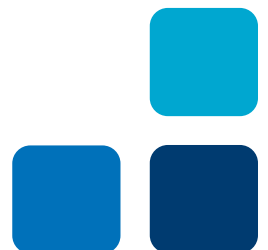


South Carolina State Government Telecommuting and Remote Work Policies and Procedures

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INTRODUCTION

Section 8-11-15(B) of the South Carolina Code of Laws says that state agencies “may use alternate work locations, including telecommuting, that result in greater efficiency and cost savings.”

The South Carolina Department of Administration’s (Admin) Division of State Human Resources (DSHR) designed this document to provide agencies with the rules governing the design and implementation of telecommuting programs.

Telecommuting is a work arrangement where selected state employees are allowed to perform the normal duties and responsibilities of their positions, through the use of computers or other telecommunication equipment, at home or at another alternate work location apart from the employee's usual location of work. **Telecommuting is an option offered at the agency head’s discretion and is not an employee entitlement or right.** If telecommuting is approved for an employee, the agency retains discretion to withdraw the approval of telecommuting at any time and with or without cause. Work from home on days when the office is closed due to hazardous weather OR field work where employees work at client or customer locations throughout the workday except for incidental and de minimis times where the employee needs to work from home or an alternate work location does not constitute telecommuting.

Agencies considering a telecommuting program should review the information in this document carefully.

The following documents are provided to assist agencies in developing telecommuting programs:

- ▶ Agency Telecommuting Checklist
- ▶ Model Telecommuting Policy
- ▶ Sample Telecommuting Application
- ▶ Sample Telecommuting Agreement
- ▶ Sample Telecommuting Workplace Safety Checklist
- ▶ Sample Telecommuting Activities Form
- ▶ Business Case for Telecommuting Description and Form

For additional assistance, please contact the Division of State Human Resources (803-896-5300).

DEFINITIONS

Telecommuting: A work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their primary workplace, in accordance with work agreements. Also known as teleworking. Work from home on days when the office is closed due to hazardous weather OR field work where employees work at client or customer locations throughout the workday except for incidental and de minimis times where the employee needs to work from home or an alternate work location does not constitute telecommuting. Three main categories of telecommuting can exist:

- ▶ Planned, recurring telecommuting that happens every week unless operational needs change. For example, an employee that telecommutes every Tuesday unless a project, meeting or workload requires an in-office presence. This level of telecommuting requires a formal agreement between the employee and the agency. The time telecommuting must be tracked in SCEIS or as required for non-SCEIS agencies.
- ▶ Periodic, intermittent telecommuting arrangements may arise, for example, where an employee is assigned a project with a short time frame or one that requires uninterrupted time to complete. This level of telecommuting does not require a formal agreement or checklist process. While it is not required that employees in these arrangements sign a telecommuting agreement, agencies should document the approval of the periodic, intermittent telecommuting arrangement in writing with the employee. These telecommuting arrangements will be reported through the Deviation from Approved Telecommuting Reporting process as described in the Reporting Requirements section of this document found on page eight.
- ▶ Temporary or emergency telecommuting may be used during short-term illness or other similar unplanned emergent events. This level of telecommuting does not require a formal agreement or checklist process. These arrangements require a verbal agreement between the employee and the agency. These arrangements should be limited to the duration of the short-term illness or other similar unplanned emergent event. These telecommuting arrangements will be reported through the Deviation from Approved Telecommuting Reporting process as described in the Reporting Requirements section of this document found on page eight.

Primary Workplace: The telecommuter's usual and customary agency workplace. This primary workplace may include the agency's other office locations (e.g. satellite or county offices) in which the employee occasionally works. For employees who primarily work in the field, or who are full-time telecommuters, the primary work location must still be an agency office.

Alternate Workplace: A workplace other than the employee's usual and customary workplace (primary workplace) and may include the employee's home. The alternate workplace is not an agency office.

Telecommuting Application: The document used by supervisors and employees to evaluate the employee's ability to successfully telecommute.

Telecommuting Agreement: The signed document that outlines the understanding between the agency and the employee regarding the telecommuting arrangement. A telecommuting agreement should be renewed at least annually. The telecommuting agreement should be reviewed and updated if there is a permanent change to the employee's job duties or if the provisions of the telecommuting agreement change. Telecommuting agreements are not transferable from one position to another.

Telecommuter: An employee who has an agreed-upon schedule during which they are expected to work at an alternate workplace rather than the employee's primary workplace.

Telecommuting Coordinator: The person responsible for providing support to telecommuting employees and their supervisors and monitoring the success of the telecommuting program.

Childcare and Dependent Care: Telecommuting workers may have household members or others who depend on them for care. Telecommuters with these obligations must have adequate care arrangements that do not interfere with their job responsibilities. Telecommuting is not a substitute for childcare, dependent care or other personal responsibilities. Telecommuters are required to use accrued leave, when necessary, to provide dependent care or when addressing other personal responsibilities. This includes time spent caring for ill household members or other people.

TELECOMMUTING RULES

General Statements

1. **Telecommuting is an option offered at the agency head's discretion and is not an employee entitlement or right.** Telecommuting is not a universal employee benefit. Telecommuting may not be suitable for all employees and/or positions. The decision to allow an employee to telecommute is solely at the discretion of the agency head. The agency may revoke the approval of any employee to telecommute at any time, with or without notice and the decision to revoke the ability to telecommute is not a grievable action under the South Carolina Employee Grievance Procedure Act.
2. An employee's participation in the agency's telecommuting program is generally voluntary. The agency head may, however, designate a position as telecommuting only, if recommended by the Division of State Human Resources (DSHR) and approved by the Governor or the Governor's designee. In this case, telecommuting would not be voluntary.
3. The agency head or designee should select a staff member to be the Telecommuting Coordinator.
4. DSHR shall develop a Telecommuting Model Policy and Sample Plan (Telecommuting Business Case Form) to assist agencies in their policy development. DSHR must review and approve each agency's Telecommuting Plan and Policy prior to the implementation of a telecommuting program.
5. Regularly scheduled telecommuting should be limited to a maximum of two days per week. Telecommuting for more than two days per week may only be permitted if recommended by the Division of State Human Resources (DSHR) and approved by the Governor or the Governor's designee.

6. An agency or institution may not permit any employee to telecommute on: (1) both Monday and Tuesday; (2) Thursday and Friday; or (3) Friday and the following Monday as part of a regular telecommuting arrangement.
7. Telecommuting may not adversely affect the quantity or quality of work produced by employees or the services provided by the agency or institution.
8. **The Division of State Human Resources reserves the right to revoke the approval of a telecommuting plan for any agency found out of compliance with its approved telecommuting plan or if telecommuting is found to be adversely affecting the quantity or quality of work at the agency.**

Eligibility Requirements for Telecommuting

1. Agency Directors and their Executive Staff are not permitted to telecommute. This includes Deputy Directors, Division Directors and managers or supervisors who report directly to the Agency Director and anyone else who reports directly to the Agency Director.
2. To be eligible to apply for telecommuting, an employee must have completed one year of satisfactory employment with the agency. This requirement may be waived if recommended by the Division of State Human Resources (DSHR) and approved by the Governor or the Governor's designee.
3. Employees subject to a warning period of substandard performance/performance improvement plan are not eligible for telecommuting. In addition, employees with recent disciplinary actions are not eligible for telecommuting.

TELECOMMUTING POLICY AND PLAN APPROVALS

The decision to allow an employee to telecommute is solely at the discretion of the agency head. If any agency head intends to allow regular telecommuting for any employees, a telecommuting policy and plan must be approved by the Division of State Human Resources prior to the agency allowing telecommuting.

