

TELEWORK

As necessary, the City may create positions that telecommute either as the regular work schedule or as a portion of the work schedule. A specific and detailed telework agreement outlining the provisions of the telecommuting arrangement must be developed and approved by the Department Director, Director of Human Resources and final approval from the City Manager prior to implementation. Telecommuting plans must be filed with Human Resources.

TELEWORK PROCEDURES AND GUIDELINES

Purpose

This policy governs Telework, which is the practice of working from an alternative location. Telework is a business management strategy that when reasonable and practical, can have a positive effect on productivity, transportation, business costs, recruitment, reasonable accommodations, and retention. Telework should not adversely affect other operational needs of the organization and is voluntary for the employee and at the sole discretion of management and/or the employee's supervisor. An employee is not entitled to a telework arrangement, it is management's prerogative to establish a telework arrangement.

The teleworking goals for City of Mankato are:

- Improve customer service;
- Increase productivity and efficiency;
- Attract and retain critical employee talent; and
- Maximize work space and cost savings.

Definitions

Permanent/Principal Work Location

The City of Mankato worksite to which an employee is permanently assigned.

Alternative Work Location

An alternative work location away from the permanent/principal assigned location or another City facility. Examples of an alternative work site can be a home office, a work center, or an approved office in a remote location not on City premises.

Telework Hours

Work schedule, including hours and days of work, agreed to by the teleworker and the City, reflected in the Telework Agreement, during which the employee will be teleworking.

Teleworker (scheduled days offsite or primary work site is off site)

Teleworker is an employee that performs telework pursuant to a Telework Agreement between the City of Mankato and the employee. Telework means "working at a distance." Telework is defined as work performed at an alternative work location linked via an approved network connection to the City of Mankato. Telework is a work arrangement between the City of Mankato and the employee when supported by business justifications and provided solely at the employer's discretion. A Telework arrangement may be agreed upon in one of the following manners:

1. An employee works primarily at an alternative work location away from the permanent/principal workplace either in their home or another approved remote location and only intermittently works at the permanent/principal location as needed. (no dedicated office space is established on City premises)
2. An employee splits their time spent between an alternative work location, in their home or another approved remote location, and a permanent/principal workplace on a routine schedule. (ex. employee may work 2 days a week from a home office and remainder is in a City office.)

Mobile Worker

Primary job functions of mobile workers are completed in the field generally requiring an employee to meet and work on-site with clients/customers who are located throughout the City (e.g., engineering technicians and building inspectors). Mobile workers are not considered teleworkers but are responsible for providing proper equipment control, maintenance and data security privacy of work product. This definition does not include positions where driving is a continuous task (i.e., patrol officers, maintenance workers, and PW operations technicians).

Situational Remote Worker

Employee who works at home or an approved remote location on a short-term or intermittent situational basis. This may also include incidental work being completed while on an extended leave when work is required to be performed to keep a project or task moving forward while out of the office. Occasional work at home or approved remote location must comply with all terms and conditions of the Teleworking policy and must meet all requirements of the Fair Labor Standards Act (FLSA). These employees are not required to fill out a telework agreement. However, supervisory discussion and pre-approval is needed before an employee may work from home or an approved remote location.

Selection Criteria

Supervisors should assess each request for telework on a case-by-case basis, considering at a minimum the following criteria:

- The needs of the department/work unit.
- The employee's duties and responsibilities.
- Overall costs and who is responsible for these costs. Note: the arrangement should be at least cost neutral for the employee and organization.
- Employee's current and past job performance.
- Expectations for future performance by the employee and how performance will be measured.
- Positive or negative effects on quality customer service.
- Positive or negative effect on the work unit, department, division, and City of Mankato as a whole.
- Availability of a high-speed internet at the alternative work site.
- Availability of electronic equipment and software.
- Availability of adequate equipment and workspace at the alternative work site.
- Employee has demonstrated essential work skills, such as time management, organization skills, self-motivation, and the ability to work independently.
- Individual department or division parameters.

Telework is not:

- A viable work arrangement for all positions or well suited to all employees.
- An accommodation to complete personal or other non-City endeavors during work hours;
- Considered a contract or guarantee of continued employment;
- A benefit; or
- An extension of the work day.

Telework Agreement

- A. Employees who wish to telework must make a request to work at an alternative work location to their supervisor. The employee's supervisor will consider the request and determine if a telework agreement is consistent with the City's need and this policy.
- B. During emergency situations direct supervisors can recall teleworkers back into the office to assist in mitigating the situation. Once the emergency is mitigated the teleworker shall be able to resume normal teleworking.
- C. Supervisor and employee must consult with the Director of Information Technology to ensure all technology requirements are met before signing the agreement and sending the agreement to the Department Directors for approval.
- D. If an employee's request to telework is approved by the employee's supervisor, the supervisor must develop the hours of telework and other provisions of the telework agreement, and the employee and the supervisor must both sign the telework agreement.
- E. The supervisor shall next request approval of the telework agreement from the Department Director in coordination with the Director of Human Resources. If the Department Director and the Director of Human Resources approve, the Director shall also sign the telework agreement.
- F. The telework agreement shall next be sent to the City Manager for final approval or denial of the arrangement. A final copy of the agreement will go to the employee, supervisor, and a copy will be provided to the Director of Human Resources for the personnel file.

