



TELEWORK POLICY

Policy Internal

Effective Date: 07/01/2022

Revised Date: 06/21/2024

Sunset/Next Review Due: 06/21/2026

Approved By: Marvin Dodge

References/Authority: Utah Administrative Code Rule R13-4, Section R477-8-2, Rule R895-7

1 PURPOSE

The Department of Government Operations (DGO) intends to create a dynamic and inclusive hybrid work environment that seamlessly blends the best of remote and in-person work experiences. This policy provides managers and supervisors the tools needed to administer the agency Telework program. DGO is committed to fostering a workplace with a strong sense of belonging and collaboration.

This policy is designed to provide the structure needed for effective implementation, operation, and monitoring of Telework. Telework requires a mutually beneficial agreement between an employee and the Department and will only be approved when the Department determines that the employee's work can successfully be accomplished remotely.

The Executive Director or designee may make exceptions to this policy as allowed by applicable administrative rules and law.

2 GUIDING PRINCIPLES

Telework is a privilege that provides workplace flexibility enabling agencies to meet the mission-critical needs of the organization. Telework can help employees balance work and personal responsibilities, thereby enhancing employee satisfaction and well-being, aiding retention, and serving as a draw to potential job applicants.

Not every Department employee will be eligible to Telework. Telework is a management option, not a universal employee benefit or right. Once approved, a department employee's Telework arrangement ties to the employee, not necessarily their position, must be renewed at a minimum of every two years, and may be discontinued at any time for reason(s) identified by management.

In-office time will be used to enhance collaboration, build relationships, and mentor newly hired members of the team. Work locations are designed to cultivate interaction between staff and management for creating better outcomes. Regular in-person time promotes open communication, knowledge sharing, and teamwork.



It is also imperative that the Department plan for a variety of contingencies, including severe weather events, public health emergencies, and more. It's critical that the government – and our workforce – remain flexible, resilient, and ready to continue our critical work on behalf of the public, no matter the challenge.

3 POLICY

3.1 Application

This policy applies to all employees of the Department. The policy does not apply to independent contractors performing services for the Department on a contractual basis.

3.2 Definitions

- A. **Approved Telework work location:** Means an approved work location for an employee participating in an approved Telework arrangement to work outside of the employee's assigned Primary work location. Note: Utah Administrative [Rule 13-4](#) prohibits an employee from working outside Utah state's borders without an approved exception.
- B. **Primary work location:** Means the physical state or other office building assigned to an employee's position by management.
- C. **50 Mile Proximity:** Means the distance between an employee's residence and their Primary work location and serves as a determining factor in the possibility of hybrid Telework or Rural employment. Google Maps will be used to determine the distance between the employee's residence and their Primary work location.
- D. **Special Circumstance Day:** Means a day where predicted heavy snowfall or other situations pose a risk to employee safety or employee health as determined by the Governor's Office of Planning and Budget or a designee.
- E. **Surge Telework Eligible:** Means all employment positions identified as Telework eligible temporarily for mandatory action days as defined in [UCA 63A-17-111](#).
 - a. Note: Directors, managers, and supervisors are not eligible for Surge Telework.
- F. **Telework:** The term 'telework' refers to an approved work flexibility arrangement under which an employee performs the duties, responsibilities, and other authorized activities of their position from their residence rather than the Primary work location.

3.3 Policy

- A. This policy is intended to comply with the Division of Human Resource Management's Telework rule [Section R477-8-2](#). To that end, teleworking shall be considered an option, not a universal employee benefit or right. The Department reserves the right to terminate, rescind, modify, suspend, or deny any employee's Telework agreement at any time for reason(s) identified by management.
- B. Telework is managed by formal agreement between an employee and the Department. The Department's formal Telework acknowledgement agreements shall include approval from the employee's supervisor and Division Director or designee.
- C. It is the Department's policy to consider regularly scheduled teleworking for all eligible positions that would foster enhanced recruitment, retention, efficiencies, and effectiveness in space utilization and overall daily operations. Not all positions may be appropriate for Telework and for some employees, Telework may not be an appropriate



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work arrangement.