The plan must include the following information:

1. The department or division that will be allowed to telecommute (if applicable).
2. The number of positions that will be eligible to telecommute.
3. A proposed roster of employees who will be telecommuting including the following information:
 - a. Employee name
 - b. SCEIS perner (if applicable)
 - c. Position Number
 - d. Department/Division
 - e. Position Classification (For Unclassified Positions Provide Code and Internal Title)

- f. Day(s) each week the employee will be telecommuting (Ex: Monday and Wednesday). Regularly scheduled telecommuting should be limited to a maximum of two days per week. Telecommuting for more than two days per week may only be permitted if recommended by the Division of State Human Resources (DSHR) and approved by the Governor or the Governor's designee.
 - g. Performance and productivity measures that will be used to monitor the performance and productivity of telecommuting employees.
- 4. The costs and benefits of implementing the telecommuting plan demonstrating greater efficiencies and cost savings with documentation of how this will be measured.
- 5. How the agency will track telecommuting hours and audit program use in compliance with Reporting Requirements Section of this document.

To assist in the creation of a telecommuting plan, DSHR has provided a telecommuting Business Case Form available in the Supporting Materials and Documents provided at the end of this document.

This information must be submitted, and the policy and plan approved, prior to implementing the telecommuting plan.

If there are changes to an agency's telecommuting plan, the plan changes must be submitted to the Division of State Human Resources for review and approval. This includes the addition of telecommuting eligible positions in previously approved classifications. An updated roster of employees telecommuting must be submitted as part of the quarterly reporting described in the following section.

The Division of State Human Resources reserves the right to revoke the approval of a telecommuting plan for any agency found out of compliance with its approved telecommuting plan or if telecommuting is found to be adversely affecting the quantity or quality of work at the agency.

REPORTING REQUIREMENTS

To ensure that only regular telecommuting approved by the Division of State Human Resources is occurring, agencies will be required to provide regular information concerning telecommuting usage.

Daily Reports

For agencies that utilize SCEIS to record time, every employee who telecommutes as part of their normal telecommuting schedule must record telecommuting hours each day they work at the alternate work location using the Telecommuting Attendance Code. Employees eligible for telecommuting will be identified through an indicator flag in SCEIS. Managers will need to approve these time entries. Note that both FLSA exempt and non-exempt employees will be required to enter

their telecommuting time. For additional information please refer to the training material on the [SCEIS website](#).

Institutions of higher learning which do not use SCEIS to record time will be required to develop and maintain a tracking system to monitor utilization of telecommuting. This tracking system must record the hours each employee works at the alternate work location as part of their normal telecommuting schedule in a way that can be reviewed and audited by the Division of State Human Resources.

These daily reports should be reviewed regularly by the agency's human resources office to ensure telecommuting time is being correctly recorded and telecommuting use is consistent with the approved telecommuting plan.

Note: this daily reporting does not include employees permitted to telecommute as an accommodation under the Americans with Disabilities Act.

Weekly Reports

Each division or office is required to provide a weekly report to the agency's human resources office documenting any deviation from the agency's approved telecommuting plan. For example, if an employee works in the office on a day they are scheduled to telecommute so that they can attend a meeting in-person, or if an employee telecommutes on a day they are not normally scheduled to telecommute because their car broke down and they were unable to find transportation. In addition, instances of telecommuting by employees who do not have a normal telecommuting schedule must also be recorded. Note that work from home on days when the office is closed due to hazardous weather OR field work where employees work at client or customer locations throughout the workday except for incidental and de minimis times where the employee needs to work from home or an alternate work location does not constitute telecommuting.

These weekly reports should be reviewed regularly by the agency's human resources office to ensure that deviations from the approved telecommuting plan are granted only in appropriate situations.

Quarterly Reports

Prior to the 15th of the month following the end of a quarter, agencies must submit a report to the Division of State Human Resources documenting the agency's utilization of telecommuting. This report will include:

1. Roster of employees who telecommuted during the relevant quarter as part of a normal telecommuting arrangement including the following information:
 - a. Employee Name
 - b. SCEIS Perner (if applicable)
 - c. Position Number
 - d. Position Classification (For Unclassified Positions Provide Code and Internal Title)
 - e. Department/Division

- f. Day(s) each week the employee was approved to telecommute (Ex: Monday and Wednesday)
- g. Performance and productivity measures used to monitor the performance and productivity of telecommuting employees.

This roster should be recorded in an excel spreadsheet and attached to the electronic Telecommuting Report Form on DSHR's website.

- 2. The actual costs associated with the telecommuting plan. Costs should be allocated for each telecommuting employee. For example, the cost of a laptop that would not otherwise have been purchased should be allocated to the employee assigned the laptop.
- 3. The actual savings and benefits of telecommuting realized by the agency. This should demonstrate greater efficiencies and cost savings resulting from telecommuting. Benefits to the agency should be identified for each individual employee allowed to telecommute. For example, productivity measures remained consistent while telecommuting and retention metrics improved. Overall agency benefits, for example decreased turnover, should be reported in addition to the benefits related to individual employees telecommuting. Agencies will be required to provide specific dollar amounts saved and quantifiable descriptions of benefits to the agency.

Note: These quarterly reports will replace the previously required annual telecommuting report. This reporting does not include employees permitted to telecommute as an accommodation under the Americans with Disabilities Act.

Deviation from Approved Plan Reporting

If an agency deviates from the approved telecommuting plan and allows an employee to telecommute outside the plan guidelines for more than a week, the agency must report the deviation from the approved telecommuting plan in writing to the Division of State Human Resources. For example, if an employee is normally scheduled to telecommute one day a week but telecommutes for more than one day a week for more than one week during a quarter, this must be reported to DSHR. This includes employees who are permitted to telecommute as an accommodation approved by agency management and human resources.

These reports should be emailed to monthly to your agency's DSHR consultant and include the employee's name, SCEIS perner (if applicable), duration of the expected telecommuting and the telecommuting schedule (i.e. number of days per week) during the applicable period. In no way should deviations from the approved telecommuting plan be used to permanently alter an agency's approved telecommuting plan. Multiple deviations reported for the same employee may indicate that the employee should enter into a telecommuting agreement or have their current agreement adjusted.

Division of State Human Resources Review

The Division of State Human Resources (DSHR) will conduct regular reviews of agency quarterly reports to ensure compliance with approved telecommuting plans. In addition, DSHR may request to review agencies' weekly reports.

DSHR may also, at its discretion, perform site visits to ensure compliance with the approved telecommuting plans.

The Division of State Human Resources reserves the right to revoke the approval of a telecommuting plan for any agency found out of compliance with its approved telecommuting plan or if telecommuting is found to be adversely affecting the quantity or quality of work at the agency.

TELECOMMUTING REQUIREMENTS

Application for Telecommuting

1. An eligible employee shall complete an Application for Telecommuting and submit the request to his supervisor for review and final approval by the agency head or his/her designee. The Application for Telecommuting shall include the minimum requirements in the State Employee Telecommuting and Remote Work Policies and Procedures.
2. Requests for telecommuting will be considered on a case-by-case basis to determine if the employee has the necessary skills and abilities to be a telecommuter and if the duties, or a portion of the duties, of the employee's position can be adequately performed while telecommuting.
3. The agency must approve the request before the employee begins to telecommute. Upon approval, the employee agrees to follow all requirements of the agency's Telecommuting Policy, and any additional requirements as directed by the agency.

Conditions of Telecommuting

1. The employee's duties, responsibilities, and conditions of employment remain the same as if the employee was working at the agency's primary work location. The employee will continue to comply with federal and state laws and regulations, as well as agency policies and procedures, while working at the alternate workplace. This includes Fair Labor Standards Act (FLSA) requirements related to the payment for time worked and overtime compensation.
2. Regardless of the telecommuting arrangement, an employee can be required to report to the office location at any time. It is required that employees are advised of this requirement.

