

TELEWORK PROGRAM

Purpose

This program provides parameters for using telework opportunities for State of Iowa employees and Supervisors. It is designed to provide the structure needed for effective implementation and operation of telework for the State.

Definitions

Agency – the State agency entering into a telework agreement.

Management – a person in the chain of command at a level of direct Supervisor or higher.

Official Work Site – the official physical address established as the place of business for the State agency, division or program for which a telework arrangement has been approved.

The Telework Program – an employee-initiated or employer-mandated pre-approved arrangement to work at a location away from the employee's regular work site.

Telework Agreement – a written agreement between an employee and Supervisor requiring each to adhere to applicable guidelines of this program and any other terms required by management.

Telework Site (alternate work site) – the management approved physical address(es) from which the employee engaged in the telework agreement conducts State business.

Teleworker – the employee engaging in the telework agreement.

Guidelines of the Telework Program

1. An employee may be allowed to participate in the telework program if management decides the employee's duties are appropriate for offsite work and the employee meets all criteria for eligibility established by this policy.
2. Approval for participation in the Telework Program is within management's authority and is not an employee entitlement. The operational needs of the State, the mission of the agency, and the goals and responsibilities of a particular program and its employees determine how often and to what extent telework is approved. If Management ends an employee's participation in the Telework Program, all relevant DAS administrative rules and provisions of applicable collective bargaining agreements, including rules and provisions relating to reassignment and relocation, will apply to the termination of the Telework Program.
3. Participation in the Telework Program may be voluntary or mandated and employees must meet agency eligibility criteria to participate in the Telework Program.
4. Prior to telework commencing, the employee must have a suitable workspace, utilities adequate for installing equipment and a general work environment that is free from interruptions and provides reasonable security and protection of State property and information.
5. Teleworkers must report to their official work site on scheduled telework days if requested by the Supervisor. A request by the Supervisor or the employee to report to the official work site shall not be construed as a termination of the telework arrangement. The employee's travel to the official work site is considered hours of work, unless the employee is called into the official work site for the start of their workday. Any travel during the workday to and from locations will be

TELEWORK PROGRAM

considered hours of work.

6. Teleworkers must satisfactorily complete all assigned work, consistent with the standards adopted for all other employees in the work group, and according to standards and guidelines in the employee's performance plan.
7. A telework agreement must be in effect prior to any telework commencing. When an employee makes a request in writing to participate in the telework program, the Supervisor must consider the request and respond in writing within thirty (30) calendar days.
8. Telework arrangements may be modified, adjusted, terminated or temporarily suspended at any time deemed necessary by management or when requested by an employee and should be made on a case-by-case basis and based on business needs or employee performance.
9. If a telework request is denied, terminated or temporarily suspended, the Supervisor will provide a written explanation within five (5) working days as to the reason why the employee cannot participate in the telework program.
10. Telework does not alter the terms and conditions of employment, including an employee's rate of pay, benefits, individual rights, or obligations. Matters regarding pay, such as a change in official work site, overtime, call back, leave, travel entitlements, etc., will be administered in accordance with applicable current law, rules, regulations and collective bargaining agreements. Telework shall not affect other conditions of employment (e.g., hours of work), unless specified in a written agreement.
11. Participation in telework shall not affect an employee's eligibility for receipt of awards, promotions or any other condition of employment.
12. Pursuant to Iowa Code §85.71(1)(e), the parties acknowledge and agree that any claims by the employee for a work-related injury and/or disease arising out of and/or occurring in the course and scope of employment will be governed by Iowa Law handled under the self-funded workers' compensation coverage with the State of Iowa.

Classification Eligibility and Work Suitability

Positions identified as being suitable for teleworking are at the discretion of management. Telework jobs are those that can be performed independent of the official work site for at least a portion of the work week.

