

TDHCA's Telework Plan (as defined in HB 5196)

1. General

It is TDHCA's policy to utilize teleworking as a work option when it is mutually beneficial for TDHCA's management and the employee. Teleworking is a voluntary work arrangement, requiring prior written approval, which allows an employee to work from home on a regular or part-time basis. Teleworking is not an employee right or an option that an employee can demand or have the right to expect. The Department will actively support teleworking where it is reasonable and practical to do so and where operational needs will not be adversely affected. A teleworking arrangement must be acceptable to management and ensure work demands can be met and adequately managed and monitored. Not every job or every employee is suited to telework on a regular basis. For example, employees with physical office duties, such as opening mail or handling checks, should not telework on a regular basis. Staff who need more than minimal supervision or staff whose job requires frequent in-person interaction with other staff or being available to the public should not telework on a regular basis. It is essential that TDHCA maintain continuity of operations to ensure we are providing critical services to the public. All teleworking requests will be reviewed to ensure that mission-critical functions will be maintained at all times.

Employees with approved exceptions under the agency's previous Return-to-Office (RTO) plan may be eligible to continue, subject to documented approval and operational feasibility.

Unless otherwise justified by operational needs or job requirements, employees authorized to telework may do so up to two (2) days per workweek, with at least three (3) days per week in the office.

2. Eligibility Criteria

To be eligible for teleworking, an employee must achieve and maintain an above standard performance rating (3 or 4 on most recent performance evaluation) and must not have had any written disciplinary actions within the last six months. Additionally, teleworkers must have a proven track record of requiring minimal supervision, must be self-motivated, must be well organized, and must have a history of a high level of productivity with the Department. Managers and Directors will identify eligible employees for teleworking.

A manager or supervisor will review teleworking status for an employee/position at least once every year. The employee must complete an updated telework form once a year to ensure that there is continued eligibility for teleworking and that none of the circumstances related to teleworking have changed. It is our intent to receive renewed teleworking forms on or before August 31 of each year; however, telework forms can be submitted before this depending if circumstances change such as a disciplinary or performance issues. Telework forms will only be accepted via DocuSign; hard copies will not be accepted.

Prior to the commencement of teleworking, the employee and manager will meet to discuss this plan and sign a teleworking agreement. The employee may also meet with an employee from the Department's Information Systems Division to ensure instructions of setup for computer/printer/network use at home have been conveyed, and that the remote

use of Departmental equipment will comply fully with the Department's cybersecurity protocols.

3. Performance/Productivity Measurement

The performance/productivity measurement of a teleworker focuses on results that are expected and achieved regularly. Timetables are established, objective standards of measurement to assess progress are identified, and performance feedback is provided. Standards will be no different from those of Office employees with the same position.

The Manager will oversee the teleworker and ensure work duties, deliverables and deadlines are clear. The Manager will verify completion of projects or work assignments on a regular basis.

4. Work Schedule Criteria

The employee shall work at the teleworking location during the hours agreed upon by the employee and the Manager, but which are primarily during hours that enable them to be responsive to customers and co-workers during regular work hours. They may not have other responsibilities or demands on their time there, such as caring for others. The Manager must review and approve changes to this work schedule in advance. If the employee needs to leave their teleworking location, they must notify their manager in the same manner as if they were leaving the Agency headquarters during the day. Teleworkers must be responsive to work calls during their approved work schedule.

Teleworkers may be required to be in the office to attend staff meetings, complete copying, filing, mailing, travel requests and travel reimbursement requests, pick up supplies, hand in assignments, pick up new assignments, etc. to the extent those matters cannot be handled effectively otherwise. Teleworkers can also be required to come into the office to attend other meetings or training at any other time during normal Department hours as requested by management.

The Manager will be responsible for the distribution of *ad hoc* assignments that arise. The Manager will ensure that assignments are distributed as equitably as possible to avoid an uneven workload between office employees and teleworking employees. As with any work schedule, management may make temporary teleworking assignments or changes in work schedules to meet the Section/Division/Department's needs. A teleworking schedule may temporarily change at management's discretion to accommodate specific situations (e.g., paternal/maternal leave, annual mail-outs, archiving projects or special projects, etc.). As much advance notice as possible should be given to teleworkers if management requires schedule modifications.

Teleworking employees are not required to work on days the office is closed due to bad weather or at times that Department employees are allowed to use emergency leave.

