



## Teleworking Procedures, Provisions, and Agreement

### Purpose

The work of the Rochester City School District is centered in respect, trust, integrity and accountability. The District recognizes that advancement in technology and the evolution of working in the 21st century permits that in certain situations which meet the criteria below, teleworking demonstrates flexibility, trust, and exceptional service within the District.

The Teleworking Procedures, Provisions, and Agreement provides guidelines for assigning employees of the District to work remotely from a quiet, secure location: (1) for approved, scheduled periods of time (ex. my physical presence is not required to complete my work and so I want to telework from July to December); and/or (2) in emergency/temporary situations where employees are unable to report to work but are able and approved to complete work remotely (ex. I have a cold and don't want to spread it to the office, but would still like to work).

### Overview

Teleworking allows employees to work in a quiet, secure location off-District property which is best suited for providing exceptional service to our students, families, and communities. The District may assign teleworking based on the specific needs of the District, department, job duties, and projects assigned to that employee. Approval for teleworking is not a benefit and does not alter any terms or conditions of any contractual agreements, but is a facet of the District's ability to assign work and work location to its employees.

### Definitions

- Emergency/Temporary teleworking – The assignment of teleworking for a day where an employee is unable to physically report to work but is able and willing to complete work remotely for the full duration of their workday. Employees must have submitted a teleworking agreement request and have it approved prior to seeking approval for an emergency/temporary teleworking day.
- Immediate supervisor – The District employee that the employee teleworking directly reports to (i.e. the supervisor that assigns work and evaluates the employee).
- Scheduled teleworking – The assignment of teleworking for a scheduled period of time.
- Teleworking – An assignment where the performance of the assigned essential functions of an employee's job is conducted via electronic means in accordance with the employee's collective bargaining agreement and the District's Teleworking Procedures, Provisions, and Agreement.
- Teleworking location – A quiet, secure location where an employee works during teleworking.



### Eligibility for Teleworking

Employees may request teleworking where that employee:

- Is full-time;
- Has not received formal discipline in the last two calendar years;
- Is able to provide a teleworking location which is safe and free from safety hazards; quiet and distraction free; within 60 miles of their District work location; and provides working electricity, internet, and other necessities at the employee's expense;
- Is not required to be present at their District work location to complete their job duties;
- Does not directly interact with students, families, and communities during teleworking in a manner that requires their physical presence (i.e., instructing students, meeting with parents, engaging with community); and
- Is able to provide their full time and attention to their job duties during their normal, regularly scheduled hours while teleworking (hours usually fall between 7:00 AM and 5:00 PM).
- All active teleworking approvals expire June 30, 2023. Anyone wishing to be considered for teleworking in 2023-2024 must reapply. No one will be afforded teleworking on July 1, 2023 without final approval by the Office of Human Capital.
- No Director level positions or higher may telework more than 1 day per week.
- No staff may telework more than 2 days per week.

All eligibility requirements and requests are subject to review and discretion of the Office of Human Capital.

### Procedures

#### *Procedures for Approval for All Teleworking*

Prior to beginning the process to request teleworking, an employee should approach their immediate supervisor to discuss job responsibilities and determine if the employee's job is appropriate for teleworking. The employee should also discuss their professional needs and work habits to determine if their engagement, ability to work independently, comfort with physical isolation from co-workers, and potential teleworking location are suited to teleworking. Teleworking will only be assigned where it provides the best service to students, families, and our communities.

Employees must be pre-approved for both scheduled teleworking and emergency/temporary teleworking using the Teleworking Agreement Request form. In order to be approved for teleworking, employees must: (1) discuss teleworking with their immediate supervisor; (2) complete the online Teleworking Agreement Request form; (3) complete an online Safety Checklist for the employee's teleworking location(s); (4) be approved for teleworking by their immediate supervisor, their Chief, and the Office of Human Capital.



Please note that requesting an accommodation is different than requesting teleworking. Under Title I of the Americans with Disabilities Act (ADA), a reasonable accommodation is a modification or adjustment to a job, the work environment, or the way things are usually done during the hiring process. These modifications enable an individual with a disability to have an equal opportunity not only to get a job, but successfully perform their job tasks to the same extent as people without disabilities. For more information on the accommodation process, please contact the Benefits team.

