

STATE OF MARYLAND POLICY

SUBJECT: Teleworking

Effective: 7/1/99

Revised: 7/1/19

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**AUTHORITY: Annotated Code of Maryland, State Personnel and Pensions
Article, Section 2-308, Code of Maryland Regulations, Title 17,
Subtitle 04, Chapter 11, Section .02 B(1)(a).**

1. STATEMENT OF POLICY

- 1.1 The State has a teleworking program which allows selected employees to work from a Remote Work Site on an occasional basis.
- 1.2 Each agency will attempt to allow 15 percent of eligible employees to telework.
- 1.3 It is within the sole discretion of the employing agency to determine whether an employee is eligible to telework.

2. DEFINITIONS

- 2.1 Eligible Employee - An employee in a job identified by the employee's supervisor as suitable for teleworking.
- 2.2 Main Work Site - The employee's usual and customary agency work address or other location as approved by the employee's supervisor.
- 2.3 Remote Work Site - A work site other than the employee's Main Work Site. The Remote Work Site shall mean any remote office location approved by the agency. It may include the employee's home, a satellite office, or a Telework Center, if one is available.
- 2.4 Telework Center - A facility that offers office-like work stations and electronic equipment that may be used by State agencies to house teleworking employees.
- 2.5 Telework Work Plan - A specific set of defined work expectations to be met each time the employee works at a Remote Work Site.

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2.6 Teleworker - A person who, for at least four days a month, works at a Remote Work Site to produce specific deliverables as stated in the Telework Work Plan.

3. EMPLOYEE PARTICIPATION

3.1 Probationary employees are not permitted to telework.

3.2 In order to be eligible to telework, the employee must have received an overall “satisfactory” or better rating on the performance evaluation immediately preceding the request to telework and must maintain overall “satisfactory” or better ratings during the telework period.

3.3 The supervisor will determine which employees are in positions suitable for teleworking.

3.4 At the discretion of the supervisor, employees in positions that are suitable for teleworking may be permitted to telework on designated days.

3.5 Teleworking is voluntary and may be terminated by the employee or the supervisor at any time.

3.6 Before allowing an employee to telework, the employee's supervisor shall review with the employee the following:

- (i) the Teleworking Agreement; and
- (ii) the Telework Work Plan.

3.7 The employee shall be required to submit a Teleworking Agreement to the supervisor prior to being approved to telework.

3.8 Before each teleworking day, the supervisor and the teleworker must complete a Telework Work Plan to establish specific deliverables for the telework day.

3.9 Adherence to the State’s personnel laws, regulations, and policies is required and is unaffected by an employee’s status as a telework or while the employee is working at a Remote Work Site.

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3.10 Appropriate disciplinary action may be taken against a teleworker for failing to comply with the provisions of the Teleworking Agreement or for violating any other personnel law, regulation or policy.

4. EMPLOYMENT

- 4.1 The teleworker's duties, obligations, responsibilities and conditions of employment with the State will be unaffected by teleworking.
- 4.2 The teleworker's salary, retirement benefits, and State of Maryland sponsored insurance coverage will remain unchanged by the teleworking arrangement.
- 4.3 All work hours, overtime compensation, and leave usage must conform to the Annotated Code of Maryland, the Code of Maryland Regulations, the provisions of the Teleworking Agreement, and to the terms otherwise agreed upon by the employee and the supervisor.
- 4.4 The teleworker must have the pre-approval of the teleworker's supervisor before working overtime on a telework day.

5. EQUIPMENT AND SUPPLIES

- 5.1 The teleworker must have a telephone and a designated work space with appropriate equipment and supplies to complete work assignments at the Remote Work Site.
- 5.2 If the teleworker does not possess the equipment and software required to telework at the Remote Work Site, the agency is not required to provide them.
- 5.3 Agencies may provide the teleworker with the following equipment:
 - 5.3.1 laptops;
 - 5.3.2 desktop computers;
 - 5.3.3 printers;
 - 5.3.4 faxes;
 - 5.3.5 scanners;
 - 5.3.6 cables; and
 - 5.3.7 software.

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- 5.4 Equipment purchases must be related to the performance of the teleworker's specific job duties.
- 5.5 Before purchasing equipment, other than that specified in Section 5.2, agencies must receive approval from the DBM Office of Budget Analysis.
- 5.5 Agency equipment provided to an employee shall remain the property of the agency and shall be returned to the agency upon the termination of an employee's participation in the telework program.
- 5.6 The use of equipment, software, data, supplies and furniture, if provided by an agency, is limited to use by authorized persons and for purposes related to State business only.
- 5.7 The teleworker will be responsible for the security of all items furnished by the State.
- 5.8 The teleworker shall obtain from the main office all supplies needed for work at the Remote Work Site.

6. WORK SPACE

- 6.1 The teleworker must have an area designated as work space.
- 6.2 The work space should be maintained in a safe condition, free of hazards that might endanger the employee or result in damage or loss of agency equipment.

7. EXPENSES

- 7.1 Work-related long distance phone calls should be planned for in-office days whenever possible.
- 7.2 Expenses for long distance calls that must be made from a teleworker's home may be reimbursed if the reason and cost for the call are documented.
- 7.3 The teleworker is responsible for the cost of maintenance, repair and operation of personal equipment that has not been provided by the State.

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- 7.4 Expenses for supplies regularly available at the main office will not be reimbursed unless pre-purchase approval has been granted by the teleworker's supervisor.

8. LIABILITY FOR INJURIES WHILE TELEWORKING

- 8.1 The teleworker is covered under the State's Workers' Compensation Law for injuries occurring in the course of the actual performance of official duties at the Remote Work Site.
- 8.2 The teleworker or someone acting on the teleworker's behalf shall immediately notify the teleworker's supervisor of any accident or injury that occurs at the Remote Work Site.
- 8.3 The agency and the supervisor should then follow the State's policies regarding the reporting of injuries for employees injured while at work.
- 8.4 The agency is not liable for damages to the teleworker's personal or real property while the teleworker is working at the Remote Work Site, except to the extent required under Maryland law.

9. CHILD/DEPENDENT CARE/PERSONAL BUSINESS

- 9.1 Teleworking is not a substitute for child or dependent care.
- 9.2 The teleworker must continue to make arrangements for child or dependent care to the same extent as if the teleworker was working at the Main Work Site.
- 9.3 The teleworker must refrain from conducting personal business while on work status at the Remote Work Site.
- 9.4 The teleworker must complete the Telework Schedule to include the Main and Remote Work Site addresses, telephone numbers, work hours for each day and the daily lunch period.
- 9.5 The supervisor must agree to any changes to the Telework Schedule in advance.

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10. INSPECTIONS

10.1 The supervisor may make an on-site visit to the teleworker's Remote Work Site during the employee's scheduled telework hours for the purposes of verifying that the employee is teleworking as scheduled, determining that the site is safe and free from hazards and to maintain, repair, inspect or retrieve agency-owned equipment, software, data or supplies.

10.2 On-site visits may be scheduled or unscheduled.

11. CONFIDENTIAL INFORMATION

11.1 The teleworker and the supervisor shall establish appropriate safeguards to secure confidential data and information.

11.2 The teleworker is responsible for ensuring that confidential information is handled in a manner calculated to protect this information while at the Remote Work Site.