



ADMINISTRATIVE DIRECTIVE

Title: Telework During COVID-19 Pandemic
Issuing Department: Human Resources
Effective Date: August 27, 2020
Approved: Jamsheed Mehta, Town Manager <i>Jam</i>
Type of Action: Revision

1.0 PURPOSE

The purpose of this directive is to establish rules and procedures for employees to telework at the Town of Marana during the COVID-19 pandemic. The Department of Labor's (DOL) Wage and Hour Division issued a Temporary Rule for Paid Leave Under the Families First Coronavirus Response Act (FFCRA), in which telework is defined broadly to effectuate the underlying purpose of the act. Approving telework for positions while also ensuring there is a presence of employees at the workplace serves to ensure that government functions are performed while there is a reduced number of employees in the workplace, resulting in prevention and reduction of the spread of the COVID-19 virus.

On March 17, 2020, the Marana Town Council adopted Resolution 2020-029 adopting the Temporary Personnel Policy Regarding Employee Leave and Telecommuting. Due to the unforeseeable length of the COVID-19 pandemic, Executive Orders issued by Arizona Governor Ducey, guidance from the White House and CDC, and temporary rules published by the Wage and Hour Division of the DOL regarding the FFCRA, the Town Manager has amended the telework policy to define and implement telework and incorporate telework in the Return-to-Work phases.

2.0 DEPARTMENTS AFFECTED

This directive applies to all departments and employees at the Town of Marana.

3.0 REFERENCES

- 3.1 Arizona Governor Doug Ducey's Executive Order 2020-12: Prohibiting the Closure of Essential Services
- 3.2 Arizona Governor Doug Ducey's Executive Order 2020-36: Stay Healthy, Return Smarter, Return Stronger
- 3.3 Arizona Governor Doug Ducey's Executive Order 2020-40: Containing the Spread of COVID-19

- 3.4 Centers for Disease Control and Prevention (CDC) Interim Guidance for Businesses and Employers
 - 3.5 Fair Labor Standards Act (FLSA)
 - 3.6 Families First Coronavirus Response Act (FFCRA)
 - 3.7 Interoffice Memorandum from Town Manager Jamsheed Mehta to Town of Marana Employees entitled “Return to work phases” dated May 5, 2020
 - 3.8 Interoffice Memorandum from Town Manager Jamsheed Mehta to Town of Marana Employees entitled “Return to work phase 2a begins May 18” dated May 18, 2020
 - 3.9 Interoffice Memorandum from Town Manager Jamsheed Mehta to Department Directors and Supervisors entitled “FFCRA and Employee Childcare Needs” dated August 3, 2020
 - 3.10 Occupational Safety and Health Act of 1970
 - 3.11 Paid Leave Under the Families First Coronavirus Response Act, Temporary Rule issued by the Wage and Hour Division of the Department of Labor on April 6, 2020.
 - 3.12 Temporary Personnel Policy Regarding Employee Leave and Telecommuting approved by Marana Resolution No. 2020-029, as amended
 - 3.13 The President’s Guidelines for Opening Up America Again
 - 3.14 Town of Marana Personnel Policies and Procedures: Section 5-1-2 Alternative or Flexible Work Schedules
 - 3.15 United States Department of Labor and Department of Health and Human Services “Guidance on Preparing Workplaces for COVID-19”
 - 3.16 Town of Marana Administrative Directive: Prevention and Reduction of Spread of COVID-19 in the Workplace
- 4.0 DEFINITIONS
- 4.1 COVID-19 virus or Coronavirus disease: an infectious disease caused by a newly discovered coronavirus.
 - 4.2 Telework: a work arrangement in which an employee completes work at a site other than the employee’s normal work location.
- 5.0 POLICIES AND PROCEDURES
- 5.1 General. Telework is not a right of employment, but may be assigned to an employee based upon job duties and necessity.
 - 5.2 Phased Reopening. Telework will be approved based on Return-to-Work in three phases.
 - 5.2.1 Phase 1 (Limited opening). Department Heads may approve telework for employees, but must ensure that all front-facing counters are operational while assuring coverage for breaks and lunches. In addition, Department Heads will identify one or more office staff members in each work area who will return to worksite while considering child/dependent care issues or personal or household member’s health concerns. Telework may be approved if the employee is placed on imposed leave for the

reasons listed in Section 3(A) of the Temporary Personnel Policy Regarding Employee Leave and Telework.

5.2.2 Phase 2 (Moderate opening). Department Heads and supervisors will identify additional office-based staff members who are able to return to work full-time or intermittently through the work week while considering child/dependent care issues or personal or household member's health concerns. Telework may be approved if the employee is placed on imposed leave for the reasons listed in Section 3(A) of the Temporary Personnel Policy Regarding Employee Leave and Telework.

5.2.3 Phase 3 (Full opening). Normal staffing will resume. Telework may be approved if the employee is placed on imposed leave for the reasons listed in Section 3(A) of the Temporary Personnel Policy Regarding Employee Leave and Telework.

