



## 4.04 TELEWORK

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### Purpose

Telework is a management tool that may be used to increase productivity, reduce employee commute trips, and accommodate special needs of employees and bureaus. This option allows work arrangements to be tailored to each bureau's unique requirements. The City of Portland encourages the use of telework in situations where it will work to the mutual benefit of employees, the City, and the City's customers. Telework is not a benefit; rather, it is a work option used at the supervisor's discretion. The purpose of this administrative rule is to define telework guidelines and procedures.

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### Applicability

All City Employees.

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### Definitions

**Telework** is defined as working arrangements in which the designated workplace is located part time at an alternate location outside the employee's regular work location, such as an employee's residence, a satellite office, or an alternate City location.

**Routine telework** is defined as telework which is a regular and recurring part of the employee's work schedule.

**Ad hoc** telework is defined as occasional telework.

**Alternate work site** is defined as a workplace other than the employee's regular work location.

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### General Provisions

Employees are not authorized to or telework without prior approval of their supervisor or manager.

Teleworking does not change the duties, obligations, responsibilities, or terms and conditions of City employment. Teleworking employees must comply with all City rules, policies, practices, and instructions.

A teleworking employee must perform work during their scheduled teleworking hours. Employees may not engage in activities while teleworking that would not be permitted at the regular worksite, such as child, elder, or other dependent care. Teleworking employees may take care of personal business during paid breaks or unpaid lunch periods, as they would at the regular worksite.

Employees must read the teleworking policy and technical guidelines, complete training as required, and submit an agreement through the bureau approval process

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before teleworking. Employees with a teleworking agreement are expected to respond to surveys regarding teleworking when requested to do so by the City or their bureau.

A supervisor, manager or Bureau Director may deny, end, or modify a teleworking agreement for any business-related reason. A teleworking employee may request to end or modify a teleworking agreement at any time. Employees may be removed from the Teleworking Program if they do not comply with the terms of their teleworking agreements.

All City employees who routinely telework must have an approved Telework Authorization Form (Attachment A) [link to document] which defines parameters, (e.g., equipment, software, alternate work location and work tasks to be performed) and is signed by the employee, with supervisor, manager and Bureau Director approval.

Ad hoc telework may be permitted on a case-by-case basis with the advance authorization of the employee's supervisor or manager, subject to the Bureau Director or designee's review. An ad hoc telework assignment lasting seven days or less will not require the pre-approval of the Bureau Director, but must be approved by the employee's manager or supervisor in accordance with bureau procedures. The terms of ad hoc telework should be clarified in the Telework Authorization Form if there is expectation that ad hoc telework will be approved from time to time.

During periods of inclement weather when the Mayor or designee closes City offices and directs that non-essential city employees will be paid for the day, employees who would otherwise report on that day to their regular work location and are able to perform their work assignments by teleworking are encouraged to do so.

The Commissioner in Charge of the bureau must approve any teleworking or work at home arrangements for a Bureau Director. In addition, the agreement to telework or to work at home must be in writing.

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## Telework Agreement

The Telework Authorization must clearly define the following:

**Telework schedule:** Which hours the employee will work on City premises and which will be worked off City premises.

**Location:** The location of the off-premises work, and the means by which the employee can be reached during off-premises work.

**Use of City resources:** Any City-owned resources the employee will use off-premises, and the terms and conditions under which such resources will be used.

**Use of employee's resources:** Any employee resources that will be used and the costs which will be compensated by the City. Generally, however, the City does not reimburse costs associated with Teleworking.

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## Eligibility for Telework

An employee is eligible for telework with the approval of their manager or supervisor and the Bureau Director provided the performance of their job duties is compatible with a telework arrangement; they require minimal direct supervision; and face-to-

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face interaction is not a primary job requirement and/or where such interaction can be successfully scheduled to permit telework.

Supervisors are encouraged to use the following guidelines to evaluate positions and employees for telework opportunities.

A. Position Eligibility

1. An employee's position may be suitable for teleworking when the job duties:
  - Are independent in nature and can be accomplished without detrimental impact on work group productivity
  - Are primarily knowledge-based
  - Include clear work objectives, clearly-defined tasks, and measurable deliverables
  - Do not require frequent interaction at the regular worksite with supervisors, colleagues, clients, or the public, in person or by phone
  - Do not require the employee's immediate presence at the regular worksite to address unscheduled events, unless alternative arrangements for coverage are possible
  - Are not essential to the management of on-site workflow or business operations.