#### *Procedures for Emergency/Temporary Teleworking*

Prior to teleworking for a day, employees must be granted general approval through the Teleworking Agreement Request. Once approved, an employee may request emergency/temporary teleworking for a specific day from their immediate supervisor as detailed below.

Employees who have an approved Teleworking Agreement Request on file and intend to utilize emergency/temporary teleworking for a work day are required to request teleworking not less than two (2) hours prior to the start of that work day. Employees must receive approval from their supervisor in writing or they may not utilize emergency/temporary teleworking on that work day.

Employees may not utilize more than five (5) emergency/temporary teleworking days in a forty-five (45) day period. In rare circumstances, the Office of Human Capital may allow for increased use. When employees utilize an emergency/temporary teleworking day, they must report the use of that day to the Office of Human Capital within twenty-four (24) hours utilizing the online form. Employees must submit the written approval from their supervisor using this form.

Immediate supervisors or Chiefs may require documentation from teleworking employees demonstrating the employee worked while teleworking. Employees should discuss departmental requirements with their immediate supervisor prior to requesting teleworking, as they will be subject to all such requests. Required documentation shall not be beyond the normal work responsibilities for an employee. Questions or issues should be directed to the Office of Human Capital.

Approval for emergency/temporary teleworking will expire at the end of the school year (June 30) of the school year in which the request is made.

#### *Procedures for Scheduled Teleworking*

Employees who are approved for scheduled teleworking are responsible for maintaining communication and proper documentation for periods of scheduled teleworking. Employees teleworking and their immediate supervisor must complete the Office of Human Capital's "Scheduled Teleworking Check-in Form" every three weeks during an employee's first scheduled teleworking.



Employees teleworking must complete the Office of Human Capital's exit interview within "Scheduled Teleworking Check-in Form" on the last day of their scheduled teleworking.

During teleworking, the immediate supervisor will require a daily or weekly check-in with the employee. This may take the form of a phone call, email, google form submission, District interface, or other method determined by the immediate supervisor or Chief. Regardless of check-in method, teleworking employees must be reachable at all times during their scheduled work hours. Such a check-in will not add any duties or responsibilities to the teleworking employee, but will represent the time normally spent in-person discussing projects, responsibilities, and expectations. Employees and immediate supervisors are encouraged to discuss these requirements early in the process. Questions or issues should be directed to the Office of Human Capital.

Approval for first-time scheduled teleworking may be approved for a period of up to three months. Approval thereafter may be approved for any period not to extend beyond the end of the school year (June 30). Approval for scheduled teleworking will expire at the end of the school year (June 30) of the school year in which the request is made.

### Provisions of Teleworking

#### *Wages, Benefits, and Terms and Conditions of Employment*

Teleworking does not replace, amend, or supplement any wages, benefits, and terms and conditions of employment for employees. Teleworking does not affect salary, job responsibilities, fringe benefits, or any other benefit from any collective bargaining agreement or handbook. Collective bargaining agreements or handbooks, State Worker's Compensation Laws, District policies and procedures (including the Code of Conduct), and all other laws, directives, or contractual provisions govern teleworking in the same manner they govern on-site work.

Employees who are teleworking who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately report all hours worked. Hours worked in excess of those scheduled per day and per workweek require advance approval per the normal District process for overtime. Failure to comply with this requirement may result in discipline and/or the immediate end of teleworking.

Employees who are teleworking are responsible for determining any income tax implications of teleworking. The District will not provide tax guidance nor does the District assume any additional tax liabilities based on employee teleworking. Employees are encouraged to consult with a qualified tax professional to discuss income tax implications.





### *Scheduling and Supervisor Approval*

Teleworking schedule will depend on the type of work performed, the needs of the department, and the employee's ability to work independently. No teleworking may take place without the approval of the employee's immediate supervisor. Even when approved for teleworking, employees may be required to report in-person during certain days, hours, or for meetings or events.

The District retains the right to require employees to report to their regular District work site at any time during teleworking. Employees must remain prepared and able to report to their in-person work location at any time during teleworking. 48-hours' notice is recommended but not required. If an employee does not report on-site when directed, or if an employee is not working during teleworking, the District may place that employee on an unpaid leave and that employee may be subject to discipline, up to and including termination.

