

TELEWORK POLICY

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Effective Date

09/08/2015

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09/01/2015

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10/01/2017

Purpose

Revenue's Telework Policy is designed to provide policy guidance to Revenue teleworkers and employees who would like to become teleworkers. The Telework Policy is also designed to provide policy guidance to supervisors of those employees.

The Telework Policy offers several benefits to both Revenue and the employee. These can include:

- Reduced costs.
- A better work/life balance for employees.
- Increased flexibility for employees to meet family needs.
- Improved morale and performance.
- Reduced employee turnover.
- Recruiting incentive.
- Reduced commuting time and expense.
- Reduced energy consumption and pollution.
- Reduced need for work-appropriate clothing.

Scope

Revenue's Telework Policy is administered within each Revenue program under the guidance of each program director. Revenue will review all established agency positions and designate those appropriate for telework. Revenue will maintain a list of telework appropriate positions and make it available to employees and managers.

This policy applies to all Revenue positions, including Other Personal Services (OPS) employees, who telework or who would like to telework. Telework is work away from the official worksite during 50 percent or more of an employee's contracted work hours on a regular basis. Telework on a regular basis means work away from the official worksite that is recurring and predictable.

This policy does not apply to

- Performance of required work duties while in travel status.
- Performance of required work duties away from the official worksite and outside of contracted work hours on an occasional basis.
- Sporadically working away from the official worksite during all or some portion of contracted work hours.
- Regularly working away from the official worksite during less than 50 percent of contracted work hours.
- Telework as an accommodation under the Americans with Disabilities Act (ADA).
- Contractors' employees.

Policy

A. Telework Policy Direction and Administration

It is Revenue's policy to offer optional telework to individuals in eligible positions when it benefits both the Department and the employee. It is also Revenue's policy to help employees meet family needs by providing flexibility in their work life. Revenue can meet the business needs of the agency and Florida citizens more efficiently and effectively by using management practices and technology that can attract and retain the best possible workforce for its future.

The Telework Policy may be used in conjunction with flexible work schedules to maximize flexibility for both Revenue and its employees.

Program directors will ensure consistency and compliance with all Revenue policies in their program's administration of the Telework Policy. Each program director will assign duties, staff, and resources to administer the Telework Policy within his or her respective program based on the business needs of that program.

Revenue will establish and track performance measures that support telework program analysis and report data annually to the Department of Management Services in accordance with [section 255.249\(8\), Florida Statutes \(F.S.\)](#). Such measures will include, but not be limited to, those that quantify financial impacts associated with changes in office space requirements resulting from the telework program, including measures established in the State's strategic leasing plan required under [section 255.249\(6\), F.S.](#), as required by [section 110.171, F.S.](#)

B. Participation in the Telework Program

Supervisors and managers may consider requests for participation in Revenue's Telework Program from employees in eligible positions. No request may be approved if the employee's physical absence from the worksite would have an adverse agency impact, as defined in this policy. Revenue's Telework Policy has two classes of participation:

Required Telework:

Required Telework is a work arrangement in which Revenue requires employees to telework as part of normal business operations. In such cases, Revenue will:

- Include the telework requirement and associated terms and conditions as part of the employee's position description, along with a specification of the minimum amount of telework required.
- Provide at least 30 calendar days' written notice to affected employees of intent to impose or remove a requirement to telework.
- Provide at least 15 calendar days' written notice to affected employees of intent to revise the terms and conditions of the current telework arrangement.
- Provide equipment and supplies necessary to carry out the job functions from the telework site.
- Specify the telework requirement in any recruitment activities.

In certain cases, employees in positions in which telework is required may have their home office sites designated as their official headquarters. The designation of a home office site as an employee's official headquarters must be for the benefit of the Department and not for the convenience of the employee. Such designation requires the approval of Revenue's Executive Director.

Optional Telework:

Optional Telework is a work arrangement where employees request authorization to work away from the official worksite for 50 percent or more of their contracted work hours on a [regular basis](#). Telework on a regular basis means work away from the official worksite that is recurring and predictable.

