

Office of Human Resources
State of Louisiana
Division of Administration

JOHN BEL EDWARDS
GOVERNOR



JAY DARDENNE
COMMISSIONER OF ADMINISTRATION

DIVISION OF ADMINISTRATION

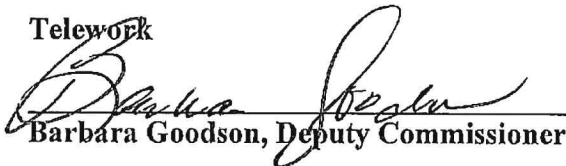
PERSONNEL POLICY NO. 89

EFFECTIVE DATE: July 1, 2022

PREVIOUS VERSION: October 10, 2008

SUBJECT: Telework

AUTHORIZATION:


Barbara Goodson, Deputy Commissioner

I. POLICY

In accordance with Civil Service Rule 11.4.1, the Division of Administration (“DOA”) offers telework as a flexible work option when both the employee and the duties of the employee’s position are suitable for such an arrangement. Business-related, operational needs drive all decisions regarding the suitability of positions for telework, approval of employees to telework, and the workdays on which eligible employees may be authorized to telework. Consideration will be given to the characteristics of the position, including the suitability of customary job duties to be performed from a remote location, and the demonstrated performance, productivity, accountability and dependability of the individual employee.

Telework is not a right or entitlement, and is not available to all employees nor applicable to all positions. Approved Telework Agreements are not permanent, do not create an employment contract, and do not change the terms or conditions of employment. Furthermore, authorized telework will not change an employee’s compensation or benefits.

Approval to telework may be modified or rescinded at any time at the discretion of DOA. For continuity of operations or other business necessity, the telework privilege also may be restricted or suspended for certain employees, project teams or full organizational units for a period of time. As examples, employees may be required to work in-office full-time throughout the legislative session, during budget development or fiscal year-end close, due to a backlog of work, or to meet a project deadline.

DOA recognizes that many employees prefer to work in an office setting. As such, telework is voluntary in most instances. However, to meet business needs, the Commissioner of Administration may impose mandatory telework requirements during times of emergency, disaster or crisis. Telework may also be imposed due to an office closure, office space constraints, or as an accommodation.

II. PURPOSE

This policy serves to establish guidelines, procedures and requirements for telework as required by Civil Service Rule 11.4.1. Consequently, DOA recognizes that telework may:

- Enhance recruitment by promoting state government as an innovative employer
- Improve retention through increased job satisfaction and employee morale
- Provide for continued operations and delivery of services during crises
- Assist employees with balancing work/life needs
- Reduce employees' commuting costs
- Reduce traffic congestion and vehicle emissions

III. APPLICABILITY

The telework privilege authorized by this policy is applicable to all eligible DOA employees whose jobs can be performed from a remote location.

IV. DEFINITIONS

Telework: A work location arrangement which permits employees to perform job duties from their home. Telework may be formal or situational, full-time or for a limited number of days per week.

Telework Agreement: The written document, signed by the employee and authorized by the Appointing Authority, that details the terms and conditions upon which the employee is authorized to telework.

Telework–Formal: Authorized telework which occurs in accordance with a pre-approved and ongoing regular schedule. The telework arrangement may be full-time or a limited number of designated days per week. The arrangement will be memorialized in a formal Telework Agreement.

Telework–Situational: A telework arrangement which is not part of a previously authorized, ongoing Telework Agreement but rather, is approved on a situational basis, generally for a fixed duration of time. Such telework normally is authorized by executive management through Human Resources due to inclement weather, a declared emergency, office closure, or as an employee accommodation.

Primary Worksite: The employee's usual and customary in-office work location.

Remote Worksite: An approved remote work location, other than the primary worksite, at which an employee is authorized to perform telework. Absent exceptional circumstances, the remote worksite is the employee's home address as designated in LEO.

