

# ADMINISTRATIVE REGULATION 2022-02

Amending Administration Regulation 2020-07

**MAYOR JOHN W. SUTHERS**

**DATE:** March 18, 2022

**TOPIC:** Teleworking Program Policy

**LEGAL AUTHORITY:**

**1.0 Purpose and Scope:** This Administrative Regulation sets forth the City's guidelines for City employees who participate in the City's Teleworking Program, and amends Administrative Regulation 2020-07.

**2.0 Terms Defined:**

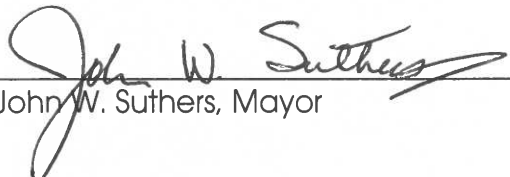
- 2.1. "HR" - Human Resources
- 2.2. "IT" - Information Technology
- 2.3. "RM" - Risk Management
- 2.4. "Teleworking" - Also known as telecommuting, is the partial or total substitution of work at home for work at the office.

**3.0 Procedures**

- 3.1. **In General:** Pursuant to City Charter § 3-10(b), the Mayor shall perform all executive and administrative functions of the City, including designation of administrative guidelines. Directing City staff through policies and procedures with regard to the guidelines for employees who participate in the City's Teleworking Program is an executive and administrative function of the City government.
- 3.2. **Establishment of Teleworking Program Policy:** The Teleworking Policy set forth in Administrative Regulation 2020-07 is amended as set forth in Exhibit A, attached hereto and incorporated herein.

**4.0 Miscellaneous**

- 4.1. This Administrative Regulation and the Teleworking Program Policy set forth in Exhibit A shall be effective as of **March 21, 2022**, and shall remain in effect until amended or rescinded.
- 4.2. This Administrative Regulation shall be filed with the City Attorney and made available for public inspection on the City's website.

  
John W. Suthers, Mayor

APPROVED AS TO FORM:

  
Office of the City Attorney

## Exhibit A

### TELEWORKING PROGRAM POLICY FOR THE CITY OF COLORADO SPRINGS

#### **Purpose**

Teleworking (or telecommuting) is the partial or total substitution of work at home for work at the office. Teleworking is a management tool that may be used to increase productivity, reduce employee commute trips, and accommodate special needs of employees and divisions. Teleworking is not an entitlement; rather, it is a work option used at the supervisor's discretion. The purpose of this regulation is to provide general guidelines for employees who participate in the City's Teleworking Program.

#### **Scope**

This policy applies to all City of Colorado Springs divisions and refers to employees working in their homes within the state of Colorado. Employees are not permitted to live and work outside of the state of Colorado. Special exceptions for teleworking while employees are out of state for short periods of time such as for meetings or conferences may be permitted.

#### **Safety Requirements**

All City of Colorado Springs safety and health policy and procedure requirements shall be integrated into any referenced operational procedures in this document. All safety related policies and procedures contained in this document must comply with the City Safety Manual.

#### **Responsibilities**

1. Departmental
  - a. Requesting Department Director/Division Manager or Council/Mayoral Appointee approval.
  - b. Management is responsible for coordinating with Human Resources (HR), Information Technology (IT), and Risk Management (RM) departments to ensure proper workstation setup and communicate budget requirements for IT equipment.
  - c. Budgeting for the appropriate computer and phone equipment for authorized teleworkers.
  - d. Initiating the teleworking process by following standard procedure.
  - e. Creating the Teleworking Agreement between the employee and the department.
    - i. All participating employees will complete and sign a Teleworking Agreement which will be kept by the supervisor and updated as necessary.
    - ii. The Teleworking Agreement must include:
      1. Whether the employee will telework on a full-time, part-time, or office sharing basis;

2. Period of time the employee will be teleworking;
3. Nature and scope of the work to be performed;
4. Time reporting requirements;
5. Overtime reporting;
6. Listing of equipment to be provided by the City and/or by the employee;
7. Reimbursable expenses;
8. Information security requirements;
9. Insurance requirements and liability coverage; and
10. Workers' compensation coverage and accident reporting requirements

## 2. Risk Management

- a. Providing ergonomic assessments and addressing potential ergonomic issues and/or concerns.
- b. Providing ergonomic recommendations for furniture, chairs and ergonomic equipment or supplies. (employees are responsible for the cost of these items)
- c. Investigating or analyzing ergonomic incidents/illnesses/injuries.
- d. Reviewing emergency procedures.

