

# COVID-19 Work Options Program and Guidelines

## Purpose

A procedural guide and rules for Work at Home for supervisors and employees during the COVID-19 Pandemic for the California Public Employees' Retirement Systems (CalPERS).

## Contents

Purpose	1
Contents	1
Background	2
Policy	2
Policy Scope	7
Primary Responsibility	7
Team Member Rights	7
Key Terms / Definitions	8
Roles and Responsibilities	9
Authoritative Sources	10

## Background

CalPERS supports flexible work arrangements for its team members (employees) when they meet the needs of both the department and team members. Telework offers creative approaches for completing work and meeting business needs and objectives.

The COVID-19 Pandemic has ushered in uncertain and extraordinary times. In order to address the needs of CalPERS employees during the COVID-19 crisis, this program will outline the ability of team members to work from home or from an alternate work location, to the extent possible based on available equipment, the capacity of the network, and whether the team members job can be performed at home with the proper equipment.

We are asking team members to be flexible while we work to accommodate as many people as possible with this process. We may implement alternate work shifts in order to maximize the bandwidth of the CalPERS network.

The COVID-19 Work Options Program will help reduce confusion and misunderstanding and provides a detailed guide for team leaders implementing this practice within their teams.

CalPERS is responsible for the administration of the Telework Program and encourages the use of the Telework option where workload and work conditions warrant. These guidelines are consistent with State laws, regulations, and the applicable Memoranda of Understanding (MOU), and the delegated authority given to CalPERS to establish a Telework Program.

The special provisions of the COVID-19 Work Options Program and Guidelines is in effect only during the response period for COVID-19. We will operate in this structure through the remainder of March 2020 and reassess at that time. Once the special provisions of the COVID-19 Work Options Programs ends, all employees approved to telecommute under this program will return to their regular work locations.

## Policy

In order to minimize the number of team members in our buildings so social distancing guidelines can be fully implemented, we will consider the following options depending upon applicable circumstances:

- Option 1: Report to the office and practice appropriate social distancing protocols
- Option 2: Request to telework (COVID-19 Work Options Telework Program outlined below) through the end of March 2020.
- Option 3: Request to work at the CalPERS Emergency Operations Center (EOC) in Rancho Cordova through the end of March 2020. A limited number of workstations are equipped for each business function so special remote access needs are not necessary. If you are interested, please speak with your team leader for feasibility.

- Option 4: Utilize leave credits available to remain at home to care for yourself or a family member through the end of March 2020. We are prepared to operate with limited resources during this time but please work with your team leader to ensure proper coverage can still be maintained.

### **COVID-19 Work Options Telework Program**

CalPERS will consider, when appropriate, the use of telework as a viable management tool (where work will be measured) to improve the effectiveness and productivity of team members, optimize facility utilization, and improve asset management without jeopardizing safety, internal controls, department needs, or service to the public. This is achieved through a cooperative arrangement between team leaders and team members. Telework is not an entitlement and does not change the number of hours worked by team members in a workweek.

Telework is working from a remote work site as a voluntary alternative to commuting to the primary place of employment (Central Office) when approved in advance by management. Telework agreements do not change the conditions of employment or required compliance with CalPERS policies.

Telework is only feasible for those tasks within a job that may be performed in whole or in part away from the primary place of employment. Telework arrangements can be terminated by either the team member or CalPERS as detailed below.

CalPERS may authorize a team member to work at home during the COVID-19 crisis to decrease the risk of employees from contracting COVID-19 at work.

Eligibility for telecommuting is based on the following criteria and will be prioritized by risk, as indicated below.

#### **COVID-19 Work Option Program Telework Criteria:**

Team member's job can be performed at home with proper equipment such as computer, monitor, phone and internet access, as determined by the team member's Division and team leader. Additional guidance on equipment is provided later in this document.

Use of the Work Option Telework Program is tracked by criterion to allow HRSD to determine and track the number of telework requests and approvals.

Criteria A -- High Risk team members

- Those that the CDC has identified as high risk (people who have serious chronic health conditions like heart disease, diabetes, and lung disease)
- Team members over 65 years old
- Team members who are pregnant
- Individuals who are returning from international travel from restricted area as defined by the CDC

Criteria B -- Team members who live with someone (meets the criteria above) who is high risk.

