

## 1001 Telework Policy and Procedure

### 1001.1 PURPOSE

The purpose of this order is to provide guidelines for administering the Department's telework program. It defines the parameters of teleworking at home or at a satellite location. These standards and procedures are to promote maintaining the highest level of employee productivity, morale, customer service, and equity while supporting efficiencies, reducing traffic congestion, supporting Continuity of Operations Plans (COOP), and sustaining the hiring and retention of a highly qualified workforce.

### 1001.2 SCOPE

This order applies to Austin Police Department personnel who perform duties determined to be manageable for teleworking. This order provides the guidelines, procedures, and forms needed to enter into an approved telework agreement, including a description of roles and responsibilities within the process.

### 1001.3 DEFINITIONS AND ACRONYMS

**Telework** - Telework refers to a work flexibility agreement under which an employee performs the duties and responsibilities of the employee's position, and other authorized activities, from an alternate worksite other than a City-owned or City-leased office space. Telework may be for a temporary period of time or used for an extended period.

**Ad Hoc Telework** - Situational telework arrangements that can be used on a temporary basis to allow telework-ready employees to work from a remote or temporary worksite.

**Alternative or Remote Worksite** - The location where the employee establishes their telework office, which is away from the employee's designated worksite.

**Continuity of Operation Plan (COOP)** – A plan that describes the operations and continued function of the Department during a disaster recovery, catastrophe, or emergency mode.

**Designated Worksite** - The location of the City-owned or City-leased office space to which the employee would traditionally be assigned and report for work, if not teleworking.

**Tactical Alert**- When the Department has received or developed reliable intelligence that there is a relatively high probability that a circumstance (man-made or natural) may escalate into an emergency situation requiring the use of tactics and resources other than those used in a Normal State of Readiness, the Chief or Police, or designee, may place the Department on Tactical Alert in order to prepare for a decisive and immediate Department-wide tactical response.

**Telework Schedule** – Commanders, managers, or their designee may establish a telework schedule to accommodate the ability for employees to work from an alternate worksite, other than the employee's designated worksite. An employee's daily telework schedule may be different than the daily work hours established when the employee is in the office.

**Telework Request Form (TRF)** - Form used to request a telework schedule. This form highlights the days and times that the employee wishes to telework, and verifies the remote worksite is within a safe environment where the employee can maintain confidentiality of work-related information as needed.

#### **1001.4 RESPONSIBILITIES**

The following outlines the responsibilities of each designated role in developing a telework procedure.

##### **1001.4.1 CHIEF OF POLICE OR DESIGNEE RESPONSIBILITIES**

- (a) Review, approve and update the Austin Police Department's Telework program in accordance with City and Department guidelines, as well as any applicable laws and/or ordinances.**
- (b) The Chief of Police, Chief of Staff, Duty Chief, Duty Commander, or any designee of the Chief of Police can suspend the Austin Police Department's Telework Program for all employees or select groups of employees as deemed necessary based on the needs of the Department.**
- (c) Review and approve considerations that may change, alter, or remove the criteria within this policy, and approve any considerations that require special circumstances.**

##### **1001.4.2 COMMANDER AND CIVILIAN MANAGER RESPONSIBILITIES**

- (a) Ensure unit SOPs include specific structure regarding on-site coverage levels, call back response times, and performance expectations for sworn employees who are teleworking.**
- (b) Ensure that no more than 25 percent of a sworn employee's 40 hour week is telework.**
- (c) Ensure that no more than 25 percent of the sworn persons authorized in any unit are scheduled to work TLC on the same day.**
- (d) Verify a telework schedule meets the needs of internal and external customers and does not affect the level and quality of service that the Department provides.**
- (e) Review, evaluate, and approve/deny telework requests.**
- (f) Modify, suspend, or terminate a telework schedule at any time to maintain effective and efficient work requirements.**
- (g) Modify, suspend, or terminate an employee's telework agreement for substandard work performance or disciplinary issues.**
- (h) Evaluate if a position can accommodate a telework arrangement and approve telework requests.**
- (i) Discuss performance standards, work results and performance measures related to work performed at an alternate site.**
- (j) Allow eligible employees opportunities to participate as business needs permit.**
- (k) Ensure participating employees meet all eligibility criteria and have received an SSPR review rating of Successful or above in their last SSPR review.**
- (l) Ensure appropriate documentation is completed electronically and emailed to APD Human Resources Division.**
- (m) Annually evaluate if the positions under their area of responsibility can accommodate a telework arrangement.**

