



## **MHLS Telecommuting Policy - Revised**

### **A. Objective**

1. Mid-Hudson Library System (MHLS) considers telecommuting to be a viable alternative work arrangement in cases where current job duties and assignments are regularly accomplished in individual and job characteristics are best suited to such an arrangement. Telecommuting allows employees to work at home, ~~on the road~~ or in a satellite location for all or part of their regular workweek. Telecommuting is a ~~voluntary~~ work alternative that may be appropriate for some employees and some jobs. It is not an entitlement, it is not a company-wide benefit, and it in no way changes the terms and conditions of employment with MHLS

### **B. Procedure**

1. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.
2. Definitions
  - a. Telecommuting can be informal such as working from a home worksite/office<sup>1</sup> or satellite location for a few hours, a day, or a short-term project, ~~or on the road during business travel~~. Other informal, short-term arrangements may be made for employees on family or medical leave, to the extent practical for the employee and MHLS and with the consent of the employee's health care provider, if appropriate. All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.
  - b. Telecommuting can be formal in which working from a home worksite/office or satellite location occurs on an ongoing, regular work schedule. Individuals requesting telecommuting must hold MHLS positions where current job duties are assigned to be accomplished in such an arrangement ~~eligible for telecommuting~~ as determined by MHLS. Any formal telecommuting arrangement made will be on a trial basis for the first three months, and may be discontinued, at will, at any time at the request of either the telecommuter or MHLS.

<sup>1</sup>Home worksite/office is a set aside defined space to conduct MHLS work. Appropriate equipment, software, and phone and Internet access is required. Some telecommuting arrangements, such as IT Support Services, may also require high-speed Internet access.



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3. MHLS will determine, with information supplied by the employee and his or her supervisor, the appropriate equipment and software needs for each telecommuting arrangement on a case-by-case basis. The Business Office and Technology Operations department will serve as resources in this matter. Employee supplied equipment and/or software may be used if deemed appropriate by MHLS, subject to change at any time. Equipment and/or software supplied by MHLS will be maintained by MHLS. Equipment and/or software supplied by the employee will be maintained by the employee. MHLS accepts no responsibility for damage or repairs to employee-owned equipment and/or software. Equipment and/or software supplied or subsidized by MHLS is to be used for business purposes only except in the case of a shared use agreement<sup>2</sup>. The telecommuter should sign an inventory of all office property and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment all MHLS property will be returned to MHLS, unless other arrangements have been made.
4. Consistent with MHLS's expectations of information security for employees working in the office, telecommuting employees will be expected to ensure the protection of confidential information accessible from their home office or when the employee is on the road for business. Steps include use of locked file cabinets and desks, regular password maintenance, and any other steps appropriate for the job and the environment.
5. The employee will establish an appropriate work environment within his or her home for work purposes. MHLS will not be responsible for costs associated with initial setup of the employee's home worksite/office such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space. Employees will be offered guidance in setting up a work station designed for safe, comfortable work, and will be provided information to assess workspaces for ergonomic risks.
6. MHLS employees may not meet in their home with another person(s) in the conduct of any MHLS business.
7. Injuries sustained by the employee while at his or her home worksite during documented work times and in conjunction with his or her regular work duties are normally covered by the MHLS's workers' compensation policy. Telecommuting employees are responsible for notifying the MHLS Business Office and their supervisor of such injuries as soon as

<sup>2</sup> A shared use agreement may allow the use of equipment supplied or subsidized by MHLS for both business and private use.



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possible. Failure to notify MHLS within 30 days after the accident can result in denial of benefits in accordance with NYS Insurance Fund procedures. The employee is liable for any injuries sustained by visitors to his or her home worksite. MHLS is not responsible for any incident that may occur in the employee's home. MHLS recommends employees working at home review their homeowners insurance's liability coverage and discuss with their insurance agent their coverage for all situations associated with working at home.