5. Work Hours

The teleworker and the Manager must agree on the work hours/schedule. Once the work hours are established, the employee will be held to those hours and is not "on-call" for hours outside the established 8-hour time frame. Emergency situations may warrant contacting the employee during off-hour time periods, but consideration shall be taken to

avoid such situations. Managers may change teleworking hours/schedule without advance notice to meet the needs of the Section/Division/Department.

The overtime policy extends to teleworking arrangements. Nonexempt employees must have any overtime authorized in advance by their supervisors. Nonexempt employees will receive overtime compensation in accordance with Department policy and applicable laws.

6. Leave/Vacation/Illness

In the event of illness or other permitted use of sick leave, the teleworker must promptly notify the Manager and follow established Department procedures.

Leave must be approved in accordance with the established Department policies and procedures for requesting and obtaining approval of leave. Timesheets must be submitted according to Department policies.

7. Salary and Benefits

Teleworking is a management option, not an employee benefit. It does not change the basic terms and conditions of employment, including salary, benefits, responsibilities and leave.

8. Loss and Damage

The teleworker remains liable for injuries to third persons and/or members of the teleworker's family on teleworker's premises. The teleworker should ensure that his/her homeowner's or renter's insurance covers equipment and home office.

If there is no negligence involved with the loss of Department property, there will be no personal liability. However, if it is determined, that individual negligence is responsible for loss; the Department will look to the individual for replacement costs. Teleworking employees must contact their manager immediately if Department property in their possession is damaged, lost, or stolen. Department property includes, but is not limited to, laptops, monitors, docking stations, printers, cell phones, and any other equipment identified with an agency asset tag.

9. Communication

Teleworking employees are expected to utilize all current and/or future technological tools provided by TDHCA to ensure efficient and effective teleworking communication while working remotely. This includes, but is not limited to, the use of Cisco Jabber, which will be the primary platform for remote communications. In addition, the Department may provide a department cell phone. While working from home, if the employee is not setup with Cisco Jabber, the employee's work landline must be forwarded to the cell phone with voice mail that has been setup. The cell phone will be for business use only. The phone service for the department provided cell phone will be provided by the Department.

Regular communication is vital to successful teleworking. Teleworkers must be available during their agreed schedule, attend meetings remotely, and work with team members through calls or remote meetings. The teleworker must return calls/emails within a

reasonable time period to demonstrate availability during working hours. Teleworkers shall make arrangements with their immediate supervisor in advance if they will be unavailable at any time during the agreed schedule.

10. Dependent Care

Except as provided herein, employees are not to engage in care giving activities while teleworking. For example, children previously in a childcare arrangement during the workday are to remain in a childcare arrangement; however, a teenager or elderly dependent might be at home during the teleworker's work hours if they are independently pursuing their own activities. The employee should establish a working environment in which he/she is not subject to frequent interruptions by family members or other non-business-related persons. With prior written approval, teleworking employees may schedule a portion of their duties outside of normal working hours to accommodate, for a limited and defined duration, the need to care for immediate family members. See also the Department's policies regarding FMLA eligibility.

11. Worksite Equipment

The Department may purchase for use by teleworking employees a cell phone, a portable scanner, a laptop computer or other portable computing device, and any work related software necessary for the employee's job responsibilities. No work should be performed directly on the employee's personal computing devices. No agency files or data should be saved on personal computing devices. Employees may use his/her personal computer to access TDHCA email and messaging platforms. The teleworker is responsible for the maintenance, loss, damage, or wear of teleworker-owned furniture and equipment. The Department will not purchase printers or printing supplies for use by teleworking employees. (Also refer to the Office Supplies section.) The employee must be able to ensure consistent, reliable internet service from their telework location to support working from the location; if internet service is consistently erratic to the point that it limits productive work or attendance in meetings, the telecommuter may be required to cease their telework schedule and return to the office.

When using Department owned equipment, the teleworker must immediately notify their manager regarding any necessary repairs or replacement. In the event of delay in repair or replacement or any other circumstance under which it would be impossible for the teleworker to telework, the Manager will assign the teleworker other work or suspend the teleworking agreement. After giving proper notification to the teleworker, a manager may make on-site visits to maintain, repair, inspect, or retrieve Department-owned equipment, supplies, materials, and/or information. In the event legal action is necessary to regain possession of the Department's property, the teleworker pays all costs incurred by the Department in such action, including attorney's fees, should the Department prevail.

