



## **Telework Policy and Procedures**

Board Approved: December 12, 2022

### **Introduction**

Teleworking is a flexible work arrangement that allows employees of Empower Generations (“Organization”) to work remotely at home, or in a satellite location, for all or part of their workweek. The Organization considers teleworking to be a viable, flexible work option when both the employee and the position are suited to such an arrangement. This Telework Policy is to promote general work efficiency, to continue operations during an emergency, or to accommodate other unique circumstances as approved by an employee’s supervisor/Manager.

Teleworking may be appropriate for some employees and positions, but not for others. Whether a job position is eligible for telework is at the sole discretion of the Organization. Teleworking is a benefit, not an entitlement, and it in no way changes the terms and conditions of employment with the Organization.

### **Definitions**

- **Telework**

Working one or more regularly scheduled workdays with Organization approval away from an Organization worksite, either at a home residence or a mutually agreed upon alternative worksite/location.

- **Teleworker**

An employee who has received approval by their supervisor/manager to perform job duties away from an employee’s primary location, either at a home residence or a mutually agreed upon alternative worksite/location.

- **Organization Worksite**

A designated campus, office, or other property of the Organization, not including a teleworker’s designated home office.

- **Home Worksite**

A designated home residence or a mutually agreed upon alternative worksite/location where Telework may be performed.

The Organization has four Telework arrangement options available to qualifying employees and job positions. Managers will review with eligible employees if any of these work arrangement options are feasible. While the Organization will take employee input into account, the final decision on the exact Telework assignment will be at the discretion of the supervisor/manager. The Organization may make changes to the Telework arrangement options as warranted and according to business needs.

1. **Hybrid Telework**

This work arrangement involves the flexibility to perform work at the Organization Worksite and the Teleworker’s Home Worksite. For example, the employee works 3 days at the Organization Worksite and 2 days from the Home Worksite. The supervisor/manager and

employee establish a mutually agreed upon schedule. Hybrid Telework assignments may or may not have a specified end date.

**2. Short Term Telework**

This work arrangement involves the flexibility to perform work away from the Organization Worksite either in state or out of state for 30 days or less.

**3. Full-time In-State Telework (primary residence in the state of the employing organization)**

This work arrangement involves working remotely in the state of the Organization's home office on a continuous basis. The supervisor/manager and employee establish work and communication expectations for achieving work success during Teleworking.

**4. Full-time Out-of-State Telework (primary residence out of the state of the employing organization)**

This work arrangement involves working remotely outside of the state of the Organization's home office on a continuous basis. The supervisor/manager and employee establish work and communication expectations for achieving work success during teleworking.

**Eligibility and Procedures**

Before entering into any Teleworking arrangement, the employee and supervisor/manager, will take the following into consideration to determine eligibility:

**Position suitability**

Suitable positions for Telework are characterized by clearly defined tasks, essential functions and work products. The employee and supervisor/manager will discuss the job responsibilities and determine if the position is suitable and appropriate for a Telework arrangement. An employee's position may be suitable for Telework when:

- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance related to general business operations of the employer or the employer's customers.
- The position is primarily knowledge-based.
- The employees hold themselves to measurable deliverables.
- The position does not require frequent face to face interaction at the regular worksite with supervisor/managers, colleagues, clients, or the public, or in person.
- The essential functions do not require the employee's presence at the Organization Worksite.
- The position is not essential to the management of on-site workflow.

**Employee suitability**

The employee and supervisor/manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful teleworkers. An employee may be suitable for teleworking when they demonstrate and possess the following performance criteria:

- Demonstrates dependability and responsibility
- Effectively communicates with supervisors, coworkers, and clients
- Possesses the ability to work with minimal to no supervision
- Demonstrates a consistently high rate of productivity

- Demonstrates job knowledge and level of skill to perform the job effectively and efficiently
- Possesses the ability to prioritize work effectively
- Demonstrates good organizational and time management skills
- Demonstrates motivation
- Has a history of positive performance without a recent record of discipline or performance deficits

Employee will be provided with the *Telework Safety Checklist* for completion and return to your supervisor/manager and cc: Employee Services at [employeeservices@ileadcalifornia.org](mailto:employeeservices@ileadcalifornia.org).

### **Length of Assignment**

Unless another length of time is specified, Telework assignments are generally granted on a school year to school year basis, unless otherwise ended by the Teleworker or the Organization. Telework assignments for a future school year should be requested before the end of the current school year to have the highest likelihood of approval.

