

Administrative Policy 3-32 Temporary Citywide Telework Policy for City Employees

SUBJECT: Teleworking Policy

PURPOSE: To establish procedures that would allow designated employees to work from home, while ensuring the continuity of City business operations. This policy defines the City's use of teleworking and establishes guidelines and rules for teleworking when it is a viable work arrangement during a large-scale emergency. Teleworking is intended to create flexible conditions that will help employees accomplish their work effectively without disruption to City services during the period leading up to, throughout, and/or immediately after emergency events. The implementation of this policy is to enact and encourage safe work strategies for City of Lawton employees. Teleworking may be appropriate for some employees and jobs but not for others. Teleworking is not an entitlement, it is not a citywide benefit, and it in no way changes the terms and conditions of employment with the City of Lawton.

BACKGROUND: In the event of a large-scale emergency, and when authorized by the City Manager or an authorized designee, the City realizes a need to develop a formal process to implement teleworking to maintain critical City operations and for the safety and well-being of our employees and citizens of the community.

DEFINITIONS:

- **Teleworking** – an arrangement in which an employee regularly performs work at an alternative work site for a specified period. Occasional work off-site, including work while traveling on City of Lawton business, does not constitute teleworking.
- **Teleworker** – an employee who has an approved teleworking work arrangement and is working from an approved alternate work site.
- **Alternate Work Site** – an employee will establish an appropriate work site within their home or other approved location. The City will not be responsible for any costs associated with the employee's home office such as remodeling, internet access/Wi-Fi, electronic devices, furniture, etc.

SCOPE:

Certain requirements for all teleworking arrangements are set forth in this policy and are intended to ensure that such arrangements comply with all applicable laws, as well as to prevent losses and claims. Aside from these requirements, and with the caveat that careful consideration must be given to the issues presented in this policy, the intent is to allow teleworking arrangements as an alternative to working at the employee's normal worksite in the event that there is a large-scale emergency in order to maintain the City's essential services.

A teleworking arrangement is not an entitlement and in no way changes the terms and

conditions of employment with the City of Lawton. Teleworking is not a formal, universal employee benefit or a condition of employment, but rather an alternate method of meeting the needs of both the City and the employee. Teleworking is intended only for emergency situations and is only considered to be a viable work arrangement in certain cases where job functions are best suited to such an arrangement.

The duties, responsibilities, and conditions of employment remain the same as if the employee were working at the normal work site. The employee will continue to comply with City of Lawton policies and procedures while working at the alternate work site.

The Employee understands that teleworking is a mutually agreed upon arrangement between the City and the Employee. Teleworking by one employee should not negatively affect the workload or productivity of others, either by shifting burdens or creating delays or additional steps in the workflow. Teleworking will not affect an employee's compensation, benefits, work status or work responsibilities. A teleworking arrangement shall not result in any additional cost to the City of Lawton.

PROCEDURES & RESPONSIBILITIES

Emergency

Event:

In the event of a large-scale emergency, the City Manager, or an authorized designee, may activate the ability to utilize this policy. All employees must be ready to assist in managing the crisis and will be considered essential for the continuity of governmental operations. Teleworking is intended only for emergency situations. The focus of the arrangement must remain on job performance, meeting business demands, and ensuring that city services are maintained at their highest level possible during an emergency.

Guidance for Department Heads on Eligibility for Telework:

- Telework is generally not appropriate for a first responders and other employees involved in affecting or coordinating the emergency response .
- Telework is generally not appropriate for a field worker (e.g. parks worker, motor vehicle or equipment operator, caretaker, inspector, or laborer).
- Employees who provide essential services in a business continuity context, which can be performed in a remote capacity, are most ideal for telework opportunities.
- Employees whose tasks have measurable deliverables including, but not limited to, responsibilities such as writing, research, or editing reports, and other tasks that require minimal supervision, should be considered appropriate for telework consideration.
- For an eligible employee, effective communication with clients, stakeholders and team members must be possible from home. This may include rolling office phones to home phones.
- Where an employee's responsibilities require case management through a workflow

system, remote access to that system may be necessary for telework to be appropriate.

