

State of Utah DEPARTMENT OF NATURAL RESOURCES POLICIES AND PROCEDURES	REF. NR-97-B-3	PAGE 1 of 14
	EFFECTIVE DATE 06/28/97	
	REVISION DATE	
SUBJECT: Telecommuting Policy		
Ted Stewart, Executive Director		

I. PURPOSE

To provide a program whereby employees can perform their assigned work outside of the office, generally within their home, relieving the employees from the daily commute to the office. Better employee morale, increased productivity and increased employee retention are expected benefits from the program.

II. DEFINITION

Telecommuting is a cooperative agreement between an employee and the department involving work that an employee performs on a routine basis, independent of others, and can be accomplished by the employee outside of the office environment.

Telecommuting consists of a range of alternatives to the traditional office arrangement. Telecommuting arrangements may provide for office time from one or two days per week, and a secondary location three to four days per week. However, depending on the type of work being completed, any combination can be developed. The secondary work location is generally a home office, although other alternatives are possible. Telecommuting does not necessarily require sophisticated computer or telecommuting equipment; however, telecommuting arrangements usually are information-related projects.

III. POLICY

- A. The department's policy is to allow employees, who are independent workers, the opportunity to accomplish their assignments at a location outside of the traditional office environment. An employee must enter into a telecommuting agreement to be eligible for this program.
- B. Employees who are on probation, corrective action or disciplinary action will not be considered for telecommuting arrangements.

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- C. This policy is provided as an alternative to employees who qualify and is not deemed to be a universal employee benefit. The arrangement may be terminated at any time a supervisor determines that the objectives are not being met, after a reasonable implementation period. Similarly, employees do not have an obligation to continue in a telecommuting arrangement.
- D. Any costs borne out of a telecommunication agreement shall be paid by the appropriate division.

IV. PROCEDURE

- A. Employees interested in participating in telecommute must read the telecommute packet and this policy and complete the telecommute feasibility request.
- B. The supervisor will review the telecommuting request and complete the supervisor's portion of the request.
- C. The immediate supervisor, the division director and the human resources director must approve the arrangement.
- D. The supervisor is responsible for amending or modifying the employee's performance plan to accommodate the work-at-home program and how it affects the individual's performance requirements.
- E. A formal contract will be completed to include worksite, work conditions, location and approved equipment used in the work-at-home program.
 - 1. Telecommute arrangements should not be viewed as an alternative to a regular 40-hour work week. Rather the evaluation should be measured on the quality of the project. The supervisor and employee should agree on a realistic time frame needed to accomplish the project.
 - 2. Telecommute arrangements must include a time period to allow for telephone contacts when necessary during the work week. Occasional changes should be communicated to the supervisor prior to any changes.

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3. Employees must be cognizant of other people's perceptions that are created a result of telecommuting and must be cautious in their affairs. For instance, a flexible schedule allowing for personal business may be perceived by others as a lack of commitment or a violation of working hours.

In addition, employees are responsible to maintain a working environment void of distractions.

- F. With the appropriate request, approvals and contractual agreement in place, the employee will become a participant in the work-at-home program. Copies of the appropriate request, approvals and contractual agreement must be forwarded to the department Human Resource office. The supervisor will monitor the performance of the employee through the performance management system, or through the telecommuting project/assignment evaluation form (which is an optional management tool). This form may be used after the completion of each project/assignment and will supplement and reinforce a more comprehensive performance management program for employees in the work-at-home program.

The program will be evaluated by the supervisor and the employee at the completion of their participation in the work-at-home program or at the employee's annual performance management review date.

- G. Equipment and supplies.
 1. All equipment and supplies assigned to the employee are the property of the department and are issued to the employee on a temporary basis. The employee must sign for receipt of the equipment.
 2. Employees must maintain the equipment in a safe condition free from hazards and other dangers. The employee will use all reasonable means to protect the department's property at the secondary location and will report promptly any damage or loss of equipment.

