

	Florida Lottery	
	Subject: TELECOMMUTING and WORK-AT-HOME PROGRAM	Policy Number:
	Section:	Effective Date: July 1, 2011
	Approved By: Cynthia F. O'Connell	Revised Date:

PURPOSE/SCOPE: To establish policy and procedures for the implementation and monitoring of a telecommuting and work-at-home program.

I. AUTHORITY

[Section 110.171](#), Florida Statutes, Telecommuting Program

II. DEFINITIONS

1. Telecommuting – A mutually agreed to work arrangement whereby eligible employees are authorized to perform their normal job duties and responsibilities through the use of computers or telecommunications at home or another place apart from the employee's normal place of work. This program allows qualified employees to work at an alternative work site one to five days a week.
2. Work at Home – A work arrangement of temporary and short duration that allows eligible employees to temporarily perform work at home due to a medical condition or when they are required to serve as a caregiver.

The program offers several benefits to both the employee and the department which include improved performance, reduction in employee turnover, improved morale, reduction in the need for office space and the accompanying office energy requirements and providing reasonable accommodation for an employee under the provisions of The Americans with Disabilities Act (ADA).

There is a definitive distinction between Telecommuting and Work-at-Home. These two work options are not interchangeable. Supervisors and employees seeking to utilize either of these arrangements should be careful to designate the correct agreement.

III. POLICY

It is the policy of the Florida Lottery to allow eligible employees to participate in a telecommuting program provided that the employee meets eligibility requirements for such participation and the employee's normal job functions can be performed at home or at another place apart from the employee's usual place of work. Employees approved for these assignments must meet all eligible performance and conduct standards while participating in either the telecommuting or working-at-home programs. As these assignments are management options and not an employee benefit, they must support department and division needs.

Participation in telecommuting or work-at-home programs is voluntary and must be mutually agreed upon by the employee and the supervisor. Employees are not required to telecommute and supervisors are not required to allow an employee to telecommute. Employees may request from one to five days per week for telecommuting purposes.

The Florida Lottery will identify the types of jobs considered appropriate for telecommuting and will post the policy and pertinent supporting documentation on the department's Internet website for access by employees and the public.

IV. ELIGIBILITY REQUIREMENTS

The Telecommuting and Work-at-Home programs each have specific requirements that must be met before a decision can be made as to whether either of these alternative work arrangements will satisfy the business need:

A. Telecommuting Eligibility Requirements:

1. The employee's normal job duties and responsibilities must be capable of being performed at his/her home or another site using a computer or other telecommunications.
2. Routine, scheduled time in the office occurs each week. Only on rare occasions, and with approval of the division director, would such time in the office be scheduled less than weekly.
3. The employee must attend all required meetings and training programs at locations designated by the department.
4. The employee may not provide direct care-giving responsibilities while performing his/her job responsibilities.
5. Eligible employees are subject to the same rules, policies and procedures regarding attendance, leave, job performance, performance evaluations, and discipline and separation actions as employees not participating in the program.

B. Work-at-Home Eligibility Requirements:

1. Work-at-home is a short-term arrangement of two months or less for situations where the employee is able to work but is temporarily unable to perform his/her job duties in the office due to a temporary medical condition, or when the employee is required to serve temporarily as a caregiver. Longer-term arrangements may be approved under unique circumstances.
2. In caregiver situations, the type of care needed is assessed along with the ability of the employee to separate his/her assigned job duties from other daily domestic responsibilities.
3. The supervisor determines if the employee has the necessary skills and abilities to perform specific job duties effectively at home.
4. Work-at-home schedules must be for a minimum of 4 hours per day.
5. The employee must provide appropriate medical certification to support a work-at-home assignment for him/herself or the person for whom he/she is serving as caregiver.

