



State of Alaska

Division of Personnel and Labor Relations

Telework Policy

I. Policy

This policy provides direction and guidance for establishing employee teleworking arrangements and applies to employees in the classified and partially exempt service. Employees in exempt agencies are also required to follow the direction and guidance set forth in this policy.

Agencies should attempt to utilize telework wherever practicable. **Agencies have the sole discretion to designate groups/units, positions and individual employees suitable for teleworking.** The expectation is there will be no disruption of service or decline in the quality and timeliness of internal and external services provided by the teleworking individual or the agency. If there are service disruptions or decline in work product quality the telework agreement will not be renewed.

Teleworking is an arrangement to permit employees to perform their job duties at an alternate work location in accordance with a Teleworking Work Agreement (TWA). Agencies may allow participation in teleworking to the greatest extent possible without diminished services or employee performance. Teleworking is an arrangement established first and foremost to facilitate the accomplishment of work.

Teleworking arrangements must conform to all State laws, regulations, and policies regarding State employment. Teleworking assignments do not change the conditions of employment or required compliance with policies. Managers and employees must understand that adherence to this policy and procedures is an essential requirement of the telework program.

Teleworking is not an employee benefit or right. Employee participation in teleworking is voluntary and requires pre-approval by management.

International (Out of Country) Teleworking is not permitted. Any exceptions must be approved by the Chief of Staff.

This policy in no way shall be interpreted as an employment contract between the state and its employees.

II. Guidelines

A. Teleworking is available to employees when approved by supervisors. These guidelines do not apply to employees who work at home as a temporary or permanent reasonable accommodation approved by Human Resource staff under the Americans with Disabilities Act.

B. Teleworking generally falls into one of two categories:

1. Routine: Routine teleworking is when the arrangement occurs as part of a regular and ongoing schedule.
2. Situational: Situational teleworking is approved on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing and regular telework schedule. Examples of situational teleworking include for reasons such as inclement weather, pandemic health crisis, special work assignments, convalescence from injury or illness, primary work site is inaccessible or uninhabitable, or other natural or human-caused disaster. These agreements may also be referred to as episodic, intermittent, unscheduled, or *ad hoc* teleworking. These types of agreements only require supervisor approval and do not require a Telework Request and Agreement Form (TWA).

C. Out-of-state telework arrangements are limited to three categories: family/personal emergency; medical situations; or in the best interest of the state (i.e. critical knowledge transfer/training of a new incumbent or completion of a significant project). An initial out-of-state telework arrangement may only be approved for up to 12 months, and then must be reviewed prior to extending. Extensions may be approved for up to 12 months at a time. All out-of-state telework arrangements more than 30 days require written prior approval of the State Personnel Director.

If an out-of-state telework arrangement will be for less than 30 days (i.e. planned leave, or one of the three categories listed above), there is no need for an Letter of Agreement (LOA), with the exception of telework performed in the state of Oregon. If telework will be performed in Oregon, regardless of the duration, an LOA is required and approval is needed from the State Personnel Director. Absent an emergency, out of state telework arrangements for less than 30 days will not be extended. If an extension is warranted, it will require the approval of the State Personnel Director and a LOA.

D. Teleworking arrangements may be on a part-time or full-time basis. Initial teleworking arrangements may be approved for an initial period of up to 12 months, and then must be reviewed prior to extending. Once an arrangement has been shown to be successful, it may be approved for up to 12 months at a time. Per section III (E), management may cancel the telework agreement at any time.

Any change in the agreed upon schedule must be approved by the supervisor, and when permanent, documented and appended to the TWA.

E. Employees must have an approved TWA prior to beginning a telework arrangement. Employees engaged in routine telework must have an approved TWA prior to beginning a telework arrangement. Continuing to telework long-term after beginning a situational telework arrangement requires the employee to establish a TWA.

F. Employees must have approval from their union or from the Commissioner and State Personnel Director to telework away from their duty station. If working away from their duty station city, for more than 30 days, either in-state or out-of-state, an employee must have an approved Letter of Agreement (LOA) between the State and the union before beginning a telework arrangement. If the position is not represented by a union, and the request is for out-of-state teleworking, the request will require written approval of the department's Commissioner or designee and the State Personnel Director. Please Note: employees teleworking out of state must contact the Division of Finance Payroll Production for further instructions on potential tax withholding (see section III.C.6) immediately upon approval of the TWA.

