

State of Wisconsin
Department of Natural Resources

SUBJECT: **Telework**

REASON FOR CHANGE: Editorial and decentralizes administrative duties.

The Department of Natural Resources (DNR) recognizes the benefits of a variety of work options for employees, including teleworking and temporarily working at home, when meeting program and employee needs.

The following policy and procedures apply to telework, which is defined as, *“a means of performing work on a regular basis to accomplish the Department’s mission in a location other than the employee’s principal office (assigned headquarters location). Telework is normally accomplished in an office setting, either at home or at a location that is closer to home than the principal office, such as a DNR office building or other state facility.”* Teleworking, as it applies to conservation wardens, is defined as *“performing regularly scheduled work in a location other than a DNR office building, either at home or at a rented office facility.”*

Telework differs from “temporary work at home.” A telework arrangement permits employees to work in or near their homes for an agreed-upon, recurring schedule. For example, an employee may work three days in the principal office and the other two days at home or other location. A temporary work at home arrangement may be approved for maternity, paternity or medical reasons and occurs away from the employee’s principal office for a specified, limited period of time. See M.C. [9133.3](#): Temporary Work at Home. Also refer to the Bureau of Human Resources’ [Supervisory Resources](#) on “Inclement Weather/Emergency Conditions” for more guidance on temporary work at home.

In addition to telework, other alternative work schedules are offered within the DNR. Refer to M.C. [9133.2](#): Alternative Work Schedules, for descriptions of “flexible work hours”, “compressed workweek”, and “part-time employment”.

Note: Sections below marked with an asterisk (*) pertain to conservation wardens along with all teleworkers and telework applicants.

EMPLOYEE ELIGIBILITY AND CONDITIONS OF WORK

Telework is not suitable for every position and every employee. Many factors play into a decision to approve a telework proposal or to offer telework as part of a recruitment strategy. Important concepts that will ensure the viability of telework in the DNR include consistency in the eligibility and approval processes within divisions and regions, adequate technical support, clear performance expectations, customer service needs, and adequate budgets for start-up and maintenance of off-site workspaces. Above all, telework must meet the business needs of the Department while at the same time providing flexible work options for eligible employees when feasible.

Department employees who are on probation, who have received a written disciplinary action within the past twelve months, or who are currently on a performance improvement plan are not eligible to apply for telework. Exceptions may be granted when hiring a teleworker for a specific telework position when all or part of the probationary period may occur while teleworking. Also, teleworking for the DNR is typically available only to employees who *live and work* in Wisconsin.

The basic terms and conditions of a teleworker's employment will not change because of a Telework Agreement (Form [9100-251](#)), nor does a Telework Agreement alter an employee’s coverage by DNR's work rules or the teleworker’s classification, seniority, salary, fringe benefits, rights under a collective bargaining agreement, or essential assigned job responsibilities and performance objectives.

(more)

SECRETARY'S DIRECTIVE PSH

Distribution:

Date 8-11-04

All Manual Holders

Special Instructions

Rescinds and replaces M.C. 9133.1 (6-9-04)

(See highlighting for changes; underlining indicates weblinks)

ELEMENTS OF A TELEWORK AGREEMENT

Although each telework situation is unique, the following are core elements that need to be addressed in all Telework Agreements.

Approving or Denying Telework Proposals

See Form [9100-250](#), Telework Application.

Participation in the telework program is subject to the prior written approval by both an employee's immediate supervisor and bureau director (for central office employees) or regional leader (for regional employees). Bureau directors and regional leaders may require additional approvals within the employee's supervisory structure. Approval or denial depends on factors such as the needs of the job, suitability of tasks and individuals for telework, existing workload demands, adequate staffing and coverage, availability of adequate resources, work site safety, and customer service needs. The Department must derive a clear benefit from the telework, which must more than offset any inconvenience to staff and customers or any additional expense borne by the Department.