Telework Agreements

Prior to the commencement of a telework arrangement, a telework agreement must be completed and executed by the Supervisor and the employee. This applies to all employees and Supervisors, regardless how frequently or infrequently an employee intends to telework. Supervisors must retain copies of all telework agreements in the employee's personnel file and for a length of time consistent with their agency's record retention policy. The employee and Supervisor must sign a telework agreement that covers the terms and conditions of the employee's telework arrangement.

The purpose of the telework agreement is to specify the terms and conditions of the telework arrangement. The telework agreement shall address all of the following items:

TELEWORK PROGRAM

1. Telework site.
2. Work days and duty hours at the telework site.
3. Proper use and safeguard of government property and information.
4. Maintenance of records and standards of conduct.

Denial, Suspension, Modification and Termination of Telework Agreements

1. Denial of telework is at the discretion of management. Examples include, but are not limited to:
 - a. *Performance of the Employee* – Telework may be denied if an employee's performance is negatively affected due to telework.
 - b. *Organizational Needs* – Supervisors may deny telework in instances which may result in severe work interruption, insufficient office coverage, lack of appropriate security/equipment, or where the nature of the work otherwise precludes telework.
 - c. *Equal Treatment* – Supervisors may deny telework in instances where the approval of telework creates a disparate treatment of similarly-situated employees.
2. Supervisors may temporarily suspend, modify or terminate a telework agreement. Decisions to temporarily suspend, modify, or terminate a telework agreement must be made by the Supervisor on a case-by-case basis and must be based on business needs or employee performance. Examples of reasons for temporary suspension, modification or termination of a telework arrangement may include, but are not limited to:
 - a. An employee does not meet the employee eligibility criteria.
 - b. An employee is required to provide coverage at the official work site.
 - c. A change in the employee's duties for any reason which would render the employee ineligible to participate.

Responsibilities

State of Iowa Supervisors and employees have a responsibility to ensure a successful telework arrangement. Supervisors and employees are encouraged to work together to develop telework arrangements that work best for the specific needs of their work unit.

Responsibilities of Supervisors

The responsibilities of Supervisors are as follows:

1. Review, approve or deny written applications for the Telework Program.
2. Determine when job tasks/duties are appropriate for a telework arrangement.
3. Meet with employees to give assignments and review work as necessary.
4. Develop and discuss performance plans and goals with employees.
5. Communicate expectations, successes and deficiencies with employees.
6. Direct teleworkers to report to the official work site for events requiring their presence.

TELEWORK PROGRAM

7. Properly certify time and attendance of teleworkers. Supervisors have the ultimate responsibility for ensuring their employees accurately record and report time worked.
8. Work with employees to design the telework arrangement so as to minimize employee isolation from the remainder of the staff and facilitate communication between the office and teleworker. Supervisors should ensure that efforts are made to include teleworkers as part of the team. Teleworkers should be kept abreast of office events that may be of interest to them.
9. Supervisors must identify the appropriate reference sources and other materials necessary to work at the alternate work site, and ensure that the teleworker has access to those items

Responsibilities of Employees

The responsibilities of the telework employee are as follows:

1. Inform management when unable to perform work due to illness or personal situations for which paid leave is authorized, or in extenuating circumstances, when leave without pay may be appropriate in accordance with agency leave policies.
2. Accurately report time and attendance. Employees must submit their time and attendance in accordance with existing policy making certain to appropriately code their hours of telework.
3. Contact the official work site to retrieve messages and to request from management approval of a change in telework site.
4. Meet organizational requirements regarding communication and accessibility.
5. Protect all State equipment by securing unattended laptops or other equipment whether it is in the office, home or while in travel status.
6. Transportation of supplies, computers, software, printers and other data processing equipment between the official work site and the telework site is the responsibility of the employee.
7. Report information system security incidents.
8. Report any work-related accidents.

