life for employees by increasing the flexibility of their working conditions
- ♦ Greater ability to concentrate on work leading to increased productivity
- ♦ Increased flexibility to work at personal peak times
- ♦ Reduced commute time
- ♦ Lower work-related expenses – commuting, clothing, meals, etc.
- ♦ Reduced stress from reduced commuting problems and increased control over work
- ♦ Increased job opportunities
- ♦ Increased job retention
- ♦ Allows work options for the mobility impaired
- ♦ Improved sense of trust
- ♦ Improved job satisfaction

Telework arrangements can also help put injured, ill, or physically challenged employees back to work. Departments may be able to find work that such employees can perform at home or may be able to reorganize existing work so that some of it may be performed at home.

Benefits for the employer may include:

- ♦ Increased employee productivity and morale
- ♦ Reduced overhead through need for less office space
- ♦ Improved recruiting and retention opportunities
- ♦ Increased parking availability and access
- ♦ Access to new labor pools

- ◆ Improved employee computer literacy
- ◆ Reduced employee absenteeism and turnover
- ◆ Better meet requirements of the Americans with Disabilities Act
- ◆ Improved managerial techniques
- ◆ Provide a contingency planning option for inclement weather
- ◆ Support clean air objectives

Benefits for the community may include:

- ◆ Decreased need for mass transit
- ◆ Reduced fuel consumption
- ◆ Improved air quality
- ◆ Reduced demand on transportation infrastructures
- ◆ Increased employment opportunities for those with limited mobility
- ◆ Expanded community recruiting opportunities
- ◆ Safer communities because more people will be home during the day

Flexible work options like telework allow organizations to attract a more diverse workforce in an era when employee productivity is the key to the success of an organization. Two national studies in recent years revealed that organizations with supportive work and family policies and flexible work arrangements have almost half the burnout rate of employers without such policies. The studies also revealed that when employees have more autonomy over their jobs and more control over their work schedules, they are more satisfied and committed workers. The quality of work-life in some ways is just as important to workers as the traditional value of money. The opportunity to work at home one day a week is reported by employees nationwide as a value somewhat like a raise.

IV. RESPONSIBILITIES

Managers and Supervisors

Managers and supervisors of teleworkers will be required to determine if proposals for their employees to telework are likely to contribute to the County's objectives, while maintaining or improving program efficiency, productivity, services, benefits and safety conditions. Working in conjunction with the Department of Human Resources, each county department will decide if the position and nature of work for any given employee is suitable for telework. It is expected that managers and supervisors will recommend an employee's participation in the program only as appropriate.

Additionally, they will:

- ♦ Assign appropriate work to be performed at the alternate work site
- ♦ Ensure that employees who remain in the office are not burdened by being required to handle the teleworker's regular assignments (i.e. answering telephone calls, dispensing information, etc.)
- ♦ Provide specific, measurable, and attainable performance expectations for the teleworker – define assignments, corresponding deadlines, and the quality of work expected
- ♦ Provide for employee training in the use of equipment and software as required for the employee to function effectively and independently
- ♦ Inform employees that failure to comply with policy and procedures may be cause for terminating participation in the telework program
- ♦ Maintain productivity records and information for use in evaluating the effectiveness of the telework program
- ♦ Maintain copies of the employee's Telework Agreement
- ♦ Obtain Commissioner and Telework Eligibility Committee approval prior to the start of telework

Employees

Employees participating in the program will:

- ♦ Work with their supervisor to come to agreement on, and observe the terms and conditions in the telework agreement
- ♦ Abide by the provisions in the Westchester County Telework Handbook
- ♦ Adhere to all applicable laws, rules, regulations, policies and procedures to ensure the security and confidentiality of official documents and records
- ♦ Use County equipment only for official purposes
- ♦ Observe departmental policies for requesting leave
- ♦ Establish and maintain an acceptable and safe home office as outlined in Section VIII, "Facilities Issues"

- ♦ Establish, operate and maintain the home office, equipment, devices, and services associated with the telework arrangement
- ♦ Repair and/or replace any county-owned equipment that is damaged, lost or stolen due to gross negligence
- ♦ Comply with tax laws (the County is not responsible for substantiating a teleworker's claim of tax deductions for operation of a home office used to perform County work. Employees should seek advice from a tax advisor concerning home office deductions)

Department of Human Resources Telework Support Staff

The Telework Support Staff will:

- ♦ Become "telework experts"
- ♦ Assist in the selection of program participants
- ♦ Coordinate and participate in the training of teleworkers and their managers and supervisors
- ♦ Ensure that all participants, employees and supervisors, are aware of their respective responsibilities
- ♦ Prepare support materials such as brochures, guides, videos, etc.
- ♦ Form a teleworker's support group, if needed
- ♦ Prepare reports evaluating the status of the program to help troubleshoot and fine-tune program policies and procedures
- ♦ Hold briefing sessions to answer questions regarding the program
- ♦ Assist all County employees and management in understanding the policies and procedures in the Telework Handbook
- ♦ Maintain and update the Westchester County Telework Handbook as needed
- ♦ Assist departments with work analyses to see if an employee's job can be restructured so that telework is feasible and reasonable and determine what functions can be performed at remote locations
- ♦ Coordinate the Telework Eligibility Committee and maintain a centralized record of all employees in the program, including copies of all telework forms
- ♦ Resolve any questions or problems regarding participation in the program