## 3. IT

- a. In coordination with the Department, provides necessary equipment such as a computer, laptop, etc.
- b. Providing technical support when necessary.

## 4. HR

Providing support to management pertaining to benefits, pay, employment, employee relations, performance management, training, reimbursable expenses, etc.

## Process

### 1. Three classes of teleworkers are recognized by the City:

- a. Full-time Teleworker
  - i. Works from home office  $\geq$  40 hours per week on a regular basis.
  - ii. Does not have an office at a City of Colorado Springs work site.
  - iii. City provided configuration includes computer and related necessary equipment.
- b. Part-time Teleworker
  - i. Works from home office on a regularly scheduled basis (less than 40 hours per week).
  - ii. Maintains office space at a City of Colorado Springs work site.
  - iii. City provided configuration includes computer and related necessary equipment.
- c. Office-sharing Teleworker
  - i. Works from home office  $\geq$  24 hours per week on a regular basis and shares an office at a City of Colorado Springs work site with other employees who telework on alternating schedules.

- ii. Configuration includes computer and related equipment.
  - d. Occasional Teleworker
    - i. Works from home or other remote locations on an occasional basis for convenience or as required to meet job requirements, with supervisor/manager approval.
    - ii. Has an office with network connection at a City of Colorado Springs work site.
    - iii. Configuration includes a laptop computer provided by the City for access to enterprise computing systems from office and remote locations.
- 2. Administration
  - a. Coordination

Each division will be responsible for coordination of its Teleworking Program. HR is available to consult with any division setting up a Teleworking Program in regard to the policies and procedures and their appropriate application. IT will provide technical assistance for ongoing support for telework.
  - b. Procedure

The Division Manager, or their designee(s), have discretionary authority to determine which employees, if any, will be given permission to telework in their job. Based on the operational needs, Division Managers may establish more restrictive teleworking policies than those contained in the Teleworking Agreement. Managers will meet with HR before establishing more restrictive policies.
  - c. Employees and their supervisors and managers may be required to attend training on teleworking business processes and the use of remote access computing tools. All teleworking employees shall comply with the Policies and Procedures Manual while performing telework.
  - d. Since participation in the Teleworking Program is voluntary for both management and employees, either management or the employee may terminate the Teleworking Agreement. Two weeks prior notice to termination of a Teleworking Agreement is required, to ensure there is office space and equipment available for the employee or to ensure the employee has made arrangements to return to the office space.
  - e. Dependent Care

Teleworking is not to be used as a substitute for child or elder care. Telework is official work time and a tool for accomplishing work. Appropriate care arrangements must be available during working hours if there are young children or elderly individuals in the home.
  - f. Office Closure or Emergency
    - i. Teleworkers are not excused from working if an office closure or emergency excuses other employees from working and work can proceed at the home site.
    - ii. If the home site is affected by an emergency or equipment is not functioning properly and cannot be repaired within a reasonable time, a supervisor may require the employee to return to the office for work.
  - g. Safe Work Practices

The employee agrees to maintain a safe work environment and incorporate safe work practices the same as if working in the office. The employee is responsible for completing regular self-evaluations verifying workstation ergonomics.

h. Worksite Visits

The City maintains the right to visit the employee's home (with reasonable notice) to inspect equipment, check for safety issues, verify appropriateness of work space.

i. Accident Investigation

The City reserves the right to visit the worksite immediately upon receiving notice of an accident. Best efforts will be used to provide prior notice; but, circumstances may preclude the opportunity to provide advance notice.

3. Benefits and Pay

a. Compensation

All employment responsibilities and conditions apply at the teleworking site as if the employee were at the office to include compensation, benefits, vacation time, overtime, rights, privileges, and disciplinary procedures.

b. Overtime

Because of the Fair Labor Standards Act (FLSA) overtime implications, non-exempt teleworking employees and their managers must clearly track hours. Non-exempt employees must obtain management approval in advance of working any hours beyond those scheduled.

c. Worker's Compensation

In case of an injury while teleworking in the home, the employee will immediately report the injury in the same manner as a work related injury at the office to receive instructions for obtaining medical treatment. The City does not assume any other responsibility for injury to any person at the employee's residence or alternate workspace within it.

d. Reimbursable Expenses

Reimbursable expenses and procedures for reimbursing an employee shall be followed according to the same City policies applicable to a non-teleworking employee. The City does not cover the cost of internet services for teleworking employees. Any expenses eligible for reimbursement will be described in detail in the Teleworking Agreement.