Telework assignments in place as of Fall 2022 are projected to remain in place until June 30, 2023. The Organization reserves the right to end any Telework assignments earlier as needed. Any projections on how long a Telework assignment may last have no effect on the at-will nature of employment with the Organization and are merely forecasts for what may apply should the employee remain employed with the Organization.

### **Employment**

Employees of the Organization remain at-will regardless of the assignment of Telework. This Policy does not imply or serve as an employment contract or guarantee of continued employment nor does it alter or limit the right of the Organization to terminate a Teleworker “at will.”

Job responsibilities, compensation, benefits, standards of performance, and performance evaluations remain the same as when working at the regular work site. The supervisor/manager reserves the right to assign work as necessary at any work site.

Teleworkers remain obligated to comply with all Organization rules, policies, procedures, practices. Violation of Organization policies may result in preclusion from telework and/or disciplinary action, up to and including termination of employment.

### **Business Hours and Workweek**

The Organization’s regular business hours are from 8:00 a.m. to 4:30 p.m. (PST) Monday through Friday. Teleworkers may be assigned to work during regular business hours or on an alternative work schedule, as instructed by a supervisor/manager. Teleworkers may also be scheduled to work evening hours or on a weekend, as directed by their supervisor. The workweek begins at 12:00 a.m. (PST) Saturday and ends at 11:59 p.m. (PST) on Friday.

### **Meal and Rest Periods**

Teleworkers are entitled to the same meal breaks and rest periods to which they would be entitled while working at the Organization Worksite. This includes a thirty (30) minute unpaid meal break for employees working five (5) to ten (10) hours, a paid rest break for nonexempt Teleworkers working three and a half (3.5) hours or more, and additional paid rest breaks for nonexempt Teleworkers working more than six (6) hours, and again after ten (10) hours. Employees are strongly encouraged to step away from work technology during scheduled work breaks and meals to give their mind a rest from the digital world, and to maintain mental and physical wellbeing. In the workday, take time to engage in mindfulness activities such as stretching,

walking and making time for digital breaks.

### **Nonexempt Employees**

Teleworkers who are nonexempt employees will be required to accurately record all hours worked using the Organization's time-keeping system, the same as they would do for work performed at the Organization Worksite.

Only nonexempt employees are eligible for overtime. Overtime hours worked in excess of those scheduled per day and per workweek require the advance approval of the Teleworker's supervisor/manager. Failure to comply with this requirement may result in the immediate termination of the Telework arrangement.

### **Timekeeping**

Teleworkers are required to seek approval for and properly record time taken off work (vacation, holiday, sick days, jury duty, and bereavement, military leave, workers' compensation, etc.). Requests for time off without available sick and vacation accruals (if applicable) will be designated as unpaid. Employees must use the appropriate "no pay" selection in the time keeping system. If time off for a leave of absence is needed, employees must first contact Employee Services at [employeeservices@ileadcalifornia.org](mailto:employeeservices@ileadcalifornia.org).

### **Communication**

Teleworkers are to be available by phone, text, web conferencing, and instant messaging during their assigned work hours to assist and support management, co-workers, vendors, students, parents, and customers and to perform their jobs. Any lack of compliance in communication with supervisors/managers and/or internal department team members and cross functional departments teams may result in corrective action including termination of the Telework arrangement, and up to termination of employment.

### **Operational Needs**

Teleworkers may be called into the Organization Worksite or another location where an Organization event is taking place, when in the discretion of a manager/supervisor, it is deemed appropriate to their job position. The supervisor/manager should provide reasonable notice whenever possible. However, Teleworkers may be required to report to Organization Worksite without advance notice, as needed. The following are examples of events where one's physical presence may be required, but is not limited to:

- iLEAD Staff Retreat
- Camp Make
- All-Boards Retreat (if applicable)
- Professional Learning (if applicable)
- Board Meetings (if applicable)
- 20-day Meetings (if applicable)
- Hiring Events: Star Search/Leadership Cafe (if applicable)
- Leadership Connections (if applicable)
- Team Collaborations (if applicable)

### **Dress Code**

Employees that are approved for Telework are to maintain a neat, clean, and professional appearance during work hours. As a general rule, business casual appearance is appropriate when engaging in virtual video meetings with clients, vendors, leadership, peers, student and

parents

### **Dependent Care**

Telework is not designed to be a replacement for appropriate childcare or kin care. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on successfully fulfilling job responsibilities and expectations and meeting business demands. The Organization expects Teleworkers to work and be available for work during scheduled work times. Prospective Teleworkers are encouraged to discuss expectations of teleworking with family members prior to telework arrangement.