A teleworker may not use the Department's equipment in the remote work location for any personal purposes. Only authorized persons may use equipment, software, and supplies provided by the Department for use at the remote work location, and for purposes relating to Department business, including self-development, training, and tasks. Whether connecting to the Agency network using employee-owned or Department owned equipment, all network, email, and Internet use must comply with Department policies.

12. Security

Teleworkers must follow all Department cyber security policies and procedures, software copyright laws, and manufacturer's licensing agreements. Department software shall not be duplicated. The Department retains the right for Information Systems Division staff to inspect the teleworker's home office to ensure adherence to cyber security standards.

Teleworkers must consider the security of Department data; how data is stored on Department-owned PCs, laptops, or other portable computing devices; transportation of reports containing personally identifiable information (PII) such as social security numbers or employee account information; and off-site use of Department files. The teleworker must protect information considered confidential by the Texas Public Information Act.

No employee may take original files out of the office. Convenience copies or scanned copies of files may leave the office.

Teleworkers must transport hard copy documents in such a way as to reduce the possibility they might be spilled on, lost or damaged.

Teleworkers must not store Protected and Release-Limited Department files and information on the hard drive of computers and never on employee-owned computers or other computers or systems not provided by the Department. In addition, teleworkers shall not store Department files on computers, other than those issued by the Department. All files and information saved on the hard drive of agency computing devices must be backed up using Department provided resources and following Department protocols.

Teleworkers must return documents containing Protected and Release-Limited information to the central office for appropriate action.

13. Confidential or Sensitive Information

To safeguard Protected and Release-Limited information, teleworkers will:

1. Meet all the requirements of the Texas Public Information Act and other applicable laws;
2. Follow all Department policies and procedures regarding security and confidentiality for their computers, electronic and print data, and all other Department information;
3. Be held responsible (subject to disciplinary action) for the loss, disappearance, or theft of official documents when attributable to an employee's actions;
4. Not take Protected or Release-Limited information out of Department offices nor access such materials by computer at the remote workplace unless all Department policies and procedures for protecting the information are followed; and
5. Return Protected and Release-Limited information slated for disposal to the Department offices, and such materials are to be disposed of in the proper shredder receptacle.

14. Records Management and Information Systems SOPs

All agency employees, including teleworkers, will comply with TDHCA Standard Operating Procedures, located on the Intranet SOP page: <http://intranet.tdhca.state.tx.us/sop/>. The following SOPs, related to records management, the Outlook calendar, computer equipment, security, network access, and Internet and email use, are of particular interest to telecommuters:

- SOP 1200.10, Records Management (including electronic records management policy)
- SOP 1264.01, User Accounts and Network Access
- SOP 1264.02, Use of the Internet, Email, and Network Resources
- SOP 1264.03, Security and Use of Information Resources
- SOP 1264.06, Scheduling Meetings, Appointments, and Time Away from the Office Using the Outlook Calendar
- SOP 1264.07, Prohibited Technologies Security Policy
- SOP 1264.09, Remote Access to the TDHCA Network

15. Office Supplies

Office supplies will be provided by the Department and should be obtained during the teleworker's work periods or visits to the Office. The Department will not (by law cannot) reimburse for out-of-pocket expenses for supplies normally available at the Office or through the Department's procurement process.

Supplies purchased by the Department for use by the teleworker in the at-home workplace remain the Department's property.

The Department will not purchase printer cartridges and toner for teleworkers' home printers. Teleworkers have the ability to print to Department printers from home.

The use of Department supplies in an at-home workplace is limited to authorized persons and for the purposes relating to Department business, including self-development, training and work-related tasks.

16. Safety

Workers' Compensation insurance covers a teleworker regardless of the location of the workplace and work hours, provided the teleworker's Manager approved the work location and schedule.

Teleworkers must observe the same health and safety rules established for their office worksite. This includes having toxic substance lists for office supplies brought home, securing electrical cords, having a fire extinguisher, mapping evacuation routes, listing emergency telephone numbers, reporting injuries immediately, having a basic first aid kit available, etc.

17. Termination of Participation

The teleworking arrangement is voluntary and may be terminated by the employee or the Department at any time, with or without advance notice.

When teleworking agreements are terminated, employees must immediately return all notes, data, reference materials, sketches, drawings, memoranda, reports, records, equipment, furniture, supplies, and any other Department property in the employee's possession or control. The Department will not be held responsible for costs, damages, or losses associated with the termination of a teleworking agreement.