

**MILLE LACS BAND OF OJIBWE  
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

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**Department:** Administration Services – Human  
Resource Management

**Policy Number:** HHS-ADM-HRM 3157

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**Policy Title:** Telework Arrangement Program

**Attachments:** Telework Application; Telework Agreement; Telework Equipment Inventory; Telework Safety Checklist

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**Revision History:** 12/2020

**Revised by/Date:** Holly Hunter 1/2022

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**Approved by:**   
Jan Manary, Executive Director of HHS

**Date:** 1.6.2022

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**Approved by:**   
Nicole Anderson, Commissioner of HHS

**Date:** 1-7-2022

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**POLICY STATEMENT:** Mille Lacs Band Health and Human Services (HHS) promotes telework as a legitimate flexibility for managers and employees through the implementation of a Telework Arrangement Program (TAP). Telework is not a guaranteed right for all employees, and participation in the TAP is approved on a case-by-case basis.

**PURPOSE:** The purpose of this policy is to outline the rules and expectations for telework arrangements.

**DEFENITIONS:**

**Telework** – Telework is also referred to as flexi-place, work at home, flexible workplace arrangement, and telecommuting. Telework is a work flexibility arrangement under which an employee performs duties and responsibilities from an approved alternate worksite other than the HHS worksite in accordance with the terms of an employee-employer agreement.

**Telework Eligible** – the status granted and applied to an HHS job description allowing the individual hired into that position to request to enter into a telework agreement.

**Telework Agreement** – a document that is signed by the employee and their supervisor, that establishes the terms and conditions of participation in the Telework Arrangement Program.

**Approving Official** - The individual with the authority to take official action, including modifying, terminating, approving and denying all TAP related actions for employees within their purview. Within the HHS, the Approving Official is Executive Director above the particular position/employee.

**Alternate Officing** - A work arrangement utilized when a teleworking employee has no dedicated or assigned workspace at the HHS worksite, but instead shares with another employee or alternates with another employee when working at the HHS worksite.

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**Alternate worksite** - An alternate worksite may also be known as alternate duty station, telework site, telework location. A designated and approved worksite, other than the HHS worksite, that supports productive work and provides an environment, connectivity, and security appropriate to the work effort, i.e., a specific area within an employee's residence or at another approved location other than the HHS worksite.

**Compressed work schedule** – in the case of a full-time employee, a 40-hour weekly basic work requirement that is scheduled by HHS for less than 5 workdays (e.g. four 10 hour days).

**Flexible work schedule** – a work schedule that allows a full-time employee to determine his or her own schedule with the limits set by HHS.

**PROCEDURE:**

RESPONSIBILITIES

A. Executive Directors:

1. Be responsible for the overall management of telework in their work unit.
2. Serve as the Approving Official for all TAP related actions within their respective line of authority.
3. Ensure consistency in the treatment of employees in their units.
4. Authorize the use of Band Furnished Equipment (BFE) and the expenditure of funds to support telework.
5. Monitor employee participation.
6. Modify the terms of employee participation in the TAP or terminate the participation as necessary when it is in the interest of HHS.

B. Supervisors, Department Heads, and Directors:

1. Assess each position for telework compatibility and make appropriate recommendations to the Approving Official.
2. Assess employee requests to participate in the TAP and make the appropriate recommendation to the Approving Official, ensuring that employee participation is in accordance with pertinent laws, regulations, and policies.
3. Ensure that teleworkers have adequate workspace, equipment, privacy, etc., upon their return to the HHS worksite on non-telework days, e.g., alternate officing accommodations are available and sufficient to the duties to be performed.
4. Monitor employee productivity and quality ensuring that only those employees who continue to meet eligibility criteria are permitted to continue their telework arrangements and initiate appropriate notification and action to the Approving Official when termination or modification of the Telework Agreement is necessary.
5. Prepare an employee and HHS agreement for participation in the TAP.
6. Secure sufficient staffing plan for continued operations.
7. Complete an interactive telework training course prior to acting on any telework request.
8. Evaluate all employees (teleworkers and non-teleworkers) for consistency with established performance expectations.
9. Treat all teleworking and non-teleworking employees the same in regards to acts involving managerial discretion, including but not limited to distribution of assignments, training opportunities, reassignment, promotions, recognition or awards, , retention, and removal of employees.
10. Participate in activities related to TAP assessment and improvements, including program surveys, data collection, etc.