Safety Coordination – Office of Risk Management

The County is interested in your health and safety while working at home just as it is while you work in the office. All employees, whether teleworking or working at a County facility, are covered by federal, state and local laws regarding on-the-job injury, occupational illnesses and similar matters. Therefore there will be certain requirements placed upon you and your home environment to ensure that the remote work site is legally safe. Failure to maintain a proper and safe work environment, in accordance with this policy, may be cause for terminating an employee from the telework program.

- ♦ You will be required to maintain a separate, designated work area, which will be clean and free of obstacles and free of any hazardous materials
- ♦ The Office of Risk Management may visit your designated home work area to inspect for possible work hazards and suggest modifications, if necessary

- ♦ The Office of Risk Management reserves the right to visit your home work site, on an ongoing basis, to conduct a periodic safety review. Such visits will generally be scheduled with at least 24-hours advance notice, and are needed to ensure compliance with OSHA regulations, however, management reserves the right to make unannounced visits to the employee's telework location during approved telework hours
- ♦ The County may deny an employee the opportunity to telework or may rescind a telework agreement based on safety of the home or suspected hazardous materials in the home facility

If an employee incurs a work-related injury in the designated work area while teleworking, worker's compensation laws and rules apply just as they would if such an injury occurred at the main office. Employees must notify their supervisors immediately and complete all necessary documents regarding the injury.

The Department of Information Technology

The Department of Information Technology will determine, with information supplied by the employee and the department, the appropriate equipment needs (including hardware, software, modems, phones, data lines, etc.) for each telework arrangement on a case-by-case basis. The Departments of Information Technology and Human Resources will serve as resources in this area.

Arrangements for the configuration and installation of equipment must be coordinated with the Department of Information Technology in a timely manner to ensure the equipment is ready when telework is expected to begin. For security purposes, only county-owned computer equipment will be approved for use in the Telework Program. Westchester County will maintain and provide support for equipment supplied by the County. Westchester County accepts no responsibility for damage or repairs to employee-owned equipment.

The Department of Information Technology must be contacted immediately if you are having problems with county-owned computer equipment. If necessary, arrangements must be made to bring equipment into the main office for repairs. If repairs will take some time, the teleworker will have to suspend telework until such time as repairs are completed.

The County will not, as a standard, purchase phone services, Internet Service, or office equipment such as fax machines, calculators, furniture (desks, chairs, file cabinets, bookcases, etc.) for in-home telework. As needed, teleworkers will be expected to dial into a County modem or use a Virtual Private Network through an approved Internet Service Provider. Please note that AOL and CompuServe are not compatible with county systems, so if you currently use one of them, you will have to contract with another ISP in order to dial into county systems. For equipment that is approved for purchase by the County for the telework program, any purchases needed to set up the teleworkers home

work station must be approved by the Commissioner of the department and fall within established budgetary constraints.

Equipment supplied by the county is to be used for business purposes only. The Telework Agreement will list an inventory of all county property to protect the items from damage or theft. Employees will be responsible for the repair and/or replacement of any County-owned equipment that is damaged, lost or stolen due to gross negligence. Upon termination of employment or participation in the program, all county property will be returned to Westchester County.

Information security

Security of confidential information is of primary concern and importance to Westchester County. Teleworkers, like all County employees, are expected to adhere to all applicable laws, rules, regulations, policies, and procedures regarding information security. The following are basic information security guidelines:

- ♦ Use County information assets only for authorized purposes, and ensure that confidential information is not disclosed to any unauthorized person
- ♦ Back up critical information on a regular basis to ensure the information can be recovered if the primary source is damaged or destroyed
- ♦ Where possible, departments should create electronic records or physical copies of original documents for teleworkers to use in order to avoid possible loss
- ♦ Use passwords on all systems containing confidential information and keep those passwords secure
- ♦ Use the latest virus protection software on telework systems
- ♦ Return materials (paper documents, electronic file storage devices, etc.) containing all confidential information to the County for proper handling or disposal, if necessary
- ♦ Adhere to copyright law by not copying or sharing any County owned software utilized by teleworkers, and when no longer employed by the County, remove all such software from the home computer and return any software media to the County

All County employees are required to safeguard the County's equipment and any proprietary information kept at an alternate work site. This applies to all employees at all locations, including airplanes and hotels during business travel, not just teleworkers.