### **Absences and Tardiness**

If a Teleworker must miss work or will be late for any reason, the Teleworker must notify their supervisor/manager as soon as possible but by no later than one hour before their schedule start time, unless doing so is beyond their control. Absences must be reported day by day unless/until a longer leave is approved by the Organization. Teleworkers who are ill or injured and anticipate being away from work for more than five (5) business days must immediately inform the Organization of their intentions. They are encouraged to speak with their health care provider and Employee Services for information about seeking a Leave of Absence (LOA) or State Disability Insurance benefits.

### **Equipment and Supplies**

Employees may be required by their Telework assignment to use certain technology, equipment, and supplies at their Home Worksite. On a case-by-case basis, the Organization will determine, with information supplied by the employee and the supervisor/manager, the appropriate equipment needs (including hardware, software, hotspot data, virtual phone lines and other office equipment) for each teleworking arrangement. The Employee Services and Information Technology Services Departments will serve as resources in this matter. Equipment provided to the Teleworker by the Organization will be maintained by the Organization, but must be appropriately cared for by the Teleworker when in their possession. The Organization reserves the right to make determinations as to appropriate equipment, subject to change at any time.

Equipment supplied by the organization is to be used for business purposes only. The Teleworker must sign an inventory list in acknowledgement of receipt of all Organization property assigned to them. Teleworkers must take appropriate care of the Organization's property while in their possession and agree to take any reasonable steps or action to protect the items from damage or theft, such as locking the items away when not in use, not loaning them to others, and not allowing anyone else to use the items. The Teleworker must inform the Organization as soon as possible of any equipment malfunctions/failures, losses, or thefts. Upon termination of the Telework arrangement or the employee's employment, the employee must return all property owned by the Organization, unless other arrangements have been made.

The Organization will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. The Organization will also reimburse the employee for necessary and actual business-related expenses, such as shipping costs, that are reasonably incurred in carrying out the employee's job.

Teleworkers will establish a safe and appropriate work environment within their home for work purposes. The Organization will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications

to the home office space. Employee must secure and keep in force during the telework arrangement homeowner or renters insurance to cover any claims arising out of damage to their personal property and/or equipment.

### **Personal Equipment**

If deemed appropriate by the Organization, equipment supplied by the Teleworker will be maintained in good working order by the Teleworker. The Organization accepts no responsibility for damage or repairs to employee-owned personal equipment. Employees who use their personal equipment for teleworking are responsible for the installation, repair, and maintenance of the equipment. The Organization accepts no responsibility for loss, damage, wear or repairs to employee-owned personal equipment.

Teleworking employees must understand and agree that Organization is entitled to, and may access, any personal equipment used while telecommuting, such as a personal computer, telephone, fax machine, monthly bills, and internet records. Teleworker may be entitled to a monthly stipend to cover certain uses of personal equipment such as a personal cell phone or home internet. More specific information will be provided in the Remote Work Agreement.

### **Tax and other legal implications**

Teleworkers must determine any tax or legal implications under Internal Revenue Service (IRS), state and local government laws, and/or restrictions of working out of a home-based office. Teleworking out-of- state has additional considerations related to taxation, reporting, and applicability of local jurisdiction employment laws. Responsibility for fulfilling all obligations in this area rests solely with the teleworker. Please seek advice from your tax expert.

### **Security of Confidential Information**

Security of confidential information is of primary concern and importance to the Organization. Consistent with state and federal law and the Organization's expectations of information security for employees working at the site, Teleworkers will be expected to ensure the protection of proprietary Organization, student, vendor and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, proper handling and disposal of all materials containing confidential information, regular password protection and maintenance on all systems containing confidential information, and any other measures appropriate for the job and the environment.

All files, records, papers, or other materials created while teleworking are Organization property. Teleworking employees and their supervisor/managers shall identify any confidential, private, or personal information and records to be accessed and ensure appropriate safeguards are used to protect them. The Organization may require employees to work in private locations when handling confidential or sensitive material. The Organization may prohibit employees from printing confidential information in teleworking locations to avoid breaches of confidentiality.

Teleworkers must back up critical information on the Organization designated location other than company issued technology on a regular basis to assure the information can be recovered if the primary source is damaged or destroyed. Teleworkers must ensure that data stored on electronic media is permanently deleted and unrecoverable before media is disposed of or reused. Teleworkers may not disclose confidential or private files, records, materials, or information, and may not allow access to Organization networks or databases to anyone who is not authorized to have access. Any incidents of loss, damage, or unauthorized access must be reported by the

Teleworker to their supervisor/manager immediately.

