

HUMAN RESOURCES DEPARTMENT DEMA STATE EMPLOYEES TELEWORK PROGRAM

The DEMA State Employees Telework Program applies to all DEMA state employees, regardless of status or position funding source, who request permission to participate in remote work or virtual office arrangements (Telework), IAW the State of Arizona Remote Work Program.

Note: This Directive does NOT apply to Arizona National Guard (AZNG) Title 32 (T32) Technicians, Title 5 (T5) National Guard Employees and Active Guard/Reserve (AGR), Full-Time National Guard Duty (FTNGD), and Active Duty Operational Support (ADOS), who are covered under DEMA Directive 25-9, Federal Human Resources AZNG Telework Program.

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Section 1 - General Information

1.1 Proponent and exception authority: The State Human Resources Department (HRD) retains responsibility for this directive. The Adjutant General is the authority to approve exceptions to this directive, unless delegated in writing.

1.2 Supersession: This is an original document and does not supersede a previous version.

1.3 Distribution: DEMA, AZ ANG, ARNG, and JFHQ.

1.4 Purpose: The purpose of this document is to establish rules and outline the procedures for participation in the DEMA State Employees Telework Program and implement the requirements of the State of Arizona Remote Work Program, ASPS/HRD-PA5.01.

1.5 Goals: Due to the nature of DEMA's missions and responsibilities, the telework option is to be considered in limited circumstances to include, but not limited to the following:

1.5.1 Due to an employee's temporary or permanent medical condition;

1.5.2 Where safety conditions, health considerations or working environment prescribe work accomplishment at an alternate location

1.5.3 Assist achieving department mission accomplishment when alternate in-person means are not viable.

1.5.4 Reduce traffic congestion and decrease energy consumption and pollution emissions.

1.5.5 During serious public health events, declared emergencies, and natural disasters.

1.5.6 Where director finds good cause to grant the request.

1.6 References:

1.6.1 Arizona Revises Statutes § 49-588, Requirements for major employers.

1.6.2 Executive Order 2003-11.

1.6.3 ASPS/HRD-PA5.01, Remote Work Program.

1.7 Responsibilities:

1.7.1 The Adjutant General (TAG):

1.7.1.1 Ensure DEMA State Employees Telework Program (DEMA Telework Program) is implemented and administered IAW State of Arizona Remote Work Program, ASPS/HRD-PA5.01.

1.7.1.2 Establish and approve telework procedures applicable to state employees via this directive.

1.7.2 Authorized Management Official (AMO) (Directors/O-6 Commanders):

1.7.2.1 Approve/Disapprove all telework agreements or terminate an existing telework agreement.

1.7.2.2 For state employees, Directors, as Authorized Management Officials, may delegate approval/disapproval authority to managers or O-5/GS-12 supervisors.

1.7.3 The Human Resources Department (HRD) Manager:

1.7.3.1 Appoint a Telework Program Coordinator who will manage the DEMA Telework Program.

1.7.3.2 Include DEMA Telework Program briefing in relevant supervisor and management trainings.

1.7.4 DEMA Telework Program Coordinator:

1.7.4.1 Coordinate the implementation of the DEMA Telework Program.

1.7.4.2 Maintain a record of Remote Work Agreements (RWA) for all participating employees.

1.7.4.3 Track telework program participation, maintain a record of pertinent data, and submit applicable reports to Arizona State Personnel System (ASPS) as required.

1.7.4.4 Monitor ASPS changes and updates to telework and remote work policies and guidelines.

1.7.4.5 Ensure all supervisors and employees complete the ASPS mandated Remote Work CBT training.

1.7.4.6 Ensure Remote Work Agreements (RWA) are completed annually IAW ASPS guidelines.

1.7.4.7 Monitor DEMA Telework Program and provide relevant feedback to the Human Resources Manager including, but is not limited to the program's success, administrative concerns, and any recommended revisions to this directive.