5.3 Telework Schedules, Expectations, and Assignments

5.3.1 Employees approved for telework and supervisors approving telework shall document the telework arrangement in the Telework Plan and Agreement Form (Attachment A) to ensure that both the supervisor and employee have a clear, shared understanding of the employee's telework arrangement.

5.3.2 All employees that are approved for telework are required to return to the worksite when directed by their Department Head or supervisor, on a temporary, intermittent, or permanent basis, as directed.

5.3.3 Exempt employees approved for telework or combining time at the worksite and teleworking are expected to work the hours necessary to satisfactorily perform their jobs, and may be required to work a specified schedule set by their supervisor. Non-exempt employees approved for telework or combining time at the worksite and teleworking shall work no more than 40 hours in a work week, unless overtime has been approved by a supervisor in advance.

5.3.3.1 Telework is no less work than if it was performed at a Town worksite. Non-exempt employees must record, and be compensated for, all hours actually worked both at the worksite and teleworking.

5.3.3.2 Due to an increased need during the COVID-19 pandemic to tend to family and other responsibilities, supervisors should, where applicable, implement highly flexible telework arrangements that allow employees to perform work at potentially unconventional times. The telework arrangement shall be documented in the Telework Plan and Agreement Form in the section entitled "Work Schedule and Location." The documented schedule can vary week to week based on employee needs or Department needs. Supervisors and employees should conduct regular check-ins to address schedule changes.

5.3.3.2.1 To maximize flexibility, the Department of Labor continuous workday guidance (29 CFR 790.6(a)), which typically requires counting as hours worked all time between the first and last principal activity performed, does not apply to employees who are teleworking due to the COVID-19 pandemic. Instead, a supervisor and a teleworking employee can have a work schedule that allows for sustained breaks during the work day to allow for care or for schooling of a family member, for example.

5.3.4 Supervisors shall establish work assignments and expected productivity for employees when authorizing telework.

5.3.4.1 Employees must be available by phone, for scheduled Zoom or other meetings, and other outlined responsibilities during their established work schedule.

5.3.4.2 Employees are expected to accomplish their regular job duties regardless of work location. If there are telework-specific job duties and/or expectation, this shall be documented in the Telework Plan and Agreement Form section entitled “Job Duties”.

5.3.4.3 Employees are expected to demonstrate telework productivity by use of the Telework Activity Report (Attachment B), the Telework Project Report (Attachment C), or other method established by their supervisor.

5.4 Telework Rules

5.4.1 Employees may not engage in secondary employment or activities other than Town assignments during the established work schedule.

5.4.2 Employees should designate a work space that is maintained in a safe condition, free from hazards. However, the Town will not inspect home work sites and home work sites are not subject to OSHA standards.

5.4.3 Employees will not be reimbursed for Wi-Fi or cellular data usage while teleworking.

5.4.4 Employees who are teleworking may use accrued leave balances as set forth in the Town’s Personnel Policies and Procedures and, as amended by the Temporary Personnel Policy Regarding Employee Leave and Telecommuting approved by Marana Resolution No. 2020-029, and any subsequent amendments to the temporary policy.

5.4.5 Employees who are teleworking are obligated to comply with all Town of Marana Personnel Policies and Procedures and Administrative Directives.

6.0 RESPONSIBILITIES

It is the responsibility of every department and employee to ensure that productive work is performed while telecommuting that supports essential Town functions.

7.0 ATTACHMENTS

7.1 Attachment A - Telework Plan and Agreement Form

7.2 Attachment B - Telework Activity Report

7.3 Attachment C - Telework Project Report

REVISION HISTORY

	<i>DESCRIPTION OF CHANGE</i>	<i>DATE</i>
OR	Original Release	4/10/20
REV	Revision	5/8/20
REV	Revision	8/27/20

Caution: A copy of this Administrative Directive is an uncontrolled document. It is your responsibility to ensure you are using the current version. The electronic version is the only acceptable and controlled Administrative Directive.



Telework Plan and Agreement Form

This document is intended to ensure that both the supervisor and the employee have a clear, shared understanding of the employee’s telework arrangement. Each telework arrangement is unique depending on the needs of the position, supervisor, and employee. This form can be adapted to unit requirements as necessary.

This telework agreement is not a contract of employment and does not provide any contractual rights to continued employment. It does not alter or supersede the terms of the existing employment relationship.

Employee Telework Information

Employee Name:	
Job Title:	
Department:	
Supervisor:	
Arrangement requested by:	<input type="checkbox"/> Employee <input type="checkbox"/> Employer
Location where telework will be performed:	
Telework arrangement effective dates:	—

Job Duties

The general expectation for a telework arrangement is that the employee will effectively accomplish their regular job duties, regardless of work location. If there are telework-specific job duties and/or expectations, specify them in the box below. **Sample text:** *Employee will indicate telework days in their email signature. In-person attendance at divisional meetings is expected. Employee will check voicemail at least hourly. Employee will send email at start /end of shift & lunch. Employee will attend council or neighborhood meetings on telework days.*

Work Schedule and Location

Day of Week	Work Hours	Work Location
Sunday		
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		

Telework Review

Specify day(s)/time(s) to meet and discuss the effectiveness of the telework arrangement, or enter N/A.

