

Town of Danvers

Telecommuting Policy

Adopted on: July 29, 2020
Adopted by: Steve Bartha, Town Manager



1. Applicability:

This Policy applies to all employees of the Town of Danvers, excluding those employees under the supervision and control of the School Committee. The telecommuting policy shall apply to all non-represented employees in the Town. The application of this policy to Town represented employees may be the subject of collective bargaining between the Town of Danvers and the exclusive bargaining agents for those employees.

For employees covered by a collective bargaining agreement, this policy does not create any benefits not expressly provided by that collective bargaining agreement and if there are inconsistencies between this policy and the collective bargaining agreement, the terms of the collective bargaining agreement will govern.

2. Purpose

Telecommuting is an arrangement that allows eligible Town employees to work in a designated area outside of the office. Telecommuting is a cooperative arrangement between employees, supervisors, and the Town.

Telecommuting benefits employees, their department, the Town, and the community. Benefits include:

- Ability to function during an emergency when the regular worksite is inaccessible
- Increased productivity
- Efficient use of Town resources, including office space
- Recruitment and retention of highly qualified employees
- Greater flexibility for employees and departments
- Improved employee morale and job satisfaction
- Reduced employee absenteeism
- Reduced employee commute time and costs
- Decreased energy consumption, air pollution, traffic and parking congestion, and transit overcrowding.

The Town of Danvers supports telecommuting as an alternative work arrangement, where appropriate, for eligible employees.

3. Definitions

"Telecommuting" means working one or more days each work week from home instead of commuting to a centrally located worksite.

"Voluntary" means employees choose to request a telecommuting arrangement.

"Centrally Located Worksite" means the Town of Danvers worksite where the employee would be required to work if they did not telecommute.

4. Policy

- 4.0.1 Telecommuting is a privilege, not a right. All Town employees who telecommute must have an approved telecommuting agreement under this policy. A Town department may have additional telecommuting requirements, guidelines, or procedures, provided they are consistent with the intent of this program. Telecommuting does not change the duties, obligations, responsibilities, or terms and conditions of Town employment. Telecommuting employees must comply with all Town rules, policies, practices, and instructions.
- 4.0.2 Telecommuting is not appropriate for all employees. No employee is entitled to or guaranteed the opportunity to telecommute. Offering the opportunity to work at home is a management option, based on the recommendation of the employee's department director or division head and approval of the Town Manager. An employee's participation is strictly voluntary. All telecommuting agreements must meet the criteria in this policy and may be terminated at any time by either the employee or the department director or division head although it is recommended that two weeks' notice be given if possible.
- 4.0.3 A request for telecommuting must be submitted at least 15 working days prior to requested commencement date for telecommuting.
- 4.0.4 The policy applies to voluntary telecommuting. The policy does not apply in situations related to telecommuting offered as a result of providing reasonable accommodations to qualified individuals with a disability.
- 4.0.5 All departments will incur the cost for any expenses they approve for telecommuting agreements.
- 4.0.6 Expenses for telecommuting agreements require the recommendation of the department director or division head, in consultation with the IT department as applicable, and approval by the Town Manager
- 4.0.7 If a telecommuting agreement is terminated or refused, requests for reconsideration may be submitted to the department director or division head.
- 4.0.8 An employee wishing to request a telecommuting arrangement shall complete the Telecommuting Application & Agreement, included with this policy, and submit it to their department director or division head. A telecommuting arrangement must be mutually agreed upon by the employee and the employee's department director or division head and then approved by the Town Manager. Any changes to the Application & Agreement must be documented in writing and approved by the approval process.
- 4.0.9 Department directors or division head should consult with the IT department in advance if an employee requires remote access or technology support in order to telecommute.
- 4.0.10 Department directors or division head must set-up telecommuting agreements so that they expire on a routine basis, such as every 30 or 90 days (up to a maximum of 12 months). At the expiration of a telecommuting agreement, the employee would have the option to request renewal of the arrangement by filling out another telecommuting application. This process allows department directors or division head and employees to evaluate and adjust telecommuting arrangements to meet their workload needs.

