

SUBJECT: TELEWORKING POLICY

Purpose

Teleworking is an arrangement that allows eligible City of Madison (City) employees to work in a designated area outside the office. Teleworking is a cooperative arrangement between employees, supervisors, and employing departments. The City recognizes changing needs of our workforce and strives for an engaged and inclusive workplace which promotes the highest quality services and enhanced work-life balance. Teleworking 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 City resources
- Recruitment and retention of highly qualified employees
- Greater flexibility for employees and departments
- Improved employee morale, job satisfaction, and work-life balance
- Reduced employee absenteeism
- Reduced employee commute time and costs
- Decreased energy consumption, air pollution, traffic, and parking congestion

The Teleworking Policy and Program applies citywide, and department heads are strongly encouraged to make teleworking available to all eligible employees in their departments as reasonable, as needed during inclement weather, or in emergency situations as declared by the Mayor.

Policy

Teleworking can offer the opportunity for mutual benefits to both the employee and the employer. However, no employee is guaranteed the ability to telework. Each department may have additional teleworking requirements, guidelines, or procedures, provided they are consistent with the intent of this program. Supervisors are encouraged to be creative and flexible in determining teleworking opportunities for their staff. All City employees who telework must have an approved teleworking agreement as explained by this policy, absent any emergency citywide implementation.

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

Employees must read the teleworking policy, technical guidelines and telework toolkit before submitting an agreement through the departmental approval process.

A supervisor or a department may deny, end, or modify a teleworking agreement in accordance with this policy. Similarly, a teleworking employee may end or request to change a teleworking agreement at any time. Employees may be removed from the Teleworking Program if they do not comply with the terms of their teleworking agreements.

City Employees must follow all work rules and [Administrative Procedure Memoranda \(APMs\)](#). City employees using any equipment, City or employee owned, to access the City network must comply with all applicable Administrative Procedure Memoranda, such as, Appropriate Use of City Computers (APM 3-9), Telephones (APM 3-12), and Software Acquisition Policy (APM 3-20). City employees must also comply with the City of Madison Network Connection Policy and the Virtual Private Network (VPN) Policy.

Request Process

I. Eligibility

Eligibility for teleworking is based on both the position eligibility and the employee eligibility, as indicated below. Not every job, or every employee, is well suited for teleworking. Managers and supervisors are encouraged to look at specific job duties, flexible scheduling and other alternatives which can be key to allowing a City employee to be eligible for telework.

A. Position / Job Duties Eligibility

A position's specific job duties may be suitable for teleworking if they:

- Have limited in-person public interaction at the regular worksite.
- Do not slow down critical workflow.
- Can be done on certain days/times to allow for the employee to telework.
- Do not require hands-on installation and maintenance of infrastructure.
- Do not require in-person field checks and/or on-site inspections.
- Do not require transporting members of the public or being a first responder

Even if a position at times includes some of the above duties that does not mean all work duties are required to be done in person. Supervisors are again encouraged to think creatively when weighing which work duties may or may not be eligible for teleworking. For example, although a job duty may require in-person public contact that job duty may be able to be shared among other employees or it could occur on specific days of the week so that the employee could telework on days where in-person public contact is not required.

B. Employee Eligibility

An employee's telework agreement may be revoked when they no longer demonstrate:

- Adequate attendance and responsiveness.
- Adequate ability to meet project/work deadlines.
- Effective and timely communicate with supervisors, coworkers, and customers
- Consistent productivity with measurable or quantifiable work product.

Employee's work performance will be reviewed by supervisors during a predetermined 30-60-90 day evaluation period (based on the telework agreement) to assess an employee's abilities and performance expectations as stated above. If an employee has already been working at home 90 days or longer, the supervisor may consider and/or substitute the time already spent working at home for the predetermined evaluation period.

Employees who are not upholding City obligations, such as meeting performance or conduct expectations, are not eligible to telework. An employee may not be eligible for teleworking if the employee has any current or recent performance related discipline (including performance improvement plans) on record within the last 6 months from the date of the request.

Employees who do not live in Wisconsin may not be eligible to telework due to potential additional tax liability for the City of Madison. Telework requests from employees living outside Wisconsin will be evaluated on a case-by-case basis.

