

## TELEWORKING

Teleworking refers to a voluntary work flexibility arrangement under which an employee is authorized to perform the duties and responsibilities during scheduled work hours of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.

As technological capabilities have increased, OKCPS considers teleworking to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. While teleworking may be appropriate for some employees and jobs, it may not be for others. Teleworking is a management option and not an employee right.

Flexibility of teleworking may include a regular schedule (one or more days per week) or episodic schedule (occurring intermittently each month or based on project assignments). Such arrangements may be made in accordance with the Americans with Disabilities Act or when necessary in a public health or safety situation.

In most cases, telework arrangements will not be approved for classroom teachers or personnel requiring student management or significant face-to-face interaction with stakeholders.

### **Nondiscrimination:**

At no time during the process of determining whether an employee and his or her job responsibilities will be considered or authorized for a teleworking arrangement shall any employee be subjected to discrimination or excluded from consideration or participation based on race, color, national origin, sex, disability, age, religion, sexual orientation, gender identity or expression, genetic information, alienage, veteran, parental, family and marital status.

### **Eligibility:**

Employees requesting teleworking arrangements are eligible only if all of the following conditions are met:

1. A minimum of 12 months of continuous, full-time, regular employment with OKCPS,
2. Satisfactory job performance/evaluation record,
3. Evaluation of employee suitability, including assessment of the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful teleworkers, including efficiency, work quality, and productivity,
4. Evaluation of job responsibilities, including feasibility to successfully perform essential functions in telework setting, and
5. Ability to designate an appropriate and safe workspace with network and internet access.

### **Security:**

Consistent with the district's expectations of information security for employees working at the office, teleworking employees will be expected to ensure the protection of proprietary and confidential information accessible from their home office. Steps include the use of locked file

cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment. Further, teleworking employees will safeguard OKCPS equipment from damage, loss, or theft, and will ensure no other persons have open access nor use the equipment.

**Safety:**

Employees are expected to maintain their designated teleworking space in a safe manner, free from safety hazards. Injuries sustained by the employee in a telework location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

The teleworker will not hold business visits or meetings with professional colleagues, parents, students or vendors at the telework site without express written permission from the employee's supervisor.

Teleworking is not designed to be a replacement for appropriate child or dependent care. Although an individual employee's schedule may be modified to accommodate child or dependent care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective teleworkers are encouraged to discuss expectations of teleworking with family members prior to entering a trial period.

OKCPS will provide each teleworker with a safety checklist that must be completed and submitted at least twice per year. OKCPS reserves the right to visit the telework site, by providing 24 hours' notice to the employee, for the following reasons: to evaluate for safety; investigate a work related accident or liability claim; and ensure the worksite is conducive to a safe and productive work environment.

**Time Worked:**

Teleworking employees who are not exempt from the overtime requirements of the Fair Labor Standards Act (FLSA) will be required to accurately record all hours worked. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the teleworker's supervisor. Failure to comply with this requirement may result in the immediate termination of the teleworking arrangement.

**Teleworking Agreement Requirements:**

If the employee and manager agree, and Human Resources concurs, a draft teleworking agreement will be prepared to memorialize in writing the following terms:

1. Employee's name, job title, and telephone number,
2. Location of teleworking designated workspace, including physical and mailing address,
3. Immediate supervisor's name and job title,
4. Date of request to telework, incorporating the teleworking application as Attachment A,
5. Status under FLSA as either exempt (salaried) or non-exempt (hourly),

6. Term of agreement with start and end dates,
7. Date of evaluation of teleworking arrangement, including review of efficiency, accountability, communication, and work quality,
8. Scheduled working hours, including when breaks and lunch break will be taken, and how time worked will be recorded/submitted,
9. Authorized expenses,
10. Disclaimer that teleworking arrangement can be terminated at any time by either party, especially if productivity decreases or behavior that detracts from the value of the work is confirmed.
11. Names, job titles, and date of execution of the agreement, including applicable signatures prior to authorization of any formal arrangement of teleworking.

The teleworker's conditions of employment, including working hours, shall remain the same as for non-teleworking employees and wages, benefits, and leave accrual will remain unchanged, unless specifically stipulated within the Telework Agreement.

All policies of OKCPS shall apply at the telework site, including: those governing communicating internally and with the public; employee rights and responsibilities; facilities and equipment management; financial management; information resource management; expense reimbursement; safety; travel; the use of the internet; and social media. Further, all applicable federal and state laws shall apply to the teleworking employee.

**Temporary Teleworking Arrangements:**

Temporary teleworking arrangements may be approved for circumstances such as inclement weather, special projects or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance, and do not require execution of an evaluation and formal Temporary Telework Agreement.