- 4.0.11 After an employee begins a telecommuting arrangement, the department director or division head should conduct periodic reviews with the employee to evaluate the success of the arrangement. It is recommended that a first-time telecommuter would be reviewed during the first 15 days, at the end of the 30 days, at the end of 90 days and every three months thereafter.
- 4.0.12 Employees may, at the discretion of their department director or division head, be called to work at their centrally located worksite on their regular telecommuting workday during their regular work hours or otherwise to meet workload requirements.
- 4.0.13 If an employee is telecommuting and during the workday they come in to their centrally located worksite, the time traveling from the employee's home to the centrally located worksite will be treated as "job site" to "job site" travel, and the employee's travel time will be counted as hours worked and compensated accordingly. Whenever possible, when telecommuting employees are requested to report to their centrally located worksite, they should be so notified by the end of the workday prior to the day they are requested to report to the central worksite. In such cases, travel time between home and the central worksite is treated as regular commuting time and is not counted as hours worked and compensated. The duties, obligations and responsibilities of an employee who telecommutes are the same as employees at the centrally located worksite including, but not limited to, compliance with applicable Town of Danvers policies and procedures.
- 4.0.14 A set procedure and schedule for regular communication between a telecommuting employee, staff and customers must be identified in the telecommuting agreement. Fair Labor Standards Act (FLSA)-exempt employees must indicate the hours they will be available to be reached by staff and customers. For non-exempt employees, the telecommuting agreement must indicate the hours the employee will be on work status as well as be available to be reached by staff and customers. Department directors or division heads may also outline specific job assignments and expectations of the telecommuting employee. Work schedule variations must be reviewed and approved as part of the application and agreement process and must include a justification.
- 4.0.15 For non-exempt employees covered by the provisions of the Fair Labor Standards Act, any hours beyond their normal work schedule must be authorized in advance by the employee's department director or division head.
- 4.0.16 In order to utilize sick leave on a telecommuting workday, employees must contact their department director or division head as early as possible or in compliance with the applicable collective bargain agreement process.
- 4.0.17 Employees who telecommute are expected to be working at their home during their telecommuting work schedule. Personal leave time normally scheduled during a telecommuting employee's scheduled workday must be arranged in the same manner with their department director or division head as employees at the centrally located worksite.
- 4.0.18 Employees on a telecommuting schedule will continue to accrue vacation and sick leave benefits at the same rate as an employee who is not working a telecommuting arrangement. For non-exempt employees who are covered by the provisions of the Fair Labor Standards Act, vacation and sick leave benefits shall be expended on an hour-for-hour basis. The telecommuting employee's salary, retirement and benefits also remain unchanged.
- 4.0.19 Telecommuting shall not be used as a substitute for dependent or childcare. Employees who telecommute are expected to make dependent and childcare arrangements during the period they will be working at home.

- 4.0.20 Employees who telecommute will be covered by worker's compensation for all job-related injuries occurring at their home during their defined work period. The employee is responsible for maintaining a safe and ergonomic working environment, including the work area, bathroom, and other areas that may be necessary for working during the telecommuting arrangement. The Town of Danvers is not responsible for confirming or assuring the safety of a telecommuting workplace. Worker's compensation will not apply to non-job-related injuries that occur in the home. The employee also remains responsible for injuries to third parties and/or members of the employee's family on the employee's premises. The Town of Danvers will not be responsible for injuries to third parties or members of the employee's family that occur on the employee's premises.
- 4.0.21 In the event of a job-related incident, accident or injury during telecommuting hours, the employee shall report the incident to their supervisor as soon as possible and follow established procedures to report and investigate workplace incidents, accidents or injuries.
- 4.0.22 The employee must allow home office inspections conducted by the Town if a job-related incident, accident or injury has occurred.
- 4.0.23 Telecommuting employees shall not hold business meetings with internal or external clients, customers or colleagues at their residence.
- 4.0.24 Employees shall not conduct any unauthorized external (non-Town) work during their telecommuting work schedule.
- 4.0.25 The employee shall participate in any Town-sponsored telecommuting and/or technology training as requested by the employee's department director or division head.
- 4.0.26 The employee shall participate in any Town evaluation of telecommuting.
- 4.0.27 The Human Resources Department at hr@danversma.gov or 978-777-0001 can assist with telecommuting program advice or consultation to departments.