B. Employee Eligibility

1. Employees may be suitable for teleworking when their personal characteristics, as determined by the supervisor, include:
  - Demonstrated dependability and responsibility
  - Effective communication with supervisors, coworkers, and clients
  - Demonstrated motivation and positive attitude toward assigned work
  - The ability to work independently without direct supervision
  - A consistently high rate of productivity
  - A high level of skill and job knowledge
  - The ability to prioritize work effectively
  - Effective organizational and time management skills
  - An absence of discipline problems in the employee's work history
  - A record of excellent attendance.
2. The employee can provide the appropriate equipment in the alternate work site to perform their assigned duties during teleworking.
3. The employee shall have demonstrated their understanding, willingness and ability to properly protect the confidentiality of sensitive City data and software which may be protected from disclosure by public records and/or copyright laws. This includes the ability to protect such sensitive data and

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software from all unauthorized individuals, including but not limited to, the employee's family and friends.

4. The employee shall have demonstrated a willingness to participate in telework to the supervisor.
  5. Employees who are not upholding City obligations, such as meeting performance or conduct expectations, are not eligible to telework.
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### **Alternate Worksite Requirements**

The employee is responsible to designate a work area suitable for performing official City business and to ensure that the alternate worksite is adequately supplied and maintained in a reasonably safe manner. including at minimum a telephone where the employee can be reached, a suitable workspace, and, as necessary, a computer, printer, adequate internet connection, fax, and other equipment as appropriate to the employee's job.

The employee must perform their work in the designated area when teleworking. Requirements for the designated work area will vary depending on the nature of the work and the equipment needed, and may be determined by the bureau. Teleworking employees must work in an environment that allows them to perform their duties safely and efficiently. Employees are responsible for ensuring their work areas comply with health and safety requirements.

The City and/or bureau may request photographs of the employee's designated work area to determine compliance with health and safety rules. The employee agrees that a supervisor or supervisor's designee may visit the employee's non-City work site to inspect the work site during normal work hours to ensure that it is safe from hazards and sufficient to conduct City business. The supervisor or supervisor's designee may repeat such visits.

The City is not liable for damages to an employee's personal or real property while the employee is working at their alternate worksite.

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### **Provisioning of Computer Hardware, Software, Equipment and Supplies**

The City is not required to provide a computer, printer, monitor, internet access, telephone or office furniture to the employee. The Bureau Director may determine the Bureau will supply City-owned computer and other equipment, should that be necessary to allow the employee to perform their assigned job duties, and gain remote access to bureau systems, City data, systems and networks beyond internet access to City email and Office 365 applications.

#### **A. City Equipment.**

1. City computer hardware, software, equipment, and supplies provided by the City are for City business only. A teleworking employee does not obtain any rights to City equipment, software, or supplies provided for use while teleworking.
  2. Any computer hardware, software, equipment, files, and databases provided by the City shall remain the property of the City. The employee
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must immediately return all City property at the conclusion of the teleworking arrangement or at the bureau's request.

3. A teleworking employee must protect City property from possible theft, loss, and damage. The teleworking employee may be liable for replacement or repair of City property in compliance with applicable laws on negligence or intentional conduct in the event of theft, loss, or damage.
4. A teleworking employee must adhere to all software copyright laws, and may not make unauthorized copies of any City-owned software. Employees may not add hardware or software to City equipment without prior written approval.
5. The employee is responsible for converting and maintaining files to City standard formats. The employee is responsible for protecting the integrity and confidentiality of copyrighted software, and sensitive City data and following policies, procedures, and practices to the same extent applicable in the regular office.
6. The employee is responsible to bring laptop or other City equipment to the regular City work location for software and security updates and as otherwise required by BTS.

#### B. Personal Equipment

1. If City equipment is not provided, the employee must provide all computer equipment, telephone equipment, and furniture necessary to perform duties on non-City premises. Requirements for use of Secure Remote Access to City systems, via City equipment or non-City equipment, are described in the [BTS Service Catalog](#) and [BTS Administrative Rule 2.04](#).
2. The employee is responsible for ensuring that software used on non-City premises is compatible with City standards.
3. Employees who use their personal equipment for teleworking are responsible for the installation, repair, and maintenance of the equipment. Teleworking employees must understand and agree that the City is entitled to, and may access, any personal equipment, documents and records used while teleworking, such as a personal computer, telephone, fax machine, monthly bills, and internet records.

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#### **Reimbursable Expenses**

Any variable expenses accrued as a result of the employee choosing to telework will be borne by the employee. The City will reimburse the employee for expenses it would have borne if the employee were working in the office. Supplies required to complete assigned work at the telework site shall be obtained from the bureau during the employee's in-office work periods. Out-of-pocket expenses for materials and supplies, which are otherwise available at the bureau, will not be reimbursed.

