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## I. Introduction

Remote Work (or “Teleworking”) is a work arrangement pilot that enables an eligible employee to spend part or all regular paid work hours, at an approved alternate worksite, up to two (2) days per week, for the duration of the pilot term.

## II. Definitions

- a. **Eligible Employee:** Employees in titles represented by DC37 whose duties can be performed in a remote location. Participation is voluntary.
- b. **Designated alternate work location** or **alternate work location:** A teleworker’s remote work location. The remote workplace may include the employee’s home, another office, or another worksite that has been approved by an agency head.
- c. **Official work location:** The location, designated by the employing agency, to which employees regularly report. This may be a centralized office building, assigned field facility, etc.
- d. **Position:** A specific job of an employee; accounts for specific job functions performed in one’s assignment. While many employees may hold the same title and perform similar work, each has his/her own position.
- e. **Supervisor:** The individual within the agency to whom a teleworker directly reports and/or any other individual(s) within the agency who have the authority to approve the teleworker’s telework Agreement.
- f. **Telework:** Performing regular work functions from the alternative work location. This does not include work performed outside of normal business hours on a mobile device; rather, a regular, recurring event. Teleworkers are eligible employees who conduct their regular work outside of the official work location, at least once each week.
- g. **Central Remote Work Committee:** a committee comprised of representatives from City Hall, OMB, DCAS, Law Department and OLR convened to settle labor-management disputes related to the remote work pilot.

## III. General Provisions

### A. Eligibility

1. Employee participation is voluntary
2. Eligible employees who serve in a title represented by DC37 whose performance is satisfactory based on their most recent evaluation (cannot have had a disciplinary action within the past year);

3. Eligible employees job whose functions do not require a continued presence at the office work location;
4. Eligible employees in units and/or positions that allow for the Telework Program to be implemented without a reduction to services provided to the public and no negative impact to agency operations;
5. Additional work will not be generated for co-workers due to the employee working remotely; and
6. There will be no impact on the agency's ability to train and develop employees as a result to remote work.

## **B. Information Security & Use of Personal Equipment**

Each teleworker is required to maintain the security and confidentiality of city information, which includes electronic and paper documents. Electronic city documents should not be saved on the hard drive of a teleworker's personal computer; rather, they should be saved only to the appropriate network drive(s) while connected to the agency network via Virtual Private Network (VPN). Unless otherwise authorized, city documents should never be printed at a teleworker's alternative work location or saved to flash drives, CDs, external drives or other portable electronic storage devices. The same holds true for paper documents; all secure or confidential city documents authorized to be removed from the official work location should be kept in a locked cabinet in the designated alternate work location, where they cannot be accessed by unauthorized persons.

## **C. Designated Alternate Work Location**

The designated alternate work location must be an appropriate work environment. The teleworker is agreeing to perform all work at the specified location. This location should be one in which the employee's telework duties can be performed in a safe and ergonomically appropriate manner. A teleworker must be able to report to the office location within 24 hours. The employee's alternate work location must allow the employee to continue to maintain residency as required by section 12-120 of the Administrative Code of the City of New York, as set forth in PSB 100-8 (Residence Requirements).

## **D. Telework Agreement**

1. Each teleworker will need to discuss the terms of the telework agreement with his/her supervisor. A completed and signed agreement is required for each teleworking employee. Each teleworker will meet with his/her supervisor to discuss conditions and expectations, which will be defined in the telework agreement. By signing the telework agreement, a teleworker is agreeing to all conditions and policy guidelines. Failure to fully comply may result in removal from the program.
2. A teleworker and supervisor must meet to discuss any subsequent modifications to these conditions and expectations and must sign a revised agreement. Certain temporary modifications, including, for example, occasional changes to telework hours and/or days which are pre-approved by the supervisor, do not necessitate a new telework agreement. Telework days cannot be changed to prevent the usage of sick and/or annual leave. Requests for

modifications to a telework schedule must be approved by Human Resources. Regularly recurring modifications must be documented with a new telework agreement. New telework agreements must be submitted to Human Resources. All agreements created for the Telework Program will be valid for the duration of the pilot.

3. Management may terminate the telework agreement of an employee who has failed to comply with the terms and conditions of the telework agreement, or, based on the operational needs of the office.

#### **E. Inability to Perform work at Alternate Work Location**

In the event of a power outage, the failure of Internet connection or equipment, or any other event or condition that results in the teleworker's inability to conduct required work at the alternate work location, the teleworker must immediately inform the supervisor and:

1. Make arrangements to report to the official work location for the day to complete his/her job tasks (unless such condition, or a related condition, is also affecting the official work location); or
2. Formally request the use of annual leave time for the day.

#### **F. Other Conditions**

1. When teleworking, employees must conduct themselves as if they were at their office location.
2. Employees participating in the Telework Program are required to participate in conference calls/team meetings as necessary.
3. Employees must respond to all communications in a timely manner.
4. Employees must maintain any approved safeguards to protect agency records from unauthorized disclosure or damage and comply with the privacy requirements set forth by the City of New York.
5. Employees are required to notify the Supervisor if working in any alternate location that was not pre-approved.
6. Employees are required to comply with the agency's Time and Leave regulations while teleworking.
7. Employees must record their telework days/hours in City Time by selecting Labor Allocation/Telework from their timesheet.
8. Teleworkers will not be granted additional benefits to accommodate working from an alternate work location (i.e., commuter privileges, metrocards, etc.).

## **G. Procedures**

1. Supervisors identify employees whose job functions meet the basic eligibility criteria for teleworking.
2. Supervisors and eligible employee discuss and agree on a telework schedule.
3. Eligible, interested employees complete the Employee Remote Work Acknowledgment Form and submits it to their supervisor. A completed and signed agreement is required for each teleworking employee.
4. Supervisors are responsible for reviewing and approving each acknowledgment form prior to forwarding to their Deputy Commissioner and/or designee.
5. The Deputy Commissioner/designee will forward approved forms to Human Resources. A copy of the form will be placed in the employee's personnel file.

## **IV. Appeals and Termination**

- A. If an employee's title has been deemed eligible for remote work, but they are denied remote work, the employee may request reconsideration. If there is a meeting scheduled, the employee may bring union representation. Below is the process by which an employee may request an appeal to telework denial. Please note, all requests must be in writing.
  1. Employee meets with immediate supervisor to discuss the denial. If the supervisor denies the appeal,
  2. Employee may appeal the denial with Human Resources. If Human Resources does not grant the appeal,
  3. Employee may appeal the denial with the Agency Head/Designee.
  4. The decision of the Agency Head/Designee is final.
- B. If there is a dispute involving the exclusion of an entire group of employees or titles within the agency, DC37 may request a labor-management meeting with the Central Remote Work Committee.
- C. The decisions of the agency and/or the Central Remote Work Committee shall be final and not grievable in any forum.
- D. The agency may terminate an individual employee's remote work agreement upon one (1) week's written notice, or upon 24 hours written notice in the case of an emergency.
- E. Revocation of an individual employee's remote work agreement shall not be considered discipline.