3. Telecommuting will not adversely affect an employee's eligibility for advancement or any other employee right or benefit. An employee will be compensated for all pay, leave, overtime, and travel entitlement as if all duties were being performed at the employee's primary workplace.
4. Work hours, overtime compensation (for non-exempt employees), compensatory time, and leave benefits will not change as a result of telecommuting. Requests to work overtime or use sick, annual, or other leave must be approved by the agency in the same manner as when the employee is working at the employee's primary work location. An employee shall not work overtime unless authorized in advance by the agency or as otherwise authorized by the agency's overtime policy.
5. The employee agrees to designate a separate workspace in the alternate work site for the purposes of telecommuting and will maintain this area in a safe condition, free from hazards and other dangers to the employee and the agency's equipment. To ensure the safety of the workspace, the employee agrees to complete and return to the agency a Telecommuting Workplace Safety Checklist which will certify the employee's alternate work location complies with health and safety requirements. The employee must submit this checklist to the agency before he or she may begin to telecommute. The employee agrees that the agency shall have reasonable access to the alternate work location for the purposes of inspection of the site and retrieval of agency-owned property. The employee will notify the agency of any changes to their alternate workplace prior to the move occurring. Generally, the alternate work location should be in South Carolina. If an agency deems it necessary to allow an employee to designate an alternate work location outside of South Carolina, the agency should research tax, workers compensation and other implications of having employees who perform work in another state. Telecommuting from locations outside of the United States is strictly prohibited. For questions regarding an employee's ability to work overseas at a military base or other requirements please contact the Division of State Human Resources or consult with your counsel.
6. Telecommuters are expected to be working and focused on the performance of their job duties during all work hours. All personal activities, including child and dependent care, pet care, housework, yardwork, personal errands, etc., should be done only during established break times, lunch time and before and after work hours. The employee understands and agrees that they are prohibited from providing dependent care (either to a child or an adult) while working at the alternate workplace. Telecommuters are required to use accrued leave, when necessary, to provide dependent care or when addressing other personal responsibilities. This includes time spent caring for an ill household member or other person.
7. Working hours cannot coincide or overlap with any other type of employment.
8. Telecommuters who have provided a medical certification prohibiting them from working are similarly prohibited from working remotely.

9. The alternate workplace is considered an extension of the employee's usual work location; therefore, workers' compensation will continue to exist for the employee when performing official work duties in the defined workplace during approved telecommuting hours. Any work-related injuries must be reported to the employee's supervisor immediately.
10. The agency may provide all or part of the equipment necessary to accomplish work assignments.
11. The agency will cover the cost of installation, repair or maintenance of state-owned equipment at the alternate work location; however, the agency typically should not cover the cost of repair or maintenance of the employee's personal equipment.
12. The agency's security controls and conditions for use of state-owned equipment at the primary workplace will also apply to alternate work locations. All official agency records, files, and documents must be protected from unauthorized disclosure or damage and returned safely to the official work location. The employee will return all agency equipment, files, and documents to the agency immediately upon termination of telecommuting or of the employee's employment. Agencies should review their applicable Data Privacy and Security, Acceptable Use of Network Services, Mobile Communication Device Usage Policies, and other relevant policies to determine if changes should be made to address telecommuting issues. Specifically, employees should be made aware through these policies that there should be no expectation of privacy when using state equipment or conducting agency business using personal devices, including cell phones.
13. No employee engaged in telecommuting will be allowed to conduct face-to-face, agency related business at his or her home office. An employee understands that he or she will be liable for injuries or damages to the person or property of third parties, or members of the employee's family, in the alternate workplace.

Termination of Telecommuting

The agency may terminate the telecommuting arrangement at any time with or without cause, and this determination is final in terms of administrative review. By participating in a telecommuting arrangement, the employee agrees that any termination of telecommuting will not constitute an involuntary reassignment under the State Employee Grievance Procedure Act.

The Division of State Human Resources may revoke the approval of an agency's telecommuting plan. If this occurs, employees within the agency will not be permitted to continue regular telecommuting arrangements.

POSSIBLE TELECOMMUTING ARRANGEMENTS

There are very few jobs where it would be practical to telecommute every workday. As a result, most employees who telecommute do so for only one or two days a week. Below are examples of possible telecommuting arrangements. It is important to remember that any arrangement should benefit the agency and support business needs.

- ▶ The employee may telecommute on pre-determined day(s) (for example Monday and Wednesday) and work in the office the rest of the week (Tuesday, Thursday and Friday). An agency or institution may not permit any employee to telecommute on: (1) both Monday and Tuesday; (2) Thursday and Friday; or (3) Friday and the following Monday as part of a regular telecommuting arrangement. This arrangement allows for many of the benefits of telecommuting while also providing the opportunity for employees to complete tasks that require presence in the office or to meet in person with other employees or customers. Savings for space can be realized if employees are placed on different schedules so that all employees are not in the office at the same time.
- ▶ The employee may telecommute for parts of the workday and work in the office for the remainder of the day. For example, an employee may work in the alternate workplace from 8:30 a.m.–noon, and then in the primary workplace from 1–5 p.m. Each day in which an employee telecommutes is considered one day of telecommuting. As referenced previously, telecommuting is limited to two days per week. This arrangement allows the employee to avoid peak commute time reducing the time spent in traffic. This arrangement may also be beneficial for an employee who, due to a disability, is unable to report to the primary work location for part of the day. If the employee will be telecommuting for part of the day, the agency should review the applicable Fair Labor Standards Act (FLSA) requirements to determine if the travel time between the primary workplace and alternate workplace is compensable.
- ▶ In the rare circumstances that DSHR approves full-time telecommuting for a position, the employee is expected to report to the office in-person for meetings.
- ▶ Employees whose job requires field work where employees work at client or customer locations throughout the workday, except for incidental and de minimis times where the employee needs to work from home or an alternate work location, is not considered telecommuting. Employees who work from home or at an alternate work location beyond incidental and de minimis times associated with completing field work, are considered to be telecommuting during these times and must adhere to the telecommuting and remote work policies and procedures contained in this document.

Supervisors will establish parameters for the time and location of all work to be performed. Supervisors should attempt to provide advance notice of any deviations to an established telecommuting schedule; however, such notice is not a requirement. **Regardless of the telecommuting arrangement, an employee can be required to report to the office location at any time. It is required that employees are advised of this requirement.**

The agency head may, at his discretion, allow employees who are telecommuting to work a flexible or compressed work schedule.

SELECTING TELECOMMUTE PARTICIPANTS

When selecting employees who will be allowed to telecommute, agencies should evaluate (1) the employee's position to determine if the job functions can be effectively performed in the alternate workplace; and (2) the employee to determine if they possess the characteristics necessary to be successful working away from the office.

Characteristics of Appropriate Telecommuting Positions

- ▶ The position responsibilities are arranged so that there is no difference in the level of service provided to the customer regardless of work location.
- ▶ The position has minimal requirements for direct supervision or customer contact.
- ▶ The position requires minimal face-to-face communication.
- ▶ Communication can be managed primarily through telephone, email, virtual meetings, etc.
- ▶ The position has minimal requirements for special equipment.
- ▶ The position has job tasks and work products with measurable work activities and objectives.
- ▶ The position allows for control over and scheduling of workflow.
- ▶ The position does not require materials that are accessible only from the office.
- ▶ There are safeguards to ensure confidential information is protected as required by state and federal law, and applicable agency policies.

It is important to remember that even if a particular classification or job can be performed successfully through telecommuting, that does not necessarily mean that every employee in that classification or performing that job should be allowed to telecommute. The likelihood the employee will be successful telecommuting should also be carefully evaluated.

Characteristics of Successful Telecommuting Employees

- ▶ The employee can develop regular routines and is able to set and meet deadlines.
- ▶ The employee is self-motivated, self-disciplined and able to work independently.
- ▶ The employee is capable of completing projects on time with minimal supervision and feedback.
- ▶ The employee is capable of being productive when no one is checking in or watching the employee at work.
- ▶ The employee has strong organizational and time-management skills.
- ▶ The employee is results oriented.