Criteria C -- Team members who have school-age children, are in schools that are closed, and have the necessary equipment to work from home.

Criteria D -- Team members who have returned to the United States from a country that does not currently have travel restrictions as defined by the CDC.

Criteria E -- All others (that do not fall into any of the above categories)

We may determine that it is necessary to change team members' current work schedules, including eliminating Alternate Work Schedules, consistent with the collective bargaining unit agreement, as we have more team members working from home, in order to maximize the bandwidth of the CalPERS network.

Team leader approval is required for COVID-19 Work Options Program participation. Team members will receive a confirmation email from their supervisor approving the temporary work option, which will outline schedule and expectations.

Team members under the current Telework Program will continue on that program.

### **COVID-19 Work Options Program Telework Scheduling**

The scheduling guidelines listed below must be followed:

- A Telework schedule must be mutually established between the team member and the leadership in the team member's division prior to starting the telework arrangement.
- Telework days should be scheduled consistent with requirements of the workweek group and/or provisions of the applicable MOU.
- Requests for flextime or alternate work week schedules should be reviewed as part of CalPERS Alternate Work Week Schedule Policy and/or the team member's bargaining unit MOU.
- Leave usage, overtime, or alternative work schedule policies and practices will be consistent with those used for non-telework team members.

- The Telework schedule must be outlined in the Telework Plan.
- Any change in the agreed upon schedule must be approved, in advance, by the team leader.

### **Ending Work Options Program Participation**

CalPERS may terminate or suspend its Work Options Program for any reason, at any time, with advance written notice to participating team members and to any applicable unions or employee organizations. The special provisions of the COVID-19 Work Options Program and Guidelines is in effect only during the response period for COVID-19. We will operate in this structure through the remainder of March 2020 and reassess at that time.

CalPERS Work Options Program is a mutual arrangement between CalPERS and the team member that can be discontinued by either the team member or CalPERS, at any time.

### **Health and Safety Requirements**

All Work Options Program Teleworking Team Members (TTM) are expected to maintain the same safe working environment at the telework site as they would have at the work site, and shall:

- Have a work space clean and free of obstructions and hazards.

Failure to maintain a safe work environment, in accordance with this policy, is cause for discontinuing team member participation in the Telework Program.

If a TTM incurs a work-related injury, worker's compensation laws and rules apply just as they would if such an injury occurred at the work site.

### **Information Security Requirements**

Security of information assets is of primary concern and importance to CalPERS. Information security policies, standards, and procedures serve to protect the availability, integrity, and confidentiality of information assets. These policies, standards, and procedures protect CalPERS as well as its customers and team members.

All CalPERS information assets (CalPERS equipment, CalPERS software, and CalPERS confidential information) used by participants in the CalPERS Telework Program are subject to all applicable security laws, rules, regulations, policies, and procedures.

Statewide information security policies, standards, procedures, and policies are issued by the California Department of Technology (CDT), Office of Information Security (OIS). Policies issued by the CDT are found in the State Administrative Manual (SAM) sections 5300 through 5399.

Corresponding standards, procedures, and policies are found on the CDT website, specifically the Telework and Remote Access Security Standard.

CalPERS reserves the right to monitor and log, without notice, all telework activity, including e-mail and Internet activities. TTMs, as with non-teleworking team members, should have no expectation of privacy regarding the use of CalPERS assets, consistent with the CalPERS System and Work Area Privacy Policy.

### **Equipment malfunction, repair, and replacement**

The repair, replacement, and maintenance of CalPERS-owned telework equipment are the responsibility of CalPERS. If equipment malfunctions, the following must be completed:

- The TTM must back up critical CalPERS information on a regular basis to ensure the information can be recovered if the primary source is damaged or destroyed.
- The TTM must notify their team leader immediately if the primary source is damaged, lost or destroyed.
- The team leader will determine if equipment down time warrants the teleworking team member to report to CalPERS until the equipment is usable.
- The TTM is responsible for returning the malfunctioning equipment to CalPERS for repair.
- The TTM must return all material (paper documents, CDs, flash drives, etc.) containing confidential information to CalPERS for proper handling or disposal, (e.g., certified destruct).
- The TTM must refrain from copying or sharing any CalPERS-owned software utilized for telework in accordance with copyright law.
- When a TTM is unclear about the requirements of an information security policy, standard, or procedure, they should consult with their team leader and/or the CalPERS information Security Officer.
- When a TTM suspects, or is aware of, a security violation, they should consult with their team leader and/or the CalPERS information Security Officer.