Telework plan review day(s)/time(s):	
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Equipment and technology access

Specify any equipment or technology access the employee will need to telework and whether it will be employee or employer provided. In the event of equipment failure or service interruption, the employee must notify employer immediately to discuss alternate assignments or other options.

Equipment	Provided by: Indicate Employer or Employee	Accountable for loss/damage, please sign

Additional details

Supervisor / Employee Best Practice Reminders

- Ongoing communication is the most important part of effective remote teamwork.
- Conduct regular check-ins. Maintain team meetings.
- Start and end each workday with a phone, video or instant message chat or email.
- Ensure employee has access to tools they need to remotely access Town's network. This may include a computer, laptop, remote access permission, etc. Discuss how to access work remotely in a safe manner.
- Ensure employee understands how to set up call forwarding and access voicemail remotely.
- Identify and confirm the employee understands which platform(s) you will use to communicate as a team.
- Clarify expectations for online availability and etiquette.
- Clearly communicate any changes to the workplan.

The employee agrees to the following conditions:

1. Employees may not engage in secondary employment or activities other than Town assignments during the established work schedule.
2. The employee's job responsibilities and promotional opportunities will not change due to participation in the telework program.
3. The employee will report to the Town's work location as necessary upon directive from his or her supervisor.
4. The amount of time the employee is expected to work will not change due to participation in the telework program. Employee is expected to remain accessible during designated work hours.
5. Non-exempt employees will record all hours worked and meal periods in accordance with normal timekeeping.
6. Non-exempt employees approved for telework shall work no more than 40 hours in a work week while teleworking, unless overtime has been approved by a supervisor in advance.
7. Exempt employees approved for telework are expected to work the hours necessary to satisfactorily perform their jobs, and may be required to work a specified schedule set by their supervisor while teleworking.
8. The employee's work will be monitored by the Telework Activity Report or other established method.
9. The employee is expected to meet established performance standards.
10. The employee understands that all equipment, records and materials provided by the Town shall remain the property of the Town.
11. The employee will take all necessary precautions to secure all Town equipment, data, files and other material to prevent unauthorized access, destruction or tampering.

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12. Equipment provided by the Town will be serviced and maintained by the unit/department except for service or damage arising out of intentional destruction. Equipment provided by the employee will be at no cost to the Town and will be maintained by the employee.
 13. Employees should designate a work space that is maintained in a safe condition, free from hazards. However, the Town will not inspect home work sites and home work sites are not subject to OSHA standards.
 14. The employee will implement any modifications the Town deems necessary for safety and/or security purposes.
 15. The employee will report work-related injuries to the supervisor at the earliest reasonable opportunity, in compliance with Town policies, as well as OSHA and Worker's Compensation regulations.
 16. The employee understands that he/she is responsible for any individual tax implications of this arrangement.
 17. Supplies required to complete assigned work at alternate work location should be obtained during Town main office visits. Out-of-pocket expenses for supplies normally available through the Town will not be reimbursed.
 18. The employee understands that the Town will not reimburse the employee for wi-fi or cellular data usage while teleworking.
 19. The employee understands that management retains the right to modify this agreement on a temporary or permanent basis for any reason at any time.
 20. All Town Policies, Administrative Directives, and departmental procedures; including but not limited to attendance, holidays, time away from work and overtime continue to apply, unless specific exceptions to that policy are arranged within this agreement. By signing below, employee acknowledges they have read the Telework During COVID-19 Administrative Directive and this agreement and taken the opportunity to ask questions on anything that was unclear or vague.
 21. For technology support, please contact: helpdesk@maranaaz.gov

Employee Signature & Date: _____

Supervisor Signature & Date: _____



Telework Activity Report

Name: _____ Date: _____

Title: _____ Department: _____

Indicate the activities or tasks in which your time was directed, be specific/detailed.

Example:

	Activity/Task	Hours Spent
1.	Processed evaluations and merit increases in MUNIS for 5 employees, updated eval tracking spreadsheet	1
2.	Responded to email questions from 10 constituents regarding construction on Tangerine	2
3.	Coordinated Zoom meeting with Members for PSPRS Local Board	0.5
4.	Researched telework policies and began drafting work agreement, saved in shared file with team members.	3

	Activity/Task	Hours Spent
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

Other comments/information:



Telework Project Report

Name: _____

Title: _____ Department: _____

Current Week Ending – [Click here to enter a date.](#)

Project Title - _____

Completion status, accomplishments, setbacks, revisions

Project Title - _____

Completion status, accomplishments, setbacks, revisions

Project Title - _____

Completion status, accomplishments, setbacks, revisions

Other Work/Meetings

Provide a summary of work not specifically related to ongoing projects, including meetings attended.