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C. Employees or Teleworkers:

1. Submit a written request to participate in the TAP, if eligible.
2. Participate in the completion of the Telework Agreement, including the Telework Safety Checklist.
3. Participate in required training prior to entering into a Telework Agreement.
4. Adhere to the terms and conditions of the Telework Agreement, including procedures related to requesting leave, obtaining approval prior to performing any overtime and adhering to the work schedule.
5. Engage in official duties **only** while teleworking at the alternate worksite.
6. Adhere to the *Mille Lacs Band Personnel Policy and Procedure manual* and to supplemental standards, as issued, while working at the alternate worksite.
7. Notify immediate supervisor of any conditions that arise at the alternate worksite that adversely affects his or her ability to telework.
8. Follow standard security procedures when removing Band records from the official duty station.
9. Apply approved safeguards to protect Band records from unauthorized disclosure or damage.
10. Plan the work to be performed on telework days to ensure continued individual productivity and accountability and ensure that telework supports the work of the team and does not result in diminished individual, group or organizational performance.
11. Be responsive and flexible to the needs of the HHS worksite and be available, upon reasonable notice, to report to the HHS worksite, on a telework day when the need arises.
12. Ensure the availability of all required services, i.e., phone, Internet, etc., at the alternate worksite.
13. Provide for all operating costs, home maintenance and any other incidental costs (e.g., utilities) associated with the use of the home for business purpose.
14. Maintain the alternate worksite free from interruptions, safety hazards, and other dangers.
15. Make any requests to terminate or alter the conditions of a telework arrangement in writing to his or her immediate supervisor, in advance.
16. Utilize appropriate HHS systems or processes which allow for appropriate tracking of telework data including days worked and employee data or opinions regarding telework.
17. Comply with HHS policies and with any additional requirements spelled out in the Telework Agreement.

PROGRAM REQUIREMENTS

- A. Participation. Participation in the Telework Arrangement Program is voluntary, except in emergencies. Employees cannot be compelled to participate in telework, even if some or all of the duties of the position can be performed at an alternate worksite. Participation is not applicable for every position and must be approved on a case-by-case basis.
1. All employees, both managerial and non-managerial, may be deemed "telework eligible" by meeting established program requirements in Sections B through E below, however participation is not an entitlement.
  2. All employees who are "telework eligible" are considered eligible to request participation in the TAP. Decisions will be based upon sound business and performance management principles related to individual and organization performance, identified in Sections C through F below.
  3. No employee will be allowed to participate in the TAP if they do not complete the required training identified in Section G below prior to completing a TAP Agreement.
  4. A Telework Agreement outlining the specific telework details is required, regardless of the type, frequency or duration of telework. No employee will be allowed to telework under any circumstance without a completed Telework Agreement. The Telework Agreement is not a contract for continued employment nor does it alter the conditions of employment. For procedures on

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establishing the Telework Agreement, refer to the section titled Procedures for Establishing a Telework Agreement.

- B. Eligibility Requirements. In order for an employee to be approved to participate in the TAP, he or she must first be determined to be "telework eligible" by surpassing requirements listed below: position compatibility, employee performance requirements, employee conduct requirements, and organizational impact. Employees on a 90-day probationary period are generally considered ineligible until they complete the probationary period. Emergency exceptions may apply to this situation.
- C. Position Compatibility. Positions that are compatible with telework are those that have job functions or tasks that can be performed effectively outside the worksite. Decisions on whether a position is compatible with telework **must** be based on the duties of the position to be performed, rather than job series or position title. Factors to be considered include:
1. The portability of the work or the portion (tasks) to be performed at the alternate worksite. Tasks or assignments cannot require extensive face-to-face collaboration with customers or peers and must be able to be completed without visiting the worksite.
  2. The availability and security of information required to perform the portable duties at the alternate worksite, including whether the information can be physically removed from the worksite either in hard copy or electronic format, or whether the information is available and accessible in a secure electronic environment away from the worksite.
  3. The equipment requirements of the position, including whether special equipment is required to perform the specific tasks or assignments.
  4. Information technology and connectivity requirements of the position that are available (or can reasonably be made available, without burden to the HHS IT department) at the alternate worksite.
- D. Employee Performance Requirements. Employees are ineligible to participate in telework if:
1. They are on a performance improvement plan.
  2. The employee is unable to perform the duties of their position independently without frequent, on-site or in-person contact with co-workers and supervisors for guidance and assistance.
  3. The employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year.
- E. Employee Conduct Requirements. Employees are ineligible to participate in telework if the employee has been officially disciplined for misconduct where a clear link exists between the misconduct and the employee's trustworthiness and dependability to perform at the telework site can be established. The employee will remain ineligible to participate for a minimum period of 1 year from the effective date of the discipline. The supervisor may need to consult with Human Resources in these situations.
- F. Organizational Impact Assessment. The supervisor/Director and Approving Official are responsible for ensuring that telework does not diminish operations or employee performance. In upholding these responsibilities, management must evaluate the organizational impact of each telework application in a consistent manner. Operating factors to be considered include:
1. The impact on required staffing levels in the office.
  2. Other employee schedules (including other employee telework schedules).
  3. Whether the employee's absence from the worksite would unduly interrupt office operations, e.g., frequent face-to-face interaction and collaboration with customers or peers on a daily basis for the portion of work that will be accomplished off-site.
  4. Costs associated with the implementation of the Telework Agreement.
- G. Telework Training Requirements.
1. Interactive telework training is required prior to entering into a Telework Agreement. Any employee who does not provide evidence of completion of the required training is not eligible to enter into a Telework Agreement or to telework.