V. PARTICIPATION AND SELECTION

The telework program is designed to allow current employees, whose positions lend themselves, in part or in whole, to work at an alternate work site. Telework is a management option and not an entitlement - working at an alternate site is not an employee right - and participation will be subject to meeting certain eligibility and selection criteria to determine if the employee and their position are suitable for telework. Selection of employees shall not be arbitrary or based on seniority, but shall be based on specific, work-related criteria established by the County.

Participation in the Westchester County Telework Program is voluntary and subject to the prior written approval of Commissioner of the employee's department and the Telework Eligibility Committee. All approvals must be completed prior to the start of the employee's telework schedule and must include the execution of a telework agreement between the County and the employee. Additionally, all employees interested in participating in the telework program must attend a telework training session that will provide an overview of the program and the requirements for participation.

Any employee who wants to participate in the program will first have to complete the Teleworker Self-Assessment Survey. The original signed survey must be forwarded to their Commissioner for approval and then to the County's Telework Eligibility Committee for final review and approval.

Not every employee or job is appropriate for telework, and the key to successful telework is not in the job itself, but in the functions and tasks that the employees will be performing at the remote site, and in selecting the right candidates to participate in the program. The functions and tasks to be completed while teleworking need not comprise the employee's entire job. Depending on the job, some functions must be performed in the office, while some lend themselves to telework. Employees may be able to reorganize their work to accumulate tasks that can be performed on telework days, as long as this does not adversely impact departmental operations.

Once teleworkers are selected, they will be required to complete a telework agreement which will document the specifics of the telework arrangement and will include such topics as: work hours; amount and form of communication with office; equipment and supplies to be provided by the County; reimbursable expenses and reimbursement procedures; work assignments appropriate for telework time; work space setup, including ergonomics; and safety issues and responsibility for injuries. The telework arrangement will be subject to a 3-month trial period in order to evaluate effectiveness and resolve problems.

The telework agreement between the employee and the County will be reviewed and discussed at least on an annual basis, or whenever there is a major job change (such as a promotion) or whenever the teleworker or supervisor change positions. Since eligibility

and selection for the program are based on a combination of job, employee and supervisor characteristics, a change in any one of these variables may require a review of the telework arrangement.

Please note that the annual recertification process will be required for the first two (2) years from the original date of the Telework Agreement. After this time period, a new Self-Assessment Survey and Telework Agreement must be completed and submitted to the applicable parties (Department's Supervisor, Commissioner/Director and Telework Eligibility Coordinator) for final review and approval.

If a teleworker is assigned a new supervisor, the Telework Eligibility Coordinator should be notified to ensure that the new supervisor is provided information about the program and given training on managing teleworkers.

Eligibility

Employees must meet the following criteria in order to be eligible for the program:

- ✓ Employees must have completed at least one year of continuous, regular employment with the County. Exceptions may be granted at the request of the department Commissioner and approval of the Telework Eligibility Committee
- ✓ The employee's most recent performance appraisal rating of record must be at least satisfactory, must have been conducted within the past year, and must have documented work habits and performance well-suited to successful telework
- ✓ The employee must have received supervisory approval for participation
- ✓ The employee must be willing to sign and abide by a written telework agreement which requires participation in training and evaluations, and defines various criteria the employee must meet
- ✓ The employee must be able to provide or use an alternate work location with adequate space and access to a telephone
- ✓ The employee must be able to provide dependant care arrangements during the time the employee is working at home, to mitigate undue interruption which could impact productivity
- ✓ A portion of the employee's work must be of such a nature as to be able to be performed effectively away from the official duty station, and be cost-effective for the County to authorize the employee to telework

Employees serving in a training capacity or providing hands-on service will not normally be approved to participate in the telework program on a regular, on-going basis. Employees with chronic attendance or tardiness problems, who are unable to stay

organized or focused, who have been poor performers, who have been brought up on disciplinary charges, or who have had an increment denied or been suspended within the past year, will not be eligible to participate in the program.

Appropriate Telework Duties

Certainly, some functions lend themselves more readily to telework than others. For example, jobs that require writing, reading, research, thinking, editing, working with data (entry, processing, coding, etc.), and talking on the phone can be performed easily from a remote location. Other jobs that may not seem appropriate at first may be reorganized so that the employee may telework. Many different jobs lend themselves to successful telework and the key is identifying the functions and tasks that can be performed at a remote work site.

In choosing employees to telework, we must study the activities involved with completing their jobs as opposed to the job itself. The functions and tasks to be completed while teleworking need not comprise the employee's entire job. Most employees experience some face-to-face interaction in their jobs along with some activities that can be performed in a solitary mode. The employee's job may be reorganized to accommodate part-time telework by identifying all activities the employee is performing and separating the tasks that can be completed at a remote location from those tasks that are location dependent. Once the telework tasks have been identified, the employee can combine all the telework tasks into one or more seven-hour sessions.

