



# ADMINISTRATIVE POLICIES AND PROCEDURES

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supersedes

## SUBJECT

### LIMITED DURATION TELEWORKING POLICY & GUIDELINES

approved by

effective date

## A. PURPOSE

Teleworking (aka Telecommuting) is a limited duration arrangement that allows eligible City employees to work in a designated area outside the office. Teleworking is a supportive arrangement between employees, supervisors, and employing departments during the evolving circumstances of the COVID-19 pandemic. Teleworking is a privilege, not a right. All City employees who desire to have Teleworking arrangements must have their specific arrangement pre-approved in writing. A City department may have additional teleworking requirements, guidelines, or procedures, provided they are consistent with the intent of this limited duration program. Eligibility for limited duration remote working is based on the individual position and operational needs. Not every position or individual circumstance is well-suited for teleworking. Telework requests will be considered on a case-by-case basis depending on organizational priorities and available equipment where necessary to perform duties.

The purpose of this policy is to; (1) encourage employees who desire and are able to work from home or another remote location to discuss the feasibility of such an arrangement with their immediate supervisors during the current pandemic period; (2) develop a uniform policy for employees who work remotely; and (3) ensure that all teleworking arrangements are in full compliance with applicable laws governing workplace safety, employee rights and responsibilities, and City of Alameda policies.

## B. OVERALL GUIDELINES

### I. Eligibility

Only employees whose job duties can be performed away from the City of Alameda office (or other primary work location) may be considered for participating in a telework program. Additional criteria shall be considered in determining whether to grant a specific request for teleworking. These additional criteria may include, but are not limited to, years of employment at City of Alameda; whether the employee's past work performance has shown reliable and responsible performance of work duties over time; whether the employee can reliably provide alternative work space; whether the employee's absence from the primary work location will disrupt the workflow of other employees and/or overall management of City of Alameda; whether the employee can demonstrate full understanding of the requirements of this policy; and whether a teleworking arrangement serves the purpose of this policy to implement protective measures during the pandemic period. Department heads may use other reasonable criteria in addition to these examples.

Employee participation in teleworking is determined only at the discretion of the employee's Department Head. City of Alameda has the right to refuse to make telecommuting available to any employee. City of Alameda has no obligation to allow one employee to telecommute merely because another employee who performs the same or similar job duties has been approved for telecommuting.

A request to telecommute may be initiated by either the employee or the employee's supervisor.

## **II. WORK SCHEDULE**

All teleworking work schedules are at the Department Head's discretion. Telecommunicating arrangements do not necessarily provide the employee with a flexible work schedule. The work schedule shall be consistent with the operational needs of the employee's work group and department and overall management of City of Alameda. As with any work schedule, management has the discretion to change or eliminate telecommuting arrangements to meet operational needs, or at the employee's reasonable request.

Teleworkers may be required to spend a minimum number of work days per week or per month at their primary onsite work location. Operational needs may also demand the presence of a regularly teleworking employee in the office on a regularly scheduled telework day, with or without advance notice. Management shall attempt to provide as much notice as possible to the teleworking employee.

Teleworkers shall maintain regular contact with supervisors and co-workers by phone and e-mail while they are teleworking. Unless granted express permission by the employee's immediate supervisor, employees shall expect to adhere to a regular workday schedule as if they were present in the office, and shall be in communication by phone and e-mail during those hours.

## **III. MEETINGS AT THE TELEWORK SITE**

Teleworking employees are not permitted to conduct work-related meetings at their remote worksites. Meetings must be conducted either their primary onsite work location or through teleconferencing. Absent express written authorization from the teleworking employee's supervisor, no other City of Alameda employee is permitted to conduct City of Alameda business at the remote worksite.

## **IV. BENEFITS AND COMPENSATION**

All benefits and compensation will be based on the employee's position, with no distinction made between teleworking and onsite employees. All applicable contracts, agreements and policies governing an employee's position shall continue to apply in the teleworking program.