- D. An employee must complete all required Telework training every two years.
- E. An employee must have an approved Department [Telework Agreement](#)/Telework schedule,
 - a. Documented modifications to schedules,
 - b. Equipment provided for telework
 - c. Performance expectations,
 - d. performance goals; and
 - e. behavioral expectations
- F. Specific measurable performance metrics outlined in the employees' UPM
- G. An employee's commute time, which is the time an employee spends traveling from home to work and from work to home is not considered work hours and is not paid time.
- H. An employee approved for Telework shall establish a consistent and approved daily work location that adheres to the following:
 - a. A hybrid Telework schedule for individuals living within a 50 Mile Proximity to their approved Primary work location.
 - b. Non-Supervisory employees must work in the office at least 2 days a week.
 - c. Supervisory employees must work in the office at least 3 days a week and correspond their in-office days with their staff's in-office days.
 - d. Employees may be required to work additional in-office days as required by their leadership team.
 - i. Attending an in-person meeting on a Telework day does not replace a scheduled office day unless the employee remains at the office their full workday and is approved by the employee's supervisor.
- I. Management may require an employee to report to any work location at any time for any reason.
- J. An employee deciding to permanently relocate their residence outside of the 50 Mile Proximity to their current Primary work location is not guaranteed authorization for Telework arrangements. Requests to Telework under these circumstances require review and assessment by the Division Director and Executive Director's Office. Living outside the 50 Mile Proximity does not automatically qualify an individual for Telework.
- K. An employee must be compliant with pay for performance policies and maintain a performance rating of at least a two (on a scale of three) to be approved for Telework. Telework privileges will be suspended for a minimum of one quarter for an employee who receives less than a two on a quarterly evaluation.
- L. A written reprimand, suspension without pay, or formal performance improvement plan (PIP) automatically disqualifies an employee for Telework for a minimum of 6 months from the date of the disciplinary action or until successful completion of the PIP.
- M. Employees who are Surge Telework Eligible will be able to work from home on surge days unless they have a previously scheduled in-person meeting. In-office attendance is required under these circumstances. Supervisory employees are not Surge Telework Eligible.
- N. Special Circumstance Days, as declared by the Governor's Office of Planning and Budget, apply to all employees and supervisors unless their attendance is required to perform essential duties.
- O. An employee's approved Telework location shall be physically located within the state of Utah's borders, unless otherwise approved in accordance with Department [Rule R13-4](#).
- P. Employee's needing to work remotely from a location other than their approved Telework location, must have supervisor approval and in accordance with the



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department's rule [R13-4.3, 4.4\(7-10\)](#).

- Q. In approving Telework schedules, divisions must comply with space guidelines established by DFCM ([found in the Telework FAQs](#)).

4 CONDITIONS FOR TELEWORK

Authorized Telework employees must maintain appropriate conditions to be successful working at their home office or alternate work location including adherence to the requirements outlined below.

- A. Maintain safe working conditions at an approved alternate work location and immediately notify their supervisor, DHRM representative, or both, of any accident or injury occurring at the employee's approved telework location, other alternate work location, or primary work location.
- B. Maintain established performance standards as outlined in the employee's Telework agreement.
- C. Maintain availability to customers, coworkers and management during work hours.
- D. Ensure approved alternate work location provides the professional work environment, connectivity, technology, resource access, and security consistent with the work in which the employee is engaged.
- E. Use approved safeguards to:
 - a. Protect state records from unauthorized disclosure and damage.
 - b. Prevent the release of confidential business information.
 - c. Comply with all requirements set forth by the Department and applicable laws, rules, policies, and regulations.
- F. Procure, maintain, and pay for internet service that will allow the employee to efficiently and effectively accomplish work tasks and immediately address any service or performance-related issues with the internet service (e.g. bandwidth must be sufficient to support having your camera on for video conference calls).
- G. Minimize the need for office supplies using electronic documentation as much as possible.
- H. Maintain the agreed upon work schedule as outlined in the [Telework agreement](#), and document all work time in accordance with established DGO and DHRM time and attendance rules and policies.
 - a. Teleworking employees must comply with all applicable federal, state, and municipal laws as well as state, DGO, and DHRM rules/policies, including those dealing with time reporting and overtime.
 - b. Teleworking employees must accurately record all hours worked in the payroll system using appropriate codes.
- I. Maintain effective and regular communication with supervisors, employees, and agency customers, vendors or other stakeholders with whom communication is essential for successfully implementing the telework arrangement and job performance.
- J. Maintain appropriate video conferencing etiquette as defined by employee's supervisor, such as video use, professional dress, etc.
- K. Comply with Department/Division rules and practices pertaining to requesting and obtaining approval for leave, overtime, or any change to the employee's agreed-upon work schedule outlined in the Telework agreement.
- L. Maintain flexibility and responsiveness to the needs of supervisors, work team, co-workers, the division, and the department (communication and collaboration).
- M. Make all necessary arrangements to remove distractions from the remote work



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environment during work time. This includes, but is not limited to, arranging for others to provide primary care for children, elders, or other dependents who require care during the agreed upon work schedule, managing visitors to the remote work area, or attending to other personal matters.

