

## **ADMINISTRATIVE POLICY 3-32 - REMOTE WORK**

**SUBJECT: REMOTE WORK**

### **PURPOSE:**

Remote work allows employees to work at home or in a satellite location for all or part of their workweek instead of being present at their City of Lawton worksite. Remote work may be appropriate for some employees and jobs but not for others. Remote work is not an entitlement and may be revoked at the discretion of the City of Lawton at any time. The ability and approval for remote work is not a citywide benefit, and it in no way changes the terms and conditions of employment with the City of Lawton.

### **BACKGROUND:**

Circumstances arise when an employee may not be able to report to their normal City of Lawton worksite. The City of Lawton considers remote work to be a viable, flexible work option when both the employee and the job are suited to such an arrangement.

### **DEFINITIONS:**

- **Remote Work:** is an arrangement in which an employee performs work at an alternate work site such as home, a satellite office, or other appropriate location.
- **Remote Worker** – is an employee who has an approved remote work arrangement and is working from an approved alternate work site.
- **Alternate Work Site** – Any authorized remote worker will establish an appropriate alternate work site within their home or other approved location. The City will not be responsible for any costs associated with the employee's alternate work site such as remodeling, internet access/Wi-Fi, electronic devices, furniture, etc. The employee will be responsible for ensuring that the approved alternate work site provides the employee with a sufficient area to perform his/her work.

### **SCOPE:**

This policy will not apply to all City of Lawton employees due to the specific, on-site demands a job may require. Remote work may be available to employees on a case-by-case basis depending on the job duties and circumstances.

### **ELIGIBILITY:**

Authorization to work remotely will be handled on a case-by case basis. Each request to work remotely must be reviewed and approved by the applicable Department Director, the Human Resources Director, and the City Manager.

## PROCEDURES:

Either an employee or a supervisor can suggest remote work as a possible work arrangement due to existing circumstances.

- Remote work will not be a full-time, long-term arrangement. The length of the remote work arrangement will be based upon the reasons and circumstances the remote work arrangement is needed.
  - The arrangement will be for a specified, limited period of time.
  - Any remote work arrangement will be subject to review by the supervisor and/or Department Director at any time and may be revoked or altered by the Department Director, Human Resources Director, or the City Manager at any time. The City of Lawton retains full discretion to revoke or alter a remote work arrangement at any time. A remote worker may also request approval from his/her Department Director to terminate or alter the remote work arrangement at any time.
    - Prior to revoking or altering a remote work arrangement, every effort will be made to provide 7 days' notice of such change to the remote worker. However, this does not preclude the City of Lawton from revoking or altering the arrangement immediately if necessary.
  - During a remote work arrangement, the remote worker shall be subject to and shall abide by city code and all policies and procedures.
1. Before entering into any remote work arrangement, the employee and supervisor, with the assistance of the Department Director and the Human Resources Department, will evaluate the suitability of such an arrangement. The following areas will be considered:
    - **Employee suitability.** The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful remote workers.
    - **Job responsibilities.** The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a remote work agreement.
    - **Equipment needs, workspace design considerations and scheduling issues.** The employee and supervisor will review the physical workspace needs and the appropriate location for the remote work.
    - **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 or other alternate work site. Responsibility for fulfilling all obligations in this area rests solely with the employee.
  2. If the employee and supervisor agree, the arrangement will then be reviewed by the Department Director. If the Department Director and the Human Resources Director concur, a remote working arrangement form (Attachment A) will be completed and signed by the employee, the employee's supervisor, the Department Director, and the Human Resources Director. The form will then be presented to the City Manager for final approval or denial of the proposed remote work arrangement.
  3. A copy of the completed remote work arrangement form will be forwarded to the Human Resources Department.

4. Evaluation of the remote worker's performance during the arrangement will include regular interaction by phone and e-mail between the remote worker and the supervisor, and weekly face-to-face meetings to discuss work progress and issues. Evaluation of the remote worker's performance will be consistent with that received by employees working at the office in both content and frequency but may add additional focus on work output, completion of objectives, and the remote worker's responsiveness during remote work periods. If at any time, a supervisor considers the remote worker's progress and output during remote work periods to be less productive than the progress and output of the employee working on-site at his/her normal work location, the supervisor may revoke or alter the remote working arrangement. However, as stated above, the City of Lawton retains full discretion to revoke or alter a remote work arrangement at any time, with or without a stated basis for said revocation or alteration.
5. An appropriate level of communication between the remote worker and supervisor will be agreed upon 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.
6. All remote workdays worked pursuant to a remote work arrangement will be noted/recorded in Executime.

**EQUIPMENT:**

1. On a case-by-case basis, the City of Lawton will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each remote work arrangement.
  - a. Remote workers will be given access to City of Lawton network connection through the City's remote desktop application. The Human Resources and Information Technology System Departments will serve as resources in this matter.
  - b. Equipment supplied by the City of Lawton will be maintained by the City of Lawton. However, the remote worker is responsible for appropriately using and maintaining said equipment while at an alternate work site.
  - c. Equipment supplied by the employee, if deemed appropriate by the City of Lawton, will be maintained by the employee.
  - d. The City of Lawton accepts no responsibility for damage or repairs to employee-owned equipment.
  - e. The City of Lawton reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the City of Lawton is to be used for business purposes only. Use of equipment supplied by the City of Lawton will be in conformance with applicable policies and procedures.
  - f. The remote worker must sign an inventory of all City of Lawton property received and agrees to take appropriate action to protect the items from damage or theft.
  - g. All City of Lawton property will be returned to the City in the event an employee is terminated from employment.

2. The City of Lawton will supply the remote worker with appropriate office supplies (pens, paper, etc.) as deemed necessary.

