

Office of the Commissioner
State of Louisiana
Division of Administration

JEFF LANDRY
GOVERNOR

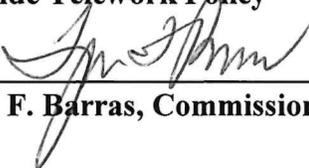


TAYLOR F. BARRAS
COMMISSIONER OF ADMINISTRATION

STATEWIDE PERSONNEL POLICY NO. 3

EFFECTIVE DATE: July 1, 2025

SUBJECT: Statewide Telework Policy

AUTHORIZATION: 
Taylor F. Barras, Commissioner of Administration

I. POLICY:

In compliance with Executive Order No. JML 25-048, telework is prohibited for state employees under the authority of the Governor, except for the limited situations set forth herein. Telework arrangements must be used sparingly and only when clearly justified by an operational need that serves the interest of the agency. The review and approval process, initiated by a Request for Exceptions from the Agency Head only, must set forth the business reason and operational need/benefit to be realized by the governmental entity warranting approval of the exception request.

Telework is a privilege, not a right or an entitlement. It is neither available to all employees nor applicable to all positions. Approved telework arrangements are not permanent, do not create an employment contract, do not change the terms or conditions of employment, and do not change the employee's compensation or benefits.

Approval to telework may be modified or rescinded at any time at the discretion of the Agency Head or Commissioner of Administration. For continuity of operations or other business necessity, the telework privilege also may be restricted or suspended for a period of time for certain employees, project teams, or organizational units. As examples, employees who have been authorized to telework may be required to work in-office, full-time, throughout the legislative session, during budget development or fiscal year-end close, due to a backlog of work, or to meet a project deadline.

To meet business needs, the Commissioner of Administration may temporarily or for a fixed duration impose mandatory telework requirements for certain employees, project teams, organizational units, or throughout designated locales. Telework may also be imposed due to an office closure or office space constraints.

II. APPLICABILITY:

The restriction upon telework imposed by Executive Order No. JML 25-048 applies to all state departments, agencies, boards, and commissions under the Governor's authority.

Governmental entities not subject to the Governor's authority, including those under statewide elected officials and higher education institutions, are strongly encouraged to comply with the Executive Order and this policy.

III. EXEMPTION – DISABILITY ACCOMMODATIONS:

Agency Heads are required by La. R.S. 46:2594 to develop, implement, and maintain a policy that ensures compliance with the Americans with Disabilities Act ("ADA"). The telework provisions of this policy do not apply to disability accommodation requests, which instead are to be addressed via the governmental entity's ADA policy.

IV. DEFINITIONS:

Agency Head: A statewide elected official, the Secretary or head of a department, or the head of a budget unit, agency, office, board, or commission not within a department.

Telework: A work location arrangement which permits employees to perform job duties from a remote worksite. Telework may be formal or situational, full-time or for a designated number of days per week.

Telework Agreement: The written document, signed by the employee and authorized by the Agency Head, that details the terms and conditions upon which the employee is authorized to telework. Execution of this agreement is contingent upon and follows the Commissioner of Administration's approval of a Request for Exceptions.

Telework-Formal: Authorized telework which occurs in accordance with a pre-approved and ongoing regular schedule. The telework arrangement may be full-time or a limited number of designated days per week. The authorized arrangement is to be memorialized in a Telework Agreement.

Telework-Situational: A telework arrangement which is not subject to a designated, ongoing regular schedule, but rather is:

- Authorized by the Commissioner of Administration on a situational basis, generally for a fixed duration of time. Situations prompting such arrangements include inclement weather, crises, declared emergencies, and office closures, or
- Authorized telework which is a temporary arrangement that is not recurring and is approved by management personnel on a limited, case-by-case basis to permit an employee to handle a personal or family matter which otherwise would have resulted in the employee being off-duty on leave.

Primary Worksite: The employee's usual and customary in-office work location.