4. Space and Furniture

a. Teleworking employees must have adequate space and office furniture available to provide a safe work environment.

b. Teleworking employees are responsible for the costs of any office furniture purchased for the purpose of teleworking.

c. If budget permits, the department may provide smaller items such as an office chair, keyboard, mouse, etc.

d. Employees are responsible for the setup of their home office space to include computer/laptop setup.

e. IT is available via phone and email to assist employees with setup if needed. IT Support will be provided remotely.

- f. Teleworking employees may request an ergonomic assessment via the Risk Management website. These assessments will generally be completed remotely.
  - g. The department will determine and approve the cost effectiveness of teleworking. The cost may be a determining factor in approving teleworking arrangements. Appropriate safety measures such as necessary voltage levels are required.
5. Utilities/Phone/Network Services and Equipment
- a. The City will not reimburse the employee for utilities services.
  - b. Dedicated Phone
    - i. For full-time and office-sharing teleworkers who work  $\geq$  24 hours a week, telephone equipment and services may be provided by the City (City cell phone or phone software that integrates with computer as appropriate).
    - ii. The City will not reimburse occasional teleworkers for any personal telephone equipment and services. These must be provided by the employee.
  - c. Network Services

The City will not reimburse teleworkers for network equipment and services.
6. Equipment
- a. Residential Use
    - i. City equipment, to include, but not limited to, computers and related hardware and software, may be used at home consistent with all applicable policies, including the Acceptable Use Policy.
    - ii. All City property shall be returned at the end of the Teleworking Agreement.
    - iii. The supervisor is responsible for maintaining the Teleworking Agreement with an up-to-date list of all equipment issued to an employee for teleworking purposes.
    - iv. Employees must take all precautions to avoid loss or contamination of business data.
  - b. Service and Repairs

Employees must bring in computer equipment to IT for service when problems or repairs cannot be resolved over the telephone. The City will not provide on-site service or repairs to computer and/or phone equipment.
  - c. Personal Use
    - i. To maintain the security of the City's network and information, personal use of computing devices (laptops/desktop computers) and any equipment supplied by the City shall comply with City policies including the Acceptable Use Policy.
    - ii. No other individuals in the home will be allowed use of City equipment.
7. Allocation of Risk
- a. The City assumes all of the risk of loss or damage to City owned equipment while it is in the home of an employee who is teleworking, unless that loss or damage occurred due to the employee's negligence.

- b. All equipment, while in the employee's home, or while being transported, must be safeguarded by the employee against loss, theft, or careless damage.
- c. The employee is responsible to pay for damage or loss to equipment that is not appropriately safeguarded.
- d. The City is not responsible for any private property used, lost or damaged due to work at the home work site.

8. Software Usage

Employees are required to follow City, department and licensing guidelines regarding the use of software in multiple sites or duplication of software.

9. Supplies

Supplies that would normally be available in the office may be taken for telework use in reasonable quantities.

10. Business Information Protection

Employees are responsible for the accuracy, timeliness, and safekeeping of City information in their home.

**Time/Work Reporting**

- a. Teleworking employees should enter their time in the system under the Teleworking time reporting code.
- b. Teleworking employees may also submit an account of their work/time/projects per the Telework Agreement if required by their supervisor. Example Templates are provided here:

**Daily Telework Log**

| Start Time | End Time | Project/Task/Activity Description | Status / % Completed | Notes |
|------------|----------|-----------------------------------|----------------------|-------|
|            |          |                                   |                      |       |
|            |          |                                   |                      |       |
|            |          |                                   |                      |       |
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| Project/Task/Activity Description | Time Spent (0.25 hour increments) | Status / % Completed | Notes |
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**Weekly Telework Log**

| Date | Start | End | Project/Task/Activity | Status / | Notes |
|------|-------|-----|-----------------------|----------|-------|
|------|-------|-----|-----------------------|----------|-------|



|  | Time | Time | Description | % Completed |  |
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| Date | Project/Task/Activity Description | Time Spent (0.25 hour increments) | Status / % Completed | Notes |
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**Reference Documents**

1. City of Colorado Springs. *Civillian Personnel - Policies and Procedures Manual* (Policy #13).
2. All applicable IT policies including Acceptable Use, Data Classification and Breach, Encryption Policy, IM-Chat Policy, Password Policy, Privileged Account Policy (if applicable), Remote Access Policy, Security Awareness Training Policy, Vulnerability and Patch Management.