1.7.5 Information Management:

1.7.5.1 Authorize the use of state computer networks, equipment (government furnished or personal), and supplies based on verified need from supervisors and availability of funds and support personnel.

1.7.5.2 Establish procedures for teleworkers to securely connect/access the network and programs from offsite locations.

1.7.5.3 Determine what equipment (government furnished or personal) and support services can be provided or used based on telework arrangements, verified need from supervisors, and availability of funds and support personnel.

1.7.5.4 Provide cybersecurity briefing to include the use of state-approved software only, prohibition on duplication or shared software, remote access hardware, software, and security procedures.

1.7.6 Supervisors/Managers:

1.7.6.1 Determine suitability of an employee for telework options, in accordance with section 2, *Eligibility and Application*, of this directive.

1.7.6.2 Ensure telework agreements, training, and requirements under this directive are complete prior to recommending the telework option to Authorized Management Official (AMO) and **annually thereafter**.

1.7.6.3 Annually reviewed and make recommendation to the AMO for approved telework agreements and resubmitted to the HRD Telework Coordinator between 01 Jan through 31 May of each year.

1.7.6.4 Maintain the original approved telework agreement, provide a copy to the employee and the HRD Telework Coordinator.

1.7.6.5 Manage and evaluate employee's participation and compliance IAW applicable personnel rules and regulations, including AZ DEMA *Code of Ethical Conduct* policy.

1.7.6.6 Review and evaluate performance and the quality of the employee's work.

1.7.6.7 Ensure employee accurately reports telework time and attendance.

1.7.6.8 Track and report telework participation and submit summary data to the Telework Program Coordinator upon request.

1.7.6.9 Report termination of a telework agreement to the Telework Program Coordinator immediately.

1.7.6.10 Ensure a new telework agreement is approved for respective employees when there is a change in an Authorized Management Official and/or supervisor.

1.7.7 Telework Employees:

1.7.7.1 Complete the essential functions of position, assigned duties, and maintain performance expectations.

1.7.7.2 Adhere to telework directive and procedures.

1.7.7.3 Complete required RWA and telework CBT upon request for telework, and annually thereafter.

1.7.7.4 Ensure a telework agreement is completed and approved annually.

1.7.7.5 Ensure alternate telework location is a safe working environment. Maintaining a safe/secure telework environment is the sole responsibility of the employee as the DEMA does not provide added security or workplace modifications to telework locations. If an employee believes their telework environment is not safe, they should report to the original duty location.

1.7.7.6 Ensure alternate telework locations have reliable internet access. DEMA does not provide compensation for internet services.

1.7.7.7 Report any injuries or illness that may preclude or limit teleworking to their supervisor as soon as possible.

1.7.7.8 Provide teleworking equipment requirements to their supervisor.

1.7.7.9 Obtain appropriate approval before performing teleworking duties that exceed or deviate from the work agreement.

1.7.7.10 Account for and safeguard Government Furnished Equipment (GFE) and maintain confidentiality and secure information.

Section 2 – Suitability and Eligibility

2.1 Suitability Determination:

2.1.1 **Telework is not an employee entitlement or right.** Approval of a telework request is at the Authorized Management Official's (AMO) discretion and not appropriate for every employee or every position. The supervisor and AMO must consider factors including but not limited to those outlined in subsection 2.2 to determine whether a position is suitable for telework; and, make a determination of whether the employee is eligible/suitable, as outlined in subsections 2.3 and 2.4 below, when reviewing a telework request. The AMO may deny a request or terminate a telework arrangement at any time.

