

	<b>TELECOMMUTING POLICY</b>	Page 1 of 5
Original Issue Date: 6/1/22	Last Reviewed:	Revision Number: 0

### **PURPOSE AND SCOPE**

Telecommuting allows employees to work at home, on the road or in a satellite location for all or part of their workweek. The City of Milford considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement.

Telecommuting may be appropriate for some employees and jobs but not for others.

Telecommuting is not an entitlement, it is not a Citywide benefit, and it in no way changes the terms and conditions of employment with the City of Milford.

### **DEFINITIONS**

*Telecommuting:* The ability for an employee to complete work assignments from outside the traditional workplace by using telecommunications tools such as email, phone, chat, and video applications.

### **APPLICABILITY**

This policy applies to all City of Milford full-time employees.

### **GENERAL GUIDELINES**

Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.

Any telecommuting arrangement made will be on a trial basis for the first three months and may be discontinued at will and at any time at the request of either the telecommuter or the City. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, childcare and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

### **ELIGIBILITY**

Individuals requesting formal telecommuting arrangements must be employed with the City of Milford for a minimum of 6 months of continuous, regular employment and must have a meets or exceeds performance record.

Before entering into any telecommuting agreement, the employee and supervisor, with the assistance of the human resource department, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.

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- **Cross Departmental Impact.** The needs of other departments should be considered when telecommuting arrangements are made for job positions that have cross-over job functions. The telecommuting arrangement should be shared with the Department Director(s) on a need-to-know basis.
- **Job responsibilities.** The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- **Equipment needs, workspace design considerations and scheduling issues.** The employee and supervisor will review the physical workspace needs and the appropriate location for the telework.
- **Tax and other legal implications.** The employee must determine any tax or legal implications under IRS, state, and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee, supervisor, and department director agree, and the human resource department concurs, a draft telecommuting agreement will be prepared and signed by all parties, and a three-month trial period will commence.

Evaluation of telecommuter performance during the trial period will include regular interaction in the manner that's best suited for the employee and supervisor. The supervisor must document and immediately address any performance concerns. At the end of the trial period, the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance, modifications, or termination. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

### **EQUIPMENT**

On a case-by-case basis, the City of Milford will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. The human resource and information system departments will serve as resources in this matter.

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Equipment supplied by the City will be maintained by the City. No external parties are authorized to diagnose or repair equipment supplied by the City. All equipment must be delivered by the employee to the IT Department to diagnose or repair. The City of Milford accepts no responsibility for damage or repairs to employee-owned equipment.

The City of Milford reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the City is to be used for business purposes only. The telecommuter must sign an inventory of all City property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property must be returned to the City.

The employee will establish an appropriate work environment within their home for work purposes. The City will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the home office space.

The City will not be responsible for costs associated for internet services, utilities, or printing supplies.

**SECURITY**

Avoid using public Wi-Fi networks. If necessary, please contact the IT Help Desk to assist with a Virtual Private Network (VPN) connection which will establish a secure connection.

Consistent with the City's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary City and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

**SAFETY**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. The City will provide each telecommuter with a safety checklist that must be completed at least twice per year. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the City's workers' compensation policy. Telecommuting employees are responsible for notifying the City of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors at their home worksite. All in-person meetings must be conducted at City of Milford facilities.

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**TIME WORKED**

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the City’s time-keeping system. Hours worked more than those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.

If you are unable to work for an extended period due to an outage, please notify your supervisor.

**AD HOC ARRANGEMENTS**

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects, or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the City and with the consent of the employee's health care provider, if appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the City.

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**PUBLIC RECORDS**

Public records will be managed in compliance with applicable local, state, and federal laws, regulations, and policies including the Delaware Freedom of Information Act (covering Open Meeting Law, Public Records Law), and Public Records retention schedules, Copyright Law, and other applicable City policies.

**VIOLATIONS**

Employees violating this policy may be subject to disciplinary action in accordance with City policies, departmental operating procedures and/or collective bargaining agreements.

If you have questions regarding appropriate use of this policy, please contact your supervisor, the Human Resources Director or your respective Appointing Authority.

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*Appointing Authority Signature* *Date*

I, \_\_\_\_\_, acknowledge that I have received and read a copy of this policy.

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*Employee/System User Signature* *Date*