SURGE TELEWORK

RATIONALE: This policy provides direction for Utah Department of Human Services (DHS) participation in the State of Utah’s A New Workplace and SB15 Workforce Solutions for Air Quality Management. To help improve and protect air quality, promote health of Utah citizens and promote employee safety, the State of Utah is implementing “Surge Telework” for eligible employees.

Related Policies, Applicable Standards, Statutes: State of Utah’s A New Workplace, SB15 Workforce Solutions for Air Quality Management, DHS policies 02-20 and 02-21

I. DESCRIPTION

This policy guides how DHS participates in Mandatory Action and Special Circumstance Surge Days. DHS is supportive of the surge telework program, and it is critical that we retain our high level of service and meet the needs of our customers while participating in the program. Each DHS division, office, bureau or institution (DIBO) is responsible for ensuring compliance with this policy. DIBOs may have supplemental procedure documents that add clarity for specific tasks and functions in this DHS policy. Any DIBO supplemental guidelines related to this policy must be approved by the DHS Telework Coordinator and the DHS Deputy Director who supervises the DIBO.

II. DEFINITIONS

The following terms are defined for this policy as:

A. Alternate worksites: Work environments, not in a state building, that include internet connectivity, required technology, resource access, safety and security where the teleworker performs their tasks with the same quality as in an office location. Typically in an employee’s residence, mobilly (“in the field”), or an alternate location approved by the employee’s supervisor.

B. DHS or department: The Utah Department of Human Services and collectively all its divisions, offices, and operations.

C. DAQ: Division of Air Quality
D. **DIBO**: Divisions, Institutions, Bureaus, Offices of the Utah Department of Human Services

E. **Leadership**: Leadership consists of DIBO directors, assistant directors and managers. DIBO leadership may, in their supplemental procedures, define other staff as leadership for the purpose of this policy.

F. **Surge Telework Eligible**: State employees whose job functions have been identified by a DIBO as one suitable for remote work either on a brief, occasional or long-term basis. The employee may or may not have a signed Telework or Telecommute Agreement.

G. **Surge Telework**: State employees who are “Surge Telework eligible” and are required to work from home or another approved location (including scheduled appointments) to protect air quality, employee health, or employee safety on Mandatory Action days or Special Circumstances Days.
   a. **Mandatory Action Day**: A day where notice has been issued at least 48 hours in advance by the director of the Division of Air Quality that the concentration of air pollutants measured in any monitored county are predicted to reach or exceed levels of air pollution that are unhealthy for sensitive groups.
   b. **Special Circumstance Day**: A day where predicted heavy snowfall or other situations pose a risk to employee safety or health as determined by the governor or their chief of staff.

III. **POLICY**

A. Surge Telework Eligibility, Responsibilities and Acknowledgement
   a. All Department employees **whose jobs have been identified as Surge Telework eligible** may participate in Surge Teleworking on Mandatory Action Days and Special Circumstance Days as determined by the governor or their chief of staff. Not every staff member whose job is surge eligible will be eligible to participate in every surge day. Eligibility for participation in any particular Surge Teleworking on Mandatory Action or Special Circumstance Days will be determined at the direction of an employee’s direct supervisor.
   b. Positions that are eligible for Surge Telework are those with:
      i. A signed Telework or Telecommute Agreement ([DHS policies 02-20 and 02-21](#)); or
      ii. Have a role that is identified by the DIBO as Surge Telework eligible for occasional, brief or long periods of time, including:
         1. The ability to collaborate and communicate with colleagues virtually;
         2. The employees physical presence is not required to ensure output or quality (e.g. quality of customer service, institution direct care, required staffing ratios); or
         3. The employee’s work is not dependent on speciality equipment, tools, materials or settings (e.g. laboratory setting or laboratory machines) that cannot be reasonably accommodated remotely.
c. An employee who is Surge Telework Eligible and does not have a signed Telework or Telecommute Agreement must:
   i. Complete the Surge Teleworking Acknowledgement form in DHS Forms.
   ii. If the employee is unable to comply with Surge Teleworking, the employee shall select the “exemption” section. The employee will thoroughly document reasons for exemption from participation.
   iii. The employee’s supervisor will review the acknowledgement or exemption and sign approval annually.
   iv. Sign up for DAQ Action Forecast emails to get early notice of Mandatory Action Days.

