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City of Cambridge

Executive Department

City of Cambridge Telework Policy Issued July 15, 2022

Introduction

The City of Cambridge's ("the City") Telework Policy (the "Telework Policy") is designed to create a hybrid workplace model that fosters an organizational culture which supports workforce flexibility and is designed to enhance City programs, services, and operations.

The City encourages telework when it is beneficial to the employee, their department and the City. Providing all necessary governmental services to ensure the health, safety, and well-being of all served by the City is our primary business. Meeting these essential business needs with a focus on providing excellent service must be seen as having paramount importance in the implementation of this policy. At the same time, it is the City's intent to support telework when reasonably possible.

The purpose of this Telework Policy is to establish guidelines and procedures for its implementation, including the review, grant or denial of any requests submitted. The Telework Policy is designed to allow employees whose job functions, whether all or some, can be performed remotely to spend a portion of their work week working from an alternate location, while mitigating any potential negative impacts on project management, customer service, and effective team collaboration and communication.

Telework is a workplace option available to eligible employees, similar to flexible work schedules, for which employees apply and requests are evaluated based on the program's criteria and the City's operational needs. The Telework Policy is available to non-union full-time, part-time, and temporary employees of the City. For employees who are covered by collective bargaining agreements, telework is contingent upon the terms of those agreements.

It is not the City's intention at this time to establish 100 percent telework for any employee or job classification, or a standardized percentage for remote work time. This Telework Policy is designed to provide an additional means to support employees' ability to successfully carry out their job responsibilities in a hybrid workplace environment. Participants may request to work remotely for up to 65 percent of their time (i.e., an employee may request a few hours or a single day per week to work remotely while another employee may request multiple days to work remotely). While all requests will be considered, operational needs and related factors may necessitate approvals that differ and possibly be less than the percentage of time requested by an employee. Participants will not be approved to work remotely for more than 65 percent of their time, except for extenuating circumstance approved by the City Manager.

The Telework Policy is a separate policy subject to the City's American with Disabilities Act (ADA) Policy and Procedures. Employees may request reasonable accommodations for a disability or health condition by contacting either their supervisor or the Cambridge Commission for Persons with Disabilities and in accordance with the City's Employee Handbook and Policies. Employees may also submit an application for approval of a Flex Time Plan, in accordance with the City's Flex Time Policy, in conjunction with a telework application.

Eligibility

Eligibility to telework is contingent on job responsibilities (rather than job title), and ability to effectively complete the work remotely. Job responsibilities acceptable for Telework are those that can be performed without diminishing the quality of work, level of services provided, and without disrupting productivity (see Telework Considerations below). Telework is available to regular full, part-time and temporary employees who have not been the subject of disciplinary action or a performance improvement plan within the past 12 months, contingent on compliance with applicable collective bargaining agreements if the employee is a union member, and contingent on the operational and business needs of the Department and the City.

Past approval of telework or remote work arrangements is no guarantee of continued approval. Approval of a telework arrangement for one employee is not a guarantee that all employees in the same job classification will receive approval.

Regular Telework

Regular Telework arrangements can be ongoing, with regular review, or can last for a defined period longer than three months. Arrangements must be approved by the Department Head and the Personnel Director or their designees and documented in a Telework Agreement ("Telework Agreement").

Intermittent Telework

Intermittent Telework requests are temporary (up to three months) or non-recurring in nature. Intermittent Telework arrangements may be approved by the Department Head or their designee and must be documented in writing with the employee.

The City Manager may authorize employees to telework, to the extent possible, due to a state of emergency, an office closure, or an early dismissal. Notwithstanding, if the City has declared a state of emergency or City office closures, employees scheduled to telework will not be expected to telework or report on site unless operational needs require it.