Remote Worksite: An approved remote work location, other than the primary worksite, at which an employee is authorized to telework. Absent exceptional circumstances, the remote worksite shall be the employee's home of record with Human Resources.

V. **INELIGIBILITY FOR TELEWORK:**

The following employees are not eligible for telework consideration:

- Employees serving in part-time positions
- Employees serving with WAE status
- Employees serving as student workers
- Employees in the initial six months of employment
- Employees serving as an office or section head
- Employee whose in-office presence is deemed essential by executive management
- Employees whose Continuous Performance Management rating is "Needs Improvement" or "Unsuccessful"
- Employees whose job performance, productivity, behavior or attendance within the past twelve months have resulted in a disciplinary action authorized by Chapter 12 of the Civil Service Rules
- Employees who have demonstrated an inability to effectively and efficiently perform and be productive in accordance with workplace standards
- Employees who are unable or unwilling to acquire and maintain required technology services in their home at their own expense

Requests for exceptions to this listing require compelling justification and explanation of the benefit to the governmental entity's business operations.

VI. **SUITABILITY FOR TELEWORK:**

Position Suitability

The duties of many positions cannot be performed from a remote location. In general, a position suitable for telework is one whose duties can be performed remotely while maintaining effective service quality, timeliness and product delivery, and without negatively impacting unit operations. Job characteristics that are best suited for telework are those that:

- Require tasks that readily can be performed from any location
- Have clearly defined tasks, objectives and outcomes
- Can be monitored by output and product delivery
- Have measurable work activities and identifiable product deliverables
- Have defined objectives with specified timeframes, milestones and deadlines
- Require independent work (writing, reading, research, planning, programming, word processing, data entry, etc.)
- Require limited in-person interaction with supervisors, co-workers, clients, vendors and the public
- Can be performed in compliance with privacy and security requirements

- Do not adversely impact the effectiveness of a project team
- Require limited access to materials and files maintained at the primary worksite

Employee Suitability

Employees best suited for telework are those who:

- Are fully familiar with their job duties and responsibilities
- Are independent workers requiring minimal direct supervision
- Are self-motivated, disciplined, dependable, responsible and trustworthy
- Are problem-solvers
- Effectively communicate with management and co-workers
- Have limited need for interaction with co-workers and supervisors
- Have good time-management and organizational skills
- Are results-oriented
- Have consistently demonstrated the ability to satisfy performance and productivity standards
- Have consistently demonstrated the ability to meet deadlines and timelines
- Are able to provide a safe, secure, dedicated workspace and required technology resources in their home

VII. LIMITATIONS:

The schedule in the Telework Agreement is fixed and not subject to flexibility except as pre-authorized by management. The designated telework days will not be modified due to a holiday, office closure, required attendance at an in-office business meeting, or assignment to an alternate work location. Limiting flexibility in this regard permits supervisors to better manage the telework privilege.

At six month intervals, supervisors are required to meet with each teleworking employee to review performance, productivity and accountability. Identified concerns and shortfalls are to be discussed, with the supervisor recommending that the Telework Agreement be continued, modified, or rescinded. A new Telework Agreement is required to document any required modifications.

For Telework-Situational, the circumstances requiring telework necessarily dictate the permissible number of hours/days of authorized telework. For telework ordered by the Commissioner of Administration, the duration generally will be declared and updated, as necessary. A formal Telework Agreement is not required for this form of telework.

VIII. TELEWORK REQUESTS – APPROVAL:

Telework-Formal

In compliance with Executive Order No. JML 25-048, telework for employees subject to the Governor's authority is permissible only with prior approval of the Commissioner of Administration. The approval process is initiated by a Request for Exceptions on behalf of

an employee, employee group, or section. The request, in letter format, addressed to the Commissioner of Administration, is to be signed by the Agency Head and emailed to DOA-EO.RTW@la.gov. Requests shall include:

- a. Agency and Organizational Unit/Office
- b. For individual requests: Job Title, Position # and Personnel #
- c. For multiple positions: Job Titles, Position #s and number of positions included
- d. Position type (classified/unclassified)
- e. Employee work schedule (hours and days – 5/8, 4/10, 9/8, 9/4 schedule)
- f. Telework schedule (full-time or designated days/week)
- g. Processes for monitoring performance, productivity and attendance
- h. Business justification for the request

The justification in support of a Request for Exceptions must be compelling and clearly set forth the business reason and benefit to be realized by the governmental entity resulting from approval of the exception request. Examples of business justifications likely warranting approval of an exception request include:

- a. Office space constraints (unavailable or requires substantial expense)
- b. The work domicile of the position(s), pre-dating the COVID pandemic, was historically the incumbent's home
- c. Telework authorization is necessary for safety/security reasons
- d. Expectation within the profession that the position does not require the employee to be in-office (i.e. IT personnel working in another state)

Prior to submitting such a request, management personnel and Agency Heads should be familiar with the guidance, limitations and requirements of this policy. Any deviation from this policy is to be addressed in the exception request. Of significance, in applying this policy, is the requirement that governmental entities establish and maintain processes to monitor employee performance, productivity, and attendance. Ongoing utilization of these processes necessarily increases accountability and protects against misuse of the telework privilege. These processes also ensure continuing oversight and frequent interactions by supervisors with their direct reports.

If the Request for Exceptions is approved by the Commissioner of Administration, the final step in the approval process is for the governmental entity to document the telework arrangement with the employee. Use of the attached Telework Agreement is required for consistency purposes. The provisions within this agreement serve to reinforce the expectations, requirements, and limitations set forth in this policy.

The executed Telework Agreement is to be maintained by Human Resources in the employee's personnel record. Copies of the finalized agreement are to be provided to the employee and immediate supervisor. The Telework Agreement will remain in effect for a maximum of one year. Supervisors are required, at six-month intervals, to meet with each teleworking employee to review performance, productivity, and accountability. This meeting is to be documented and maintained by the supervisor. Based upon this review, the Telework Agreement can be continued, modified, or rescinded.

Telework-Situational

The approval of an employee's request for Telework-Situational does not require a formal agreement; however, the request and approval must be documented in writing prior to commencing the Telework-Situational period and should be maintained in accordance with the agency's records retention policy. This arrangement should be infrequent, and authorization should only be given when the temporary arrangement will not create an inconvenience or disruption of agency operations.

IX. PERFORMANCE EXPECTATIONS AND AVAILABILITY:

While working remotely, all business responsibilities, objectives, goals, timelines, and deadlines must be satisfied. Work product quality and performance standards for work done remotely remains identical to that expected of in-office workers. The remote workplace must be free of distractions to ensure productivity throughout the workday. Teleworkers may not engage, during scheduled work hours, in personal activities for which leave otherwise would be required.

Telework is not a substitute for child or adult care. Leave must be taken if it becomes necessary for an employee to provide care to another during scheduled work hours.

When working remotely, it is especially important for employees to be available and accessible. This necessarily requires that employees answer and timely return phone calls, and promptly respond to emails, texts, voicemails and instant messages. To do so, employees are required to forward calls from their office phone to their cell phone on telework days. Additionally, employees are required to provide their cell phone number to their supervisor and to co-workers and individuals with whom they frequently communicate.

X. HOURS OF WORK:

Employee work hours on a daily basis are the same regardless of work location. Work is to begin and end at the designated times, and employees are to be productive throughout the workday except when on break, at lunch or on leave. Unless specifically authorized in the Telework Agreement, work hours are not flexible. For employees authorized to work an alternate work schedule, the workday can begin no earlier than 6:00 a.m. and end no later than 6:30 p.m.

Overtime work requires pre-approval, with such approval to be based upon business necessity and a determination that the work cannot be performed during customary work hours.

As with in-office work, employees are entitled to a 15-minute break each morning and afternoon, workload permitting. These should be taken mid-morning and mid-afternoon. Employees may not forgo nor cumulate breaks, including the lunch period, to compensate

for late starts or early departures. The duration and time of the lunch break should be identified in the employee's Telework Agreement. Any deviation from the designated time requires notice and supervisory approval. Procedures and processes should be implemented by management to document active work engagement during work hours.