d. Employees with a signed DHS Telework Agreement or DHS Telecommute Agreement are automatically enrolled and should not complete a Surge Telework Acknowledgement form. These employees are ineligible to request an exemption from Surge Telework per DHS Telework Policy 02.20 and DHS Telecommute Policy 02.21.

e. The following positions are ineligible for the Surge Teleworking Program
   i. Staff in Public Facing Positions - DHS is responsible to serve the public, including on days identified as surge telework days. Staff responsible to work with the public, particularly face-to-face, are ineligible for the surge telework program.
   ii. Staff Ineligible for Traditional Telework - Staff who have been identified as ineligible for traditional telework are also ineligible for surge telework.
   iii. Leadership - As not all staff are eligible for surge telework, leadership are expected to be available to support in-office staff and the surge program should not disrupt this support. Leadership shall coordinate with their deputy directors to establish an appropriate procedure within their DIBO to establish a leadership presence onsite for surge telework days, ensuring business needs are met and appropriate levels of leadership support are provided during these days.

f. In-person meetings and in-person events are often scheduled during Surge Telework days. These events should continue, and individuals expected to participate in these meetings are not approved to miss these events in order to surge telework. These events, with approval from the host, may allow for virtual attendance if deemed appropriate and available.

g. Special Circumstance Days - On Special Circumstance days, such as days with heavy snow storms or other severe weather issues, leadership is granted flexibility to expand surge telework eligibility beyond this policy. Staff should contact leadership to determine what flexibilities are available to them in these circumstances.

B. Expectations of Surge Telework Employees
   a. While Surge Teleworking, eligible employees will not conduct any unauthorized personal business including, but not limited to dependent care, elderly care, home repairs and other business activities. Employees are still responsible to meet scheduled work commitments on Surge Telework days when safely possible, including
but not limited to court appointments, mandatory office duties, site visits and client meetings. Supervisors may require an employee to come into the office on a Surge Telework day if necessary.

b. All employees who participate in surge teleworking will record any hours worked remotely with the “TW” work type in ESS.

c. The employee agrees to use approved safeguards to protect state records from unauthorized disclosure, damage, or release of confidential business information and to comply with all requirements set forth by the agency and State laws, rules, policies, and regulations when telecommuting.

d. During Mandatory Action Days, employees are responsible for maintaining the safety requirements for their alternative worksite and complying with all Enterprise Information Security Policies outlined by the Department of Technology Services, Utah Administrative Code R895-7 and the DIBO

C. Use of state-owned equipment while surge teleworking
   a. During Mandatory Action and Special Circumstance days, state-owned equipment such as laptop, phone and single charger may be utilized at the employee’s alternative worksite.
   b. Surge Teleworkers will supply all furnishings and any technology equipment for the alternative worksite at their own expense beyond a laptop, phone and single charger, including maintaining an internet service with at least 25 mbps download and 6 mbps upload.

IV. PROCEDURE

A. All DHS staff whose jobs are designated to be eligible for remote work and do not have a signed Telework or Telecommute agreement must sign the DHS Surge Telework Agreement.

B. Staff have the ability to opt out of Surge Telework by requesting an exemption found on the DHS Surge Telework Agreement.

C. Notification of Surge Telework Days comes from the DHS Office of Communication & Partnership.
   a. Surge Day notifications are usually sent to staff between 24-48 hours before a Surge Day.
   b. Texts and email alerts are sent to all DHS staff to help remote work and non-remote work staff plan accordingly.

V. EXCEPTIONS

A. Emergency Telework - In the event of an immediate emergency need as defined by the DHS Executive Director or designee, total or segmented temporary telework may be required of those who are surge telework eligible and may extend beyond the provisions of this policy. These exemptions may include the requirement for participation, in-office scheduling, signing of formal
agreements, vacating of workspaces and formal reporting, for any time period determined necessary.

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