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#### **Computer Support**

Computer support provided by the Bureau of Technology Services (BTS) staff will only be performed on City premises, on City-owned equipment and by appointment. Such support will be limited to installing and removing City-owned software on a

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City-owned computer as well as diagnosis and resolution of problems with BTS supported software and/or hardware.

BTS support staff will be responsible for maintaining and troubleshooting any City-owned computer equipment such as laptop computers. BTS will not be responsible for maintaining or troubleshooting non-City-owned computer equipment or software.

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**Compliance, Confidentiality and Security**

Employees are expected to adhere to all City rules while teleworking as they would if working at their regular office location on City premises. This includes, but is not limited to, the Administrative Rules on the [Use of City Resources](#) and [Information Technologies](#).

For telework jobs that have security and/or confidentiality requirements, procedures must be established and followed to protect confidential information. Security and/or confidentiality issues shall be addressed in the appropriate confidentiality agreement and procedures.

Teleworking employees and their supervisors shall identify any confidential, private, or personal information and records to be accessed and ensure appropriate safeguards are used to protect them. A bureau may require employees to work in a private or secure location which affords adequate protection when handling confidential or sensitive material and may restrict use of files at the telework site. Bureaus may prohibit employees from printing confidential information in teleworking locations to avoid breaches of confidentiality. Employees may not disclose confidential or private files, records, materials, or information, and may not allow access to City networks or databases to anyone who is not authorized to have access.

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**Telework Product, Document Retention and Public Records**

Products, documents, and records used and/or developed while teleworking shall remain the property of the Bureau and the City and are subject to bureau and City rules regarding confidentiality and records retention requirements, which may make employee-owned computers and storage devices subject to public records and evidentiary requests.

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**Emergencies**

In case of an emergency, such as a power failure or weather event, that affects the employee's ability to work off City premises but not on City premises, the employee will be required to report to the employee's regular office location on City premises. If the employee is excused from work, the employee will be required to use vacation time or compensatory time, or, take time without pay if paid time is not available. If an office closure or emergency excuses other employees from working and work can proceed at the alternate worksite, teleworkers are not excused from working.

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**Travel, Overtime and Leave**

City Administrative Rules, collective bargaining agreements, and the Fair Labor Standards Act (FLSA) shall apply to employees while teleworking. Requests for overtime must receive advance approval from the supervisor. Requests for leave shall be approved by the supervisor, in a manner consistent with City or bureau rules.

When teleworking, the City office is the official station for travel expense voucher purposes, except that travel to and from the employee's regular City office and alternate work site shall not be a reimbursable expense.

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## Worker's Compensation

**Employee Injuries.** The City will have the same responsibility for job-related accidents or injuries to the employee at the alternate worksite that it has at the employee's regular City office. See [Administrative Rule on Workers' Compensation](#).

**Family and Visitor Injuries.** The City does not assume responsibility for injury to any persons at the employee's residence or alternate workspace within it.

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## Work Hours and Accessibility

Employees who telework on a regular and recurring basis must be available to work at the regular worksite on teleworking days if needed. Conversely, occasional requests by employees to change their regularly scheduled telework days should be accommodated by the supervisor if possible. Employees must obtain prior authorization to change a regularly scheduled telework day. Occasional teleworking means an employee works away from the office on an infrequent, one-time, or irregular basis. This option may provide a suitable arrangement for employees who generally need to be in the office, but who sometimes have projects, assignments, or other circumstances that meet the eligibility criteria. Employees must contact their supervisors if equipment, connectivity, or other supply problems prevent them from working on a telework day.

**Work Hours and Scheduling.** The number of hours worked by the employee will not change because of telework. Work hours will be scheduled and any changes must be approved by the supervisor in advance.

**Adequate Time in Office.** The amount of time spent teleworking during a work week may vary according to each job, equipment needs and the individual Telework Authorization. Minimally, the telework schedule must allow adequate regular office time for meetings, access to facilities and supplies, and communication with other employees and with customers.

**Accessibility.** Teleworking employees will maintain accessibility via email, telephone, mobile phone, or as otherwise agreed to by their supervisor during agreed-upon work hours or specific core hours of accessibility. Only the employee and the employee's supervisor or manager will designate who will be given the employee's personal phone number.

**Family Care and Duties.** While telework may facilitate employees working around family responsibilities, employees who telework must have in place day care or other supervision for any member of the household requiring care through the workday.

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## Procedures

Employees must complete the following steps before teleworking:

1. Talk with their supervisor to determine eligibility
  2. Read and agree to the Telework Rule
  3. Read and agree to comply with the Telework Technical requirements
  4. Receive approval of the telework agreement in accordance with the bureau's approval process
  5. Complete the telework application and agreement form
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6. Complete teleworking surveys as assigned.