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2. Interactive Telework Training - For Employees. "Telework Fundamentals for Employees" is the interactive telework training required and available through telework.gov. Prior to entering into a written agreement to telework, a copy of the certification of completion must be attached to the Telework Agreement.
  3. Interactive Telework Training for Supervisors, Department Leads, Directors and Approving Officials. Telework training is required for the immediate supervisor and Approving Official of teleworkers prior to signing an agreement with an employee to telework. A copy of the certificate of completion must be provided to the appropriate HHS Executive Director. The immediate supervisor and Approving Official will enter the month and year the training was completed on the Telework Agreement. "Telework Fundamentals for Managers" is required and is available through telework.gov.
- H. Work Closures, Early Dismissals, Late Starts, and Unscheduled Telework. A variety of situations can affect the status of the organization, requiring the announcement of work closures, early dismissals, and late starts. Employees who are scheduled to telework on an affected day will not be expected to perform work during their regular hours.
1. Employees who elect to telework during their regular hours on a day when the organization has announced a closure, early dismissal or late start, are not entitled to receive overtime pay, credit hours, or compensatory time off.

#### TELEWORK ARRANGEMENTS

- A. Regular or Recurring Telework. Regular or recurring telework occurs as part of a routine ongoing regular schedule in which the days of the week or pay period or month do not fluctuate. This can range from part-time to full-time; however, part-time schedules are the most common form with full-time being very rare.
- B. Episodic or Situational Telework. Episodic or situational telework occurs without a regular schedule; however, it is requested and approved in advance of being performed. Some examples where episodic or situational telework may be appropriate include: completing discrete portions of projects or work assignments, recovering from an illness or injury, during office renovation, and receiving reasonable accommodation. This list is not all inclusive.

#### PROGRAM OPERATION

- A. Alternate Worksites. HHS encourages a proactive approach by teleworkers to ensure safe and appropriate alternate worksites as well as safe work habits. An employee who is requesting to telework must identify an alternate worksite that supports productive work and provides an environment, connectivity, and security appropriate to the work of the employee. All proposed alternate worksites must be approved by the immediate supervisor and Approving Official as described below.
  1. Work-At-Home. For all at-home work arrangements, the employee is required to designate one area in the employee's personal residence as the official work area that is suitable for the performance of official Band business. The Band's potential exposure to liability is restricted to this official work area. The area is specifically identified and described in the Telework Agreement. Work-At-Home teleworkers shall maintain the official work area free of safety hazards and other dangers, and shall use and maintain Band property, including files and remote access resources, in a safe and appropriate manner. The "Telework Safety Checklist" shall be completed as part of the worker's Telework Agreement.
- B. Family Issues or Dependent Care. Teleworking is expected to help employees balance the demands of their work and family lives through a decrease in time spent commuting between work and home. Telework cannot be used to conduct personal business or to provide dependent care. During the established work

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hours, teleworkers must ensure that appropriate child care, elder care, and any other dependent care arrangements are made so that their ability to complete work assignments is not impeded. Employees may telework even if their dependents are present in the telework location, so long as the employee is actually performing their job duties and not providing care.

1. If the situation arises where the employee must attend to a dependent at the telework site during scheduled duty hours, the employee must notify the supervisor in advance and request approval for unscheduled leave.
2. It is important for employees to understand their responsibilities to ensure appropriate arrangements are made for dependent care - as repeated requests for unscheduled leave for dependent care could be grounds for managers to terminate participation in the TAP.

