

## **DHHS POLICIES AND PROCEDURES**

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<b>Section V:</b>	<b>Human Resources</b>
<b>Title:</b>	<b>Safety and Benefits</b>
<b>Chapter:</b>	<b>Teleworking</b>
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### **Purpose**

The purpose of this policy is to set forth the authority and establish procedures and responsibilities for managing teleworking consistently within the North Carolina Department of Health and Human Services (NC DHHS).

### **Policy**

The DHHS teleworking program shall be administered consistent with the business needs of DHHS and the public served. It is recognized that DHHS, as a public employer, has a special obligation to insure that employees and resources are being used efficiently and productively. Use of the teleworking option within a division, office, facility or school is at the discretion of the division/office/facility/school director. A telework arrangement is not an employee right or entitlement. A telework arrangement may be terminated at will by either the employee or the supervisor. This provision does not apply to Home Duty Stationed employees. This policy applies to all permanent full-time, part-time, and time-limited employees of the department.

### **Definitions**

1. Central Workplace

An employee's assigned place of work, including field offices, owned, leased and/or operated by the state.

2. Teleworking

Refers to a work arrangement in which an employee performs his/her assigned job duties at an alternative worksite other than the central workplace on a regular and recurring basis with the same performance expectations regardless of the location of where the work is performed.

3. Teleworker

An employee engaging in teleworking.

4. Work-at-Home Teleworking

A teleworking arrangement whereby an employee performs his or her primary duties from his/her home for all or part of the workweek.

5. Home Duty Station

A type of work-at-home teleworking arrangement whereby the employee's home is designated as his/her official duty station. The employee is typically hired with his/her home designated as his/her home duty station.

6. Teleworking Agreement

A signed written agreement that outlines the terms and conditions of the employee's teleworking arrangement.

7. Work Schedule

The employee's normal hours of work as approved by the supervisor and included in the Teleworking Agreement.

8. Teleworking Coordinator

A staff member of the division/office/facility/school human resources (HR) office assigned the responsibility to collect and maintain teleworking agreements and serves as a resource person on teleworking.

9. Alternate Work Station

A worksite other than a central workplace may include an employee's home or other worksites where official DHHS business is performed.

10. Supervisor

The person who has the authority to hire employees, assign, direct and evaluate work; discipline or discharge the employee; or have significant input into such actions.

11. Manager

The employee who manages established divisions, subdivisions or work units; directs the work of the employee's supervisor and has the authority to hire, reward, discipline, or discharge employees.

## Implementation

Consideration for approval of a teleworking agreement shall be based on the employee's position duties as well as his/her demonstrated work behaviors/competencies and level of performance.

The employee's duties shall be conducive to work that can be done independently without frequent direct observation of quality and quantity and where work does not demand the constant and in-person exchange of information by the supervisor, co-workers and/or customers. Demonstrated employee competencies that are well suited for teleworking arrangements include, but are not limited to, the ability to independently perform duties with little to no direct supervision; initiative to accomplish tasks and resolve problems; ability to effectively plan and prioritize work assignments; and excellent time management skills. In addition to position duties and work behaviors, equipment and service needs shall be taken into consideration. Policies and procedures that apply to the central workplace shall remain the same for teleworking employees. Teleworking assignments do not change the conditions of state employment or required compliance with any applicable policies and rules.

In order to request a teleworking assignment, an employee shall currently hold a permanent or time-limited position. Recommendations for teleworking shall be made by the immediate supervisor and manager and forwarded for review and approval by the division/office/facility/school director. The approved teleworking agreement shall then be forwarded to the division/office/facility/school's human resources office or designated teleworking coordinator, for inclusion in the employee's personnel file.

