



Administrative Policy  
**EMERGENCY TELECOMMUTING PROGRAM**

A.P. No.	A.P 3-36
Effective Date:	Upon Approval

**1. POLICY STATEMENT**

To provide effective internal controls for the emergency telecommuting arrangement of City employees to work in a designated area outside the office.

**2. POLICY PURPOSE**

2.1. Telecommuting is an arrangement that allows eligible City employees to work in a designated area outside the office.

2.2. Telecommuting is a cooperative arrangement between employees and department directors.

2.3. Telecommuting, in some cases, offer benefits to employees, department, and the community. Benefits include:

2.3.1. Ability to function during an emergency when the regular worksite is inaccessible;

2.3.2. Continuity of operations;

2.3.3. Efficient use of City resources, including office space;

2.3.4. Recruitment and retention of highly qualified employees;

2.3.5. Greater flexibility for employees and departments;

2.3.6. Improved employee morale and job satisfaction;

2.3.7. Reduced employee absenteeism; and

2.3.8. Reduced employee commute time and costs.

2.4. Department directors are strongly encouraged to make telecommuting available to all eligible employees in their department, to the extent possible, while mobility within the City has been significantly compromised in connection with declared emergency situations.

**3. SCOPE**

This policy applies to all City offices, departments, divisions, and employees.

**4. POLICY DETAILS**

4.1. Telecommuting is a privilege, not a right. All City employees who telecommute shall have an approved telecommuting agreement under this policy. A City department may have additional telecommuting requirements, guidelines, or procedures, provided they are consistent with the intent of this program.

4.2. Telecommuting does not change the job duties, obligations, responsibilities, or terms and conditions of

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Date Approved:

3/24/2020

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City employment. Telecommuting employees must comply with all City rules, policies, practices, and instructions.

- 4.3. A telecommuting employee shall perform work during scheduled telecommuting hours. Employees may not engage in activities while telecommuting that would not be permitted at the regular worksite. Telecommuting employees may take care of personal business during unpaid lunch periods, as they would at the regular worksite, or take accrued leave.
- 4.4. Employees shall fully read this policy and technical guidelines, submit an agreement through the departmental approval process, and must receive approval to telecommute from their department director.
- 4.5. A department director may deny, terminate, or modify any approved telecommuting agreement for any business reason that is not arbitrary or capricious. Similarly, an employee approved to telecommute may request to change a telecommuting agreement with at least two weeks' notice to the department director, for approval consideration. Employees may be removed from the Telecommuting Program if they do not comply with the terms of their telecommuting agreements. Emergency Telecommuting Agreements shall terminate upon notification by department directors.
- 4.6. The Emergency Telecommuting Program is intended to be cost neutral. The City is not required to provide telecommuting employees with materials or supplies needed to establish an alternate worksite (i.e., desk, chair, computer, software, cell phone, fax, copier, etc.), and assumes no responsibility for set-up or operating costs at an alternate worksite (i.e., telephone, internet services, etc.).
- 4.7. Department directors have the sole discretion to provide equipment, software, or supplies, or allow employees to use their personal devices and equipment while telecommuting.
- 4.8. Department directors providing equipment, software, or other supplies to telecommuting employees must reasonably allocate those resources based on operational and workload needs.
- 4.9. The City will not reimburse employees for the costs of using personal equipment while telecommuting.
- 4.10. All City policies, procedures and rules apply while an employee is telecommuting, including policies and procedures regarding the use of computers, security standards and the Internet, regardless of whether the employee is using City provided or personal equipment.

## **5. PROGRAM GUIDELINES**

- 5.1. Eligibility for telecommuting is based on both the position and the employee. Not every job, or every employee, is well-suited for telecommuting.
  - 5.1.1. An employee's position may be suitable for telecommuting when the job duties:
    - 5.1.1.1. Are independent in nature;
    - 5.1.1.2. Are primarily knowledge-based;
    - 5.1.1.3. Lend themselves to measurable deliverables;
    - 5.1.1.4. Do not require in person interaction at the regular worksite with supervisors, colleagues, clients, or the public;
    - 5.1.1.5. Do not require the need for an employee's immediate presence at the regular worksite to address unscheduled events which can be managed by other means; and
    - 5.1.1.6. Are not essential to the management of on-site workflow.

- 5.1.2. Employees telecommuting are expected to demonstrate and maintain:
  - 5.1.2.1. Dependability and responsibility;
  - 5.1.2.2. Effective communication with supervisors, coworkers, and clients;
  - 5.1.2.3. Motivation;
  - 5.1.2.4. The ability to work independently;
  - 5.1.2.5. A consistently high rate of productivity;
  - 5.1.2.6. A high level of skill and knowledge of the job;
  - 5.1.2.7. The ability to prioritize work effectively; and
  - 5.1.2.8. Good organizational and time management skills;
- 5.1.3. Employees who are not upholding City obligations, such as meeting performance or conduct expectations, are not eligible to telecommute.

## **6. WORK HOURS**

- 6.1. All rules of the regular worksite are applicable while telecommuting, including but not limited to:
  - 6.1.1. Telecommuting employees must perform designated work during scheduled work hours;
  - 6.1.2. Any deviations from the approved telecommuting schedule must be approved by the employee's supervisor;
  - 6.1.3. Employees shall account for and report time spent telecommuting the same way they would at the regular worksite, or according to the terms of the telecommuting agreement.
  - 6.1.4. Time accounting should be included in the telecommuting agreement;
  - 6.1.5. Non-exempt employees may work overtime only when directed to do so and approved in advance by the supervisor;
  - 6.1.6. Employees must obtain approval to use accrued leave benefits in the same manner as departmental employees who do not telecommute;
  - 6.1.7. Telecommuting employees who become ill shall report the hours actually worked, and use appropriate accrued leave for hours not worked; and
  - 6.1.8. Employees are expected to come into the office during regularly scheduled work time if required to do so by the department's management team.