Selection Criteria

There are a number of job and personal characteristics that will be considered when selecting teleworkers, such as:

Job Characteristics:

- | | |
|------------------------|-----------------------|
| ♦ Auditing reports | Data entry/processing |
| ♦ Analyzing data | Field visits |
| ♦ Reading | Word processing |
| ♦ Writing | Planning |
| ♦ Research | Work done by phone |
| ♦ Contract preparation | Project oriented work |

Each job must be assessed to determine a variety of factors, including but not limited to: the degree to which the work can be sent to and from the employee's home with ease, speed and confidentiality; how much face-to-face contact is required with other staff, clients or the public; how important it is to access equipment, materials, files, etc., that are only available in the office; compliance of the telework situation with security and safety requirements; and whether and how the job requires internet or remote access.

Assuming at least some of the functions of the job lend themselves to telework, the next criteria is to select employees who have characteristics that identify them as good candidates for telework. Not everyone is suited to performing telework. Some of the personal characteristics that identify good candidates include:

Personal Characteristics:

- ◆ Requires minimal supervision and feedback
- ◆ Ability to work independently
- ◆ Has a high level of job knowledge and skill
- ◆ Self-motivated and disciplined
- ◆ Has a trusting relationship with their supervisor
- ◆ Well organized
- ◆ Good communication skills
- ◆ Demonstrates a high level of productivity
- ◆ Has a history of good performance, responsibility and reliability
- ◆ Ability to establish priorities and effectively manage their time
- ◆ Gets work done in a timely manner
- ◆ Availability of work space at home
- ◆ Requires minimal social interaction
- ◆ Except for occasional or emergency situations, won't mix telework with child-care or elder-care responsibilities

Working at home decreases the amount of supervision and feedback immediately available to the teleworker, so work that the employee performs at home must not need immediate supervision or feedback. Teleworkers must also become adjusted to working in a more isolated environment. Some people know that they need social contact on a frequent basis in order to work productively and may not be well suited to telework. In the office environment, there are many cues to keep a person on track with their work, but this is not the case at home. The more organized an employee is, the more productive they will be as a teleworker. Some employees need to have someone checking up on them to ensure they are being productive. Teleworkers need to be good performers who are self-motivated and able to develop regular routines and set deadlines for completion of work.

Managers and Supervisors of Teleworkers

Not every manager or supervisor will be suited to supervising employees who telework. It is important to select managerial and supervisory staff who have certain characteristics that help ensure that the program will succeed, such as:

- ◆ Have a positive attitude towards telework
- ◆ Are willing to let their employees telework
- ◆ Have strong communication skills
- ◆ Manage by results, not by monitoring work hours
- ◆ Delegate work easily and appropriately

- ♦ Are well-organized
- ♦ Are open to new ideas
- ♦ Trust their employees

It is just as important to select good supervisors of teleworkers, as it is to select good candidates for telework. Both pieces must fit for the program to grow and succeed.

Termination of Participation in the Program

Because participation in the program is voluntary, the employee may discontinue participation in the program, for any reason, with 2 weeks written notice to their supervisor, unless it was a condition of employment or a requirement of the job description. The supervisor will notify the Telework Coordinator to make arrangements to retrieve County property and make arrangements for the employee to begin working at a county location.

Management may terminate an individual employee's participation at any time, as follows:

- ♦ For any reason, upon providing 2 weeks written notice to the affected employee
- ♦ A performance appraisal that rates the employees' performance below fully satisfactory automatically suspends or terminates an employee's telework arrangement
- ♦ For cause, upon providing 24-hours verbal or written notice to the affected employee to be followed up with a written explanation within 2 weeks
- ♦ The requirement for prior written notification and explanation may be waived in the event of an emergency
- ♦ Management retains the right to suspend or terminate an employee's telework participation if it no longer benefits the Agency to have the employee work at home

VI. RECORDS MANAGEMENT

Teleworkers, like all County employees, are expected to adhere to all applicable laws, rules, regulations, policies, and procedures regarding information security. All employees of the County are required to comply with the following guidelines on record or duplicate record use when working at telework locations. Compliance with these telework policies will protect the agency and the employee in the event of litigation or government investigation.

- ♦ If not working on County-owned equipment, all records should be placed on electronic file storage devices and secured and protected from handling by others. If working on County-owned equipment, ensure equipment and records are secure from family members and others
 - ♦ Any official records removed for telework assignment remain the property of the County of Westchester. Additionally, any official record that is generated from telework assignments becomes the property of the County
 - ♦ Employees must get written approval from their supervisor prior to taking official records home. This approval will be for a stated period of time. The supervisor is to maintain a log of what record was taken, by whom and date taken
 - ♦ Where possible, departments should create electronic records or physical copies of original documents for teleworkers to use in order to avoid possible loss
 - ♦ The employee is responsible for the care of each record in their possession at the telework location to ensure that the information is not disclosed to anyone except those who have authorized access to the information in order to perform their duties. Appropriate administrative, technical and physical safeguards must be taken to ensure the safety, security and confidentiality of all records at all times
-
- ♦ At the conclusion of the approved charge out time, the telework assignment, or upon termination of employment, the employee must return all official records to their supervisor. If the employee needs the record to complete future telework assignments, they must again get written approval from their supervisor, prior to removal of the record from the office. Both the supervisor and the employee are responsible for the record keeping and whereabouts of files at all times
 - ♦ When duplicate copies/records/electronic file storage devices are used at telework locations, and are no longer needed by the employee, they must be returned to the supervisor so they can be secured, protected and/or destroyed as needed. In the event that any information should be added to or changed in this duplicate record, it must be added to or changed in the official record. If an employee has a duplicate record at home and there is no longer an administrative need to retain the record, the employee must return the record to their department.

