
MANAGEMENT DIRECTIVE

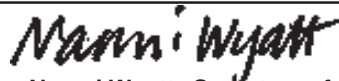
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COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE

Subject:

Working From Home During Emergencies Including a Pandemic Influenza Event

By Direction Of:



Naomi Wyatt, Secretary of Administration

Date:

August 20, 2007

This directive replaces the February 9, 2005 memo from the Deputy Secretary for Human Resources and Management subject "Working from Home" and establishes policy for agencies to enable and permit certain employees to work from home during periods of emergencies. This directive does not establish a policy for teleworking or permit employees (other than those that currently work from their homes) to work from home for routine or non-emergency situations. Changes are indicated by marginal dots.

1. PURPOSE. To establish general policy that will enable Commonwealth agencies to include in their emergency operations plans the ability for certain employees to work from home during a period of emergency, in order to allow the agencies to continue to provide essential and critical services to the citizens of Pennsylvania.

2. SCOPE. This directive applies to employees in all departments, boards, commissions, and councils under the Governor's jurisdiction. Agencies not under the Governor's jurisdiction and using the commonwealth's connection to the Internet are encouraged to use this directive as a guideline. This policy shall be applicable to all emergencies, as part of the three-scenario planning concept, including but not limited to natural and man-made disasters and pandemic influenza. Because the response to an emergency will be event driven, this policy provides general guidance only, and agencies can expect more specific guidance and direction through additional Management Directives and Executive Orders during actual periods of emergency.

3. OBJECTIVE. To define and establish general standards for determining the circumstances under which working from home will be incorporated into each agency's Continuity of Operations Plan (COOP).

4. DEFINITIONS.

a. Critical business functions. Those functions, stated or implied, that must be performed during or after a period of emergency either because they are required by statute, regulation or executive order or are otherwise necessary to provide vital services, exercise civil authority, maintain the safety and well being of the general populace, and sustain critical support to the citizens of Pennsylvania or other Commonwealth departments.

b. Three-Scenario Planning Concept. Each Agency's COOP must address each of the following scenarios:

(1) The **single building** scenario assumes that only one building is affected, for either a short (hours or days) or long term (weeks or longer) period. If an agency is housed in multiple buildings in one geographic area, e.g. Harrisburg, then the single building event would likely only affect a portion of all critical business functions. Displacement is relatively minor and there is minimal impact to interdependencies among agencies;

(2) The **catastrophic** scenario assumes massive displacement of the agency as well as many others, e.g. the Capitol Complex, with substantial degradation to interdependent resources and systems;

(3) The **pandemic** scenario assumes that there is an influenza-generated disruption of the workforce that is indiscriminate as far as impact, and that infrastructure is affected only to the extent that systems require maintenance and/or operation by a severely depleted workforce. A pandemic event may last for months and may require on-going critical function evaluation. For example, a function that is not critical in the beginning of the pandemic may become critical later.

c. Alternate Work Site. An alternate worksite(s) selected by an agency to be used when the primary worksite is not available. The alternate worksite may not accommodate all employees from the regular work location. Depending on the event, an agency may have several alternate sites including public sites with internet connections such as libraries or computer enabled training facilities.

d. Emergency or Period of Emergency. Any natural or man-made disaster or pandemic influenza event that causes an interruption in normal work practices.

e. Social Distancing Management. Taking measures to slow the spread of pandemic influenza by limiting the opportunities for exposure to the virus.

f. Telework. For the purpose of this directive is working from an employee's home when an employee's primary work location is inaccessible or the employee is not able to be located in the agency's alternate work location due to an emergency. A pandemic scenario may require certain employees to work from home to achieve a social distancing management. A catastrophic scenario may require certain employees to work from home in order to reduce the amount of space the Commonwealth needs to identify for use as alternate work sites for multiple agencies.

5. TECHNOLOGY.

There are different levels of technology available to enable working from an alternate work location or home. Technologies range from land telephones and cell phones to Wireless email and Virtual Private Networks (VPN). Each of these technologies has a cost associated with it both in dollars and system resources. It is very important that each agency match the available technology with necessary requirements for an alternate work location or the functions an employee will be expected to perform at home. Information on the available IT system technologies and considerations for their use is found in ITB-BUS003 Emergency Telework Policy

.6. POLICY.

a. Each agency, as part of its Continuity Of Operations Plan (COOP), is to identify its critical business functions and the methods in which those critical business functions will be accomplished during periods of emergency. The agency COOP is to address how it will provide critical services under the three-scenario concept. This should include identifying which employees, essential to continuing critical operations and

disaster recovery, will report to an alternate work location and which will work from home. Not all employees will be involved in initial emergency operations or initial recovery efforts and not all employees will be able to perform work from home.

b. Employees working from home will continue to be covered by and expected to abide by all existing Commonwealth policies and regulations, including but not limited to worker's compensation, collective bargaining agreements, memoranda of understanding, and the Civil Service Act and Rules as modified by any Executive Orders.

c. Pursuant to this policy the Commonwealth will not establish home offices, nor provide permanent installation of computers or other technological equipment for a home office for employees who do not already have this as part of their employment structure.

d. This policy does not permit employees to work from home during non-emergency periods, except for the purposes of training, testing and/or exercising the agency's COOP.

