

Introduction

This Telework Procedures document is the technical companion to the [MnDOT Telework Policy](#), #WF023 and the [Minnesota Management and Budget Telework Policy](#), HR/LR #1422.

To request or renew a telework arrangement, employees must follow the Telework Procedures published by MnDOT. A [Telework Schedule and Acknowledgement Form](#) must be signed by the supervisor and employee before the start of teleworking, including those teleworking as part of a reasonable accommodation under the Americans with Disabilities Act.

Definitions

Ad Hoc Telework

Telework that occurs as a result of a planned or unplanned event, such as a doctor's appointment or inclement weather. Ad hoc telework does not require a Telework Schedule and Acknowledgement Form, however, all occurrences require supervisor approval.

Emergency Telework

Telework that occurs as a result of a business interruption or emergency situation emergency. Emergency Telework is a continuity of operations strategy to promote continued services during a business interruption or emergency situation when normal facilities are closed or inaccessible.

Emergency Teleworker

An employee designated by the agency's Continuity of Operations Plan (COOP) as one who may be directed by management to continue to work at the emergency teleworker's remote worksite during emergency situations when normal facilities are closed or inaccessible.

Mobile Worker

An employee who travels continuously for work or who performs work at multiple locations outside of an agency office, such as a field location or other site.

Remote Worker

An employee who, as a condition of their appointment, has their home or alternative location as their assigned work location, works permanently from that location, and does not have an agency permanent/principal work location.

Permanent/Principal Work Location

The worksite to which an employee is permanently assigned, usually the agency office.

Telework

A work arrangement that allows an employee to perform work on a scheduled regular, recurring basis at a telework location that is not the employee's permanent/principal work location.

Telework Schedule and Acknowledgement Form

A document identifying the employee's expected telework schedule and in which the employee acknowledges the requirements of the telework arrangement.

Telework Location

An approved worksite, different from the permanent/principal work location, in which an employee is authorized to conduct telework. In most cases, the telework location will be an employee's home.

Teleworker

An employee who has an agreed-upon schedule during which they are expected to work at a telework location rather than their permanent/principal work location.

General Standards and Expectations

Please see the general standards and expectations outlined in the Minnesota Management and Budget Telework Policy, HR/LR #1422. In addition, below are MnDOT-specific standards and expectations.

Telework Location. The telework location may not be outside of the United States. Before approving any telework location outside of Minnesota (even for one day), the supervisor must inform local MnDOT payroll services to identify potential obligations for state tax withholding and unemployment insurance. If approved, the employee must continue to follow the terms of this policy, as well as any procedures for reporting time worked outside of Minnesota.

Workers' Compensation. An employee is covered by the state's Workers' Compensation laws while they are acting in the course and scope of their employment, including teleworking. Any designated telework location is considered an extension of state workspace only during scheduled teleworking hours for purposes of workers' compensation.

Even though the State of Minnesota has Workers' Compensation liability coverage for its employees, state laws in other states might still require workers' compensation coverage specific to the state's laws where the employee is working. If you will be teleworking outside of MN, your supervisor should notify your HR staffing representative and [MnDOT's Worker's Compensation Manager](#), in order to notify the Department of Administration-Risk Management Division to obtain the appropriate policy.

The [Statewide Telework Policy](#) and MnDOT's [Worker's Compensation Injury Reporting and Return-to-Work Policy \(WF012\)](#) require that employees report all work-related injuries or illnesses to their supervisor immediately and not later than 24 hours after the injury or illness. For complete information about the injury reporting process and follow up, please visit the [Work Injury website](#) for details.

Telework Approvals

Selection Criteria

In deciding whether to allow an employee to telework, office directors/district engineers/supervisors shall consider the following selection criteria and review the [MnDOT Supervisor Telework Considerations Form](#):

- Provisions of the appropriate collective bargaining agreement/plan.
- Ability to maintain effective customer service.
- Ability to maintain workload and effective communication within the work unit.
- Whether job duties are able to be carried out successfully from the telework site.
- Availability of MnDOT or the employee's personal equipment and other needed resources or support.
- Ability to support resiliency and sustainability of MnDOT's services.

