



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES

POLICY	
Department on Disability Services	Subject: <i>Alternative Work Schedules and Telework</i>
Responsible Program or Office: Department on Disability Services	Policy Number: 2019-DDS-POL02
Date of Approval by Director: August 20, 2019	Number of Pages: 9
Effective Date: September 15, 2019	Expiration Date: N/A
Supersedes: Alternative Work Schedules Policy and Procedures, No. 2016-DDS-HR-POL001 dated August 24, 2016 (combined policy and procedures); Telecommuting Policy, 2015-DDS-POL0022 dated January 28, 2019	
Cross References, Related Policies and Procedures, and Related Documents: D.C. Official Code § 1-510(b) (2016 Repl.) (related to compressed work schedules); District Personnel Regulations, Chapter 12 (Hours of Work, Legal Holidays and Leave) dated June 12, 2019; Compressed, Flexible and Telework Schedules, District Personnel Instruction No. 12-58, effective September 28, 2016; DDS Alternative Work Schedules and Telework Procedure, 2019-DDS-PROC01.	

1. PURPOSE

This purpose of this policy is to permit Department on Disability Services (DDS) managers and supervisors to maximize their work group productivity and achieve their program goals by providing work schedule options that best meet the needs of the agency. AWS and telework provide opportunities for employees to reduce commuting expenses, traffic congestion and commute-related pollution as well as have increased flexibility to balance work and family responsibilities, take advantage of educational opportunities, become involved with community and volunteer activities, and more. AWS also provides opportunities to increase customer service, reduce overtime expenses, and improve employee morale.

2. APPLICABILITY

This policy applies to all DDS employees.

3. AUTHORITY

The authority for this policy is established in the DDS as set forth in D.C. Law 16-264, the "Department on Disability Services Establishment Act of 2006," effective March 14, 2007 (D.C. Official Code § 7-761.01 *et seq.*).



4. DEFINITIONS

Alternative Work Schedules (AWS): means flexible work schedules or compressed work schedules.

Alternative Worksite: a worksite other than an employee's "Official Duty Station." Alternative Worksites may include the employee's residence, telecommuting center, or another location within the employee's normal commuting area. The Alternative Worksite shall be established or approved by the District government for use by employees who telework. The Alternative Worksite must be approved by the employee's supervisor, Deputy Director or Chief of Staff, and the DDS Director.

Compressed Work Schedule (CWS): in the case of a full-time employee, an eighty (80)-hour bi-weekly basic work requirement that is scheduled for less than ten workdays and which may require the employee to work more than eight hours in a day (*see* D.C. Official Code § 1-510(b) (2016 Repl.)).

Core Hours: the time periods during the workday, workweek, or pay period during which an employee under a flexible work schedule is required to be present for work.

DDS's Business Hours: 8:30 to 5:00 p.m., Monday through Friday, except holidays.

Emergency Employees: are those employees designated as such by the DDS Director. Emergency employees must report to work on time or telework if directed to do so by their agency head, or his or her designee.

Flexible Work Day (FWD): is an individualized tour of duty which differs from a regular basic work week primarily by the daily flexible start and stop times. Daily pre-approval is not required. Employees may select a starting and stopping time each day, meaning they are granted up to 30 minutes or up to 60 minutes of daily flexibility in the beginning and ending time of an approved tour of duty, but not prior to 6:00 a.m. or after 7:00 p.m.

Flexible Work Schedule (FWS): contingent on supervisory approval, allows an employee to determine his/her own schedule within the designated core hours under one of three options: the Individual Weekly Schedule (IWS), the Variable Day Schedule (VDS) and the Flexible Work Day (FWD).

Individual Weekly Schedule (IWS): contingent on supervisory approval, allows an employee to vary his/her tour of duty on a set daily schedule, where the employee works the same hours each day of the standard work week, Monday through Friday. This means the employee has the option of designating the starting and ending time within established limits set forth in the accompanying procedure.

Official Duty Station: the physical location where an employee is required to perform the official duties of his or her position.



Situational Telework: Unlike routine telework, which is part of an employee's regularly-scheduled tour of duty, situational telework is a temporary arrangement of no more than three consecutive workdays approved by the employee's supervisor in writing.

