



2.18 TELECOMMUTING AND ALTERNATE WORK SCHEDULES

APPLICATION:

All Full-time and part-time classified, "at will," and wage employees.

PURPOSE:

Virginia Department of Social Services (VDSS) embraces the use of new technologies and ideas, including allowing employees to telecommute in accordance with the provisions of § 2.2-2817.1 of the Code of Virginia (Attachment A) and to provide employees with alternate work schedules where agency business needs permit.

I. DEFINITIONS:

Onsite Workplace	The site where a position is officially based. This may include the approved home base.
Offsite Workplace	A site where the position is not officially based. This may include an employee's home, another VDSS office, or other approved location.
Telecommuting	An approved work arrangement in which the employee performs job duties away from the onsite workplace.
Telecommuting Schedule	A work schedule that typically parallels the onsite work schedule.
Alternate Work Schedules	Schedules that differ from the standard 40-hour workweek schedule, if such schedules promote efficient agency operation. Schedules may apply to onsite and offsite work locations. Alternate work schedules may include, but not be limited to, four 10-hour days, rotational shifts, and job sharing.

II. ELIGIBILITY:

Some positions may be suitable for a telecommuting work schedule on a long- or short-term basis (See Attachment B for guidance). Accordingly, VDSS will consider and, at the sole discretion of management, allow telecommuting arrangements to be established for employees where such

employment situations are deemed to be in the best interest of VDSS and its mission.

III. INELIGIBILITY:

Generally, supervisory and managerial positions are not eligible for working offsite on a long-term basis or participating in alternate work schedule arrangements.

IV. AGENCY HEAD RESPONSIBILITIES:

§ 2.2-2817.1 of the Virginia Code requires the Commissioner to set annual percentage targets for the number of positions eligible for alternative work schedules. By July 1, 2009, the Commissioner shall have a goal of not less than 25 percent of its eligible workforce participating in alternative work schedules (Attachment A).

The Commissioner shall annually report to the Secretary of Administration or his designee on the status and efficiency of telecommuting and participation in alternative work schedules, including specific budget requests for information technology, software, or other equipment needed to increase opportunities for telecommuting and participation in alternate work locations.

V. DIVISION OF HUMAN RESOURCE MANAGEMENT RESPONSIBILITIES:

The Division of Human Resource Management serves in a consulting capacity for VDSS management and employees. It maintains the Telecommuting Agreement and Safety Checklist form and all related information in each employee's personnel file and updates coding information in the Personnel Management Information System (PMIS). The Division produces ad hoc reports as requested by VDSS executive management.

VI. DIVISION/OFFICE RESPONSIBILITIES:

Work performed offsite is official state business; therefore, division/office management must establish a specific written description of offsite job duties and performance and work expectations, documenting such on an Employee Work Profile (EWP). The manager/supervisor is responsible for discussing the duties and expectations with the employee and VDSS/DHRM before implementation of the offsite agreement. See Attachment B for information on jobs that are suitable for working offsite.

Division/Office management is responsible for coordinating with VDSS/DHRM before allowing an employee to telecommute. Division/Office management is responsible for developing/updating the EWP and identifying the duties that will be performed off-site. Division/Office management will monitor deadlines and work produced and will measure and evaluate telecommuting work

performance. The manager must establish clear procedures to track time worked and to document hours worked by employees covered under FLSA.

Division/Office management completes or updates an EWP (identifying the work to be performed offsite. They attach the original Telecommuting Agreement and Safety Checklist, along with documentation on how deadlines and work will be monitored, measured, and evaluated, as well as how hours worked will be documented. This information is sent to VDSS/DHRM for review prior to the start of telecommuting.

Division/Office management is responsible and accountable for keeping VDSS/DHRM advised of any deviations to previously authorized work agreements.

Division/Office management must submit a renewal Telecommuting Agreement and Safety Checklist form at the start of the next annual performance cycle.

Division/Office management is responsible for coordinating with the Division of Information Systems and the Office of General Services to cover information security and equipment issues prior to the start of telecommuting.

VII. EMPLOYEE RESPONSIBILITIES:

Employees telecommuting must comply with all state and VDSS policies, practices and guidelines. They must notify division/office management immediately of any situation that interferes with their ability to perform their job.

Employees who telecommute are responsible for the security and confidentiality of information, documents, records, or equipment in their possession.