Optional Telework participation is voluntary and must be mutually agreed to by Revenue and the employee. Participation is a privilege, not a right. Either Revenue or the employee may modify or cancel participation at any time, but must first provide the other party with 15 days' prior written notice to adjust staffing, work space, and/or personal arrangements, after which time the employee will return to work at the official worksite.

Revenue may terminate any employee's telework arrangement and require the employee to return to the official worksite immediately if the employee violates Revenue's Standards of Conduct, Information Security Policy, or other agency policies and procedures. Florida law prohibits teleworking employees from conducting face-to-face state business at their homes. Any violation of this provision will result in immediate termination of program participation, return to the official worksite, and corrective action.

Employees participating in Revenue's Telework Policy are subject to the same rules regarding attendance, leave, performance evaluations, separation actions, and other procedures as non-participating employees. Participating employees must maintain a satisfactory performance rating on their annual performance evaluations. Unsatisfactory productivity or performance ratings will be considered an adverse impact to the agency

and be grounds for termination of the telework arrangement. Participating employees are covered by workers' compensation when performing official work duties at an alternative worksite. Participation in the telework program will not adversely affect an employee's eligibility for advancement within Revenue or any other employee right or benefit.

Employees working at an alternative worksite are compensated for all pay, leave, overtime, and travel reimbursement as if duties were performed at the official worksite. Employees may not work overtime or change work schedules unless their supervisor authorizes it in advance.

Telework program participants who can work at their alternative worksite when their official headquarters office is closed due to an emergency, disaster, or weather event may be required to work during their regular work schedule and are not entitled to administrative leave solely due to the headquarters office closing. Employees are not entitled to receive overtime pay, credit hours, or compensatory time off if they perform work during their regularly scheduled work hours at an alternative worksite on a day when their official headquarters worksite is officially closed due to an emergency, disaster, or weather event.

Employees may not provide direct care to others at the alternative worksite during working hours. Supervisors may authorize a temporary exception to this provision on a case-by-case basis if the dependent care is temporary and does not substantially impact performance, workflow, or customer service. Any employee whose dependent care responsibilities require absence from work duties must first request leave and notify supervisors and colleagues as they would when working at their official worksite.

C. Telework Agreement

Employees eligible for telework and their supervisors will complete a telework agreement. At a minimum, the agreement will include the following provisions:

- Established workdays, worksites, and work hours.
- A specific description of the job duties to be performed at the alternative worksite.
- Communication expectations for staying in contact with customers, coworkers, and supervisors.
- Verification by the employee that the home office provides work space that is free of hazards.
- Employee acknowledgments that he or she will not access, store or process confidential data on his or her personally-owned equipment and that his or her router is password protected.

Each program's telework agreements must be reviewed and approved by the employee's supervisor, a next-level approver designated by their program, and the program director. Program directors may also designate a single individual within their program to act as final approval authority.

D. Information Security and Equipment

All employees are responsible for being aware of the classifications of data or information within their work area. All employees are responsible for complying with agency procedures for handling exempt and confidential information prior to accessing this information.

Equipment necessary to perform job duties at an alternative worksite may be provided by Revenue or the participating employee, depending on the business need. Only Revenue-owned or Revenue-managed computing or storage devices may be used to store confidential Revenue data. Only Revenue-owned computing or storage devices may be used to process, access, and/or store federal tax information. Any physical confidential information at an alternative worksite must be used and stored in accordance with established agency and program information security policies and procedures.

Personally-owned Equipment:

Participating employees may use personally-owned equipment to access non-confidential information on Revenue networks using a Revenue-approved secure access method. Revenue's Confidential Information Policy defines "confidential information" as "information that is prohibited from disclosure under the provisions of applicable state and federal law." The policy requires all employees to "protect the confidentiality, integrity, and availability of information (records) generated, accessed, modified, transmitted, or stored, regardless of the format in which it exists, how the records were created, or where they are stored."

Revenue employees may use personally-owned telephones for voice communications with other Revenue employees, but must have supervisory approval to use personally-owned telephones for voice communications with external business partners. Revenue's Confidential Information Procedures state that employees should use state-owned telephones whenever possible when discussing confidential information. Revenue employees may not leave or retain voice messages containing confidential information on any answering machine or voicemail, nor may they leave or retain text messages containing confidential information.

Revenue has established the following conditions for the use of an employee's personal equipment at an alternative worksite:

- Revenue will not maintain or repair a participating employee's personal equipment.
- Revenue will not cover maintenance or repair costs of a participating employee's personal equipment, nor will it be responsible for operating costs, home maintenance, or incidental costs (e.g., utilities) associated with participation.
- Employees may not contact any other Revenue employee (for example, technical support staff or the Revenue Service Desk) to request maintenance or repair of the employee's personal equipment.
- In the event that the functional operation of the alternative worksite is compromised and the official worksite maintains functional operation, participating employees must either resume work at the official worksite or another approved worksite until

alternative worksite equipment becomes operational again, or obtain supervisory approval to take leave to address equipment functionality.

Revenue-owned Equipment:

Revenue has established security controls and conditions for use of state equipment and state records that are described in the Employee Information Security Handbook. Participating employees must use approved safeguards to protect state equipment, supplies, and records from unauthorized disclosure or damage. Revenue has established the following conditions for Revenue-owned equipment used at alternative worksites:

- Only authorized Revenue staff may service and maintain Revenue-owned equipment.
- Revenue's Personal Computer Policy for Users requires that only licensed, agency-purchased hardware and software is used on Revenue computers.
- Revenue-owned equipment must be returned to authorized Revenue staff for service and maintenance.

Revenue reserves the right, with at least 24 hours' notice, to inspect the alternative worksite to ensure appropriate working conditions, proper maintenance of state property, and compliance with Revenue policies and procedures.

Internal Revenue Service (IRS) data used or stored on hard drives or mobile devices at an alternative worksite must meet IRS safeguard requirements for alternative worksites as stated in [IRS Publication 1075](#). Only Revenue-owned equipment will be used to access, store, and/or process federal tax information.

Federal Parent Locator Service (FPLS) data used and stored on the Child Support Program's automated system must meet minimum security requirements in the Federal Office of Child Support Security Agreement. FPLS information includes all information received from the Federal Office of Child Support Enforcement which includes, but is not limited to: National Directory of New Hires (NDNH), Debtor File, Federal Case Registry (FCR), Social Security benefits (SSD and SSI), Social Security numbers, Federal Information Processing Standard (FIPS) and all personal identifying information received from the FCR about parents, caregivers, and dependents in a child support case.

Revenue prohibits storage or transmission of FPLS data to mobile devices such as PDAs, smartphones, iPads, MP3 players, or flash drives. No Revenue employee may access, store, or process FPLS information on mobile devices or from public wireless connections.

Procedures

The following links lead to separate documents that support the Telework Policy:

- A. [Telework Procedures](#)** provide the steps to be followed in order to participate in the Telework Policy; and the actions required to administer the Telework Policy and

meet statutory requirements. The procedures are primarily for employees, supervisors, managers, administrative coordinators, site-level technical support staff, and program directors.

B. Forms includes required forms and job aids necessary for participation in the Telework Policy.

C. FAQs are frequently asked questions and answers about the Telework Policy.

Definitions

Adverse Agency Impact – A negative impact to the Department of Revenue due to an employee’s physical absence from the official worksite. This would include:

- A reduction of the work unit’s productivity. Examples include:
 - An individual’s or work unit’s inability or reduced ability to perform required tasks.
 - An individual’s or work unit’s failure to meet performance goals.
 - An individual’s or work unit’s unsuitability for alternative work.
 - A reduced level of work unit teamwork and communications.
 - Physical or technological barriers to productivity at an alternative worksite.
- A reduced level of services provided to Revenue’s customers. Examples include:
 - Not enough worksite staffing.
 - An individual’s or work unit’s inability or reduced ability to provide essential services, products, and support to Revenue’s customers.
- An increase in the cost of agency operations. Examples include:
 - The cost of authorized overtime to carry out unit operations.
 - Not enough resources to provide ongoing communications, data security, or other agency equipment and resources needed to perform tasks at the alternative worksite.

Alternative Worksite – The participating employee’s approved work location.

Americans with Disabilities Act (ADA) – A 1990 federal law, amended in 2009, that prohibits discrimination on the basis of disability.

Confidential Information – Information that is prohibited from disclosure under the provisions of applicable state or federal law, rules, or regulations.

Eligible Employee – A Career Service (CS), Selected Exempt Service (SES), Senior Management Service (SMS) or Other Personal Services (OPS) employee whose position, job duties, work habits, performance record, and alternative worksite are suitable for participation in the Telework Policy.

Federal Parent Locator Service - A national automated system operated by the Federal Office of Child Support Enforcement (OCSE). The Child Support Program uses FPLS to locate alleged fathers, parents, and caregivers in establishing paternity and support and enforcing support orders.

Non-confidential Information – Information that is not prohibited from disclosure by statute, is open for public record inspection, and may also be published or released in response to a public records request as outlined in Chapter 119, Florida Statutes (F.S.).

Official Worksite – The Revenue office location where the employee is assigned. Exceptions may be granted for employees located in the field where there is no established office, per section 112.061(4), F.S. In these cases, the official work headquarters will be the location where the majority of the employee’s work is performed, or such a location that may be designated by the Executive Director that is in the best interest of the agency and not for the convenience of the employee. An employee may have only one official work headquarters.

Regular Basis – Scheduled telework away from the official worksite that is planned, recurring, and predictable.

Revenue-managed Device – A device not owned by the Department of Revenue, but which the Department of Revenue ensures the hardware and software used is in compliance with Revenue standards.

Revenue-owned Device – A computing, telecommunication, or storage device purchased with Revenue funds, configured and maintained by Revenue, equipped with licensed, Revenue-purchased hardware and software which is used for official purposes only.

Telework – A work arrangement allowing employees to conduct all or some of their work away from the official worksite during 50 percent or more of their contracted work hours on a regular basis. Telework is also known as “telecommuting.” The terms “telework” and “telecommuting” are often used interchangeably.

Teleworker – Employees who conduct all or some of their work away from the official worksites during 50 percent or more of their contracted work hours on a regular basis.

Telework Agreement – The agreement between an employee approved to work at an alternative worksite and the Department of Revenue that spells out the terms and conditions of the employee’s participation in the Telework Policy.

Enforcement/Penalties for Non-Compliance

[Florida law](#) prohibits participating employees from conducting face-to-face state business at their homes. Any violation of this provision will result in immediate termination of program participation, return to the official worksite, and corrective action. Revenue’s Standards of Conduct states that employees will receive corrective action if they violate state or federal law, State of Florida rule, or Revenue policy.

Employees participating in the Telework Policy are subject to the same policies, procedures, Standards of Conduct, and performance evaluations as non-participating employees. Revenue may terminate participation and require an employee to return to

the official worksite immediately if the employee violates Revenue's Standards of Conduct, Information Security Policy, or other agency policies and procedures.

Exemptions

This policy does not apply to job duties performed while in travel status, nor does it apply to performance of job duties that, by their nature, are performed routinely in the field away from the official worksite.

This policy does not apply to contractors' employees. However, supervisors of contractors' employees are encouraged to use the guidelines for participation in this policy's procedures to determine if the duties of the contracted position and the knowledge, skills, abilities, and work habits of the contractor's employee are appropriate for telework.

Employees may not provide direct care to dependents at the alternative worksite during working hours, unless their supervisor has authorized a temporary exception to this provision.

Waivers from Policy

Any waiver of this policy must be approved by the Executive Director in writing. If a waiver is approved, a copy will be provided to the Office of Workforce Management. To request a waiver from this policy or a provision within the policy, you must complete a "*Request for Waiver of Requirements, Clarification of Exemption, or Policy Revision form*":

Authority/References

[Sections 20.05](#) and [20.21](#), Florida Statutes (F.S.)

[Rule 12-3.007, Florida Administrative Code](#)

[Section 110.171, F.S.](#), also known as the *State of Florida Telework Act*

[Section 255.249\(6\), F.S.](#)

[Employee Individual Self-Assessment](#) is a tool that helps employees determine if they have the right characteristics for telework.

[Guidelines for Developing Alternative Work Strategies](#) show how to plan for alternative work strategies at the site level. They are primarily for regional, service center and process managers.

[Department of Management Services' \(DMS\) Publication "Identifying Positions Appropriate for Telework and Determining Employee Eligibility"](#) was created to help managers and employees considering telework.

Confidential Information Policy and Procedures

Employee Information Security Handbook is Revenue's quick reference guide to information security.

Information Security Policy defines Revenue's security framework to assist personnel in the implementation of policies, procedures and standards for Revenue's Information Security Program.

Communication and Training

Audience	Actions To Be Taken	Expected Implementation Date
All Employees	Key Communication on changes to State of Florida Telework Act, Revenue's definition of teleworker, and where employees and managers may access information about Revenue's telework program.	December 2015
All Employees and Managers	Office of Workforce Management will provide a list of positions appropriate for telework and a telework plan to post on the agency's internet site, in conformance with section 110.171, Florida Statutes.	December 2015
All Teleworkers and their Supervisors	Complete Telework Agreement	December 2015
TRAINING: All teleworking employees and their supervisors or prospective teleworking employees who have not previously completed telework training.	<ul style="list-style-type: none"> • Telework Training for Employees • Telework Training for Supervisors 	Ongoing

Signature

Marshall Stranburg

Executive Director

09/08/2015

Date

Policy Administrator

Employee Wellbeing Manager
Office of Workforce Management
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Key Agency Contact

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Revision History

If you think this policy should be revised please complete the “*Request for Waiver of Requirements, Clarification of Exemption, or Policy Revision form*”:

<http://dorweb01/library/EXEC/strategy/RequestForWaiverOfRequirements.doc>

Origination Date	Explanation
August 1991	State Employee Telecommuting Pilot Program
Last Reviewed Date	Explanation
May 1995	Revenue Telecommuting Program Operating Procedures
October 1997	Revised Telecommuting Program Internal Operating Procedures
November 2003	Revenue Telecommuting Policy and Operating Procedures
	<ul style="list-style-type: none"> • Information Security Program’s Telecommunications Section responsible for <ul style="list-style-type: none"> ○ Serving as initial point of contact for telework equipment and service questions. ○ Development and maintenance of agency-wide job classification/position eligibility list, the Telecommuter Information Database and the Telecommuting Model Office Template. • Established telecommuting representatives in each program. • Revised telecommuting approval authorities to include service center managers and regional managers. • Updated and revised forms.
September 2010	Revenue’s Virtual Office Policy
	<ul style="list-style-type: none"> • Provides policy and procedural guidance to Revenue teleworkers, their supervisors, managers and others. • Creates and defines telework classifications. Employees who telework occasionally and those who telework after scheduled work hours are included. • Coordinators in each program serve as initial contacts and perform other administrative duties. • Updates and revises forms. Provides for telework training.
October 2011	Administrative changes: Updated contact information, removed reference to specific numbered section of the Standards of Conduct, complied with updated policy template, Executive Director signed to reflect administrative changes.
August 2015	Biennial review: Changed title, strategic direction and classifications. Excluded those who telework occasionally or those who work remotely after scheduled work hours.