Telecommute or Telecommuting and Telework or Teleworking (Telework): an arrangement in which an employee regularly, during a declared emergency, or situationally performs officially assigned duties at an alternative worksite geographically convenient to the employee's residence and approved in advance and in writing by the supervisor, Deputy Director or Chief of Staff, Human Capital Administrator and the DDS Director.

Telework Agreement: A written agreement between the agency and an employee of the agency that details the terms and conditions of the employee's telework away from his or her Official Duty Station.

Variable Day Schedule (VDS): contingent on supervisory approval, allows the employee to vary his/her tour of duty for each day within the week with a pre-set schedule where the working hours in each day of the standard workweek need not be the same. With a VDS, the employee may work a prearranged schedule of hours that constitutes a valid workday, as long as the core hours are observed.

5. POLICY

It is the policy of DDS to establish alternative work schedules, which shall provide for compressed work schedules, flexible work schedules, as well as telework. DDS shall make determinations of the availability of AWS for divisions or positions based on the operational needs, staffing requirements, service delivery requirements, and staffing coverage needs of the agency. Through AWS and telework, DDS permits employees to work outside of DDS's business hours and away from their official duty stations.

6. RESPONSIBILITY

The responsibility for implementation of this policy is vested in the DDS Director. Implementation for this policy is the responsibility of the Human Capital Administrator, DDS Human Resources.

7. STANDARDS

- A. All AWS and telework requests will be considered in the context of the best interest of the agency.
- B. The exercise of the AWS and telework is always at the discretion and authority of an employee's supervisor, Deputy Director/Chief of Staff and the DDS Director. The DDS Director has the right to suspend AWS and telework at any time when the needs of the agency warrant the action. At least ten business days of advance notice will be provided whenever possible. The suspension of AWS or telework will not exceed 90 calendar days. Following the suspension, the DDS Director will consider reinstating the AWS or



telework to the previous level, reinstating the AWS or telework in a modified format, or terminating the AWS and telework altogether.

- C. A DDS employee who wishes to use AWS or telework must properly request and receive the necessary approvals.
 - 1. New employees may apply and be approved for a FWS immediately upon hire.
 - 2. New employees must work a minimum of 90 calendar days before becoming eligible for a CWS or telework.
 - 3. In order for an existing DDS employee to be approved for an AWS, the employee must complete and sign the DDS Alternative Work Schedules and Telework Application, and submit it for the necessary approvals.
 - 4. In order for an existing DDS employee to be approved for telework, the employee must complete and sign the DDS Alternative Work Schedules and Telework Application and Telework Agreement and submit them for the necessary approvals.
 - 5. Employees moving to a different administration, line of work, job or supervisor within DDS will be required to submit a new application, and await a round of approvals before working an AWS. Likewise, a new application and Telework Agreement must be completed before the employee may telework. When an employee makes such a move, whether voluntary or involuntary, approval for AWS or telework remains wholly at the discretion of the agency.
- D. Subject to supervisory approval, employees may select one or a combination of these flexible work options – FWS, CWS, and/ or telework – so long as they do not negatively impact agency services or personal performance.
- E. Working an AWS or telework is voluntary and optional. Employees will not be required to elect an AWS or telework.
- F. For employees covered by a collective bargaining agreement (CBA), any provisions on AWS contained in the CBA take precedence over this policy, provisions of the D.C. Personnel Regulations, and the E-DPM, to the extent that there is a difference, and in accordance with applicable laws and regulations.
- G. To the extent that there is a conflict between or among provisions on AWS in the terms of any CBA, D.C. Personnel Regulations, the E-DPM, and/or this policy, the provisions of the CBA shall control for employees covered by the CBA. To the extent that there is a conflict between or among provisions on teleworking in the terms of the Telework Agreement and this policy, the provisions of the Telework Agreement shall control. To the extent that there is a conflict between or among provisions on telecommuting in the terms of the Telework Agreement and D.C. Personnel Regulations, the provisions of the D.C. Personnel Regulations shall control.



