



# Telework

## DGO Policy Internal 08

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**Effective Date:** 7/1/2022

**Revised Date:**

**Sunset/Next Review Due:** 7/1/2024

**Approved By:** Jenney Rees

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

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## 1 PURPOSE

The purpose of this policy is to establish a telework program for the Department of Government Operations (DGO). Telework arrangements utilize mobile technologies, flexible work schedules, and multi-user workstations to maximize efficiency of work processes while reducing costs associated with office space.

This policy is designed to provide the structure needed for effective implementation and operation of mobility. Telework requires a mutual agreement between an employee and DGO and involves work that can be accomplished by the employee outside of the traditional office environment.

This Telework Policy establishes the criteria for DGO employees in remote work eligible positions to perform their assigned responsibilities at an approved alternate work location.

## 2 GUIDING PRINCIPLES

DGO is committed to providing employees in remote work eligible positions the opportunity to work remotely. Not every DGO employee will be eligible to participate in the telework program.

This policy applies to all DGO employees.

The Executive Director may make exceptions to this policy as allowed by law.

## 3 POLICY

### 3.1 Definitions

**Approved Alternate Work Location:** An approved alternate work location is a location approved for a telework eligible employee participating in a telework arrangement to work outside of the employee's assigned state office building. An example of an approved alternate work location could be a designated workspace in an employee's home, free address space at a state building near an employee's home, or a privately owned co-working space. Approval of an alternate work location is subject to management discretion and the requirements of each telework eligible position.

**Free Address Space:** Free address space is unassigned office space. Free address space could include multiple types of space, such as offices, cubicles, open office, collaboration, and drop-in spaces.



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**Primary Work Location:** The location that an employee would normally be assigned to work absent an approved alternate work location.

**Regularly Scheduled Telework:** Consistent telework through a committed and approved work schedule, as documented in the approved telework agreement.

**Remote Work:** Remote work, also referred to as “telework,” provides a qualified employee in an eligible position the opportunity to work at a place other than the employee’s primary work location, such as the employee’s residence or an alternate location approved by the employee’s supervisor. On days an employee is not scheduled to work remotely, the employee will report to their primary work location and may use a free address work space.

**Remote Work Eligible:** A position that DGO has identified as eligible to work remotely. An employee who has received a formal disciplinary action, is on a performance improvement plan, or has other DGO Employee Code of Conduct issues may be ineligible to work remotely.

**Rural:** For this program, rural applies to all state of Utah counties except for Weber, Davis, Salt Lake, Utah, Summit, and Tooele.

**Surge Telework Eligible:** A position that DGO has designated suitable for temporary short term telework on mandatory action or special circumstance days in accordance with Utah Code [63A-17-111](#).

**Telework:** Refer to “Remote Work” definition.

**Additional definitions may be found in the State of Utah Remote Work Guide (State’s Remote Work Guide) noted in the references below.**

### 3.2 Policy

- A. This policy is guided by the State’s Remote Work Guide and 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. DGO management reserves the right to terminate or suspend a telework agreement at any time and for any reason.
- B. Telework is managed by formal agreement. DGO formal telework acknowledgement agreements shall include approval from the employee’s Division Director or appropriate designee.
- C. It is DGO’s policy to approve regularly scheduled teleworking for all possible remote work eligible positions that would lead to efficiencies and effectiveness in daily operations. Some positions may not be appropriate for telework.
- D. Management may require employees who have been approved for telework to report to their primary work location or any other work location for all or part of a workday during which the employee would otherwise be working remotely. Employee travel is addressed in section 3.2.4 Travel.
- E. Management may make arrangements to inspect an employee’s approved alternate work location for various work related issues, including safe working conditions, maintaining appropriate confidentiality, management reviews, and equipment security. DHRM approval is required prior to any inspection.
- F. Supervisors retain the authority to disapprove an employee’s selection of a particular alternate work location if, in the supervisor’s opinion, the worksite is not business appropriate and/or fails to provide a working environment compliant with this Policy.



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- G. A telework approved employee may be required to relinquish their primary work location assigned office space at any time.
- H. Employees in positions that are surge telework eligible only must comply with this policy except the telework acknowledgement agreement requirement.
- I. The employee's approved alternate work location shall be physically within the state of Utah, unless otherwise approved in accordance with DGO Rule R13-4.

### **3.2.2 Supervisors**

The supervisor's responsibilities include:

- A. ensure that the nature of the work performed by the employee is conducive and secure for telework;
- B. initiate a Telework Acknowledgement Agreement form and ensure that it is signed by the employee at initiation, annually, or as changes occur;
- C. maintain frequent and effective individual and team communication with teleworking employees;
- D. inform employees of any reservation requirements for use of free address space;
- E. ensure that allowing an employee to telework does not result in a hardship or burden being placed on other employees;
- F. maintain responsibility and accountability for treating all telework and non-telework employees similarly in acts involving managerial discretion, including distribution of assignments among employees in the work unit, use of appropriate tracking and communication tools, performance management, both information and formal feedback, performance coaching, learning and development, reassignment, promotions, retention, and discipline;
- G. provide advance notice, if practicable, to telework employees regarding requests to report to their primary work location;
  - a. notice is not required and does not absolve an employee's responsibility to be physically present upon request;
- H. complete all required telework related supervisor training within 30 days of assuming a supervisory position; and every other year thereafter;
- I. consider whether a vacant remote work eligible position can be recruited for and filled by a new hire or employee located in a rural area;
- J. ensure the employee's hours worked are accurately recorded in the payroll system; and
- K. ensure the teleworking employee tracks their telework time using appropriate codes in the payroll system.