### 1001.4.3 EMPLOYEE RESPONSIBILITIES

- (a) Complete a telework request form (TRF). All forms are located in APD HR Forms.
- (b) TRF must be submitted to the employee's direct supervisor and approved by the employee's chain of command up to the rank of Commander or Civilian Manager
- (c) Sign a telework agreement form and comply with all requirements, if approved to telework. All forms are located in APD HR Forms.
- (d) Ensure access to City approved team collaboration applications are available and accessible to participate in team meetings.
- (e) Provide a proper work environment in which to work.
- (f) Comply with expectations while teleworking.

### 1001.4.4 APD HUMAN RESOURCES DIVISION RESPONSIBILITIES

- (a) Monitor the program and provide a quarterly report on teleworking to the Chief of Police.
- (b) Provide advice and guidance for establishing and managing remote work arrangements.
- (c) Educate staff on earning codes and timesheet coding for telework hours.

### 1001.5 GUIDELINES

These guidelines ensure that the Department properly documents telework procedures and has consistent information, which is accessible for employees to know how the Department utilizes the Telework Program. Teleworking is available only to eligible job functions/employees, at the Department's sole discretion. Teleworking is not an employee benefit intended to be available to the entire organization and as such, no employee is entitled to, or guaranteed the opportunity to telework. Employees that do telework must comply with all City and Department rules, guidelines, policies, regulations, performance standards, and applicable laws and ordinances. Employees are not required to enter into a telecommute schedule and employees have the right to refuse to telecommute if the option is made available to them. This does not apply to COOP events or situational circumstances (weather, building damages, street closures, etc.) in which employees may be required to telework. Either the employee or the Department may terminate the employee's participation in the Telework Program for any reason and at any time, there is no requirement for advanced notice to an employee prior to terminating an employee's participation in the Telework Program.

#### 1001.5.1 TELEWORK READINESS

- (a) All employees will complete Cyber Security training, or any similarly assigned courses required by City of Austin Communications and Technology Management (CTM). This will ensure that during an unplanned event, employees will be able to access a City of Austin computer from home or other remote location if directed by a supervisor. It will also ensure that employees and supervisors are aware of the requirements for teleworking (i.e., reporting for time and attendance, overtime usage, computer security etc.).
  - 1. Cadets will complete the training during the Police Academy and prior to any ride out.
  - 2. Civilian employees will complete the training within the first 90 days of being hired.
  - 3. All current employees will complete the training within 90 days of this policy update.
- (b) Equipment & Software

1. Employees may use personal or city-issued equipment; however, the software applications must be compatible with Department systems and software. Employees will need to have appropriate equipment available at their telework location. The Department will not provide equipment (e.g., desk, computers, office supplies, etc.) outside of what is permanently assigned to certain staff. No equipment may be taken to an employee's telework location without approval of the Chief of Police or their designee. Any equipment approved to be used at an employee's telework location shall be documented and reported to Police Equipment to be added to the employee's personal inventory sheet for tracking and accountability.
2. All equipment used for teleworking must comply with the technology standards provided by CTM and APD's Police Technology Unit (PTU).
3. Only software approved by CTM and APD PTU may be installed on City owned hardware.
4. Although not required to provide employees with City equipment to telework, in the event employees receive written approval to take home equipment from work, all property owned by the Department that was provided for telework must be returned to the Department in the same condition that it was issued to the employee when the employee ceases to telework. Equipment provided by the Department shall not be used for personal purposes or non-City or non-APD related business outside of the COA equipment use policy.
5. Employees will need to ensure they are complying with all applicable rules, laws, and policies while conducting their duties. This includes, but is not limited to:
  - (a) Viewing of explicit materials that may be necessary for work purposes (i.e., photo and video evidence related to cases, etc.).
  - (b) Explicit and/or sensitive material, protected by law, shall only be accessed via work devices (City computers, phones, etc.). If an employee does not have access to these devices at their telework location they shall report to their normal work location to complete the required work.
6. The City of Austin Communications and Technology Management (CTM) and the Austin Police Department's Police Technology and Business Technology Units are prohibited from assisting with any technology issue related to personally owned hardware and/or software.
7. No portion of this policy is intended to bind the City of Austin or the Austin Police Department to any obligation of financial responsibility related to an employee's ability to telework, setup/maintain a telework site, or provide any reimbursement for expenses incurred by the employee for teleworking.

