

CAL FIRE TELECOMMUTING POLICY

1170

(No. 43 September 2010)

Government Code Sections 14200-14203 require State departments to develop and implement telecommuting plans in work areas where telecommuting can be identified as being both practical and beneficial to the organization. The Department of Forestry and Fire Protection (CAL FIRE) offers telecommuting as a work option in accordance with the provisions of this policy. Departmental managers, supervisors and employees should be familiar with the contents of this policy. This policy is consistent with the guidelines contained in the Department of General Services' publication, *Telecommuting Work Option: Information Guidelines and Model Policy*.

Telecommuting is working one or more days each work week at home or at an office near home (telecenter), on a regularly scheduled basis, instead of commuting to the employee's headquarters office. (Government Code Section 14200 defines "telecommuting" as "...the partial or total substitution of computers or telecommunication technologies, or both, for the commute to work by employees residing in California.") Informal, pre-approved occasional work-at-home arrangements for the purpose of meeting workload requirements are not considered telecommuting assignments under this policy.

SELECTION

1170.1

(No. 43 September 2010)

Telecommuting is only feasible for those tasks within a job which are able to be performed, in whole or in part, away from the employee's headquarters office. Approval of telecommuting as a work option shall be based on a case-by-case review of each individual request. The criteria for approval shall be based on, but not limited to, such factors as the tasks to be performed, distribution of workload, cost, equipment and/or technology needs, information security, and the appropriateness of the home office environment. Selection of employees shall not be arbitrary nor based on seniority.

In addition to the factors noted above, approval of telecommuting assignments also requires screening of telecommuters and supervisors. Selected employees should be motivated and self-directed, and supervisors should have appropriate management skills and/or the willingness to learn to fully utilize the telecommuting work mode. These employee screening factors developed by the Department of General Services should be considered prior to entering into any telecommuting assignment: history of reliable and responsible discharge of work duties; full understanding of the operations of his/her agency; trust of his/her supervisor and/or manager; ability to manage priorities and manage his/her own time; conscientious pursuit of high-quality work production. Typically, employees who have not completed their probationary period in their current class should not be selected for participation in this program.

Employee participation in home office telecommuting is voluntary. Employee participation in telecenter commuting is, like other office relocations, not necessarily voluntary.

SCHEDULING

1170.2

(No. 43 September 2010)

To ensure regular contact with supervisors and co-workers, and access to specialized files and/or equipment, employees should normally telecommute no more than two days per week, with no consecutive days.

Office needs take precedence over telecommute days. Employees must forgo telecommuting if they are needed in their headquarters office on their regularly scheduled telecommute days.

HOURS OF WORK

1170.3

(No. 43 September 2010)

All work schedules are discretionary and require management approval. Any work schedule (e.g., flextime, 9/8/80, etc.) may be approved for an individual telecommuter as long as the work schedule is consistent with the requirements of the employee's work week group and the provisions of the employee's collective bargaining agreement.

Overtime and call back must be authorized by management in accordance with the provisions of the employee's collective bargaining agreement and the employee's work week group. Compensation or compensatory time off will be authorized by management in accordance with the provisions of the employee's collective bargaining agreement.

CONFIDENTIAL AND SENSITIVE INFORMATION

1170.4

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As with all State employees, telecommuters are expected to adhere to all rules and regulations in the State Administrative Manual, and all Department policies and procedures, regarding security and confidentiality for the computer, its data and information, and any other information handled in the course of work.

HOME OFFICE ENVIRONMENT

1170.5

(No. 43 September 2010)

Health and Safety

Telecommuting employees are responsible for ensuring that their homes comply with health and safety requirements. Home offices must be clean and free of obstructions and the home must be in compliance with all building codes. The facility must be free of hazardous materials. Management may deny an employee the opportunity to telecommute or may rescind a telecommuting agreement based on safety of the home or suspected hazardous materials in the home facility. Management may also have the home office inspected for compliance with health and safety requirements. Inspections will be by appointment only. If an employee incurs a work-related injury while telecommuting, worker's compensation law and rules apply. Employees must notify their supervisors immediately and complete all necessary and/or management-requested documents regarding the injury. Supervisors should consult with the CAL FIRE Safety or Health and Fitness Units if there are any questions about compliance with health and safety requirements.