- N. Confidentiality of work-related information must be maintained in the teleworking environment in accordance with federal, state, and municipal laws, DGO, Division of Technology Services (DTS), DHRM rules/policies, and the employee's Division policies. Unauthorized disclosure will subject the employee to penalties provided by law, as well as disciplinary action, up to and including dismissal from employment.
 - a. Security of digital information must comply with DTS rules, policies, and standards.
 - b. Printed/hard copy information must be secured and returned to DGO or destroyed based on applicable records retention schedules and practices.
- O. If a teleworking arrangement involves activities that must be cleared through zoning ordinances or comply with applicable terms of home-association rules/regulations, the employee is responsible to initiate that process and comply with the applicable ordinances or rules/regulations.
 - a. Any fines or fees an employee incurs for engaging in such activities will not be the responsibility or liability of DGO or any other state entity.
- P. Routine teleworking employees will be required to use state-owned computer equipment and software and adhere to current standards for secure connections to state of Utah IT systems. An employee may not install unauthorized hardware or software on state-owned equipment nor copy or distribute state/department provided software. All state-issued equipment will be returned to DGO at the time an employee's Telework arrangement or employment terminates. Employees will be referred to the Office of State Debt Collection for the costs associated with non-returned state-owned equipment.
 - a. Employees must secure state-owned equipment and work-related information by locking any device not in immediate use and storing unused devices in accordance with DTS security requirements and training.
 - b. Employees shall exercise reasonable care of state-owned equipment and may be held liable for damage caused by negligence.
- Q. All employees, including teleworkers, are required to adhere to Rule R895-7 Acceptable Use of Information Technology (IT) Resources.
- R. If state offices are closed, employees, including those in a routine or occasional telework arrangement who were scheduled to be at the designated office location that is being closed may be granted discretionary leave with pay. But, if an employee is participating in a Telework arrangement, DGO may require the employee to work that day or use their own leave. In instances where the employee is unsure of the appropriate course of action, the employee shall seek guidance from their division director.
- S. All terms and conditions of employment not specifically addressed in this policy remain in effect as if the employee was not teleworking, including but not limited to salary, benefits, leave use, performance standards, etc.

5 EQUIPMENT

- A. DGO or the appropriate division will provide an employee with a state-issued laptop when the employee enters into a Telework agreement. The employee shall use the state-issued laptop at all work locations. Any additional equipment the employee feels is necessary will be provided and maintained at the employee's expense unless otherwise



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approved by the employee's division director. DGO accepts no responsibility for damage or repairs to employee-owned equipment. DGO will maintain any equipment it provides to an employee.

- B. DGO will not be responsible for costs associated with the setup of an employee's home office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the home office space.
- C. DGO will not reimburse an employee for any personal supplies, equipment, or furniture the employee uses without prior approval.
- D. DGO will supply the employee with appropriate office supplies (pen, paper, etc.) as deemed necessary by the employee's supervisor.
- E. Teleworkers' in-home internet service for personal use during non-work hours is not regulated by this policy unless state equipment is being utilized. State-owned equipment is always subject to DTS security and acceptable use standards. Employees in home internet service will not be reimbursable.
- F. Teleworking employees shall follow any security policy their division has in place regarding the use of personal equipment for work purposes.
- G. Unless otherwise approved in accordance with DGO [Rule R13-4](#), DGO employees may not take state-owned equipment outside of the United States.

6 EXCEPTIONS TO POLICY

- A. **Medical Exception:** Employees with medical needs may contact their assigned HR Specialist to seek ADA accommodations. Those who do not qualify for ADA accommodations may request an exception through the Non-Medical Exception process.
- B. **Non-Medical Exception:** Employee requests must be submitted through their supervisory chain, being approved at each level of their division leadership. If approved, the division director or their designee will submit the request to the Executive Director's Office (EDO). The Executive Director or Deputy Executive Director will make the final determination.
- C. **Exception Renewal:** All employees with an approved exception must request to renew such exception annually along with their annual Telework agreement unless the ADA accommodation is deemed permanent. If the annual exception request is not submitted, it is assumed the employee will return to the office, following the schedule outlined in their Telework agreement.

This policy does not modify the requirements of laws, rules, or policies regulating state employees' use of public property or funds, including but not limited to the following:

- [Department policies](#)
- DHRM rules, including
 - Utah Administrative Code Section [R477-9](#);
- Utah Code Section [67-16](#), Utah Public Officers' and Employees' Ethics Act;
- Utah Code Section [63A-17-904](#), Political activity of employees - Rules and regulations - Highway patrol - Hatch Act,;
- DTS policies and rules, including
 - 5000-002.1 – Enterprise Information Security Policy (Statewide);
 - 5000-0003 – Enterprise Mobile Device Policy (Statewide);
 - 5000-0004 – Enterprise Web Filter Policy (Statewide);
- DTS rules, including



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- Utah Administrative Code Section R895-7, Acceptable Use of Information Technology Resources;
- Division of Finance Travel Policies, FIACCT 10, including FIACCT – 10-01.00 – Travel – Personal Use of State Vehicles

[DGO Employee Submission Instructions](#)

[DGO Telework Supervisor Instructions](#)



Amendment/Change Log

| <Policy Name> Amendment/Change Log | | | | | |
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| Date | Section/ Heading | Change/Edit | Additional Information (if needed) | Change Approved By | Change Approval Date |
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