VII. MANAGEMENT ISSUES

Work Schedules

Telework schedules will vary, depending upon the individual arrangements between the teleworker and their supervisor, and require Commissioner or Department Head approval. An alternate work schedule may be approved for an individual teleworker as long as the work schedule is consistent with operational and management needs and the requirements of the employee's work group. Telework schedules must identify the days and times the employee will work in each work setting and will be included in the Telework Agreement.

Changes in telework schedules may be made at a manager's discretion to meet management needs or to accommodate an employee's request. If the change is permanent, it must be documented and appended to the Telework Agreement. Overtime and call back *must be authorized in advance by management*, in accordance with the provisions of the employee's work group.

Work schedules can parallel those in the office or be structured to meet the needs of participating employees and their supervisors, however, the agreed upon schedule must comply with legal requirements and County policy for time and attendance.

An employee must forgo telework if needed in the office on a regularly scheduled telework day. The employee may be called into the office when necessary to meet operational needs. The manager or supervisor should provide reasonable notice whenever possible. However, the employee may be required to report to the office without advance notice, as needed.

During the agreed upon work schedule, the employee agrees to be accessible for communication by phone, pager, e-mail, etc., within a reasonable period of time.

Full-time telework is permissible only when necessary and justified and depends on the needs of the job and demonstration of a clear benefit to program objectives and operations.

Position and Performance Issues

The ability to plan, organize, assign and review work, and measure performance are key management skills that may be harder to do for teleworkers. The telemanager should clearly define how work will be assigned and reviewed in terms of quality, quantity, timeliness and other factors, such as cooperation and teamwork.

As much as possible, performance requirements for teleworkers should be results-oriented – telework implies deliverables – but they should not differ significantly, in content or method of evaluation, from those used for in-office workers doing the same or similar functions. The telemanager must avoid the temptation to rely more on in-office staff just because they are physically close; this quickly leads to dissatisfaction by teleworkers and their co-workers. Poor performance or non-support by teleworkers and/or co-workers must be confronted early because distance can slow feedback and tempt inaction – out-of-sight, out-of-mind.

Explicit and objective "norms" for work output should be based on experience with those required and sustained in the office and monitored through scheduled and required progress reports to determine if non-teleworker's have been affected and if productivity standards have been maintained.

Changes to job specifications are not required unless the telework arrangement changes the actual duties of the position. Minor modifications may be made to reflect the supervisory controls or work environment factors, but *where* work is performed is generally not a factor in the job specification or classification.

Time and Attendance Issues

Telework employees will be required to record all hours worked in a manner designated by the department and will be held to a higher standard of compliance than office-based staff due to the nature of the work arrangement. Overtime is hours worked in excess of those specified per day and per workweek, in accordance with state and federal requirements. It is the responsibility of the supervisor to regulate and control the use of overtime and compensatory time. Employees are responsible for requesting, in advance, approval to work in excess of their normal hours of duty, unless they are exempt from the overtime requirements of the FLSA. This is particularly important when employees are working at home without direct supervisory oversight. An employee who works overtime or compensatory time without advance supervisory approval may be removed from the telework program.

Hours of Duty

Employees may work standard schedules or follow alternative work schedules depending upon the agreement between the employee and the supervisor. The supervisor and the employee will select the days and hours to work at the alternate work site. Normally, it is recommended that no more than two to three telework days be allowed per week. Exceptions to this policy may be appropriate in certain instances to provide managers flexibility.

Leaves

The policies for requesting annual leave, sick leave, or other absences from duty remain unchanged. Employees are responsible for requesting leave and receiving approval for leave in advance from their supervisor.

Certification and Control of Time and Attendance

Proper monitoring and certification of employee work time is critical to the success of the telework program. Supervisors must report time and attendance to ensure that employees are paid only for work performed and that absences from scheduled tours of duty are accounted for. County policy and procedures governing certification of time and attendance require departments with employees working at remote sites to provide reasonable assurance that they are working when scheduled. Reasonable assurance may include occasional supervisor telephone calls, occasional visits by the supervisor to the employee's alternate work site, and determining the reasonableness of work output for the time spent. Employees working at remote sites are required to document their hours of work.