- H. All employees on an AWS or who telework will have their job performance evaluated in accordance with their performance plan.
- I. A CWS should not impede government operations. All employees with approved CWS shall:
 - 1. Ensure coverage of all work by their colleagues (not their supervisor) on compressed days off;
 - 2. Communicate their CWS to relevant staff, especially those with whom they regularly conduct business, directly (on a one-to-one basis) as needed;
 - 3. Communicate their CWS through their email signatures, which must identify their regular schedule of workdays;
 - 4. Properly utilize Outlook out-of-office messages for each compressed day off and identify the colleague to contact in their office;
 - 5. Continuously keep their Outlook calendars up-to-date, reflecting their CWS and compressed work day(s) off; and
 - 6. Properly set their voice mail greetings to identify their out-of-office status on each compressed day off.
- J. In the event that an employee's regular telework day falls on an official D.C. government holiday, that does not change the person's telework schedule and their telework day does not change to another, non-holiday day.
- K. When the DDS Director releases employees early from work for non-emergency reasons, teleworkers will likewise be excused from duty.
- L. When the DDS Director announces early dismissal of employees in the event of declared emergency or situations where the regular work site is not accessible, a teleworker may be required to depart the office and continue to work through the end of the scheduled tour of duty from a telework site. If an emergency situation occurs at the teleworker's alternative worksite prohibiting the teleworking employee from performing work assignments, the teleworking employee is required to report the situation as soon as possible to his or her immediate supervisor and may be required to report to the employee's official duty station to continue their duties.
- M. The various AWS options may be offered within a work unit if appropriate for the work unit and approved by the Deputy Director, Chief of Staff and DDS Director. If an AWS is established and made available to DDS employees in one division, then it must be offered on an equal basis to all employees within the division, providing that those employees are in a position that has been determined eligible for AWS.
- N. Due to the operations of different divisions and administrations, the Deputy Director, Chief of Staff and DDS Director may determine that the work of certain subordinate components of the agency is not conducive to telework and may restrict the practice to certain



components of the agency. The decision of the Director to limit the subordinate components within the agency to telework is final and is neither appealable nor grievable.

- O. An employee's AWS or telework is granted by the agency only when approvals are given by the employee's supervisor, the Chief of Staff, Deputy Director, the Human Capital Administrator, and the DDS Director, who shall take into account the following factors:
1. The operational needs of the agency;
 2. The customer service needs of the agency;
 3. Whether there are restrictions on the nature of the work or on when and where work must be performed;
 4. Whether the employee works with a team that would require a matching schedule of all team members;
 5. Whether there is adequate coverage for functions handled by the employee in his/her absence without;
 6. If the request creates an undue burden for the other employees in the unit;
 7. Whether AWS and telework requests are being handled equitably and fairly;
 8. Whether management can continue to effectively monitor employee work that occurs outside the supervisor's regular schedule or the regular work site;
 9. Needs of the administration;
 10. Level of supervision required for the specific work;
 11. Amount of face-to-face contact required with other employees;
 12. Extent to which telephone communications can be relied upon to complete job duties; and
 13. In-office reference materials or computer network data files needed to competently perform the job.
- P. In determining whether the employee's personal work habits are suitable for AWS or telework, the following shall be considered:
1. Amount of supervision or frequency of feedback needed;
 2. Quality of organization and planning skills;
 3. Importance of co-workers' input to work function;
 4. Amount of discipline required concerning duties;
 5. Reliability concerning work hours;
 6. Desire or need to be around people;
 7. Desire or need for flexibility for any reason; and
 8. Quality of work performance or productivity.
- Q. AWS and telework may be implemented on a trial basis not to exceed 120 calendar days when there is a question of the appropriateness of the AWS or telework for the particular position or work unit. The DDS Director is responsible for making the determination of whether a particular position or work unit shall be given AWS or telework on a trial basis. The DDS Director has sole discretion to approve, deny or extend AWS and telework, which determination is not appealable.