Agreements where the teleworker will work at an alternate DNR location other than their principal assigned office will also require approval from program and office management at that location.

Bureau directors and regional leaders will report in writing to their division administrator or regional director the decisions made on all telework requests. Agreements are signed jointly by the teleworker, the immediate supervisor, and the bureau director or regional leader and must include agreed-upon work schedules and assignments.

The Secretary's Office must approve exceptions to this Telework Manual Code.

Appeals of telework decisions by management are governed by the Department's M.C. [9108.1](#): Grievance Procedure, for non-represented employees and the grievance procedures in the applicable collective bargaining agreements for represented employees. Prior to filing a grievance, an employee has the option to seek advice and assistance in attempting to resolve a dispute over a telework request from their designated union representative, and/or the DNR Employee Relations Manager in the Bureau of Human Resources.

Terminating Telework Agreements

A Telework Agreement may be terminated in writing at any time by the bureau director or regional leader, upon the recommendation of an employee's immediate supervisor, if that supervisor determines that a teleworker's work quality, productivity, customer service, adherence to Department policies (including work rules), or communication is unacceptable in meeting business needs. The bureau director or regional leader may terminate a Telework Agreement and will generally provide ten working days notice. A teleworker may terminate a Telework Agreement in writing, and will generally provide ten working days notice to their immediate supervisor and bureau director or regional leader. The DNR will not be responsible for expenses, costs, damages, or losses resulting from the cessation of a Telework Agreement.

Work Scheduling

The teleworker and the immediate supervisor will establish a written schedule specifying the number of work hours, days of work, and work location. Teleworkers will generally work at least one day per week in their principal office. Final approval by the Secretary's Office will be required for a full time (100% of work time) telework agreement. The supervisor must approve any change in the agreed-upon work schedule. The supervisor may also alter the teleworker's schedule depending upon individual circumstances and operational needs of the program. The agreed-upon amount of advance notice for supervisory changes in a telework schedule for non-emergency situations will be documented in the Telework Agreement. The supervisor may also direct the teleworker to come into the office when necessary to meet emergency or urgent operational needs.

As with all employees, a teleworker is required to submit a standard time report accurately certifying all time worked and all leave time used. All rules, laws, collective bargaining agreements and policies related to hours of work, weekend or nighttime differential, standby, and overtime apply to teleworkers.

Regular dependent care arrangements must allow the teleworker to function in a distraction-free environment. A telework request based solely on care-giving responsibilities may be approved provided the applicant can ensure that the hours of care giving will not conflict with the hours of work. The telework application process includes questions about dependent care, prompting the applicant to arrange care that would relieve the applicant from primary care responsibilities during telework hours. The Telework Agreement, signed by the teleworker, includes a point of understanding about dependent care. Situations that involve temporary dependent care or for maternity, paternity and medical reasons may also be covered under M.C. [9133.3](#): Temporary Work at Home.

Responsibilities and Communication*

Unless otherwise directed, the employee will be responsible for transporting between the principal office and the telework site all work assignments, supplementary materials, and equipment necessary to complete assignments. The teleworker will be available by phone and e-mail during scheduled work hours and will contact their principal office in a manner agreed upon by the teleworker and their immediate supervisor. Regular contact allows the teleworker to:

- Remain current on policies, procedures, and announcements.
- Provide a forum for discussion on the quality, quantity, and timeliness of work products.
- Periodically meet with the supervisor, coworkers, and customers.

In the event of equipment malfunction, the teleworker will notify their supervisor immediately. If repairs will take some time, the supervisor may direct the teleworker to report to the principal office until the equipment is usable.

Expenses (*Conservation Wardens are covered by their own policies related to expenses*)

The Department will supply the teleworker with materials and equipment necessary to complete work assignments, unless the Telework Agreement specifies other arrangements (for example, the employee will supply some equipment). However, when more significant costs are required for telework, the availability of budgeted resources may be a factor in developing a Telework Agreement. The teleworker is responsible for all costs and expenses associated with using a home telework site, e.g., space, utilities, maintenance, insurance.