Administrative Leave, Dismissals, Emergency Closings

Although a variety of circumstances may affect individual situations, the principles governing administrative leave, dismissals, and closings remain unchanged. The ability to conduct work (and the nature of the impediments), whether at home or at the office determines when an employee may be excused from duty.

Fair Labor Standards Act (FLSA)

The existing rules governing overtime as they appear in the Agreement by and between the County of Westchester and the Civil Service Employees Association, Inc., and other collective bargaining agreements, will also apply to telework arrangements. Refer to language in the appropriate contract.

Worker's Compensation

The existing rules governing worker's compensation benefits as they appear in the Agreement between the County of Westchester and the Civil Service Employees Association, Inc., and other collective bargaining agreements, will also apply to telework arrangements. Please refer to the language in the appropriate contract. It is the employees responsibility to notify their supervisor immediately of any and all injuries sustained on-the-job in accordance with the County's Worker's Compensation procedures. Be advised, however, that injuries to a third party, which includes family members, are not covered.

Telework employees are covered by the Federal Employees Compensation Act (FECA) and can qualify for continuation of pay or workers' compensation for on-the-job injury or occupational illness, if injured in the course of actually performing official duties at the

official or alternate duty station. Any accident or injury occurring at the alternate duty station must be brought to the immediate attention of the supervisor. Because an employment-related accident sustained by an employee participating in the telework program could occur outside of the premises of the official duty station, the supervisor must investigate all reports immediately following notification. Employees are protected when they work within their workspace in the home office and not when they are in the kitchen, yard or other areas of the house or property.

Pay Issues

Regular, recurring telework may be full or part time, such as one or two days a week, alternating weeks, or parts of a work day (to avoid peak commuting hours). There will be no change in pay grade or core compensation and benefits package for teleworkers – telework is just another way to accomplish the same functions the employee performs in the office.

Teleworkers will be required to work out what hours they will be working on their telework day(s) with their supervisor. Some functions must be performed during the regular business day, normally 9:00 a.m. to 5:00 p.m., and employees must be available during their scheduled workday. Other functions do not need to be performed during any pre-set hours, and these hours, again, need to be agreed upon with the supervisor.

All work schedules require approval of the employee's immediate supervisor and Commissioner. A work schedule differing from the normal workday may be approved as long as the schedule is consistent with management needs and the requirements of the employee's work group. An employee may be permitted to telework for part of a day to avoid peak commute periods. Overtime and call back pay must be authorized in advance by management in accordance with the provisions of the employees unit and negotiated labor agreements.

For pay purposes, the "official duty station" is considered the employee's County work site, and this site serves as the basis for determining differential pay rates. If the work schedule at the "official duty station" entitles the employee to any type of differential pay, they are entitled to continue receiving this additional pay at the alternate duty station, regardless of the actual schedule agreed to with their supervisor. Similarly, if the work schedule at the "official duty station" does not entitle the employee to any type of differential pay, then they are not entitled to receive differential pay at the alternate duty station, regardless of the actual schedule agreed to with their supervisor.

Teleworkers, just as with in-office employees, must have overtime approved in advance by the employees department. The overtime provisions of the Fair Labor Standards Act (FLSA) apply to non-exempt employees without regard to the physical location of where the work is performed. State and local laws on hours of work, minimum wage, and related employment and compensation matter may also necessitate strict time accounting.

The core content of any job must not be affected by whether or not it is performed by an employee who is working in the office or teleworking. Should this be the case, the employee's position may be reclassified, which may result in an upgrade or a downgrade.

VIII. FACILITIES ISSUES

Home Office Space

It is important for all employees to maintain a healthy, safe and ergonomically sound work environment while working in the office or at a remote location. The opportunity to participate in a home telework program is offered with the understanding that it is the responsibility of the employee to ensure that a proper work environment is maintained.

Telework employees are responsible for ensuring their homes comply with health and safety requirements and for so certifying as part of the "Teleworker's Agreement." Management may deny an employee the opportunity to telework or may rescind a telework agreement based on safety of the home or suspected hazardous materials in the home. Management may also have the home office inspected for compliance with health and safety requirements.

The teleworker will be expected to designate a workspace in their home for the performance of their telework duties that allows for working in an office setting and ensuring that the equipment necessary to perform the work is in the designated area. The County will not be responsible for costs associated with the initial set up of the employees home office such as furniture or lighting, or repairs for modification to the home office space. (The employee will be required to provide a desk, chair, lighting, etc. After initial set up, a designated representative of the County may visit the employee's work site to inspect for possible work hazards and suggest modifications.)

Employees should not purchase office supplies, but should get supplies they need from the office. Any supplies purchased by the employee will not be reimbursed.