(c) Work Space

1. Temperature, noise, ventilation, and lighting levels are adequate to maintain a normal level of job performance.
2. Stairs with four or more steps are equipped with handrails.
3. Electrical equipment must be free of recognized hazards with the potential to cause physical harm. For example, frayed wires, bare conductors, loose wires, flexible wires running through walls, and exposed wires to the ceiling.
4. Aisles, doorways, and corners are free of obstructions to permit visibility and movement.
5. File cabinets and storage closets arranged so drawers and doors do not open into walkways.
6. Secure phone lines, electrical cords, and extension wires under a desk or alongside a baseboard.
7. The office space is neat, clean and free of excessive amounts of combustibles.

8. Floor surfaces are clean, dry, level, and free of worn or frayed seams; carpets are secured to the floor and free of frayed or worn seams.
9. Functional smoke alarm/detector and a readily accessible fire extinguisher.

NOTE: If an employee incurs a work-related injury while teleworking, the employee must notify their supervisor/manager immediately.

#### 1001.5.2 ELIGIBILITY CRITERIA TO TELEWORK

- (a) Teleworking is based on the needs of the job, work group, department, and the employee's ability to successfully perform their work duties in an alternative worksite.
- (b) Outside of a COOP event, or tactical alert, when standard office operations are available, employees must make and maintain dependent care arrangements to permit concentration on work assignments at home. Teleworking is not suitable for dependent care and is not a substitution for the use of Paid Accrued Leave.
- (c) Employee's telework hours will conform to a schedule agreed upon by the employee and their supervisor. Unless otherwise agreed upon, employees are expected to telework the same hours as their regular work hours.
- (d) Employees and supervisors are expected to complete Cyber Security training, or any similarly assigned courses designed to prepare them for the teleworking experience.
- (e) Employees must be available by phone and email during designated work hours.
- (f) Employees must be available for staff meetings, and other meetings that are considered necessary or required by management and/or their job function. Employees may participate in a meeting through team collaboration software or a conference call.
- (g) Tactical alert responsibility supersedes the ability to telework, regardless of whether an employee is designated as tactical alert status Alpha or Bravo.

#### 1001.5.3 TELEWORK APPLICATION PROCESS

- (a) Employees may apply to the telework program by completing the electronic Telework Request Form (TRF).
- (b) The TRF must be digitally signed by the employee and emailed to the employee's supervisor for consideration. Digital/electronic signatures are required unless the employee lacks access to do so, in which case an ink signature, is required.
- (c) Supervisors will review telework schedules and evaluate any impact to their workgroups. Supervisors are expected to discuss TRF requests with their Civilian Manager/Commander.
- (d) Commanders or Civilian Managers will approve or deny requests based on the eligibility requirements
- (e) Once approved, the signed TRF and the signed Telework Agreement shall be sent electronically to APD HR for retention.
  1. The direct supervisor and/or employee will initiate the following:
    - (a) A COA service request for Remote Access through the CTM Service Desk, if applicable (i.e., Citrix, NetMotion).

- (b) A COA service request to have the employee's desk phone transferred to their personal phone or city-issued cell phone.
- (f) If the Commander/Civilian Manager denies the TRF request, the Commander/Civilian Manager will provide the employee with a written justification for the denial.
- (g) Teleworking is not an employee benefit and no employee is entitled to, or guaranteed the opportunity to telework. As such, denials are not appealable under MCS.
- (h) If the employee is not satisfied with the Commander/Civilian Manager's denial justification, the employee may submit an internal request for review to the Executive Staff Member for the bureau as the Chief's designee to which the employee is assigned. The decision rendered by the Executive Staff Member will be provided to the employee and their chain of command within 30 days and will be final.

