

8.17 Telework Policy

Effective 2/1/2023

Purpose

To provide a viable, flexible work option when appropriate for both the employee and the Agency. Teleworking is not an entitlement nor a company-wide benefit and in no way changes the terms and conditions of employment.

Policy and Procedures

Teleworking: The practice of working at home or away from an employee's assigned work location, is an alternative work arrangement that the Agency may offer to eligible employees when it is determined to be advantageous for both the employee and the Agency. Teleworking does not change the basic terms and conditions of employment with the Agency, and employees are subject to the same policies and procedures that apply when working at the Agency facility. Teleworking is not a benefit or entitlement, but a voluntary alternative work arrangement intended to enhance productivity, creativity, employee satisfaction and/or reduce operating costs. Teleworking employees must complete a formal teleworking agreement which must be approved by the appropriate Department Manager/designee. The employee or the Agency may terminate the agreement at any time for any reason. Should the employee terminate the agreement, they must give the department up to two weeks' notice to make any necessary adjustments.

The Department Manager/designee has the authority to approve individual teleworking arrangements consistent with these guidelines and has the discretion to make a final decision on all teleworking arrangements. Department Managers may develop more specific guidelines based upon the business needs of their department, and will be held accountable for department productivity, performance, and attendance while ensuring adequate engagement amongst their team(s). The guidelines must be consistent with the Agency standards as outlined below:

Position Criteria

Department Managers/designees must consider the following criteria when approving a teleworking arrangement:

- Only active full-time or part-time positions are eligible. Those working on a contract, limited part-time and temporary basis are not eligible. Employees approved to work in a light duty capacity may be eligible to telework if assigned to a position in which telework is offered.
- Positions must have well-developed work plans/outline with clear objectives and appropriate measurement criteria to ensure accountability.
- The needs of customers and co-workers can be met from an alternative location.

Employee Criteria

Department Managers/designees must consider the following criteria when approving a teleworking arrangement:

- Employee has thorough knowledge of the job, their expected performance, and telework expectations.
- The Department Manager or designee may approve a new employee to telework based on department specific training and processes. While teleworking, the new employee must demonstrate they are performing successfully and meeting all Agency expectations.

- The Department Manager or designee at their discretion may have new employees complete a training period in the office prior to the approving the employee to telework.
- The employee must review and sign the *Telework Agreement*. Days and hours for teleworking will be specified and agreed upon as part of the *Telework Agreement*.
- Continuation of the teleworking agreement is at the Department Manager's discretion, which takes into account factors such but not limited to: department needs, performance management, performance improvement needs, and the health and safety of employees.
- The employee must meet the same conditions and standards of employment while teleworking as if they were working onsite, including compliance with all policies and procedures, and work expectations. An employee who violates Agency policy or fails to meet work expectations while teleworking is subject to the Agency's performance improvement, progressive disciplinary process, which may include immediate termination for serious violations.
- Employees must be available by all Agency means of communication during scheduled hours, with the exception of their scheduled lunch or break periods.
- The employee must establish and maintain an adequate, safe space to work.
- Teleworking cannot be used as a substitute for dependent care. Employees will not act as the primary caregiver for dependents during scheduled work hours and while teleworking must manage dependent care and other personal responsibilities in a manner that allows them to successfully meet job responsibilities.
- Employees are responsible for minimizing distractions and avoid unapproved schedule changes while teleworking.
- Dual role employees on an approved telework schedule may be required to report to the office or post during periods of need as reserved by Agency administration.

Management Criteria:

Department Managers/designees must consider the following criteria when approving a teleworking arrangement:

- Management must be committed to making the teleworking arrangement successful.
- Management must ensure performance expectations, including telework, attendance, and engagement expectations are clearly outlined with performance management. Management will monitor the productivity of employees' teleworking to ensure they are performing consistently at a level that is meeting all expectations of their role and responsibilities.
- Management will maintain the level of employee engagement both individually and within their team by making sure the lines of communication are open and all employees are treated fairly and equitably. It is expected to maintain regimented one on one meetings with direct reports and at a minimum biweekly check-ins with the entire team. Managers and Supervisors have discretion with respect to additional engagement activities and events for their employees, subject to Agency policies and procedures.

Teleworking Requirements:

- Employees are permitted to work from a remote location including home, mobile office or other approved work site location and must agree to work offsite under the terms and conditions of the *Telework Agreement*. In-person business visits, meetings with customers or regularly scheduled meetings with co-workers shall not be held at the home worksite.
- Employees are required to account for all time worked in accordance with the Agency's current timekeeping policies. Overtime hours must be pre-approved and any deviations from the agreed upon schedule must be approved in advance by the department manager or supervisor.

- Random drug testing protocols will remain in place, set forth by the Drug Free Workplace policy. Employees will be sent for testing on a day they report to the office.
- If the teleworking agreement is modified or canceled, the Department Manager/designee is responsible for identifying office space within the department.

Compliance with Law and Policies and Procedures:

Telecommuting arrangements must comply with federal, state and municipal laws that apply to Agency employees. This includes, but is not limited to, the Fair Labor Standards Act (FLSA) and Occupational Safety and Health Act (OSHA).