V. INELIGIBILITY FOR TELEWORK

DOA recognizes that the duties of many positions cannot be performed from a remote location. When a position's suitability for telework is questionable, the final determination will be made by the Human Resources Director in collaboration with the Appointing Authority.

Additionally, not all employees are eligible for remote work consideration. Specific employees ineligible for telework are:

- Employees serving in part-time positions
- Employees serving with WAE status
- Employees serving as student workers
- Employees in the initial six months of employment in their current position
- Employees serving as an office or section head
- Employees serving as direct reports to an office or section head
- Employees whose in-office presence is deemed essential by executive management
- Employees whose most recent PES rating is "Needs Improvement/Unsuccessful"
- Employees whose job performance, productivity, attendance or behavior over the past twelve months have resulted in an action authorized by Chapter 12 of the Civil Service Rules
- Employees who have demonstrated an inability to effectively and efficiently perform and be productive in accordance with acceptable standards
- Employees who are unable or unwilling to acquire and maintain required technology services in their home at their own expense

VI. SUITABILITY FOR TELEWORK

Position Suitability

In general, a position suitable for telework is one whose duties can be performed from a remote work location while maintaining effective service quality, timeliness and delivery, and without negatively impacting unit operations. Jobs best suited for telework are those that:

- Require tasks that can be performed from any location
- Have clearly defined tasks and objectives
- Can be monitored by output rather than time spent doing the job

- Have measurable work activities and identifiable product deliverables
- Have defined objectives with specified timeframes and milestones
- Require independent work (writing, reading, research, telephoning, planning, programming, word processing, data entry, etc.)
- Require limited face-to-face interaction with supervisors, co-workers, clients, vendors and the public
- Can be performed in compliance with privacy and security requirements
- Do not adversely impact the effectiveness of a project team
- Require limited access to materials and files maintained at the primary worksite
- Have minimal requirements for special equipment

Employee Suitability

Employees best suited for telework are those who:

- Are fully familiar with their job duties and responsibilities
- Are independent workers requiring minimal direct supervision
- Are self-motivated, disciplined, dependable, responsible and trustworthy
- Are effective communicators and problem-solvers
- Have limited need for interaction with co-workers and supervisors
- Have good time-management and organizational skills
- Are results-oriented
- Have demonstrated the ability to satisfy performance and productivity standards
- Have demonstrated the ability to meet goals and objectives
- Have demonstrated the ability to meet timelines and deadlines
- Are able to provide a safe, secure, dedicated workspace and required technology resources in their home

VII. LIMITATIONS

In implementing this policy, DOA recognizes that certain employees currently enjoy the benefit of flexible work hours and work days. In certain instances, these schedules will not be disturbed. However, to ensure accountability and maximize supervisor-subordinate interactions, DOA's intention is to require employees who telework to be present in-office three days each week. For this reason, the availability of telework may be limited by the employee's work schedule.

For telework-situational, the circumstances requiring telework will dictate the number of authorized days of telework per week. Telework may be limited to one day or extend through the entirety of the workweek.

Telework-formal for employees working the traditional workweek (five 8-hour days) will be limited to two days per week. Supervisors may not authorize both Monday and Friday as an employee's telework days.

For employees authorized to work a flexible work schedule, telework will be authorized as follows:

- 4-10 Schedule: One telework day per week. The day authorized for telework cannot be the day immediately before or after the employee's scheduled day off.
- 9-4 Schedule: Two telework days per week, one of which will be the 4-hour work day.
- 9-8 Schedule: One telework day during the 36-hour workweek and two telework days during the 44-hour workweek. Supervisors may not authorize as telework days both the day before and day after the employee's scheduled off-day during the 36-hour workweek.

Once approved, the designated telework days will be identified in a Telework Agreement which will remain in effect for six months. These days are fixed and not subject to flexibility except as authorized by management. The designated telework days will not be modified due to a holiday, office closure, or required attendance at a business meeting. Limiting flexibility in this regard will ensure in-office coverage and permit supervisors to better manage the telework privilege.