### **3.2.3 Employee Responsibilities**

The employee's responsibilities include:

- A. complete and sign a Telework Acknowledgement Agreement form at initiation, annually, or as changes occur;
- B. 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 alternate work location, other alternate work location, or primary work location.
- C. complete all required telework related employee training within 30 days after the employee begins employment; and every other year thereafter;
- D. maintain established performance standards;



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- E. maintain a high level of customer service at all times;
- F. 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;
- G. use approved safeguards to:
  - a. protect state records from unauthorized disclosure and damage;
  - b. prevent the release of confidential business information; and
  - c. comply with all requirements set forth by the agency and applicable laws, rules, policies, and regulations.
- H. 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);
- I. minimize the need for office supplies through the use of electronic documentation as much as possible;
- J. maintain the agreed upon work schedule, 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;
- K. maintain effective communication with supervisors and other employees with whom communication is essential for successfully implementing the telework arrangement or performing their job;
- L. maintain appropriate video conferencing etiquette as defined by your supervisor, such as video use, professional dress, etc;
- M. 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 employee's Teleworking Acknowledgement Agreement;
- N. maintain flexibility and responsiveness to the needs of supervisors, work team, co-workers, the division, and the department (communication and collaboration);
- O. make all necessary arrangements to remove distractions from the remote work 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; and
- P. when requested, report to their primary work location or other alternate work location for all or part of a workday during which they would otherwise be working remotely.

### **3.2.4 Travel**

#### **3.2.4.1 Mileage Reimbursement**

- A. Management may require a teleworker to attend meetings, conferences or other activities in locations other than the teleworker's approved alternate work location on a teleworker's scheduled remote work day. Based on the location of the teleworker's approved alternate location and the teleworker's approved telework agreement, mileage reimbursement may be provided.



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- i. For employees in non-rural counties, trips made to the teleworker's primary work location on behalf of DGO for work-related purposes on a scheduled telework workday using an employee's personal vehicle will not be reimbursed.
- ii. For employees in rural counties, trips made to the teleworker's primary work location on behalf of DGO for work-related purposes on a scheduled telework workday using an employee's personal vehicle may be reimbursed. Refer to Division of Finance Policy 10-02.06 for mileage computation and approval requirements.
- iii. For all employees, trips made on behalf of DGO to an alternate work location other than the teleworker's approved alternate work location or the teleworker's primary work location for work-related purposes during a scheduled telework workday using an employee's personal vehicle may be reimbursed (i.e. the teleworker begins their day at their approved alternate work location and then is required to attend a meeting at an alternate work location at 11:00 am). Refer to Division of Finance Policy 10-02.06 for mileage computation and approval requirements.
- iv. If any teleworking employee is assigned to begin or end their day at an alternate work location other than the teleworker's primary work location or approved alternate work location, travel to or from the alternate work location is normally considered a commute and related mileage will not be reimbursed. However, the portion of the commute that is longer than the normal commute to the primary work location may be reimbursed. Mileage may also be reimbursed for trips made for special assignments.

### 3.2.4.2 Compensable Time

- A. Commute time(s) from home to work and from work to home are not considered work hours and are not compensable under 5 C.F.R. § 551.422 and 5 C.F.R. § 550.112 (j)(2). An employee cannot be compensated for the time they spend traveling to and from their primary work location or approved alternate work location contemplated as a normal incident of the particular employee's job. However, an employee may be compensated if the employee is officially directed or approved to perform work while commuting.
- B. Time spent traveling outside of an employee's scheduled work hours may only be compensated with prior approval.
- C. Employees will be compensated for time they spend traveling on a special one-day assignment except meal time and ordinary home to work travel.
- D. Employees will be compensated for time spent traveling on behalf of DGO during their scheduled work hours.

### 3.2.5 Equipment

- A. DGO 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 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.



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- 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. Ergonomic evaluations and consultations are available to all employees in their primary work location and their approved alternate work location.
- F. DGO may provide ergonomic equipment to teleworking employees who provide medical documentation supporting the need for such equipment.
- G. Teleworking employees may also apply under the Americans with Disabilities Act (ADA) for ergonomic equipment and other accommodations for their approved alternate work location.
- H. Requests for ergonomic equipment or ADA accommodations should be submitted to the employee's supervisor or the DGO Human Resource Specialist.
  - a. All requests will be reviewed on an individual basis.
- I. 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.
- J. Teleworking employees shall follow whatever security policy their division has in place regarding the use of personal equipment for work purposes.
- K. If a teleworking employee uses personally supplied equipment or software to complete the employee's work, DGO is not responsible for and released from any and all liability associated with business use of those items. State of Utah nor DGO will be liable for any damage to employee's personal or real property at an alternate work location.
- L. Unless otherwise approved in accordance with DGO Rule R13-4, DGO employees may not take state-owned equipment outside of the United States.

### **3.2.6 Other Provisions**

- A. 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 termination of 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.
- B. If the 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.
- C. 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





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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.
- D. All employees, including teleworkers, are required to adhere to Rule R895-7 Acceptable Use of Information Technology (IT) Resources.
- E. If state offices in a county, city, or town 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.
- F. 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.

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:

- DGO policies, including
  - DGO Pol Int 01 Code of Conduct;
  - DGO Pol Int 02 Conflict of Interest;
  - DGO Pol Int 11 Authorized Personal Use of Public Property;
- 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, 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
  - 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

## 4 RELATED DOCUMENTS (e.g., procedures, other policies, forms etc.)

- Telework Acknowledgement Agreement Form (must be completed in Adobe Sign)
- [Alternate Workplace Safety Checklist](#) (for your reference - employees are encouraged to discuss any safety concerns they have with their managers; managers are encouraged to consult with the Division of Risk Management as needed)
- [Remote Work Guide](#) (for your reference)
- [Ergonomics Program](#) (for your reference)



- [Fleet Reservation Form](#) (for your reference)

## Amendment/Change Log

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