Employees who are subject to overtime shall continue to follow applicable contract provisions and City policy regarding overtime. No employee shall work more than

their regularly scheduled work hours and/or incur overtime without prior authorization by the employee's supervisor.

When completing timekeeping records, employee is responsible for accurately recording time worked on the day in which the hours are worked and recording all actual time worked.

#### **V. CITY OF ALAMEDA POLICIES**

Employees who telework are bound by all City of Alameda policies as if they were working onsite or on City of Alameda property. This includes policies governing appropriate conduct in the workplace and towards one's fellow employees, regardless of working location. Any employee who violates any of City of Alameda's policies while teleworking shall be subject to revocation of his or her teleworking arrangement, in addition to any disciplinary measures that would be taken if the employee was working onsite.

#### **VI. HEALTH AND SAFETY**

City of Alameda is committed to ensuring a safe worksite in compliance with the rules and guidelines set forth by the Division of Occupational Safety and Health (Cal/OSHA). Employees who telework are responsible for designating one area in their home as the worksite. The employee's direct supervisor or other designated manager shall review the applicable health and safety rules with the employee, and the employee must complete a checklist and certify in writing that the worksite meets all of the requirements for a safe and healthy work environment. The employee must also certify in writing that, should any condition arise at the worksite so that the health and safety requirements are no longer met, or if any other hazardous condition occurs, the employee will notify his or her supervisor immediately and cease working at the remote worksite until the condition has been remediated. The employee shall not be permitted to resume teleworking from the remote worksite without the express authorization of their supervisor.

Upon reasonable notice, management has the right to inspect the employee's designated worksite. If the employee refuses such a request, he or she may not be allowed to continue teleworking. Management reserves the right to refuse or rescind a teleworking agreement based on the employee's failure to adhere to the guidelines, or if a supervisor or other manager makes the reasonable assessment that the employee's worksite poses a health or safety risk.

If an employee incurs an injury or illness in the course or scope of employment while telecommuting, Workers' Compensation laws apply. Employees must immediately notify their supervisor and complete all necessary paperwork as required by City of Alameda.

Actions that the teleworker may take during break periods from working and actions not directly related to the approved remote worksite will not be covered under Workers' Compensation. These non-covered actions include, but are not limited to,

all actions that the employee would not be able to perform in their City of Alameda office, such as caring for children or pets, domestic tasks, yard work, retrieving the mail, cooking, exercising and interacting with non- City of Alameda employees for non-business purposes.

City of Alameda shall in no instance be liable for injuries to third persons, including members of the teleworking employee's family, who enter the employee's worksite or otherwise interact with the employee or use his or her home office equipment.

City of Alameda understands that compliance with the health and safety provisions of this policy does not necessarily provide the reasonable accommodations required by employees with disabilities. Teleworking employees with disabilities shall be entitled to the same rights and accommodations they would be entitled to under all applicable state and federal laws and City of Alameda policy. Telework may be provided as a reasonable accommodation with medical certification of a serious medical condition and following an interactive process discussion.

#### **VII. PERFORMANCE STANDARDS AND EVALUATION**

An employee participating in a teleworking arrangement is accountable under the same performance standards as employees working onsite. As in "regular" office assignments, supervisors and employees should discuss and understand what is expected to be produced during teleworking hours and when assignments are due. Supervisors and employees should also arrange when and how to make contact with each other on teleworking days. Employee performance must remain satisfactory or above to participate in the teleworking program. Supervisors may require additional contact and progress reporting to facilitate management of remote working arrangement. Employees are expected to be available and responsive to calls or emails during their regularly scheduled work hours.

#### **VIII. BUSINESS EXPENSES AND REIMBURSEMENT**

Expenses incurred as a result of teleworking will not be reimbursed by City of Alameda unless they are normally reimbursable pursuant to City of Alameda policies. Such non-reimbursable expenses include, but are not limited to, utility costs, computer repair or replacement, purchase of office equipment or furniture, and travel to and from the primary City of Alameda worksite if required to be onsite.