Equipment

Upon approval of the appropriate Deputy Director or Region Chief, CAL FIRE may provide equipment such as basic supplies, laptop computers, modems, fax machines, telephone calling cards for long distance service, remote email access, etc., if it is determined to be cost-beneficial and necessary for the telecommuting arrangement. All other basic costs (e.g., usage fees for privately-owned computers or equipment; furniture, such as desks and chairs; utility costs associated with the use of the computer or occupation of the home) will be the responsibility of the telecommuter. Repairs to CAL FIRE-owned equipment will be the responsibility of CAL FIRE and repairs to telecommuter-owned equipment will be the responsibility of the employee. In the event of equipment malfunction, telecommuters must notify their supervisors immediately. If repairs will take some time, telecommuters may be asked to report to their headquarters office until the equipment is usable.

Miscellaneous:

The opportunity to telecommute is offered only with the understanding that it is the responsibility of the employee to ensure that a proper work environment is maintained (e.g., dependent care arrangements are made so as not to interfere with the work, personal disruptions such as non-business telephone calls and visitors are kept to a minimum, etc.). Failure to maintain a proper work environment, as determined by management, provides cause for an employee's immediate termination from the telecommute program.

EMPLOYEE RIGHTS

1170.6

(No. 43 September 2010)

Employee rights provided for in the employee's collective bargaining agreement are not affected by participation in a telecommuting program. Employees retain the right to meet with their representative (e.g., job steward) in accordance with the provision of their collective bargaining agreements; such meetings will take place at employees' headquarters offices (or assigned telecenter facilities, if applicable) rather than at home offices.

TERMINATION AND RENEWAL OF TELECOMMUTING ASSIGNMENTS

1170.7

(No. 43 September 2010)

Because participation in telecommuting is a bilateral voluntary agreement, management may terminate participation in the program without cause, at any time, with advance written notice. Whenever feasible, such notice will be provided at least 30 calendar days in advance. Termination of an employee's participation *for cause* may be immediate and does *not* require advance written notice. The employee may also request to terminate participation, without cause, at any time; management will make arrangements for the employee to begin working at the employee's headquarters office as quickly as possible, but no later than 30 days after notification by the employee.

Telecommuting is a work arrangement between an individual employee and his/her supervisor. The telecommuter has no automatic right to telecommute. A supervisor has no authority to require an employee to telecommute. Further, telecommuting opportunities are based upon program requirements as determined by management. Therefore, previous telecommuters are not assured of a continuing telecommuting option if they, for example, return from a leave of absence or transfer to a new position.

CAL FIRE TELECOMMUTING PROCEDURES

1170.8

(No. 43 September 2010)

1. The Departmental telecommuting coordinator will be located in the Personnel Projects Unit of the Departmental Personnel Office. The coordinator's responsibilities will include:
 - A. Ensuring that CAL FIRE's telecommuting program complies with policies, procedures, and guidelines.
 - B. Providing consultation to management, supervisors and/or employees as needed.

- C. Evaluation of the telecommuting program and responding to requests from the Department of General Services as necessary.
 - D. Serving as CAL FIRE's representative to the Telecommuting Advisory Group.
2. Initiating a telecommuting assignment requires completion of the following steps:
- A. A Telecommuter's Agreement ([see exhibit](#)) must be signed by the employee, first-line supervisor, and first-line manager prior to the start of each telecommuting assignment. The Telecommuter's Agreement must be renewed annually, or whenever there is a major job change (e.g., a promotion), or whenever the telecommuter or first-line supervisor change positions.
 - B. Prior to the start of the telecommuting assignment, the employee must be provided with the Department of Personnel Administration's (DPA) *Video Display Terminal User's Handbook, Guide to Setting up a Home Office, and Safety Issues Self-Checklist* ([see exhibit](#)). The supervisor should retain the original of the employee's completed *Safety Issues Self-Checklist* and provide the employee with a copy.
 - C. Prior to the start of each telecommuting assignment, the first-line supervisor must also complete the Supervisor's Checklist for Telecommuters ([see exhibit](#)) .
 - D. Copies of the Telecommuter's Assignment and Supervisor's Checklist must be forwarded to the Departmental Telecommuting Coordinator, who will retain the documents on file.

FORMS AND/OR FORMS SAMPLES: RETURN TO ISSUANCE HOME PAGE FOR FORMS/FORMS SAMPLES SITE LINK.

[\(see Next Section\)](#)

[\(see Table of Contents\)](#)