7. RESPONSIBILITIES.

a. Office of Administration shall:

(1) Establish appropriate technology policies and procedures to enable teleworking pursuant to this Management Directive – ITB-BUS003 Emergency Telework Policy .

(2) Establish specific enterprise-wide policies regarding workforce management during periods of teleworking, including communications, supervision and accountability. (See Appendix A).

(3) Handle labor relations related to this policy with all relevant bargaining units.

(4) Answer agency questions concerning the application of this management directive.

b. Agencies shall:

(1) Develop a COOP using the three-scenario concept which may include certain employees performing work supporting critical business functions from the employees' homes.

(2) Regularly review its COOP, including the ability to perform those critical business functions at an alternate work location or from employees' homes.

(3) Provide aggregate information to the Office for Information Technology (OIT) about the total number of employees who could be expected to work from home in an emergency, so that the Office of Administration is able to assess the total demand for remote network capability and address any shortfall.

(4) The agency head or designee shall consult with the Office of Human Resource and Management to determine when an emergency exists that will activate the working from home provisions of this policy.

(5) Regularly review its COOP, including the ability to perform those critical business functions at an alternate work location or from employees' homes.

(6) The agency head or designee shall provide specific information regarding the activation of the working from home provisions of this policy to the Office of Human Resources and Management as soon as possible.

(7) Each agency shall establish a training plan and conduct periodic exercises to identify issues and assess effectiveness of working from alternate locations including the homes of identified employees.

c. Employees shall:

- **(1)** Adhere to the requirements of all applicable policies and procedures regarding the use of technology, including but not limited to MD 205.34 and MD 205.29.

(2) Adhere to all Commonwealth policies and procedures, including hours of work, safety, security, confidentiality, use of Commonwealth equipment, standards of conduct, and the prohibition on conducting personal business during work hours.

(3) Complete the "Employee Emergency Teleworking Agreement", Appendix A, prior to working remotely, including for training, testing and/or COOP exercise purposes.

Enclosure - Appendix A "Employee Emergency Teleworking Agreement"

Appendix A

Employee Emergency Teleworking Agreement

1. Teleworking

- Teleworking is to be used only when the normal worksite is not available or accessible during emergencies or to achieve a social distancing management methodology.
- An employee must have the pre-approval of their agency head or designee prior to working from home.
- When working from home:
 - It is the responsibility of the employee to ensure that all the requirements to do official work are met in an environment that allows the tasks to be performed safely.
 - It is the employee's responsibility to designate one area in the home that is suitable for the performance of official Commonwealth business, and the Commonwealth's potential exposure to liability is restricted to this official work area.
 - The Commonwealth is not responsible for any operating costs that are associated with the employee's home as a worksite. This includes maintenance, insurance, and utilities.
- If the Commonwealth has provided equipment to the employee, the employee agrees to permit access to their home worksite by agency representatives as required, normally with a **24-hour notification** and **during normal working hours**, to repair or maintain Commonwealth-furnished equipment, and to ensure compliance with the terms of this teleworking agreement.

2. Time and Attendance, Work Performance and Overtime

- Time spent working at home must be accounted for and reported in the same manner as if the employee reported for duty at their normal work location.
- The employee is required to satisfactorily complete all assigned work, according to established standards and guidelines.
- The employee is required to follow normal agency procedures regarding the requesting and approval of overtime, compensatory time and leave.

3. Security and Equipment

- The employee is required to abide by the same information security policies and procedures regardless of where they are conducting Commonwealth business.
- Data accessed using privately owned equipment may only be stored on Commonwealth furnished equipment. Commonwealth equipment includes memory stick and mobile hard disk (using Commonwealth data encryption standards), DVD, CD, or floppy disk.

- The employee is responsible for the security of all official data, and protection of any Commonwealth-furnished equipment and property, in carrying out duties at their home worksite.
- Commonwealth-furnished equipment must only be used for official duties, and may not be used by non-Commonwealth employees.
- The agency shall be responsible for obtaining software licenses that are used on privately owned equipment for official business. When privately owned equipment is no longer used it is the responsibility of the teleworker to remove and return all government-owned software to the agency software manager. Commonwealth-furnished software is subject to copyright laws and shall not be copied onto other systems that are not authorized.
- The agency is responsible for the maintenance of all Commonwealth-furnished equipment. The employee may be required to bring such equipment into the office for periodic maintenance. The employee must return all Commonwealth-furnished equipment and material to the agency when employment terminates or at the agency's request.

1. Workers' Compensation and Other Liabilities

- An employee who is directly engaged in performing the duties of their jobs is covered by all applicable state employee compensation acts while work at home.
- The employee is required to follow standard procedures regarding reporting of any accident or injury at the home work site. The Commonwealth's potential exposure to liability is restricted to the official workstation for the purposes of teleworking

2. Standards of Conduct

- The employee continues to be bound by all Commonwealth standard policies, including but not limited to the Governor's Code of Conduct while working at the home worksite.

3. Computer Security Training

- The employee must complete the appropriate Computer Security Training prior to begin teleworking

I have reviewed and understand the terms and conditions of this Emergency Teleworking Agreement.

Signature:

Employee: _____ **Date:** _____

I have reviewed and discussed the terms and conditions of this Emergency Teleworking Agreement with the employee.

Signature:

Supervisor: _____ **Date:** _____