Agency Equipment:

- The equipment and supplies necessary to telework will be provided by a combination of both the employee and the Agency. The equipment issued to a teleworker should be sufficient to support the employee's work requirements; however, the Department Manager/designee should make cost effective decisions as it relates to equipment.
- Employees must have the ability to communicate with other employees and customers in a manner consistent with a non-teleworking employee, utilizing any Agency communication methods necessary.
- Agency provided computer equipment that adheres to Agency standards for hardware, software and related equipment will be provided to employees. The specific type of equipment depends on the job and will be recommended by departmental or Agency IT staff for approval by the Department Manager/designee. Work is prohibited from being performed on a device other than what is provided by the Agency. The use of home peripherals such as monitors, keyboards, mice and printers are allowed, as these devices do not store data. Exceptions to this policy are subject to IT review and must be approved as such.
- The Agency is responsible for the maintenance and support of Agency owned equipment, including hardware and software. If IT is unable to repair remotely, any Agency equipment needing repair or software installation must be returned to the Agency facility for service. If there is a delay in the repair or replacement of the equipment or any other circumstance, which would make it impossible for the teleworker to work off site, then the teleworker will report to the Agency facility until the repair has been made, or the circumstance has been corrected. The Department Manager/designee will be responsible for identifying appropriate office space for the teleworker if the Agency office space has been reallocated.

Cyber Security:

- Employees shall follow all Agency IT policies and procedures when working both at the office, as well as from a remote location. This includes using only agency approved software, including but not limited to chat and video conferencing platforms.
- Sharing materials and documentation is necessary when working remotely. Employees should only use approved methods for sharing files which includes email, secure delivery for encryption through email if warranted, OneDrive, network shares and SharePoint locations.
- Personal on-line storage is prohibited for storage of any Agency data.
- All Agency equipment must be secured at the end of the workday which includes logging off or powering down all equipment. Internet connections are inherently insecure, even home networks. Therefore, employees must use the Agency's sanctioned virtual private network (VPN) to connect to the Agency's network before performing any work. Exceptions to this standard should be submitted through the IT Service Desk.

- Employees are responsible for safeguarding all confidential or sensitive material when at home following all HIPAA and PHI compliance policies. This includes protected health information (PHI), personally identifiable information (PII), and Agency proprietary information. Paper copies of documents should be shredded at home, if possible, or securely brought back to the office location for disposal in a secure shred bin.
- Agency equipment should be used for work-related activities only, minimizing activities performed for personal use as described in Medic's Acceptable Use Policy. Additional IT resources when teleworking can be found on the Agency's policies and procedures manual.

Safety

The employee is responsible for establishing and maintaining an adequate and safe workspace and for providing a work environment free of interruptions and distractions that would affect performance. The home office must meet safety guidelines, and the Agency reserves the right to make on-site inspections during normal business hours as defined in the teleworking agreement. The home office should function in the same way and with the same safety awareness as if working at the Agency facility. Employees are expected to follow basic safety precautions in their homes. These include:

- **Walking surfaces** – Keep floor surfaces level and dry. Ensure that carpets are in good condition and secured to the floor. Keep telephone and electrical cords out of walkways. Outdoor walkways, porches, and steps should also be kept clear of obstacles, debris, ice, and snow.
- **Fire Hazards** – Keep combustible materials to a minimum and dispose of trash promptly. Be sure to have a functioning smoke detector and fire extinguisher in the work area. Be sure that all paths of egress are clear of any obstacles. If you use a portable heater, keep it away from combustible materials and be sure that it has a tip over switch in case it tips over. Be sure that all equipment is UL approved.
- **Electrical Safety** – Keep electrical plugs, cords and receptacles in good repair. Use surge protectors with computers. Do not place electrical cords under rugs or heavy furniture. Don't overload extension cords or plugs.
- **Air Quality** – Work in a well-ventilated area.
- **Lighting** – Ensure all lighting is adequate and computer equipment is not subject to glare from lighting or windows.
- **Ergonomics** – Make the work area adjustable to the person working in the space. Maintain proper posture. Be sure office furniture is in good repair.

Since the home office is an extension of Agency workspace during the hours and days established in the teleworking agreement, any on-the-job accidents or injuries will be covered under the Agency's Workers' Compensation Program provided that such accidents or injuries are within the course and scope of the job and occur during the specified teleworking schedule.

Employees must report any work-related accidents or injuries immediately to their supervisor and Risk and Safety, as if working in the normal office environment and report to Concentra for assessment and treatment. Worker's Compensation claims are subject to review and investigation by the Risk Management Division, which reserves the right to inspect home workspaces following any reported on-the-job injury.

Expenses

Normal business expenses incurred while teleworking will fall under the same eligibility/rules of reimbursement as if the expenses incurred in the office. Employees are expected to obtain necessary office supplies when they are at the regular Agency office. Local internet service provider charges will be the responsibility of the teleworker. Other business expenses must be submitted and approved using the normal reimbursement process established by the teleworker's department and the Agency Finance Department.

Emergencies

A teleworking employee may sometimes, but not always, be affected by an emergency requiring the Agency office to close. For example, on a snow day where the Agency releases employees early or opens late, the teleworking employees would be expected to follow their normal work schedule if working at home. If an emergency such as loss of power affects the teleworker's home office for a major portion of the day, the employee may be required to report to the office or take vacation leave if unable to do so. Dual or field employees on an approved telework schedule may be required to report to the office or post during periods of emergencies.

Residents Outside of North Carolina

Employees who telework from outside of North Carolina must follow IRS regulations as it relates to state taxation. Employees who are approved to telework from their home address in a non-NC residence are required to complete the appropriate state W4 Form the appropriate state Tax Distribution Form which are available on the payroll portal (UKG). It is the employee's responsibility to inform Human Resources if their residence state changes, or there are changes to telework eligibility.