

Kansas Department of Agriculture Telework Policy

Definition:

For purposes of this policy, telework is a work arrangement in which some of an employee's work is performed, one or more days each week, from a location other than the employee's official duty station. This may include the home or an office space near the home. Communication between the Kansas Department of Agriculture (KDA) and a teleworking employee may be by one of several means, such as email, phone, internet, fax, teleconference, and video conference. Work performed at a field office or any other KDA office or facility shall not be considered teleworking and is not covered under this policy. Telework is not intended to be used in place of sick leave, Family and Medical Leave (FMLA), workers' compensation leave, or other types of leave programs.

Requirements:

1. Regularly scheduled telework arrangements may be available for full-time benefits eligible employees. Telework arrangements shall not be available to part-time, temporary, or other types of employees.
2. Telework is not appropriate for all employees or positions and no employee is entitled to or guaranteed the opportunity to telework even if the requirements in this policy are met. KDA is offering telework as a courtesy to KDA employees, when deemed appropriate, and is not an employee benefit or entitlement.
3. Telework is only appropriate if office coverage, access to the customer, team involvement, and access to the manager are unaffected by the employee's location.
4. All Telework Agreements must be approved by an employee's supervisor, program manager, and division director (as applicable in your division) before being sent to the Secretary of Agriculture (Secretary) for possible approval. A supervisor should consider the following before proposing or approving a Telework Agreement:
 - a. Are the employee's job tasks easily quantifiable or primarily project oriented?
 - b. Are the employee's work activities conducive to oversight by the supervisor?
 - c. Will the employee's telework arrangement adversely affect the workload or performance of other employees?
 - d. Will the work of the teleworking employee enable them to resolve routine problems independently and in a timely manner?
5. All KDA staff, regardless of position or seniority, are subject to the same requirements and must follow the telework procedure for a Telework Agreement.
6. In order to be considered as a potential teleworker, an employee must:
 - a. Be fully proficient in their work duties and performing at a level where operating remotely would not be detrimental to the agency.

- b. Be currently meeting or exceeding all performance objectives.
 - c. Have not received any reprimands or disciplinary actions in the previous twelve (12) months (or since their date of hire if shorter than 12 months).
7. One year of employment with KDA shall be required prior to approval of a regularly scheduled telework arrangement, except that a telework arrangement may be approved for employees with less than one year of employment with KDA if approved in advance by the Secretary. Program managers or division directors may request an exception by submitting requests to KDA Human Resources for secretarial approval prior to completing the Telework Agreement form.
 8. All telework arrangements shall be granted on a limited and revocable basis and KDA, or the employee, may terminate the arrangement at any time with or without cause. Advanced notice of a Telework Agreement suspension or termination is not required. In addition, a Telework Agreement suspension or termination is not grievable under the KDA Grievance Policy & Procedure.
 9. In advance of any teleworking arrangements, KDA programs are urged to carefully review the advantages and disadvantages of such arrangements. Further, programs should explore the wide variety of arrangements possible and address any potential concerns with job performance and agency needs. Programs are encouraged to review the policy and guidelines before creating arrangements, to ensure consistency of application and equitable treatment throughout the program. Teleworking may work well for one position or person and might not work for another. In making teleworking arrangements, both KDA and the employee should be mindful that the policy is designed to provide a relatively consistent working arrangement.
 10. Program managers and division directors should consider establishing a core day(s) where all office-based staff are working in the office simultaneously.
 11. The initial Telework Agreement is subject to a 90-day provisional period. During or immediately after the provisional period, the supervisor or program manager will conduct a review to determine if the teleworking arrangement is the best work arrangement for KDA and its stakeholders. Following the initial review, the Telework Agreement shall be reviewed at least annually and the supervisor or program manager shall recommend continuation, modification, or termination of the arrangement during any performance management review.
 12. A Telework Agreement may be temporarily suspended if the employee's presence at the agency's office is determined by the supervisor or program manager as necessary. Such situations may include, but are not limited to, staff meetings, training, travel, mentoring newly hired employees, and assisting while other employees are on leave.
 13. Teleworking employees shall be required to provide and maintain, at their own cost, the necessary resources to fully carry out the work duties at their telework location. These may include, but are not limited to: monitors, reliable telephone service, sufficient internet service, and the ability to print and scan as necessary to fully carry out their work duties. This shall include setting up office phones to forward to the telework number. Failure to do so may result in denial or termination of the Telework Agreement.
 14. Unless a flex-time agreement has been approved and filed with KDA Human Resources, an employee must work during the normal KDA hours of operation: Monday through Friday, 8:00 a.m. to 5:00 p.m.
 15. Consistent failure to be available to other KDA staff during the agreed upon hours shall constitute justification for termination of the Telework Agreement.
 16. The standard length of all Telework Agreements shall allow up to two days of teleworking per week. In special circumstances, a waiver may be submitted to the Secretary to request permission for more than two days of teleworking per week. Program managers or division directors may request a waiver of the two-day teleworking

limit by submitting requests to KDA Human Resources, for approval by the Secretary, prior to completing the Telework Agreement form.

17. Program managers and division directors shall have the discretion to approve a non-regular or temporary teleworking arrangement for up to two weeks for an employee in circumstances where such arrangement is beneficial to KDA and the employee.
18. Failure to fulfill normal work requirements and expectations may result in disciplinary action up to and including termination of employment.
19. Telework Agreements must be approved and signed by the Secretary. Changes in the appointment of the Secretary may require re-approval of Telework Agreements.


Procedure:

Program managers and division directors are responsible for ensuring that the teleworking arrangement does not adversely impact the program's ability to fulfill the mission of KDA. Program managers and division directors may be required to justify any teleworking arrangement if required by the Secretary.

1. In order to initiate a request for a teleworking arrangement, an employee should discuss the teleworking plan with the appropriate supervisor and program manager.
2. If tentatively agreed to by the supervisor and program manager, the employee should complete and sign the KDA Telework Agreement.
3. The applicable supervisor will review the proposed Telework Agreement; if approved, the supervisor will sign the agreement, and then route the document to the appropriate program manager and division director (as applicable within the division) for their consideration.
4. The program manager and division director shall review the proposed Telework Agreement, approve if appropriate, and then route to KDA Human Resources for processing.
5. KDA Human Resources will finalize the proposed Telework Agreement and route to the Secretary for review and consideration. KDA Human Resources will provide a copy to the supervisor, program manager, division director, and employee, indicating approval or denial of the Telework Agreement, and file the original in the employee personnel file.

Termination of Telework Agreements:

1. If a supervisor, program manager or division director terminates a Telework Agreement, they must notify the employee and KDA Human Resources in writing (email from official KDA email is acceptable) and include the date of termination.
2. An employee requesting to terminate a Telework Agreement must notify the supervisor, program manager and division director and KDA Human Resources in writing (email from official KDA email is acceptable).



Michael M. Beam
Secretary of Agriculture

May 21, 2021
Date

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Telework Policy replaces the previous Telecommute Policy (Jan. 2020)