- ▶ The employee will remain focused on work while telecommuting and not be distracted by television, housework, visiting neighbors, etc.
- ▶ The employee will manage their time and workload well, solve many of their own problems and find satisfaction in completing tasks on their own.
- ▶ The employee is comfortable setting priorities and deadlines.
- ▶ The employee focuses on results.
- ▶ The employee is comfortable working alone and can adjust to the relative isolation of working at home.
- ▶ The employee can set a comfortable and productive pace while working at home.
- ▶ The employee has a good understanding of the organization's culture and environment.
- ▶ The employee is knowledgeable about the agency's procedures and policies and has been on the job long enough to know how to do their job in accordance with those policies.
- ▶ The employee has effective working relationships with co-workers and will be able to maintain communications with their co-workers while telecommuting.
- ▶ The employee is adaptable to changing routines and environments and has demonstrated an ability to be flexible about work.
- ▶ The employee is an effective communicator, has demonstrated effective communication between supervisors and co-workers, and is comfortable using various methods of communication.
- ▶ The employee has a documented history of good performance.
- ▶ The employee has a safe and comfortable workspace where it is easy to concentrate on work.
- ▶ The alternate workplace has the appropriate level of security required by the agency.
- ▶ The employee has the necessary office equipment and software to meet agency standards. This equipment and software may be provided by the agency or the employee.
- ▶ The employee has a telephone, with a separate home office line if required, voicemail, and sufficient internet speed to perform the functions of the job (where applicable).
- ▶ The employee has household members who will understand they are working and will not disturb their work. The employee understands and agrees that they are prohibited from providing dependent care (either to a child or an adult) while working at the alternate workplace.

It is important to remember that telecommuting is not a good option for all employees and the decision to allow an employee to telecommute should be based on a careful review of the position and the employee. The decision to allow some employees to telecommute and not allow other employees to telecommute is within the agency head's discretion. The decision not to allow a particular employee to telecommute, should be based on documented, observed, behaviors or requirements.

If there is concern about the ability of an employee to successfully perform their job while telecommuting, the request to telecommute can be approved on a trial basis. In this situation, the employee should be advised that the approval is being provided on a trial basis and will be regularly evaluated to determine if the employee will be allowed to continue telecommuting.

MANAGING EMPLOYEE PERFORMANCE

Regardless of the telecommuting arrangement, it is crucial that employee performance be regularly monitored, and performance deficiencies addressed immediately. The same principles of performance management apply to employees regardless of where they work. Leaders must focus on the quality and quantity of work produced regardless of whether an employee telecommutes or not. Telecommuting work activities must be clearly defined, and should include measurable deliverables, productivity metrics, and an agreed upon method of managing performance expectations. Ideally, this would be the approach for employees who work in the office or who telecommute.

The Employee Performance Management System (EPMS) policy established by the agency applies to all covered employees regardless of work location. The performance management process starts by establishing concrete and measurable performance expectations for each employee specific to their job duties. Job duties for a position should not be eliminated to accommodate a telecommuting arrangement. In addition, changes should not be made to the services or support provided to the public to accommodate telecommuting arrangements.

Establishing Performance Expectations

The same performance expectations for employees working in the office can and should be applied to employees who telecommute. Performance expectations should be established using the S.M.A.R.T. goal method. Goals should be:

- ▶ **Specific:** Able to be clearly stated and direct.
- ▶ **Measurable:** Able to tell when completed.
- ▶ **Attainable:** Appears realistic to the employee.
- ▶ **Relevant:** Has a bearing on the overall direction of the unit or organization.
- ▶ **Time bound:** Have a sense of the scope and likely timeframe for completion.

All goals should be accompanied by suitable performance measures which can be monitored by leadership and, ideally, by the employee. These performance measures should be tied to outcomes that support the mission of the agency.

Monitoring Performance

Providing constructive feedback to employees concerning their performance is vital to the success of the employee and the agency. While frequent feedback is important for all employees it is

particularly important for telecommuting employees. These conversations improve employee engagement and foster connections between the employee and the work group.

The frequency of performance discussions will vary based on the needs of the work group. Best practice is to meet at least monthly with an employee to specifically discuss performance in relation to goals set during the EPMS planning stage. These conversations should be documented. An agency may also request that employees complete a Telecommuting Activities Form or Report to document work done while telecommuting.

If an employee who is telecommuting exhibits poor performance, the same coaching and substandard performance/performance improvement plan process should be applied as used for employees working in the office. This may also be a good time to evaluate if the employee should be permitted to continue telecommuting.

Performance Review

Employees who telecommute should participate in the same performance review process as all other employees working in the office. If the performance of similarly situated non-telecommuting employees exhibits better performance than telecommuting employees, careful consideration should be given to whether employees should be permitted to telecommute.

THE ALTERNATE WORKPLACE, DATA AND EQUIPMENT

The ability to maintain secure storage and transmission of agency data is critical to the ability to implement a telecommuting arrangement. The agency's IT, security and privacy divisions should all be involved in evaluating the safeguards in place to protect agency information in electronic and physical (ex: printed documentation, files) formats. Under no circumstances should a telecommuting employee be permitted to retain possession of any information not also accessible by someone in the office. The telecommuter is responsible for the security and confidentiality of agency information, customer information and the protection of all state-provided equipment. This includes ensuring agency equipment or equipment containing agency data (laptops, mobile phones, computers, flash drives, etc.) is secure. Employees should take efforts to protect their laptop or computer screen from being inadvertently viewed by unauthorized individuals when performing agency work. Agency data security and privacy policies are applicable to work done in the alternate workstation. **Agencies should review their applicable Data Privacy and Security, Acceptable Use of Network Services, Mobile Communication Device Usage Policies, and other relevant policies to determine if changes should be made to address telecommuting issues. Specifically, employees should be made aware through these policies that there should be no expectation of privacy when using state equipment or conducting agency business using personal devices, including cell phones. The agency reserves the right to monitor and log, without notice, all telecommuting activity, including email.**

Failure by the employee to adhere to applicable privacy and security requirements may result in disciplinary action up to and including termination.

Employees who telecommute agree to designate a separate workspace in the alternative workplace where work is performed. The agency is not responsible for operating costs, home maintenance, or any other incidental costs (ex: electricity, cellphone or internet service) associated with the alternate workplace.

All equipment, supplies, materials and/or other property will be immediately returned to the agency upon request, termination of participation in the Telecommuting Program and/or termination of employment.

TELECOMMUTING AS AN ADA ACCOMMODATION

Telecommuting may be considered a reasonable accommodation under the Americans with Disabilities Act (ADA). When notified of a need for an accommodation, appropriate agency personnel shall initiate the interactive process with the employee to determine the type of accommodation needed. To determine if any or all job duties can be performed at an alternate workplace, the manager must ensure that essential functions of the position have been identified and consideration given to the feasibility of telecommuting on a full-time, part-time, or intermittent basis. The agency may waive certain telecommuting eligibility requirements, modify the telecommuting policy, or waive or modify other workplace policies to allow an employee with a disability to work from home as a means of reasonable accommodation. Employees should not be permitted to telecommute as an accommodation if telecommuting prevents the employee from performing the essential job functions of their position or causes undue hardship to the agency.

Telecommuting permitted as part of an accommodation under the Americans with Disabilities Act is not required to be approved by DSHR and employees telecommuting for this reason should not be included in telecommuting plans submitted to DSHR for approval. Documentation reflecting the certification of the disability, and the associated interactive process should be maintained by the respective agency. Telecommuting for this reason does not need to be tracked in SCEIS or the daily tracking system used by an institution of higher learning but should be reported as a deviation from the approved telecommuting plan as described in the reporting section on page eight of this document.

While telecommuting may be a possible accommodation, an agency is not required to allow telecommuting just because this is a possible accommodation. If another reasonable accommodation is appropriate and effective, the agency may deny the request to work from home even if this is the accommodation preferred by the employee.

Telecommuters who have provided a medical certification prohibiting them from working are similarly prohibited from working remotely.

FREQUENTLY ASKED QUESTIONS

What is the maximum number of days an employee may telecommute?