Telework Considerations

Supervisors and employees should discuss numerous considerations on the appropriateness of an employee's telework request. Department Heads requesting telework will work with their direct supervisor to discuss the same considerations for appropriateness. While each job type and department will have different factors to consider when evaluating a telework request, topics to explore may include:

- How and where will the employee’s work be performed remotely (individual, team, or site-based assignments)?
- What processes will be in place to ensure members of the public and internal customers receive responses and services in a timely manner?
- If the employee’s work requires on site interaction with the public or colleagues, how will this be addressed in a telework arrangement?
- For work that will be performed remotely, how will an employee and supervisor clearly communicate on an ongoing basis the defined tasks, deadlines and deliverables associated with the telework arrangement?
- How will a newly hired employee’s onboarding and training be conducted?
- How will any issues with quality of performance or deliverables be addressed?
- What, if any, challenges might the employee experience performing work remotely in accessing on-site files, records, equipment, software, or other resources?
- Does the employee currently have the knowledge, skills, and capabilities to be successful on a telework assignment?
- What arrangements have been made and trainings required or completed related to cybersecurity, securing confidential information, or public records?
- For supervisory or managerial positions requesting a telework arrangement, how will they continue to effectively manage employees while teleworking? What is the procedure to handle onsite or offsite issues that arise when a supervisor or manager is teleworking?

Procedure for Regular Telework Approval

Telework requests will be reviewed carefully, with the expectation that at least initially the average approval process may take up to 30 days.

Step 1: Initiating a Request for Telework Arrangement by Employee or Supervisor

- Telework Application (the “Application”) is submitted by an employee to their supervisor.
- Request is reviewed and supervisor and employee engage in a telework discussion including the telework considerations listed above, and any other applicable consideration.

Step 2: Supervisor and Department Head

- Supervisor and Department Head discuss request. If questions arise, or there may be a need for modification of the request presented, employees should also be part of the conversation.
- Department Head forwards written recommendation for approval/denial and Application to the Personnel Director and employee. If recommending denial of an Application, an explanation should be included.

Step 3: Personnel Director or Designee

- Reviews request and recommendation from Department Head.
- May request additional information.
- Approves or denies Application in writing. If an Application is denied, an explanation should be included.

Expectations for Regular and Intermittent Telework Arrangements

Supervisors are responsible for discussing expectations related to deliverables, hours of work, accountability, and methods and frequency of communications with an employee.

A Department Head, the Personnel Director or the City Manager may temporarily modify, and/or suspend Telework Arrangements as necessary. Reasons for such actions may include planned or unplanned short-term and long-term employee absences, operational needs, emergencies, and vacations. Employees, supervisors, and department heads are encouraged to work collaboratively on temporary modifications to Telework Arrangements that may be required. Additionally, an employee may be required to be on-site for mandatory meetings, training, or other work assignments. Individual participation can be revoked with the approval of the Personnel Director based on a variety of factors including operational needs or as a result of employee performance issues or policy violations. To the extent possible based on operational needs, an employee whose Telework Arrangement is permanently revoked or suspended will be given a reasonable amount of time (generally up to 5 working days) to make arrangements to return to on-site for their regularly scheduled number of hours per week.

The terms and conditions of employment, including all City of Cambridge policies and procedures and departmental policies and procedures, continue to apply in any telework situation. Employees are covered by workers' compensation laws when performing work duties at a designated telework location during scheduled work hours. Employees who suffer a work-related injury or illness while teleworking must notify their supervisor and complete any required forms immediately. The employee must cooperate with the City and provide all the necessary and requested documents to substantiate the claim. Failure to do so may result in the denial of the claim.

The City will not be liable for damages to an employee's or another's personal or real property while the employee is working at a designated telework location.

Telework Hours

Employees are expected to perform their work, be available by phone or online platform such as MS Teams, and regularly check and respond to emails, phone messages and correspondence during the work hours agreed upon with their supervisor as part of the Telework Agreement. Unless an employee has an approved flex time arrangement, hours of work should be consistent with the employee's regular work hours. Weekly, the hours that an employee spends teleworking, plus the hours they spend on-site, plus any use of benefited time should add up to their regularly scheduled and approved work hours unless a different schedule has been approved for personal or operational reasons. Employees should report teleworking hours in the same manner as if on-site.

Employees should not work hours in excess of those scheduled per day or per workweek without the advance approval of the employee's supervisor for overtime (where applicable) or compensatory time. All employee requests to earn compensatory time while teleworking must be approved in advance by the employee's supervisor in the same manner as if they were on-site.