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3. Equipment must be used exclusively for the department assignments or within the confines of the state's policy.
 4. Use of personal computer equipment must be pre-approved. On a case-by-case basis, the department will consider partially reimbursing an employee for maintaining, repairing or replacing their own computer equipment. Reimbursement, if approved, will be proportional to the amount telecommuted.
 5. Furniture will not be supplied by the department.
 6. Telephone toll charges or line charges relating to the project will be paid by the department. These charges must be explained and agreed upon prior to the telecommuting arrangements being implemented. Documentation must be provided by employees for all reimbursable charges.
 7. Employees should obtain supplies for use in the secondary work location from the primary office location. Generally, out-of-pocket expenses will not be reimbursed. Exceptions must be approved in advance of any expenditure.
- H. Confidentiality of department information must be maintained in the telecommuting environment, according to the state's policy. Unauthorized disclosure will subject the employee to penalties provided by law.
- I. Any software developed on department-owned computer equipment shall be the property of the department.
- J. Insurance.
1. Participation in a work-at-home program grants the same rights as any state employee, including the worker's compensation benefits, defense and indemnification for claims against an employee arising out of your employment as provided by the Utah Government Immunity Act.

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2. Since work-at-home programs do not include personal taxpayer contact or interaction on official business, injuries to a third party are not covered by the state.
 3. As a condition of a work-at-home program, the department may make reasonable inspections for document confidentiality and management purposes and equipment security.
- K. If the telecommuting arrangement involves activities that must be cleared through zoning ordinances or home association regulations, the employee is responsible to comply.
- L. The employee is responsible to return all equipment supplies, work products, etc., used at the secondary work location upon request by the department or upon termination of their participation in the project.

**TELECOMMUTING
DEFINING THE SUCCESSFUL
TELECOMMUTER**

- # Has little need for face-to-face contact with co-workers or customers.
- # Can commute directly from home to customer.
- # Has access to quiet office space at home free from interruptions.
- # Has access at home to needed equipment.
- # Is a "self-starter" and able to work with little supervision.
- # Performs tasks that can be done from home.
- # Reports to a supervisor who manages by results, not by surveillance or time clock.
- # Works for someone who trust him or her.

TELECOMMUTING FEASIBILITY REQUEST

This checklist will help the supervisor in determining the appropriateness of matching job assignments to telecommuting. Section I should be completed by the employee. Section II should be completed by the supervisor. Forward the completed questionnaire to the division director for discussion and approval.

Section I (TO BE COMPLETED BY EMPLOYEE)

1. Briefly describe your current job responsibilities.

2. What is the specific assignment to be completed utilizing the telecommuting arrangement.

3. Describe the equipment, if any, needed at the secondary work location to support your telecommuting arrangement. (Personal computer, terminal, telephone line, modem, etc.)

4. Describe the proposed office arrangement at your secondary location. (Size, location, furniture, characteristics, separation from living area, etc.)

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5. What special accommodations, if any, other than described in no. 3 above, would you require for this telecommuting arrangement?

6. What computer applications do you use now, or would require, for a telecommuting arrangement? (Word processing, electronic mail, spreadsheets, mainframe applications, etc.)

Section II (TO BE COMPLETED BY SUPERVISOR)

1. What is the job assignment(s) to be addressed by the telecommuting arrangement?

2. What are the benefits expected to be derived from the issues addressed in no. 1 above?

3. What are the indirect benefits expected from entering into this telecommuting arrangement?

4. Is the telecommuting arrangement intended to be ongoing or for a specific time period? How do you expect the benefits can be measured?

Signatures:

Supervisor Date

Employee Date

Division Director Date

Human Resource Director Date

TELECOMMUTING CONTRACT

Employee _____

Division _____

Primary Work Location Address (Office) _____

Telephone _____

Approved Secondary Work Location Address _____

Telephone _____

Data Transmission Telephone _____

Hours Available for Telephone Contact _____

Scheduled Working Hours:

Monday _____
Tuesday _____
Wednesday _____
Thursday _____
Friday _____

Scheduled Days at Primary Work Location:

Monday _____
Tuesday _____
Wednesday _____
Thursday _____
Friday _____

The above employee has agreed to participate in the Department of Natural Resources telecommuting program. The employee 1) has read the department's policy on telecommuting, 2) understands the policy, and 3) will abide by the Telecommuting Policy as well as the above work schedule. No employee may work overtime without written authorization from the division director.

The employee understands that this contract may be modified or canceled at any time by the department. The employee may cancel this contract at any time.