The teleworker is required to meet the following conditions:

- ◆ Ensure that the home office is a safe place to work
- ◆ Keep personal disruptions such as non-business telephone calls and visitors to a minimum
- ◆ Ensure the protection of Proprietary County information accessible from their home. Steps include, but are not limited to the use of locked facilities, disk boxes and desks and other steps appropriate for the job and environment
- ◆ Make advance arrangements for dependent care to ensure a productive work environment (telework is not a substitute for day care or other personal obligations)

- ◆ Obtain pre-approval from the supervisor for use of vacation time or sick leave to attend to family or home matters during home office hours
- ◆ Ensure work area is free of obstructions to eliminate trip and fall hazards
- ◆ Ensure work area has proper lighting, ventilation and furniture
- ◆ Set up the home work site in an ergonomically correct fashion

Any employee who teleworks at least 50 percent of the time may be required to give up dedicated work space at the main office in order to reduce facility costs, including rent, parking, taxes, utilities, etc. Employees will be provided with office space to use for days when they are in the office and will share that space with other teleworkers.

Home Utility Expenses

Incremental home utility costs associated with telework (such as electricity and local phone service) will not be paid by the County. Potential savings to the employee resulting from reduced commuting, meals, etc., may offset any incidental increase in utility expenses.

Miscellaneous Expenses

The County will generally not reimburse costs associated with copying work-related materials, fax charges, express mail, etc. Employees participating in telework should complete these duties in their County office facility, using County equipment, services, and materials. Advance supervisory approval for emergency expenditures while working at an alternate work site must be requested by the employee and will be granted only on a case-by-case basis.

The county will not pay for general operating expenses in a home office such as: an Internet Service Provider, taxes, homeowner/renter insurance, utilities, privately owned equipment and incidental items and supplies. The county will not pay for travel expenses when the teleworker must come to the office. Teleworkers are responsible for their own means of getting to and from the office for regularly scheduled days in the office or if they are called into the office on a telework day.

IX. EQUIPMENT

Computers, Printers, and County-owned Equipment, etc.

County-owned property may be used by employees in their private residences for official business only. Strict adherence to regulations concerning the safeguarding and removal of all equipment is essential. Prior approval must be obtained before any property is removed from the County, and an inventory checklist must be completed for all equipment placed in an employee's home. Upon termination of employment or participation in the program, all county property must be returned to Westchester County.

Telephone

The County will reimburse an employee working under an approved telework agreement for business-related long-distance and toll phone calls on their personal phone. Under special circumstances, the County has the discretion to reimburse employees for the installation of telephone lines, necessary equipment, and pay monthly telephone charges in private residences.

X. TRAINING

The key to the success of the program is completing training to learn how to be a successful teleworker or supervisor of a teleworker. Agreements between teleworkers and their supervisors, negotiated at the training session, will spell out the telework schedule, responsibility for equipment, work expectations, and how communication between the teleworker, co-workers and staff will be handled.

Specific training is required for both employees and supervisors participating in the telework program. Training will cover telework policies and guidelines, as well as personal and occupational aspects of telework arrangements. All telework participants must attend training prior to their initial participation in the telework program.

Topics for employees participating in the telework training session include: expectations on personal responsibility; accountability; time management; self-discipline; alternate work site safety; time and attendance issues; communicating with supervisors; progress reporting; deadlines; unauthorized procurements; contacts and meetings with co-workers, and support personnel; ways to avoid isolation; family issues; finding the best home and office work schedule; image and self-esteem.

Topics for supervisors include: managing by results; establishing quality and quantity norms; planning; scheduling and tracking assignments and milestones; alternate work site

safety issues; administration of work schedules, time and attendance, and leave; supervisory expectations; and communicating with the teleworker.

During the training program, supervisors and teleworkers will decide which tasks to perform on telework days. The training will treat each employee and supervisor as a team so that both understand the general program policies and they can work together to identify telework tasks and set up a telework schedule. Discussions will also include the supervision of both teleworkers and non-teleworkers, how to get work organized for working a day at home, how to get the home organized for a day of work, and a review of some basic “do’s and don’ts” for teleworkers and their supervisors. At the end of training, teleworkers and their supervisors will complete the Telework Agreement that will outline the specifics of their new working relationship. This Agreement must also be reviewed and approved by the Commissioner of the department.

XI. OTHER ISSUES

Liability

The security of County property in your home is as important as it is in the office. You are expected to take reasonable precautions to protect the equipment from theft, damage or misuse. You are expected to contact your supervisor if and when the County’s equipment is stolen, lost, and/or damaged.

The County of Westchester will provide self-insurance coverage for all county-owned Information Technology equipment utilized by the employee that is properly inventoried. Teleworkers that are provided laptop computers increase the county’s exposure to theft of expensive equipment and perhaps sensitive information. Theft of laptops from the seats of cars, in airports, hotels and other public facilities is a serious problem. If you are assigned a laptop, please use extreme caution to safeguard it at all times.

In cases of damage and/or theft the teleworker will report this information immediately to their local police department for onsite investigation and to their supervisor, who will notify the Office of Risk Management immediately. The teleworker will also cooperate by allowing the County’s Office of Risk Management to investigate and/or inspect the telework site. Reasonable notice of inspection and/or investigation will be given to the teleworker.

