

Union Proposal #10
Telecommuting

April 6, 2021

ARTICLE 27: HOURS OF WORK AND OVERTIME

SECTION 1: GENERAL PROVISIONS

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J. Telecommuting Plans. If a request to telecommute is denied, upon request of the employee, the Appointing Authority shall provide the employee the reason(s) for the denial of the request. Telecommuting provides benefits to the State and employees. Those benefits include flexibility in work schedule and location, enhanced opportunities for advancement and career choices when positions are expanded to different locations, cost savings, time savings, and accommodations.

1. General Conditions.

- a. A request for telecommuting shall be approved, unless the Appointing Authority can clearly and convincingly demonstrate that the position cannot telecommute.
- b. If the position telecommuted during the COVID-19 pandemic, that position shall be considered eligible for telecommuting and any request for telecommuting shall not be denied on the basis of needing to be physically present at the work location.
- c. Telecommuting plans are eligible for flextime and are not limited by physical location. The employee can telecommute, even if they are not physically located at their permanent residential address.
- d. Telecommuting plans are not limited by dependents or other individuals located in the home. Employees shall be allowed to telework even if their dependents or an individual they are caring for is present in the telework location.
- e. For probationary employees, a request to telecommute may be granted at the discretion of the Appointing Authority.
- f. If a request to telecommute is denied, upon request of the employee, the Appointing Authority shall provide the employee the reason(s) for the denial of the request.
- g. For the purposes of shift differential, the employee's official schedule determines whether or not the employee qualifies for shift differential.
- h. Telecommuting plans shall only be altered or terminated for just cause. The Appointing Authority must give the employee the reason for and sixty (60) days notice of any alteration or termination.

2. Reimbursement.

- a. The Appointing Authority may choose to provide reimbursement for any necessary equipment or expenses incurred by the employee for telecommuting, when the employee requests to telecommute.
- b. In the event the Appointing Authority mandates an employee to telework, the Appointing Authority shall reimburse that employee for any necessary equipment or expenses incurred by the employee for telecommuting.
- c. For employee safety, requests for ergonomic equipment shall be approved and paid for by the Appointing Authority or the employee shall be reimbursed for that equipment.
- d. As part of the telecommuting plan between the employee and Appointing Authority, for

purposes of mileage reimbursement, the employee shall designate their permanent work location.

3. Reporting and Representation.

- a. The Appointing Authority shall provide an annual report, no later than March 1st, showing the number of telecommuting requests, the number of requests denied, the number of plans that have been altered or terminated, and the reason for denial of telecommuting requests for the previous calendar year, per Agency.
- b. An employee shall receive association representation, if requested, for anything contained here within.