

Mobile Working and Flexible Scheduling – Supporting a Modern Work Environment

Applies To:	Department of Enterprise Services employees
Authorizing Sources:	Executive Order 16-07 RCW 70.94.547 Transportation demand management—Intent—State leadership. RCW 41.04.390 Washington State Mission/Issues/Goals
Information Contact:	DES Human Resources Office
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Approved By:	<div style="text-align: center;">_____/s/_____ Chris Liu Director</div>

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Purpose

It's not where you work, it is how you work".

There are two major reasons the Department of Enterprise Services (DES) is putting this policy in place:

- To support the Governor's [Executive Order \(EO\) 16-07](#); and
- To support and maintain a responsive and productive workforce at DES through the use of mobile work.

Background

[EO 16-07](#) was created to allow and assist agencies in aligning with the [Results Washington's Goal 5: Efficient, effective & accountable government](#). Specifically, by becoming the employer of choice. EO 16-07 supports work life balance, improved wellness, a supportive and productive work environment, increased job satisfaction, and employee engagement.

Definitions

Appointing authority means the individual lawfully authorized to appoint, transfer, layoff, reduce, dismiss, suspend, or demote employees.

Duty Station means the location where an employee is assigned to regularly perform his or her official work duties.

Ergonomics means an applied science concerned with designing and arranging things people use so that the people and things interact most efficiently and safely.

Flexible Scheduling allows the employee to work other hours outside of the traditional 9 to 5, 40-hour workweek and includes options such as compressed workweeks and flextime.

- **Compressed workweek** is an alternative work schedule that allows the employee to eliminate workdays by working longer hours on the remaining days.
- **Flextime** is a fixed work schedule that allows employees to choose their starting and ending time outside of the organization's normal business hours.

Mobile work is a method of working that isn't tied to a single physical location and is dependent on technology to connect the employee to the services and networks required to do their job effectively.

Mobile workers are employees who perform their jobs at different locations such as their homes, customer sites, company office, etc.

Telework for the purposes of this policy, is a mode of mobile work where the employee performs their job from a home office and is a term used in measuring goals set in support of EO 16-07.

Overtime (OT) eligible means an employee who is covered by the overtime provisions of the Fair Standards Labor Act and must receive overtime pay for hours worked over 40 per workweek.

Policy Statement

This policy is used together with the agency [Handbook for Mobile Working](#).

Successful [mobile work](#) requires collaboration between employees, their supervisors, impacted work groups, and our customers. All Department of Enterprise Services (DES) employees must comply with the requirements of this policy, the supporting agency guidance, and the fulfillment of applicable labor relations obligations.

DES will use mobility and schedule flexibility as tools to strengthen and support innovative workplace strategies that line up with the [State's organizational mission](#) and the changing expectations of employees and our customers.

To achieve these, DES will provide flexibility in how, when, and where work gets done.

This policy is not intended to apply to those unscheduled or unforeseen circumstances that may call for a conversation between a supervisor and employee.

It is important to note that not all positions at DES will qualify to participate due to the nature of their work.

Part 1 Mobile Work

A mobile work environment allows employees the flexibility to complete work normally performed in their designated workspace from alternate locations. Mobile work is a mutual benefit for the employee and the agency. For example, employees benefit from an increased work-life balance while the agency benefits from an increased continuity of work.

A. Not all positions are appropriate for mobile work and must be reviewed to determine how much, if any, of the work requires the incumbent to physically be on site to achieve the primary functions of the position.

The following criteria must be met to be considered for [mobile work](#):

1. It has been determined, by the supervisor, the position's nature of work allows for mobile work.
2. It has been determined, by the supervisor, there is minimal need for specialized materials or equipment, or its use can be scheduled to permit mobile work.
3. The incumbent to the position has been evaluated and approved to participate in mobile work.
4. The equipment and tools needed to perform the work at the same quality standard, is available in a mobile location.

B. Mobile work is a privilege not a right and may be withdrawn at any time if a supervisor or [appointing authority](#) determines performance problems are affecting the quality of work and/or business need.

1. An employee's request to mobile work may be denied based on performance issues documented in a supervisor file, performance improvement plan, or personnel file.
2. Performance issues must be documented prior to denying or removing mobile work privileges and is subject to review by the agency's Human Resources program (HR) director.
3. An appointing authority may, at their discretion, allow an employee with documented discipline to mobile work if the employee submits a business justification.

C. Work requirements do not change when an employee is mobile working.

Some examples of work requirements are:

1. Employees are expected to work the same number of hours.
2. Overtime eligible employees must abide by the agency [Salary Determination and Compensation policy](#) or applicable bargaining agreement.
3. Sick leave is requested and processed in the same manner as if the employee were in the office.
4. Employees must follow all agency staff standards, including ethics in the workplace, while mobile working.
5. Employees are expected to plan ahead and adhere to agency deadlines.

D. Employees and their supervisors have clear roles and responsibilities in order to participate in [mobile work](#).

1. Employees must:
 - a. Read, understand, and sign the [mobile work agreement](#).
 - b. Take the required mobile work training.
 - c. Review the DES [Mobile Working Handbook](#).
 - d. Perform the same expected quality of work while mobile working as if they were working from their assigned official duty station. Internal and external customers must continue to receive the same level of service from work units while employees are mobile working.
 - e. Ensure all mobile work abides by the agency [Ethical Conduct Policy](#)
 - f. Be willing to treat all mobile work locations as an extension of DES and apply all [staff expectations and standards while in mobile work status](#).
 - g. Be willing to report to the assigned official [duty station](#) on a mobile work day as requested by a supervisor or designee for business reasons including but not limited to meetings, training, or customer driven need.
 - If the request is made prior to the start of the scheduled work day, the commute is considered a regular commute.
 - If the request is made after the start of the scheduled workday, the commute is considered time work. Employees may not claim mileage for the commute.
2. Supervisors must:
 - a. Ensure all required forms for mobile work participation are completed and submitted to the DES [Human Resources Office](#).
 - b. Take the required mobile work training.
 - c. Determine the level of work progress documentation that may be required and implement a documentation process if needed.
 - d. Ensure employees abide by the terms of this policy and their [mobile work agreement](#). This includes ensuring internal and external customers continue to receive the same expected level of service.
 - e. Hold regular meetings with employees to ensure maintained employee engagement.
 - f. Supervisors will attempt to provide an alternate mobile work day option if they request an employee to report to work during a scheduled mobile work day.
 - g. Mobile work agreements must be reviewed on an annual basis, signed, and emailed to hrmsteam@des.wa.gov.

