



## Administrative Procedure

Procedure Name	<b>TELEWORK AND FLEXIBLE WORK HOURS</b>
Policy Number	<b>656.01</b>
Date Adopted	<b>2/15/2022</b>
Date(s) Revised	

This procedure is to provide guidance to employees and their supervisors for determining eligibility and participation in teleworking and/or flexible work hours arrangements. Proposals will be reviewed on a case-by-case basis and approved or denied at the sole discretion of the college. Not all situations are suitable for telework and/or flexible work hours.

### Definitions

**Telework:** to work from the employee's home or from an office near the employee's home, rather than from the principal place of employment at least once every two weeks resulting in fewer commute trips by the employee.

**Flexible Work Hours:** includes both the compressed workweek and flextime.

**Compressed workweek:** an alternative work schedule that regularly allows a full time employee to eliminate at least one work day every two weeks by working longer hours during the remaining days, resulting in fewer commute trips by the employee.

**Flextime:** a work schedule whereby an employee is permitted some flexibility in choosing their starting and ending time outside of the agency's normal work hours. Flextime is allowable under RCW 41.04.390.

**Alternate Workplace:** the employee's home or any prior approved work site closer to the employee's home during the employee's assigned work hours.

**Teleworker:** individual performing some or all of their assigned duties at other than the normally assigned workplace.

**Immediate Supervisor:** individual who can recommend hiring and disciplinary action as well as schedule, assign, direct, evaluate and train a minimum of one full-time subordinate staff.

**Appointing Authority:** the lawful authority under WAC 357-01-025 and these procedures to make appointments of eligible persons to Grays Harbor College positions and the authority to demote, suspend, reduce in salary, or dismiss and employee under their jurisdiction for just cause.

**Telework and/or Flexible Work Hours Agreement:** approved format documenting agreement between the immediate supervisor and applicant for use of telecommunications and computer technologies that allow an employee to perform some or all of their assigned duties at other than the normally assigned workplace.

## Eligibility

To be approved for telework or flexible work hours, a plan must be developed that meets the following conditions:

- Approval of the telework or flexible work hours arrangement shall have no negative impact on:
  - The employee's or another employee's performance,
  - Student and/or customer service,
  - Inter-departmental communications, or
  - The efficiency or effectiveness of work coordination between interdependent work units.
- Approval of both the employee and the immediate supervisor, indicating agreement on the telework and/or flexible work hours conditions and restrictions.
- Authorization by the President, Vice President or appointing authority approving the specific telework and/or flexible work hours agreement between the employee and their immediate supervisor.

In making determinations of suitability for telework and flexible work hours the College will consider the job classification, the position, and the employee. These factors will be evaluated by assessing whether the quality of service provided will be maintained or improved in a telework or flexible work hours arrangement. Employees with recent performance or leave abuse problems may be found unsuitable for telework or flexible work schedules. Suitability will also be based on the following factors:

- Goals of executive order and other related initiatives.
- College business needs.
- Type of work.
- Individual work style.
- Individual performance.
- College policies and procedures.
- Applicable collective bargaining agreements.

Requests for telework and flexible work hours should be evaluated on a 'reason-neutral' basis. A 'reason-neutral' approach means employees aren't expected to justify their desire for work flexibility.

To apply for a telework or flexible work hours arrangement, the employee and the immediate supervisor must complete the following, without exception:

- Telework/Flexible Work Hour Application,
- Telework/Flexible Work Hour Agreement, and
- Authorization for Temporary Checkout of Equipment form,
- Review of Grays Harbor College Employee Acceptable Use Guidelines for Technology Resources.

Flex days (the days not worked) can be any day of the week and not limited to a Monday or a Friday. Flex days must take into consideration the work schedules of the working unit. If the College has required core business hours for departments, employees using flextime arrangements should comply with these requirements.

## **Telework/Flexible Work Hour Applications, Forms, and Agreements**

Each telework/flexible work hours arrangement must address the following conditions:

- Conditions of employment while teleworking,
- Guidelines for the alternate work site,
- Rules regarding Grays Harbor College equipment and supplies,
- The arrangement does not interrupt in-person contact or interaction requirements with co-workers, students, or the public,
- Worker productivity can be monitored,
- Telework/Flexible Work Hour agreements shall not exceed one-year in duration and must provide specific time intervals for meetings and communication with the employee's supervisor, co-workers, students, and other constituents as appropriate. Grays Harbor College business and operational needs take precedence over telework and flexible work hours and may justify termination of the agreement. New agreements may be entered into according to the protocols established in this procedure.
- A copy of the Telework/Flexible Work Hour agreement will be kept on file with the immediate supervisor, and the original will be filed in the Human Resources Office.