Tax Benefits

Employees who have questions about possible tax implications regarding telework and the home office should consult their tax advisor or the Internal Revenue Service for information on tax laws and interpretations.

Employees are also responsible for ensuring that their home work space is in accordance with any local tax and/or zoning regulations.

Miscellaneous

The County of Westchester is not responsible for any injuries to family members, visitors or others in the employee's home or for damages to the teleworker's personal or real property. Teleworkers who permit third parties to enter their home work areas should consider carrying insurance that covers third party injuries arising out of or relating to the use of the home under a telework policy. These employees should consult their personal insurance carriers for advice.

XII. APPLICATION PROCESS

Employees interested in participating in the program must first complete the Teleworker Self-Assessment Survey. The completed form should be submitted to the Commissioner of the Department, who will review the information to determine if telework is feasible, justified and cost effective. Surveys for those considered good candidates for participating in the Telework Program should be forwarded to the Telework Eligibility Committee for final review and selection.

Those employees identified as good candidates for the program will then need to attend a training session, with their supervisor, during which they will complete the Telework Agreement. All employees selected to participate in the program must read the entire Westchester County Telework Handbook prior to attending this training.

Additionally, the Office of Risk Management and/or Department of Information Technology may need to visit the employees home to inspect the proposed work location.

Once the training is completed, and all paperwork is completed, the employees' department will determine what date the employee may begin teleworking. On *at least* an annual basis, the employee's supervisor will need to complete the Annual Recertification of Employee Eligibility form in order for the employee to continue teleworking.

Please note that the annual recertification process will be required for the first two (2) years from the original date of the Telework Agreement. After this time period, a new Self-Assessment Survey and Telework Agreement must be completed and submitted to the applicable parties (Department's Supervisor, Commissioner/Director and Telework Eligibility Coordinator) for final review and approval.

XIII. TELEWORK AGREEMENT

The Telework Agreement is intended to document the specifics for the telework arrangement between a specific employee and the County. Topics to be covered include:

- Voluntary nature of the arrangement
- Duration of agreement; episodic assignments
- Work hours, responsibilities for time keeping, leave approval
- Overtime & compensatory time
- Performance requirements and standards of conduct
- Proper use and safeguards of County property and records
- Amount and form of communication with office
- Equipment and supplies to be provided by the County
- Reimbursable expenses and reimbursement procedure
- Work assignments appropriate for telework time
- Work space setup, including ergonomics
- Safety issues and responsibilities for injuries

Any employee wishing to participate in the Telework Program will be required to work with their supervisor to fill out and sign a Telework Agreement and will be required to abide by the terms and conditions therein. Failure to comply with the terms of the agreement may result in the employee's termination from the program.

XIV. DEFINITIONS

Regular Telework – Also known as telecommuting, is defined as a mutually agreed-upon work option between the employer and the employee where the employee works at a home or alternate work site on specified days and/or hours, and at the County work site the remainder of the time, retaining flexibility as necessary to meet the needs of the work unit. Regular telework is scheduled for one or more days per week as agreed upon by the employee's supervisor and the employee.

Medical Telework – Temporary work at home on a full or part-time basis, due to a medical condition, with physician's documentation, which will be assessed on a case-by-case basis bearing in mind the operational needs of the County. Examples include recovery from serious injury or surgery, and recovery from cancer, communicable disease or HIV-related illnesses. The County will endeavor to provide telework options to enable employees to remain active and productive while coping with a bona-fide medical condition, providing there are job responsibilities with measurable work tasks that can be accomplished at home and a realistic expectation that the employee will return to work in the office, at least part-time, within a reasonable period of time. Consult with the Telework Support Staff to ensure appropriate use of this option.

Project Telework – Recognizing that projects may be amenable to being performed at home, rather than in an office setting, telework may be available on an ad hoc or episodic basis for short duration's of time to complete all or discrete portions of projects.

County Work Site – This is the employee's officially assigned workstation.

Telework Site – The telework site is a work site alternative to the official duty station and will be identified in the Telework Agreement. It may be the employee's home, or at a satellite office closer to the employee's home than the official work site and owned or leased by the County.

Remote Access – Remote access is defined as an employee's ability to access the appropriate computer server from the employee's telework site to retrieve and store computer files, read and respond to e-mail, and other appropriate applications.

Telework Agreement – The Telework Agreement is signed by the County and employee and specifies the terms and conditions of telework.

Teleworker Self-Assessment Survey – The Teleworker Self-Assessment Survey form is used in determining the employee's suitability as a prospective teleworker, as well as the suitability of their job for telework.

XV. TELEWORK PROGRAM FORMS

- ◆ Teleworker Self Assessment Survey
- ◆ Telework Agreement
- ◆ Annual Recertification of Employee Eligibility - *Recertification must be completed on an annual basis for two (2) years. The 3rd year of continued participation will require the completion of a New Telework Agreement and Self-Assessment Survey.*