Customary leave requirements apply to remote workers. Any personal activity that causes an employee to be unable to perform job duties, regardless of duration, requires pre-approval and use of leave. Employees in remote status are required to timely enter all leave in customary fashion and comply with the e-Certification process. Telework days are to be coded as "ZTEL" to facilitate tracking and accountability.

Should circumstances beyond control arise which preclude the ability to work from home (loss of electricity, VPN or internet connectivity failure, equipment malfunction, home emergency, etc.), supervisory personnel are to be notified immediately. If the situation cannot be promptly rectified, the employee may be required to report to the primary worksite or take leave, at management's discretion.

XI. REMOTE WORKSITE:

The employee's home is the alternate remote location from which an employee will be authorized to telework. The home address is to be listed on the Telework Agreement. Circumstances warranting a change to another remote work location are to be addressed to Human Resources and approved by management.

The remote worksite should be a clean, safe, dedicated workspace that is primarily used for the purpose of teleworking. The worksite must be readily accessible and sufficiently spacious to accommodate any equipment, files, work papers, etc. needed to perform assigned duties. The worksite also must be private and secure, with the employee responsible for safeguarding work materials and equipment from unauthorized access, use, damage, or destruction.

Employees are responsible for any incidental costs associated with telework. The state will not pay nor reimburse the costs of utilities, telephone or internet services, nor the expenses for installation, repair, technical support, or maintenance of personal equipment such as routers, modems, etc.

The remote worksite is considered an extension of the employee's workplace. For this reason, worker's compensation coverage remains in force for an employee while performing official job duties at the designated remote worksite during scheduled duty hours. Work-related injuries or accidents are to be reported to management and Human Resources immediately upon occurrence.

XII. USE/SECURITY OF EQUIPMENT:

A state-owned computer and peripherals will be provided to employees to perform job duties remotely. To ensure cybersecurity and data integrity, employees should be connected to a Virtual Private Network (VPN) while performing work from this device. State-owned devices shall only be connected to private networks – not public networks in public places.

The use of state-issued equipment is limited to official state business and must comply with security protocols and applicable laws, policies and procedures. Personal use of such equipment is prohibited, including during non-work hours. Additionally, the use of a personal laptop or computer for state business purposes is prohibited due to security concerns.

The state is responsible for maintaining and repairing state-issued equipment. If in-person service or support of such equipment is necessary, the employee is responsible for timely bringing the equipment to the primary worksite. Should a delay in the repair or replacement of such equipment occur, the employee may be issued alternate equipment or required to report to work at the primary worksite. On rare occasions, the employee may be required to utilize leave. Agency IT personnel will not make remote worksite calls for equipment set-up or service.

For governmental entities that utilize the technology services of the Office of Technology Services, the OTS Help Desk – (225) 219-6900 or (844) 219-6900 -- is available 24/7 to assist in resolving technical problems with state-issued equipment.

XIII. COMPLIANCE WITH POLICY AND LEGAL REQUIREMENTS:

Telework does not alter the employment relationship nor relieve employees, while working from home, of the duty to fully comply with all agency policies and procedures, the Civil Service Rules, and applicable federal and state laws. This continuing requirement especially includes being productive throughout the entirety of the workday, satisfying leave usage and leave request requirements, obtaining prior approval of overtime, complying with time entry and e-Certification processes, timely reporting of accidents/injuries, lawful and appropriate computer usage, and refraining from prohibited behavior of a sexual, harassing, discriminatory or violent nature.

XIV. BUSINESS MEETINGS:

Employees authorized to telework are required to attend all scheduled in-office meetings and business activities related to the performance of their job. For this reason, a supervisor may require an employee to report to the primary worksite (or other work location) on a scheduled telework day to attend a meeting or handle pressing business matters. This

reporting requirement may be for the entirety or only a portion of the workday. When this occurs, the missed telework hours/days will not be made-up.