- ▶ Employees may telecommute up to two days per week. Telecommuting for more than two days per week may only be permitted if recommended by the Division of State Human Resources (DSHR) and approved by the Governor or the Governor's designee. An agency or institution may not permit any employee to telecommute on: (1) both Monday and Tuesday; (2) Thursday and Friday; or (3) Friday and the following Monday as part of a regular telecommuting arrangement.

Are faculty members covered by these telecommuting and remote work policies and procedures and the associated approval and reporting requirements?

- ▶ Faculty within the State's technical college system are included. Faculty at four-year institutions of higher learning are excluded from these requirements but colleges and universities must implement similar review and tracking systems to ensure that faculty telecommuting is not adversely impacting the delivery of services and is abiding by all applicable federal, state and local laws and regulations.

Faculty at all other state agencies are included in the requirements contained in these telecommuting and remote work policies and procedures.

If an employee is unable to work at the alternate workplace due to equipment failure, loss of electricity, loss of internet or other unforeseen reason, are they required to use leave?

- ▶ An employee unable to work at the alternate workplace is required to take leave, make up the time missed or may be required to report to the primary workplace.

Does Workers' Compensation coverage extend to the alternate workplace?

- ▶ The alternate workplace is considered an extension of the employee's usual work location; therefore, workers' compensation will continue to exist for the employee when performing official work duties in the defined workspace during approved telecommuting hours. Any work-related injuries must be reported to the employee's supervisor immediately.

Who is liable for injuries or damages to the person and property of third parties, including members of the employee's family, which occur in the alternate workplace if the alternate workplace is the employee's home?

- ▶ The employee is liable for injuries and damages to third parties in these circumstances. Injuries to the employee may be covered by Workers' Compensation Insurance. See previous answer.

Who is responsible for tax implications related to telecommuting?

- ▶ The tax implications of telecommuting beyond normal payroll deductions are entirely the responsibility of the telecommuter. Telecommuters are encouraged to seek professional advice regarding these issues particularly concerning any tax implications of working from home. For additional information contact the South Carolina Comptroller General's Office and the Internal Revenue Service.

Are employees required to take leave for time they are scheduled to telecommute, but no work is performed?

- ▶ Yes. Requests to use sick, annual, or any other leave must be approved by the agency in the same manner as when working at the agency's primary workplace. Telecommuting hours are regular work hours and, therefore, employees may not perform personal activities during these hours. Telecommuters are expected to follow agency leave policies and procedures to request time off from telecommuting to engage in non-work activities.

Is travel time between the employee's alternate workplace and the primary workplace (or other agency location) considered work time?

- ▶ It depends. Agencies are expected to adhere to the requirements of the Fair Labor Standards Act regarding compensable time. Generally, normal commute time between a telecommuting workplace and the primary workplace is not work time. If occurring during the telecommuter's normally scheduled work hours, travel time between the telecommuting workstation and the primary workplace is considered work time. For example, if a telecommuter begins work at the telecommuting location at 8 a.m., and then travels to another agency location beginning at 10 a.m. for work-related purposes, travel time would be considered work time. Travel home from the permanent/principal work location is not work time unless the telecommuter continues to perform work activity from the telecommuting workstation after returning from the primary work location. Mileage between the telecommuting workstation and the primary workplace before or after the workday is commuting mileage and is not subject to reimbursement.

Who is responsible for purchasing supplies used by the telecommuter for work activities?

- ▶ Before purchasing any supplies, telecommuters should notify their supervisor to determine if the supplies will be provided by the agency or if the expense will be reimbursed. For additional information the agency should refer to the applicable procurement rules and the Comptroller General's Office.

Is an employee who can telecommute required to do so if the primary agency location is closed due to hazardous weather or other reason?

- ▶ Yes. If an employee can telecommute and their primary workplace is closed due to hazardous weather or other reason, the employee will be required to work by

telecommuting to the fullest extent possible even if they do not regularly telecommute or were scheduled to work from the primary workplace during the time the office is closed.

IMPLEMENTING A TELECOMMUTING PROGRAM

An agency should identify the positions in the agency that may be appropriate for telecommuting. Once these positions have been identified and the plan approved only employees in the applicable positions are allowed to apply to take part in telecommuting. The employee applications are then evaluated to determine if each employee has the characteristics to be a successful telecommuter. An employee should only be permitted to telecommute if, based on this review, the employee exhibits the needed characteristics to telecommute successfully, and a suitable alternate workplace is identified.

If an employee within the applicable classification, department/division, location or other identified attribute will not be permitted to telecommute, justification for the exclusion should be based on non-discriminatory, job-related, criteria and should be documented. The decision to allow an employee to telecommute should be made on a case-by-case basis based on a review of the suitability of the position for telecommuting and the likelihood the employee would be successful telecommuting.

To facilitate a review of positions for telecommuting suitability, the following information should be gathered:

- ▶ Area/Department/Division Name
- ▶ Job Classification(s)
- ▶ Included Employees
- ▶ Excluded Employee (include explanation)
- ▶ Telecommuting Model (Partially Telecommuting, Fully Telecommuting, etc.)
- ▶ Are there employees in the area/department/division who will not be able to telecommute? How will these employees be impacted by the telecommuting arrangement?
- ▶ Describe the job functions of the applicable positions (gather applicable position descriptions).
- ▶ Is on-site interaction with customers required? If so, how will this be accomplished with telecommuting?
- ▶ Is access to on-site equipment or information required? If so, how will this be accomplished with telecommuting.
- ▶ Do any of the employees in the proposed telecommuting group supervise employees? Are these employees also telecommuting?
- ▶ How will productivity of telecommuting employees be measured? Be specific.
- ▶ How will telecommuting employees connect with each other and co-workers working in the office? Be specific.

- ▶ Will customer response time be impacted? If so, how?
- ▶ What cost savings (space, equipment, etc.) will result from allowing telecommuting? Be specific.
- ▶ Describe the plan for ensuring strong engagement within the telecommuting employees and their co-workers. Include a plan for communication between on-site and telecommuting employees. How will engagement be measured?

Supporting Materials and Documents

Agency Telecommuting Checklist

- ☐ Review South Carolina State Government Telecommuting and Remote Work Policies and Procedures provided by the South Carolina Department of Administration's Division of State Human Resources.
- ☐ Create and obtain approval of a telecommuting policy.
- ☐ Identify cost savings or efficiencies that may be gained through telecommuting and have a plan in place to measure these savings and efficiencies.
- ☐ Assemble a business case documenting the cost savings and efficiencies to be realized through telecommuting and any costs associated with implementing a telecommuting program.
- ☐ Address security, information technology, and privacy issues and risk.
- ☐ Develop the following documents:
 - ▶ Telecommuting Policy
 - ▶ Telecommuting Application
 - ▶ Telecommuting Agreement
 - ▶ Telecommuting Workplace Checklist
 - ▶ Telecommuting Activities Form (optional)
- ☐ Develop performance measures to monitor the performance of telecommuting employees. These measures should focus on quality and productivity (results) rather than hours worked.
- ☐ Develop a communication plan to notify employees of the agency telecommuting program.
- ☐ Provide training to employees and supervisors/managers on successfully telecommuting.
- ☐ Obtain DSHR approval of the telecommuting plan.
- ☐ Develop a process to review the performance of telecommuting employees and the telecommuting program on a regular basis.
- ☐ Develop process for daily, weekly, quarterly and deviations from approved telecommuting reporting.

Model Telecommuting Policy

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Purpose

Section 8-11-15(B) of the South Carolina Code of Laws says that state agencies “may use alternate work locations, including telecommuting, that result in greater efficiency and cost savings.”

Therefore, to be compliant with the law, the decision to allow telecommuting should be based on clearly defined and measurable benefits for the agency and the taxpayers.

The purpose of this policy is to define the agency’s telecommuting program and the rules under which it will operate. This policy is designed to help supervisors and employees understand telecommuting. This policy does not address informal, intermittent, temporary or emergency remote work.

