

**Telecommuting
&
Teleworking
Guidelines
&
Best Practices**

Introduction

Oregon state government recognizes that under certain circumstances, telecommuting or teleworking may be an effective management tool to provide increased productivity, support work and families, energy conservation, environmental preservation, disaster preparedness and sustained hiring and retention of a highly qualified workforce. Please refer to Telecommuting and Teleworking Policy 50.050.01.

If you are a supervisor or manager who directs telecommuting or teleworking employees or who has employees requesting to telecommute or telework, the following guidelines and best practices may assist in effectively determining the suitability of the position and the employee. These guidelines may also assist in managing such employees.

Please note: *This guide contains general information only; for specific questions regarding telecommute and telework policies please contact your agency Human Resources office.*

Eligibility

Employee participation in a telecommute or telework arrangement is generally voluntary unless it is a requirement of the position. Telecommuting and teleworking are neither an employee right nor employee benefit; it is a management option.

Please note: *If the employee is requesting to telecommute or telework as the result of a medical condition, please contact your agency Human Resources office.*

General Considerations for the Supervisor

If an employee expresses interest in telecommuting or teleworking, the agency should provide a copy of the Telecommuting and Teleworking Policy 50.050.01 and other relevant policies, such as the DAS Information Security Policy 107-004-052 and Acceptable Use of State Information Assets Policy 107-004-110.

Identifying Appropriate Positions

Certain positions or responsibilities do not lend themselves to telecommuting or teleworking. Agencies should closely review duties and essential functions listed in the position description prior to considering whether an employee is a good candidate for a telecommuting or teleworking arrangement. Positions that lend themselves to telecommuting or teleworking are generally those that require independent work performed autonomously. The following is an illustrative list of tasks that may or may not lend themselves to successful execution via telecommuting or teleworking:

Effective	May Present Challenges
Policy development, analysis or providing advice	Tasks requiring face-to-face communication with internal or external customers
Publication design work, writing or editing	Work group meetings and discussions
Data analysis and evaluation	Performance appraisal meetings
Individual, non-collaborative work	IT hardware related services
Administrative tasks such as report writing, budget reconciliation or reading	Any task that requires the use of onsite equipment or material
Online research	Contract discussions or negotiations
Preparing training curriculum and aids	Close supervision of employees

Depending on a position's tasks, the agency can consider approving the arrangement but limit it to only the tasks that can be successfully accomplished while telecommuting or teleworking.

Other items to consider with respect to the position's key duties:

- Do the key duties require ongoing access to equipment, materials and files that should be accessed on agency property?
- Do the key duties require extensive face-to face contact with supervisors, subordinates, other employees, clients or the public on agency property?
- Do the key duties require extensive time in meetings or performing work on agency property?
- Do security issues require the key duties to be conducted on agency property?

Identifying Appropriate Employees

Factors to consider when addressing an employee's suitability for telecommuting or teleworking include:

- Does the employee have effective written and verbal communication skills?
- Can the employee work independently without constant supervision?
- Is the employee productive when at the central work location?
- Is the employee well organized?
- Is the employee able to work within timelines and meet deadlines?
- Can the employee work in an environment with little structure?
- Is the employee an overall good performer?
- Other relevant criteria

On balance, the collective weight of "yes" answers should outweigh "no" answers to justify telecommuting or teleworking.

If it is determined the employee is not considered "suitable" for telecommuting or teleworking the supervisor may consider employee development opportunities.

Other Success Factors: Supervisory Traits

Engaging in a telecommute or telework agreement, whether as a supervisor or employee, requires certain knowledge, skills and ability to be effective. Supervisors should possess general characteristics to facilitate a successful telecommute or telework agreement.

Supervisors should:

- Be comfortable allowing employees to work autonomously;
- Have effective written and verbal communication skills;
- Be flexible and willing to explore new ideas;
- Have effective listening skills; and
- Be strong problem solvers.

In addition, there are other factors to consider:

- How often does the supervisor monitor the employee's work performance; daily, weekly or at other intervals?
- Does the supervisor have an effective way of measuring the amount of time the employee actually spends working? (See Managing Employee Performance below).

Accountability

Employees are expected to perform their work during telecommuting or teleworking hours, although reasonable amounts of time for breaks and lunch are required. If an employee is not performing work during the telecommuting or teleworking hours, the agreement may be revoked and the employee subject to discipline to an extent equivalent to the sanctions to which the employee would have been subjected if working from the central work site.

Managing Employee Performance

Generally, managing employee performance includes:

- Supervisors' expectations of employees
- Methods for communicating expectations to employees
- Methods of assessing whether expectations are being met
- Providing appropriate and useful feedback

Expectations

In establishing expectations for telecommuting or teleworking employees, the supervisor should ensure the standards are specific, measureable and realistic. It is important the supervisor or manager review the employee's current performance standards to determine if they are consistent with a telecommuting or teleworking environment. Supervisors who need assistance developing or revising standards should contact their agency's Human Resources office.

Assessment

Supervisors should assess performance based on the expectations set forth in the agreement. Because telecommuting and teleworking does not lend itself to in-person observation, supervisors should focus on results-based assessments. One way to accomplish this is to have the employee complete a work log (e.g. use Outlook calendar) to document work completed on telecommute or telework days. Another method is to set up regular check-ins during which the supervisor and employee review completed work product and the status of items in progress.