VIII. REQUESTS FOR TELEWORK

A written request to telework is required since telework is not available to all employees and positions, and many employees prefer to work in-office. The process starts with the employee carefully reviewing the requirements and limitations of this policy and submitting a completed Telework Agreement to their immediate supervisor. In so doing, the employee is required to identify their remote (home) worksite address, cell phone number, proposed work schedule, including the preferred remote work days, and the state equipment required to perform job duties from their home.

The telework request initially will be considered by the employee's immediate supervisor and chain of command. Preliminary review will include determinations that the employee is eligible for telework, and the employee and position are suitable for telework under the criteria set forth in this policy. This review also must confirm, from equipment and technology perspectives, that the employee can effectively and efficiently perform the duties of the position from home.

Telework requests recommended for approval by the employee's supervisors must comport with the limitations and restrictions of this policy. In evaluating an employee's proposed work schedule and preferred remote days, supervisors must ensure adequate office coverage during core business hours. Consideration also must be given to ensuring that work schedules and work locations do not impede management's ability to properly communicate with and supervise their subordinates.

The immediate supervisor and section head shall indicate on the Telework Agreement their recommendation of approval or denial of the telework request. Their signatures serve as certification of their meaningful review of the request in consideration of the requirements and limitations of this policy and overall operational needs of the unit. If a request is denied, a detailed explanation on the Telework Agreement is required. The completed Telework Agreement will be submitted to the Human Resources Director for review in collaboration with the Appointing Authority. The final determination rests with the Appointing Authority.

A Telework Agreement, upon final approval, will remain in effect for six months. Supervisors are authorized to periodically review such agreements and, where warranted, recommend that the terms thereof be modified or rescinded. Employees may also request modification of an existing agreement for good cause shown. Such requests may be approved if the modification does not adversely impact office coverage or business operations.

At six-month intervals, supervisors will meet with each teleworking employee to review performance, productivity and accountability. Identified concerns and shortfalls will be discussed, with the supervisor recommending that the Telework Agreement be continued, modified or rescinded. A new Telework Agreement is required to document modifications. A supervisor's recommendation to terminate the telework privilege must be supported by the section head and authorized by the Human Resources Director, in consultation with the Appointing Authority, before the Telework Agreement can be rescinded.

The executed Telework Agreement (whether approved or denied) will be filed by Human Resources in the employee's personnel record. Copies of the finalized agreement will be provided to the employee and immediate supervisor. The employee may not begin teleworking until the Telework Agreement is fully completed and filed with Human Resources.

The foregoing provisions apply primarily to a telework-formal arrangement sought by an employee. For telework-situational, especially those mandated by the Commissioner of Administration, a Telework Agreement may not be required. Additionally, a situational telework arrangement related to a job accommodation may not necessitate a formal agreement and, for privacy reasons, such a request may be addressed directly to Human Resources.

IX. PERFORMANCE EXPECTATIONS AND AVAILABILITY

While working remotely, all business responsibilities, objectives, goals, timelines and deadlines must be satisfied. Work product quality and performance standards for work done remotely remains identical to that expected of in-office workers. The remote workplace must be free of distractions to ensure productivity throughout the workday. Teleworkers may not engage, during scheduled work hours, in personal activities for which leave otherwise would be required.

Telework is not a substitute for child or adult care. Leave must be taken if it becomes necessary for an employee to provide care to another during scheduled work hours.

When working remotely, it is especially important for employees to be available and accessible. This necessarily requires that employees answer and timely return phone calls, and promptly respond to emails, texts, voicemails and instant messages. To do so, employees are required to forward calls from their office phone to their cellphone on telework days. Additionally, employees are required to provide their cellphone number to their supervisor, and to co-workers and individuals with whom they frequently communicate.

X. HOURS OF WORK

Employee work hours on a daily basis are the same regardless of work location. Work is to begin and end at the designated times, and employees are to be productive throughout the workday except when on break, at lunch or on leave. Work hours are not flexible. Overtime work requires pre-approval, with such approval to be based upon business necessity and a determination that the work cannot be performed during customary work hours.

