

## Summary of Changes to the Statewide Telework Policy

A new Statewide Telework Policy will become effective September 1, 2020. Because the policy had not been modified since 2005, many of the modifications modernize language and provide consistency with the format and organization of other statewide policies. Substantive modifications are summarized below.

- ❖ In Section V, a definition of “primary work station,” consistent with the term’s definition in the SAO Statewide Travel Policy, has been added. To avoid confusion, the term “primary workplace” has been replaced with the term “conventional worksite.”
- ❖ Section VI, “General Provisions,” has been added to address high-level constraints on a telework arrangement.
  - Subsection (a) adds a statement that telework can be required in some instances. The previous policy stated that telework is entirely voluntary for the employee.
  - Subsection (b) notes that telework is a management option rather than an employee entitlement.
  - Subsection (b) also includes a statement that telework may be considered a reasonable accommodation under the Americans with Disabilities Act.
- ❖ In Section VII, “Agency Participation and Responsibilities,” requirements concerning agency policies have been updated.
  - Subsection (a) Replaces the previous policy’s provisions on telework training with language indicating that agencies should provide sufficient training to ensure success of the arrangement to provide better flexibility to agencies to determine the scope of instruction necessary.
  - Subsection (c) includes a reference to the requirement in the Statewide Travel Policy for agencies to designate either the conventional worksite or the alternate workplace as the primary work station and a reminder that the designation impacts reimbursement mileage.
  - Subsection (d) provides that agencies should maintain a temporary work station or other alternate solutions for the employee in the event his or her teleworking capabilities are compromised.
- ❖ Section VIII, “Employee Participation and Responsibility,” also includes updated provisions.
  - Subsection (c) (2) adds a provision that the agency may require the employee to telework during a state of emergency or other extenuating circumstances.
  - Subsection (c) (3) adds a provision that allows flexibility regarding child or dependent care during extenuating circumstances such as a declared state of emergency that affects the availability of schools and/or childcare providers.

- Subsection (d), references to applicable state, federal, and agency internet and data laws and policies and included specific references to GTA policies have been added.
- ❖ In Section IX, “Telework Agreement,” the requirement to renew telework agreements annually has been replaced with a provision that leaves it up to agency discretion to determine the appropriate time to revisit the telework agreement.
- ❖ In Section X, Equipment and Supplies, the following provisions have been added or updated:
  - Subsection (a) states that agencies may provide office supplies to teleworkers, but they are no longer required to do so.
  - Subsection (d) adds language concerning return of state-owned supplies/assets/equipment.
  - Subsection (f) adds provisions to address temporary unavailability of equipment, power, internet service at the alternate workplace.
  - Subsection (g) adds a provision that agencies should limit the issuance of duplicate equipment (e.g., a teleworker should only be issued one laptop that can be used at both conventional worksite and alternate workplace).
- ❖ In Section XI, “Liability,” the following revisions were made:
  - The policy no longer contains a broad statement that injuries in the alternate workplace are covered. Instead, subsection (a) 1 states that the alternate workplace is generally considered an extension of the workplace and therefore all injuries while teleworking must be reported.
  - Elimination of language concerning the advisability for the employee to contact an insurance agent and tax consultant.
- ❖ In Section XII, “Exceptions to the Policy,” the language concerning authority to grant exceptions has been clarified.