G. Management retains the right to approve or deny requests based on established criteria. Teleworking should only be considered if mutually beneficial for the agency and the employee. In deciding whether to approve an employee's request for teleworking, the supervisor shall consider the following factors:

1. The position's suitability for teleworking (See section II R);
2. The employee's suitability for teleworking (See section II S); and
3. The mutual benefits to the agency and the employee.

H. Managers will monitor employee compliance with the TWA; relevant state policies; performance standards; expectations for work products; productivity; and time accountability.

I. Employees must be available during work hours established in their TWA. Employees must be available and accessible by email, phone, or other online technology during their agreed upon work schedule. Employees are required to answer their work phone number during work hours or respond to voicemail timely. Absences (including unavailability during work hours) must be pre-approved. Employees must account for all time worked and use leave, as appropriate, with prior management approval only. If an

employee becomes ill on a scheduled telework day, the employee shall follow their division's established protocol used for reporting absences.

The employee may be called in to the office when necessary to meet operational needs. The supervisor should provide reasonable notice whenever possible. However, the employee may be required to report to the office without advance notice, as needed.

- J. Managers are responsible for providing employees clear direction on assignment and project expectations.** Management will provide the employer's expectations to the employee relating to performance, assignments to be completed, timely response to e-mail and phone calls, etc.

The supervisor and employee must have an agreed upon reporting method for tracking work assignments. If it becomes evident that the reporting method is not effective, the supervisor may require the employee to use a **Telework Assignment Log (TAL)**. A TAL would be submitted daily or weekly as appropriate.

The supervisor and the teleworker must take actions to keep the remote employee engaged, productive, and connected.

For additional guidance, resources, and tools on how to manage remote employees please review the DOPLR Telework Resources page at: <https://doa.alaska.gov/dop/Recruitment/telecommuteFAQ/>

- K. Supervisors must ensure adequate office coverage (if applicable).** Supervisors will need to assess what work requires public or internal contact or needs to be done at the worksite. Absences due to leave, training, holidays, and Alternate Work Schedule (AWS) schedules must be addressed when participants and supervisors arrange TWA plans to ensure adequate office coverage. Managers/supervisors are responsible to ensure that their Divisions and working units have coverage during any applicable core hours, including the lunch period. Consideration should be given to the employees' workload and the type of work performed. These issues must be considered prior to approving any request for a telework schedule.
- L. Teleworking is not intended to be a substitute for dependent care.** Employees shall continue to make arrangements for child/dependent care to the same extent as if the employee was in the workplace. However, having a dependent at home will not necessarily prohibit an employee teleworking. Requests will be reviewed on a case-by-case basis. Supervisors can suspend TWAs for employees who use them to enable child/dependent care.
- M. Travel to and from the teleworking location to attend work-related meetings and events on teleworking days is not reimbursable.**
- N. The telework location will require adequate workspace, light, telephone service, power and temperature control.** The employee will provide telework worksite ergonomic furniture and equipment and should maintain a clean and safe workspace. Expenses incurred as a result of working a telework schedule will not be paid or reimbursed by the State including, but not limited to, the following: usage fees for privately owned computers; maintenance or operating costs of the telework site; utility costs associated with the use of telephone, computer or occupation of the home (i.e. internet); or travel to the central office/work site if required to come in on a telework day. Please note: OIT technical support for teleworking staff will only be available during standard business hours.
- O. The employee is responsible for protecting State equipment from damage and unauthorized use.** The employee shall be responsible for notifying their supervisor immediately of any damage, theft or loss of any issued State property. In the event of theft of the equipment, the employee shall be responsible for immediately reporting the theft to local law enforcement. Any State-provided equipment will be used only

by the employee to complete State work. It is not for personal use by the employee or the employee's family members. All use will comply with the SOA OIT policy.

- P. The state is not responsible for loss, damage, repair, replacement, or wear of personal property or equipment.** The employee will be liable for any loss or damage to State property. The State retains the right to inspect the worksite. Generally, no additional equipment will be provided to employees to work at alternative work sites. Any exceptions must be approved by the employee's Director, Deputy Commissioner, or Commissioner in consultation with the Office of Information Technology, when appropriate.
- Q. It is the responsibility of the teleworker to determine any income tax implications of maintaining a home office area.** The State will not provide tax guidance, nor will the State assume any additional tax liabilities.
- R. Teleworking from a location away from the permanent duty station may affect the employee's salary.** Approval to remain on the salary schedule associated with the permanent duty station will only be considered for short-term telework arrangements in which the employee maintains their primary residence in that location. Otherwise, the salary schedule will be determined based on the telework location for the duration of the telework agreement. Specifics regarding the salary schedule for those employees commuting away from the duty station will be addressed in the LOA. If the position is not represented by a union, it will require written approval of the department's Commissioner or designee or the State Personnel Director. If the employee changes their primary residence to another city (i.e. moves) while on a TWA, they must notify Agency HR, and the Division of Finance (DOF) Payroll Services and Payroll Production due to potential salary and tax withholdings changes.