As with in-office work, employees are entitled to a 15-minute break each morning and afternoon, workload permitting. These should be taken mid-morning and mid-afternoon. Employees may not forego or cumulate breaks to compensate for late arrivals or early departures. The duration and time of the lunch break will be identified in the employee's Telework Agreement. Any deviation from the designated times require notice and supervisory approval. Procedures and processes may be implemented by management to document active work engagement during work hours.

Customary leave requirements apply to remote workers. Any personal activity that causes an employee to be unable to perform job duties, regardless of duration, requires pre-approval and use of leave. Employees in remote status are required to timely enter all leave in LEO and comply with the e-Certification process. Telework days must be tracked via the "ZTEL" time code.

Should circumstances beyond control arise which preclude the ability to work from home (loss of electricity, VPN or internet connectivity failure, equipment malfunction, home emergency, etc.), supervisory personnel are to be notified immediately. If the situation cannot be promptly rectified, the employee may be required to report to the primary worksite or take leave, at the supervisor's discretion.

XI. REMOTE WORKSITE

The employee's home is the alternate remote location from which an employee will be authorized to telework. The home address will be listed on the Telework Agreement. Circumstances warranting a change to another remote work location are to be addressed to Human Resources.

The home worksite should be a clean, safe and dedicated workspace that is principally used for the purpose of teleworking. The worksite must be readily accessible and sufficiently spacious to accommodate any equipment, files, work papers, etc. needed to perform assigned duties. The worksite also must be private and secure, with the employee responsible for safeguarding work materials and equipment from unauthorized access, use and damage.

Employees are responsible for any incidental costs associated with telework. DOA will not pay nor reimburse the costs of utilities, telephone or internet services, nor the expenses for installation, repair, technical support or maintenance of personal equipment such as routers, modems, etc.

The remote worksite is considered an extension of the employee's workplace. For this reason, worker's compensation coverage remains in force for an employee while performing official work duties in the designated area of the remote worksite during scheduled duty hours. Work-related injuries or accidents are to be reported to management and Human Resources immediately upon occurrence.

XII. USE/SECURITY OF EQUIPMENT

A state-owned computer and peripherals will be provided to employees to perform remote job duties. To ensure cybersecurity and data integrity, employees should be connected to a Virtual Private Network (VPN) while performing work from this device.

The use of state-issued equipment is limited to official DOA business and must comply with security protocols and applicable laws, policies and procedures. Personal use of such equipment is prohibited, including during non-work hours. Additionally, the use of a personal laptop or computer for DOA business purposes is prohibited.

DOA is responsible for maintaining and repairing state-issued equipment. If in-person service or support of such equipment is necessary, the employee is responsible for timely bringing the equipment to the primary worksite. Should a delay in the repair or replacement of such equipment occur, the employee may be issued alternate equipment or required to report to work at the primary worksite. On rare occasions, the employee may be required to utilize leave. OTS will not make remote worksite calls for equipment set-up or service.

Employees are reminded that the Office of Technology Services (OTS) Help Desk – (225) 219-6900 or (844) 219-6900 -- is available 24/7 to assist in resolving technical problems with state-issued equipment.

XIII. COMPLIANCE WITH POLICY AND LEGAL REQUIREMENTS

Telework does not alter the employment relationship nor relieve employees, while working from home, of the duty to fully comply with all DOA policies and procedures, the Civil Service Rules, and applicable federal and state laws. This continuing requirement especially includes being productive throughout the entirety of the workday, satisfying leave usage and leave request requirements, obtaining prior approval of overtime, complying with time entry and e-Certification processes, timely reporting of accidents/injuries, lawful and appropriate computer usage, and refraining from prohibited behavior of a sexual, harassing, discriminatory or violent nature.