1. General Provisions

- A. Work-at-home teleworking may not be used to replace appropriate arrangements for care of dependents residing within or outside of the teleworker's home. Management may request documentation from the teleworker to substantiate a caregiver is providing on-site or off-site care during the teleworker's work schedule.
- B. The employee's current salary and benefits will not change when he/she is teleworking.
- C. Time spent in teleworking status must be accounted for and reported in the same manner as if the employee reported for duty at the central workplace, which includes abiding by all established leave and overtime policies. The total number of hours the employee is expected to work shall not change. Employee may work overtime only when required and approved in advance by the supervisor or manager.
- D. Management reserves the right to require the employee to report to the central workplace on scheduled teleworking days. Reasonable advance notice will be provided to the employee when possible. However, the employee may be required to report to the central workplace at any time during the employee's work schedule as business needs and state obligations dictate.

2. Work Performance

- A. Management shall develop clear performance expectations and measures before entering into a teleworking arrangement with an employee to establish objective parameters for evaluating the quantity and/or quality of work. This requirement is applicable to the home duty station employee as well.
- B. The central workplace employee's most recent performance rating must be a rating of "good" or better in all key responsibilities and dimensions to be eligible for a new and/or to continue an existing teleworking arrangement.
- C. The employee shall promptly inform the supervisor whenever problems arise which adversely affect his/her ability to perform work at the alternate work station.

3. Liability

The State's liability for job-related accidents will continue to exist during the employee's approved teleworking schedule. An employee who sustains a work-related injury while teleworking may be covered under the Worker's Compensation Act. The employee must notify his/her supervisor immediately and complete all necessary documentation following a workplace accident or injury. Any accident or injury will be investigated in the same manner as in the central workplace. It is the employee's responsibility to maintain the home duty station or alternate work location in a manner that is safe, comfortable, and conducive to a healthy work environment.

An alternate workstation safety inspection shall be completed using DHHS Safety and Benefits Alternate Workstation Inspection Checklist, form [DHR-SB 3115 A](#), and be included as a part of the teleworking agreement. This inspection shall be completed by a designee identified by the division director, such as the employee, the employee's supervisor, or another designee. The person designated as the inspector shall document the findings of the inspection using DHHS Safety and Benefits Alternate Workstation Inspection Checklist, form [DHR-SB 3115 A](#). Any deficiency noted during the inspection shall be resolved by corrective actions initiated by the employee and/or supervisor prior to the implementation of any telework agreement.

4. Equipment/Information Security/Privacy

- A. An employee who teleworks is expected to adhere to all DHHS policies and procedures regarding workspace security, information confidentiality, appropriate handling of data and other information processed or managed in the course of work. The supervisor or manager must coordinate with the Information Technology (IT) Coordinator, the HIPPA Coordinator, and the Security Official

concerning access to restricted-information and computer security issues.

- B. Restricted-access or confidential information shall not be removed from the central office location in hard or soft copy, or accessed via the computer, without prior written approved by the supervisor.

The supervisor must coordinate with the division/facility/school director, IT coordinator, the HIPAA Coordinator, and the Security Official concerning existing policies related to restricted or confidential materials and computer security issues.

- C. A teleworking employee must abide by established DHHS policies regarding use of computer software and the Internet. Failure to abide by these policies may result in disciplinary action up to and including dismissal. Prospective teleworkers must acknowledge that they have read and understand the provisions in the Departmental policy [Acceptable Use for DHHS Information Systems](#) and sign the memorandum, “User Certification of Notification and Agreement of Computer Use” form.

- D. Internet access and usage while on the job is limited to official state business. The introduction of viruses, malicious tampering, or the use of any DHHS provided computer system for commercial or personal gain is prohibited. Employees may not install software on DHHS computers without permission. Employees may not copy software from DHHS computers and install on any non-DHHS computer equipment or other storage media without DHHS permission. Employees using DHHS provided accounts, including internet and email accounts, are acting as representatives of DHHS. As such, employees shall abide by the same standards that apply in the central work location. Files downloaded from the Internet must be scanned with virus detection software before installation or launch of any executable program on the teleworker’s workstation. All appropriate precautions shall be taken to detect viruses and prevent their spread.