C. General Eligibility Requirements (applies to both Telecommuting and Work-at-Home situations):

1. The employee's work performance must be at a consistently high level prior to exploring use of an alternative work arrangement.
2. The employee's attendance record must reflect regular and consistent attendance at work with no counseling or discipline for attendance-related offenses.
3. Employees approved for either telecommuting or work-at-home assignments must:
 - a. Demonstrate the ability to work productively and independent of supervision on a regular basis.
 - b. Not have any disciplinary infractions within the previous 3 years, and not currently be under a performance improvement plan.
 - c. Be dependable, trustworthy and have a high level of self-motivation.
 - d. Agree to the requirements stipulated in the appropriate Telecommuting or Work-at-Home Agreement form (attached).

D. Characteristics of Work Suitable for Telecommuting or Work-At-Home

Job tasks that typically may be appropriate for home based work include those that are generally project oriented, have limited or no required day-to-day direct supervisory responsibilities, and have the following characteristics:

1. Results oriented
2. Quantifiable, measurable, reasonably tracked
3. Easily portable
4. Limited requirement for face-to-face internal/external interaction and communication
5. Minimum supervision required
6. Information based

E. Functions of Work Suitable for Telecommuting or Work-At-Home

The determination as to which positions should be permitted to telecommute or work-at-home is based upon the presence of functional responsibilities that can be achieved away from the normal place of work. Job tasks that have been identified as appropriate for telecommuting or working at home include:

1. Reading, writing and editing (proposals, policies, reports, etc.)
2. Preparing and practicing presentations
3. Data entry
4. On-line research
5. Programming
6. Data analysis
7. In-bound telephone answering (information and referral)

V. Procedures

A. Application and Approval Process:

1. Telecommuting
 - a. Employee completes the *Telecommuting Application* and submits it to his/her supervisor. The application must indicate how telecommuting can benefit the department.
 - b. The supervisor reviews the application and, in conjunction with the division director, assesses the employee's eligibility for telecommuting assignment based upon the requirements above and completes the *Supervisory Consent*.

- c. For approved requests, division management prepares a *Telecommuting Agreement* and arranges for installation of any necessary equipment. A copy of the executed Telecommuting Agreement is given to Human Resources for inclusion in the employee's personnel file.
- d. If the request is not approved, the employee is notified that the telecommuting request has been denied.
- e. Telecommuting assignments are subject to annual review and approval.

2. Work-At-Home

- a. Employee submits the *Work-At-Home Application* to his/her supervisor describing the reasons for the request to perform specified job duties at home and the duration of the request.
- b. The request is accompanied by appropriate medical certification indicating the employee is able to work, but is temporarily unable to perform his/her job duties at the office location due to a temporary medical condition for him/herself or for a person for whom the employee is serving as caregiver.
- c. The supervisor reviews the application and, in conjunction with the division director, assesses the employee's eligibility for work-at-home assignment based upon the requirements above and whether the job duties can be performed effectively at home by the employee.
- d. Division directors may approve an employee's request for work-at-home for up to 2 months. Approval by the Secretary is required for a longer period.
- e. For approved requests, a copy of the approval is given to Human Resources for inclusion in the employee's file.

B. Responsibilities

- 1. Supervisor responsibilities include:
 - a. Ensuring an employee's participation in telecommuting or work-at-home complies with the requirements of this policy at all times and does not adversely affect eligibility for advancement or other employment rights or benefits.
 - b. Establishing reasonable conditions to ensure the appropriate use, installation and maintenance of equipment or items for official purposes only.
 - c. Establishing a work plan with the employee that describes job duties to be performed, the level of performance expected, and how performance will be monitored and evaluated.
 - d. Maintaining ongoing, consistent contact and communication with the employee.
 - e. Maintaining a list of equipment assigned to the employee and ensuring all equipment is returned at the conclusion of the telecommute/work-at-home arrangement.
 - f. Approving and signing the Telecommuting Agreement.
- 2. Employee responsibilities include:
 - a. Meeting all performance standards and work requirements and following established policies and procedures.
 - b. Providing work space that is free of safety and fire hazards.
 - c. Protecting department owned equipment, software and documents against damage and unauthorized use.
 - d. Refraining from conducting face-to-face state business at the home site.