#### 1001.5.4 MANAGING TELEWORK EMPLOYEES AND SCHEDULES

The following are the Department's standards for managing telework employees and issues related to teleworking.

##### (a) Changes to Approved Schedules

1. Business needs take precedence over telework days. While supervisors/manages will make efforts to use team collaboration software to ensure teleworking employees can remain teleworking, an employee may need to return to the office on a regularly scheduled telework day.

##### (b) Scheduling

1. Supervisors/managers will establish a schedule for each teleworking employee.
2. Employees must be available during their assigned teleworking schedule as if they were in the office; however, an employee's teleworking schedule may differ from his/her in-office schedule with prior approval.

##### (c) Salary, Job Responsibilities, and Benefits

1. Salary, job responsibilities, and benefits will not change because of an employee's involvement in the Telework Program.
2. Employees agree to comply with all existing job requirements and functions that are in effect in the office.
3. Non-exempt employees working remotely should be compensated for any time that is beyond their normal 40 hours. Non- exempt employees must request approval to work beyond 40 hours.

##### (d) Taxes

1. It is the employee's responsibility to determine any income tax implications of maintaining a home office area.
2. The City of Austin and the Austin Police Department will not provide tax guidance, nor will either entity assume any additional tax liabilities.
3. Employees are encouraged to consult with a qualified tax professional to discuss income tax implications.

##### (e) Work hours and Overtime

1. Employee's work hours may be different from the daily work hours established when the employee is in the office, with prior approval.
2. In the event the employer anticipates mandatory overtime, the employer will notify the employee as per Division SOPs.

**(f) Time and Attendance**

1. Employees will code telework hours as "TLC" on his/her timesheet.
2. If exempt employees work over 80 telework hours, the employee must code a minimum of .25 hours of REG on his/her timesheet, as this code establishes the base pay for employees.
3. If an employee is unable to work or requests time off, the employee must complete and submit the standard COA Leave Request form or Sworn Leave Request form.

**(g) Leave**

1. All City and Division/Department policies associated with leave usage remain in place.
2. If the employee is unable to work, the employee must request and be approved for leave.
3. If the employee becomes sick while teleworking and the illness prevents the employee from working, the employee must use accumulated personal leave.
4. Nothing in this agreement prohibits or otherwise limits an employee's ability to seek leave under the Family Medical Leave Act (FMLA).

**(h) Emergency Operations/Continuity of Operations Plan (COOP)**

1. Based on the business needs of a COOP activation, essential employees are expected to:
  - (a) Report to their worksite unless otherwise directed by the Chief of Police or designee.
  - (b) Supervisors may change a TRF agreement to accommodate a disaster response plan, or to implement a business continuity strategy.
  - (c) During this time, supervisors may combine telework and alternative work schedules to accommodate the needs of the Department.

**(i) Performance Evaluation**

1. Performance standards will remain consistent regardless if the employee is working in the office or teleworking.
2. Supervisors/managers of telework employees will:
  - (a) Monitor the teleworking employee's job performance as required by the job function, including ensuring that the employee is checking and providing timely responses to emails and phone calls and participating in team collaboration audio/video meetings.
  - (b) Check-in with his/her teleworking employees weekly via phone, email, or Microsoft Teams.
  - (c) Continually evaluate the effect of teleworking on the employee's performance, business continuity and customer service.
  - (d) Maintain the security of confidential or sensitive information and protect Department records from unauthorized disclosure.

**(i) Standards of Conduct**

1. Standards, as defined by the City of Austin Personnel Policies and Department General Orders, apply when teleworking and in all work performed on behalf of the City of Austin.

**(k) Confidential and Sensitive Information**

1. The Department expects teleworkers to adhere to all City of Austin and Department policies and procedures regarding security, protected information and confidentiality.
2. All Criminal Justice Information Systems (CJIS) requirements shall be adhered to while teleworking.