- E. DHHS may provide equipment required for performing assigned work duties for teleworking; however, the decision to provide equipment will be made on a case-by-case basis based on funding availability and whether a business case can be made to fund equipment for the employee. Equipment requirements are determined by the tasks to be performed in the home or alternative work station. One factor in the decision to approve a teleworker request and agreement may be the employee’s ability to provide his or her own equipment and services. The supervisor must coordinate with the division/facility/school director and IT Coordinator regarding equipment, software, and services.

- F. DHHS Help Desk telephone support shall be provided to the teleworker without regard for whether equipment is provided by the employee or by DHHS.
- G. The teleworker using personally owned equipment is responsible for maintaining, upgrading, repairing, and replacing that equipment at their own expense.  
If an employee is unable to repair home equipment to a level necessary for performance of work assignments in a timely manner, the teleworker may be asked to return to the central workplace office until the repairs can be made.
- H. Any equipment provided to the teleworker by DHHS remains the property of DHHS. The teleworker shall not use state-owned equipment for personal use of any kind and must take adequate precautions to restrict use of DHHS equipment to work-related purposes only. Non-employees are not authorized to use any DHHS-owned equipment. The teleworker is responsible for any expense related to repair and replacement of DHHS equipment as a direct result of the teleworker's misuse or abuse of any DHHS equipment.
- I. Maintenance, repair, and replacement of DHHS-owned equipment issued to teleworkers are the responsibility of DHHS. In the event of equipment malfunction, the teleworker must notify DHHS technical support as soon as possible if the problem occurs during the Help Desk hours of operation. If the problem occurs after Help Desk business hours and may result in failure to meet critical delivery timelines for assigned work, the teleworker is authorized to page the on-call Help Desk support and follow their instructions.
- J. Only approved software and peripherals are allowed on DHHS-owned equipment. Upgrades to DHHS-owned equipment are the sole responsibility of DHHS. Any unauthorized software, software upgrades, or peripherals on DHHS-owned equipment are strictly forbidden and may be grounds for discontinuing the teleworking agreement and /or employee disciplinary action.
- K. Upon termination of the teleworking agreement or at the request of the supervisor or manager, , all DHHS equipment must be returned by the employee to DHHS in working order.
- L. The arrangement for long distance telephone and Internet access expenses should be specified in the signed teleworking agreement. Other teleworking expenses not specifically covered in this policy are to be specified in the agreement and will be negotiated on a case-by-case basis by the teleworking employee and the supervisor. DHHS will

not reimburse teleworkers for any expenses incurred while working at home which include, but are not limited to, utilities costs, home maintenance costs, renovation costs, electrical work, or rental/home insurance. Office supplies will be furnished by DHHS and these supplies should be obtained by teleworkers directly from their central workplace. DHHS will not reimburse out-of-pocket expenses for supplies normally available in the central workplace location.

- M. Goods that require a purchase order are to be received only by DHHS. The teleworker must have written approval from his/her supervisor in order to use their home duty station as a delivery address for DHHS-owned items.
- N. The supervisor shall report violations involving theft, misuse, damage, or embezzlement of state-owned property following the [DHHS Reporting Theft and Misuse of State Property policy](#).

5. Agreement

A signed written agreement between the supervisor and the employee, and approved by the manager outlining the terms and conditions of the teleworking arrangement shall be completed prior to the commencement of the telework period.

A telework arrangement may be terminated at will by the employee, supervisor or manager. This provision does not apply to Home Duty Stationed employees.

6. Teleworking Data Management

The designated division/office/facility/school HR teleworking coordinator shall maintain a current database of all teleworking employees. Teleworking reports will be provided to DHHS upon request. Copies of all teleworking agreements shall be maintained in the division/office/facility/school's HR office. HR shall ensure that all teleworking employees and their supervisors complete the DHHS online Telecommuting Guide training program prior to commencement of the teleworking agreement.

*For questions or clarification on any of the information contained in this policy, please contact [Human Resources](#). For general questions about department-wide policies and procedures, contact the [DHHS Policy Coordinator](#).*