Authority

The agency head has the authority to establish a telecommuting program within the agency, based on S.C. Code 8-11-15(B) of the South Carolina Code of Laws, as amended, and the Telecommuting and Remote Work Policies and Procedures established by the South Carolina Department of Administration’s (Admin) Division of State Human Resources (DSHR). The agency head or his designee has the ability to set the work schedule and work location for agency employees subject to the requirements set forth in the South Carolina State Government Telecommuting and Remote Work Policies and Procedures regardless of whether an employee telecommutes or not.

If any agency intends to allow regular telecommuting for any employees, a telecommuting policy and plan must be approved by DSHR prior to the agency allowing telecommuting. DSHR reserves the right to revoke the approval of a telecommuting plan for any agency found out of compliance with its approved telecommuting plan or if telecommuting is found to be adversely affecting the quantity or quality of work at the agency. If this occurs, employees within the agency will not be permitted to continue regular telecommuting arrangements.

Definitions

Telecommuting/Teleworking: a work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their primary workplace, in accordance with telecommuting agreements. Work from home on days when the office is closed due to hazardous weather OR field work where employees work at client or customer locations throughout the workday except for incidental and de minimis times where the employee needs to work from home or an

alternate work location does not constitute telecommuting. May also be referred to as remote work. Three main categories of telecommuting exist:

- ▶ Planned, recurring telecommuting that happens every week unless operational needs change. For example, an employee that telecommutes every Tuesday unless a project, meeting or workload requires an in-office presence. This level of telecommuting requires a formal agreement between the employee and the agency, and the time telecommuting must be tracked in SCEIS or as required for non-SCEIS agencies. Regular Telecommuting is limited to no more than two days per week. Telecommuting for more than two days per week may only be permitted if recommended by the Division of State Human Resources (DSHR) and approved by the Governor or the Governor's designee. An employee is not permitted to telecommute on: (1) both Monday and Tuesday; (2) Thursday and Friday; or (3) Friday and the following Monday as part of a regular telecommuting arrangement.
- ▶ Periodic, intermittent, telecommuting arrangements such as when an employee is assigned a project with a short timeframe or one that requires uninterrupted time to complete. This level of telecommuting does not require the formal agreement or checklist process. While it is not required that employees in these arrangements sign a telecommuting agreement, agencies should document the approval of the periodic, intermittent telecommuting arrangement in writing with the employee. These telecommuting arrangements must be reported to the agency's human resources office.
- ▶ Temporary or emergency telecommuting may be used during short-term illness or other similar unplanned emergent events. This level of telecommuting does not require a formal agreement or checklist process. These arrangements require a verbal agreement between the employee and the agency. These arrangements should be limited to the duration of the short-term illness or other similar unplanned emergency event. These telecommuting arrangements must be reported to the agency's human resources office.

Primary Workplace: The telecommuter's usual and customary agency workplace. This primary workplace may include the Agency's other office locations (e.g., satellite or county offices) in which the employee occasionally works. For employees who primarily work in the field, or who are full-time telecommuters, the primary work location should still be an agency office.

Alternate Workplace: A workplace other than the employee's usual and customary workplace (primary workplace) and may include the employee's home. The alternate workplace is not an agency office.

Telecommuting Application: The document used by supervisors and employees to evaluate the employee's ability to successfully telecommute.

Telecommuting Agreement: The signed document that outlines the understanding between the agency and the employee regarding the telecommuting arrangement. A telecommuting agreement should be renewed at least annually. The telecommuting agreement should be reviewed and updated if there is a permanent change to the employee's job duties or if the provisions of the

telecommuting agreement change. Telecommuting agreements are not transferable from one position to another.

Telecommuter or Teleworker: An employee who has an agreed-upon schedule during which they are expected to work at an alternate workplace rather than the employee's primary workplace

Telecommuting Coordinator: The person responsible for providing support to telecommuting employees and their supervisors and monitoring the success of the telecommuting program.

Child Care and Dependent Care: Telecommuting workers may have household members or others who depend on them for care. Telecommuters with these obligations must have adequate care arrangements that do not interfere with their job responsibilities. Telecommuting is not a substitute for childcare, dependent care or other personal responsibilities. Telecommuters are required to use accrued leave, when necessary, to provide dependent care or when addressing other personal responsibilities. This includes time spent caring for ill household members or other people.

Eligibility Requirements for Telecommuting

Telecommuting is a management option and not a universal employee benefit. Telecommuting may not be suitable for all employees and/or positions. **The decision to allow an employee to telecommute is solely at the discretion of the agency head. The agency may revoke the approval of any employee to telecommute at any time, with or without notice and the decision to revoke the ability to telecommute is not a grievable action under the South Carolina Employee Grievance Procedure Act.**

Generally, an employee's participation in the agency's telecommuting program is voluntary and must be mutually agreed upon by the employee and supervisor, with final approval by the agency head or his/her designee. The agency head may, however, designate a position as telecommuting only, if recommended by the Division of State Human Resources (DSHR) and approved by the Governor or the Governor's designee. In this case, telecommuting would not be voluntary.

Agency Directors and their Executive Staff are not permitted to telecommute. This includes Deputy Directors, Division Directors and managers or supervisors who report directly to the Agency Director and anyone else who reports directly to the Agency Director. To be eligible to participate in telecommuting, an employee must have completed one year of satisfactory employment with the agency. This requirement may be waived if recommended by the Division of State Human Resources (DSHR) and approved by the Governor or the Governor's designee. Employee subject to a warning period of substandard performance or performance improvement plan or those who were recently subject to disciplinary action are not eligible for telecommuting.

The supervisor and employee should complete a "Telecommuting Application" to determine if the employee will be permitted to participate in a telecommuting arrangement.

Conditions of Employment

The employee's duties, responsibilities, and conditions of employment remain the same as if the employee were working at the agency's primary workplace. The telecommuter's supervisor may, however, assign additional duties related to communication, work progress and productivity. The employee will continue to comply with federal and state law, and agency policies and procedures while working at an alternate workplace. The employee shall remain subject to all agency disciplinary policies and procedures while performing work at the alternate workplace. This includes Fair Labor Standards Act (FLSA) requirements related to the payment for time worked and overtime compensation.

Work Hours

Work hours and location are specified as part of the telecommuting agreement. The employee must be accessible during the specified work hours. The agency and the employee agree that, at the agency head's discretion, the employee may perform assigned work for the Agency at a location other than the Agency's on-site office as a "telecommuter."

Telecommuters are expected to be working and focused on the performance of their job duties during all work hours. All personal activities, including child and dependent care, pet care, housework, yardwork, personal errands, etc., should be done only during established break times, lunch time and before and after work hours. Telecommuters are required to use accrued leave when necessary, to provide dependent care or when addressing other personal responsibilities. This includes time spent caring for an ill household member or other person.

Working hours cannot coincide or overlap with any other type of employment.

Pay and Attendance

The employee's salary and benefits remain the same as if the employee were working at the agency's primary workplace. If the employee works less than the employee's normal workweek, salary and benefits must be adjusted accordingly.

Telecommuters who have provided a medical certification prohibiting them from working are similarly prohibited from working remotely.

An employee will be compensated for all pay, leave, and overtime (for non-exempt employees) as if all duties were being performed at the employee's primary workplace.

Advancement

Telecommuting will not adversely affect an employee's eligibility for advancement or any other employee right or benefit.

Leave and Overtime

Requests to work overtime and use sick, annual or any other leave must be approved by the agency in the same manner as when working at the agency's primary workplace. **An employee shall not work overtime unless authorized in advance by the agency or as otherwise authorized by the**

agency's overtime policy. Telecommuting hours are regular work hours and, therefore, employees may not perform personal activities during these hours. The employee agrees that telecommuting is not to be viewed as a substitute for dependent care. Telecommuters with dependent care requirements, must make arrangements for someone else to provide dependent care services during the agreed upon work hours. Telecommuters are expected to follow agency leave policies and procedures to request time off from telecommuting to engage in non-work activities.