S. Position Suitability

An agency may consider allowing teleworking for certain positions/ job classifications which would lead to efficiencies and effectiveness in daily operations. However, not all positions/job classifications may be appropriate for teleworking. Agencies shall consider the following factors when determining which positions may be eligible for teleworking:

1. A high percentage of work can be conducted individually;
2. Collaboration and communication with colleagues can be conducted virtually;
3. Work does not require frequent in-person or *ad hoc* collaboration;
4. Work output and quality is not impacted by location (e.g. quality of customer services);
5. Performance of the work is not dependent on specialty equipment, tools/materials and settings (e.g. laboratory) that cannot be reasonably accommodated remotely;
6. Work does not depend on frequent handling of secure materials.

T. Employee Eligibility

Teleworking shall be considered an option at the exclusive discretion of management, not an employee benefit or right. Agency management has the right to initiate, terminate or suspend a teleworking arrangement for an individual employee or group of employees at any time. Management may designate any group or unit of employees not eligible for teleworking at any time. Management shall utilize the following criteria in evaluating if an individual employee or group of employees may be eligible for TWAs:

1. Performance metrics are established and measurable. Expectations are clearly communicated and work performance can be tracked.
2. Whether the employee consistently demonstrates work habits that are well-suited to teleworking, including but not limited to: self-motivation, self-discipline, the ability to work independently, manage distractions, meet deadlines, and a demonstrated record of meeting established performance expectations;

3. Whether the employee has a consistent telework location and know who would potentially have access to that location; and
4. Whether the employee has the technical capacity to work remotely, including consistent internet connection, electricity, phone reception, ability to keep sensitive or confidential materials secure, etc.

An employee may **not** be eligible to participate in remote work (pursuant to agency discretion) if:

1. The employee has received formal discipline for performance or conduct or a Performance Improvement Plan (PIP), during the previous 12 months; or
2. The employee has not gained permanent status in their current position. This requirement can be waived with approval from the Division Director or agency Commissioner or Deputy Commissioner, as appropriate.

U. Teleworking employees will report any work injuries to their supervisor immediately. An employee injured at his/her teleworking location during teleworking hours while performing work duties will need to complete the Notice of Occupational Illness or Injury form as soon as possible, but not later than 10 days after the injury.

V. Weather and Safety Considerations

1. If severe weather is predicted, employees must prepare to work from their alternate work site on a day when unscheduled telework is authorized, including taking their State laptop and cell phone home with them, if applicable.
2. The teleworking location(s) will be unaffected by emergencies that lead to office closings. If work can proceed at the teleworking work site(s), then the employee may not be excused from duty even if other employees ineligible for telework elsewhere have been released or excused from reporting.
3. If the teleworking location is affected by an emergency (e.g. local power outage) which does not lead to office closings and the employee is unable to perform work the teleworker must either take leave or report to the worksite.

W. Exceptions to any of these guidelines are subject to agency Commissioner discretion on a case-by-case basis.

III. Procedures

Written requests for teleworking arrangements shall be submitted to the Division Director. Requests can be submitted electronically, in paper form, or through an electronic system on the Division of Personnel's website (once developed). The Division Director will be responsible for approving teleworking requests where the employee is working remotely within the state of Alaska. The State Personnel Director must approve all requests for teleworking outside the state.

The teleworking agreement contains an acknowledgement by the employee that agency management has the right to initiate, amend, terminate, or suspend a teleworking arrangement at any time. The teleworking agreement also contains an acknowledgement by the employee that supervisors can suspend TWAs for employees who use them to enable child/dependent care.

