GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES

POLICY	
Department on Disability Services	Subject: *Telecommuting Policy*
Responsible Program or Office: *Department on Disability Services*	Policy Number: *2015-DDS-0022*
Date of Approval by the Director:	Number of Pages: 5
Effective Date: January 29, 2015	Expiration Date, if any:
Supersedes Policy Dated: October 1, 2012 (Updated to comply with People First Language Policy)	
Cross References, Related Policies and Procedures, and Related Documents:	

1. PURPOSE

The purpose of the Department on Disability Services (DDS) policy is to establish a Telecommuting Program that allows eligible, participating employees to work at Alternative Worksites on a regularly scheduled basis or during an emergency based on the needs of the agency.

2. APPLICABILITY

This policy applies to Department on Disability Services MSS employees and CS 14, and above employees that do not interface with clients directly.

3. AUTHORITY

The authority for this policy is established in the Department on Disability Services as set forth in D.C. Law 16-264, the "Department on Disability Services Establishment Act of 2006," effective March 14, 2007 (D.C. Official Code § 7-761.01 *et seq.);* District of Columbia Comprehensive Personnel Act of 1978 (CMPA), effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §1-601.01 *et. seq.);* D.C. Department of Human Resources, Chapter 12, D.C. District Personnel Manual, Hours of Work, Legal Holidays, and Leave, D.C. Official Code § 612.01, D.C. Official Code § 1-612.01 (2006 Repl.); §§ 1208, 1209, 1210, and 1211 of Chapter 12.

4. DEFINITIONS

Agency Head — The highest ranking official of an agency under the authority of the Mayor, or that official's designee.

Alternative Worksite — A worksite other than an employee's "Official Duty Station." Alternative Worksites may include the employee's residence, Telecommuting center, or another location within the employee's normal commuting area. The Alternative Worksite shall (A) be established

or approved by the District government for use by employees who Telecommute (Telecommuter or Telecommuters); (B) have connectivity to the Official Duty Station; and (C) have an office setting conducive to accomplishing the employee's official duties. The Alternative Worksite must be approved by the employee's supervisor and Agency Head.
Emergency Telework Agreement — A written agreement between an agency and an employee of the agency, that details the terms and conditions of the emergency employee's work away from his or her Official Duty Station during an emergency declared by either the Mayor or the employee's Agency Head.

Essential Employees — Personnel, who are designated by the Agency Head in advance and in writing (within one day of the designation) as essential to the continuity of medical facilities, public safety, emergency services, or other crucial operations and who must report to work in the event of a declared emergency.

Official Duty Station — The physical location where an employee is required to perform the official duties of his or her position.

Telecommute or Telecommuting and Telework or Teleworking — An arrangement in which an employee regularly, or during a declared emergency, performs officially assigned duties at home or other worksites geographically convenient to the employee's residence and approved, in advance and in writing, by the immediate supervisor of the employee participating in the Telecommuting Program.

Telecommuting Work Agreement — A written agreement between the agency and an employee of the agency, that details the terms and conditions of the employee's Telework away from his or her Official Duty Station.

Workweek — The number of hours required to be worked in one week.

5. POLICY

A. Telecommuting will be limited to not more than one (1) day per workweek, unless otherwise approved by both the Agency Head and Human Capital Administrator. All requests for Telecommuting must be part of a scheduled tour of duty and subject to a written Telecommuting Work Agreement (Attachment 1).

B. Telecommuting shall not be combined with any other type of Alternative Work Schedule, unless approved, in advance, by both the Agency Head and Human Capital Administrator.

C. Supervisors of employees participating in a Telecommuting Program have the authority to reschedule their employees' Telecommuting days to meet the needs of the agency. Supervisors are also authorized to suspend temporarily the Telecommuting schedules of their employees in the event of staff shortages, declining performance by the employee, or other needs of the agency.

D. An employee's participation in Telecommuting may be rescinded (terminated) by the Agency Head whenever it is determined that the employee has failed to accomplish the work as proscribed, or for any other reasons within the discretion of the Agency Head.

E. When practical, the employee should be given, at least one week prior written notice of a rescission (termination) of their telecommuting agreement

F. Upon rescission (termination) of the Telecommuting arrangement, the employee will return to the tour of duty that existed prior to receiving approval to engage in Telecommuting, unless the tour of duty has been changed (in accordance with applicable rules and procedures) by the employee's supervisor.

