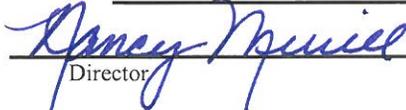


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IDAHO DEPARTMENT OF PARKS AND RECREATION POLICY AND PROCEDURES MANUAL

PROCEDURE TITLE: Alternative Work Schedule & Telecommuting

APPROVAL:


Director


Policy Owner, HR Officer

1. PURPOSE

- 1.1. This policy provides IDPR's workforce the opportunity to arrange alternative schedules to better serve both our internal and external customers, achieve our Department mission and goals, have a positive impact on the environment of the communities in which we live and provide a way for employees to balance their personal and professional lives.
- 1.2. Alternative work schedules include Compressed Work Schedules, Flexible Work Schedules, Reduced Hour Work Schedules and Telecommuting Work Schedules.
- 1.3. Employees on alternative schedules may be required to return to a regular schedule during a holiday week or otherwise adjust their schedule to keep paid hours to a maximum of 40 hours in any one standard workweek (Sunday 12:01AM – Saturday 12:00AM). See Section 4.6.

2. DEFINITIONS

Compressed Work Schedule: Compressed work schedules involve a 40 hour work week shortened to less than five, 8-hour days. Compressed work schedules have set days and hours of work. Once approved, the schedule remains the same until changed by formal agreement. An example of a compressed work schedule for a full time employee might be four, 10-hour days.

Flexible Work Schedule: Flexible work schedules involve a 40 hour work week in 5 work days but allow for scheduling that permits variations in starting times, lunch and departure times around set agency core hours (7AM to 6PM MST). An example of a flexible work schedule for a full time employee might be 7AM to 4:30PM with a 30-minute lunch break, or 9AM to 6PM with a 60-minute lunch break. Flexible work schedules are put in place for a specific period of time and are changed by formal agreement. Employees responding to emergencies or call backs to work for unanticipated reasons are not considered on a flexible work schedule.

Reduced Hour Work Schedule: Reduced hour work schedules are work arrangements where a full time Employee alters his/her schedule to work less than the standard 8-hour day, 40-hour work week. Reduced hour work schedules are considered a temporary arrangement, are changed by formal agreement, and require an MOU signed and approved by the Director or Deputy Director prior to implementation. A reduced hour work schedule typically impacts an employee's pay and leave accruals.

Telecommuting Work Schedule: Telecommuting is a work arrangement in which work is performed at home or at another off-site location. Communication may be by several means including telephone, fax, e-mail, broadband or dialup connection and pager. Equipment and/or software required to facilitate this communication may be owned and maintained by the employee or by the Department.

FLSA Covered Employees: Those employees covered by the requirements of the Fair Labor Standards Act (FLSA) and who earn overtime at time and one half. Overtime is considered work hours beyond 40 work hours per week. Therefore, FLSA covered employees may have an alternative work schedule as long as it does not alter the total of 40 hours worked in a normal work week.

FLSA Non-Covered Employees: Those employees who are not covered by the requirements of the Fair Labor Standards Act (FLSA) and who earn overtime hour for hour or "straight time". FLSA non-covered employees have some additional flexibility in scheduling their week because they are exempt from certain overtime and record keeping requirements. For example, FLSA non-covered employees may have the option to flex their hours to work 50 hours in the first week of a pay period and 30 hours during the next week of the pay period for a total of 80 hours in the pay period. Since

the State of Idaho operates on a 40-hour work week, compensatory time must first be accrued in week one of the pay period, and then used as compensatory time taken in week two.

Work Week: The work week for IDPR employees is 12:01AM Sunday through 12 Midnight Saturday.

