

(Organization) Telecommuting Program Policy

I. Purpose

Telecommuting is an arrangement that allows eligible (Organization) employees to work in a designated area outside the office. Telecommuting is a cooperative arrangement between employees, supervisors, and individual departments.

Telecommuting benefits employees, departments, and the community. Benefits include:

- Ability to function during an emergency when the regular worksite is inaccessible
- Increased productivity
- Efficient use of resources, including office space
- Recruitment and retention of highly qualified employees
- Greater flexibility for employees and departments
- Improved employee morale and job satisfaction
- Reduced employee absenteeism
- Reduced employee commute time and costs
- Decreased energy consumption, air pollution, traffic and parking congestion, and transit overcrowding.

The Telecommuting Policy and Program applies organization-wide, and department heads are strongly encouraged to make telecommuting available to all eligible employees in their departments to the greatest extent possible.

II. Policy

Telecommuting is not an employee right. All employees who telecommute must have an approved telecommuting agreement under this policy. A department may have additional telecommuting requirements, guidelines, or procedures, provided they are consistent with the intent of this program.

Telecommuting does not change the duties, obligations, responsibilities, or terms and conditions of employment. Telecommuting employees must comply with all established rules, policies, practices, and instructions.

A telecommuting employee must perform work during scheduled telecommuting hours. Employees may not engage in activities while telecommuting that would not be permitted at the regular worksite, such as child, elder, or other dependent care. Telecommuting employees may take care of personal business during unpaid lunch periods, as they would at the regular worksite.

Employees must read the telecommuting policy and guidelines, submit an agreement through the departmental approval process, and complete the telecommuting survey before telecommuting.

A supervisor or a department may deny, end, or modify a telecommuting agreement for any business reason that is not arbitrary or capricious. Similarly, a telecommuting employee may end or request to change a telecommuting agreement at any time. Employees may be removed from the Telecommuting Program if they do not comply with the terms of their telecommuting agreements.

Departments have the sole discretion to provide equipment, software, or supplies, or allow employees to use their personal equipment while telecommuting. Departments providing equipment, software, or other supplies to telecommuting employees must reasonably allocate those resources based on operational and workload needs.

Departments have the sole discretion to reimburse employees for the costs of using personal equipment while telecommuting. Departments that agree to reimburse costs should address this clearly in the telecommuting agreement.

All rules regarding the use of computers and the internet apply while an employee is telecommuting, regardless of whether the employee is using employer-provided or personal equipment.

III. Eligibility

Eligibility for telecommuting is based on both the position and the employee. Not every job, or every employee, is well-suited for telecommuting.

A. Position eligibility

An employee's position may be suitable for telecommuting when the job duties:

- Are independent in nature
- Are primarily knowledge-based
- Lend themselves to measurable deliverables
- Do not require frequent in-person interaction at the regular worksite with supervisors, colleagues, clients, or the public
- Do not require the employee's immediate presence at the regular worksite to address unscheduled events, unless alternative arrangements for coverage are possible
- Are not essential to the management of on-site workflow.

B. Employee Eligibility

Employees may be suitable for telecommuting when their personal characteristics, as determined by the supervisor, include:

- Demonstrated dependability and responsibility
- Effective communication with supervisors, coworkers, and clients
- Demonstrated motivation
- The ability to work independently
- A consistently high rate of productivity
- A high level of skill and knowledge of the job
- The ability to prioritize work effectively
- Good organizational and time management skills.

Employees who are not upholding employment obligations, such as meeting performance or conduct expectations, are not eligible to telecommute.

IV. Agreement Options

Telecommuting agreements can be on a regular and recurring, or an occasional basis.

Regular and recurring means an employee works away from the regular worksite on an established day or days, and on a recurring schedule.

Employees who telecommute on a regular and recurring basis must be available to work at the regular worksite on telecommuting days if needed. Conversely, occasional requests by employees to change their regularly scheduled telecommute days should be accommodated by the supervisor if possible. Employees must obtain prior authorization to change a regularly scheduled telecommute day.

Occasional telecommuting means an employee works away from the office on an infrequent, one-time, or irregular basis. This option provides an ideal arrangement for employees who generally need to be in the office, but who sometimes have projects, assignments, or other circumstances that meet the eligibility criteria.