Office and Telecommuting Location

The employee will work at the primary workplace or the approved alternate workplace, and not from another unapproved site. Failure to comply with this provision may result in termination of the agreement, and other appropriate disciplinary action. The agency will establish agreed upon expectations relative to the time the employee would need to spend in the primary workplace and to give adequate notice when these expectations are subject to change, when possible. **Regardless of the telecommuting arrangement, an employee can be required to report to the office location at any time.**

Generally, the alternate workplace should be in South Carolina. If an agency deems it necessary to allow an employee to designate an alternate workplace outside of South Carolina, the agency should research tax, workers' compensation and other implications of having employees who perform work in another state. Employee requests to designate an alternate work location outside of South Carolina may be denied. Under no circumstances may an employee conduct work from a location outside of the state of South Carolina unless specific approval is received from their supervisor, human resources and the agency head or designee. No work may be performed at a location outside of the United States.

If the alternate workplace is in the employee's home, the employee is responsible for reviewing their home or rental insurance to ensure there is no prohibition against a home office and any relevant zoning requirements to ensure a home office is permitted.

Workspace Safety

The employee agrees to designate a separate workspace in the alternate workplace for the purposes of telecommuting and will maintain this area in a safe condition, free from hazards and other dangers to the employee and the agency's equipment. To ensure the safety of the workspace, the employee agrees to complete and return to the agency a Telecommuting Workplace Safety Checklist which will certify the employee's alternate workplace complies with health and safety requirements. The employee must submit this checklist to the agency before he or she may begin telecommuting. The employee agrees that the agency shall have reasonable access to the alternate workplace for the purposes of inspection of the site and retrieval of state-owned property. An employee understands that he or she will be liable for injuries or damages to the person or property of third parties or any members of the employee's family in the alternate workplace if it is in the employee's home. The employee agrees to consult with the agency before moving any heavy equipment or furniture in the alternate workplace.

Workers' Compensation

The alternate workplace is considered an extension of the employee's primary workplace; therefore, workers' compensation will continue to exist for the employee when performing official work duties in the alternate workplace during approved telecommuting hours. Any work-related injuries must be reported to the employee's supervisor immediately. The employee understands that he remains liable for injuries or damage to the person or property of third parties or members of his family on the premises and agrees to indemnify and hold the agency harmless from any and all claims for losses, costs, or expenses asserted against the agency by such third parties or members of the employee's family.

Reporting Requirements

[SCEIS Agencies] Every employee who telecommutes as part of their normal telecommuting schedule must record telecommuting hours each day they work at the alternate work location using the Telecommuting Attendance Code. Managers will need to approve this time. Note that both FLSA exempt and non-exempt employees will be required to enter their telecommuting time.

[Non-SCEIS Agencies must insert a description of the tracking method they will use and the employee and manager responsibilities.]

Each division or office is required to provide a weekly report to the office of human resources documenting any deviation from the agency's approved telecommuting plan. This includes employees working in the office on days they are scheduled to telecommute or telecommuting on days they are scheduled to be in the office. This also includes employees who telecommute who do not have a normal telecommuting schedule.

Telecommuting Outside of Normal Telecommuting Schedule

Human resources must approve all telecommuting outside of an established telecommuting schedule.

Sample Telecommuting Application

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The decision to telecommute should be based on the ability of an employee to work in a setting that may be in his or her home or other approved area, without on-site supervision. The following tool can be used by an employee as a basis for discussing the option of telecommuting with a supervisor. The employee should submit the application to a supervisor for evaluation and final approval by the Agency head or his designee. The decision whether to approve or deny a Telecommuting Application is at the discretion of the agency head. **There is no right or entitlement to telecommute regardless of the responses to the application.**

Please answer the following questions rating your abilities, using the following scale:

5 – Always	4 – Usually	3 – Sometime	2 – Rarely	1 – Never
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1. I can develop regular routines and am able to set and meet deadlines. I am self-motivated, self-disciplined and able to work independently, completing projects on time with minimal supervision and feedback. I am capable of being productive when no one is checking in or watching at work.

Employee Rating	
-----------------	--

Supervisor Rating	
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2. I have strong organizational and time-management skills and am results-oriented. I will remain focused on work while telecommuting and not be distracted by television, housework, visiting neighbors, etc. I will manage my time and workload well, solve many of my own problems and find satisfaction in completing tasks on my own. I am comfortable setting priorities and deadlines and can keep my sight on results.

Employee Rating	
-----------------	--

Supervisor Rating	
-------------------	--

3. I am comfortable working alone, can adjust to the relative isolation of working at home, and can set a comfortable and productive pace while working at home.

Employee Rating	
-----------------	--

Supervisor Rating	
-------------------	--

4. I have a good understanding of the organization's culture and environment. I am knowledgeable about the organization's procedures and policies and have been on the job long enough to know how to do my job in accordance with those policies.

Employee Rating	
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Supervisor Rating	
-------------------	--

5. I have effective working relationships with co-workers and will be able to maintain such communications while telecommuting.

Employee Rating	
-----------------	--

Supervisor Rating	
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6. I am adaptable to changing routines and environments and have demonstrated an ability to be flexible about work.

Employee Rating	
-----------------	--

Supervisor Rating	
-------------------	--

7. I am an effective communicator. I have demonstrated effective communication between supervisors and co-workers, and I am comfortable using various methods of communication.

Employee Rating	
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Supervisor Rating	
-------------------	--

8. I am in good standing with the agency on my previous and current performance reviews and have no recent disciplinary actions.

Employee Rating	
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Supervisor Rating	
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9. Is my job appropriate for telecommuting? (Check those that apply.)

- ☐ My job responsibilities are arranged so that there is no difference in the level of service provided to the customer regardless of work location.
- ☐ My job has minimal requirements for on-site supervision or contact with the customer.
- ☐ My job requires low face-to-face communication, and I have the ability to arrange days when communication can be handled by telephone, email or other electronic means.
- ☐ My job has minimal requirements for special equipment.
- ☐ I am able to define tasks and work products with measurable work activities and objectives.
- ☐ I am able to control and schedule workflow.

10. Is my alternate workplace an appropriate environment for telecommuting? (Check those that apply.)

- ☐ I have a safe, comfortable workspace where it is easy to concentrate on work.
- ☐ I have the appropriate level of security required by the agency.
- ☐ I have the necessary office equipment and software that meet agency standards.

- ☐ I have a telephone, with separate home office line if required, an answering machine or voicemail, and sufficient internet access and speed.
- ☐ I have household members who will understand I am working and will not disturb my work.
- ☐ I understand that I am prohibited from providing dependent care (either to a child or an adult) during work hours. I understand that all personal activities, including child and dependent care, pet care, housework, yardwork, personal errands, etc., must be done only during established break times, lunch time and before and after work hours.
- ☐ I understand and agree that I must use accrued leave when providing dependent care of when addressing other personal responsibilities during work hours. This includes time spent caring for an ill household member or other person.
- ☐ I certify that my home or rental insurance does not prohibit a home office.
- ☐ I have reviewed the relevant zoning requirements to ensure a home office is permitted.

Sample Telecommuting Agreement

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This is an agreement between _____ (Agency) and _____ (employee) and shall cover the period from _____ through _____.

This agreement establishes the terms and conditions of telecommuting. The employee agrees to participate in the telecommuting program and to follow the applicable policies and procedures. The Agency agrees with the employee's participation. The employee's signature on this agreement constitutes acceptance of the terms listed throughout the Agency Telecommuting Policy.

Notice of Intent to Collect Private Information

As part of this telecommuting agreement, the employee shall provide the address of telecommuting location and any contact information for that location, including home phone and/or personal cellphone. If such information changes, the employee has an affirmative duty to inform their supervisor of the updated telecommuting address and phone number before the move. Failure to provide this information initially and after any change will result in the employee being unable to telecommute. This contact information may be shared with human resources, executive leadership, agency safety staff, agency supervisors, and any other agency or state employee with a business need to access this information.