3. PROCEDURES FOR REQUESTING AND IMPLEMENTING AN ALTERNATIVE WORK SCHEDULE OR A TELECOMMUTING WORK SCHEDULE

- 3.1. Flexible Work Schedule or Compressed Work Schedule: The employee shall forward a request for either a flexible work schedule or a compressed work schedule in writing to their immediate supervisor. The request shall identify the specific days and hours the employee wishes to work, the expected duration of the schedule, how holiday hours will be arranged (see Section 4.6) and how the alternative work schedule will address customer service for both internal and external customers and enable the employee to cover their particular workload. The immediate supervisor, after consultation with upper management will determine if the request is approved. If approved, the supervisor will sign the request and give the original to Payroll for inclusion in the employee's personnel file and a copy to the employee.
- 3.2. Reduced Hour Work Schedule: The employee shall forward a request for a reduced hour work schedule in writing to their immediate supervisor. The request shall identify the reason for the work hour reduction, the specific days and hours the employee wishes to work, and the expected duration of the schedule. The immediate supervisor, after consultation with upper management and HR will determine if the request is approved. If approved, the supervisor will sign the request and forward it to HR. HR will determine the prorated leave accruals based on the proposed work schedule and any other benefit impacts, develop the MOU and obtain the required supervisor and employee signatures. HR will then file the MOU with the signed request in the employee's file and provide a copy of the MOU to both the supervisor and the employee.
- 3.3. Telecommuting Work Schedule: The employee shall forward a request for a telecommuting work schedule to their immediate supervisor in writing. The request (see Section 5 and Section 9) shall identify the hours/days the employee wishes to telecommute, the alternative work locations, the specific job duties that potentially could be done from the alternative work location and how they could be adapted to telecommuting, the specific equipment needed, how the telecommuting work schedule will address customer service for both internal and external customers and enable the employee to cover their particular workload and any other details relevant to the particular decision. The supervisor will consult with the Director or Deputy Director and MIS to discuss any equipment, application access, and/or software needs and determine if the request is tentatively approved. If tentatively approved, the Director or Deputy Director will sign the request and refer it back through the chain of command to the employee. The employee will then develop a Telecommuting Agreement Form (see Appendix A) and forward it back through the chain of command for final approval and signatures. The Telecommuting Agreement Form must be signed by the employee, the immediate supervisor, the MIS Manager and the Director or Deputy Director. Copies are provided to the employee and Payroll for inclusion in the employee's personnel file.

4. OVERALL POLICY GUIDELINES

All alternative work arrangements, including telecommuting work schedules, must conform to the overtime, record keeping and provisions of the Fair Labor Standards Act and Idaho State labor laws for staff covered by those provisions. Alternative work schedules of any kind for a full-time employee must be in accordance with the following:

- 4.1 The alternative schedule, except reduced hour work schedules, shall consist of 40 hours in one designated work week for FLSA covered employees or 80 hours in two consecutive work weeks for FLSA non-covered employees (see Section 2).
- 4.2 Overtime accruals for any alternative schedules, including telecommuting work schedules shall be in accordance with Department overtime policies.
- 4.3 The alternative schedule for a full-time employee shall identify any meal breaks, if applicable.
- 4.4 Alternative work schedules, including telecommuting work schedules requested or required

- due to medical issues must be coordinated with Human Resources prior to implementation.
- 4.5 Implementation of alternative schedules must be consistent with the need for administrative offices and region offices to remain open to the public from 8AM to 5PM MST, Monday through Friday.
 - 4.6 Employees may not be paid more than eight (8) hours of holiday pay per holiday. Supervisors who have staff on alternative schedules, including telecommuting work schedules, need to adjust the employee's work schedule during a holiday week so that they have 32 covered hours (may include ACT, VAC, SIC or CPT) and take 8 hours as the holiday.

Supervisors are asked to adjust work schedules to result in no more than 32 work hours during a holiday week if at all possible to avoid the payment of earned accrued leave (more than 32 covered hours and 8 holiday hours in the same week).
 - 4.7 Alternative work arrangements may be implemented on a trial basis, typically three months, to provide the opportunity to evaluate the effectiveness.
 - 4.8 Any alternative work arrangement can be modified or terminated with reasonable notice (generally 7-10 days) and with the consent of the Director or Deputy Director. In addition, the Department reserves the right to terminate the schedule immediately depending on the circumstances. Possible reasons for terminating the alternative work schedule include inability to fulfill the work schedule requirements, lack of beneficial results for the organization or the employee, deteriorating performance of work assignments, transfer to a different position, a change in work unit responsibilities, etc.
 - 4.9 All arrangements, modifications and terminations will be put in writing to ensure that management and employees have a mutual understanding of the specifics of the schedule and a copy forwarded to Payroll for inclusion in the employee's personnel file.
 - 4.10 The approved alternative schedule, including telecommuting work schedules, for each employee will be communicated to internal and external customers and be posted in a conspicuous place in the work unit.
 - 4.11 An alternative schedule, including a telecommuting work schedule is a job assignment, not a benefit of employment and no employee is entitled to an alternative work schedule by virtue of his/her employment with the Department.