V. Survey

All employees with approved telecommute agreements must complete the survey found at: <https://www.sfmta.com/reports/sample-telecommute-survey>

The survey will help (Organization) track the number of telecommuting employees and evaluate the program. The employee shall agree to participate in all studies, inquiries, reports and analyses relating to this program.

VI. Work Hours

All the rules applicable at the regular worksite are applicable while telecommuting. That is:

- Telecommuting employees must perform designated work during scheduled work hours
- Employees must account for and report time spent telecommuting the same way they would at the regular worksite, or according to the terms of the telecommuting agreement
 - Time accounting should be included in the telecommuting agreement
- Employees must obtain approval to use vacation, sick, or other leave in the same manner as departmental employees who do not telecommute
- Telecommuting employees who become ill must report the hours actually worked, and use sick leave for hours not worked.

VII. Worksite

A telecommuting employee must designate a work area suitable for performing official business. Requirements for the designated work area will vary depending on the nature of the work and the equipment needed, and may be determined by the department.

Telecommuting employees must work in an environment that allows them to perform their duties safely and efficiently. Employees are responsible for ensuring their work areas comply with relevant health and safety requirements.

Employees are covered by workers' compensation laws when performing work duties at their designated alternate locations during regular work hours. Employees who suffer a work-related injury or illness while telecommuting must notify their supervisor and complete any required forms immediately.

(Organization) is not liable for damages to an employee's personal or real property while the employee is working at an alternate worksite.

VIII. Equipment and Supplies

A telecommuting employee must identify the equipment, software, supplies, and support required to successfully work at an alternate location, and must specify those items in the telecommute application and agreement form. If the department does not provide the needed equipment, software, supplies, or support, and the employee does not have them, the employee will not be eligible to telecommute.

A. Equipment

Equipment, software, or supplies provided by (Organization) are for work business only.

A telecommuting employee does not obtain any rights to (Organization) equipment, software, or supplies provided in connection with telecommuting. The employee must immediately return all (Organization) equipment, software, and supplies at the conclusion of the telecommuting arrangement or at the department's request.

A telecommuting employee must protect (Organization) equipment, software, and supplies from possible theft, loss, and damage. The telecommuting employee may be liable for replacement or repair of the equipment, software, or supplies in compliance with applicable laws on negligence or intentional conduct in the event of theft, loss, or damage.

Any equipment, software, files, and databases provided by (Organization) shall remain the property of (Organization). A telecommuting employee must adhere to all software copyright laws, and may not make unauthorized copies of any employer-owned software. Employees may not add hardware or software to (Organization) equipment without prior written approval.

B. Personal Equipment

Employees who use their personal equipment for telecommuting are responsible for the installation, repair, and maintenance of the equipment.

Employees must contact their supervisors if equipment, connectivity, or other supply problems prevent them from working while telecommuting.

IX. Security of Confidential Information

All files, records, papers, or other materials created while telecommuting are (Organization) property. Telecommuting employees and their supervisors shall identify any confidential, private, or personal information and records to be accessed and ensure appropriate safeguards are used to protect them. A department may require employees to work in private locations when handling confidential or sensitive material. Departments may prohibit employees from printing confidential information in telecommuting locations to avoid breaches of confidentiality.

Employees may not disclose confidential or private files, records, materials, or information, and may not allow access to (Organization) networks or databases to anyone who is not authorized to have access.

X. Procedures

Employees must complete the following steps before telecommuting:

1. Talk with the supervisor to determine eligibility
2. Read and agree to the Telecommuting Program Policy
3. Complete the telecommute application and agreement form as required by the department
4. Receive approval of the telecommute agreement in accordance with the department's approval process
5. Complete the telecommuting survey.

XI. Denial of Application

(Organization's) Telecommuting Policy and Program is not subject to the grievance procedures in any Memorandum of Understanding, or to any other review or appeal procedures, except as noted in this section.

An employee who believes the telecommute application has been denied for arbitrary or capricious reasons may appeal the decision to the department head or designee. The decision of the department head or designee is final.