A. The Teleworking Request and Agreement form contains the following information:

1. Employee Information
2. Reason for request
3. Benefits to agency and employee
4. Location(s) from which employee anticipates working
5. Expected duration

6. Standard work schedule for employee
7. Equipment to be used
8. Duties to be performed
9. Method of assessing performance
10. Position's suitability for teleworking
11. Employee's suitability for teleworking

B. Approval flow for In-State Teleworking:

1. Employee initiates the SOA Telework Request and Agreement (TWA) form and Employee and Supervisor complete the applicable TWA sections.
2. The employee signs the completed TWA form.
3. Supervisor reviews and signs; if the supervisor approves a request, it is submitted to the Division Director.
4. If the Director approves the request, copies of the approved TWA form are submitted to the department HR Business Partner for tracking, to the supervisor to be maintained in the supervisor's file, and made available to the employee.
5. If the teleworking arrangement involves working away from the employee's duty station city, a Letter of Agreement (LOA) with the Employee's union will be required. The department HR Business Partner will coordinate with Division or Personnel & Labor Relations (DOPLR) to obtain the LOA. The LOA must be finalized before the employee begins teleworking. If the position is not represented by a union, you must coordinate with department HR to obtain required written approval by the department's Commissioner and the State Personnel Director.
6. If a LOA is approved: The DOPLR Employee Relations staff submits a copy of the approved LOA to the department HR Business Partner and the Division of Finance (DOF) Payroll Services immediately upon signing and informs the employee to contact DOF Payroll Services regarding potential salary schedule changes.
7. The Supervisor and Employee review the TWA at 12 months to evaluate the Employee's performance while teleworking. If the Employee is meeting expectations while teleworking, the TWA can be extended for up to one year at a time.

C. Approval flow for Out-of-State Teleworking:

1. Employee initiates the SOA Telework Request and Agreement (TWA) form and Employee and Supervisor complete the applicable TWA sections.
2. The employee signs the completed TWA form.
3. Supervisor reviews and signs; if the supervisor approves a request, it is submitted to the Division Director.
4. If the Division Director approves the request, the Director submits request to the Commissioner's Office. If the Commissioner's Office approves the request, the Commissioner's Office submits the request to the State Personnel Director's Office (DOPLR) in the Department of Administration.
5. If the Commissioner and the State Personnel Director approves the request, the State Personnel Director's Office submits copies of the approved TWA form to the department HR Business Partner for tracking and to the supervisor to be maintained in the supervisor's file.
6. The department HR Business Partner will coordinate with Division or Personnel & Labor Relations (DOPLR) to obtain the LOA. The LOA must be finalized before the employee begins teleworking. If the position is not represented by a union, it will require written approval of the department's Commissioner and the State Personnel Director. Note: The department HR Business Partner must notify the Division of Finance (DOF) Payroll Production as soon as they become aware of the out of

state telework situation to allow DOF time to research and set up the applicable state tax withholding structure.

7. If a LOA is approved: The DOPLR Employee Relations staff submits a copy of the approved LOA to the department HR Business Partner, and the Division of Finance (DOF) Payroll Services and Payroll Production immediately upon signing. Department HR Business Partner informs the employee to contact DOF Payroll Production regarding potential state tax withholdings and DOF Payroll Services for potential salary schedule changes. Employee must submit the applicable state tax paperwork within 3-5 business days from the signing of the LOA.
8. The Supervisor and Employee review the TWA at 3 months to evaluate the Employee's performance while teleworking. If the Employee is meeting expectations and the need for teleworking still exists, the TWA can be extended for up to 3 additional months, with the written approval of the State Personnel Director and a LOA. An exception for an extension beyond 6 months can be granted with written approval of the department Commissioner and the State Personnel Director.

D. Contents of the TWA

The TWA sets out the specifics for the individual circumstance of the teleworking arrangement including state and personal equipment to be used, days/hours of work, location of work, general duties to be performed and method(s) of assessing teleworking performance. A template for a TWA is attached as Appendix A.

E. Renewing the TWA

1. The TWA must be discussed and renewed at least annually, or whenever there is a major change in job duties.
2. The TWA may be canceled by the employee with 15 calendar days written notice.
3. The supervisor may cancel this agreement and instruct the employee to resume working at the duty location at any time, at the discretion of the supervisor, for reasons that include, but are not limited to, exceptional and verifiable needs of the department; change in the employee's work function, non-satisfactory employee performance, or non-compliance with the telework policy. If the employee is teleworking from a location outside their normal duty station, the supervisor shall give 15 calendar days' notice when cancelling the agreement.
4. Under delegated authority, Commissioners have the authority to issue agency wide extensions of up to three months for in-state telework, with additional extensions as needed.