5. ADDITIONAL GUIDELINES FOR TELECOMMUTING WORK SCHEDULES

- 5.1 Schedule Duration: Telecommuting work schedules will be allowed for a limited number of days per week and for a limited duration.
- 5.2 Authority: The Director or Division Administrator has the sole authority to approve any telecommuting arrangement. Serious consideration will be given to all reasonable requests. However, arrangements will be authorized only when it is in the best interest of the Department.
- 5.3 Resident Taxing State Other than Idaho: All State of Idaho employees are expected to work within Idaho. Prior approval is required from the Division of Financial Management and the Division of Human Resources for an employee to regularly perform their assigned duties from an out of state location. Once approval has been received, the State Controller's Office must be notified 180 days in advance of paying the out of state employee. This notice is required to allow for the State Controller's system programming to correctly withhold payments required by the resident taxing state.
- 5.4 Confidentiality/Security: Employees may not compromise the confidentiality or security of Department information due to telecommuting, remote computer access, etc. Unauthorized disclosure, perusal, or altering of information by an employee is a serious violation of Department policy and may be cause for disciplinary action. Accidental breaches of confidentiality while telecommuting may be cause to terminate the telecommuting arrangement.
- 5.5 Advantages and Disadvantages: Before requesting approval, managers and employees are requested to carefully review both advantages and disadvantages of a telecommuting work schedule and to identify and resolve any potential problem areas and to explore all the options available. Before requesting a telecommuting work schedule, consider the following:

- Telecommuting can be an effective tool, but not all positions or employees are suited for it.

A decision must include consideration of both the employee and the job. While a specific job may be a good choice for telecommuting, each individual employee must be assessed individually for their own ability to work in an alternative work location.

- Use of telecommuting must not negatively impact operations, including delivery of services to customers, nor should it decrease productivity or significantly increase costs to the Dept.
- Supervisors should assess their own management style to determine if the proper techniques are in place to be supportive of a telecommuting work schedule and conducive to successful outcomes.
- The focus in telecommuting arrangements must be on results. The supervisor must approve in advance the assignments or tasks that are appropriate to be performed at the off-site location and identify the assessment techniques that will be used to measure success in meeting performance standards. It is then the employee's responsibility to follow through and initiate communication for clarity and progress.
- Jobs that require physical presence, such as a receptionist, or employees who require extensive training or supervision or frequent reassurance and positive reinforcement are not suited for telecommuting.
- Does the position have clearly defined tasks? If so, what are the tasks that can be accomplished off-site? Jobs that entail working alone or working with equipment, which can be kept at the alternative worksite are often suitable for telecommuting.
- Can the requirements that cannot be met from an off-site location be reassigned easily and fairly, or can they be accomplished in the days the telecommuting employee is in the office?
- Can results be measured effectively without frequent and regular onsite supervision?
- Can the present level of customer service be maintained without undue hardship on either the external customer or the co-workers?
- Can technology be applied to help facilitate successful outcomes? Will the employee have access, or can access be reasonably provided to all that is needed from a remote site?
- How are assignments, requests and information exchanges to be communicated between the supervisor and the telecommuter?
- Are there sufficient resources available from the Department to support this request to participate in telecommuting? Resources include, but are not limited to, hardware, software, network capacity and support personnel (technical and program).
- How and when does the employee need to be on site to meet with the supervisor, co-workers, and customers?
- How will this telecommuting arrangement affect cross training, team approaches, and other such strategies? Working off-site during the probationary period is not permitted because of the need to clarify job responsibilities, establish relationships with co-workers and customers and assess suitability for continued employment.
- Employees who are experiencing performance problems or who require close supervision will not be considered for telecommuting.
- Will this telecommuting arrangement have either a neutral or a positive effect on the work unit's morale?
- How many days per week can the telecommuting work schedule produce quality results? It is important for employees to be involved in training, informational meetings, decision-making discussions, etc. For these reasons, working off-site should be limited to a few days per week.

6. **EQUIPMENT:** Department-owned software and equipment such as computers and telecommunications equipment may be used by employees at their alternative duty stations, provided the equipment is available, used only for official business, and is made available by the employee for inspection and/or service upon request.
- 6.1 The Department will not provide home/office furniture such as computer stands, desks, chairs, etc.
- 6.2 Internet access, telephone usage and electricity are the responsibility of the employee, however, exceptions may be granted at the discretion of the Director or Deputy Director.