Terms and Conditions

- A. An employee has no automatic right to telework and the City has the right to refuse or deny any teleworking request from an employee, and the City and the employee may terminate a telework agreement at any time and for any reason.
- B. The supervisor and employee will work together to develop acceptable work expectations that will be evaluated (at a minimum) on an annual basis.
- C. An employee must complete a minimum of 6 months of employment at the primary work location and meet all expectations of the position to be eligible for telework.
- D. The agreement shall be reviewed by the supervisor (at a minimum) annually.
- E. Any modifications to the telework agreement must be reflected in a new telework agreement, signed by the employee, supervisor, Department Head, and Human Resources Director and City Manager.
- F. The telework agreement must be reviewed whenever the teleworker changes job positions.
- G. The City may, in its discretion, terminate a telework agreement at any time and for any reason. A 21-day Notice of termination of the agreement may be provided unless circumstances require shortened or no notice.
- H. In accordance with the Worker's Compensation Insurance Policy, in the event of a work-related injury while teleworking, the employee is required to notify his/her supervisor and complete all necessary reports for reporting an accident/incident.

- I. The City is not liable for loss, destruction, or injury that may occur in or to the employee's home and/or alternative work location. This includes the employee's family members, visitors or others that may become injured within or around the employee's home and/or alternative work location.
- J. The telework hours of the teleworker shall be established by the employee's supervisor and shall be included in the telework agreement. The telework hours for a teleworker shall be consistent with the requirements in any applicable collective bargaining agreement and the City of Mankato Personnel Policies. During agreed upon telework hours, the employee shall be available for consultation with his/her supervisor, co-workers, the public and/or other City officials. An employee shall inform his or her supervisor of any absences from the teleworking location during scheduled work hours. If a teleworker is found to be unavailable during his or her telework hours, the telework agreement may be terminated.
- K. Teleworkers will complete a timesheet. Work hours, overtime compensation and vacation schedules shall conform to City policy and to any applicable collective bargaining agreement. Teleworkers may work overtime hours only if approved in advance by the supervisor. The employee's compensation, benefits, job classification, work status and work responsibilities will not change due to participation in a telework agreement. The amount of time the employee is expected to work per day or pay period will not change as a result of participation in the teleworks agreement. Non-exempt employees must record all hours worked regardless of whether they are on or off City premises.
- L. When an employee is scheduled to work at a City of Mankato facility on a particular day, that facility location will be deemed the employee's principal work location for that day, even if the employee is typically assigned to work at their alternative work location pursuant to a telework agreement.
- M. Telework is not to be used in lieu of child care. Employees who are teleworking from their home as the alternative work location must determine adequate arrangements for child or dependent care to maintain a professional and optimal working environment.
- N. Teleworkers will be included in regular meetings, planning sessions, trainings, and educational activities whenever possible. Regular and significant communication with the office (supervisors and co-workers) will maintain continuity with the tempo and goals of the department and City. Frequent and informal communication by the teleworker will maintain and improve important networking and information exchanges.
- O. Business meetings and client visits to the employee's home are prohibited.
- P. The City has the right to make a site visit to the alternative work location to ensure proper procedures are being followed, and to address any issues or questions the teleworker may have.
- Q. City of Mankato will provide the following equipment from the IT approved list:
 - a. A suitable mobile computing device
 - b. Up to two monitors
 - c. Docking station
 - d. Keyboard & Mouse
 - e. Webcam (if necessary)
 - f. Desk Phones (if necessary)
 - g. Printers (if necessary)
 - h. Surge protector
- R. City of Mankato will not provide the following equipment:
 - a. Phone Lines
 - b. Modems
 - c. Wireless Routers
 - d. Internet Access
- S. In order to qualify for the City of Mankato Telework Program, the employee's internet connection

must be high-speed, broadband and reliable. The network method must be determined with input from the IT Department.

