

POLICY: Telework

Florida Department of Revenue



| Components | Additional Resources |
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Purpose

The purpose of this policy is to implement a telework program within the Department of Revenue (Department) and provide direction on the requirements and proper application of the program.

Applies to

This policy applies to all Department positions, including Other Personal Services (OPS) positions, which have been approved to telework or which are under consideration for telework. This policy does not apply to contractors' employees.

Telework does not include, and this policy **does not apply** to:

- Duties and responsibilities that, by their nature, are performed routinely in the field away from the original worksite.
- Performance of required work duties while in travel status.
- Performance of required work duties away from the official worksite and outside established work hours on an occasional basis.
- Sporadically working away from the official worksite during all or some portion of the employee's established work hours.

Policy

A. Telework Program Administration

It is the Department's policy to use telework, where appropriate, to meet its business needs and the needs of its employees.

The Department's telework program shall be administered within each program under the direction of the program director. The program director will assign duties, staff and resources necessary to effectively administer telework within his or her respective program.

No position may be designated as eligible to telework if it does not support the business operations of the program.

The Department shall establish and track performance measures that support telework program analysis and report data to the Department of Management Services in accordance with [section 255.249\(8\), Florida Statutes \(F.S.\)](#).

Designation of Positions Eligible for Telework

In accordance with section 110.171, Florida Statutes, program directors are responsible for the annual identification and update of positions that are considered eligible for telework, with assistance from the Office of Workforce Management, no later than June 30 of each year.

In addition, programs shall update positions in which incumbent employees have completed a telework agreement in the current fiscal year, as well as positions in which the incumbent employee is no longer teleworking.

The Office of Workforce Management will maintain a list of the Department's telework-eligible positions and make it available to employees and managers upon request.

Identification and Designation of Teleworkers in External Reports and in People First

The Office of Workforce Management is responsible for updating telework position eligibility attributes and employee telework indicators in People First. It is further responsible for providing telework reports to external entities.

Publishing the Department's Telework Plan and List of Positions Appropriate for Telework

The Office of Workforce Management will work with appropriate resources to publish any required telework program information in accordance with [section 110.171, F.S.](#)

Designation of Work at Home Headquarters Positions

Employees in some positions for which telework is required may have their home office sites designated as their official headquarters. Program directors will be responsible for reporting to the Office of Workforce Management by June 30 of each year which positions should receive this designation. In accordance with [section 112.061\(4\), F.S.](#), the designation must be for the benefit of the Department and not for the convenience of the employee. The executive director must approve the work at home headquarters designation for any position not previously designated.

B. Participation in the Telework Program

Career Service, Selected Exempt Service, Senior Management Service or Other Personal Services employees whose position, job duties, work habits, performance record and alternative worksite are suitable for telework may be approved to telework.

Alternative worksites must be approved by the supervisor and the program approver (process/service center manager or above) and may not be changed without prior written approval.

Employees in positions which have been approved to telework are subject to the same rules regarding attendance, leave, performance, discipline, and other employment requirements outlined in the Department's Standards of Conduct as non-participating employees.

Telework will not adversely affect an employee's eligibility for advancement within the Department or any other employee right or benefit.

Teleworking employees may be required to report to the official worksite for training, meetings or other activities requiring the employee's physical presence upon reasonable notice.

Teleworking employees shall be compensated for all pay, leave, overtime and travel reimbursement (if applicable) as if duties were performed at the official worksite.

In the event a Department office or facility, or any portion thereof, is closed due to a non-emergency or non-disaster condition, teleworking employees who are assigned to that office or facility as their official work headquarters, or whose home has been designated as the employee's official work headquarters and is not impacted by the closure, shall continue to perform their assigned work duties at the approved alternative worksite. Because these teleworking employees will not be impacted by this closure, they shall not receive special compensatory leave credits for work performed during the period their office or facility, or portion thereof, is closed.

Teleworking employees who are unable to perform work at the alternative worksite due to circumstances beyond their control, such as a power outage or loss of internet access, shall be treated in the same manner as non-teleworking employees who are unable to perform their job duties at the official worksite under similar circumstances. Teleworking employees must immediately notify their supervisor if they are unable to perform work. Employees may be asked to return to the official worksite.

The program may terminate any employee's telework arrangement and require the employee to return to the official worksite if the employee violates Department or program policies or procedures.

Teleworking employees may not conduct in-person meetings at their personal residence with persons requesting or receiving services from the Department or the state. Any violation of this provision will result in immediate termination of the telework arrangement and corrective action.

The program may end a telework arrangement if there are issues at the alternative worksite that prevent the employee from effectively performing their job duties and/or maintaining satisfactory levels of work productivity.

Teleworking employees may not be caretakers to others at the alternative worksite during working hours. Supervisors may authorize a temporary exception on a case-by-case basis if the caretaker responsibilities are brief and occasional and do not interfere with the business operations of the program.

