

EMERGENCY TELEWORK POLICY

PURPOSE

To establish a general policy that will enable City of Concord Departments to include in their emergency operations plans, the ability for certain employees to work from home during a period of emergency, in order to allow the departments to continue to provide essential and critical services to the citizens of Concord. This policy does not relate to periodic or routine Department Director approved telework.

SCOPE

This directive applies to employees in all departments under the City's jurisdiction. This policy shall be applicable to all emergencies, as part of the three-scenario planning concept, including but not limited to natural and man-made disasters and pandemic influenza. Because the response to an emergency will be event driven, this policy provides general guidance only, and departments can expect more specific guidance and direction through additional Management Directives and Executive Orders during actual periods of emergency.

OBJECTIVE

To define and establish general standards for determining the circumstances under which working from home will be incorporated into each department's Continuity of Operations Plan (COOP).

DEFINITIONS

- a. **Critical business functions.** Those functions, stated or implied, that must be performed during or after a period of emergency either because they are required by statute, regulation or executive order or are otherwise necessary to provide vital services, exercise civil authority, maintain the safety and wellbeing of the general populace, and sustain critical support to the citizens of Concord and other municipal departments.
- b. **Three-Scenario Planning Concept.** Each Department's COOP must address each of the following scenarios:
 - (1) The single building scenario assumes that only one building is affected, for either a short (hours or days) or long term (weeks or longer) period. If an agency is housed in multiple buildings in one geographic area, e.g. Brown Operations Center then the single building event would likely only affect a portion of all critical business functions. Displacement is relatively minor and there is minimal impact to interdependencies among departments;

- (2) The catastrophic scenario assumes massive displacement of the Department as well as many others, e.g. the City Hall, with substantial degradation to interdependent resources and systems;
 - (3) The pandemic scenario assumes that there is a wide-spread illness related disruption of the workforce that is indiscriminate as far as impact, and that infrastructure is affected only to the extent that systems require maintenance and/or operation by a severely depleted workforce. A pandemic event may last for months and may require on-going critical function evaluation. For example, a function that is not critical in the beginning of the pandemic may become critical later.
- c. **Alternative Work Site.** An alternative worksite(s) selected by a Department to be used when the primary worksite is not available. The alternative worksite may not accommodate all employees from the regular work location. Depending on the event, a Department may have several alternative sites including public sites with internet connections such as libraries or computer enabled training facilities. An alternative work site may include the employee's home.
 - d. **Emergency or Period of Emergency.** Any natural or man-made disaster or pandemic illness event that causes an interruption in normal work practices.
 - e. **Social Distancing Management.** Taking measures to slow the spread of pandemic influenza by limiting the opportunities for exposure to the virus.
 - f. **Telework.** For the purpose of this directive, means working from home or an alternative work site when an employee's primary work location is inaccessible or the employee is not able to be located in the department's alternative work location due to an emergency. A pandemic scenario may require certain employees to work from an alternative site to achieve social distancing management, if able to do so. A catastrophic scenario may require certain employees to work from home or an alternative location if able to do so, in order to reduce the amount of space the City needs to use as alternative work sites for multiple departments.

TECHNOLOGY

There are different levels of technology available to enable working from an alternative worksite. Technologies range from cell phones to wireless email and Virtual Private Networks (VPN). Each of these technologies has a cost associated with it both in dollars and system resources. Department owned "WiFi hot spots" may be issued to employees that are identified to work an alternative worksite, during an emergency situation. It is very important that each Department match the available technology with necessary requirements for an alternative work location or the functions an employee will be expected to perform at an alternative worksite.

- a) Each Department, as part of its Continuity of Operations Plan (COOP), is to identify its critical business functions and the methods in which those critical business functions will be accomplished during periods of emergency. The Department COOP is to address how it will provide critical services under the three-scenario concept. This should include identifying which employees, essential to continuing critical operations and disaster recovery, will report to an alternative work location and which will work

- from home. Not all employees will be involved in initial emergency operations or initial recovery efforts and not all employees will be able to perform work from home.
- b) The employee is required to follow standard procedures regarding reporting any accident or injury at their alternative work site.
 - c) Pursuant to this policy the City will not establish home offices, nor provide permanent installation of computers or other technological equipment for a home office for employees who do not already have this as part of their employment structure.
 - d) This policy does not permit employees to work from alternative worksites during non-emergency periods, except for the purposes of training, testing and/or exercising the Department's COOP. Please reference your Department or the City's policy for non-emergency telework guidelines.