- e. Attending all required meetings and training programs at locations designated by the department.
 - f. Signing an agreement that provides verification that the home office provides workspace that is safe and free from fire hazards. The agreement will also hold the state harmless against any and all claims, excluding Workers' Compensation claims, resulting from the employee working in the home office.
 - g. Complying with all state laws and rules.
3. Human Resources responsibilities include:
- a. Acting as a resource for information, procedural inquiries, and forms relating to the program.
 - b. Maintaining a historical report of all employees participating in the program.
 - c. Updating the People First database as appropriate.
 - d. Reviewing and maintaining the paperwork submitted.
 - e. Ensuring the confidentiality of any medical information submitted in support of the request.

C. Attendance, Leave, Pay, Travel and Workers' Compensation

- 1. Employees are subject to the same rules regarding attendance, leave, performance reviews and separation actions as all other employees.
- 2. All pay and leave will be based upon the employee's official work location and not the telecommuting or home office situation. The employee records time and attendance as if performing duties at the official work location.
- 3. Overtime shall not be worked unless authorized in advance by the supervisor.
- 4. Travel reimbursements are based on the employee's official work location.
- 5. Established approval procedures for leave and overtime must be followed including obtaining supervisor approval before taking leave.
- 6. The employee is covered by Workers' Compensation under Chapter 440, F.S. when performing official duties at the home location while participating in telecommuting or work-at-home status.

D. Work Assignments and Evaluation

- 1. Supervisors must communicate at least on a weekly basis with employees on telecommuting or working at home assignments regarding work performance and assignments.
- 2. Evaluation of the employee's work is based upon established standards. The employee's performance must continue to meet standards while he/she is telecommuting or working-at-home in order for the employee to be allowed to continue in the program.

E. Use of Equipment and Liability

- 1. The employee must use department owned equipment which is serviced and maintained by the department. The employee is liable for any damaged caused by his/her failure to properly use, care and safeguard the state equipment.
- 2. The department is responsible for installation, software and maintenance of all computer equipment and supplies. The employee should return the equipment to the business site for necessary maintenance.
- 3. If telephone equipment is determined by the department to be necessary for the employee to fulfill his/her job duties while telecommuting or working at home, the

department will not be responsible for incurring and paying for any communication costs.

4. The department is not responsible for home maintenance, utility expenses or other incidental costs associated with telecommuting or working at home and the use of the employee's residence as a home office.
5. The department will not be liable for any damages to the employee's property as a result of participation in the telecommuting or working at home program.
6. All equipment and software must be returned at the conclusion of telecommuting or working at home.

F. Security Controls

1. Employees must apply approved safeguards to protect department data or records from unauthorized use and disclosure or damage and shall comply with the public records requirements set forth in Chapter 119, F.S.
2. All records, papers, documents and correspondence or removable computer media should be safeguarded when not being used by the employee.
3. A periodic review by the immediate supervisor or department management may occur with at least 24 hours advance notice to ensure compliance with the telecommuting or working at home requirements. Any non-compliance could result in revocation of telecommuting or working at home privileges.

G. Duration

1. The telecommuting agreement is for a maximum of one year. At the end of the agreed upon period, the supervisor and employee will participate in a review leading to renewal or termination of the original agreement.
2. An employee's participation in a telecommuting assignment is voluntary and the employee may choose to cease participation at any time after discussion with his/her division director.
3. The division director has the right to remove the employee from the program at any time if participation is not in the best interest of the department.

H. Documents Required

1. The employee completes the *Telecommuting Application* requesting participation in the program.
2. The employee completes the *Work-At-Home Application* for a short term arrangement and submits medical documentation supporting the request.
3. The employee's supervisor completes the *Supervisory Consent* indicating the employee meets the requirements for telecommuting or working at home.
4. The *Telecommuting Agreement* sets forth the terms and conditions for telecommuting and requires the approval of the Secretary.
5. The *Work-At-Home Agreement* is approved by the supervisor and division director; requests extending longer than two months require the approval of the Secretary.