2.2 Position Suitability:

2.2.1 Positions suitable for regular telework are those involving tasks and work activities that are portable, do not depend on the employee being at the traditional worksite, and are conducive to supervisory oversight at the alternative worksite. Tasks and functions generally suited for telework include, but are not limited to:

2.2.1.1 Projects involving thinking and writing.

2.2.1.2 Policy development.

2.2.1.3 Research involving remote access to information.

2.2.1.4 Analysis (e.g. investigating, program analysis, policy analysis, financial analysis).

2.2.1.5 Report writing.

2.2.1.6 Telephone intensive tasks.

2.2.1.7 Computer-oriented tasks (e.g. programming, data entry, word processing, web page design).

2.2.1.8 Computer based training.

2.2.1.9 Other tasks determined appropriate by supervisor.

2.2.2 Positions generally **unsuitable** for regular or recurring telework (but may be considered for ad hoc or situational telework) are those positions involving tasks that are not suitable to be performed away from the traditional worksite, including tasks that require:

2.2.2.1 The employee have daily face-to-face contact with the supervisor, colleagues, clients, or the general public in order to perform his or her job effectively, which cannot otherwise be achieved via email, telephone, fax, video conferencing, or similar electronic means.

2.2.2.2 Frequent or daily access to classified information.

2.2.2.3 Resources or equipment unavailable away from the duty station.

2.3 Employee Suitability:

2.3.1 As determined by the supervisor and AMO, an employee suitable for telework must have personal characteristics that are well suited to telework, including, at a minimum:

2.3.2 Demonstrated dependability and the ability to handle responsibility.

2.3.3 A proven record of high personal motivation.

2.3.4 The ability to prioritize work effectively and use good time management skills.

2.3.5 Trustworthiness and conduct (e.g., whether the employee has demonstrated a disregard for office policies or supervisory instructions or has a disciplinary record).

2.4 Ineligible Employees. An employee is ineligible and will not be considered suitable for telework where any of the following have occurred:

2.4.1 Employee is unable to perform the essential functions of the job or the employee is on a work improvement plan.

2.4.2 Disciplinary action has occurred in the last 12 months.

2.4.3 Performance rating is below 2.0 "Meets Expectation" evaluation.

2.4.4 Unexcused or excessive absenteeism in the last 12 months.

Section 3 - State Employee Telework Rules and Procedures

3.1 State Employee Telework Request:

3.1.1 Participation in a telework program is voluntary. Telework is not an employee right. AMO and supervisors may deny a telework request or terminate a telework agreement at any time.

3.1.2 Employees may request to telework by entering request into HRIS YES website directly and completing the Remote Work Agreement (RWA).

3.1.3 Employees are responsible for initiating and completing the RWA and submitting to supervisor for consideration.

3.1.4 AMO approves/disapproves all telework requests, this may be delegated in writing to supervisors/managers.

3.1.5 Approved/denied telework requests must be sent to the HRD Telework Program Coordinator by the AMO or his/her designee.

3.2 State Employee Telework Training:

3.2.1 Supervisors and employees participating in the Telework Program are required to complete the required telework training prior to completing the Remote Work Agreement. The training is accessible through the Y.E.S. Portal in HRIS.

3.3 Telework/Remote Work Agreements (RWA)

3.3.1 Prior to the commencement of any telework arrangement, supervisors and employees must complete and sign the RWA outlining the terms and conditions of the arrangement. RWA will be printed and maintained by the supervisor, a copy will be routed to the HRD Telework Program Coordinator.

3.3.2 Prior to approving the RWA the supervisor will ensure the alternative worksite and telework schedule is documented in writing and addresses personnel, security, and equipment issues.

3.3.3 The completed RWA and required training certificate will be emailed to the HRD Telework Program Coordinator: hr@azdema.gov.

3.3.4 The Telework Program Coordinator is responsible for maintaining a record of the agency's RWAs.

3.3.5 A new RWA must be approved for respective employees when there is a change in an AMO and/or supervisor.

3.3.6 The AMO or employee may terminate the RWA at any time. When possible, advanced written notice terminating the agreement should be provided, however, supervisors are required to immediately terminate RWA agreement when the employee's performance falls below expectations.

3.3.7 Teleworkers should notify their supervisors as soon as possible in the event dependent care prevents or significantly disrupts work accomplishment. Teleworkers should then request approval for appropriate leave while performing dependent care responsibilities.