C. Schedules, Hours of Work, Pay, and Leave.

1. Establishing Telework Schedules. In general, supervisors have the authority, within policy parameters, to establish work schedules including standard (fixed) and alternate work schedules, i.e., compressed and flexible, that meet their office needs; are consistent with the nature of the work being performed and are consistent with the frequency of communication necessary with those at the original worksite or with customers in other locations.
2. Availability. The employee's availability should be equal to being in the office, i.e., accessible via email, instant messaging or phone with minimal delay. Telework that impacts the organization in a negative manner is not acceptable.
3. Hours of Work. Teleworkers must be accessible during regular duty hours to the supervisor and other management officials, co-workers, and customers.
  - a. Requirements for reporting time worked are the same for teleworkers as for office employees.
4. Resist Overworking. Take regular brief breaks throughout the day. A good rule of thumb is to clock out 2-5 minutes to get up and move around every 60-90 minutes of work. It is also recommended that you leave your work area when you take a lunch break rather than continuing to sit at the computer. Overworking on a regular basis does not necessarily make you more productive.
5. Pay. All pay will be in accordance with Band policies, and apply to employees on Telework Agreements in the same manner as they apply to a traditional office setting.
6. Overtime. Overtime will not be performed or compensated without proper advance approval by the immediate supervisor.
7. Leave. All pertinent absence and leave policies and regulations apply to employees on Telework Agreements in the same manner as apply to a traditional office setting. Failure to follow proper leave requesting procedures for planned or unplanned periods of unavailability will result in Attendance Policy infractions and may result in the termination of the Telework Agreement.
8. Employer Generated trips to the HHS worksite on Telework Days
  - a. Employees working at an alternate worksite may be required to report to the HHS worksite, by their supervisors under special circumstances, to attend meetings, training, conferences or other events that cannot be satisfied by other alternative methods, i.e., teleconference, video-conference, etc., which are temporary in nature.
  - b. There may be circumstances that occur that cause the temporary suspension of participation in the TAP for some or all employees for more extensive periods of time, i.e., employer organization exigencies, reasonable work related needs of the employee's division or department, or an emergency or disaster that impacts the alternate worksite, the HHS worksite, etc. Any such temporary suspension of the telework arrangement will be kept to as short a duration as reasonably feasible.
  - c. For procedures on recalling a teleworker to the HHS worksite see the section, Procedures for Establishing a Telework Agreement.

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9. Employee Generated Trips to the HHS Worksite on a Scheduled Telework Day. For circumstances, not employer generated, where the employee deems it necessary to return to the HHS worksite on a scheduled telework day, e.g., to retrieve documents or files, attend customer meetings, etc., employees must request approval from their immediate supervisor in advance of reporting to the HHS worksite. If the trip is approved and occurs during the regularly scheduled tour of duty, the time spent travelling may be considered hours of work. There is no entitlement to reimbursement for mileage or other travel related expenses
- D. Conduct. Teleworking employees shall adhere to the *Mille Lacs Band of Ojibwe Personnel Policies and Procedures-Business Ethics and Conduct and Employee Conduct and Work Rules*, and other supplemental standards, as issued, while working at the alternate worksite.
- E. Performance Management. Work performed at the alternate work site will be evaluated by the same performance standards and procedures that apply at the HHS worksite and will not differ between teleworkers and other employees performing similar or identical duties.
  1. Supervisors and employees should fully discuss and understand performance expectations in the initial phase of establishing a Telework Agreement.
  2. The supervisor may request regular reports from teleworkers on the status of work products in order to evaluate performance.
- F. On-The-Job Injuries or Occupational Illnesses. Injuries that occur on the job and occupational illness are required to be reported. Report of the injury should be submitted immediately to ensure the opportunity to conduct an investigation of the injury and the alternate worksite, as the supervisor deems appropriate.
- G. Liability. HHS will not be liable for damages to an employee's personal or real property during the course of performance of official duties or while HHS equipment is in use at the alternate worksite.
- H. Alternate Officing. Alternate officing should be considered as a means of taking advantage of potential space savings in cases where an employee telecommutes on a regular or recurring basis. Alternate officing requirements will be understood and documented in the Telework Agreement. Although employees may not be required to participate in alternate officing at the onset of telework, changing operational needs may warrant participation at a later date resulting in the modification of the Telework Agreement.
- I. Equipment and Supplies (see section K for IT Equipment guidelines).
  1. Equipment Requirements and Responsibilities. All equipment requirements and responsibilities will be considered on a case-by-case basis and be identified in the Telework Agreement. Employees will not be supplied equipment to duplicate workstations at both the alternate worksite and the HHS worksite.
  2. Employee Provided Equipment. Employees may provide agreed upon equipment for use at the alternate worksite, in lieu of Band Furnished Equipment (BFE). However, the Band will not assume any liability or repair such equipment.
  3. Band-Furnished Equipment. BFE that is necessary for the performance of the duties at the alternate worksite, may be loaned to the employee for telework use if; the BFE is available or if it is determined that funds can be made available to purchase new equipment; and the security of the BFE at the alternate worksite can be reasonably assured. The use of BFE by anyone other than the employee, i.e., family members, friends, is strictly prohibited.
    - a. The BFE may include equipment necessary to establish an effective work environment at the alternate worksite. For example, some employees may need assistive technologies as reasonable accommodation for disability.
    - b. All equipment required for teleworkers will be properly documented by completion of the "Telework Equipment Inventory," which will become a part of the employee's Telework Agreement.
    - c. Return of property. Any band owned property used for telework purposes, documents, and other information must be returned upon termination of the telework agreement.

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4. Supplies. The employee will be provided supplies necessary for the performance of their official duties at the alternate worksite. Employees will not be reimbursed for out-of-pocket expenses for supplies unless approved in advance by their supervisor. Employees will not be provided supplies for personal equipment or personal use.

J. Use of Appropriated Funds.

1. Consistent with the applicable guidance, HHS may use appropriated funds to support employees who telework on a routine basis, when the purpose is for official Band business only. However, these decisions will be made on a case-by-case basis and will depend on the frequency of telework, job requirements, business need and funding availability.
2. The employer will not assume responsibility for any operating costs which result from the employee's use of their personal residence as the alternate worksite.