4.1 Telecommuting Eligibility:

- 4.1.1 Eligibility for telecommuting is based on both the position and the employee. Not every job, or every employee, is well-suited for telecommuting
- 4.1.2 Position Eligibility: An employee's position may be suitable for telecommuting when the job duties:
- Are independent in nature
 - Are primarily knowledge-based
 - Lend themselves to measurable deliverable
 - Do not require frequent interaction at the regular worksite with supervisors, colleagues, clients, or the public, in person
 - Do not require the employee's immediate presence at the regular worksite to address unscheduled events, unless alternative arrangements for coverage are possible
 - Are not essential to the management of on-site workflow
- 4.1.3 Employee Eligibility: Employees may be suitable for telecommuting when their personal characteristics, as determined by the supervisor, include:

- Demonstrated dependability and responsibility
- Effective communication with supervisors, coworkers and the public
- Demonstrated motivation
- The ability to work independently
- A high level of skill and knowledge of the job
- The ability to prioritize work effectively
- Good organizational and time management skills

Employees who are not upholding Town obligations, such as meeting performance or conduct expectations, are not eligible to telecommute.

4.1.4 An employee's work must be of a nature that face-to-face interaction with internal or external customers or project workgroups is minimal and the employee's tasks can be performed successfully away from the office.

4.1.5 The need for specialized material or equipment in order to telecommute should be minimal. Employees interested in telecommuting must already have a safe and ergonomic home office environment and the primary materials and equipment needed at their home in order to telecommute.

4.2 Hardware, Software and Supplies

4.2.1 Although the need for specialized material or equipment in order to telecommute should be minimal, the Town may provide equipment (hardware and software) and services (such as technical support) if it is approved in advance by the employee's department director or division head. The department director or division head may recommend minimal telecommuting expenses and should set spending limits accordingly.

4.2.2 General office supplies (such as paper and pens) will be provided by the Town and should be obtained by the employee at the centrally located worksite. Out-of-pocket expenses for supplies normally available at the centrally located worksite will not be reimbursed.

4.2.3 Employees who telecommute from home are subject to the same internal Town policies regarding the use of Town provided equipment (hardware and software) and services as that of employees at the centrally located worksite.

4.2.4 Employees who telecommute shall not allow anyone, except Town employees, to use Town provided equipment (including hardware and software) and services.

4.2.5 Employees who telecommute and have been assigned any equipment for use by the Town, shall not use that equipment for personal use.

4.2.6 **HARDWARE:** New or existing personal computer equipment may be provided on an as-needed basis to employees by the Town if approved in advance by the employee's department director or division head. Telecommuting expenses beyond the minimum spending limit set up by department director or division head will also require advance approval by the department director or division head. This equipment may consist of a personal computer, modem and related supplies. All supplies must be returned to the Town within 14 days of the date the telecommuting arrangement is no longer valid or if the equipment will no longer be needed by the employee to do their work. The Town will provide routine maintenance and repairs for Town equipment if the equipment is returned to the employee's centrally located

worksite. Routine maintenance and repairs for Town provided equipment that cannot be returned in a cost effective manner to the centrally located worksite may be conducted at an employee's home if it is approved in advance by the employee's department director or division head and is agreeable with the applicable technology support staff person.

- 4.2.7 Telecommuting employees may use their own personal computer equipment on a case-by-case basis. Employees may consult with the IT Help Desk for work related assistance for their computer at their own risk. The Town will not be able to provide technical support for computer or telecommunications equipment that is not compatible with equipment that is currently supported by the Town. Employees will be responsible for the maintenance and repair of their own equipment.
- 4.2.8 Office furniture will not be provided to employees who telecommute.
- 4.2.9 SOFTWARE: Employees must conform to the Town's software standards. Departments will consult with the IT Department to ensure that the software needed conforms to the Town's software policies.
- 4.2.10 Remote access to the Town's network may be provided to the employee at the discretion of the employee's department director or division head and the IT Department. Remote access may also be updated periodically to the employee at the discretion of the employee's department director or division head. If the Town's remote access system includes internet access or other dial-in services, the employee may only use the Town provided internet access or other dial-in services in a manner consistent with that of employees at the centrally located worksite. Employees who telecommute from home are subject to the same internal Town policies regarding the use of Town provided equipment and services as that of employees at the centrally located worksite.
- 4.2.11 The Town will not purchase or reimburse employees for the cost of an internet service provider or internet use. If the Town's remote access system includes internet access or other dial-in services, the employee may only use the Town provided internet access or other dial-in services in a manner consistent with that of employees at the centrally located worksite. Employees who telecommute from home are subject to the same internal Town policies regarding the use of Town provided equipment and services as that of employees at the centrally located worksite.
- 4.2.12 The Town will not provide or reimburse employees for software that is commercially available for installment on an employee's personal computer.
- 4.2.13 The Town may purchase or reimburse employees for software that is installed on Town provided equipment if approved in advance as part of the application process.
- 4.2.14 Town information and/or documents stored on an employee's personal computer may be subject to public disclosure requirements. The employee will be subject to all applicable public records laws as well as all applicable Town policies on storage and security of confidential information.