3.3.8 Failure to comply with the terms of the RWA, or diminishment in the employee's performance could result in suspension or termination of an employee's telework agreement.

3.4 Certification and Control of Time and Attendance:

3.4.1 Time spent in a telework status must be accounted for and reported in the same manner as if the employee reported for duty at the traditional worksite. Supervisors will ensure the number of hours each individual spends in a scheduled telework status during the regular daily tour of duty is identified with reason code "110". Hours spent in a telework status that are outside of the regular duty day must also be approved in advance by the supervisor and accounted for as compensatory time earned.

3.4.2 Supervisors can verify an employee's time spent working at an alternative worksite by determining the reasonableness of the work output for the time spent, or by making occasional telephone calls during the employee's scheduled work hours at the alternative worksite.

3.4.3 Employees must submit leave request in accordance with current State of Arizona Personnel and DEMA policies and procedures.

3.5 Performance Management:

3.5.1 Employees authorized to telework must have a proven (or expected, for new employees) performance rating of at least "Meets Expectations" to be eligible for participation in the telework program.

3.5.2 Teleworker employee's performance will be monitored in the same manner as employees at the traditional worksite.

3.5.3 Teleworker employees are required to complete all assigned work, consistent with the approach adopted for non-teleworking employees in the work group. Teleworkers will return phone calls/messages and emails in the same manner as expected at the traditional worksite.

3.5.4 Telework must not adversely affect organizational missions and functions. If AMO/supervisors determine an adverse effect, they must immediately modify or terminate the telework arrangement or immediately terminate a telework agreement when they deem the arrangement fails to meet the organization's needs or the employee's performance does not meet the prescribed standard.

3.6 Work Schedules:

3.6.1 The existing rules on hours of duty apply to teleworking employees.

3.6.2 Employees must be accessible and available for during their scheduled work hours.

3.6.3 Employees may participate in both an alternate work schedule and a telework program at the same time. The telework daily schedule should follow the employee's set worksite work-schedule.

3.6.4 Supervisors have the authority to require telework employees to report to their worksites on scheduled telework days.

3.6.5 Supervisors should balance telework with worksite presence to optimize workgroup performance.

3.7 Physical Training (PT) Wellness Programs

3.7.1 Teleworkers who are eligible to participate in a personal physical training (PT) Wellness Program during duty hours in accordance with DEMA PT policy 20.11 may continue to do so. Eligible teleworkers consider their reported telework location as their work site for the purposes of complying with the DEMA PT policy 20.11. All other PT program requirements and limitations still apply. Since teleworkers are not co-located with their supervisors, teleworkers must coordinate PT times prior to participating in the activity and must check in/out with their supervisor when activity is conducted during the employee's shift.

3.8 Overtime:

3.8.1 Non-exempt employees may work overtime only when approved by the supervisor in advance, unless it is an emergency or not reasonably possible based on the circumstances.

3.9 Telework and Travel:

3.9.1 The travel provisions that apply to employees working at a traditional worksite also apply to employees who telework.

3.9.2 Management reserves the right to require employees to report to the traditional worksite on scheduled telework days, based on operational requirements. Commuting time for employees required to report to the traditional worksite on telework days will not be credited as hours of work unless the workday has already started when they are directed to go to the traditional worksite.

3.10 Emergency Dismissal, Closing, or Delay:

3.10.1 When DEMA is deemed to be "closed for business", employees not designated by the Adjutant General as "mission essential employees," including teleworkers are excused from work without loss of pay or charge to leave.

3.10.2 The TAG or AMO may authorize ad hoc teleworking when a situation including, but not limited to safety concerns, natural disaster, pandemic, or weather, prohibits the employee from reporting to the worksite.

3.10.3 If a situation arises where employees reporting to the traditional workplace are allowed to report to work at a delayed reporting time, employees who are teleworking at their home would not be affected, therefore should begin work as scheduled.