K. Information Technology.

1. Band provided computers and equipment.
  - a. Employees who telework on a regular and recurring basis will be issued one laptop computer for use at both the HHS worksite and any alternate worksite. Docking stations, monitors and appropriate cabling will be provided to teleworkers needing to provision a home work station. Other information technology (IT) related equipment may be issued at management discretion, depending on the particular duties of the employee.
  - b. Employees may not, under any circumstances, allow any unauthorized personnel (including family members or friends) to use a Band provided computer.
  - c. Employees have a continuing responsibility to safeguard Band property and are responsible for the care, security, and effective utilization of the Band property, including any computers or related equipment they use to perform official duties. Employees may be financially liable for the property if it is stolen, damaged, lost, or destroyed as a result of negligence, improper use, or other willful actions.
  - d. HHS IT support staff will not provide equipment installation outside an HHS worksite. Teleworkers will be provided with installation instructions and all required software will be installed at an HHS worksite (or by remote control) by HHS IT support staff. Teleworkers will be expected to perform basic user maintenance on their own at the appropriate alternate worksite.
  - e. Issuance of equipment such as cellular phones, Smartphones, or other mobile devices is based on job requirements. Employees whose jobs require such equipment must request it in accordance with Mille Lacs Band policy and procedure, Justification for Cell Phone Request form.
    - A. Use of personal telephones, cellular phones, Smartphones, or other mobile devices for Band business is not allowed.
2. Non-Band-provided (personal) IT Equipment. Use of non-Band provided IT equipment is not allowed.
3. Information Technology Support for Telework.
  - a. HHS IT support will not troubleshoot or repair non-Band provided equipment.
  - b. HHS IT support will not enable configuration of HHS network-connected equipment to communicate with devices outside the HHS network (such as a printer on a home wireless network).
  - c. The Mille Lacs Band retains ownership and control of all Band-provided IT hardware, software, and peripherals and is responsible for maintaining, providing support for and repairing the equipment regardless of whether it is used in an HHS worksite or at an appropriate alternate worksite. Information Technology support for Band-provided IT equipment is provided by HHS IT employees or authorized contractors.



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- d. When an IT issue cannot be resolved remotely, employees working at alternate worksites must contact HHS IT. HHS IT support staff may direct employee to bring the Band-provided IT devices to the nearest HHS worksite, or to ship the product to a location where local support and/or replacement parts can be dispatched.
- 4. Internet Connectivity for Teleworkers.
  - a. Teleworkers whose positions require access to HHS electronic files or business applications are expected to personally provide Internet service. HHS retains the option, on a case-by-case basis, to pay for an employee's Internet service, depending on job requirements, business case and funding availability. HHS employees may not, under any circumstances, allow any unauthorized personnel (including family members or friends) to use an HHS-provided Internet connection. To enable maximum productivity, a persistent broadband Internet connection such as cable or other broadband connection is required for all teleworkers. Dial-up and tethering, e.g., via Smartphone, is not acceptable as a regular telework communications solution.
- L. Information Security Controls. Information Technology security requirements, defined in HHS Information Technology Policies and Procedures, are critical to the safety and security of the HHS IT systems and data, and apply to all teleworkers.
  - 1. Any Band-provided IT device or electronic media discovered lost or stolen must be immediately reported by the teleworker to HHS IT staff, and an HHS incident report completed.
  - 2. Only HHS employees and authorized contractors are allowed to use Band-provided computers, an HHS VPN connection, or a Band-provided Internet connection. HHS employees may not, under any circumstances, allow any unauthorized personnel (including family members or friends) to use a Band-provided computer, an HHS VPN connection, or a Band-provided Internet connection to connect to the secure network of the HHS.
  - 3. All remote access connections into the HHS network will automatically terminate after a period of inactivity. Inactivity is defined as no mouse movement or clicks or keyboard keys pressed within a set period. Teleworkers should save work frequently to minimize impact of remote connection loss due to inactivity or otherwise.
- 4. Electronic copies of HHS documents may only be stored on encrypted media.**
- M. Continuity of Operations Plan. HHS is fully dedicated to leverage its telework capabilities to augment, when feasible, continuity of operations. However, the use of telework shall be situation specific, due to the nature of HHS's mission; certain functions must be performed at dedicated continuity facilities. Furthermore, the nature of a continuity event may preclude the ability to use telework. During any period that HHS is operating under an activated Continuity of Operations Plan (COOP), that COOP plan supersedes this policy.