4.3 Telephones

- 4.3.1 On a case-by-case basis and depending on the nature of the work, a Town owned cell phone may be temporarily issued to the employee.
- 4.3.2 Telephone equipment (such as a fax machine) and service may be provided on an as-needed basis to employees by the Town if approved in advance as part of the application approval. All equipment

must be returned to the Town within 14 days of the date the telecommuting arrangement is no longer valid or if the equipment will no longer be needed by the employee to do their work. The Town will provide for routine maintenance and repairs for Town equipment if the equipment is returned to the employee's centrally located worksite. Routine maintenance and repairs for Town provided equipment that cannot be returned to the centrally located worksite in a cost effective manner may be conducted at an employee's home if it is approved in advance by the employee's department director or division head and is agreeable with the applicable technology support staff person.

4.3.3 The Town may reimburse an employee on a case-by-case basis for business related long-distance telephone expenses incurred at the employee's home on telecommuting days if approved in advance in as part of the application and agreement. Telecommuting expenses beyond the minimum spending limit recommended by department director or division head will also require advance approval by the Town Manager. Reimbursement will require an itemized copy of the employee's telephone bill.

4.3.4 The Town will not reimburse the employee for local telephone calls or service.

4.4 Confidential Information:

4.4.1 The employee will maintain the confidentiality of Town information and documents, prevent unauthorized access to any Town system or information, and dispose of work-related documents in a manner that will not jeopardize the interests of the Town.

5.0 Procedures:

Action By	Action
Employee	<ul style="list-style-type: none"> Makes written request, using the Application and Agreement for telecommuting attached to this policy, and submits it to the department director or division head.
Department Director Or Division Head	<ul style="list-style-type: none"> Reviews Request within 5 working days of receiving request. Discusses request and any modifications/request for additional information with employee. May consult with HR. Forwards written recommendation for approval/denial and application to the Town Manager. If denying application, includes explanation
Town Manager	<ul style="list-style-type: none"> Reviews request and recommendation from Department Director or Division Manager within 5 workings day of receiving request. May request additional information. Approves or denies application in writing Provides notice of approval or denial to Department Director or Division Manager and employee

6.0 Responsibilities:

6.1 Employees who telecommute or plan to telecommute are responsible for:

6.1.1 Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.

6.1.2 Initiating a written request if they are interested in entering into a telecommuting agreement.

- 6.1.3 Reporting to their immediate supervisor as early as possible if they are unable to work on a telecommuting day.
- 6.1.4 Establishing and maintaining an adequate, safe and ergonomic workspace in their home.
- 6.1.5 Maintaining appropriate care and security of any Town equipment used at the employee's home. Employees who telecommute from home are subject to the same internal Town policies regarding the use of Town provided equipment (hardware and software) and services as that of employees at the centrally located worksite. Employees shall return all Town provided equipment within 14 days after the completion of their telecommuting agreement. Employees are responsible for maintenance and repair of their own equipment.
- 6.1.6 Maintaining the confidentiality of Town information and documents, preventing unauthorized access to any Town system or information, and disposing of work related documents in a manner that will not jeopardize the interests of the Town.
- 6.1.7 Any injuries to third parties and/or members of the employee's family on the employee's premises during the employee's telecommuting work period.
- 6.1.8 Abiding by all of the terms of Town of Danvers's telecommuting policy.

6.2 Department Directors or Division Heads are responsible for:

- 6.2.1 Reviewing employee requests for telecommuting and making recommendation for approval or denial to the Town Manager.
- 6.2.2 Ensuring that a high level of public service is maintained, and that abuses of this policy do not occur.
- 6.2.4 Communicating to the employee performance expectations and monitoring accomplishment of those expectations.
- 6.2.5 Abiding by all of the terms of Town of Danvers' telecommuting policy.
- 6.2.6 Monitoring policy use to ensure that the policy is being applied consistently.

6.3 Town Manager is responsible for:

- 6.3.4 Reviewing employee requests and recommendations from Department Directors or Division Heads for telecommuting and either approving or denying the requests. If an employee's request is denied, a reason must be provided to the employee.
- 6.3.5 Providing written notice granting or denying requests and written notice for termination of agreements to employees.