Teleworking employees may use City of Alameda office equipment and supplies at any time, according to need. For example, a teleworking employee is allowed to come to City of Alameda's office to use printing and copying equipment, administrative assistance, or other office resources to which the employee would have access if they were working onsite. With the advance approval of the employee's supervisor, a teleworking employee may be permitted to take City of Alameda office supplies to his or her remote worksite to facilitate productivity. Such supplies may include printer paper, pens and pencils, or other miscellaneous office-related items. Employees should not remove any item from City of Alameda property to use offsite without the express permission of their supervisor.

**IX. USE OF PERSONAL COMPUTERS, SMART PHONES AND OTHER TECHNOLOGY**

Employees may access systems available on the internet but not on the private city network from a personal computer. Employees using their personal computer shall take reasonable measures to protect the confidentiality and security of city systems and documents and adhere to City of Alameda information security standards.

Any and all policies governing employee usage of City of Alameda computers, internet connections and mobile devices shall apply to teleworking employees when they are using their personal equipment in the course and scope of employment, and when they are using City of Alameda technology at any time.

In the event of a public records request where City business has been conducted on a personal device, such personal device may be subject to inspection or duplication. As always, personal email accounts should not be used for any City business or communications.

**X. CYBER SECURITY**

Employees should take precautions to avoid cybersecurity threats to the City while working remotely by adhering to the following guidelines to reduce online threats:

- Use strong passwords
- Make sure your home antivirus software is up to date
- Secure your home router – make sure you changed your router password when it was first installed. Unchanged passwords leave your home network vulnerable.
- Install updates regularly
- Back up your data
- Look out for phishing emails and sites
- Watch out for work-from-home scams
- Lock your device – if you live with individuals that should not have access to work information, make sure to secure your device

**XI. EQUAL OPPORTUNITY**

This policy does not alter City of Alameda's commitment to maintaining an equal opportunity, discrimination-free workplace. All City of Alameda policies, as well as all state and federal laws, governing City of Alameda's anti-discrimination policy apply uniformly to telecommuting and onsite employees.

**XII. HARASSMENT-FREE WORKPLACE**

This policy does not alter City of Alameda's commitment to maintaining a harassment-free workplace. All City of Alameda policies, as well as all state and federal laws, governing City of Alameda's anti-harassment policy apply uniformly to teleworking and onsite employees.

Any employee who feels they have been subjected to harassment in the course of performing City of Alameda business should report the incident in accordance with

City of Alameda's anti-harassment policy. Investigations of alleged harassment shall be conducted in the same manner for teleworkers as for onsite employees, regardless of where the incident occurred.

### **C. GENERAL PROCEDURES**

Employees who wish to telework are encouraged to contact their immediate supervisor to discuss the feasibility of such an arrangement. Employees will complete the Limited Duration Teleworking Application indicating their proposed schedule. Same-day requests for telecommuting cannot be granted unless the employee has already certified to a safety-compliant worksite and discussed information security with his or her supervisor.

All teleworking arrangements are subject to ongoing review and may be revoked at any time. Nothing in this policy shall grant a teleworking employee any rights they would not have if working onsite, nor shall it limit their rights under all applicable City of Alameda policies and state and federal laws.

This Policy is effective immediately upon release and will continue until such time as City Manager revokes the policy to continue regular business operations.

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### City of Alameda's Limited Duration Teleworking Policy & Guidelines Acknowledgement

I acknowledge that I have received a copy of the City of Alameda's policy "Limited Duration Teleworking Policy & Guidelines". I have read the policy and have had an opportunity to ask my Supervisor questions about any part of the policy. I understand, acknowledge and agree to abide by all of the provisions contained in this policy and acknowledge that failure to comply with this policy could result in disciplinary action including termination

Employee Name: \_\_\_\_\_ Department: \_\_\_\_\_  
Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RETURN THIS ACKNOWLEDGEMENT TO HUMAN RESOURCES TO BE PLACED IN THE EMPLOYEE'S  
PERSONNEL FILE**