

## **Telecommuting Guidelines**

### **Characteristics of Eligible Jobs**

Jobs that are well suited for telecommuting generally have the following characteristics:

1. Communication with staff and customers can generally be handled over the telephone, by voice mail, or by electronic mail.
2. Minimal unscheduled face-to-face contact or interaction is required.
3. The job can be performed independently and does not require access to material that cannot be removed from the office.
4. Tasks and work product have been clearly defined, and output can be objectively measured.
5. The job's objectives involve identifiable time frames and checkpoints.
6. The work to be performed requires concentrated blocks of thinking and writing such as data analysis, editing, or writing reports or other complex documents.
7. Job responsibilities do not involve the supervision of others.

### **Characteristics of Eligible Employees**

The best telecommuters are strong performers who are self-disciplined, highly motivated, and able to work well with minimum supervision or direction. Employees who require frequent direction from their supervisors or assistance from their peers are not eligible for telecommuting arrangements.

Telecommuters will exhibit the following characteristics:

1. Proven ability to perform their jobs.
2. Skills in planning, organizing, managing time, and meeting clear standards and objectives in a manner that exceeds performance expectations.
3. Self-motivation, self-discipline, and self-direction.
4. Demonstrate initiative and personal responsibility.
5. Show by conduct and attitude a commitment to succeed.
6. Have exceptional written and verbal communication skills.

## **Supervision and Performance Evaluation**

Effective supervision is critical to the success of a telecommuting arrangement. The telecommuter's supervisor will be comfortable with supervising an off-site employee and will have the ability to establish clear objectives, prioritize work, and establish and monitor methods of measuring performance. A commitment to open communication, clear expectations, and regular feedback is also important. The supervisor is responsible for seeing that all productivity and service standards are met by the telecommuter.

Employees who supervise telecommuters will exhibit the following characteristics:

- Proven ability to establish stated, understood, and measurable expectations.
- Ability to maintain a sense of control even when people are out of sight.
- Adopt location-independent ways of measuring performance and results.
- Willing to creatively rethink and redesign the way certain jobs are performed.
- Demonstrate trust and support to telecommuters.
- Show by conduct and attitude a commitment to succeed.
- Have exceptional written and verbal communications skills.

## **Equipment**

If State Bar equipment is provided at the offsite location, the employee must agree to designate an appropriate space at the remote work location for its installation. The maintenance and repair of State Bar equipment is the responsibility of the State Bar. A telecommuter may not install software on a State Bar computer without the prior approval of the Director of Information Services. See Telecommuting Policy Items 6-8.

### **Possible Equipment Needs and Costs:**

Computer:

Ergonomic Equipment:

Internet access:

Modem:

Phone Line:

Zip Drive:

Other:

**Total Start up Costs:**

**Ongoing Costs:**

### **4.3 FLEX TIME POLICY**

Although the standard Bar work day is 8:10 a.m. to 5:00 p.m. with an hour for lunch, the Bar recognizes that flexibility in work schedules can benefit both the organization and its employees. Accordingly, the Bar permits a limited number of alternative work schedules.

The following alternatives may be elected by an employee with his or her supervisor's approval:

1. A half-hour lunch
2. Starting and ending times that differ from the standard 8:10 to 5:00, scheduled around the core hours of 9:00 to 4:00
3. A partly compressed work week (permitting the employee to take off a half-day per week)

Employees may request their supervisors' permission to adopt one of these alternatives June 1, September 1, and January 1; in addition, employees may submit a special request to adopt one of these alternatives if their circumstances make it necessary. Employees may change from one of these alternative schedules to the standard schedule at any time.

Three additional alternatives will be considered on a case-by-case basis:

1. A reduction in hours (part-time employment)
2. Job sharing
3. A fully compressed work week (permitting the employee to take off a full day per week)

Requests for any of these alternatives must be made in writing to the department Director. Approval will be decided by the director of the employee's department, with input from the directors of other departments.

If approved, extensions to the alternative work schedule policy shall be made on a trial basis until it is demonstrated that the change is working. Approved alternative schedules will be monitored to ensure that they have no adverse effect on productivity or member service. Alternative work schedules may be modified if circumstances change. The Bar will attempt to give adequate notice to help the employee make necessary arrangements.

### **4.4 TELECOMMUTING POLICY**

The State Bar of Wisconsin considers telecommuting to be a viable alternative work arrangement in cases where individual, job and supervisor characteristics are best suited to such an arrangement. Telecommuting allows an employee to work at a site other than the State Bar for all or part of the employee's regular workweek. Telecommuting is not an entitlement; it is not an organization-wide benefit; and it in no way changes the terms and conditions of employment with the State Bar of Wisconsin. All employees of the State Bar of Wisconsin are employees at-will, and either the State Bar or the employee may terminate employment at any time.

Telecommuting can be informal, such as working from home on a short-term project or on the road during business travel, or formal, as will be described below. Other informal, short-term arrangements may be made for employees on family or medical leave, to the extent practical for the employee and the organization, and with the consent of the employee's health care provider, if appropriate. All informal telecommuting arrangements are made on a case-by-case basis, focusing on the business needs of the organization. Such informal arrangements are not the focus of this policy.