- R. If the DDS Director approves an employee's application to participate in the Telework Program, the employee agrees to act in accordance with the Telework Agreement and all applicable rules and regulations of the D.C. government and the applicable policies and procedures of the Agency. Failure to comply may result in termination from the Telework Program as well as disciplinary action.
- S. Employees are expected to use their D.C. government-issued laptop computer when teleworking, if one has been issued. Teleworking employees may choose to use their home or personal computers if a laptop computer is not available or inoperable but cannot store official D.C. government work on their home or personal computer. Work products must be sent via encrypted email or transferred via an approved D.C. government storage method which may include but is not limited to use of a cloud-based storage or physical storage device.
- T. Employees will apply approved safeguards to protect DDS or D.C. government records from unauthorized disclosure and damage. While working at an alternative worksite, the employee will comply with applicable privacy requirements set forth in D.C. law, personnel regulations, and DDS policies and procedures.
- U. Telework employees agree to protect DDS-owned equipment in accordance with predetermined DDS guidelines. District-owned equipment will be serviced and maintained by DDS. However, employees using such D.C. government property at an alternate work location (telework site) may be held liable for damage to the equipment.
- V. If an employee provides his/her own equipment, the employee is responsible for servicing and maintaining it. The agency will not be liable for damages to an employee's personal or real property including their home or personal computer, during the course of the performance of official duties or while DDS equipment is in use at the employee's residence, except to the extent that DDS is held liable by a court of law. At no time shall an employee use a public computer, such as in a public library or hotel or in a shared workspace, to perform official duties.
- W. Prior to commencing telework under the Telework Program, an employee will meet with his or her supervisor to receive assignments or projects and to review completed work as necessary and appropriate. The employee will complete all assigned work according to work procedures as directed by the employee's supervisor, and according to guidelines and expectations in the employee's performance plan.
- X. Employees and supervisors must observe all applicable time and attendance, leave, and pay regulations when an AWS is established or when an employee participates in the Telework Program. Overtime and compensatory time, or exempt time off, are to be approved in advance using existing procedures. Leave usage will be charged based on the approved AWS. Employee will continue to work in a pay status while working at an alternative worksite. In the case of telework, all pay, leave, and travel authorizations will be based on the employee's Official Duty Station.



- Y. Upon rescission of the Telework Agreement, the failure of an employee to report to his or her official duty station during the employee's tour of duty will render the employee absent without leave. In addition, failure to return to duty at the official duty station may result in forfeiture of the employee's opportunity to engage in telework or AWS in the future and, when appropriate, may also result in disciplinary action.
- Z. In determining whether an employee can continue participating in the Telework Program, supervisors shall complete a "request status report" every six months, during the employee's mid-year review and final evaluation.
- AA. Telework may be rescinded or modified at the DDS Director's discretion during the time period that the employee is on a Performance Improvement Plan (PIP).
- BB. An employee's participation in telework may be rescinded (terminated) by the DDS Director whenever it is determined that the employee has failed to accomplish the work as prescribed, or for any other reasons within the discretion of the DDS Director. When practical, the employee should be given at least two weeks' or ten business days' prior written notice of a rescission (termination) of their Telework Agreement. Suspension of the Telework Agreement can occur at any time without notice based on the needs of the agency. Employees may appeal a telework termination directly to the DDS Director, whose decision is final. Suspensions and modifications of telework are neither appealable nor grievable.
- CC. An employee is covered by the appropriate provisions of the Disability Compensation Program, as appropriate, if injured while performing official duties at the official duty station or the alternative worksite. The employee shall immediately notify his or her supervisor of any work-related injury that occurs at the alternative worksite while working. The supervisor or agency risk manager will investigate all accident and injury reports immediately following notification.
- DD. An employee who teleworks agrees to indemnify and hold harmless the District government, its employees, agents and officers from any and all liability for personal injury or any claim for compensation whatsoever that may be filed against the District government, its employees, agents or officers, arising from any incident that occurs while the employee is working at his or her alternative worksite. This indemnification provision shall be null and void in the event he or she is not approved for participation in the Telework Program. If the application is approved but is subsequently terminated, the indemnity provision shall no longer be in effect after the last day on which the employee was permitted to participate in the AWS Program.



EE. DDS may terminate the employee's participation in the AWS Program at any time for reasons that include, but are not limited to, employee's performance and the agency's organizational or operational needs.

Andrew Reese

Andrew P. Reese, Director

8/20/19

Date