II. Agreement Options

Teleworking 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 telework on a regular and recurring basis must be available to work at the regular worksite on teleworking days if needed. In non-emergency situations, supervisors will provide five (5) business days' notice to the employee if the employee is needed to come to the regular worksite on a previously scheduled telework day (unless less notice is agreed to by mutual agreement between the employee and supervisor). Similarly, in non-emergency situations, employees will provide at least three (3) days' notice to their supervisor, and obtain authorization, to change a regularly scheduled telework day (unless less notice is agreed to by mutual agreement between the employee and supervisor). It is anticipated that requests to change a regularly scheduled telework day will be rare. If changes are occurring more than three (3) times per month, the supervisor and/or employee should modify the telework schedule. Emergency situations are defined as childcare, school cancellations, elder care, health emergency, inclement weather and other unforeseen circumstances that require immediate attention.

Employees may engage in minor activities while teleworking that would not be permitted at the regular work site (dependent care such as preparing a meal, assisting with personal care needs) provided that such activities do not exceed the allowed break time. Employees needing more time during the day for child, elder or dependent care (including virtual schooling) should consider a flexible work schedule. See Alternative and Flexible Work Schedules (APM 2-35) as the Teleworking APM does not guarantee a Flexible Schedule. Other City leave policies such as FMLA would also apply, and should be considered on a case-by-case basis.

Occasional teleworking 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.

III. Work Hours

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

- Teleworking employees must perform designated work during work hours as agreed upon with the employee's supervisor or otherwise indicated on the telework agreement. See Alternative and Flexible Work Schedules (APM 2-35).
- Employees must account for and report time spent teleworking the same way they would at the regular worksite, or according to the terms of the teleworking agreement.
- Time accounting expectations should be clearly indicated in the teleworking agreement.
- Employees may work overtime or work on holidays and/or City designated paid leave days only when directed to do so and approved in advance by the supervisor.
- Employees must obtain approval to use vacation, sick, or other leave in the same manner as departmental employees who do not telework.
- Teleworking employees who become ill must report the hours actually worked and take appropriate leave time to cover for hours not worked.

IV. Worksite

A teleworking employee must designate a work area suitable for performing official business. The employee must perform work in the designated area when teleworking. 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, and will ensure compliance with the [IT Hardware for Telework Policy](#).

Teleworking employees must work in an environment that allows them adequate space to perform their duties safely and efficiently. The following are best practices for a safe home office or designated alternate work area:

- A dedicated or separated space with sufficient lighting and temperature levels;
- File cabinet doors and drawers arranged so they do not open into hallways or walkways;
- Any electrical or similar cords shall be properly secured, and free of damage; and
- Work area is free of obstructions and tripping hazards.

Employees should consider maintaining the following best practices for ergonomic guidelines:

- Chair should be adjusted so feet are flat on floor or footrest and legs are vertical to ground.
- Computer monitor should be directly centered in front of the user, and at a comfortable viewing distance.
- Use good posture when keyboarding (elbows at a 90 degree angle with wrists level to the keyboard).

V. Equipment and Supplies

The Teleworking Policy and Program is intended to be cost neutral. The City is not required to provide teleworking employees with materials or supplies needed to establish an alternate worksite (desk, chair, printer, fax, copier, etc.), and assumes no responsibility for set-up or operating costs at an alternate worksite (telephone or internet services, etc.).

A teleworking employee and supervisor will identify the equipment, software, supplies, and support required to successfully work at an alternate location, and must specify those items in the telework application and agreement form. The Department/Division Head shall make a decision on what equipment is allowed to be brought to an alternate location based on the [IT Hardware for Telework Policy](#).

Departments have the sole discretion to provide equipment, software, furniture or supplies, or allow employees to use their personal equipment while teleworking. Departments providing equipment, software, or other supplies to teleworking employees must reasonably allocate those resources based on operational and workload needs. City/employee's department will be responsible for any repairs and maintenance of City owned equipment, with the exception of gross negligence or willful damage.

A. City Equipment

Equipment, software, or supplies provided by the City are for City business only. A teleworking employee is not allowed to use City equipment, software, or supplies for anything other than City authorized teleworking in accordance with the policy on Appropriate Use of City Computers (APM 3-9). The employee must immediately return all City equipment, software, and supplies at the conclusion of the teleworking arrangement or at the department's request.

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

Any equipment, software, files, and databases provided by the City shall remain the property of the City. A teleworking employee must adhere to all software copyright laws, and may not make unauthorized copies of any City-owned software. Employees may not add hardware or software to City equipment without approval from City Information Technology (IT).

B. Personal Equipment

Employees who use their personal equipment for teleworking are responsible for the installation, repair, and maintenance of the equipment. See Customer Support section below for necessary tools.

Teleworking employees must understand the City is subject to open records requests and therefore if a teleworking employee uses a personal device to create a City record/document for work purposes that device may be subject to open records requests.