### **Public Record Laws**

The California Public Records Act and Transparent California Law regarding public information and public records apply to teleworking employees. Public records include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the Organization regardless of physical form or characteristic. Public information means the contents of a public record. Upon receipt of an appropriate request, and subject to authorized exemptions, a Teleworker must permit inspection and examination of any public record or public information in the employee's custody, or any segregable portion of a public record, within required time limits. This requirement exists regardless of where the public record is located.

### **Safety**

Teleworkers are expected to maintain a safe and productive work environment with adequate lighting and ventilation. Teleworker's home workspace is to be free from safety hazards and obstruction. Teleworkers must have fire protection equipment in the home.

With reasonable notice and at a mutually agreed upon time, the Organization may make on-site visits to employee's telework location to ensure that the designated work space is safe and free from hazards, provides adequate protection and security of Organization property, and to maintain, repair, inspect, or retrieve Organization property.

Teleworkers are not to hold business visits or meetings with colleagues, customers or the public at the Home Worksite.

The Organization will provide each Teleworker with a safety checklist that must be completed at least once per year and anytime the Home Worksite changes.

### **Workers' Compensation**

Injuries sustained by the Teleworker at their Home Worksite in conjunction with their regular work duties are normally covered by the Organization's workers' compensation policy. Teleworkers are responsible for notifying the Organization of such injuries as soon as practicable. The Teleworker agrees that it may be necessary for the workers' compensation insurance carrier or the Organization to access the telework site to investigate an injury report.

Workers' compensation does not cover injuries that are not job related. This includes, but is not limited to, commute between the Home Worksite and the Organization Worksite and the Teleworkers non-work time in their own home. Additionally, the Organization shall not be liable for any damage to property or injuries sustained by visitors, third parties or family members at the Home Worksite.

Failure to maintain a proper and safe work environment, in accordance with this policy, may be cause for terminating the Telework arrangement.

### **Employee Benefits**

Teleworkers who are eligible for the Organization sponsored benefits will continue to maintain their benefits during the Telework arrangement. However, some benefit options are not available out of the state of the primary employer's home office. Please reach out to the Benefits Department for assistance.

## **Travel**

All business travel arrangements must be pre-approved by the Teleworker's supervisor/manager. Teleworkers will not be paid for time or mileage for travel between the Home Worksite and the employee's primary worksite as this travel is considered travel from home to work.

## **Evaluation/Cancellation/Termination of Telework Arrangement**

Any Teleworking arrangement may be discontinued at will and at any time at the request of either the Teleworker, manager/supervisor, or the Organization. Every effort will be made to provide thirty (30) days' notice of such change to accommodate commuting, childcare and other issues that may arise from the termination of a Telework arrangement. There may be instances, however, when no notice is possible.

Upon termination of the telework arrangement or termination of employment, the employee agrees to promptly return the Organization property, files, records, and supplies assigned to them back to the Organization. If the Teleworker's personal computer was used, Organization provided software shall be deleted.

## **Ad Hoc Arrangements**

Temporary Telework arrangements may be approved for circumstances such as inclement weather, special projects or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance. Other informal, short-term arrangements may be made for employees as a reasonable accommodation to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate.

All informal teleworking arrangements are made on a case-by-case basis, focusing first on the business needs of the Organization. If you should have any questions regarding this policy, please speak with your supervisor/manager or the Employee Service department at [employeeservices@ileadcalifornia.org](mailto:employeeservices@ileadcalifornia.org). For work related injuries, please contact supervisor/manager or Employee Service department at [employeeservices@ileadcalifornia.org](mailto:employeeservices@ileadcalifornia.org).

## **Telework Request Procedures**

### **Hybrid Telework**

1. (a) Employee reaches out to their supervisor to discuss their Telework request  
**OR**  
(b) Manager/supervisor reaches out to the employee to discuss Telework arrangement option with the employee.
2. Manager/supervisor routes Telework Request Form to employee for review and completion. Manager/supervisor engages the employee in conversation to conduct a preliminary assessment of request, review proposed schedule and Telework Policy.
3. If manager/supervisor agrees that a hybrid telework arrangement is feasible, manager/supervisor signs as approval.
4. Approved form routes to Employee Services for recordkeeping in the HRIS system.
  - a. Employee Services documents supervisor/manager approval and Telework arrangement.
5. Manager/supervisor routes Telework Policy to employee to review and sign

acknowledgment. Signed document will route to Employee Services for recordkeeping.