Signature:

Employee Date

Supervisor Date

TELECOMMUTING PROJECT/ASSIGNMENT EVALUATION

Employee _____

Division _____

Detailed Project Description:

Specific Assignment and Due Date:

Outcome/Results:

Next Meeting Scheduled For (Date):

Signatures:

Supervisor Date

Employee Date

This form is optional during the telecommute project. This form is not a replacement for the performance evaluation or the performance plan.

DEPARTMENT OF NATURAL RESOURCES TELECOMMUTER'S AGREEMENT

Telecommuting, the use of telecommunication technology to transport information, rather than people, to and from the workplace, is an arrangement that the department may choose to make available to some employees when a mutually beneficial situation exists.

Telecommuting is not a formal, universal employee benefit, but rather an alternate method of meeting the needs of the department. Since it is not assumed that employees have a "right" to telecommute, the arrangement can be terminated any time it is determined that department needs are not being met. Similarly, employees do not have an obligation to telecommute and may return to the conventional office arrangement if they wish to withdraw from the telecommuting project.

When a telecommuting arrangement is implemented, the following conditions will apply:

1. Employee salary, job responsibilities, benefits and company-sponsored insurance coverage will not change due to participation in the telecommuting project.
2. The amount of time the employee is expected to work will not change due to participation in the telecommuting project.
3. For the purpose of defining the employee's job tour period during which the employer has liability for job related accidents or illnesses and during which worker's compensation laws apply, it is understood that the employee's work hours will conform to a schedule agreed upon by the telecommuter and their manager.
4. If a schedule has not otherwise been agreed upon, the employee's work hours while telecommuting are assumed to be the same as before the telecommute.
5. Any changes or extension to the above mentioned schedule with respect to worker's compensation coverage must be reviewed and approved by the employer in advance.
6. Since the employee's home work space will be considered an extension of the Department work space, the Department's liability for job-related accidents will continue to exist during the understood and approved job tour hours.
7. A designated work space should be maintained by the telecommuter at the alternate work location. Worker's compensation liability will be limited to this work space as opposed to applying to all areas of the home.
8. As this liability will extend to accidents which may occur in the alternate location, the employer retains the right to make onsite inspections of this work area to ensure that safe work conditions exist.

9. Onsite visits by the employer may also be made for the purpose of retrieving equipment and other department property in the event of employee illness or termination.
10. Any hardware or software purchased by the department remains the property of the department and will be returned to the department at the conclusion of the agreement.
11. Department-owned software may not be duplicated except as formally authorized.
12. Restricted-access materials (such as payroll) shall not be taken out of the main office or accessed through the computer at a remote location.
13. Department equipment in a remote office shall not be used for personal purposes.
14. The department will not purchase furniture or answering machines for telecommuters.
15. The department will loan necessary PC terminals and modems for use in remote offices.
16. Use of personal computer equipment must be pre-approved. On a case-by-case basis, the department will consider partially reimbursing an employee for maintaining, repairing, or replacing their own computer equipment. Reimbursement, if approved, will be proportional to the amount telecommuted.
17. The department will not provide custom-call services, second phone lines or printers to telecommuters.
18. On a case-by-case basis, the department will consider partially reimbursing an employee for monthly service charges on a second telephone line and/or custom-calling services. Reimbursement, if approved, will be proportional to the amount telecommuted (one day a week telecommuting gets 1/7th of the bill reimbursed, and so on).
19. The department will reimburse the telecommuter for software for compatibility with different systems used by the department and the telecommuter.
20. Supplies required to complete assigned work at the alternate location should be obtained during one of the telecommuter's in-office visits. Out-of-pocket expenses for supplies normally available at the department will not be reimbursed.
21. The department will not reimburse the employee for supplies such as computer floppy disks and cables.
22. The state will reimburse the telecommuter for state-related long distance telephone calls.
23. Expenses not specifically covered above will be dealt with on a case-by-case basis, taking into account the reasonableness of the expense, other expenses reimbursed for the same employee, and the overall budget for the project.

24. The budget office will approve or disallow reimbursement request not specifically covered.
25. Telecommuting is not to be viewed as a substitute for child care. Telecommuters with pre-school children are expected to have someone else care for the children during the agreed-upon work hours.
26. Individual tax implications related to the home work space shall be the responsibility of the telecommuter. It is possible, under some circumstances, to deduct expenses of a home office, but a tax expert should be consulted first.

I accept the conditions of this agreement.

Employee Signature

Date

Supervisor

Date