- A position that requires frequent interactions with members of the public may not be appropriate for telework.
- If an employee has been advised by a health care provider or is under an order for self-isolation or quarantine, and the position is one in which telework is feasible, employees may be permitted to work from home on a voluntary basis if the employee is healthy enough to work and other criteria within this policy are met.
- Department heads may consider length of service and disciplinary history in making telework eligibility determinations.

Eligibility:

Before authorizing an employee to telework, the employee and their supervisor, with the assistance of the Human Resources Department and Information Technology Department, and with the approval of the Department Director and City Manager, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability - Assess the needs and work habits of the employee, equipment needs, workspace considerations and scheduling issues.
- Job responsibilities - Discuss the job responsibilities and determine if the job is appropriate for a teleworking arrangement.
- 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.

An appropriate level of communication between the teleworking employee and supervisor will be agreed upon as part of the discussion process and will be 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. Once all details are agreed to and formalized, the Department Director, and the employee must sign an acknowledgement form documenting the employee's agreement to telework. A copy of the form will be sent to Human Resources to be filed in the Employee's Master Personnel File.

Equipment:

On a case-by-case basis, the City will determine, with information supplied by the Employee and the Supervisor, the appropriate equipment needs (including hardware, software, phone and data lines 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 accepts no responsibility for damage or repairs to employee-owned equipment. The City

reserves the right to make determinations as to appropriate equipment, and such determinations are subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The teleworker must agree to take appropriate action to protect all City property from damage or theft. Upon termination of employment, all City property will be returned to the City, unless other arrangements have been made.

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

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 City information accessible from their home office. Steps may 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. 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 company'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.

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 using the City's time keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the employee's Supervisor. Failure to comply with this requirement may result in the immediate termination of the Emergency Event Teleworking Work Arrangement for the employee.

Work Schedules

- Schedules may be developed on a full-time or part-time basis
- Work hours should adhere to existing employee schedules (e.g. 8am-5pm), whenever possible. Any deviation from pre-existing schedules being sought by an employee must be requested by the employee and approved by the Department Director.

- If a Department has instituted staggered work schedules for its employees, telework schedules could be adjusted to conform to those staggered schedules for employees in the workplace.
- Telework days could be five days a week, or a hybrid schedule could be instituted, e.g. telework three days a week and at the workplace two days a week. At the Department Head's discretion, alternating "teams" of employees may provide telework and in-person coverage.

Policy Compliance

- All terms and conditions of City employment will continue to apply.
- All information security protocols must be followed when using City and/or electronic equipment and accessing systems.
- Workplace rules prohibiting private activities during work hours should be followed notwithstanding the fact that employees are working from home.
- Overtime must be approved in advance.
- Any leave time must be requested and processed in the same manner as in the workplace.
- Employees participating in the Telework Program may be required to participate in conference calls/team meetings as necessary.
- Employees must maintain any approved safeguards to protect Department records from unauthorized disclosure or damage and comply with the privacy requirements set forth by the City of Lawton.
- Employees are required to notify the Department if working in any alternate location other than the primary designated location.
- Failure to adhere to the terms and conditions of this policy and/or any other policy, term or condition of employment while working under a Telework Agreement may subject an employee to discipline, up to and including termination.

RECISSION: No previous version of this policy has been published.

EFFECTIVE DATE: April 1, 2020



Michael Cleghorn
City Manager



City of Lawton

212 SW 9th Street
Lawton, Oklahoma 73501

Employee Telework Acknowledgment Form

I understand that this is a flexible arrangement and may be modified or discontinued by the City of Lawton at any time at its' sole discretion. If the flexible arrangement is discontinued, I will be required to continue my employment in a more traditional manner with fixed hours on site, etc.

I also understand that I am subject to the terms and conditions of employment, including workplace policies, set forth in the City of Lawton's employee handbook, whether I am working in the office or at home.

I further understand that if I am permitted to work at home on a telecommunicating basis, any property the City provides for my use at home remains the sole property of the City, may be used for business purposes only, and must be returned to the City upon request.

In addition, I acknowledge that if I choose to work from home on a telecommunicating basis, I agree to use any personal property and equipment as may be required to perform my work responsibilities, which may include my personal computer, phone, tablet, printer/scanner, or any other device necessary to carry out the City's business, at no cost to the City and will not be reimbursed for any charges that are associated with personal equipment or devices during this time.

Employee's Name (Please print)

Date

Employee's Signature

Department Director's Signature