XIV. BUSINESS MEETINGS

Employees authorized to telework are required to attend all scheduled meetings and business activities related to the performance of their job. For this reason, a supervisor may require an employee to report to the primary worksite (or other work location) on a scheduled telework day to attend a meeting or handle pressing business matters. This reporting requirement may be for the entirety or only a portion of the workday. When this occurs, the missed telework hours/days will not be made-up. Additionally, the employee will not be compensated for mileage if required to travel to the primary worksite. However, the employee may be eligible for reimbursement for work-related travel to other work locations in accordance with DOA policy and the State Travel Regulations (PPM #49).

All business meetings are to occur at the primary worksite or other designated work location. Under no circumstance are DOA business meetings to be conducted in the employee's home.

XV. REQUIRED TELEWORK TRAINING

As a condition of eligibility for telework, supervisors and employees must complete the following required telework training courses:

- CPTP SCS Teleworking for Employees WBT
- CPTP SCS Managing Teleworkers WBT

The following additional training resources through LEO are available to employees and supervisors:

- CPTP Developing Others WBT
- CPTP Time Management for Teleworkers WBT
- CPTP Virtual Meeting Etiquette WBT

XVI. OFFICIAL OFFICE CLOSURES

Office closures may be declared specific to a building, city, parish, region or the entire state of Louisiana. An employee may only have one domicile on any given workday. The official domicile on the day(s) an employee is authorized to work from home is the city or parish wherein the employee’s home is located. For this reason, if an office closure is declared on a scheduled telework day, the employee is:

Not eligible for special office closure leave (LSOC) and must continue working from home when:	Eligible for special office closure leave (LSOC) when:
<ul style="list-style-type: none"> • The office closure is specific to the primary worksite building. • The office closure is specific to a city or parish that is different from the city or parish in which the employee resides. 	<ul style="list-style-type: none"> • The office closure is specific to a city or parish that is the same as the city or parish in which the employee resides.

XVII. TERMINATION OF TELEWORK

DOA may terminate this policy, in part or in its entirety, at the discretion of the Commissioner of Administration. The Human Resources Director, in collaboration with the Appointing Authority, may rescind or suspend the telework privilege for business reasons or upon an employee’s loss of eligibility (such as poor performance, lack of accountability, receipt of a corrective action or negative evaluation). Any such action is a business decision and should not be construed to be disciplinary in nature. Additionally, an employee may resign, transfer, demote, promote or simply choose to no longer telework. The employee’s telework privilege is to cease upon any such occurrence.

In the event a Telework Agreement is terminated, rescinded or suspended, regardless of reason, all DOA equipment, hardware, records, work papers, supplies and the like are to be returned to the primary worksite by the employee by close of business the business day following any such occurrence.

XVIII. MISCELLANEOUS

- If an employee’s home address changes, they are to immediately update their address in LEO and submit a new Telework Agreement form
- Under no circumstance will management accept remote work as an excuse for performance deficiencies or low productivity

- Teleworking employees' emails and work product are subject to review to evaluate work activity and productivity
- Teleworking employees' attendance, availability and responsiveness are subject to review for accountability purposes
- For employees authorized to work a flexible work schedule, the workday can begin no earlier than 6:00 a.m. and end no later than 6:30 p.m.
- When participating in virtual meetings, teleworking employees are to be attentive, fully engaged, and appropriately attired in accordance with DOA Personnel Policy No. 25
- When teleworking employees are participating in virtual meetings, they are to ensure that the backdrop of the video is appropriate and free of distractions and disruptions
- Teleworking will not affect an employee's eligibility for job advancement or training opportunities
- DOA is not responsible nor liable for damage to an employee's home or personal property caused by or during teleworking

XIX. VIOLATIONS

Violations of the requirements of this policy may result in the telework privilege being rescinded. Additionally, disciplinary action may be imposed, up to and including dismissal from service.

XX. EXCEPTIONS

Circumstances may warrant exceptions to certain provisions of this policy. Requests for exceptions are to be submitted, with explanation and justification, to the Human Resources Director for consideration in consultation with the Appointing Authority.

XXI. QUESTIONS

Questions regarding this policy should be addressed to the Human Resources Director.