Employees must certify that the offsite work environment is safe. They must practice the same safety habits they would use on-site at VDSS.

Managers/supervisors must pre-authorize overtime prior to hours worked. Failure to comply with this requirement may result in formal disciplinary action.

Employees are responsible for following applicable Federal and State tax guidelines.

Office Closings: Employees scheduled to work at a location where the office is officially closed for a partial or full day will charge the time to the closing and not their personal leave. Employees who are working at an offsite location and who do not have to travel to get to that location are expected to work when the on-site workplace is officially closed for a partial or full day.

VIII. GUIDELINES:

Telecommuting carries additional requirements for VDSS and its employees. Both are required to demonstrate that work duties are properly performed and legal requirements for compensation and safety are met. Telecommuting is not intended to substitute for child or adult care.

Division/Office management must evaluate jobs for telecommuting suitability before committing to the arrangement. Positions must have activities that can be measured, performed independently, easily moved to an offsite or non-office environment, have observable beginning and ending points, and not require special equipment or information that is available only at the work site.

VDSS will compensate employees for hours worked as required by the Fair Labor Standards Act (FLSA) and as specified by VDSS policies and practices for hours worked. An employee's total compensation (salary and benefits) does not change when telecommuting.

Employees are to use VDSS computers and software at the offsite work location. Employees are not permitted to use their personal computers when performing VDSS business. Employees are required to have VDSS computer anti-virus updates installed as determined by the Division of Information Systems. Where appropriate and reasonable, the employee may be reimbursed for work-related long-distance calls made from their personal telephones and fax machines.

Division/Office management and the employee must agree to the terms of telecommuting, execute an agreement, and notify VDSS/DHRM prior to implementation. Either party may request to terminate the agreement at any time; however, this typically requires a transition period of two weeks and office space must be available at the on-site location.

IX. DEVELOPMENT OF WORK AGREEMENTS

VDSS and eligible employees must agree to the terms of telecommuting before an employee may work at an alternate work location. Any agreement other than the agreement template issued with this procedure must be reviewed and approved by the Office of the Attorney General prior to use.

The conditions listed below must be covered in work agreements. The form, "Telecommuting and Safety Checklist" has already been approved by the Office of the Attorney General. If a subsequent agreement is developed, it must be approved by the Office of the Attorney General prior to use.

- the duration of the agreement;

- the work schedule and how it can be changed;
- how leave is to be requested and approved by the supervisors;
- status of employees during emergency or weather-related closings affecting the central or alternate workplace under Department of Human Resource Management Policy 1.35, Emergency Closings;
- how routine communication between the employee, supervisor, co-employees, and customers will be handled;
- employee's performance plan/expectations;
- the equipment and/or supplies that will be used, and who is responsible for providing and maintaining them;
- any applicable data security procedures;
- safety requirements (see Attachment C for agreement and safety checklist); and
- a requirement that employees permit supervisor access to the alternate work location during normal work hours as defined by the "Telecommuting Agreement and Safety Checklist."
- comply with all state and agency rules, policies, practices and instructions;
- use agency-provided equipment/supplies only for business purposes, and to notify agency immediately when equipment malfunctions;
- notify their supervisors immediately of any situations that interfere with their ability to perform their jobs;
- maintain safe work conditions and practice appropriate safety habits;
- certify that the work location is free from hazards;
- notify their supervisors immediately of any injury incurring while working;
- agree to allow supervisors to visit the alternate work location immediately after any accident or injury that occurred while working;
- absolve the agency from liability for damages to real or personal property resulting from participation in the Telecommuting program; and
- be responsible for the security of information, documents, and records in their possession or used during times they are telecommuting, and not take restricted-access material home or to other approved off-site work location without the written consent of their supervisors.

X. USE OF STATE EQUIPMENT/SUPPLIES:

State-Owned Equipment: Authorized users may operate state-owned equipment only for legitimate state purposes. Only approved state VDSS software may be placed on state-owned equipment. VDSS maintains, services and repairs state-owned equipment. If servicing of VDSS computer

equipment is needed, the employee must transport the equipment to the Division of Information Systems and arrange for other VDSS computer equipment. Under no circumstances is an employee to make any type of repair or equipment upgrade to state-owned equipment. At the conclusion of the Telecommuting Agreement, the employee will return VDSS computer equipment to the Division of Information Systems. The employee may be required to reimburse VDSS for damages if the equipment is damaged beyond that which occurs under ordinary use. Employees who work offsite are subject to VDSS internet use policies.