The teleworker will use office supplies purchased by the DNR and will work through normal channels to receive supplies. The cost of transporting work assignments will be the responsibility of the teleworker. Other necessary and reasonable work-related costs may be reimbursed on a case-by-case basis.

The teleworker's assigned headquarters location (principal office) is the city or town and the DNR office or facility in that city or town to which the teleworker is assigned. Without advance notice on a telework day during the employee's regularly scheduled work hours, if the teleworker is directed to report to their assigned principal DNR office to meet emergency or urgent operational needs, their travel time during their regularly scheduled work hours is considered part of their regularly scheduled workday and mileage for travel in their personal vehicle is reimbursable. With the agreed upon advance notice, if the teleworker is directed to report to their assigned principal DNR office, their travel time is not considered work time and mileage is not reimbursable.

Furniture, Equipment, and Technology*

Unused or spare office furniture or equipment should be the first source of supply to a teleworker before making new purchases. Furniture and equipment supplied by the teleworker will be at no cost to the DNR and will be maintained by the teleworker.

User-Owned Equipment:

Teleworkers may use their personal (home) computers for telework. However, DNR's information technology (IT) staff will not provide support for home computers since they can vary widely in hardware, software, and communications capabilities. Anti-virus software is required and must include annual maintenance to be kept at the most current level of functionality. In addition, if the teleworker uses a high-speed connection from their home to the Department network, e.g., via a cable or DSL modem, a standard firewall must protect the teleworker system to minimize the potential for hackers to gain access to the DNR network.

To ensure the security and integrity of Department systems and compliance with standards set for the agency by the Desktop Coordinating Council, the information technology coordinators (ITCs) and regional information management specialists (RIMs) in the programs using telework will be responsible for reviewing and approving, prior to installation, all software and hardware peripherals used with DNR equipment.

DNR-Owned Equipment:

If DNR is to provide technical support, a teleworker must use computer equipment supplied by the Department that is compatible with the Department's current desktop computer standards. The Department retains sole discretion to decide on the type, nature, function, or quality of electronic hardware, computer software, and telecommunications equipment that satisfy these standards. The teleworker will use a surge protector provided with Department-furnished hardware. Technology services will be provided by DNR support staff only at the support staff's work location.

See Manual Code [9605.1](#): Use of Computer Equipment at Home for additional guidelines to follow. Teleworkers must complete a Use of Computer Equipment Agreement (Form [9600-63](#)) whenever an employee agrees to use Department-purchased computer equipment or computer devices, including hardware and software, at home.

The Department will be responsible for replacement, repair, and maintenance of Department-owned equipment (with the exception of equipment damaged by negligence of the teleworker or members of their household). The teleworker is responsible for proper and safe use of all equipment used in the telework site. See "Responsibilities and Communication" section for further information on equipment responsibilities.

Use of DNR Property and Information Security*

Access to and use of equipment, software, data, supplies, materials, records, and documents provided by the DNR for teleworker use at the alternate telework site shall be limited to use only by the teleworker for DNR business, including authorized self-development, training, and work tasks. The teleworker will not take restricted access DNR records, documents, or materials to the alternate work site unless the supervisor approves. The teleworker will keep all equipment, software, data, supplies, and documents in the designated work area at the alternate work site in a secure condition, free from hazards or access by any unauthorized person. Software products, reports, products, or data created by a teleworker's work-related activities are the property of the Department.

Teleworkers must return all equipment and furniture owned by the DNR when requested or when the Telework Agreement ends or is terminated.