Town of Danvers

Telecommuting Application & Agreement

This form must be completed for telecommuting requests and will serve as the agreement between the employee and the Town once approved.

The first three sections are for employees to complete. Section four and five are for the department director or division head and section six is for Town Manager approval.

Section I: Employee Information

Name:	
Department/Division	
Direct Supervisor	
Union (if applicable)	
Date of Request	

Section II:

Telecommute Information:

This agreement will run	Start Date:	End Date:
Reason for Telecommute Request		
Normal Work Schedule		
Telecommute Work Schedule		
How will you report your time?		
Designate Work Location		

Telecommuting Equipment:

Equipment	Employee Notes	Department Director/Division Head Notes
<input type="checkbox"/> Computer/ <input type="checkbox"/> Laptop		
<input type="checkbox"/> Monitor		
<input type="checkbox"/> Printer		
<input type="checkbox"/> Phone		
<input type="checkbox"/> Other:		

Required software/systems:

	Employee Notes	Department Director/Division Head Notes
<input type="checkbox"/> VPN		
<input type="checkbox"/> Admins		
<input type="checkbox"/> Other:		

Telecommuting Work Plan:

Work you will perform while telecommuting (use area below or attach work plan) and how it will be quantified:

Method of communication while telecommuting:

<input type="checkbox"/> Phone – phone number:	
<input type="checkbox"/> Email – email address:	
<input type="checkbox"/> Text – phone number:	
<input type="checkbox"/> Other:	

Section III: Employee Acknowledgements:

- I have read and will follow:
 - The Telecommuting Policy
 - Information Privacy Policy
- I understand and agree that telecommuting is a privilege, not a right, and is not subject to the grievance process.
- I understand and agree that I am responsible for maintain the safety and security of Town equipment, supplies and information while telecommuting.
- I understand and agree that I must comply with all procedures designed to protect sensitive Town information, including information that is confidential, private, personal, or otherwise sensitive while telecommuting.
- I understand and agree that telecommuting is not a substitute for dependent care.
- I acknowledge that my designated telecommuting workspace complies with all health and safety requirements.
- I agree to accurately record and submit the hours I work while telecommuting
- I understand and agree that I may be required to come into the office on a regular scheduled telecommute day when my department requires me to do so.
- I understand and agree that my department is not required, beyond what is requested in this form, to provide me with any equipment or supplies I may need while telecommuting.
- I understand and agree that I must be available to my department, colleagues and members of the public via phone or email during my assigned work hours.
- I understand and agree that I will participate in reviews as outlined below.
- I have discussed this application with my department director or division manager. I agree to comply with all terms and conditions in this telecommuting application and agreement.
- I understand and agree that my telecommuting agreement can be terminated for a business reason at any time.

Employee Signature

Print Name

Date

Section IV: Department Director or Division Manager Review and Approval:

Name:			
Title:			
Additional Conditions/Comments:			
<input type="checkbox"/> I have reviewed and approve this telecommuting application and agreement			Date

Review Schedule:

Please include dates of review, as applicable, (as part of application process) and notes (to be completed at later date. Notes should be sent to HR to be included with original application) from that review.

Period of Review	Insert date:	Period of Review	Insert date:
After 30 days:		After 210 days	
After 60 days:		After 240 days	
After 90 days:		After 270 days	
After 120 days:		After 300 days	
After 150 days		After 330 days	
After 180 days		After 360 days	

Review of Expenses for telecommuting and funding sources:

Item	Cost	Funding Source

Section V: Review and Recommendation:

Department Director or Division Head Recommendation:

Name:			
Title:			
Additional Conditions/Comments:			
<input type="checkbox"/> I have reviewed and recommend this telecommuting application and agreement			Date

Once reviewed by Department Director or Division Head, please to the Town Manager

Section VI: Town Manager Approval:

I have reviewed the application and recommendation of the Department Director or Division head and:			
<input type="checkbox"/> Approve this application as present	<input type="checkbox"/> Approve this application with the modifications outlined below	<input type="checkbox"/> Deny this application for the reasons outlined below	
Modifications/Comments:			
Signature:	Print Name:	Date	

If approved, please forward a copy to:

- Applicant
- Department Director or Division Head
- Original application to Human Resources (for inclusion in the employees personnel file)
- IT Department

If denied, please forward a copy to:

- Applicant
- Department Director or Division Head
- Original application to Human Resources