E. Supervisors may approve temporary mobile work during an emergency or disaster without requiring a formal mobile work agreement.

If there is a weather, pandemic, or other emergency where the agency activates the [Continuity of Operations Plan \(COOP\)](#), supervisors may authorize employees for mobile work on a temporary basis without requiring a formal mobile work agreement. Under this situation, all other requirements of this policy and the following additional requirements must be met:

1. The [COOP](#) must be activated by the Agency Director or designee.
2. Employees must receive written authorization from their supervisor. Written authorization can be in email, memo, or letter.
3. The employee must have the technology and tools needed to perform the work.
4. The work cannot be confidential work where mobile work would pose a security threat to particular information.

F. The [appointing authority](#), supervisor, or designee may change or withdraw a mobile work agreement at any time.

A [mobile work agreement](#) can be canceled or the agreement can be adjusted for the following reasons:

1. Job duties have changed or new business needs require the incumbent to work in their designated workspace for all or part of their approved mobile work time.
2. The employee did not follow one or more of the requirements outlined in this policy or the mobile work agreement.
3. Unsatisfactory employee performance, attendance issues, etc.
4. Employees may unilaterally cancel a mobile work agreement at any time.
5. Seven working days' notice will be given when canceling a mobile work agreement unless critical safety or security issues exist.

G. Employees whose mobile work agreement has been denied, withdrawn or reduced may request a secondary review.

1. Requests for a secondary review will be reviewed by the DES HR director or designee.
2. Requests will be reviewed and responded to within 10 working days of receipt.
3. Secondary review decisions are final.

H. Mobile work locations must meet the following requirements and standards:

1. Have a designated workspace with a functioning computer or device and an internet connection.
2. Be free from hazardous or unsafe conditions that could cause undue harm to the employee.
3. Be as ergonomically sound or more so than your designated [duty station](#).
4. Be free from distractions similar to that of a normal office environment. Distractions could include but are not limited to:
 - a. Having dependents present who require you for primary care.
 - b. Working in an open space in public without the ability to have confidential work conversations or store confidential documents.
 - c. Working in an area with a playing television or other media device the employee is unable to turn off if necessary.

5. The employee must be willing to make their worksite available for agency inspection to ensure it meets the safety and equipment standards laid out in this policy. Inspections would be pre-scheduled at a mutually agreeable time.
6. If agency equipment is used, it remains the property of DES and cannot contain any documents or software that is not directly related to DES work. Only DES employees may use the equipment.
7. If a personal computer, tablet, or phone is used, the employee must be able to provide any documents produced on that device in the event of a public records request.
8. Employees are responsible for the equipment and tools assigned to them and must alert their supervisor and/or IT support when an equipment problem occurs.
9. All meetings with stakeholders, customers and business partners must be held in an agency building or public place. Employees may not invite non-DES employees to their mobile work site as part of DES business.

Part 2 Flexible Work Schedules

Flexible work scheduling is determined on a case-by-case basis.

A. Flexible work schedules are not appropriate for all employees or positions and are not a universal employee benefit. The following conditions must be met for a flexible work schedule to be approved:

1. The employee must have a satisfactory attendance record, meet all performance expectations in his or her current role, and consistently demonstrate the ability to complete tasks and assignments on a timely basis.
2. The nature of the employee's work and responsibilities must be conducive to a flexible work arrangement without causing significant disruption to performance and/or customer satisfaction.

B. An entire department, entire program, entire shift or an individual position(s) may qualify for flexible work schedules.

In determining if flexible work scheduling is appropriate, an assessment must be made of the impact and the outcome in terms of production, quality and absenteeism, and if one or a combination of the above arrangements is in the best interests of the agency as well as the division and the employee(s).

- A division's [appointing authority](#) in consultation with HR, determines if the entire division must convert to one or more flexible scheduling options.
- A program's or a shift's supervisor, together with the appointing authority and in consultation with HR, determines if the entire program or shift must convert to one or more flexible scheduling options.
- A supervisor determines if an individual position(s) may convert to a flexible scheduling option.

Participants in flexible work scheduling must:

1. If overtime eligible, abide by the [Salary Determination and Compensation policy](#) or applicable [bargaining agreement](#).
2. Be able to perform the same quality of work and ensure internal and external customers continue to receive the same level of service.

Related Requirements

- *Handbook:*
 - [HR.01.30.G1 Handbook for Mobile Working](#)
 - *Forms:*
 - [HR.01.30.F1 Daily Mobile Work Plan](#)
 - [HR.01.30.F2 Mobile Work Agreement](#)
 - [HR.01.30.F3 Mobile Work Annual Review](#)
 - [HR.01.30.F4 Mobile Work Evaluation](#)
 - [HR.01.30.F5 Mobile Work Assessment](#)
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History

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- July 1, 2017

Amended:

- This policy has not been amended.
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Need a copy of a prior version of this policy? E-mail jack.zeigler@des.wa.gov