Procedure:

1. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement. In each case, the first step is a discussion with the department director for approval to move forward through further investigation of the suitability of a telecommuting arrangement.
2. Before drafting a telecommuting agreement, the employee and supervisor, with the assistance of the human resources & administration manager, will evaluate the suitability of such an arrangement, paying particular attention to the following areas:
  - a. Employee Suitability - the employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
  - b. Job Responsibilities - the employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
  - c. Equipment needs and work space design considerations - the employee, supervisor, Human Resources & Administration Manager and IS Director will determine the level of equipment and support required and determine if the organization can efficiently support the telecommuting arrangements. The State Bar is not obligated to provide equipment necessary to support a telecommuting arrangement.
  - d. Scheduling issues - the employee and supervisor will discuss the organization's need for in-person availability of the employee, scheduling conflicts with existing telecommuting agreements, standing departmental and organizational meetings, and space requirements in order to determine an appropriate schedule for off-site work hours.
  - e. Tax and other legal implications - Responsibility for fulfilling all obligations in this area, including but not limited to all matters involving the business use of the employee's home based on IRS regulations, rests solely with the employee.
3. If the employee and supervisor agree, and the human resource department concurs, a draft telecommuting agreement will be prepared and presented to the department director for final approval. Once signed by all parties, a 3 month trial period will commence.
4. Individuals requesting formal telecommuting arrangements generally must have been employed with the State Bar for a minimum of 12 months of continuous, regular employment

and must have met or exceeded the majority of their performance expectations, in accordance with the organization's performance appraisal process. In some cases, the State Bar may hire for a position that specifically has a telecommuting requirement, in which case the minimum time requirement may, at the State Bar's discretion, be waived or reduced.

5. Any telecommuting arrangement made will be on a trial basis for the first 3 months, and may include additional periodic reviews, above and beyond those prescribed by State Bar policy. Any telecommuting arrangement may be discontinued, at will and at any time, at the request of either the telecommuter or the organization.
6. The State Bar will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines, facsimile equipment or software, photocopiers, etc.) for each telecommuting arrangement on a case-by-case basis. The human resources and information services departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The State Bar accepts no responsibility for damage or repairs to employee-owned equipment. The State Bar reserves the right to make determinations as to appropriate equipment and the suitability of employee provided equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The telecommuter will sign an inventory of all office property and agrees to take appropriate action to protect the items from damage or theft. Upon termination of employment or the telecommuting agreement, all organization property will be returned to the State Bar, unless other arrangements have been made. A telecommuter may not install software on a State Bar computer without the prior approval of the Director of Information Services.
7. Consistent with the organization's expectations of information asset security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary organization and member/customer information accessible from their home office. Steps include, but are not limited to, use of locked file cabinets, disk boxes and desks, regular password maintenance, and any other steps appropriate for the job and the environment.
8. The employee will establish an appropriate work environment within the home for work purposes. The State Bar will not be responsible for costs associated with initial setup of the employee's home office such as remodeling, furniture or lighting. The State Bar will also not be responsible for repairs or modifications to the home office space. Employees will be offered appropriate assistance in setting up a work station designed for safe, comfortable work.
9. A designated representative of the State Bar will visit the employee's home work site to inspect for possible work hazards and require modifications when necessary. In cases where the organization has supplied equipment, the inspection will occur after the equipment has been installed at the offsite location. Repeat inspections will occur on an as-needed basis. Injuries sustained by the employee while at the home work location and in conjunction with the employee's regular work duties will normally be covered by the organization's worker's

compensation policy. Telecommuting employees are therefore responsible for notifying the employer of such injuries in accordance with the organization's worker compensation notification procedures. The State Bar of Wisconsin is not liable for any injuries sustained by family members or other visitors to the work site.

