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|---|---------------------------|--|------------|-----------------|
|  | Administrative Regulation |  | Policy#    | 4.6             |
|   | <h1>TELEWORK</h1>         |  | Effective: | 09/07/2021      |
|   |                           |  | Revised:   | 08/28/2025      |
|   |                           |  | Owner:     | Human Resources |

**Note:** Terms in **bold** and *italics* throughout this policy are defined below.

## PURPOSE:

To establish guidelines for successful and equitable **telework** arrangements. This policy supports the City's **LiveWell** goals by promoting Occupational, Emotional, and Physical Well-Being. Telework helps employees balance work responsibilities with personal needs, reduce commuting stress, and maintain productivity in flexible environments.

## SCOPE:

This regulation applies to all City employees. Telework participation depends on job duties, departmental needs, and **supervisor** approval. Telework is designed to support high performance and employee success in a flexible work environment.

For represented employees, provisions of applicable collective bargaining agreements (CBAs) govern where requirements differ. Approval, denial, or termination of telework for represented employees must be consistent with CBA provisions.

## POLICY:

The City supports telework when it benefits employees, departments, and the community by improving focus, resilience, work-life balance, and service delivery. Telework is one of several flexible work options that promote employee well-being and operational effectiveness.

Jobs may be eligible for telework when:

- (1) Face-to-face interactions are limited or can be scheduled.
- (2) All essential job duties can be performed remotely at the same standard as if performed at a City facility.

Not all positions are suitable for telework. Employees who handle Criminal Justice Information (CJI) or Health Insurance Portability and Accountability Act (HIPAA)-protected information without proper security measures are not eligible. Employees who work with other types of confidential or sensitive information will be evaluated individually.

Telework is not a replacement for dependent or elder care. However, it may give employees flexibility in coordinating personal care responsibilities. Supervisors are expected to review requests thoughtfully, balancing operational needs with employee well-being.

Participation in the City's telework program is at the City's discretion. Arrangements may be changed or ended at any time based on business needs, with reasonable notice provided whenever possible. Nothing in this regulation alters employee rights under the Americans with Disabilities Act (ADA) or Oregon law. Telework may be provided as a **reasonable accommodation**. Employees seeking telework as an accommodation must follow the City's [Disability Accommodation](#) administrative regulation.

## **PROCEDURE:**

### **Step 1: Departmental Policies**

- A. Department leadership is responsible for determining which positions are appropriate for telework.
- B. Departments must establish internal procedures as needed to supplement this regulation and ensure consistency within their operations. All department-specific procedures must be reviewed by Human Resources to ensure consistency with CBAs, equity requirements, and the Oregon Equal Pay Act.

### **Step 2: Eligibility**

- A. Employees are eligible for **routine telework** with the approval of their supervisor and department director, provided:
  - 1. They do not work with Criminal Justice Information (CJI) or HIPAA-protected information without required security measures.
  - 2. Their position requires minimal direct supervision and face-to-face interaction, or such interactions can be scheduled to permit telework.
  - 3. The telework arrangement does not create additional cost, risk, or hardship to the City.
- B. Supervisors will use the following guidelines in determining eligibility:
  - 1. The employee can perform duties off-site without negatively impacting team productivity or service delivery.
  - 2. Clear objectives and measurable results can be established.
  - 3. The employee has appropriate resources at the **telework site**, including reliable phone and internet access, compatible equipment, and a suitable workspace.

4. The employee demonstrates the ability to work independently, communicate effectively, and contribute to departmental goals from a remote location.
5. The employee has successfully completed probation or has otherwise demonstrated competency in the essential functions of the position.
6. Supervisors must apply eligibility criteria consistently and without discrimination in compliance with the Oregon Equal Pay Act.

### **Step 3: Requesting Telework**

- A. Employees must obtain supervisor approval for ***ad hoc telework***. Routine telework requires written approval by the department director or designee.
- B. Supervisors and employees must develop a written ***Telework Agreement*** that outlines responsibilities, schedules, and communication expectations. The agreement must be signed by both parties and approved by the department director or designee. A copy is placed in the employee's personnel file.
- C. Supervisors and employees must jointly develop objectives and methods to measure the success of the telework arrangement. Objectives should be reviewed and updated periodically.
- D. Employees are encouraged to describe how telework may support their well-being, reduce stress, or improve work-life balance as part of the agreement process.
- E. Supervisors must coordinate with the IT Help Desk for technical and security requirements and work with employees to complete the Telework Safety Checklist.