RESPONSIBILITIES

- a. Human Resources shall:
 - 1. Establish specific City-wide policies regarding workforce management during periods of teleworking, including communications, supervision and accountability as needed. (See Appendix A).
 - 2. Answer agency questions concerning the application of this management directive.
- b. Departments shall:
 - 1. Develop a COOP using the three-scenario concept which may include certain employees performing work supporting critical business functions from the employees' alternative worksites.
 - 2. Regularly review its COOP, including the ability to perform those critical business functions at an alternative worksites.
 - 3. Provide aggregate information to the Contractor for Information Technology about the total number of employees who could be expected to work from home in an emergency, so that the City is able to assess the total demand for remote network capability and address any shortfall.
 - 4. The Department Director or designee shall consult with the City Manager's Office and Emergency Management to determine when an emergency exists that will activate the working from alternative worksite provisions of this policy.
 - 5. Regularly review its COOP, including the ability to perform those critical business functions at an alternative worksite.
 - 6. The Department Director or designee shall provide specific information regarding the activation of the working from alternative worksite provisions of this policy to the City Manager's Office as soon as possible.
 - 7. Each Department shall establish a training plan and conduct periodic exercises to identify issues and assess effectiveness of working from alternative worksites including the homes of identified employees.

Employees Shall:

1. Adhere to the requirements of all applicable policies and procedures regarding the use of technology, including policy 8.13 “Computer Network, Email, and Internet Access”, regardless of where they are conducting City business.
2. Adhere to all applicable City policies and procedures, related to, safety, security, confidentiality, use of City equipment, and standards of conduct, when conducting City business.
3. Complete the “Employee Emergency Teleworking Agreement”, Appendix H, prior to working remotely.

APPENDIX H:

EMPLOYEE EMERGENCY TELEWORK AGREEMENT

1. TELEWORKING

- Under this policy, teleworking is to be used only when the normal worksite is not available or accessible during emergencies or to achieve a social distancing management methodology.
- An employee must have the pre-approval of their Department Director or designee, prior to working from an alternative worksite.
- When working from home or an alternative worksite:
 - It is the responsibility of the employee to ensure that all the requirements to do official work are met in an environment that allows the tasks to be performed safely and efficiently.
 - The City is not responsible for any costs that are associated with the maintenance, insurance, and utilities at the employee's alternative work site.

2. TIME AND ATTENDANCE, WORK PERFORMANCE AND OVERTIME

- Time spent working at an approved alternative worksite must be accounted for and reported in the same manner as if the employee reported for duty at their normal work location.
- The employee is required to satisfactorily complete all assigned work, according to established standards and guidelines.
- The employee is required to follow normal department procedures regarding the requesting and approval of overtime, compensatory time and leave.
- If an employee is unable to make it to work due to illness, becomes ill while at work or has had close contact with a contagious person, he/she should notify their supervisor immediately. Any time away from work due to illness, will have to be covered by using sick time, vacation time or comp time.
- Medical documentation will not be required when requesting time away from work due to medical issues related to a pandemic. However, employees should be symptom free for 24 hours before returning to work. Also, medical leave requests due to issues related to a pandemic will not require processing under FMLA or ADA. Please note that all previously approved FMLA/ADA designations or medical leave requests not related to a pandemic, will continue to follow the City's standard procedure.
- If the coworker has exhausted their leave time, the time away from work can be made up within the same payroll period—at the discretion of the Department Director. Please note that make up time worked will not be paid at an overtime rate. In cases when all paid leave has been exhausted and make up time is not feasible; the employee can request shared sick leave donation for additional sick time away from work.

- In the event that shared leave is not available (for sick time only) and/or annual vacation leave has been exhausted, employees can “borrow” leave time from themselves and replenish that “borrowed” time when they have returned to work. Please note that in this scenario, once the employee returns to work, no leave time will be approved until their “borrowed” time has been replenished.

3. SECURITY AND EQUIPMENT

- The employee is required to abide by policy 8.13 “Computer Network, Email, and Internet Access”, regardless of where they are conducting City business.
- The employee is responsible for the security of all official data, and protection of any City-furnished equipment and property, in carrying out duties at their alternative worksite.
- City-furnished equipment must only be used for official duties, and may not be used by non-City employees.
- The Department is responsible for the maintenance of all City-furnished equipment. The employee may be required to bring such equipment into the office for periodic maintenance. The employee must return all City-furnished equipment and material to the Department when employment terminates or at the Department’s request.

4. PAY AND WORKERS’ COMPENSATION

- An employee who is directly engaged in performing the duties of their jobs is covered by the Fair Labor Standards Act while working at home or their alternative work site.
- The employee is required to follow standard procedures regarding reporting of any accident or injury at their alternative work site.

5. STANDARDS OF CONDUCT

- The employee continues to be bound by all applicable City standard policies, while working at their alternative worksite.

I have reviewed and understand the terms and conditions of this Emergency Teleworking Agreement.

Employee Signature

Date

I have reviewed and discussed the terms and conditions of this Emergency Teleworking Agreement with the employee

Director Signature

Date