VI. Security of Confidential Information

All files, records, papers, or other materials created while teleworking are City property. Employees are required to save all City-related work to the City network. Use of the "C" Drive, also known as your local drive on your computer, for regular City work is prohibited. Any City work created by the employee on their personal computer must be transferred to the City network at the end of the work day. If you are working on an unsecured/public Wi-Fi network, you must use VPN to ensure the confidentiality and/or security of your work documents. Compliance with all public records and records management policies is required.

Teleworking 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. Employees agree to maintain all information protected by federal or state regulations in a confidential manner. Passwords and protected entry codes to the City's software will be kept confidential.

Departments may require employees to work in private locations when handling confidential or sensitive material. Verbal communications (via phone, video conferencing or other voice technologies) involving such information will be conducted in a private area. Departments may prohibit employees from printing confidential information in teleworking locations to avoid breaches of confidentiality.

Employees may not disclose confidential or private files, records, materials, or information, and may not allow access to City networks or databases to anyone who is not authorized to have access. The employee agrees that family members and others will not have access to protected information at any time.

VII. Liability

The City of Madison assumes no liability for injuries occurring inside the employee's home office or designated alternate work area outside of the employee's designated work hours, nor will the City be liable for damages to the employee's personal or real property resulting from participation in the teleworking program. Employees are encouraged to purchase and maintain homeowners/renters insurance covering the employee's property and liability exposures as well as any liability for third party injuries occurring at their work at home location. The City assumes no responsibility for property damage and/or injuries occurring to others at the employee's residence and will not compensate the employee for any such loss.

Employees are covered by workers' compensation laws when performing work duties at their home office or designated alternate work area during designated work hours. If the employee is injured during their designated work hours, while working in the designated work area, the employee should follow the City's established procedures for reporting on-the-job injuries by notifying their supervisor and completing any required forms immediately. The City has the right to promptly investigate work injuries and accidents by making post-injury visits to the employee's home or designated work area.

VIII. Customer Support

Information Technology (IT) requires advance notification of ten (10) working days prior to implementation of teleworking, from the Agencies [Authorized IT Contact](#).

The employee's agency/department is responsible for the expenses related to the purchase of teleworking hardware and software. IT will configure the IT supported device with the appropriate operating system, virus protection, software applications and virtual private network (VPN) as required by the teleworking

agreement. IT will configure and test the device with the appropriate network connectivity hardware and software so the employee can connect to the City network via the City's VPN appliance.

If you need to connect to your work computer to complete your daily work, you can remote desktop into your work machine from a personal computer or a City laptop. You can connect either through the web application, or by downloading the client application.

If the employee experiences problems that relate to an IT supported device, software, connecting or authenticating to the City's VPN appliance, they may seek assistance from the City [HelpDesk](#) during normal business hours (8:00 AM – 4:30 PM). If the problem requires physical examination of the device, the employee is responsible for delivering the equipment to the City HelpDesk via an appointment.

For employees that use their personal equipment, IT will ensure that the service they use to access their networked device is available and accessible to the employee.

If it is determined that the issue the employee is having is related to their personal Internet Service Provider (ISP), they must contact their ISP directly.

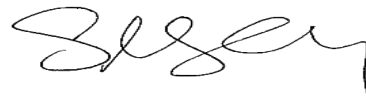
Approval Process

A. Procedures

Employees may request a telework arrangement by following the approval process below:

1. Talk with their supervisor to determine eligibility.
2. All requests must be submitted at least 30 days prior to the employee's desire to telework. The approval process may take time for reviewing the request, scheduling, planning and consulting with the employee's supervisor.
3. Complete the telework application and agreement form as required by the department.
4. Approval Process:
 - Step 1: Request (telework application) will be sent to the employee's immediate supervisor to approve or deny.
 - Step 2: Then the request will also be sent to Department/Division Head, with supervisor recommendations, to either approve or deny the request within 10 working days before the requested schedule change. If the request is denied by the immediate supervisor, the employee may go to the Department Head to appeal the decision.
 - Step 3: If the request is denied, the Department/Division Head will give the reason(s) for the denial in writing and forward a copy of the denial to the Human Resources Director for review. All telework requests (both approved and denied) are sent to the Human Resources Director for review and tracking.

The City's Teleworking Policy and Program is not subject to the grievance procedures contained in any ordinance, labor agreement or Memorandum of Understanding, or to any other review or appeal procedures, except as noted in this section. Employees may re-apply for a telework arrangement if there is a change to the employee's original job duties or original work situation or after six (6) months if no change occurs.



Satya V. Rhodes-Conway
Mayor