### **Step 4: Ad Hoc Telework**

- A. Supervisors may approve ad hoc telework on a case-by-case basis when consistent with this regulation.
- B. Ad hoc telework should be confirmed in writing. If the arrangement becomes recurring, it must be converted into a formal Telework Agreement.

### **Step 5: Telework Agreement for Routine Telework**

- A. Routine telework requires a written Telework Agreement. Agreements may be modified by Human Resources to fit individual circumstances.
- B. Telework is not a right. Agreements are voluntary and may be discontinued by either the City or the employee at any time. Supervisors must consult with Human Resources before discontinuing an agreement.

**C. Each agreement must clearly specify:**

1. *Schedule* - work hours, days on-site, and days remote, consistent with wage and hour laws, City administrative regulations, and CBAs..
2. *Location* – the approved telework site. Alternate sites require supervisor and HR approval.
3. *Evaluation* - how performance will be measured and how often the arrangement will be reviewed (at least biannually; quarterly is encouraged).
4. *Use of City Resources* - any City-owned resources provided and terms of use.
5. *Use of Employee's Resources* - any personal resources used, with reimbursement terms if applicable.
6. *Telework Safety Checklist* - confirmation that a safety self-assessment has been completed and concerns addressed.

**Step 6: Terms of Employment**

- A. Telework does not alter the basic terms and conditions of employment.
- B. All City and departmental policies, rules, and practices apply equally to teleworkers.
- C. For ***non-exempt employees***, all hours worked while teleworking must be accurately recorded in the City's timekeeping system in compliance with the Fair Labor Standards Act (FLSA) and Oregon wage and hour law.

**Step 7: Work Hours and Accessibility**

- A. Employees must adhere to regular work hours, rest and meal breaks, and overtime approval rules. Meal and rest periods must comply with Oregon law (ORS 653.261; OAR 839-020-0050).
- B. Employees must report absences or schedule changes as if reporting to the duty station.
- C. Telework schedules must allow adequate on-site presence for meetings, access to supplies, and collaboration.
- D. Teleworkers must attend required meetings, trainings, and conferences. Telephone or video conferencing may be used when appropriate.
- E. Teleworkers must remain accessible during agreed-upon hours. Employees must notify supervisors promptly of equipment failures or other barriers to work.

- F. Telework is not a substitute for dependent or elder care. Employees are responsible for ensuring work duties are met during work hours.
- G. All administrative regulations and department operating procedures regarding personal use of City equipment apply to employees using City equipment at a telework site.
- H. If City equipment is used for teleworking, the employee must exercise the same reasonable care for the equipment as would be expected in any City work site.
- I. Telework employees are expected to take reasonable precautions to protect City equipment from theft, damage, or misuse.
- J. The employee may be held liable for damage caused by negligence, intentional damage or damage resulting from a power surge if no surge protector is used.
- K. The City will provide repairs to City owned equipment. Any such repairs will take place at City facilities or by an authorized vendor.
- L. City equipment and/or software may not be used by other household members or any other non-City persons. City owned software may not be duplicated except as authorized in writing by the City's IT Department.
- M. A list of any City equipment that is issued to the employee to be used in a telework site should be tracked by their department. A list of the City issued equipment should also be maintained on the telework agreement and updated as needed.
- N. The IT Department will define the standards related to computer-related equipment issued to the employee and will maintain a list of supported equipment.

**Step 8: City-Owned Equipment**

- A. All City policies on personal use of equipment apply to teleworkers.
- B. Employees must safeguard City equipment against theft, damage, or misuse and may be held liable for negligence.
- C. Repairs will be completed by City staff or authorized vendors.
- D. City equipment and software must not be used by non-City individuals.
- E. Departments must maintain an inventory of City-issued equipment, documented in the Telework Agreement.

**Step 9: Employee-Owned Equipment**

- A. Personal equipment may be used if City equipment is unavailable, provided it is compatible and meets IT security standards.

- B. Employees are responsible for maintenance and for ensuring devices are virus-free and compliant with IT security requirements.
- C. The City is not responsible for damages to employee-owned equipment.
- D. Records created on personal equipment for City business are subject to **public records** laws and may be accessed for records requests, subpoenas, or investigations. Employees must promptly produce such records upon request to comply with the Oregon Public Records Law (ORS 192).

**Step 10: Records and Confidentiality**

- A. Work performed remotely remains City property and is subject to confidentiality, disclosure, and retention rules.
- B. Protected information (HIPAA, PII, CJI) must not be accessed or stored without proper authorization and encryption.
- C. Employees must report any known or suspected breach immediately.
- D. Supervisors and employees must inventory all documents or materials removed from City premises and ensure secure return.
- E. Employees must comply with Oregon Government Ethics Law (ORS 244), which prohibits the use of public resources, including City equipment at home, for personal gain.