Telework Approval Process:

- Complete the Telework Eligibility Form
- Complete the Telework Agreement

Flexible Work Hours Approval Process:

- Complete the Flexible Work Schedule Application

### **Conditions of Employment While Teleworking or Working Flexible Work Hours**

- The duties, obligations, and job responsibilities assigned to the employee will remain the same while teleworking or working flexible hours.
- During the teleworking/flexible work hour agreement the employee's salary, benefits and other employer insurance coverage shall remain in effect.
- Existing Department of Personnel Rules or collective bargaining agreements governing leave, hours of duty and scheduled workweek; Fair Labor Standards Act (FLSA) and Washington's Minimum Wage Act rules governing overtime; and Grays Harbor College policies and procedures will continue to apply while teleworking or working flexible hours.
- Overtime compensation and use of vacation and sick leave must conform to State and Federal laws and regulations and College rules and policies for telework or with flexible work hours. For overtime-eligible employees, travel time to the office on regularly scheduled telework day (e.g., for an in person meeting counts towards hours worked. Supervisors should consider the potential for overtime in these situations.
- Vacation, sick and other leave while teleworking will continue to require appropriate signatures and prior approval by the employee's supervisor.
- All sick leave will be reported by the employee to the supervisor as per applicable collective bargaining agreements and/or Grays Harbor College policies and procedures.
- Employees remain obligated to comply with all Grays Harbor College rules, policies, practices and instructions. Failure to do so may result in the termination of the telework/flexible work hours agreement and/or disciplinary action, up to and including termination of employment

- Performance evaluation requirements for teleworkers shall not differ from non-teleworkers.
- In the event circumstances prohibit the teleworker from performing their assigned duties while teleworking, the teleworker shall immediately notify their supervisor for further work direction.
- Teleworkers will be expected to check their E-mail, voice mail and remain accessible by direct phone and/or college approved communication software during approved telework hours identified in the Telework Agreement.
  - Teleworkers who for any reason cannot be reached or will not be able to be reached by their immediate supervisor must inform, either by direct phone or by e-mail, their supervisor prior to being unavailable at their alternate workplace. Failure of a teleworker to notify the immediate supervisor in advance shall result in termination of the agreement.

### **Conditions for Alternate Work Site Training and Information**

Teleworkers' official work station designation does not change to the telework site. Any required travel to the official workstation is not compensated. Home telework sites must not be used to meet customers in an official capacity. Teleworkers' alternate worksites should be free from distractions like dependents needing care.

Teleworkers remain responsible for the security and handling of confidential information. When the alternate worksite is the employee's home, the employee shall be responsible for maintaining a designated workspace in a safe, healthy, professional and secure manner. The teleworking employee has the same reporting requirements for identifying workplace safety issues and timely reporting of injuries or illnesses that may arise while teleworking.

All equipment and supplies furnished to teleworkers by the College remain the property of the College and are to be used only by authorized persons and only for State business. Unless there is an advance written agreement between College management and the employee that specifies otherwise, the State assumes no liability for loss, damage, or wear of any employee-owned equipment or facilities used while teleworking.

Grays Harbor College retains the right to make on-site inspections to ensure safe working conditions exist at the alternate worksite.

### **Equipment and Supplies**

Use of Grays Harbor College issued computing equipment (laptop or mobile device) is required, unless otherwise agreed between the College and the employee. The employee will be responsible for the protection and security of the equipment until it is returned to Grays Harbor College.

Employees must sign and adhere to the college-issued or personal use mobile device IT Operational Procedures prior to telework commencing.

If Grays Harbor College equipment on loan to a teleworker is damaged or stolen while in the possession of the teleworker, repair and/or replacement of the equipment is the responsibility of the teleworker.

A form for temporary use of equipment away from Grays Harbor College campus must be completed.

Teleworkers should check their Homeowner's policy for coverage of Grays Harbor College equipment in case the equipment is damaged or stolen at the teleworker's residence.

If the alternate worksite is other than the employee's home, Grays Harbor College will have responsibility for providing the appropriate equipment.

The supervisor may arrange for the telecommuter to connect on Grays Harbor College's network through the Grays Harbor College Information Technology Department.

To protect confidentiality and guard against data contamination, teleworkers shall follow Grays Harbor College approved data security procedures at their alternate worksite.

Teleworkers using Grays Harbor College-provided computer software shall adhere to the manufacturer's licensing agreements, including the prohibition against unauthorized duplication. The teleworker will not load non-business software on Grays Harbor College-provided computers and will follow the Grays Harbor College Employee Acceptable Use Guidelines for Grays Harbor College Technology Resources at all times. Grays Harbor College software that has an "on site license contract," cannot be installed on an employee owned computer.

Office supplies for use by teleworkers at their alternate worksites shall be provided by Grays Harbor College and should be obtained during the teleworker's in-office work periods. Out-of-pocket expenses for supplies or services must be pre-approved and will be reimbursed according to existing College procedures.

### **Termination of Agreement**

Telework and flexible work hours agreements may be terminated at any time at the discretion of the college. Additionally, if work performance decreases or if the service provided is not maintained, a supervisor may decide that it is in the College's best interest terminate the telework or flexible work hours agreement. In such an event, the employee will be asked to return to a regular work location and schedule.

Teleworking arrangements are for mutual benefit and are not an employee right. No teleworking agreement will be approved beyond one year, although subsequent agreements can be reached for subsequent periods. Telecommuting agreements must meet the operational needs of Grays Harbor College and failure of an agreement to meet operational needs shall be grounds for immediate termination of the agreement. Further, the agreement may be terminated by either the employee or the immediate supervisor for any reason upon reasonable notice to the other party.

Grays Harbor College will use a fair and consistent process for determining which applications for telework are approved. Grays Harbor College Human Resources Office will provide consultation for the proper implementation of teleworking.