10. The State Bar will supply the employee with appropriate office supplies (pens, paper, etc.) for successful completion of job responsibilities. The organization will also reimburse the employee for business-related expenses -- such as phone calls, shipping costs, etc. -- that are, within the sole judgment of the State Bar, reasonably incurred in accordance with job responsibilities and which have been pre-approved by the telecommuter's supervisor.
11. The telecommuting employee is expected to be as accessible as the employee's on-site counterparts during the agreed-upon regular business hours during which the employee is expected to be working while off site. Attendance is required at any meetings, conducted during agreed-upon hour, that the employee would be expected to attend if the employee is on-site. The State Bar also always reserves the right to require in-person attendance at these or any other meetings, regardless of whether they are held during agreed-upon telecommuting hours, that the employee would ordinarily be expected to attend. In cases where meetings have been determined to be mandatory for all staff, the telecommuting employee may be required to attend in person. When at the State Bar the telecommuting employee is expected to dress in accordance with the State Bar's dress code.
12. Telecommuting employees remain obligated to comply with all State Bar rules, policies, and procedures, including those relating to time reporting and informing the State Bar of any changes in hours (e.g., due to vacation or illness). Any State Bar policies regarding overtime -- including but not limited to the requirement that all overtime be approved in advance by one's supervisor -- as well as all applicable Fair Labor Standards Act rules apply to telecommuting employees. The telecommuter's salary, benefits, and State Bar sponsored insurance coverage do not change as a result of telecommuting.
13. Evaluation of telecommuter performance during the trial period will include regular interaction by phone or e-mail between the employee and the supervisor, as well as weekly face-to-face meetings to discuss work progress and challenges. At the conclusion of the trial period, the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance of or modifications to the arrangement. Evaluation of telecommuter performance beyond the trial period will be consistent, in both content and frequency, with that received by employees working at the office.
14. After the conclusion of the trial period, the supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved. An employee's compliance with supervisory expectations regarding the extent and frequency of such communication is an indispensable prerequisite to the continuation of any telecommuting arrangement.
15. Telecommuting is NOT a replacement for appropriate child/dependent care. Although an individual employee's schedule may be modified to accommodate child/dependent care needs, the focus of the arrangement must remain on job performance and meeting business

demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering into a trial period.

16. Employees entering into a telecommuting agreement may be required to share or forfeit use of a personal office or workstation at the Bar Center.
17. The availability of telecommuting as a flexible work arrangement for employees of the State Bar can be discontinued at any time at the discretion of the State Bar.

## MEMORANDUM

**To:**

**From:**

**Copy:** Personnel File

**Date:**

**Re:** Telecommuting Agreement

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Your request for a telecommuting/work at home schedule has been approved. Your new schedule will be:

[Insert daily schedule, as approved, indicating work at home days]

This schedule will go into effect on [insert date].

A copy of the State Bar's telecommuting policy is attached and your signature below indicates you have read, understand and agree to act in accordance with the policy. Be advised that telecommuting does not change the basic terms and conditions of employment with the State Bar and that the State Bar may terminate or modify telecommuting arrangements at will and at any time.

\_\_\_\_\_  
Director

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
HR & Admin Manager

\_\_\_\_\_  
Date

**State Bar of Wisconsin**

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## ATTENDANCE

Normal business hours are 8:30 a.m. to 5:00 p.m., Monday through Friday, resulting in a core workweek of 37.5 hours. For most individuals, this will result in a 7.5-hour workday with a standard one-hour lunch period. The Reception desk in the Bar's main lobby is open from 8:00 a.m. to 5:00 p.m., Monday through Friday.

### Work Schedules

Departments may allow flexible work hours, subject to the needs of the organization. Flexible work hours must be approved in advance by a manager and may be discontinued at any time. Employees approved for flexible work hours may begin their workday as early as 7:00 a.m. or may end their regular workday as late as 6:00 p.m., with a standard one hour lunch period.

In limited circumstances, departments may allow telecommuting either on a regular or special project basis, subject to the needs of the organization. Telecommuting must be approved in advance by a manager and may be discontinued at any time in management's sole discretion. Employees who occupy positions which are approved for telecommuting and who have preschool-aged children, are expected to have childcare arrangements for their children during the time they are telecommuting.

Managers may approve alternate work hours on a temporary basis due to special projects or other demands of a unique nature.

### Reporting Requirements

***If an employee is unable to attend work, the employee must notify his or her supervisor by 8:30 a.m., or as soon as possible thereafter. Personal contact with the supervisor is expected.*** If this is not possible, a message should be left for the supervisor, along with a telephone number where the employee may be reached in the event the supervisor has any questions or needs any further information.

All employees are expected to be punctual. If this is not possible, the supervisor must be notified. With respect to non-exempt employees, it is expected that time lost to tardiness be made up promptly or be unpaid, at the supervisor's discretion. Habitual tardiness by any employee will be treated as a performance

issue and may result in corrective action, up to and including termination from employment.

Absence time is measured in quarter-hour (15-minute) increments. With respect to non-exempt employees, absence time of less than half a day (3.75 hours) that is not charged to vacation or sick leave can be made up within the same workweek, with the prior approval of the manager. This should not be interpreted as permitting employees to report late for work and make up the time by shifting lunch, working after the employee's established workday ends or charging vacation or sick leave for tardiness.

Exempt employees are expected to report vacation and sick time. Unless the manager has previously approved an adjustment to the regular work schedule, absences of four or more hours in a day must be reported as sick and/or vacation time on a Leave Request Form.

Planned absences (including vacation or sick leave) must be approved in advance by the employee's supervisor on a Leave Request Form. The approved form must be submitted to Human Resources.

It is important that advance notice of the absence be given whenever possible so that plans can be made to address the needs of the employee and the department. Employees are encouraged to schedule medical and dental appointments so as to create minimal conflict with normal working hours.

An employee may request leave without pay in lieu of charging the time to any one of the leaves of absence authorized in this policy manual; however, such requests are reviewed on a case-by-case basis and are subject to the approval of the employee's manager and Human Resources. Leave without pay should be reported on the Leave Request Form.