**Step 11: Workplace Health and Safety**

- A. The City's responsibility for employee safety applies at the telework site.
- B. Employees must maintain a safe, ergonomic, and hazard-free work area and complete the Telework Safety Checklist.
- C. Risk Management may provide ergonomic training or site-specific hazard assessments upon request.

**Step 12: Workers' Compensation**

- A. Teleworkers are covered by the same workers' compensation protections as on-site employees.
- B. Injuries must be reported promptly, and investigations will be conducted per City protocols. Coverage applies only to injuries arising out of and in the course of employment within the designated **telework area**.
- C. Supervisors may conduct site inspections as needed for compliance.

### **Step 13: Reimbursable Expenses**

- A. The City reimburses only expenses normally incurred at the workplace, with supervisor pre-approval.
- B. Internet service costs are not reimbursed.
- C. Supplies should be obtained during in-office workdays.
- D. Requests must meet Finance Department requirements and be supported with receipts.

### **Step 14: Computer Security**

- A. Employees must comply with IT Department security standards, including current patches, firewall, antivirus software, and encryption.
- B. Failure to maintain secure access may result in loss of telework privileges.

### **Step 15: Termination or Suspension of a Telework Agreement**

- A. Telework is a privilege, not an entitlement. The City may terminate agreements with fourteen (14) days' notice.
- B. Employees may decline or discontinue telework unless it is a condition of employment.
- C. Telework may be suspended or modified based on operational needs.
- D. Supervisors must monitor for negative impacts on operations and consult HR before suspending or terminating an agreement.

### **DEFINITION:**

#### **(1) *Ad Hoc Telework:***

Occasional or infrequent telework approved on a case-by-case basis.

#### **(2) *LiveWell:***

The City's wellness program, centered on five pillars of employee well-being: Emotional, Physical, Financial, Community, and Occupational. Telework supports these pillars by promoting resilience, reducing commuting-related stress, and improving work-life balance.

#### **(3) *Non-Exempt Employee:***

An employee covered by the Fair Labor Standards Act (FLSA) who is entitled to overtime pay and required meal and rest periods under federal and Oregon law.

#### **(4) *Public Records:***

Any information created, received, or maintained in the course of City business, regardless of format or storage location, including records on personal devices used for telework. Public records are subject to Oregon Public Records Law (ORS 192).

**(5) *Reasonable Accommodation:***

An adjustment or modification to the work environment, including telework, provided to qualified employees with disabilities in compliance with the Americans with Disabilities Act (ADA) and Oregon law. Requests must follow the City's Disability Accommodation AR.

**(6) *Routine Telework:***

Telework that occurs on a regular or recurring basis as part of the employee's work schedule.

**(7) *Supervisor:***

An individual responsible for overseeing an employee's work performance, approving telework requests, monitoring compliance with the Telework Agreement, and ensuring operational needs are met.

**(8) *Telework:***

A mutually agreed-upon arrangement in which an employee performs work at an alternate site on specified days while continuing to work at their official workstation the remainder of the time. The arrangement must allow flexibility to meet operational needs.

**(9) *Telework Agreement:***

A written agreement between the City and an employee outlining the work schedule, duties, and performance standards for telework. A model agreement is attached to this regulation and incorporated by reference.

**(10) *Telework Area:***

The designated space within a telework site that is approved as the employee's remote workstation. Workers' compensation coverage applies only to injuries arising out of and in the course of employment within this area.

**(11) *Telework Site:***

An alternate work location approved by the supervisor as suitable for teleworking.

**(12) *Telework Site Safety Checklist:***

A self-assessment completed by the employee to identify and resolve workspace hazards before telework is approved. The checklist must be reviewed by the supervisor and retained as part of the Telework Agreement. A model checklist is attached to this regulation and incorporated by reference.

**RESOURCES:**



*Administrative Regulation:*

1. [Disability Accommodation](#)
2. [Alternative Work Schedules](#)
3. [Acceptable Use of City Network Services & Computing Devices](#)
4. [Hours of Work & Overtime](#)
5. [Meal & Rest Breaks](#)
6. [Record Requests](#)
7. [Standards of Conduct](#)
8. [Use of City IT Equipment at Home](#)

*Forms:*

1. [Telecommuting Request Form](#)
2. [Telework Self-Assessment Form](#)
3. [Telework Site Safety Checklist](#)