G. Failure of an employee to report to his or her regular work location during the employee's tour of duty upon rescission of the Telecommuting will render the employee absent without leave. In addition, failure to return to duty may result in forfeiture of the employee's opportunity to engage in Telecommuting in the future and, when appropriate, may also result in disciplinary action (against the employee.

H. Telecommuting is not intended to serve as a substitute for child or adult care. If children or adults in need of primary care are in the Alternative Worksite during an employee's work hours, the employee must be able to demonstrate that they have child or adult care available on-site during their tour of duty and that they are not providing child or adult care during the their tour of duty.

I. Telecommuting is not intended to be used in place of leave. Eligible employees and supervisors must observe all pertinent time and attendance, leave, and pay regulations when an employee participates in the Telecommuting Program. Overtime, compensatory time, and exempt time-off are to be approved, in advance, using applicable procedures. All pay, leave, and travel entitlements will be based on the employee's Official Duty Station. An employee must be accessible by phone and email during the core hours identified in the Telecommuting Work Agreement or, in the event of a declared emergency, for such hours required by the agency to promote continuity of critical operations.

J. To the extent that there is a conflict between or among provisions on Telecommuting in the terms of any collective bargaining agreement (CBA), D.C. Personnel Regulations, the E-DPM, and/or this Guide, the provisions of the CBA shall control for employees covered by the CBA. To the extent that there is a conflict between or among provisions on Telecommuting in the terms of the Telecommuting Work Agreement and this policy, the provisions of the Telecommuting Work Agreement shall control. To the extent that there is a conflict between or among provisions on Telecommuting in the terms of the Telecommuting Work Agreement and D.C. Personnel Regulations, the provisions of the D.C. Personnel Regulations shall control.

K. The supervisor for each employee participating in the Telecommuting Program must certify time and attendance to ensure that all employees are paid for work performed and account for any absence from scheduled tours of duty. Employees must personally certify their hours worked in a Telecommuting status by following the time and attendance policies and procedures.

L. When an Agency Head releases employees early from work for non-emergency reasons, Teleworkers will likewise be excused from duty-

M. When an Agency head announces early dismissal of employees in the event of declared emergency, a Teleworker may be required to depart the office and continue to work through the end of the scheduled tour of duty from a Telework site. If an emergency situation occurs at the Teleworker's Telework site prohibiting the Teleworking employee from performing work assignments, the Teleworking employee is required to report the situation as soon as possible to his or her immediate supervisor.

N. Telecommuting employees found to be at fault are liable for damage to equipment issued/supplied by the DC government. The agency will not be liable for damages to an employee's personal or real property during the course of the performance of official duties or while agency equipment is in use at the employee's residence, except to the extent that the agency is held liable by a court of law.

0. The Agency must have reasonable assurances that the Telecommuting employee's Telecommuting worksite meets acceptable standards of safety and security.

1. With at least 48 hours advance notice, the employee's Telework site may be inspected for the sole purpose of ensuring that the Telework site satisfies the safety and security standards of this policy and the terms of the Telecommuting Work Agreement.

    i. Except in the event of an emergency, these inspections will normally be conducted by the agency's information technology staff or by the Telecommuting Program Coordinator.

    i i. None of the agency's information technology staff, Telecommuting Program Coordinator, or any other agency employee shall be allowed to conduct an on-site review of any area not designated as the worksite by the Telecommuting employee.

2. In addition, any employee eligible to participate in the Telecommuting Program must have a Telecommuting site that is free from interruptions, provides the necessary level of security and protection for agency property, and is conducive to productive work. If a Telecommuting employee is in a position represented by a labor organization, the employee may request that a labor representative

accompany the information technology staff member or the Telccommuting Program Coordinator, to the Telecom luting site.

6. RESPONSIBILITY

The responsibility for implementation of this policy is vested with the Director of the Department on Disability Services.

7. TELECOMMUTING PROGRAM COORDINATOR

A Telecommuting Program Coordinator will be established by Human Capital Administration and appointed by the Human Capital Administrator.

Laura L Nuss

Laura L. Nuss, Director

1/28/15

Date