Home Utility Expenses

The State of Iowa assumes no responsibility for any operating costs associated with an employee using his or her personal residence as an alternative work site. This includes home maintenance, insurance, utilities, telephone lines, etc. If an agency initiated telework arrangement requires the employee to incur additional business expenses, such as increased expenses related to internet access, those expenses shall be reimbursed in accordance with policies established by the agency. When a telework agreement is employee initiated, reimbursement for additional business-related expenses are at the discretion of the agency. Any business expenses reimbursed by the agency shall be subject to taxation, including applicable payroll taxes, in accordance with current law.

State-Owned Computers, Equipment and Information

Supervisors should assess the equipment needed for telework employees to accomplish their jobs and determine whether such equipment is available to be supplied to the employee. State-owned computers and telecommunications equipment may be placed in employee homes. While it is recognized that technology must be available to support the Telework

TELEWORK PROGRAM

Program in order for the agency to achieve its mission, it is also understood that the agency may not necessarily make additional equipment/technology purchases for the purpose of facilitating the Telework Program. Employees conducting telework full-time shall be issued a State cell phone for the purpose of conducting State business only.

1. As part of the telework agreement, State-owned property, including computers, docking stations, software and other telecommunications equipment may be used by employees in their private residences, provided the State-owned property is used exclusively for official State business. The State of Iowa will retain ownership and control of hardware, software and data in all situations. Software other than that provided by the State shall not be installed on State-owned equipment.
2. The State of Iowa is responsible for maintenance, repair and replacement of State-owned equipment. The employee must notify the Supervisor immediately following a malfunction of State-owned equipment. The employee may be required to bring some equipment such as a desktop or laptop computer into the office for repairs. If repairs are extensive, and replacement equipment is not available, the employee may be required to report to the official work site until suitable equipment is available.
3. Only hardware/software configurations approved by the State of Iowa and authorized by management for the telework site shall be installed on State-owned computers. No personally owned computers or software will be used for processing work-related information. All secure information, including sensitive but unclassified information, in the possession of the employee must be securely kept in a location where it cannot be accessed by other individuals.
4. Employees must comply with State of Iowa security procedures, and ensure adequate security measures are in place to protect the equipment and information housed or stored on assigned computers. Failure to comply with security procedures and regulations may be grounds for disciplinary action.

Office Supplies

Employees participating in the Telework Program will be allowed to use general office supplies (e.g., paper, pens, etc.) needed to perform official duties.

Home Inspections

Unless otherwise agreed, a minimum of twenty-four (24) hours advance notice must be given before management may inspect the employee's telework site to ensure that confidential information protection measures are in place at the telework site. Such inspections shall be conducted during the employee's normal working hours.

If the employee refuses a telework site inspection, the Supervisor may immediately terminate the employee's telework agreement and the employee must surrender all State-owned equipment and supplies and return to the official work site.

Telework and Reasonable Accommodation

The Telework Program may be used to provide reasonable accommodation for employees who qualify, including those employees who have partially recovered from an injury/illness and who can perform work on a full- or part-time basis from a telework site.

TELEWORK PROGRAM

Agency Specific Telework Conditions

An Agency may document specific conditions required for an employee to successfully telework (for example: special information security protocols for teleworkers). Those conditions shall be attached to this document as an addendum to the Telework Agreement and must be approved by DAS prior to implementation

Disclaimer

Nothing contained in this Agreement conveys nor is it intended to convey upon the employee a contract of employment.

Telework Agreement

Name of employee: _____

Name of department: _____

Telework site:

Address: _____

City/State/Zip: _____

Business phone: _____

Work days and duty hours at the telework site: _____

Telework conditions specific to this agreement:

I affirm by my signature below that I have read this entire Agreement and that I understand and agree to its entire content. I also affirm that I have been made aware of the following: the responsibilities for documenting time, attendance, approval of leave requests and provisions governing the approval of overtime and compensatory time; performance requirements and measurement; proper use and safeguard of government property; maintenance of records; and standards of conduct.

Employee's Signature

Employee's Printed Name

Date

Supervisor's Signature

Supervisor's Printed Name

Date

Next Higher Authority's Signature

Next Higher Authority's Printed Name

Date