Telework Approval Procedure

1. Employee expresses interest in teleworking to supervisor.
2. Supervisor provides MnDOT Telework Policy and discusses telework approval procedure with employee.
3. Supervisor evaluates the request based on the selection criteria and reviews the [MnDOT Supervisor Telework Considerations Form](#).
 - If employee and job criteria are met, skip to step 5.
 - If employee and job criteria are not met, go to step 4.
4. Denial or Partial Denial of Telework Request
 - If the supervisor does not agree with the employee's request, the supervisor completes the [MnDOT Supervisor Telework Considerations Form](#) and submits the form to the Office Director/District Engineer.
 - The Office Director/District Engineer reviews the denial. If the OD/DE agrees with the denial, the OD/DE signs the Supervisor Telework Considerations Form and submits it to [MN DOT HR Telework](#). If the Office Director/District Engineer disagrees with the denial, the OD/DE discusses with the supervisor and the supervisor approves the employee's request.
 - Supervisor meets with employee to discuss the reasons why the employee or job criteria do not meet the telework selection criteria. Explore alternatives to telework, if any.
 - Supervisor provides confirmation of decision to employee and maintains a copy of the Supervisor Telework Considerations Form in the supervisory file.
 - MnDOT's decision to approve or not approve, to change, or to cancel a telework arrangement is not subject to grievance.
5. Supervisor provides and reviews with the employee the following policies and procedures prior to completing the Telework Schedule and Acknowledgement Form:
 - [HR/LR Policy #1422 Telework Policy](#)
 - [MnDOT Telework Policy](#)
 - [State Policy: Appropriate Use of Electronic Communication and Technology](#)
 - Injury reporting procedure: [Information for Injured Employees](#)
 - Collective bargaining agreements/plans
 - Other policies and/or procedures based on agency need.
6. Once there is agreement about the telework arrangement/schedule, the employee must complete the [Telework Schedule and Acknowledgement Form](#). The form will be forwarded to the supervisor and they should discuss expectations and conditions of the telework arrangement with the employee, including:
 - Employee performance expectations and monitoring
 - Work hours and schedule
 - Telework location
 - Equipment and supplies
 - Workers' compensation
 - Data privacy and security

- Communication and availability
 - Employment conditions
7. Supervisor communicates with team about employee's telework schedule.
 8. Employee begins teleworking and supervisor monitors performance.

Telework Schedule and Acknowledgment Form

- A. **Acknowledgment form required.** A [Telework Schedule and Acknowledgement Form](#) must be completed before the start of teleworking, including those teleworking as part of a reasonable accommodation under the Americans with Disabilities Act.
- B. **Change/Cancellation.** The telework arrangement can be changed or cancelled by the agency, at any time, with or without cause. MnDOT will attempt to provide up to a month's notice prior to a change in the telework arrangement taking effect, if possible. However, nothing in these procedures limits MnDOT's right to change or cancel a telework arrangement effective immediately or with less than a month's notice. Any changes to the telework arrangement must be documented in a revised and signed Telework Schedule and Acknowledgment form. Cancellation of telework should be documented but does not require a signed Telework Schedule and Acknowledgement Form.

If the teleworker wishes to cancel the telework arrangement, the teleworker must give advance notice of at least three weeks to their supervisor of the cancellation to enable the supervisor to provide adequate space at a permanent/principal work location, minimize disruption, and meet business needs. Workspace provided upon cancellation may be located wherever space is available at the permanent/principal work location.

The supervisor has the discretion to approve or reject any changes suggested by the employee.

- C. **Renewal of Telework Arrangement.** At least annually, the supervisor and teleworker must discuss the telework arrangement. The supervisor and teleworker must also discuss the telework arrangement if any of the following events occur:
 - A change in the teleworker's job duties;
 - A change in any of the provisions documented in the Telework Schedule and Acknowledgement Form; or
 - Teleworker or supervisor changes position.

Any changes to the telework arrangement must be documented in a new Telework Schedule and Acknowledgement form. Ad hoc changes due to flextime, overtime or other schedule changes allowed under and complying with the bargaining agreement or compensation plan must be discussed in advance with the supervisor but do not require a new Acknowledgement form.

- D. **Ad Hoc Telework.** Telework Schedule and Acknowledgement Forms are not required for ad hoc teleworking. However, supervisory approval is required in every instance of ad hoc teleworking.

Equipment and Resources

- A. MnDOT will provide each employee with the following standard equipment:
 - Laptop or desktop computer meeting minimum specifications for job responsibilities

- One or two docking stations, as needed
- Two monitors
- Required cables for monitors, power, etc.
- One or two keyboards and mice
- Software required for job responsibilities
- Cell phone or soft phone, if needed

An employee splitting time between an office location and a telework location may choose where to keep the assigned equipment. Desk chairs, sit/stand desks, and floor mats must remain at the office and may not be taken home. Requests for additional equipment or resources must be approved by the supervisor. The supervisor is responsible for tracking equipment and supplies brought to the telework location and ensuring they are returned when needed or at the end of the telework arrangement.

- B. The employee and supervisor may mutually agree that the employee will use a personal computer and equipment with the understanding that:
- MnDOT data may not be stored on the employee's personal computer hard drive.
 - MnDOT will not provide support for the employee's personal computer or equipment.
- C. It is not permissible for an employee to have MnDOT equipment at one's home if there is no MnDOT business need for it.