C. Types of Telework

Required Telework

Required Telework is an alternative work arrangement in which the Department requires an employee to telework, on a full or part-time basis, as part of normal business operations. In such cases, the program will:

- Include the requirement to telework and the associated terms and conditions as part of the position description, specifying the minimum amount of telework work required.
- Provide at least 30 calendar days' written notice of intent to impose or remove required telework.
- Provide at least 15 calendar days' written notice of intent to modify the terms and conditions of the required telework.
- Provide equipment, supplies or other items necessary to carry out the employee's job functions from the alternative worksite, unless the employee's personal equipment is approved for telework.
- Include the telework requirement in job advertisements and other recruitment activities.

Optional Telework

Optional Telework is an alternative work arrangement where an employee requests authorization to work away from the official worksite on a [regular basis](#). Optional telework is voluntary and must be mutually agreed upon by the employee and the program. In such cases, the program will:

- Notify the employee in writing whether the request to telework is approved or denied.
- Provide at least 15 calendar days' written notice of intent to cancel or modify the terms and conditions of the telework arrangement.
- Provide equipment, supplies or other items necessary to carry out the employee's job functions from the alternative worksite, unless the employee's personal equipment is approved for telework.

An employee may request to modify or cancel the telework arrangement in accordance with the Department's Telework Procedures.

Temporary Telework

Temporary Telework is an alternative work arrangement in which an employee is directed to telework in response to circumstances affecting Department or program business operations, or is permitted to telework to meet the employee's temporary need. A temporary telework arrangement will last no more than 30 consecutive work days unless extended by the program director. In such cases, the program will:

- Notify the employee in writing of the intent to permit or require telework on a temporary basis.
- Provide at least 15 calendar days' written notice of intent to cancel or modify the terms and conditions of the telework arrangement.
- Provide equipment, supplies or other items necessary to carry out the employee's job functions from the alternative worksite, unless the employee's personal equipment is approved for telework.

D. Telework Agreement

A [Telework Agreement](#) must be completed for all Required or Optional telework arrangements.

Temporary Telework does not require completion of the Department's Telework Agreement, unless extended by the program director.

The telework agreement must be approved by the employee's supervisor and the program approver (process/service center manager or above) in accordance with the Department's Telework Procedures.

E. Protection of Information and Equipment

Teleworking employees are responsible for ensuring the safety and security of any confidential information accessed or maintained at the alternative worksite and all Department-provided equipment. Employees should refer to the following Department policies for specific information:

- Protection and Use of Information Technology Resources Policy
- Protection and Use of Information Technology Resources Procedures
- Confidential Information Policy.

Confidential Information

Only Department-owned computing or storage devices may be used to store confidential information.

Only Department-owned computing or storage devices may be used to process, access, and/or store federal tax information.

Any physical confidential information at an alternative worksite must be used and stored in accordance with established Department and program policies and procedures.

No employee may print confidential information from an alternative worksite without specific authorization.

Internal Revenue Service (IRS) data used or stored on hard drives or mobile devices at an alternative worksite must meet IRS safeguard requirements for alternative worksites as stated in [IRS Publication 1075](#).

Information used and stored on the Child Support Program's automated system is federal confidential information from the Federal Parent Locator Service (FPLS) and other federal and state agencies. The storage or transmission of FPLS information to mobile devices such as PDAs, smartphones, iPads, MP3 players, or flash drives is prohibited. No employee may access, store, or process FPLS information on mobile devices or from unsecure wireless connections.

Employees who are working at an alternate worksite and have access to federal tax information or other confidential information from their computer shall lock the computer any time the employee will be absent from the computer.

Employees who are working at an alternate worksite and are accessing or have access to federal tax information or other confidential information on their computer shall avoid interruptions by family, friends or other sources which could potentially result in unauthorized access to such information. In the event such an interruption occurs, the employee shall promptly lock their computer.

Department-owned Equipment

The Department has established security controls and conditions for use of state equipment and state records that are described in the Protection and Use of Information Technology Resources Policy, the Protection and Use of Information Technology Resources Procedures, and the Confidential Information Policy. Teleworking employees must use approved safeguards to protect state equipment from unauthorized disclosure or damage.

The following conditions for Department-owned equipment used at alternative worksites shall apply:

- Department-owned equipment must be returned to authorized Department staff for service and maintenance.
- Only authorized Department staff may service and maintain Department-owned equipment.
- Only Department-approved software may be used on Department computers.
- Only Department-owned hardware may be connected to Department computers.

Personally-owned Equipment

No personally-owned computer equipment may connect to secure Department networks, nor may employees use personally-owned computer equipment to access, store, or process confidential information.

No personally-owned printers may be used at any time.

Teleworking employees may use personally-owned computing equipment to access non-confidential information at mydor.state.fl.us.

No employee may use their personal telephone(s) to contact Department customers, job applicants, or external partners, except as approved by program management.