Employee-Owned Equipment: Employees who telecommute may use their own equipment. VDSS assumes no responsibility for the cost of equipment not provided by VDSS to include repair, or maintenance. VDSS is not responsible for operating costs, home maintenance or other costs incurred by employees in the use of their homes or other alternate work locations.

Attachment A

§ 2.2-2817.1. State agencies to establish alternative work schedules; reporting requirement.

- A. In accordance with the statewide telecommuting and alternative work schedule policy, to be developed by the Secretary of Administration pursuant to § [2.2-203.1](#), the head of each state agency shall establish a telecommuting and alternative work policy under which eligible employees of such agency may telecommute, participate in alternative work schedules, or both, to the maximum extent possible without diminished employee performance or service delivery. The policy shall identify types of employees eligible for telecommuting and alternative work schedules, the broad categories of positions determined to be ineligible for telecommuting and the justification therefore, any benefits of telecommuting including the use of alternate work locations that are separate from the agency's central workplace, and any benefits of using alternative work schedules. The policy shall be updated periodically as necessary.
- B. The head of each agency shall set annual percentage targets for the number of positions eligible for alternative work schedules. By July 1, 2009, each state agency shall have a goal of not less than 25 percent of its eligible workforce participating in alternative work schedules.
- C. The head of each state agency shall annually report to the Secretary of Administration or his designee on the status and efficiency of telecommuting and participation in alternative work schedules, including specific budget requests for information technology, software, or other equipment needed to increase opportunities for telecommuting and participation in alternate work locations.
- D. As used in this section:

"Alternate work locations" means approved locations other than the employee's central workplace where official state business is performed. Such locations may include, but not be limited to the home of an employee and satellite offices.

"Alternative work schedule" means schedules that differ from the standard workweek, 40-hour workweek schedule, if such schedules are deemed to promote efficient agency operations. Alternative work schedules may include, but not be limited to, four 10-hour days, rotational shifts, and large-scale job sharing.

"Central workplace" means an employer's place of work where employees normally are located.

"Telecommuting" means a work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their central workplace, in accordance with work agreements.

"Work agreement" means a written agreement between the employer and employee that details the terms and conditions of an employee's work away from his central workplace.

(2001, c. 405, § 2.1-20.1:9; 2004, cc. 701, 755; 2005, c. 421.)

Attachment B

DETERMINING POSITIONS THAT ARE APPROPRIATE FOR TELECOMMUTING

Managers should analyze the duties and the work requirements before determining which positions are appropriate for telecommuting.

Selection Issues for Successful Telecommuting Situations

Careful planning, a telecommuting agreement between the manager and the employee; and approval of telecommuting arrangements based on job, employee, and manager characteristics are key to a successful telecommuting arrangement.

Generally, the following types of positions may be appropriate for telecommuting:

- Require independent work;
- Require little face-to-face interaction;
- Require concentration;
- Result in a specific, measurable work product;
- Can be monitored by the output, not by the time spent doing the job.

Examples of types of jobs include, but are not limited to:

- Computer programmer
- Engineer
- Project manager
- Word processor
- Writer/editor
- Software developer
- Analyst
- Lawyer
- Bookkeeper
- Accountant
- Web designer

Employee qualities that ensure successful telecommuting arrangements:

In making decisions about which employees are designated or approved for telecommuting, managers should review the work qualities of employees, in addition to ensuring that their positions are appropriate for telecommuting.

Generally, employees who are successful in telecommuting are:

- able to work productively on their own,
- self-motivated and flexible,
- knowledgeable about the job,
- in need of limited social interaction,
- dependable and trustworthy,
- typically, above average performers,
- organized, and
- good communicators.

Manager qualities that ensure successful telecommuting arrangements

Managers who work most effectively with employees telecommuting are those who:

- empower and trust their employees,
- learn how to manage by results or output rather than by time spent working,
- encourage feedback and communication,
- are effective problem-solvers or facilitators,
- support telecommuting as a concept and work to make arrangements successful, and,
- effectively plan and organize their work and the work of subordinates to achieve results.