- T. Not all Internet customers receive the advertised speed from their ISP. The Internet connection speed can be verified using www.speedtest.net. The employee shall provide a screenshot of the speed test to his or her supervisor at the time of the request, showing both download and upload speeds.
- U. Home Wi-Fi connections must be secured using WPA2 encryption.
- V. City of Mankato is responsible for the initial installation, maintenance, and repair of City-owned equipment. The employee must provide the City of Mankato IT Department with Wi-Fi credentials to complete the installation process.
- W. If equipment malfunctions, teleworkers must notify their supervisors promptly. If the malfunction precludes a teleworker from performing work assignments, the teleworker may be assigned to another project or required to return to the employee's official work location.
- X. Technical support shall be done remotely, using only standard IT approved tools. Teleworkers shall use the standard City of Mankato procedures for requesting assistance. The teleworker shall be required to bring the computer or equipment into the City for routine maintenance checks. For issues that cannot be resolved remotely, the teleworker shall bring their computer or equipment to the City for onsite service.
- Y. City of Mankato will maintain a record of its software, hardware, and other property located in the alternative work location.
- Z. Teleworkers must return all City owned equipment, software, products, documents, and data if they are separated from employment with the City, go on an extended leave of absence of longer than 30 working days, or the teleworking arrangement is ended.
- AA. City of Mankato IT Department will not make any changes to non-city owned equipment.
- BB. City of Mankato is not responsible for supporting the Internet connection at the Teleworker's residence.

Telework Location and Equipment

- A. The alternative work location should be free of health and safety hazards and/or obstructions. The employee shall complete the safety checklist and certify to safety requirements in the telework agreement and review the home office safety provisions in the City of Mankato Telework Handbook.
- B. The Teleworker will be responsible for all costs related to improvements in the home necessary to ensure an adequate and safe workspace. The teleworker shall provide all necessary office furniture. The teleworker is also responsible for all costs of maintaining the alternative work location, including water, heating, electricity, internet costs, property taxes, insurance, and all other costs.
- C. At the discretion of the teleworker's Department Director, ergonomic office furniture or equipment may be supplied to the teleworker.
- D. The supervisor will need to provide justification and budget support to expenditures and keep a log of all equipment provided to a teleworker. Phone and computer options must be discussed and approved by Information Technologies. The employee is responsible for returning all equipment upon termination of the teleworking agreement.
- E. The teleworker must take appropriate steps to minimize damage to City-owned equipment at the homework site and ensure that it is not used by any unauthorized person.
- F. Employees should consult an accountant for any advice on tax related issues for using a home

office.

- G. Employees should consult the employee's insurance agent for any questions regarding appropriate property/liability coverage issues.

Travel and Mileage

Normal commute time between a telework location and permanent/principal work location is not work time.

If travel occurs during the teleworker's normally scheduled work hours, travel time between the telework location and the permanent/principal work location is considered work time.

For example, if a teleworker begins work at the telework location at 8 a.m., and then travels to the permanent/principal work location beginning at 10 a.m. for work-related purposes, travel time would be considered work time. Travel home from the permanent/principal work location is not work time unless the teleworker continues to perform work activity from the telework location after returning from the permanent/principal work location.

Mileage between the Telework location and the permanent/principal work location shall be considered commuting mileage and is not subject to reimbursement.

If the teleworker is working at an alternative work site (not the telework location and not the permanent/principal work location), the mileage from the alternative work site to the permanent/principal work location shall be reimbursable in accordance with the City of Mankato's Employee Handbook Policy (Chapter 20: Travel, Training, Conferences, & Meetings). Any travel to the alternative work site is considered work time if it occurs during the teleworker's normal work hours.

Security Requirements

All teleworkers are required to follow City of Mankato Technology Use Policy. Additionally, the City-owned equipment shall not be used by non-employees, family members, or friends at the Teleworker's alternative work location. The employee shall take all precautions necessary to secure the City-owned equipment from unauthorized access.

The City-owned equipment shall be treated the same as if it was in the office. Internet usage on the City-owned devices may still be tracked. No rogue or outside software shall be installed, and the devices shall be encrypted. Software installations may only be done by City IT staff.

Telework computers will receive standard Windows and antivirus updates over the approved network connection.

Each employee shall complete a cyber security certification program on a regular scheduled basis.

Data Privacy and Information Security

- A. Provisions of the Minnesota Government Data Practices Act, City of Mankato data privacy policies and City of Mankato data retention schedules must be followed when performing work at an approved alternative work location. The teleworker and the supervisor should agree on the type and form of data to be taken to and from the alternative work location. Agreements between the teleworker and the supervisor must be reached on the security and transfer process necessary to comply with data privacy laws, rules, and regulations.
- B. Teleworkers must provide security for the data and information that is transported to and from their approved alternative work location. Simple measures such as removing documents that contain sensitive data from desk or home work areas and placing them in secure storage devices may prevent a major and potentially costly security breach and loss of information for the City.
- C. Teleworkers needing restricted access to information while working at an alternative work location will discuss this need with their supervisor before taking such information off-site. The teleworker is responsible for protecting the privacy and confidentiality of data at alternative work locations the same as they are in the assigned office location.
- D. In rare occurrences when Data is created and maintained on the teleworker's personal home computer for the purpose of conducting City business, this data is subject to the City's record management and data privacy rules and regulations. This means proper retention and disposal procedures as well as data privacy protections are required. Such data remains the property of the City.
- E. The teleworker's home address and telephone numbers are private information and are not given out without the express authorization of the teleworker. The teleworker's home address and phone numbers may be used by the City as authorized by law.