Feedback

Regardless of how work is documented, regular feedback is vital to the success of the employment relationship, including telecommuting or teleworking employees. This is especially true when problems arise. Problems should be addressed and resolved quickly before they escalate to the detriment of the agreement. Supervisors should give feedback as with any other employee. The feedback should be direct and offer objective examples illustrating where the employee is meeting or failing to meet expectations. While the manager or supervisor is giving feedback, the employee should have an opportunity to seek clarification. In addition to feedback at regular intervals, agencies should continue to carry out applicable annual performance appraisals.

Additional Considerations

Aspects and Terms of Telecommuting or Teleworking

As set forth in policy, telecommuting and teleworking are not intended to permit employees to attend to personal business, such as performing outside employment or providing primary care for anyone at the alternate worksite. Should the employee need to provide care, they must request leave in advance and use appropriate accrued leave.

Please note: Should an employee request a telecommute or telework arrangement to care for a sick family member, please contact your agency Human Resources office.

Telecommuting and teleworking should not be used to avoid placing the employee on a protected leave of absence to which he or she is entitled. Agencies should exercise caution in soliciting a telecommute or telework arrangement from employees in these cases.

Please note: Should an employee request a telecommute or telework arrangement because of his or her own health condition, please contact the agency Human Resources office.

Worksite

Before beginning the telecommute or telework arrangement, the employee should acknowledge visits to the alternate worksite by the agency may be necessary. For example, the agency may want to ensure the agreed-upon work location is adequate for telecommuting or teleworking before entering into an agreement. During the course of the arrangement, the agency may become concerned that aspects of the alternate worksite, compliance with relevant policies or compliance with the agreement are inhibiting successful telecommuting or teleworking. In these situations it is reasonable for an agency to set up a mutually acceptable time for the agency to inspect the alternate worksite, discuss compliance with applicable policies or the agreement.

Generally, the agency does not reimburse the employee for travel between the alternate worksite and the central worksite. If the agency requires the employee to report to the central work location after the employee's start time, the commute time should be paid when required by the Fair Labor Standards Act (FLSA).

Time Cards

Agencies should instruct employees to use the telecommute time card code TCM. This code is a valuable tool which will assist agencies in tracking and collecting data related to employees who telecommute or telework.

Risk Management

To minimize the potential for loss, agencies have a duty to care and account for equipment, (see Asset Management policy, Section 70; Number SCS-70-010). For example, agencies may require employees who telecommute or telework to use surge protectors on all state-owned equipment. In addition, agencies should require employees who telecommute or telework to lock their computer or other devices when not in use and secure equipment at the end of the day. These types of requirements should be specified in the agreement along with any additional security requirements specific to the agency.

Employees are required to immediately report to the supervisor any injury that occurs during work hours at the agreed upon location.

Workers' Compensation Insurance

Agencies may approve worksites located in Oregon. Should an agency have the need to approve a worksite outside of Oregon that will remain in force for a period longer than 14 work days, the agency must contact DAS Risk Management to determine if out-of-state workers' compensation coverage is needed.

Security and Technology

Employees must agree to adhere to the established policies, standards and protocols relating to information protection and security. The agreement must contain a declaration that the supervisor and employee will follow agency policies and DAS-EISPD policies related to information and data security.

It is a best practice to require the employee review and acknowledge in writing receipt of statewide policy 107-004-110 Acceptable use of State Information Assets and all agency policies and procedures developed pursuant to:

- Mobile Communication Devices and Internal Controls 107-001-015
- Information Technology Asset Inventory & Management 107-004-010
- Information Asset Classification 107-004-050
- Portable and Removable Store Devices, Controlling 107-004-051
- Employee Security 107-004-053
- Information Security Response 107-004-120

As needed, in the agency's discretion, the agency will provide the employee access to ongoing training on how to protect confidential state information, as well as how to preserve public records. In addition, the agency must ensure the employee's access to state's systems, if any, occurs via secure network access, and the devices have a suitable level of security software and configurations. In the event Oregon State Government information is stored on an employee's personal electronic equipment, it will be subject to agency review and may be subject to public records requests and discovery.

Communication with coworkers

To mitigate potential morale considerations, supervisors should notify employees in advance that a particular employee will be telecommuting or teleworking and provide contact information so coworkers feel free to contact the telecommuting or teleworking employee.

Trial Periods

A trial period can be a valuable tool to assess the feasibility of a proposed telecommute or telework arrangement. Depending on the length of the agreement, a trial period of 30 to 60 days is sufficient. In telework situations, the employee should have at least one or two instances of teleworking to sufficiently demonstrate his or her ability to successfully telework. The agreement can be entered into on a trial basis, with the dates or number of instances of the trial period noted in the telework agreement.

Time Off

Employees who telecommute or telework are required to report their inability to work as they would on a non-telecommute or telework day. If over a period of time there is a pattern of unscheduled absences in connection with telecommuting or teleworking days and the agency suspects abuse, the agency must address the situation immediately with the employee. If the

situation is not resolved to the agency's satisfaction, the telecommute or telework agreement may be revoked and the employee could be subject to discipline.

The Agreement

The agreement is intended to outline all the specifics of the telecommute or telework relationship. Agencies should use the agreement templates provided as a minimum standard however; agencies may add further provisions as necessary to set forth additional arrangements.

The agreement should be kept on file with the agency. If amendments to the agreement are made, those amendments should be set forth in writing and kept on file with the original agreement.

The telecommute or telework agreement ends if the employee transfers within an agency or to another agency. The assuming office or agency may enter into a new agreement; however, it is a best practice to wait for a period of at least six months. This gives the new supervisor the ability to assess the suitability of the position and the employee. If the assuming agency or office determines the position and employee is "suitable", a new agreement should be negotiated.