The District may require employees to return to onsite work if they fail to provide an appropriate offsite worksite which is conducive to effectively performing their duties.

The District retains the right to end teleworking at any time for any reason. Employees who refuse to report to work when teleworking has not been approved or has ended will be deemed to have refused to work, may be placed on an unpaid leave, and may be subject to discipline, up to and including termination.

### *Equipment*

The District will not provide any additional computers or devices, office supplies, or other equipment to employees who are teleworking. Equipment already issued to employees who begin teleworking remains the property of the District, and may only be utilized for business purposes. Employees who utilize personal property while teleworking do so at their own risk, and the District will not subsidize or reimburse employees for teleworking equipment or materials outside of the normal approval process for District materials. District materials and equipment should be utilized where possible.

District equipment (i.e., desks, chairs, standing desks, filing cabinets, monitors, printers, office supplies) may not be taken from work for use while teleworking. The only exception to this rule is an employee's computer and power cord.

Employees will review Policy # 1950 – Acceptable Use of District Network and will comply with this policy at all times.



### *Security and Confidentiality*

Employees who are teleworking are responsible for maintaining the security and confidentiality of all records and materials related to their work. Acceptable steps may include the use of locked file cabinets and/or desks, regular password maintenance, and any other measures appropriate for the job and the environment. Employees must also take steps to ensure full compliance with FERPA and other privacy laws while teleworking, including ensuring that others cannot overhear conversations or view screens with confidential information.

### *Performance of Job Duties*

Employees are responsible for completing all job duties consistent with their job descriptions and collective bargaining agreement or handbook. Employees who are teleworking will be as accessible as if they were on-site while teleworking during their regular hours. Employees will be reachable through electronic means regardless of their work location. Employees who are teleworking may be required to be on-site to complete some job duties, as directed by their immediate supervisor (i.e., two hour in-person staff meeting on Tuesdays even when you have been approved for scheduled teleworking Tuesdays).

Teleworking is not an appropriate replacement for dependent care. Employees are required to be working during their entire scheduled shift, and may not provide care for children or other family members during their scheduled work hours. Employees are encouraged to discuss teleworking with other household members sharing space during teleworking. Employees will provide a teleworking location which maintains security and confidentiality even from other household members.

Employees are expected to maintain the same work hours as if they were in-person. Work hours may not be altered for teleworking.

### *Safety while Teleworking*

Employees who are teleworking are expected to maintain their teleworking location in a safe manner which is free from safety hazards. If circumstances of a teleworking location change, the employee must complete a second Safety Checklist prior to this location change or return to their work location.

Injuries sustained at the teleworking location and in conjunction with the employee's regular work duties may be covered by the District's workers' compensation policy. Employees who are teleworking are responsible for notifying the District of such injuries as soon as possible. If an injury occurs at the teleworking location, the employee must communicate that injury to their immediate supervisor per District and legal requirements, and will be responsible for providing documentation of the injury, witness reports, medical documentation, and other information as requested by the District.



### *Work Rules*

Employees who are teleworking are subject to the same work rules and expectations as if they were working on-site.

### *Supervisors and Teleworking*

Supervisors are responsible for the effective supervision of employees while they are teleworking. Supervisors who fail to properly supervise employees who are teleworking may be subject to discipline, up to and including termination. Supervisors should keep accurate, up-to-date records documenting their supervision of teleworking employees, as it may be subject to audit and review by their supervisors, the Office of Auditor General, or another District authority.

Supervisors should also ensure there is proper in-person coverage as needed.

### *Superintendent's Discretion*

These procedures, provisions, and agreement do not in any way limit the Superintendent's discretion to assign work from home for any employees based on any other criteria or eligibility. The procedures, provisions, and agreement are limited to the process discussed within this document.



