



POLICY AND PROCEDURE STATEMENT

ADM 14.1.0 Telework Policy

Purpose: This Policy and Procedure Statement provides guidance to ensure the Board of Tests for Alcohol and Drug Influence (BOT) complies with state initiatives utilizing telework as an alternative to incurring costs for additional office space for state government.

Effective Date: March 1, 2021

Superseded Policy:

References: 47 O.S. §759, 40 O.A.C. 1-1-3, 62 O.S. § 34.11.1 (OSCN 2021), Oklahoma State Finance Act

Related Forms: BOT Telework Application; BOT Telework Agreement

Approved By: Joshua Smith

I. Definitions:

A. Alternate work arrangement - means an arrangement that is outside the regular eight-hour day work schedule.

B. Governmental Technology Application Review Board - also known as GTARB is a board made up of both public and private sector members with duties ranging from approval of convenience fees for online transactions to approving the plan of action developed by the State of Oklahoma Chief Information Officer related to information technology consolidation.

C. Telework - means work which is performed outside of the traditional onsite work environment, making use of the internet, email, and the telephone.

II. Policy:

A. BOT considers telework to be a viable alternative work arrangement in cases where individual, job and supervisor characteristics are suited to such an arrangement. Telework allows an employee to work outside of the traditional on-site work environment for all or part of the regular workweek. Telework may be appropriate for some employees and some positions; however, telework is not an entitlement, is not an agency-wide benefit and may be discontinued at any time at the sole discretion of the Director. Minimum performance reporting metrics established by the telework employee's supervisor and that meets the minimum requirements set forth by Governmental Technology Applications Review Board ("GTARB") shall be used for each employee in the telework program. A telework arrangement is not a replacement for appropriate dependent care or other personal needs. The focus of the work hours in the telework location must be on job performance and meeting agency requirements.

B. Although telework may be suggested by an employee, the decision of whether telework is appropriate or is required for a particular position shall be determined by the Director after considering factors set forth in the telework procedures as well as additional guidance from the GTARB pursuant to its duties

under Title 62 of the Oklahoma statutes. No employee shall begin a telework arrangement until the employee and agency have executed the BOT Telework Agreement provided by the Director and the telework location has been approved and prepared in accordance with BOT telework procedures and the statewide telework program established by GTARB.

C. Employees who are approved to telework for all or a portion of the workweek shall be responsible to remove environmental hazards and to ensure adequate protection of all State of Oklahoma property and all proprietary, customer and other confidential information accessible from the telework location. "Adequate protection" shall be determined at the sole discretion of BOT. Telework employees shall continue to adhere to and be subject to all applicable BOT policies and procedures. As part of the telework agreement, an employee must agree to allow BOT or other appropriate personnel to visit and inspect the employee's home worksite for environmental hazards or conditions that could interfere with or jeopardize the safety, effectiveness or security of the employee or any State of Oklahoma property or information used or accessible by the employee at the telework location. Employees must agree to allow repeat inspections as determined by BOT.

D. BOT will not assume responsibility for operating costs, home maintenance, or other costs incurred by employees for the use of their telework locations. BOT will not reimburse employees for business-related telephone calls or internet use. Employees must use agency-issued devices and hardware for such purposes.

III. Procedure

The following procedures are designed to assist and instruct staff and are to be followed when implementing the BOT Telework Policy:

A. An employee may request telework as a work arrangement through completion of the BOT Telework Application (available from the Director).

B. Before entering into the BOT Telework Agreement (available from the Director), the Director shall evaluate the suitability of such an arrangement, considering factors such as the needs and work habits with respect to traits customarily recognized as appropriate for successful teleworkers, job responsibilities, workspace consideration, work schedules, and equipment needs to determine if the position is appropriate for a telework arrangement.

C. An employee participating in a telework arrangement must demonstrate and have on file a current performance appraisal with a minimum overall rating of "meets standards" in accordance with the State's Performance Management Program (PMP) and no new or existing concerns in any areas of accountability or performance as evaluated by the Director.

D. An employee may not have been in a leave without pay status in the previous 12 months; however, an employee who has exhausted leave due to a FMLA qualifying event or workers compensation claim may

still be considered for a telework arrangement. These events will be reviewed on a case by case basis with OMES Human Resources Division.

E. Once a telework arrangement is determined to be appropriate, the BOT Telework Agreement will be signed by the employee and Director or designee. The BOT Telework Agreement will not be effective until all signatures have been obtained and all signatures other than the Director's signature shall be obtained prior to submission of the BOT Telework Agreement to the Director.

F. Productivity performance measures for each telework position are to be approved by the Director or designee prior to submission of the BOT Telework Agreement to the Director. The Director will review performance metrics created or currently in use.

G. Any telework arrangement made will be on a trial basis for the first three (3) months, and may be discontinued at any time by the Director's sole discretion. The Director or designee shall notify the employee in writing of any cancellation or change to the telework arrangement. Every effort should be made to provide thirty (30) days' notice of such a change; however, it shall be understood by the employees that there may be instances when less notice or no notice is possible.

H. BOT will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (for example, hardware, software, modems, phone and data lines, facsimile equipment or software, photocopiers, etc.) for each telework arrangement on a case-by-case basis. Information Technology will serve as a resource in this matter. BOT reserves the right to change its determination as to appropriate equipment at any time. Any State of Oklahoma property, equipment or information provided to the employee, or to which the employee has access, to include records, software, intellectual property, and data, existing in any format, is to be used for authorized business purposes only. The employee shall sign an inventory of all property used for the teleworking term and agrees to take all appropriate action necessary to protect all such property, information, software, intellectual property, and data from any unauthorized use, access, loss, alteration, modification, damage or theft. Upon termination of employment or of the teleworking term, all State of Oklahoma equipment, property, software, intellectual property, information, and data shall be returned to the agency as directed. The employee shall be liable for the replacement or repair cost, as applicable, of any property provided by BOT or that is owned by the State of Oklahoma that is lost, damaged, unusable, or is unreturned after termination of the telework agreement.

I. An employee participating in a telework arrangement shall comply with the State Information Security Policies, Procedures and Guidelines and applicable data security laws, rules and regulations to ensure the protection of information accessible from any telework location.

J. Telework employees must anticipate the need for office supplies in advance and request supplies in order to be provided with appropriate supplies (pens, paper, etc.). Only those supplies necessary for completing the assigned work will be provided.

K. The Director shall determine the work schedule the employee will maintain and the manner and frequency of communication.

L. All BOT employees are required to record all hours worked. All telework employees with hours worked in excess of those specified per day and per work week, in accordance with state and federal requirements, will require the advance written approval of the Director.

M. Telework is not designed to be a replacement for appropriate dependent care or other personal needs. The focus of the work hours in the telework location must be on job performance and meeting agency requirements. Prior to entering into a telework agreement, the Director will discuss expectations of telework with the employee and encourage employee discussion with family members of these expectations.

N. BOT is not responsible for and does not provide advice related to tax or legal issues arising from an employee's use of a telework location under this telework arrangement. Employees should seek tax or legal advice from their tax or legal advisor if they have any questions related to the telework arrangement.

END OF POLICY AND PROCEDURE STATEMENT