## **7. WORKSITE**

- 7.1. A telecommuting employee shall designate a work area suitable for performing job duties and responsibilities for their current position. The employee shall perform work in the designated area when telecommuting. Requirements for the designated work area may vary depending on the nature of the work and resources needed, and shall be determined by the department.

- 7.2. Telecommuting employees shall work in an environment that allows them to perform their duties safely and efficiently. The City and/or department director may request photographs of the employee's designated work area to determine compliance with health and safety rules.
- 7.3. Employees are covered by workers' compensation laws when performing work duties at their designated alternate locations during regular work hours. Employees who suffer a work-related injury or illness while telecommuting shall notify their supervisor, follow established reporting protocols, complete any required forms and/or worksite inspections, immediately.
- 7.4. The City is not liable for damages to an employee's personal or real property while the employee is working at an alternate worksite.

## **8. EQUIPMENT AND SUPPLIES**

- 8.1. A telecommuting employee shall identify the equipment, software, supplies, and support required to successfully carry out their job duties and responsibilities at the alternate work location and shall specify those items in the telecommute application and agreement form. If the department does not provide the needed equipment, software, supplies, or support, and the employee does not have them, the employee will not be eligible to telecommute.
- 8.2. Telecommuting should be accommodated with portable technology (e.g. laptop or tablet). The relocation of non-portable technology equipment such as desktop computers, monitors, printers, or other equipment is normally prohibited.
- 8.3. In the event that department directors choose to relocate non-portable equipment under the authority of this emergency policy and only for emergency purposes, the City Asset Tag # must be identified on the telecommuting agreement and the department director must do the following within their own departments:
  - 8.3.1. Take appropriate precautions to package and transport the City-owned equipment safely; and
  - 8.3.2. Set up must be performed by the employee or other department personnel.
    - 8.3.2.1. Houston Information Technology Service (HITS) will not dispatch support personnel to set up equipment in employee remote work locations.
- 8.4. Department Directors must notify HITS, in writing, of the change of any asset location. Notification should include at least the City Asset tag #, asset description (make, model, quantity), employee name and number who will have possession of the equipment, and physical location of the equipment.
- 8.5. All equipment, software, and/or supplies provided by the City are intended for official city business use only.
- 8.6. A telecommuting employee does not obtain any rights to City equipment, software, or supplies provided in connection with telecommuting. The employee shall immediately return all City equipment, software, and supplies at the conclusion of the telecommuting arrangement or at the department's request.
- 8.7. A telecommuting employee shall protect City equipment, software, and supplies from possible theft, loss, and damage. The telecommuting employee may be liable for replacement or repair of the equipment, software, or supplies in compliance with applicable laws on negligence or intentional conduct in the event of theft, loss, or damage.
- 8.8. Any equipment, software files, and/or databases provided by the City shall remain the property of the City.
- 8.9. A telecommuting employee shall adhere to all software copyright laws and may not make unauthorized

copies of any City-owned software.

- 8.10. Employees may not add hardware or software to any City equipment without prior written approval from the Houston Information Technology Department.
- 8.11. A telecommuting employee, who use personal equipment for telecommuting, is responsible for the installation, repair, and maintenance of the equipment.
- 8.12. Telecommuting employees understand and agree that the City is entitled to, and may access, any personal equipment used while telecommuting, such as a personal computer, telephone, and internet records.
- 8.13. Employees shall contact their supervisors if equipment, connectivity, and/or other supply problems prevent them from working while telecommuting.

## **9. SECURITY AND CONFIDENTIAL INFORMATION**

- 9.1. All files, records, papers, and/or other materials created while telecommuting is City property. Telecommuting employees and their supervisors shall identify any confidential, private, personal information, and/or records to be accessed and ensure appropriate safeguards are used to protect them. A department director should require employees to work in private locations when handling confidential and/or sensitive information. Department directors may prohibit employees from printing confidential information in telecommuting locations to avoid breaches of confidentiality.
- 9.2. Employees may not disclose confidential or private files, records, materials, or information, and may not allow access to City networks or databases to anyone who is not authorized to have access.

## **10. TEXAS PUBLIC INFORMATION ACT AND RECORDS RETENTION REQUIREMENTS**

The Texas Public Information Act and records retention requirements apply to information created by telecommuting employees in the course of carrying out their job duties and responsibilities for the City. Public records include all information relating to the conduct of City business regardless of where the information is stored. Upon receipt of a request for access to information relating to City business, a telecommuting employee must permit inspection and examination of any information in the employee's custody that relates to City business within required time limits. This requirement exists regardless of where the public record is located. Records created during telecommuting are subject to all applicable record retention laws and City record retention policies.

## **11. PROCEDURES**

11.1. Employees must complete the following steps before telecommuting:

- 11.1.1. Talk with the supervisor to determine eligibility;
- 11.1.2. Read and agree to the Telecommuting Program Policy;
- 11.1.3. Read and agree to comply with the Telecommuting Technical Guidelines;
- 11.1.4. Read and complete the VPN Security Agreement, (if applicable);
- 11.1.5. Complete the telecommute application and agreement form as required by the department;  
and

Receive approval of the telecommute agreement in accordance with the department's approval process.

**12. DENIAL OF APPLICATION**

12.1. The decision of the department director or designee is final.

**13. POLICY SPONSOR**

**Department:** Human Resources Department and the Houston Information Technology Services