Additionally, the employee will not be compensated for mileage if required to travel to the primary worksite on a scheduled telework day. However, the employee may be eligible for reimbursement for work-related travel to other work locations, as directed, in accordance with agency policy and the State Travel Regulations (PPM #49).

All business meetings are to occur at the primary worksite or other designated work location. Under no circumstance are in-person business meetings to be conducted in the employee's home.

XV. REQUIRED TELEWORK TRAINING:

As a condition of eligibility for telework, supervisors and employees must complete the following required telework training courses:

- CPTP SCS Teleworking for Employees WBT
- CPTP SCS Managing Teleworkers WBT

The following additional training resources through LEO are available to employees and supervisors:

- CPTP Developing Others WBT
- CPTP Time Management for Teleworkers WBT
- CPTP Virtual Meeting Etiquette WBT

XVI. OFFICIAL OFFICE CLOSURES:

Office closures may be declared specific to a building, city, parish, region or the entire State of Louisiana. An employee may only have one domicile on any given workday. The official domicile on the day(s) an employee is authorized to telework is the city or parish wherein the employee's home is located. For this reason, if an office closure is declared on a scheduled telework day, the employee is:

Not eligible for special office closure leave (LSOC) and must continue working from home when:	Eligible for special office closure leave (LSOC) when:
<ul style="list-style-type: none">• The office closure is specific to the primary worksite building.• The office closure is specific to a city or parish that is different from the city or parish in which the employee resides.	<ul style="list-style-type: none">• The office closure is specific to a city or parish that is the same as the city or parish in which the employee resides.

XVII. TERMINATION OF TELEWORK:

The Commissioner of Administration may rescind the approval of a Request for Exceptions.

An Agency Head shall suspend or rescind an employee's telework privilege upon the employee's loss of eligibility (poor performance, lack of accountability, receipt of a disciplinary action, negative evaluation, etc.). Any such action is an administrative decision and should not be construed to be disciplinary in nature. Additionally, an employee may transfer, demote, promote, or simply choose to no longer telework. The employee's telework privilege is to cease upon any such occurrence, and any new telework arrangement must be approved in accordance with this policy.

In the event a Telework Agreement is terminated or suspended, regardless of reason, all state equipment, hardware, records, work papers, supplies and the like are to be returned to the primary worksite by the employee by close of business the business day following any such occurrence or such other time as approved by management personnel.

XVIII. MISCELLANEOUS:

- Employees are to immediately update their address with Human Resources and submit a new Telework Agreement if their home address changes
- Under no circumstance will management accept remote work as an excuse for performance deficiencies or low productivity
- Teleworking employees' work activities, work product, emails and other communications are subject to review and monitoring for the purpose of evaluating work efficiency and effectiveness
- Teleworking employees' attendance, availability, accessibility, and responsiveness are to be monitored for accountability purposes
- When participating in virtual meetings, teleworking employees are to be attentive, fully engaged, and appropriately attired
- When participating in virtual meetings, teleworking employees are to ensure that the background of the video is appropriate and the work area is free of visual and auditory distractions and disruptions
- Teleworking does not impact an employee's eligibility for job advancement or training opportunities
- The state is not responsible nor liable for damage to an employee's home or personal property caused by or during teleworking
- The Commissioner of Administration's decisions on a request to telework or for exceptions to the provisions of this policy are final and binding

XIX. VIOLATIONS:

Violations of the requirements and limitations of this policy likely will result in the telework privilege being rescinded. Additionally, disciplinary action may be imposed to address violations of the terms and provisions of this policy or for any behavior related to this policy which impairs the efficiency of the public service.

XX. EXCEPTIONS:

Special circumstances may warrant exceptions to certain provisions of this policy. Exception requests are to be submitted by the Agency Head, with explanation and justification, to the Commissioner of Administration.

XXI. QUESTIONS:

Questions regarding this policy should be addressed to Human Resources or may be submitted to DOA-EO.RTW@la.gov.