



## **Telework Policy**

The Transportation Agency considers telework to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Data has shown that a well-defined telework program helps to reap benefits of continuity of operations, increase productivity, recruitment, retention, work-force balance, positive environmental impacts, and potential overhead savings.

Through its Telework Policy, TAMC has the ability to improve worker productivity, lower office costs, and reduced vehicle trips by allowing employees to work at home, on the road, or in a satellite location, as appropriate for all or part of their work week. In such times, as during the COVID-19 pandemic, the Transportation Agency can enhance employee safety with social distancing through a telework program. This telework option will be allowed based upon work assignments, out-of-town meetings, or appointments; or circumstances which dictate that telework is necessary to ensure employee safety and agency operations.

This Telework Policy contemplates work from non-office locations for an extended period of time, not necessarily in situations where an employee is at a conference or a TAMC-related business trip of less than 7 days. In those situations, the employee and supervisor will work out arrangements suitable to the particular circumstance.

A teleworking employee is still subject to all of the conditions mandated in the current Human Resources Rules and Regulations, and other TAMC policies that may apply, regardless of their physical work location.

This is a voluntary program and the Agency does not in any way require that a remote office be maintained by any employee.

### **Procedures**

Telework is subject to the following provisions below:

1. Employees are encouraged to consider telework as much as possible, subject to prior approval by the employee's supervisor and completion of the work schedule form.
2. New employees, unless granted an exception by the Executive Director, shall work the majority of days per week in the office during their first six months of employment so that the employee can gain familiarity with the Agency and staff team, and their supervisor can determine the success and appropriateness of working from a remote



location thereafter. Any new employee working under unusual working protocols, such as those established during COVID-19, will consult with their supervisor to coordinate visits to the office.

3. At regular weekly or periodic check-in meetings (not less than every two weeks), the employee shall review with their supervisor the activities that they expect to accomplish during the telework period, and report on their accomplishments.
4. The employee is responsible for scheduling telework time with their supervisor so that their workload does not fall on other employees or interfere with other in-person obligations. Telework time must include at least four hours each day during TAMC normal business hours (8-5), so that the employee is reasonably available to staff, consultants, and the public.
5. The employee shall either leave their home or cell phone number with the office or forward their work phone via office software so as to be available to receive calls during the telework period.
6. Employees shall be allowed to utilize TAMC supplies and equipment for telework, subject to their supervisor's approval and the equipment policy listed below.
7. TAMC's regular work week is 40 hours per week, regardless of work location or time of day worked. TAMC's overtime or comp time policy applies with regards to work over 40 hours per week, which requires prior approval of the employee's supervisor.
8. Employees and their supervisor are responsible for determining if the employee is able to telework productively in an unsupervised, unstructured environment.

### **Supplies and Equipment**

The employee's supervisor will determine, with information supplied by the employee, the appropriate supplies and equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telework arrangement. The Agency will reimburse the employee for business-related supplies that are reasonably incurred in carrying out the employee's job, as long as receipts substantiate the expense.

The IT support team will serve as a resource in this matter.



Equipment supplied by the Transportation Agency will be maintained by the agency. Equipment supplied by the employee will be maintained by the employee. TAMC accepts no responsibility for damage or repairs to employee-owned equipment. The Transportation Agency reserves the right to make determinations as to appropriate equipment, subject to change at any time.

Equipment supplied by the organization is to be used for business purposes only and is subject to inspection at any time by the Agency. The employee must sign an inventory form of all TAMC property received and agree to take appropriate action to protect the items from damage or theft. The supervisor or the IT team will supply a signed copy of the inventory form to the HR director. Upon termination of employment, all agency property will be returned to the agency.

The employee will establish an appropriate environment for work purposes. The employee shall notify their Supervisor if their telework location is beyond 60 miles of the Agency's office. The Transportation Agency will not be responsible for costs associated with the setup of the employee's telework office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the telework office space. However, the agency will provide a one-time technology allowance of \$500 per employee for telework equipment.

### **Travel Expenses**

Travel to and from work meetings within Monterey County is not reimbursable to employees, regardless of their teleworking location. If an employee is teleworking more than 60 miles from the Agency office and traveling to a work meeting or conference outside of the County, the employee will only be reimbursed for the cost for comparable travel to and from the Monterey Bay Area.

### **Security**

Consistent with the organization's expectations of information security for employees working at the office, telework employees will be expected to ensure the protection of Transportation Agency information accessible from their authorized remote location. Safety protocols include not sharing or giving access to company data, regular password maintenance, and any other measures appropriate for the job and the environment to ensure that Agency data is protected.

The Agency maintains unrestricted rights of access to all data and software on any TAMC equipment and all TAMC work-related data and software on personal equipment used for TAMC business or media. Information generated or placed into personal computers used for TAMC business shall be made available for review at the request of appropriate TAMC supervisors.



## **Liability**

A teleworking employee's on-going legal responsibilities and defenses for any accidents or injuries occurring on the teleworker's premises are unchanged by the terms of the authorization for teleworking. Teleworking does not convert an employee's residence or other telework location into an Agency workplace; an employee allowed to telework is responsible for the health and safety of the authorized telework location and shall take all reasonable and necessary precautions to protect the health and safety of the teleworker.

A telework employee shall abide by all TAMC Administrative Policies, specifically including those policies relating to the use of Electronic Communications.

The teleworker has the responsibility to maintain their remote workspace in a safe condition, free from hazards or other dangers. The teleworker must designate a specific work area that is suitable for performing official business, maintained in a safe condition and free from hazards. The teleworker must perform their work in that designated area when teleworking. All equipment used during periods of teleworking must be maintained in good working condition and be ergonomically suitable for the work. The teleworker shall allow the Agency to inspect the remote workspace for the purpose of determining that it is safe and free from hazards. The Agency does not assume any liability for loss, damage, or wear of employee-owned equipment or furniture, or for injuries to persons other than the employee during teleworking hours.

## **Teleworking Tax Implications:**

An employee teleworking is encouraged to consult with their tax advisor on possible tax implications. Any employee teleworking is wholly responsible for all tax implications and reporting required by taxing authorities and will not be reimbursed by the Agency for any tax-related costs.

## **Time Worked**

All employees, including teleworking employees, are required to accurately record all hours worked using the Agency's time-keeping system. Employees who are not exempt from the overtime requirements of the Fair Labor Standards Act must obtain advance approval of their supervisor prior to working hours in excess of 40 hours per week. Failure to comply with this requirement may result in the immediate termination of the telework agreement.

Nothing in this Telework Policy modifies the existing comp time or overtime policies that are detailed in the Transportation Agency's Human Resources Rules and Regulations or other Agency policies.



### **Termination of Teleworking**

While to be encouraged, teleworking is not a right, and is at the sole discretion of the appropriate supervisor or TAMC executive director. Arrangements allowing teleworking may be discontinued at any time, whether for an interim period of time or permanently. Removal or denial of a teleworking scheduled will not be deemed punitive and is not a grievable matter.