Employees must obtain approval to use vacation, sick or other paid benefited time in the same manner as they would if they were on-site. Employees who are incapable of performing work due to

illness or injury are not expected to and shall not work from home and shall use the appropriate benefited time. Employees are not expected and should not be required to work beyond the hours agreed upon with their supervisor as part of the Telework Agreement.

Telework Locations/Site

An employee teleworking shall do so from a designated location that is approved by their Department Head. A suitable designated location means, at a minimum, a location that is free of health and safety hazards, The designated location must be sufficient for the employee to perform the requirements of the job. The City may request photographs of the employee's designated work area or with 24 hours' notice, make a site visit to the employee's designated work area to verify and assist with any issues regarding the appropriateness or challenges being faced by the employee at the telework location.

Approved designated locations for employees to telework should be within commuting range of the City of Cambridge. Employees with approved Telework Agreements must maintain the ability to commute to their regular work site. The employee is responsible for communicating with their supervisor about any temporary or permanent changes to the location designated as a part of the employee's Telework arrangement.

Regular telework arrangements at a designated location outside the Commonwealth of Massachusetts may not be allowed, and will be evaluated on a case by case basis

Confidentiality, Privacy, and Records

Employees shall ensure that the confidentiality of all discussions of confidential City business or information is preserved, and employees must continue to comply with all City and departmental security, privacy and recordkeeping policies and procedures, including the Written Information Security Policy (WISP).

All files, records, papers and other materials created while teleworking are City property and subject to the Massachusetts Public Records Law and Massachusetts Municipal Records Retention Schedule and, as such, may not be destroyed, and shall be returned to the employee's City worksite when no longer needed at the employee's designated telework location.

Equipment and Supplies

Employees shall be provided with the necessary equipment and training to be successful at their Telework Arrangement, aligned with Information Technology Department ("ITD") policy and City standard policies and procedures. Equipment provided by the City may not be used by anyone other than the employee, in accordance with the City's Internet, Telephone and Online Computer Services Use Policy. All City-issued equipment remains the property of the City and must be returned upon a request from the ITD, the employee's Department Head or supervisor, or termination of employment with the City. Employees choosing to use personal devices for remote work assignments shall ensure they are complying with ITD standards and the Massachusetts Public Records Law.

The City is not responsible for paying operating costs, home maintenance, or incidental costs (i.e.,

utilities, internet) associated with an employee's use of their residence for telework purposes.

Office supplies such as paper and pens will be provided by the City and should be obtained by the employee from their department via its normal procedures. The City will not reimburse employees for supply expenses normally available from their department or those that are not preapproved.

For environmental and operational reasons, employees should arrange to print documents while at their official workstation. Employees' reimbursement for the costs for telework printing, paper, postage, or any other office supply ordinarily obtainable through their department will be considered only on a preapproved basis.

Telephone or Internet Service Outage

In the event of an outage impacting telephone or internet service at an employee's telework location, the employee shall contact their supervisor to discuss whether to report on-site, work from an alternate telework location, work on assignments not impacted by service disruption, or use accrued leave time for the hour(s) when work cannot be performed.

Dependent Care Considerations

Telework is not a substitute for childcare or other dependent care responsibilities. If a child or dependent who would normally require "hands on" care is present during scheduled telework hours, the employee shall make other arrangements, including the use of the flex time policy, to care for the child or dependent. Employees may provide limited care for the child or dependent who requires occasional care at the telework location, provided it does not impact the employee's work product.

Telework Responsibilities

Employees and their supervisors will have regular communication about work assignment and schedules, deliverables, and deadlines. The methods by which work will be monitored and telework expectations will be achieved and evaluated will be outlined and explained in the employee's Telework Agreement. In regular discussions with an employee, the supervisor will discuss how the Telework Agreement is supporting the department's ability to meet operational needs, and will determine with the employee if additional technical, learning, or supervisory support is reasonable and appropriate to ensure an employee is successful while Teleworking.

Signed and approved by:



Owen O'Riordan
Acting City Manager

Dated: July 15, 2022