TTMs may be responsible for the repair and/or replacement of CalPERS-owned equipment entrusted to them which is damaged, lost, or stolen due to gross negligence on the part of the employee.

### **Authorized Expenses**

CalPERS will supply approved TTMs with necessary office supplies (pens, pencils, stationary, envelopes, etc.), as well as reimburse TTMs for business expenses necessary for the performance of work assignments. All such reimbursements must be pre-approved by the TTM's leadership team.

TTMs must follow regular procedures to authorize expenditures for office equipment, software office supplies, communication devices, and office services needed by teleworkers in their home offices.

- All department-provided equipment must be tagged as CalPERS/State property before use by the TTM.
- Team leaders should use existing equipment and supply items available through their division, branch, or office whenever possible.
- Recovery of costs will be made via normal departmental purchase and/or reimbursement procedures.
- When travel expenses occur, teleworking team members should submit a travel expense claim, along with a copy of the billing(s), to the Financial Reporting and Accounting Services Unit in the CalPERS Financial Office for reimbursement.
- CalPERS will not be liable for Telework expenses not identified in the Telework Plan, including but not limited to, any investment in furniture or equipment for the designated workspace in the home office.

## Policy Scope

This policy applies to all CalPERS team members.

## Primary Responsibility

The Human Resources Division (HRSD) has primary responsibility for this policy.

## Team Member Rights

TM rights provided in the collective bargaining unit contracts are neither enhanced nor abridged by participating in the CalPERS Telework Program. TMs retain the right to grieve in accordance with the provisions of their collective bargaining unit contracts.

## Key Terms / Definitions

For the purposes of this document, the following terms and definitions apply.

Key Term	Definition
Casual Telework	<p>Due to the COVID-19 pandemic, telework on a temporary basis and/or episodic basis, as job duties and operational needs permit.</p> <p>Circumstances which may be appropriate for temporary telework include, but are not limited to the following: If the primary worksite is inaccessible or not habitable.</p>
Central Office	The CalPERS location to which a team member is regularly assigned, also referred to as the primary place of employment.
Regular Telework	An established telework schedule with specific days per week or month. The telework schedule must be established and approved prior to the start of the telework.
Information Assets	Assets that include, but are not limited to, data, files, documents, software, applications, networks, network servers, personal computers, workstations, laptops, tablets, telecommunication devices, storage devices, or any other type of electronic or mobile devices.
Memorandum of Understanding (MOU)	A written agreement reached between the governor and an exclusive representative regarding terms and conditions of employment for rank-and-file employees, also referred to as a collective bargaining agreement (CBA) or contract.
Remote Access	The connection of an information asset (computing equipment, etc.) from an off-site location to an information asset on state Information Technology infrastructure.
Remote Access Server	A feature of Microsoft Windows which allows a Teleworker to connect directly to the CalPERS Local Area Network (LAN) from a remote computer via a Remote Access token. The remote computer is attached directly to the network via the Remote Access Servicer (RAS).
Telework	Working from a remote work site as a voluntary alternative to commuting to the Central Office when approved by management.

Telework site	A work site alternative to the Central Office. It may be in the team member's home or an alternate site.
---------------	--

## Roles and Responsibilities

### Team Member Responsibilities

- Understand and abide by the requirements contained in the COVID-19 Work Options Program Telework Program Policy.
- Submit a request to telework to their team leader if interested in teleworking, via email, identifying the priority the team member falls under.
- Work with their team leader to develop a viable Work Options Program telework arrangement.
- Perform only CalPERS work during the Telework hours and work all hours of their regularly scheduled workweek.
- Ensure compliance with CalPERS Information Security policies and Remote Access Security Standard to protect CalPERS' assets and data when accessing, storing, or transporting CalPERS' information.
- Adhere to all CalPERS rules, regulations, policies, and procedures regarding maintaining confidentiality of CalPERS information, data, and work product.
- Be available and accessible by phone and email during their agreed upon schedule.
- Maintain a telework area that is clean, safe, and free from hazards.
- Report security incidents immediately to their team leader and the Information Security Office.
- Report illness or injuries received while teleworking immediately to their team leader and complete all necessary documents relative to a work-related injury.
- Ensure that any state-owned equipment in their possession is well cared for and secure.
- Comply with all applicable rules, laws, regulations, policies, and procedures.