Responsibilities for Teleworking by Role

*This page is designed to assist employees and supervisors in the implementation of teleworking. This document does not replace or amend the procedures, provisions, and agreement delineated above.*

Who	What
Employee requesting scheduled teleworking	<ol style="list-style-type: none"> <li>1. Discuss teleworking with your immediate supervisor.</li> <li>2. Complete the teleworking agreement request online.</li> <li>3. Complete a Teleworking Safety Checklist.</li> <li>4. Wait for your immediate supervisor, Chief, and the Office of Human Capital to review your request. If approved by all, you are now eligible for teleworking.</li> <li>5. During your first scheduled teleworking period, you must complete the Scheduled Teleworking Check-in Form collaboratively with your supervisor every three weeks.</li> <li>6. Complete daily/weekly check-ins as required by your immediate supervisor.</li> <li>7. While teleworking, stay in communication, ensure your work duties are met, and continue to provide exceptional service to the District's students, families, staff, and communities.</li> <li>8. Complete the exit interview within Scheduled Teleworking Check-in Form on the last day of your schedule teleworking.</li> </ol>
Employee requesting emergency/temporary teleworking	<ol style="list-style-type: none"> <li>1. Discuss teleworking with your immediate supervisor.</li> <li>2. Complete the Teleworking Agreement Request online.</li> <li>3. Complete a Teleworking Safety Checklist.</li> <li>4. Wait for your immediate supervisor, Chief, and the Office of Human Capital to review your request. If approved by all, you are now eligible for teleworking.</li> <li>5. No less than two hours prior to your shift, request written approval from your immediate supervisor to telework for a day. You must be approved in order to telework on any given day.</li> <li>6. Within 24 hours of teleworking, complete the Emergency Teleworking Report form.</li> </ol>





<p>Immediate supervisor of employee teleworking</p>	<ol style="list-style-type: none"><li>1. When an employee approaches you to discuss teleworking, work with them to determine their eligibility. Additionally, discuss with the employee their professional needs and work habits to determine if their engagement, ability to work independently, comfort with physical isolation from co-workers, and potential teleworking location are suited to teleworking.</li><li>2. Communicate with your chief that an employee is requesting teleworking and provide rationale for approval or denial of the request to the Chief.</li><li>3. Once an employee has submitted a teleworking agreement request, you will receive an automatic email. Read the entire email thoroughly, enter the Google Form, and either approve or deny the request.</li><li>4. Once an employee has been approved and while that employee is teleworking, closely monitor and support them to ensure they are able to complete their duties while teleworking. If you have concerns, discuss them with your employee and reach out to the Office of Human Capital.</li><li>5. If an employee is in their first period of scheduled teleworking, collaboratively complete the Scheduled Teleworking Check-in Form with your employee every three weeks.</li><li>6. Determine when daily or weekly check-ins are required and ensure your employee is working and communicating effectively.</li><li>7. If employee assigned scheduling teleworking, review the exit interview within Scheduled Teleworking Check-in Form with the Office of Human Capital.</li></ol>
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Chief of employee teleworking	<ol style="list-style-type: none"><li>1. A supervisor you supervise may reach out to you relative to an employee requesting teleworking. Speak with the supervisor to assess the employee's professional needs and work habits to determine if their engagement, ability to work independently, comfort with physical isolation from co-workers, and potential teleworking location are suited to teleworking.</li><li>2. Once a supervisor has approved or denied an employee's request, you will receive an automated email notifying you. Please enter the Google Form and either approve or deny the request.</li><li>3. Work with the supervisor to ensure employees teleworking are appropriately supervised.</li><li>4. Review Scheduled Teleworking Check-in Forms and the exit interview within Scheduled Teleworking Check-in Form to ensure meeting District and employees' needs.</li></ol>
Office of Human Capital	<ol style="list-style-type: none"><li>1. Manage the teleworking approval process.</li><li>2. Discuss requests with immediate supervisors and Chiefs as necessary.</li><li>3. Answer questions for employees, supervisors, and unions regarding the teleworking process.</li><li>4. Review Emergency Teleworking Report form for issues which may interfere with providing services.</li></ol>



## Teleworking Links

### [Teleworking Agreement Request](#)

*Complete this request to be eligible for emergency or scheduled/temporary teleworking.*

### [Teleworking Safety Checklist](#)

*Complete this checklist for your teleworking location.*

### [Emergency/Temporary Teleworking Report](#)

*After using emergency teleworking, report its use within 24 hours using this report.*

### [Scheduled Teleworking Check-in Form](#)

*Every three weeks during your initial scheduled teleworking, complete this form with your supervisor.*

*Complete the exit interview component after each scheduled teleworking period.*

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