

NORTH CENTRAL EDUCATIONAL SERVICE DISTRICT BOARD PROCEDURE

No. 5225P

Telecommuting Procedure:

NCESD may offer the option of telecommuting to enable staff members that work in positions exempt from the Fair Labor Standards Act to work off-site outside the traditional workplace. Each request for telecommuting shall be considered on a case-by-case basis.

Telecommuting is not an entitlement, it is not a contract of employment, and it may be terminated at any time. Employees must have the approval of their immediate supervisor, director, human resources and the superintendent prior to beginning the telecommuting arrangement. The employee must conform to all agency policies, procedures, and expectations when telecommuting. Any party of the telecommuting arrangement may request to end the arrangement at any time, however the actual termination of the arrangement will be dependent on space availability and programmatic budget capacity.

Telecommuting arrangements will only be considered if it is a necessary requirement for the job assignment or, 1) when the employee has a history of proficient performance with regular attendance, and 2) the employee's supervisor is confident the performance can be maintained while telecommuting, and 3) the position requirements are such that the best services available to our districts and employees will be provided in a telecommuting environment.

Telecommuting shall not be used as a substitute for dependent or child care. Employees who telecommute are expected to make dependent and child care arrangements during regularly scheduled telecommuting hours.

Telecommuting shall not impede on-site communication necessary to promote positive and productive relationships within the department and the agency as a whole. The employee will be expected to attend all mandatory departmental and organizational meetings and trainings in person.

All Telecommuting arrangements shall include:

- An established schedule of working hours allowing the telecommuter to be reasonably accessible to staff and/or clients during regular work hours.
- The duration of the telecommuting arrangement including initial start and end dates. All telecommuting arrangements shall be reviewed each year during the annual employee evaluation process, at which time the decision will be made if it is mutually beneficial to extend the agreement for the next fiscal year.

It is the employee's responsibility to provide a suitable telecommuting site necessary to maintain required productivity and meet security requirements and confidentiality obligations of the employee, districts and NCESD. The site must also allow reasonable communication with staff during the employee's scheduled work hours. NCESD reserves the right to inspect the telecommuting site.

The employee will be provided a company owned computer and other equipment as necessary to carry out job specific duties. Equipment must remain configured such that there is a secure, password-protected environment when necessary and all equipment is dedicated to the sole use of the employee only. NCESD will not be responsible for office desk, chair or other office furniture to be used in the home office. Others who reside at/visit the telecommuting site must not share a desktop environment with the employee. Additionally, all precautions should be taken to avoid saving work related

passwords and/or Family Educational Rights to Privacy Act (FERPA)- protected documents in this environment unless encrypted.

The employee also remains responsible for injuries to third parties and/or members of the employee's family on the employee's premises. The employee is highly encouraged to have his/her homeowners/tenants liability policy endorsed to cover bodily injury and property damage to all third parties arising out of, or relating to, the business use of his/her home.

Employees who live in rented property should be aware that using his/her dwelling as a telecommuting site may constitute business use and his /her lease may not permit this.

Telecommuting arrangements shall not be executed when any of the following is true:

- The telecommuting schedule conflicts with the program/department's scheduled face-to-face meetings for proactive team development.
- The nature of the job requires the employee's physical presence or the employee's position description's essential job functions clearly are not possible in a telecommuting arrangement.
- The employee's performance evaluations are contrary to sustained high performance expected in an unsupervised environment.
- The employee's observed productivity levels are problematic.
- The employee requires close supervision or frequent direction or guidance which cannot reasonably be rendered through telecommunications.
- The employee's current assignment requires supervision, frequent direction, or guidance from others who are on-site.
- The employee received disciplinary action or has a demonstrated attendance problem.
- The employee is unable to provide a telecommuting work environment meeting the criteria described above.

Adopted by the Board: June 2017