**Short Term Out-of-State Telework (out of the state (30 days or less) of the employing organization)**

1. Employee reaches out to the manager/supervisor to discuss their telework request.
2. Manager/supervisor routes Telework Request Form to employee for review and completion.
3. Manager/supervisor engages the employee in conversation to conduct a preliminary assessment of request (position/employee suitability), review proposed schedule and Telework Policy.
4. If the manager/supervisor agrees that a Telework arrangement is feasible, the manager/supervisor discusses the request with the Director of Employee Services, signs the request form and form routes to the Director of Employee Services for signature of approval.
5. If the Director of Employee Services approves, they sign approval and request form routes to the Executive Director or CEO.
6. Executive Director or CEO reviews request form and makes decision
  - a. If approved, the manager/supervisor notifies the employee and reviews Telework Policy and arrangement. Manager/supervisor routes Telework Policy to the employee to review and sign acknowledgment. Signed document will route to Employee Services for recordkeeping.
  - b. If a request is denied by the Executive Director or CEO, a reason will be provided for the manager/supervisor to review with the employee.
7. If approved by all parties, Employee Services receives notification for recordkeeping.

**Full Time/Continuous Telework (primary residence IN the state of the employing organization.)**

1. Employee reaches out to their supervisor to discuss their Telework request.
2. Manager/supervisor routes Telework Request Form to employee for review and completion.
3. Manager/supervisor engages the employee in conversation to conduct a preliminary assessment of request (position/employee suitability), review proposed schedule and Telework Policy.
4. If manager/supervisor agrees that a Telework arrangement is feasible, manager/supervisor discusses the request with the Director of Employee Services, signs the request form and form routes to the Director of Employee Services for signature of approval.
5. If the Director of Employee Services approves, they sign approval and request form routes to the Executive Director or CEO.
6. Executive Director or CEO reviews request form.
  - a. Whether approved or denied by the Executive Director or CEO, both Manager and Director of Employee Services will receive notification of decision for review with the employee.
7. The supervisor/manager communicates the decision.
  - a. If approved, the manager/supervisor notifies the employee and reviews Telework Policy and arrangement. Manager/supervisor routes Telework Policy to the employee to review and sign acknowledgment. Signed document will route to Employee Services for recordkeeping.
  - b. If the request is denied by the Executive Director or CEO, a reason will be provided for the manager/supervisor to review with the employee.

8. If approved by all parties, Employee Services receives notification to document Telework arrangement in the HRIS system.

**Full Time/Continuous Telework (primary residence OUT of the state of the employing organization.)**

1. Employee reaches out to their supervisor to discuss their Telework request.
2. Manager/supervisor routes Telework Request Form to employee for review and completion.
3. Manager/supervisor engages the employee in conversation to conduct a preliminary assessment of request (position/employee suitability), review proposed schedule and Telework Policy.
4. If the manager/supervisor agrees that a Telework arrangement is feasible, the manager/supervisor discusses the request with the Director of Employee Services, signs the request form and the form routes to the Director of Employee Services for signature of approval.
5. If the Director of Employee Services approves, they sign approval and request form routes to the Executive Director or CEO.
6. Executive Director or CEO reviews request form.
  - a. Whether approved or denied by the Executive Director or CEO, both Manager and Director of Employee Services will receive notification of decision for review with the employee.
7. The supervisor/manager communicates the decision.
  - a. If approved, the manager/supervisor notifies the employee and reviews Telework Policy and arrangement. Manager/supervisor routes Telework Policy to the employee to review and sign acknowledgment. Signed document will route to Employee Services for recordkeeping.
  - b. If the request is denied by the Executive Director or CEO, a reason will be provided for the manager/supervisor to review with the employee.
8. If approved by all parties, Employee Services and Payroll will receive notification.
  - a. Employee Services will document approval and telework arrangement in the HRIS system.
  - b. Employee Services will evaluate insurance needs.
  - c. Payroll will assess employer tax requirements. This may involve setting up out of state tax accounts.
  - d. Employee must update HRIS system with out of state address as soon as possible.

## Employee Acknowledgement

By my signing this acknowledgment, I am indicating that I have read, understand and agree to comply with the Empower Generations Telework Policy. By signing below I further acknowledge and certify that I have homeowner or renters insurance and have an ergonomically safe and efficient work environment in the pre-approved teleworking location. I also agree to review and sign the Remote Work Agreement.

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date \_\_\_\_\_

Manager/Supervisor Name: \_\_\_\_\_

Manager/Supervisor's Signature: \_\_\_\_\_

Date \_\_\_\_\_

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*To be completed by Employee Services:*

The above-named employee is: \_\_\_\_\_ approved \_\_\_\_\_ not approved for Telework.

Date: