



City and County of San Francisco

Interim COVID-19 Telecommuting Program Policy

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I. Purpose

Telecommuting is an arrangement that allows employees of the City and County of San Francisco (City) to conduct their work remotely, from a designated area outside the office. Telecommuting is a cooperative arrangement between employees, supervisors, and employing departments.

The City's standard Telecommuting Policy outlines position and employee eligibility, procedures, and expectations regarding employees working remotely. However, during the outbreak of the Coronavirus Disease 2019 (COVID-19), it is in the best interest of the City and public health to expand the number of City employees who may telecommute in order to comply with Department of Public Health (DPH) recommendations and occupational health and safety standards.

Employees who can perform their work remotely may telecommute, to limit the number of employees physically present on site to levels consistent with public health guidance and thus enable those who cannot work remotely to safely perform their job duties in the workplace. For the duration of the public health emergency and as needed to comply with public health guidance, the City has directed departments to expand the use of telecommuting, to consider offering flexible start and end times for shifts during this interim period, and to establish a process for employees to retrieve equipment necessary to perform their job duties. As public health officials update COVID-19 guidance and ease restrictions on in-person gatherings and services, the City expects to bring more employees back to the workplace consistent with public health guidance and health and safety requirements.

II. Policy

The Interim COVID-19 Telecommuting Policy is an addendum to the City's standard Telecommuting Policy and applies citywide. Department heads should make telecommuting available to employees in their departments to the extent feasible and as needed to limit the number of employees physically present on site to levels consistent with current public health guidance, in order to promote the health and safety of City workers and the public. Departments may rotate on-site duties among a group of employees if necessary to achieve this goal or may designate individual employees to work on-site to perform required duties as long as this does not impact safety standards of the worksite. Decisions as to who is allowed to telecommute and who is allowed or required to remain on site should be based on documented business reasons and operational needs of the department.

All City employees who telecommute should have an approved telecommuting agreement in place. A City department may have additional telecommuting requirements, guidelines, or procedures, provided

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they are consistent with the citywide telecommuting policy. Employees are responsible for completing and submitting their telecommute agreement for approval consistent with their department's approval requirements. Modifications of telecommute agreements will be handled in the same manner.

Telecommuting does not change the duties, obligations, responsibilities, or terms and conditions of City employment. Telecommuting employees must comply with all City rules, policies, practices, and instructions, including restrictions on the use of City resources for non-City purposes.

A telecommuting employee must perform work and be available during the scheduled telecommuting hours agreed upon in the employee's telecommuting agreement. The employee's telecommuting schedule may be adjusted to accommodate an employee's special needs during the workday, such as child, elder or other dependent care. Employees must inform their managers or supervisors if they need temporary adjustments in their telecommute schedules. Telecommuting employees may take care of personal business during breaks or unpaid lunch periods, as they would at the regular worksite.

This Interim COVID-19 Telecommuting Policy will continue for the duration of the local emergency, unless ended sooner by the City with reasonable advance notice. The City will notify telecommuting employees when the Interim Policy is no longer in effect. In addition, supervisors or managers may notify employees that their telecommute agreements must change and when they must return to on site work, on either a full, part-time or as-needed basis consistent with public health guidance.

III. Agreement Options

Telecommuting agreements may be on a full-time, regular and recurring, or occasional basis. The type of work that an employee performs determines the appropriateness for working remotely. One of three telecommute agreements should be assigned based on employee request, fitness with job duties, and business needs of the department or division. Any employee on an approved telecommuting arrangement may still be directed to report to on-site work, either as a Disaster Services Worker or for other business reasons, and generally must be available to report to in-person work within 48 hours, although in some urgent or unanticipated circumstances, they may be required to report to in-person work on shorter notice.

Full-Time Telecommuting

Full-time telecommuting means an employee works away from the regular worksite full-time for the duration of the telecommuting arrangement. Full-time telecommute employees have no obligation to visit the office on a regular basis.

Regular and Recurring Telecommuting

Regular and recurring telecommuting means an employee works away from the regular worksite on an established day or days, and on a recurring schedule.

Occasional Telecommuting

Occasional telecommuting means an employee works away from the regular worksite on an infrequent, one-time, or irregular basis. This option provides an ideal arrangement for employees who generally need to work at the worksite, but who sometimes have projects, assignments, or other circumstances that permit them to work from a remote location.

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IV. Advanced Approval for On-Site Work

During the local public health emergency, telecommuting employees should not come to the worksite when they are not scheduled to do so, unless they request and receive advance approval from their manager or supervisor. This approval process allows departments to limit the number of employees physically present on site to levels consistent with current public health guidance. As public health officials update COVID-19 guidance and ease restrictions on in-person gatherings and services, more employees can come to the worksite consistent with public health guidance and health and safety requirements.

Departments should implement a process to track employees who report to the worksite in order to manage employee capacity requirements consistent with public health recommendations and provide the ability to perform contact tracing, if needed.

V. Remote Work Performed Out-of-State

Employees may not remotely perform their City job from outside of the State of California. Working remotely from out-of-state creates tax and other potential liabilities and operational impacts, including limiting the ability of an employee to timely respond to a requirement to report for on-site work. There may be limited circumstances where an employee may receive approval to work remotely from out-of-state for a brief, defined period of time; however, such remote out-of-state telecommuting requires approval by both the employee's Appointing Officer or designee and the City's Human Resources Director or designee, and the request must be supported by compelling business reasons, an explanation of limited family health circumstances, or other critical need. **Any employee currently working remotely from out-of-state must return to performing all remote work from within the State of California by no later than September 1, 2021.**

VI. Training

All employees with telecommute agreements must complete the appropriate telecommute eLearning module at least once.

Supervisors may require employees to retake telecommute eLearning at any time.

VII. Work Hours

All rules applicable at the regular worksite are applicable while telecommuting. That includes:

- Telecommuting employees must work during scheduled work hours;
- Employees must account for and report time spent telecommuting the same way they would at the regular worksite, or according to the terms of the telecommuting agreement;
- Work time must be recorded accurately;
- Employees may work overtime only when directed to do so and when approved in advance by their supervisors;
- Employees must obtain approval to use vacation, sick, or other leave in the same manner as departmental employees who do not telecommute; and

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- Telecommuting employees who become ill must report the hours actually worked and use sick leave for hours not worked.

VIII. Equipment and Supplies

Employees who are telecommuting for a majority of their work schedule may, with departmental approval, take home City equipment for telecommuting purposes. Equipment which may be removed from the worksite includes laptop computers, monitors, keyboards, chairs, computer mice, and other desktop equipment. Departments providing equipment, software, or other supplies to telecommuting employees must reasonably allocate those resources based on operational and workload needs, and must utilize an inventory tracking system for this equipment. City issued equipment is subject to the department's asset protection policy.

All City rules regarding the appropriate use of computers and the internet apply while an employee is telecommuting.

IX. Denial of Application

The City's Interim COVID-19 Telecommuting Policy and Program is not subject to the grievance procedures in any Memorandum of Understanding, or to any other review or appeal procedures.