PROCEDURES FOR ESTABLISHING A TELEWORK AGREEMENT

- A. Telework Arrangement Program Eligibility Notification. Before an employee can apply for consideration in the telework arrangement program, their most current APB approved job description must state the position is eligible for telework. To increase efficiency, an HHS Memorandum to HR may be utilized until a job description revision can be processed.
- B. Employee Telework Applications.
  - 1. Eligible Employees. All employees, both managerial and non-managerial, who have received official notification of their eligibility and who are interested in participating in the TAP must complete and submit a Telework Application, to their immediate supervisor.
  - 2. Recommending Supervisors/Department Leads/Directors. In preparing a recommendation to the Approving Official, the immediate supervisor will re-establish the employee's eligibility to participate in the TAP program, and determine if the request can be carried out without diminishing

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the performance of the organization or the employee in conjunction with the operating factors identified in this policy.

3. Approving Official. The Approving Official will review the employee's telework application package and provide a decision within 30 calendar days of receipt of the application, unless an agreement is reached between the Approving Official and the employee in advance to extend the timeframe.

**C. Application Disapproved.**

1. If an employee's application to participate in the TAP is disapproved: The written decision will contain:
  - a. The Approving Official's explanation for the decision.
  - b. When the employee may reapply.
  - c. (If applicable) What actions the employee could take to improve his or her chance of approval.

**D. Telework Arrangement Program Agreements.**

1. Should an application be approved, the Telework Agreement will be utilized, organization-wide, to establish the terms and conditions of participation in the TAP.
2. The Telework Agreement will be completed within 30 calendar days of the approval of the telework application - contingent upon the employee completing the required training.

**E. Annual Review of Telework Agreements.** Telework arrangements or agreements will be reviewed at least annually at the same time the employee's year end performance evaluation is conducted.

**F. Automatic Termination of Telework Agreements.** All telework agreements will be automatically terminated any time an employee accepts a new position. Participation in the TAP is terminated upon the effective date of the action that places them in the new position. The employee will be allowed to reapply if the new position is eligible for telework.

**G. Procedures for Recalling a Teleworker to an HHS Worksite.**

1. Employees working at an alternate worksite may be required to report to the HHS worksite, by their supervisors under special circumstances, to attend meetings, training, conferences or other events that cannot be satisfied by other alternative methods, i.e., teleconference, video-conference, etc.,
2. If conditions allow advanced notification, the employee will be provided notice 24 hours in advance of the need to report to the HHS worksite, the reason for the recall and the expected duration of the temporary suspension, if known.
3. For occurrences not known in advance, Employer must allow a reasonable amount of time for employee to return to the HHS worksite.

**REPORTING AND COMPLIANCE**

**A. Compliance.** Compliance with the policy will be carried out in a number of ways identified throughout this policy. A review of the telework agreement annually, performance evaluations, and any other agreed upon procedures will be the means and metrics for evaluating the impact of telework on the individual and/or organization.

**B. Reporting.** Telework Agreements, including training certificates should be kept in the employee's personnel file.

<b>Internal and/or External References</b>	Indian Health Manual Part 7, Chapter 6 Telework Arrangement Program
<b>Compliance - Posting Date</b>	1/7/2022 (H)
<b>Replaces – Policy Number</b>	



Health and Human Services

## Telework Application

Employee Name: (Please Print) \_\_\_\_\_

Position Title: \_\_\_\_\_ HHS Department: \_\_\_\_\_

### SECTION I

\_\_\_\_ I understand that a determination will be made by considering sound business and performance management principles, and additional eligibility criteria specifically identified in the Telework Arrangement Program (TAP) policy and any applicable collective bargaining agreements.

\_\_\_\_ I am required to continue to meet the eligibility criteria established in the TAP Policy.

\_\_\_\_ My last official performance rating/summary rating consisted of points related to achieving ratings of at least a "3" level or higher (i.e., Meets the acceptable requirements as the job is defined.) in most areas;

\_\_\_\_ I am not currently on a performance improvement plan;

\_\_\_\_ I am able to perform the duties of my position independently without frequent, on-site or in-person contact with co-workers and supervisors for guidance and assistance;

\_\_\_\_ I have not been officially disciplined as a Band employee, or in employment in the private Sector, for misconduct of such a nature that would cause my supervisor to question my trustworthiness to perform my prescribed duties at my alternate worksite/telework site.

Describe any official discipline (including date) that has been administered to you in the previous two years:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ There is no undue interference at my proposed alternate worksite/telework site which could cause a decrease in productivity (e.g., care of children or other dependents).

\_\_\_\_ I understand that I will not be entitled to reimbursement from the Band for relocation expenses for either myself, my family or my household in the case that either I or management modify or terminate the TAP Agreement requiring me to return to the Agency Worksite to perform the duties of my position.