Teleworkers, as are all Department employees, are expected to adhere to all applicable laws, rules, regulations, policies, and procedures regarding information security. The following are basic information security guidelines:

- Use DNR information assets only for authorized purposes, and ensure that confidential information is not disclosed to any unauthorized person.
- Comply with records laws, including records retention and disposition requirements and access requirements under Wisconsin's Open Records law.
- Decisions regarding the proper use and handling of sensitive data, as well as records subject to the Privacy Act, are delegated to individual supervisors who permit employees to work at home. Off-site access to sensitive data may be permitted provided that the security for such access is adequate.
- Care must be taken to ensure that records subject to the Privacy Act or sensitive data are not disclosed to anyone except to those who are authorized access to such information in order to perform their duties.
- Back up critical information on a regular basis to assure the information can be recovered if the primary source is damaged or destroyed.
- Use "logon" passwords on all systems containing confidential information and keep those passwords secure.
- Use the latest virus protection software on telework systems used to prepare information for subsequent use on DNR systems.

- Return material (paper documents, diskettes, etc.) containing all confidential information to DNR for proper handling or disposal, if necessary.
- Adhere to copyright law by not copying or sharing any DNR-owned software, and, when no longer employed by DNR, remove all such software from the home computer and return any software media to DNR.

Health and Safety, Worker's Compensation, Liability, Property Damage*

The written Telework Agreement will clearly define the work area, personal residence or DNR facility work location, and work schedule in the alternate telework site. All teleworkers are expected to maintain a healthy, safe, and ergonomic work environment while working in a home office or at other remote locations. Failure to maintain a proper and safe work environment may be cause for terminating a telework agreement. Teleworkers and supervisors need to complete a Safety and Ergonomic Checklist (Form [9100-252](#)) prior to an employee beginning telework.

If a teleworker incurs a work-related injury in the defined telework area while teleworking, Worker's Compensation laws and rules apply just as they would if an injury occurred at their principal office. Teleworkers will notify their supervisors immediately and complete all necessary forms and documents regarding the injury. A teleworker is subject to the limitations on liability for acts growing out of or committed in the course of the discharge of their duties at the alternate telework site under s. [893.82](#), Wis. Stats. The teleworker is also eligible for legal defense and payment of judgments, under s. [895.46](#), Wis. Stats. , which may be required because of acts committed while carrying out duties as an employee within the scope of employment for DNR at the alternate telework site.

The supervisor(s) and other authorized DNR employees or agents of the DNR may make on-site visits at the teleworker's alternate telework site for the purpose of conferring with the employee, checking on safety and ergonomics, or maintaining, repairing, inspecting, or retrieving DNR property including equipment, materials, software, supplies, data, records, or documents. In the event legal action is necessary to regain possession of DNR property assigned to the teleworker, the teleworker will be liable for payment of the legal costs incurred by DNR, including attorney's fees, should DNR prevail.

Tax or Other Legal or Financial Issues*

The identification or resolution of any federal or state tax deductions and obligations, insurance coverage needs, or other legal or financial matters arising from the use of a teleworker's residence or teleworking are the sole responsibility of the employee. DNR property and equipment used and maintained at the alternate telework site are covered by the Department's self-insurance plan in the same manner as if the property were located in a DNR or other State of Wisconsin office facility. DNR's self-insurance does not provide coverage for a teleworker's personal property or residence.

Telework Resources and Guidance

Refer to the [Telework Website](#) for important considerations while applying for telework or considering a telework request.

APPLICATION AND EVALUATION RESPONSIBILITIES

See Process Flow Diagrams for visual summaries of telework application and evaluation procedures.

- [Application Process](#)
- [Evaluation Process](#)

Telework Applicant:

1. Reviews and follows the provisions and guidelines contained in this Manual Code and the [Telework Website](#).
2. Completes the following required materials:
 - Self-Assessment (Form [9100-250A](#)). Sends a copy to supervisor.
 - Application (Form [9100-251](#)). Sends a copy to supervisor.
3. Schedules a meeting with supervisor to discuss application and assessment.
4. Meets with supervisor.