The City of Lawton will also supply the remote worker with a cell phone application (GoTo or similar App) that will allow the remote worker to make phone calls utilizing the City of Lawton phone system while at the alternate work site.

3. The remote worker will establish an appropriate work environment at the alternate work-site for work purposes.
  - a. The City of Lawton will not be responsible for costs associated with the setup of the remote worker's alternate work site, such as remodeling, furniture, or lighting, nor for repairs or modifications to the alternate work site.
  - b. The City of Lawton will not be responsible for expenses incurred by the remote worker, such as internet connection or telephone charges.

#### **SECURITY OF INFORMATION:**

Consistent with the City of Lawton's expectations of information security for employees working at the office, remote workers will be expected to ensure the protection of proprietary City of Lawton and customer information accessible from their alternate work site. 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:**

Remote workers are expected to maintain the alternate work site in a safe manner, free from safety hazards.

- Injuries sustained by the remote worker in a home office location and in conjunction with his or her regular work duties are normally covered by the City of Lawton's workers' compensation policy. Remote workers are responsible for notifying the City of Lawton of such injuries in accordance with the policy and state law.
- The remote worker is liable for any injuries sustained by visitors to his or her home or alternate work site.

#### **TIME WORKED:**

1. Remote workers 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 of Lawton's time-keeping system.
  - a. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the remote worker's supervisor.
  - b. Failure to comply with this requirement may result in the immediate termination of the remote working arrangement.

2. Remote workers who are exempt from overtime requirements of the Fair Labor Standards Act will be required to perform at least 40 hours of work per week.
3. Remote workers, whether hourly or salaried, shall be at their approved alternate work site during the hours specified in the agreement.
  - a. Remote workers shall be available during specified hours for communication through such methods as a phone line, voice mail, email, etc. and will respond within a reasonable time, appropriate to the situation. Excessively delayed response times can be grounds for discontinuance of the arrangement.
  - b. Deviation of the specified schedule is only by supervisor approval.
4. Any time a remote worker is away from the approved alternate work site during normal remote working hours shall be subject to the same leave requirements as if the remote worker was at their City of Lawton physical worksite.

**EMERGENCY REMOTE WORKDAYS:**

1. Temporary emergency remote workdays may be approved in circumstances such as inclement weather, special projects, or emergency situations. These emergency remote workdays may be approved on an as-needed basis only, with no expectation of ongoing continuance.
2. Emergency remote workdays may be approved on a case-by-case basis by the Department Director. A Department Director may approve emergency remote workdays for any one employee for no more than two days within a 90-day timeframe. Any temporary emergency remote workdays beyond this limitation will require a formal remote work arrangement or the City Manager's approval.
3. All emergency remote workdays will be noted/recorded in Executime.

**CANCELLATION OF ARRANGEMENT:**

1. The City of Lawton reserves the right to revoke or any remote work arrangement at any time for any reason.

RESPONSIBLE DEPARTMENT: Human Resources

RECISSION: This policy replaces the previous version dated April 1, 2020 that was rescinded effective June 1, 2020.

  
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MICHAEL CLEGHORN  
CITY MANAGER

DATE: 2/7/2022

## City of Lawton Remote Work Arrangement Form

Remote work is a voluntary arrangement between the City of Lawton and \_\_\_\_\_. This arrangement begins on \_\_\_\_\_ and ends \_\_\_\_\_, subject to review. This arrangement may be revoked or altered at any time pursuant to Administrative Policy 3-32.

1. The remote worker will work from the alternate work site: \_\_\_\_\_
2. The remote worker will work during the assigned business hours of \_\_\_\_\_ to \_\_\_\_\_, weekdays of \_\_\_\_\_ through \_\_\_\_\_ and will communicate through such methods as a dedicated phone line, voice mail, etc., and agrees to respond within a reasonable time, appropriate to the situation. Excessive response times can be grounds for discontinuation of the arrangement.
3. The duties, obligations, responsibilities, and conditions of the remote worker's employment with the City of Lawton remain unchanged. The remote worker's salary, retirement, vacation leave, sick leave, benefits, and insurance coverage shall remain the same.
4. Work hours, overtime compensation, use of sick leave, and approval for use of vacation will conform to the City of Lawton's policies and procedures and departmental guidelines, and to the terms otherwise agreed upon by the remote worker and the supervisor.
5. The remote worker agrees they have had the opportunity to inspect the alternate work site listed in Section 1 above, and confirms the location is free from hazards and risks. Further, the remote worker agrees to maintain a safe and ergonomically sound work environment, to report work-related injuries to the supervisor at the earliest opportunity, and to hold the City of Lawton harmless for injury to others at the alternate work site. The remote worker agrees to allow an authorized representative of the City of Lawton to inspect the alternate work site as needed.
6. The remote worker will seek advance approval by the supervisor to use sick leave, vacation leave, and compensatory time in accordance with city code, policies and procedures. Hourly remote workers that need to work over 40 in a regular workweek must receive approval in advance by the supervisor.
7. The remote worker will implement the steps for good information security in the alternate work site setting and will check with his/her supervisor when security matters are an issue.
8. The City of Lawton retains the right to modify the arrangement as a result of business necessity (for example, the remote worker may be required to come to the office on a particular day), or as a result of a remote worker's request supported by the supervisor. Reasonable advance notice of such modifications will be made whenever possible.
9. The remote worker understands that he or she is responsible for tax and insurance consequences, if any, of this arrangement, and for conforming to any local zoning regulations.

**Supervisor's Signature & Date** \_\_\_\_\_

**Remote Worker's Signature & Date** \_\_\_\_\_

**Department Director Signature & Date** \_\_\_\_\_

**Human Resources Director & Date** \_\_\_\_\_

**City Manager's Signature & Date** \_\_\_\_\_