Designation of Alternate Workplace and Hours

Note: An employee is not permitted to telecommute on: (1) both Monday and Tuesday; (2) Thursday and Friday; or (3) Friday and the following Monday as part of a regular telecommuting arrangement.

The following are the working hours and locations agreed to by both parties:

General Work Hours			
Day	Hours		Location
	From	To	P-Primary Workplace A-Alternate Workplace
Mon.			
Tue.			
Wed.			
Thurs.			
Fri.			

Sat.			
Sun.			

Primary Workplace: _____

Address: _____

Phone Number: _____

Alternate Workplace: _____

Address: _____

Phone Number: _____

Fax (if applicable): _____

Cellphone: _____

Email Address: _____

Equipment Used in Alternate Workplace

The following table lists the agency or state equipment that will be used at the alternate workplace (attach additional documentation if needed):

Item	Inventory Number	Date Out	Date Returned

Special Conditions or Additional Agreements (List if applicable):

I have read and received a copy of the Telecommuting Policy and fully understand issues regarding pay, attendance, advancement, leave, overtime, office location, liability, workers compensation, operating costs, safety, evaluation, termination of agreement, and equipment maintenance.

(Employee) I understand that the approval to telecommute can be revoked at any time.

(Employee) My supervisor has reviewed my performance expectations with me, and these expectations are documented in my EPMS planning stage/Employee Performance Plan.

(Employee) I agree that I am responsible for attending all required meetings, unless my supervisor approves otherwise.

(Employee) I agree to be available and accessible during the telecommuting scheduled hours for customers, co-workers, and supervisors/managers. **Regardless of my telecommuting**

arrangement, I can be required to report to the office location at any time with or without advance notice.

(Employee) I understand that all personal activities, including child and dependent care, pet care, housework, yardwork, personal errands, etc., should be done only during established break times, lunch time and before and after work hours. I understand and agree that I am prohibited from providing dependent care (either to a child or an adult) while working at the alternate work location.

(Employee) I understand that telecommuting agreements are not transferable from one position to another, and this agreement is valid only for my position at the time the agreement is signed.

(Employee) I agree to return all agency equipment, supplies, material and/or other property immediately upon request, termination of participation in the Telecommuting program and/or termination of employment.

(Employee) I agree to inform my manager or supervisor any time there is an actual or suspected security issue that arises during my work at an alternate workplace.

(Employee) I understand that the agency is not liable for any damages to my personal or real property while I am performing official duties my alternate workplace.

(Employee) I agree that I will not conduct any face-to-face agency business at my alternate work location.

(Employee) I agree to immediately report to my manager or supervisor any work-related injuries that occur while in the Telecommuting arrangement.

(Employee) I agree to provide certificates of my homeowners' or renters' insurance and to submit any renewal or changes as needed, if requested.

(Employee) I agree that it is my responsibility to ensure compliance with any local zoning ordinances related to working at home or maintaining a home office.

(Employee) I agree that any tax implications of telecommuting are entirely my responsibility as the telecommuter. Telecommuters are encouraged to seek professional advice in this area.

We agree to abide by the terms and conditions of this agreement.

Employee Signature

Date

Supervisor Signature

Date

Agency Head or Designee

Date

Sample Telecommuting Workplace Safety Checklist

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

Success of a telecommuting arrangement depends, in part, on a realistic assessment of the overall safety of an employee's alternate workplace. The checklist is necessary to make the employee aware of the need for a safe workplace that is conducive to productive work. The telecommuter should read and complete the checklist regarding the designated alternate workplace, discuss any concerns, and always report accidents or injuries immediately to his supervisor.

The completed form should be provided to the employee's supervisor.

General Environment

- ☐ The workspace area has adequate lighting and ventilation.
- ☐ The workspace is reasonably quiet and free of distractions.
- ☐ Aisles, doorways and corners are free from obstructions to permit movement.

Electricity / Equipment

- ☐ There are enough electrical outlets in the alternate workplace to support the required equipment. All electrical equipment is free of recognized hazards that would cause physical harm (e.g., frayed wires, bare conductors, loose or exposed wires). If necessary, consult with an electrician or power utility company on capacity questions.
- ☐ Necessary electrical outlets are three-pronged (grounded).
- ☐ Computer equipment is connected to a surge protector. The equipment is placed at a comfortable height for viewing and will be powered down after the workday is over.
- ☐ Computer equipment is on a sturdy, level, well-maintained piece of furniture and the keyboard and mouse are at a height that does not cause wrist strain.

Safety and Security

- ☐ There is a fire extinguisher in the alternate workplace and a developed fire evacuation plan in the event of an emergency.
- ☐ There is a working smoke detector in the alternate workplace.
- ☐ Phone lines, electrical cords, and extension wires are secured underneath a desk or along baseboards.
- ☐ There are security controls in place to protect passwords, agency-owned software and files from unauthorized disclosure.

I, _____, understand it is my responsibility to maintain the safety and appropriate arrangement of my alternate workplace, if it is my home. I certify that my responses to the checklist are true and completed to the best of my knowledge. I understand that any erroneous, misleading, or fraudulent information is sufficient grounds for my preclusion from telecommuting.

Employee Signature

Date

Supervisor Signature

Date

Sample Telecommuting Activities Form

Personnel Number (perner):	
Employee Name:	
Division:	
Supervisor Name:	
Work Activities for the Week Of:	

Date	Hours Worked	Activities
(Ex: 1/1/25)	8:30 – 12:30; 1:30 – 5:00	Completed file review and drafted report.

Business Case for Telecommuting

The business case for implementing a telecommuting program should include the cost and savings associated with the program as well as establish performance and productivity measures to ensure telecommuting does not adversely affect the quantity or quality of work produced by employees.

The savings realized by an agency following the implementation of a telecommuting program will depend on the agency and the functions that the telecommuting employees perform. Some examples of possible savings include:

- ▶ Facility Savings (Leases, parking subsidies, utility costs, furniture and equipment).
- ▶ Lower overtime and staffing costs from resulting improved employee performance.
- ▶ Lower training and recruitment costs resulting from reduced turnover.
- ▶ Lower recruitment costs resulting from increased applicants and shorter time to fill positions.

Similarly, the costs incurred by an agency as the result of the implementation of a telecommuting program will be dependent upon the agency and the functions that the telecommuting employees perform. Some examples of possible costs include:

- ▶ IT Infrastructure and Support
- ▶ Equipment Costs (laptops, phones, etc.)

For assistance measuring facility cost savings please contact the South Carolina Department of Administration's Division of Facilities Management and Property Services (DFMPS). Admin's Program Management Office can also assist agencies that participate in the state's IT Shared Services Initiative in determining costs associated with telecommuting.

The Division of State Human Resources can also provide assistance in determining cost savings related to decreased turnover and improved employee performance. Additionally, DSHR can assist in identifying appropriate employee performance and productivity measures.

Note: Agencies will be asked to provide documentation supporting both projected and actual costs, savings, and employee productivity and performance.

Telecommuting Business Case Form

Agency Name:		Date Submitted:	
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Total Number of Employees who will telecommute full time	
Total Number of Employees who will work a hybrid telecommuting schedule	
Number of Employees who will telecommute on average 1 day per week.	
Number of Employees who will telecommute on average 2 days per week.	
Total Number of Employees who will telecommute.	

Total Anticipated Savings	
Total Anticipated Increased Cost	
Net Impact of Telecommuting (Row 1 minus Row 2)	

Detailed Description of Cost Calculation:

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Detailed Description of Savings Calculation:

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Proposed roster of employees who will be telecommuting.

Employee Name	Perner	Position Number	Department/ Division	Classification Code or Unclassified Positions Code and Internal Title	Days Telecommuting (M, T, W, TH, F, Sat, Sun)	Description of Performance/Productivity Measure*

* Describe the performance/productivity measures that will be used to document and monitor employee productivity/performance on days they are telecommuting. These measures should allow a manager or supervisor to monitor and report the activities an employee performs while telecommuting.