- 6.3 Employees may receive training in the office on how to install and use equipment away from the office.
- 6.4 Employees will be required to return any piece of agency equipment to the office for periodic servicing.
- 6.5 If on-site service is required for any agency equipment or software located at an alternative duty station, employees will make arrangements to allow service personnel access to equipment at an agreed upon time during normal work hours.
- 6.6 Costs at the alternative work location associated with copying work-related materials, fax charges, express mail, long distance telephone, etc. will not be reimbursed. Employees participating in a telecommuting work schedule should arrange to have those services performed at the official work station, using state equipment, services and materials.
7. **SECURITY AND CONFIDENTIALITY:** Before the telecommuting program begins, procedures and controls must be established to protect electronic and paper copies of data to be kept confidential. Employees may not compromise the confidentiality or security of Department information due to telecommuting, remote computer access, or any other condition. Unauthorized disclosure or altering of information by an employee is a serious violation of Department policy and may be cause for disciplinary action. Accidental breaches of confidentiality while telecommuting may be cause to terminate the telecommuting work schedule.
- 7.1 The supervisor must approve any Department or work-related information before it is transported or accessed at the alternative work site. This includes information in any form or format or on any media type. Transport or access of information without this approval may be subject to disciplinary action up to and including dismissal.
- 7.2 If an employee is permitted to use personal computing equipment to conduct State business, the equipment must meet all of the security standards sanctioned by the Office of the Governor, the Office of the Chief Information Officer or enacted by the Information Technology Resource Management Council (ITRMC) at the time a telecommuting schedule becomes effective and/or established at any time during the course of any telecommuting schedule. Employees must be prepared to produce proof of compliance and/or allow inspection of personal computing equipment if requested.
8. **WORKER'S COMPENSATION AND INJURIES TO THIRD PERSONS:** The State's Worker's Compensation program provides coverage for injuries and illnesses incurred in the course and scope of employment. "Course and scope of employment" is limited to the hours and location described in the signed Telecommuting Agreement form. The employee remains liable for injuries to third persons and/or members of employee's family arising from the employee's premises.
9. **DEVELOPING A REQUEST FOR A TELECOMMUTING AGREEMENT**
- 9.1 This guide is to assist employees to provide the necessary information for requests for telecommuting to be evaluated, and for management and staff to have adequate information to prepare an agreement when a request is approved.
- 9.2 Determine what arrangement would best meet your needs, your work team needs, your supervisor's needs and the Department's needs.
- Where do you propose to work (home, alternative site)?
 - What schedule are you proposing (days and hours at office, and days and hours telecommuting?)
 - How will this telecommuting work schedule address customer service for both internal and external customers?
 - How will this telecommuting work schedule enable you to cover your particular workload? What changes, if any, will be required on your current work plan and/or evaluation?
 - Which of your duties do you propose to perform while telecommuting?
 - What hardware and/or software or access to which applications will be required for you to perform these duties while in telecommuting status?
 - Which do you propose to perform in the Department office?

business only and to protect them against unauthorized or accidental access, use, modification, destruction or disclosure. The employee agrees to report to the supervisor instances of loss, damage or unauthorized access at the earliest reasonable opportunity.

- The employee understands that all equipment, records, and materials provided by the Department shall remain the property of the Department.
- The employee understands that no State owned software may be installed on any non-State owned equipment without specific written permission and then may only be utilized for conducting official State business (see Section #3 of this agreement).
- The employee understands that use of their personal vehicle for Department business will not be reimbursed unless specifically authorized by the supervisor.
- The employee agrees to return Department equipment, records, and materials within five (5) days of termination of this agreement. All Department equipment will be returned to the Department by the employee for inspection, repair, replacement or repossession normally within five (5) days with written notice. The Department reserves the right to require equipment returned immediately depending on the circumstances.
- The employee understands that she/he is responsible for any tax consequences of this arrangement and for conformance to any local zoning regulations.
- The employee understands that all obligations, responsibilities, terms and conditions of employment with the Department remain unchanged, except those obligations and responsibilities specifically addressed in this agreement.

I certify by my signature below that I have read the Department's Alternative Work Schedule/Telecommuting policy and also this Telecommuting Agreement and fully understand and agree to all of the provisions contained within.

Employee Signature

Date

Supervisor Signature

Date

MIS Manager

Date

Department Director or Designee Signature

Date

Copy: Employee
Original: Employee Personnel File