### Team Leader Responsibilities

- Support the COVID-19 Work Options Program as an option when appropriate.
- Determine if telework will contribute to program objectives and meet operational needs while maintaining or improving efficiency, productivity, and customer service.
- Identify job duties that would be appropriate for telework.
- Provide specific and measurable performance expectations for team members participating in telework. Team leaders must define in writing the work tasks, corresponding deadlines, and expected work performance for teleworking team members.

- Ensure the COVID-19 Work Options Program telework agreement email is retained and submitted to the Human Resources Division (HRSD) prior to the start of a team members telework schedule.
- Oversee the day-to-day performance of teleworking team members, just as team members who are on-site, including communicating general office updates and related information to teleworking team members.
- Ensure compliance with CalPERS Information Security policies and Remote Access Security Standard to protect CalPERS assets when accessing, storing, or transporting CalPERS information.
- Report all security incidents immediately when they occur.

### Human Resources Division (HRSD) Responsibilities

- Manages, coordinates and monitors the COVID-19 Work Options Telework Program.
- Ensures procedures and guidelines are current and accessible.
- Serves as the COVID-19 Work Options Program Telework resource for team leaders and team members.
- Assists team leaders in understanding and using the COVID-19 Work Options Telework Program.
- Provides training as needed/required.
- Track program participation (i.e. number of employees currently teleworking) and provide such information to exclusive representative organizations as well as excluded representative organizations upon request.
- Updates and maintains the COVID-19 Work Options Program Telework Program.
- Monitors and evaluates the operation of the CalPERS COVID-19 Work Options Program Telework Program on a continual basis and recommends adjustments and modifications as needed.
- Retains copies of approved COVID-19 Work Options Program Telework Program Telework Plans and related documents.

### Authoritative Sources

CalPERS will administer this policy in compliance with the following legal, regulatory, and policy requirements:

Source	Description
Government Code Section 11549(a): <a href="#">GC Section 11549 (a)</a>	Statute authorizing the Office of Information Security (OIS) to issue statewide policies, standards, procedures and guidelines.

Government Code Section 11549(b): <a href="#">GC Section 11549 (b)</a>	Statute requiring every state agency, department, and office to comply with the information security and privacy policies, standards, and procedures issued by the OIS.
CalPERS Reasonable Accommodation Policy	Policy regarding providing reasonable accommodations to team members with disabilities to enable them to perform the essential functions of their jobs.
Service Employees International Union (SEIU) Local 1000 Master Agreement MOU, Article 21.1 Telecommute/Telework Program <a href="#">SEIU Master Agreement</a>	Controlling MOU provision for team members in SEIU-represented bargaining units.
California Attorneys, Administrative Law Judges and Hearing Officers In State Employment (CASE) MOU, Article 6.4 Telework <a href="#">CASE Bargaining Unit 2 Contract</a>	Controlling MOU provision for team members in CASE-represented bargaining units.
California Statewide Law Enforcement Association (CSLEA) MOU, Article 7.12 Telecommuting <a href="#">CSLEA Bargaining Unit 7 Contract</a>	Controlling MOU provision for team members in CSLEA-represented bargaining units.
Union of American Physicians and Dentists (UAPD) MOU, Article 7.12 Telecommute <a href="#">UAPD Bargaining Unit 16 Contract</a>	Controlling MOU provision for team members in UAPD-represented bargaining units.
American Federation of State, County and Municipal Employees (AFSCME) MOU, Article 17.4 Telecommute/Telework Program <a href="#">AFSCME Bargaining Unit 19 Contract</a>	Controlling MOU provision for team members in AFSCME-represented bargaining units.
State Administrative Manual (SAM) sections 5300 through 5399 <a href="#">SAM Section 5300-5399</a>	Provide guidance regarding the protection of information, information systems, equipment, software, and people from a wide spectrum of threats and risks.