

The District recognizes that, in certain limited circumstances, it may benefit the District, an employee, or both the District and an employee for an employee to perform their normal work responsibilities via telework. In addition, the District recognizes that telework may be appropriate during times when the District implements a non-traditional or hybrid instructional delivery model in order to follow local, state, or federal requirements, recommendations, or guidelines regarding student, employee, or community health concerns. Finally, the District recognizes that telework may be necessary to provide continuing education to students during school closures related to local, state, or national health emergencies. Telework is not a benefit for all employees or employee groups within the District. However, telework may be required or allowed under this policy in situations where an individual employee and/or his/her position are well suited to telework or where the District determines that other circumstance(s) make a telework arrangement necessary or desirable.

The administration is authorized to approve, deny, modify, and terminate telework arrangements for District employees except with respect to (1) arrangements applicable to the District Administrator, or (2) arrangements that involve or require a modification to an individual employment contract that is subject to School Board approval. Decisions concerning employee telework and the approval of voluntary employee telework requests will occur on a case-by-case basis and are at the sole discretion of the District, subject to any applicable law, to this policy, to any telework guidelines developed under this policy, and to any specific conditions or directives applied to an individual employee's telework arrangement.

Definitions

"Telework" is defined as a voluntary or involuntary working arrangement between the District and an employee where the employee performs his/her normal job responsibilities at an alternate work location.

"Alternate work location" is defined as a location, other than an employee's regular District work location(s), from which an employee will perform his/her normal job responsibilities. The alternate work location will generally be the employee's personal residence. However, an employee may request approval from his/her supervisor to telework from a location other than the employee's personal residence so long as the location satisfies the alternate work location requirements of any telework guidelines developed under this policy and any applicable requirements of the employee's specific telework arrangement.

Availability of Voluntary Telework Arrangements

While any employee may propose/request a voluntary telework arrangement with respect to some or all of their job duties, some duties cannot be performed away from the regular worksite. In addition, in some situations, the District may determine as a matter of managerial discretion that telework is not the preferred approach for the performance of certain roles and duties.

As examples, telework is highly unlikely to be a viable option for the following types of positions/duties:

1. Food service (e.g., meal preparation and meal service);
2. Custodial/maintenance work related to District buildings and grounds;
3. Student transportation; and

4. Work that involves responsibility for the direct supervision of students who are physically present at school.

Review of Telework Requests

In situations where an employee makes a voluntary request to telework, and unless otherwise required by law, the decision whether to allow or decline a telework request shall be made on a non-precedent setting, case-by-case basis at the sole discretion of the District.

Involuntary Telework Arrangements

In addition to mandating that an employee performs his/her job responsibilities/duties from an alternate work location, the District may structure positions as telework positions. Examples of telework positions could include non-permanent involuntary telework during school closures, public/employee health concerns, or paid administrative leave. In addition, examples of telework positions could include involuntary long-term or permanent telework where the job responsibilities/duties of a position, department, office, or school building allow/require telework (e.g., teachers assigned to work as part of a virtual charter school or office employees whose positions do not require significant face-to-face service). Except as otherwise approved or directed by the Board or this policy, the District Administrator or his/her administrative-level designee shall determine the appropriateness of and authorize any involuntary telework arrangements, obtaining the input of affected employees, relevant supervisors, and other administrators as needed.

Work Performance and Responsibilities

Employees who telework will be responsible for managing their personal affairs and personal responsibilities in a way that allows them to successfully work their set schedule of hours, fulfill job responsibilities, complete work assignments, meet deadlines, and adhere to the District's telework guidelines.

It is expected that the quantity and quality of work performed by a telework employee will be similar to the work the employee would perform if working at a regular worksite within the District. An employee who teleworks will complete work assignments in a timely manner satisfying the objectives established by his/her supervisor. Telework employees may be required to provide reports, logs, timesheets, or other documentation to substantiate the work they have completed, and the hours performed in order to complete telework assignments.

In the absence of express written acknowledgement from the District, assignment to, or approval of, telework does not modify an employee's performance expectations, job duties or responsibilities, or the terms and conditions of employment as described in the employee's job description, Board policies, the District's Employee Handbook, any collective bargaining agreement (if applicable), or any individual employment contract (if applicable).

There may be instances where the District requires an employee with a telework arrangement to be physically present at the employee's regular District work location(s) on specific days or portions of days during which the employee would otherwise be teleworking. The District will attempt to provide reasonable advance notice of such required in-person attendance (e.g., in most situations, it would be reasonable to be notified at least the day before such a need to be physically present at work). In extraordinary circumstances, it may be necessary to call an employee to a regular work location without advance notice; and if such a situation were to

arise during an employee's established working hours, then the telework employee will be expected to make all reasonable efforts to appear at work, taking the specific circumstances into account (including the parameters of the employee's individual telework arrangement).

Telework Schedule

In the absence of a written agreement, acknowledgement, or directive from the District, the work schedules for telework employees shall be the same as the work schedules for similarly situated employees working from a regular worksite. This includes starting and ending times, meal breaks (where applicable), and other break periods (where applicable). Use of leave time must be appropriately tracked and documented.

During scheduled working hours, telework employees will be reasonably available (i.e., equivalent to the expectations that would apply if the employee were not teleworking) to communicate via telephone, video calling, and/or email with supervisors, co-workers, and any persons or group(s) that are regularly served by employees within the telework employees' job classification (e.g., parents, students, members of the School Board, vendors, and/or contractors).

Non-exempt employees may only work their approved hours. Working non-approved overtime or other additional hours that are not approved is not permitted and may result in discipline.

Non-applicability

This policy does not apply to telework that is approved as part of the District's workers compensation program or as an accommodation for an employee with a disability under the Americans with Disabilities Act (ADA) or under any other state or federal law that provides for such disability-related accommodations. Accommodations for disabilities shall be arranged through the applicable District procedures for requesting, identifying, and implementing such accommodations. However, telework that is authorized in connection with a workplace injury or as a disability-related accommodation may, in individual cases, be made subject to expectations that are similar to or the same as expectations established in this policy and/or in any telework guidelines established under this policy.

Modification and Termination of Telework Arrangements

Once approved or mandated, telework arrangements that are not structured as Board-approved contractual obligations are subject to continuous review and to possible modification or termination at the District's discretion at any time.

If the District establishes or approves a specific end date for an authorized telework arrangement, then the arrangement shall terminate no later than such end date unless the District expressly agrees to extend the arrangement. In the absence of such an end date, or if the District decides to terminate a telework arrangement prior to the expected end date, then the District will provide the employee with reasonable advance notice of the termination of the arrangement and of the expectation for returning to regular employment. While what is reasonable will vary by the specific circumstances, providing at least one week's advance notice, will normally be considered reasonable.

Employee requests to terminate a telework arrangement and return to regular employment shall be reviewed, and approved or denied, in accordance with any telework guidelines developed

TELEWORK

Policy 535.4

Waunakee Community School District

Page 4 of 4

under this policy and in accordance with any specific provisions of an employee's specific telework arrangement.

Cross References:

WASB PRG 535.4 Sample Policy 1

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