8. MHLS will supply the employee with appropriate office supplies for successful completion of job responsibilities. MHLS will also reimburse the employee for all other business-related expenses such as MHLS base plan for cell phone services<sup>3</sup> that are reasonably incurred in accordance with job responsibilities.
9. For a formal telecommuting arrangement, the employee and supervisor will agree on the number of days of telecommuting allowed each week, the work schedule the employee will customarily maintain, and the manner and frequency of communication. For formal and informal telecommuting arrangements, the employee agrees to be accessible by phone or email within a reasonable time period during the agreed-on work schedule, and to post work hours and location on the MHLS shared work calendar.
10. For formal and informal telecommuting arrangements, telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to record all hours worked in a manner designated by MHLS. Telecommuting employees will be held to a high standard of compliance due to the nature of the work arrangement. Hours worked in excess of those specified per day and per workweek, in accordance with state and federal requirements, will require the advance approval of the employee's supervisor. Failure to comply with this requirement can result in the immediate cessation of the telecommuting agreement.

### **C. Formal Telecommuting Agreement**

Before entering into any formal telecommuting agreement, the employee and supervisor, with the assistance of the Business Office, will evaluate the suitability of such an arrangement paying particular attention to the following areas:

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- a. Employee suitability. The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- b. Job responsibilities. The employee and supervisor will discuss the job responsibilities, scheduling issues, and determine if current job duties are assigned to be accomplished in such an arrangement. ~~If the job is appropriate for a telecommuting arrangement,~~ and if current job duties are assigned to be accomplished in such an arrangement the position will be ~~has been~~ identified by MHLS as eligible for telecommuting.
- c. Home worksite/office. The employee and supervisor will discuss the home worksite/office space and equipment needs for the employee to work at home.
- d. Tax and other legal implications for the business use of the employee's home based on Internal Revenue Service (IRS) and state and local government restrictions. Responsibility for fulfilling all obligations in this area rests solely with the employee.

1. If the employee and supervisor agree, and the Business Office and Executive Director concurs, a draft formal telecommuting agreement will be prepared and signed by all parties, and a three-month trial period will commence.
2. For formal telecommuting arrangements, valuation of telecommuter performance during the trial period may include daily interaction by phone and e-mail between the employee and the supervisor, and weekly face-to-face meetings to discuss work progress and problems. At the conclusion of the trial period the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.
3. An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that seems appropriate for the job and the individuals involved.



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4. Telecommuting is *not* designed to be a replacement for appropriate family care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are expected to discuss the requirements of telecommuting with family members prior to entering into a trial period.
5. Employees entering into a telecommuting agreement may be required to forfeit use of a personal office or workstation in favor of a shared arrangement to maximize MHLS office space needs.
6. The availability of telecommuting as a flexible work arrangement for employees of MHLS can be discontinued at any time at the discretion of MHLS. Every effort will be made to provide 30 days' notice of such a change to accommodate commuting, child care and other problems that may arise from such a change. There may be instances, however, when no notice is possible.

- See more at: [http://www.shrm.org/templatestools/samples/policies/pages/cms\\_000573.aspx#sthash.8XpcC4S3.dpuf](http://www.shrm.org/templatestools/samples/policies/pages/cms_000573.aspx#sthash.8XpcC4S3.dpuf)

### **D. Informal Telecommuting Procedures**

1. All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.
2. Informal telecommuting may be requested by an employee and granted by their supervisor ONLY if the position has been identified by MHLS as eligible for telecommuting.
3. If the employee and supervisor agree on an informal telecommuting arrangement, the employee may be required to complete and submit the online *Informal Telecommuting Request Form*, at the discretion of the supervisor.
4. A supervisor must approve an informal telecommuting request PRIOR to the date/time of the request.
5. An informal telecommuting arrangement may not be in conflict with any other MHLS personnel policy.

Approved by the MHLS Board of Trustees – July 8, 2015



**Mid-Hudson Library System**

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