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**Administrative Rule  
History**

Adopted by Council March 6, 2002, Ordinance No. 176302  
Effective April 5, 2002  
Revised January 25, 2006  
Revised July 9, 2007  
Revised October 19, 2010  
Revised April 25, 2016  
December 12, 2017  
Revised February 15, 2018

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**CITY OF PORTLAND  
HRAR 4.04 TELEWORK**

**TELEWORK AUTHORIZATION FORM**

The first four sections are to be completed by the employee. Sections four and five are for the employee's manager/supervisor and bureau directors/designees to review and approve the telework authorization.

**Employees who have been pre-approved to telework must complete and sign the Telework Authorization Form.**

**I. EMPLOYEE INFORMATION**

Name		Job title	
PERNR		Bureau	
Job Class Number		Division/Unit	

**II. TELEWORK INFORMATION**

This telework arrangement is:	Regular and recurring and occasional	
This agreement will be effective	Click here to enter a date.	to Click here to enter a date. / or no end date specified
I will plan to evaluate this agreement with my	Choose an option.	
Telework schedule (If regular and recurring):		
Work hours:		
How will you report your time?		
Designated work location:	Choose an option.	If other, please specify:

**Teleworking Equipment**

Required equipment	Indicate if your equipment is City-owned or personal
<input type="checkbox"/> Computer	Choose an option.
<input type="checkbox"/> Printer	Choose an option.
<input type="checkbox"/> Fax	Choose an option.

<input type="checkbox"/> Other (please specify below) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	Choose an option.
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**Teleworking Equipment, continued**

Required supplies (please specify below):	Indicate if your supplies are City-owned or personal:
•	Choose an option.
•	Choose an option.
•	Choose an option.
Required software/systems:	
<input type="checkbox"/> City network (VPN access)	
<input type="checkbox"/> Office 365, including email	
<input type="checkbox"/> List other(s) below:	

**Teleworking Work Plan**

Work to be performed while teleworking

Method of communication while teleworking:		
<input type="checkbox"/> Phone	Phone number:	
<input type="checkbox"/> Email	Email address:	
<input type="checkbox"/> Text	Phone number:	
<input type="checkbox"/> Other (please specify):		

### III.EMPLOYEE ACKNOWLEDGEMENTS

<p>My signature below indicates that I have read and agree to abide by City of Portland Human Resources Administrative Rule 4.04 Telework, including provisions addressing:</p>	
<ul style="list-style-type: none"> <li>• job responsibilities and expectations</li> <li>• the alternate work site</li> <li>• hours of work</li> <li>• child/dependent care</li> <li>• use of and expectations for City-owned equipment</li> </ul>	<ul style="list-style-type: none"> <li>• accessibility during telework hours</li> <li>• security of confidential data</li> <li>• advance authorization of overtime</li> <li>• work-related injuries</li> <li>• use of leave time</li> </ul>
<p>I understand teleworking is a mutually agreed upon work option between myself and my supervisor and is subject to approval by the Bureau Director. I understand that I, my supervisor, or the Bureau Director may end my teleworking arrangement at any time.</p>	
<p>I agree to keep my supervisor informed of my progress on assignments worked on while teleworking. I also agree to keep my supervisor informed of any problems I may experience while teleworking.</p>	
<p>I agree to structure my time to ensure my attendance at required meetings and events as designated by my supervisor.</p>	
<p>I agree to be available by email, telephone, mobile phone or as otherwise agreed during scheduled work hours on telework days.</p>	
<p>I understand and accept the responsibility I have as a teleworker to facilitate communication with customers and colleagues. I further agree to make a special effort to stay current on department events which affect my work that occur on telework days.</p>	
<p>I agree to abide by all City HR Administrative Rules and my bureau policies at all times while teleworking.</p>	
<p>I understand and agree that all equipment, records, files, manuals, forms, materials, supplies, software, computer programs and other materials furnished to me by the City, used on the City’s behalf or generated or obtained during the course of my employment shall remain the property of the City. I understand that I am a holder of this property for the sole use and benefit of the City and will take all reasonable precautions to safely keep and preserve such property, except as consumed in normal business operations.</p>	
<p>I agree to participate in training and activities undertaken to evaluate teleworking as required.</p>	

Employee Signature

Date

**IV. MANAGER/SUPERVISOR REVIEW AND APPROVAL**

Manager/Supervisor Name	
Title	
I have reviewed and approved this telework agreement.	

Manager/Supervisor Signature	Date
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**V. BUREAU DIRECTOR/DESIGNEE REVIEW AND APPROVAL**

Name	
Title	
<input type="checkbox"/>	I have reviewed and approved this telework agreement.

Bureau Director/Designee Signature	Date
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