3.10.4 If the employee knows in advance of a situation that would preclude working at the alternative worksite, then a change in work schedule, leave, or work at the employee's traditional worksite must be scheduled (e.g., scheduled power or communication outages for upgrades).

Section 4 - Equipment and Liabilities

4.1 Government Furnished Equipment and Security:

4.1.1 Government Furnished Equipment must only be used for official duties only. The teleworker is authorized to use government-furnished equipment and only for activities related to the teleworkers duties. The employee must return all government-furnished equipment and materials to the agency at the conclusion of teleworking arrangements.

4.1.2 Teleworkers are responsible for the security of all official data, protection of any government-furnished equipment and property, and accomplishment of DEMA's mission at the alternative worksite. **Under no circumstances will the handling of classified data be authorized for teleworkers.**

4.1.3 All files, records, papers, or machine-readable materials created while teleworking are the property of DEMA. Records subject to the confidentiality and Privacy Act may not be disclosed to anyone except those authorized access as a requirement of their official responsibilities. Supervisors, managers, and employees shall ensure that appropriate physical, administrative, and technical safeguards are used to protect the

security and confidentiality of such records. Only copies, not originals, of Privacy Act and confidential documents may be permitted to be taken out of the traditional work site and they may be taken only on temporary basis and not permanently stored out of the traditional work site. Supervisors and/or managers shall ensure that any teleworkers who will be working on Privacy Act and confidential materials receive appropriate training.

4.2 Workers' Compensation and Other Liabilities

4.2.1 In accordance with Title 23 of A.R.S, worker's compensation coverage will remain in effect while the employee is within the course, scope, and authorization of their employment and conduction State business from approved remote location. Employees must notify their supervisor of any job-related injury or illness and call 1-800-685-2877, within 24 hours of injury or illness.

4.2.2 For work-at-home arrangements, the employee is required to designate one area in the home as the official workstation. Employees are responsible for ensuring that their homes comply with safety requirements. The Employee is responsible for reporting lost or damage equipment to their supervisor and to ADOA Risk Management. In accordance with A.R.S.§ 41-621, the state does not provide coverage for employee-owned property.

The proponent of this directive is the DEMA Human Resources Department. Users are invited to send comments and suggested improvements to the 5636 E. McDowell Road, Phoenix AZ 85008-3495, ATTN: DEMA/HRD.

KERRY MUEHLENBECK
Major General, AZ ANG
The Adjutant General

Explanation of Terms.

Ad hoc telework

Approved telework performed on an occasional, one-time, or irregular basis. (Telework of less than one day per pay period is considered ad hoc.)

Alternative worksite

A place away from the traditional worksite that has been approved for the performance of officially assigned duties.

State Employees

All officers and employees of this state, whether in covered service or uncovered service, unless otherwise prescribed. A.R.S § 41-741(8), regardless of status or position funding.

Regular and recurring telework

An approved work schedule where eligible employees regularly work at least one day per biweekly pay period at an alternative worksite.

Mission Essential Employees

Employees whose presence at work is required to assist the agency in meeting its operational needs.

Telework

Any arrangement including remote work and virtual arrangements, as defined by the ASPS Remote Work Program, in which an employee performs officially assigned duties at an alternative worksite on either a regular or recurring, or on an ad hoc, basis (not including while on official travel). Sometimes referred to as 'telecommuting'.

Remote Work Agreement (RWA)

A written agreement, completed and signed by an employee and appropriate official(s) in his or her section/unit, that outlines the terms and conditions of the telework arrangement.

Telework ready

Personnel have the resources, equipment, and an agreement on file with the telework location and contact information on file, and have some practice with telework with a basic knowledge of what they will accomplish.

Work-at-home telework

An approved arrangement whereby an employee performs his or her official duties in a specified work or office area of his or her home that is suitable for the performance of official government business.

Workplace

Where an employee performs work. It can be their traditional or alternative worksite.