Supervisor:

1. Reviews the following:
 - [Telework Website Materials](#)
 - Application (Form [9100-250](#))
 - Applicant's Self-Assessment (Form [9100-250A](#))
 - [Telework Set-Up Cost List](#)
2. Meets with telework applicant.

Decision Step - Supervisor:

1. Confers with bureau director and regional leader to agree upon a response to the request.
2. Confers with bureau information technology coordinator (ITC), and regional information management specialist (RIMS) if applicable, to resolve IT equipment and support issues.
3. Documents recommended approval or denial on the application form.
4. Forwards application form with recommendation to the bureau director or regional leader.

Bureau Director and Regional Leader:

1. Administer the telework program to ensure compliance with all applicable policies and procedures as well as consistency within program and region.
2. Confer with supervisor to agree upon responses to telework requests.
3. Confer with the division administrator and regional director so they remain informed of all requests to work under a Telework Agreement as well as the response to each request.
4. Determines on a case-by-case basis the need for additional equipment, software, licenses, etc.
5. **Supervisor** retains **approved or** denied applications and **returns a copy** to the applicant.

Telework Applicant and Supervisor:

1. To process an approved telework application, agree upon and complete the following:
 - Telework Agreement (Form [9100-251](#))
 - Safety and Ergonomic Checklist (Form [9100-252](#))
 - Use of Computer Equipment Agreement (Form [9600-63](#)), if applicable
2. Supervisor retains originals of the **Telework Agreement and Computer Equipment Agreement** and forwards copies to:
 - **Teleworker**
 - **Division/Region Telework Coordinator**
 - Bureau information technology coordinator (ITC)
 - Regional information management specialist (RIMS), if applicable
 - Regional Human Resources, if applicable.
 - **Central Payroll, GEF 2, HR/5**
3. **Supervisor retains original of the Safety and Ergonomic Checklist and forwards copies to:**
 - **Teleworker**
 - **Division/Region Telework Coordinator**
 - **Bureau information technology coordinator (ITC)**
 - **Regional information management specialist (RIMS), if applicable**
 - **Regional Human Resources, if applicable**
 - **Safety and Risk Management, GEF 2, HR/5**
4. Evaluate the agreement and teleworker performance informally at least twice during the first six months and then annually, as part of the performance review process or before July 1st of each calendar year, to re-certify or end the Telework Agreement. Use the Telework Evaluation (Form [9100-251A](#)) for the six-month and annual review.

5. Supervisor retains the original and forwards **copies of the Telework Evaluation and the** completed, renewed, or modified Telework Agreement to:
 - **Teleworker**
 - **Division/Region Telework Coordinator**
 - Bureau information technology coordinator (ITC)
 - Regional information management specialist (RIMS), if applicable
 - Regional Human **Resources, if** applicable.
 - Central Payroll, GEF 2, HR/5

Division Administrator and Regional Director:

1. Ensures compliance with all applicable policies and procedures and consistency within region and program.
2. Confers with the bureau director/regional leader and remains informed of all requests to work under a Telework Agreement as well as the response to each request.

Bureau of Human Resources:

Maintains and updates DNR's Telework Manual Code, guidance and procedures as requested by the Department Leadership Team.

Bureau of Enterprise and Information Technology Services (BEITA):

BEITA maintains listings on the DNR Intranet of current hardware and software standards and the agency's WEB-based procurement system for acquisitions from approved vendors. When bureau directors or regional leaders approve a Telework Agreement, bureau information technology coordinators (ITCs) should use these vendors to supply appropriate PCs for teleworkers IF the program will be supplying the equipment needed. If a teleworker will be using a personal/home computer, the teleworker is responsible for ensuring that it is compatible for use with the DNR network. The information technology coordinators (ITCs) in the programs using telework will be responsible for reviewing and approving, prior to installation, all software and hardware peripherals used with DNR equipment.

Secretary's Office:

The DNR Secretary's Office must approve any exceptions to this Manual Code, including full time telework or teleworking from out of state.