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## Telework Application

### SECTION II

I am requesting a telework arrangement that is (check all that apply):

- Weekly (list number of days) \_\_\_\_\_
- Full-time telework
- Monthly (list number of days) \_\_\_\_\_
- Situational (i.e. for projects)

The alternate work station I am requesting is:

- My personal residence (Submit Safety Checklist)
- Other (please define here): \_\_\_\_\_

If the proposed alternate work station is your personal residence, provide a detailed description of the one area in your residence that will be utilized as the official office area:

Is the alternate work station equipped with office furniture and services appropriate for the work to be performed (i.e. desk/computer table, chair, telephone, fax machine, computer, internet, printer, locking file/storage cabinet for protection of official documents)? Yes \_\_\_\_\_ No \_\_\_\_\_ *If your response is no, please list unavailable equipment and services here:*

Describe the portable duties you believe can be performed at the alternate work site. Be as specific as possible.



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## Telework Application

How will you continue to provide optimal customer service while teleworking (please identify your customers when answering this question)?

Will your telework duties require that you physically remove documents from the worksite?  
Yes \_\_\_ No \_\_\_ *If yes, please provide more information. Be specific as to purpose, contents, whether the documents contain confidential or protected information.*

Identify any barriers you perceive would have to be overcome in order for you to perform duties at the designated alternate worksite.

I understand that participation in the telework program is not an entitlement. I understand that if my request is approved, I must complete required training and sign and abide by the terms and conditions of the Telework Arrangement Program Agreement and any other controlling policies, laws, rules and regulations or my participation will be terminated.

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_



Health and Human Services

## Telework Agreement

Employee Name: (Please Print) \_\_\_\_\_

Position Title: \_\_\_\_\_

HHS Department: \_\_\_\_\_

### SECTION I. CONDITIONS OF PARTICIPATION

1. Employee agrees to perform services for Employer as “teleworker.”
2. Employee agrees that teleworking is voluntary and may be terminated at any time, by either the Employee or Employer, in accordance with procedures outlined in the HHS Telework Arrangement Program Policy.
3. This Agreement is not a contract for employment; does not alter any conditions of employment; and may not be construed as such.
4. The Employee will complete the required telework training prior to signing this Telework Agreement or beginning to telework.
5. Work schedules and hours of work may be modified as necessary but are subject to approval and/or applicable collective bargaining agreement requirements.
6. All pay, benefits and travel entitlements are based on the Mille Lacs Band of Ojibwe Personnel Policies and Procedures.
7. Employee will not work in excess of the prescheduled hours of work (e.g., overtime, holiday work, night work or Sunday work) unless he or she requests and receives approval from the supervisor in advance.
8. Hours of work will only be used for conducting official business. The Employee understands that telework is not a substitute for dependent care.
9. The Employee must be accessible during duty hours to the supervisor and other management officials, co-workers, and customers via telephone, e-mail, facsimile, or other method of communication as specified in the agreement.
13. It is the Employee’s responsibility to determine any income tax implications of maintaining a home office area. Employer will not provide tax guidance nor will Employer assume any additional tax liabilities.
14. The Employee agrees that Band-furnished equipment will be used and protected in accordance with Band procedures. Said equipment will be serviced and maintained by the Employer.
15. The Employer is not liable for damages to an Employee’s personal or real property during the course of performance of official duties while the Employee is working at home.
16. The Employee will discuss with the supervisor all information and documents which can be removed from the Employer’s premises, prior to removing them.
17. The Employee will apply approved safeguards to protect Band records and information, both manual and electronic, from unauthorized disclosure or damage.
18. The Employee will be responsible for operating, maintenance or any other costs associated with the use of the Employee’s residence as an alternate worksite/telework site.
19. The Employee understands their responsibilities to maintain the alternate worksite/telework site in a manner that ensures a safe environment and certifies the location meets safety requirements by completing the “Telework – Safety Checklist”. Any conditions affecting the safety of the alternate worksite/telework site will be brought to the attention of the immediate



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## Telework Agreement

<p>10. Unplanned periods of unavailability during scheduled duty hours will be handled in the same manner as unscheduled leave.</p> <p>11. Teleworkers may be required to return to the traditional worksite on scheduled telework days based on operational requirements.</p> <p>12. The Employee continues to be covered by the Mille Lacs Band of Ojibwe Personnel Policies and Procedures while working at the alternate worksite.</p>	<p>supervisor and may be grounds for terminating the TAP Agreement. 20. The Employee understands the nature of alternate officing and the benefits to the organization and agrees that it may be required to become a teleworker or may be required at a later date by management as operations change within the agency.</p>
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### SECTION II. AGREEMENT SPECIFICATIONS

Alternate worksite location: \_\_\_\_\_

#### Telework Arrangement

- Full-time (days per week) \_\_\_\_\_
- Part-time (days per week) \_\_\_\_\_
- Situational (occasional/not regular) \_\_\_\_\_

During hours of work, the Employee will be available via:

- HHS email \_\_\_\_\_
- Band provided cell phone \_\_\_\_\_
- Other phone \_\_\_\_\_
- Video conferencing \_\_\_\_\_

Scheduled work hours for employee who telework on a regular basis will be as indicated below:

	# of Hours per Day	Minimum Window of Availability (e.g. 8am – 5pm)
Sunday		
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		



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## Telework Agreement

Documenting productivity and time worked as telework hours will be facilitated using the following tools (please check all that will be utilized):

- MLBO Timesheet
- HHS Remote Work Log
- Outlook Calendar
- Daily or Weekly (please circle one) email check-ins with immediate supervisor
- Other method (please define) \_\_\_\_\_

Equipment necessary to complete telework duties and have been discussed and identified utilizing the Telework Equipment Inventory. Telework Equipment Inventory completed and signed on \_\_\_\_\_. Check if Telework Equipment Inventory is attached \_\_\_\_\_

### SECTION III. CERTIFICATION OF AGREEMENT

#### Employee

By signing this Telework Arrangement Program Agreement, I affirm that:

1. I understand that Telework can have a positive impact on the environment. (Essentially, by reducing the number of times I commute to and from work to my home I am reducing the CO2 emissions released from my vehicle. I estimate my commute to work, one-way, is \_\_\_\_ miles from my residence to the Agency worksite.)
2. I agree to participate in telework surveys administered and designed to gather information for program analysis and improvements, as requested.
3. By signing this Telework Agreement, I affirm that my supervisor and I have discussed:
  - a. office procedures, (e.g., procedures for reporting to duty, procedures for measuring and reviewing work, time and attendance, procedures for maintaining office communications;
  - b. Safety, technology and equipment requirements, and
  - c. Performance expectations.
4. I have read and understand the HHS Telework Arrangement Program and this Telework Agreement, and will work in accordance with this Telework Agreement and HHS and Band Policy, including:
  - a. Ensuring that my appropriate alternative worksite provides the work environment, connectivity, technology resource access, and security consistent with my work effort,
  - b. Meeting my personal, organization and work team requirements, and
  - c. Documenting completed telework accordance with established procedures.





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## Telework Agreement

5. I have completed the required Telework Training for Employees. Check if training certificate is attached \_\_\_\_.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Immediate Supervisor

By signing this Telework Agreement, I affirm that:

1. I have read and understand the HHS Telework Arrangement Program Policy and this Telework Agreement and agree to carry out my duties accordingly;
2. I have completed the required Telework Training for Managers;
3. I have discussed with my employee:
  - a. office procedures, (e.g., procedures for reporting to duty, procedures for measuring and reviewing work, time and attendance, procedures for maintaining office communications;
  - b. Safety, technology and equipment requirements, and
  - c. Performance expectations.

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Approving Official

By signing this Telework Agreement, I affirm that I have reviewed this agreement and found it to be in compliance with the HHS Telework Arrangement Program Policy, and that I will carry out my responsibilities accordingly.

Approving Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_





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## Telework Safety Checklist

Employee Name: (Please Print) \_\_\_\_\_

Position Title: \_\_\_\_\_ HHS Department: \_\_\_\_\_

- Telecommuter agrees to maintain a clearly defined workspace that is clean, free from distractions and obstructions, and is in ergonomically sound condition.
- Ergonomics Desk, chair, computer, and other equipment are of appropriate design and arranged to eliminate strain on all parts of the body
- The work area is adequately illuminated with lighting directed toward the side or behind the line of vision, not in front or above it.
- Supplies and equipment (both departmental and employee-owned) are in good condition.
- The area is well ventilated and heated.
- Storage is organized to minimize risks of fire and spontaneous combustion.
- All extension cords have grounding conductors. Exposed or frayed wiring and cords are repaired or replaced immediately upon detection.
- Electrical enclosures (switches, outlets, receptacles, and junction boxes) have tight-fitting covers or plates.
- Surge protectors are used for computers, fax machines, and printers.
- Heavy items are securely placed on sturdy stands close to walls.
- Computer components are kept out of direct sunlight and away from heaters

I have reviewed and understand the items outlined in this checklist.

\_\_\_\_\_  
Teleworker's Signature

\_\_\_\_\_  
Date

## Telework Training Guide

Employees who will be utilizing telework arrangements are required, per HHS policy, to complete telework training. Immediate supervisors of staff utilizing a telework arrangement, must also complete training.

The employee who will be engaging in telework must complete the required training under the heading *Telework Fundamentals – Employee Training*.

Additionally, the immediate supervisor of that employee, must complete required training under the heading *Telework Fundamentals – Manager Training*.

### Instructions

The required training modules for telework can be found at: <https://telework.gov/>

1. Click on Training + Resources
2. Click on Virtual Telework Fundamentals Training Courses
3. Towards the bottom of the screen, select the appropriate training type
  - Telework Fundamentals – Employee TrainingOR
  - Telework Fundamentals – Manager Training

Complete **ONLY THE FIRST TWO MODULES** listed and **PRINT YOUR CERTIFICATE** upon completion of the modules.

Again, you are **only** required to complete:

- Essentials of Telework
- Skills and Processes