Procedures

[Telework Procedures](#)

Frequently Asked Questions

N/A

Definitions

- **Alternative worksite** – The teleworking employee’s approved work location away from the official worksite.
- **Caretaker** – An employee who has the responsibility of caring for a person when that person is unable to provide care for himself or herself and the employee’s presence is necessary to provide the care.
- **Confidential information** – Information that is prohibited from disclosure under the provisions of applicable state or federal law, rules, or regulations.
- **Official worksite** – The Department office location where the employee is assigned. Exceptions may be granted for employees located in the field where there is no established office, per section 112.061(4), F.S. In these cases, the official worksite will be the location where the majority of the employee’s work is performed, or such a location that may be designated by the executive director that is in the best interest of the Department and not for the convenience of the employee. An employee may have only one official worksite.
- **Non-emergency or non-disaster condition** – An interruption of utility or other services to an office or facility, or any portion thereof (e.g., electricity, water, heating, air conditioning, etc.), or

an activity or event occurring within an office or facility (e.g., painting, extermination services, fire, water leak, etc.), that could temporarily disrupt normal business operations.

- **Regular basis** – Scheduled telework away from the official worksite that is planned, recurring, and predictable.
- **Telework** – A work arrangement that allows an employee to conduct all or some of their work away from the official worksite during all or a portion of the employee’s established work hours on a regular basis.
- **Telework Agreement** – The agreement between an employee approved to work at an alternative worksite and the Department of Revenue that spells out the terms and conditions of the employee’s participation in the Telework Program.

Enforcement/Penalties for Non-Compliance

Non-compliance with any term or condition of this policy or associated procedures may result in termination of the telework arrangement and/or corrective action in accordance with the Department’s Standards of Conduct.

Waivers from Policy

To request a waiver from this policy or a provision within the policy, you must complete and submit a Request for Waiver of Requirements form.

Authority/References

[Sections 20.05](#) and [20.21](#), Florida Statutes (F.S.)

[Rule 12-3.007, Florida Administrative Code](#)

[Section 110.171, F.S.](#)

[Section 255.249\(8\), F.S.](#)

[Rule 60GG-2, Florida Administrative Code](#)

[Employee Individual Self-Assessment](#)

[Guidelines for Developing Alternative Work Strategies](#)

[Department of Management Services' \(DMS\) Publication "Identifying Positions Appropriate for Telework and Determining Employee Eligibility"](#)

Confidential Information Policy and Procedures

Protection and Use of Information Technology Resources Policy and Procedures

[IRS Publication 1075, Tax Information Security Guidelines for Federal, State and Local Agencies](#)

telework.fl.gov

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Date Signed and Revision History

| Effective Date | Explanation |
|--------------------|--|
| 07/06/2022 | Change approved by the Law Administration Process. |
| Origination Date | Explanation |
| 08/1991 | State Employee Telecommuting Pilot Program. |
| Last Reviewed Date | Explanation |
| 05/1995 | Revenue Telecommuting Program Operating Procedures. |
| 10/1997 | Revised Telecommuting Program Internal Operating Procedures. |
| 11/2003 | <p>Revenue Telecommuting Policy and Operating Procedures</p> <ul style="list-style-type: none"> • Information Security Program’s Telecommunications Section responsible for: <ul style="list-style-type: none"> ○ Serving as initial point of contact for telework equipment and service questions. ○ Development and maintenance of agency-wide job classification/position eligibility list, the Telecommuter Information Database and the Telecommuting Model Office Template. • Established telecommuting representatives in each program. • Revised telecommuting approval authorities to include service center managers and regional managers. • Updated and revised forms. |
| 09/2010 | <p>Revenue’s Virtual Office Policy</p> <ul style="list-style-type: none"> • Created in conjunction with Revenue’s Work Hours Policy to achieve multiple strategic objectives, including leased space reduction, recruiting, retention, and continuity of operations. • Provides policy and procedural guidance to Revenue teleworkers, their supervisors, managers and others. • Creates and defines telework classifications. Employees who telework occasionally, those who telework after scheduled work hours, and employees who telework as a reasonable accommodation under the Americans with Disabilities Act, are included. • Coordinators in each program serve as initial contacts and perform other administrative duties. • Updates and revises forms. Provides for telework training. |

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| 10/2011 | Administrative changes: <ul style="list-style-type: none"> • Updated contact information. • Removed reference to specific numbered section of the Standards of Conduct. • Updated policy template. |
| 08/2015 | Telework Policy <ul style="list-style-type: none"> • Changed strategic direction and classifications. • Excluded those who telework occasionally, those who work remotely after scheduled work hours, and employees who telework as a reasonable accommodation under the Americans with Disabilities Act. |
| 01/2016 | Administrative changes: Update Telework Training links |
| 05/2021 | <ul style="list-style-type: none"> • A change to the Department’s definition of telework, eliminating the 50% of contracted work hours threshold for participation. • Creation of a third classification type: Temporary. (with corresponding procedures) • Clarifies that the telework location cannot be changed without written approve from the program. • Clarifies use of Department-owned and personally-owned equipment. |
| 11/2021 | <ul style="list-style-type: none"> • Clarified that in the event that a Department office or facility is closed due to a non-emergency or non-disaster condition. • Add definition for Non-emergency or non-disaster condition. • Change approved by the Law Administration Process. |
| 07/2022 | <ul style="list-style-type: none"> • Clarified employees will lock computer and avoid interruptions when teleworking to protect confidential information from unauthorized access |