HUMAN RESOURCES
Duties, Responsibilities, and Rights of Employees
Teleworking

I. PURPOSE

Fairfax County Public Schools (FCPS) supports and encourages telework arrangements for its eligible employees. This regulation describes the organizational responsibilities and policies that facilitate telework.

II. DEFINITIONS

A. Telework

Work arrangements that allow for remote working from an approved alternative worksite one or more days a week, or bi-weekly, and do not alter the employee’s duties and work performed. Less frequent or variable teleworking (i.e. during a period of recuperation from illness) is acceptable when the arrangements meet both business and individual needs.

B. Workweek

The workweek for all School Board Employees begins at 12:01 a.m. on Saturday and ends at midnight the following Friday.

III. RESPONSIBILITIES

A. Department of Information Technology

Manages the school division’s technology, telecommunications, and information security infrastructure and provides technology support for teleworkers via reference guides, site support specialists and the IT Service Desk.

B. Principals and Program Managers

Responsible for implementing telework arrangements as practicable in their departments/schools and in accordance with the division's policies, procedures, and guidelines.

In order to support employee remote working, employees may need to possess FCPS property. Supervisors should consider the availability and cost of such items when determining the department’s ability to support a remote working request. Regulation 5720, Property Losses (Regulation 5720), addresses employee possession of coverage...
of FCPS materials and equipment.

C. Employees

The employee understands that telework is not an employee benefit, entitlement, or right. Further, it is not a substitute for childcare or other dependent care. Employee is responsible for following the division's policies, procedures, and guidelines including:

1. Keeping informed of the division's telework practices and procedures;
2. Remaining accessible to customers, coworkers, and supervisors;
3. Plan and organize tasks for telework for efficiency and productivity; and
4. Track the work performed and be prepared to communicate results to supervisor.

IV. Guidelines

When establishing a remote working arrangement, ensure the regular and alternate locations are clearly agreed and understood. The regular work location for individual employees may be a remote site, depending on the frequency of use. During mutually agreed alternate working, the employee's regular work location is the one where the employee most frequently performs his or her duties. Teleworking should be for a predetermined time period and reevaluated periodically, but not less than annual to ensure that customer service and employee needs are adequately addressed.

A. Position Restrictions

1. Certain jobs, based on the nature of responsibilities, are not generally eligible for telework. Those jobs may include:
   a. School-based employees when schools are in session.
   b. Supervisory employees when schools are in session.
   c. Employees who are eligible for overtime pursuant to Regulation 4660, Overtime Pay for Eligible Employees, and the Fair Labor Standards Act.

2. Such employees may, however, be permitted to telework on an ad hoc basis with approval of the supervisor.

3. In periods of extended closures for various reasons, these groups may be eligible for telework at the direction of the supervisor.

B. Work Schedule

Employee's work hours and location must be specified in the agreement. It is recommended that department management and the employee set up a consistent telework schedule. Predictable telework schedules such as the same day(s) each week make planning easier for the teleworker, the supervisor, and coworkers. Any deviations to the agreed upon work hours must be submitted to the supervisor in writing and receive supervisor approval.
However, the supervisor and teleworker can establish a less frequent schedule such as one day every two weeks; or on a variable schedule for certain types of work and circumstances if that is consistent with departmental needs. Arrangements for meal breaks and (if any) additional breaks should also be specified.

All provisions of the telework agreement apply regardless of the number of hours teleworked or the teleworking schedule.

1. Nonexempt Employees

   Classroom Instructional Support Scale, Unified Scale – Schedule A and Schedule H employees eligible for teleworking agreements work hours must be scheduled in the same workweek. Nonexempt employees who work above 40 hours in the same workweek shall be entitled to overtime pay.

   Supervisors must understand that in many instances commuting time hours will be counted toward working hours for nonexempt employees.

   Supervisors should have clear arrangements for meal and other breaks at the remote site; failure to require nonexempt employees to take their scheduled meal breaks and maintain appropriate records can result in exposure to additional pay and overtime liability.

C. Salary and Benefits

   Telework is not a basis for changing salary or benefits.

D. Time and Attendance

   Time and attendance when teleworking is recorded in the same manner as it is when at the office (or official work site). Employees must abide by the FCPS regulations and policies governing leave and overtime. Most leave and all overtime require advance approval. Failure to obtain approval for leave and/or overtime may result in termination of the teleworking arrangement and/or disciplinary action.

E. Equipment and Supplies

   FCPS owned equipment and supplies may be used at the alternate worksite, with supervisory approval. Supervisors should be mindful of extensive requests for equipment such as workstations, monitors, printers, scanners, et al. to be used at the alternate worksite as this may indicate that the work is better suited to be completed at an FCPS facility. Please note that IT personnel provide support for FCPS equipment to the extent possible in a remote working environment, but cannot provide technical support for integrations with, or troubleshooting of, personally owned equipment. In lieu of taking additional equipment to the alternate worksite, supervisors and employees should consider how work can be performed electronically to limit the need for additional equipment. The employee is responsible for transporting and installing FCPS equipment in his or her home and bringing it back to the central office for service, repair, or return. The employee must take reasonable and prudent precautions to protect school equipment against damage, loss or abuse while in the employee’s care, custody, and control. FCPS equipment that requires repair or service must follow the normal service
request process, and teleworkers are responsible for bringing equipment to an FCPS on-site location for repair/service when necessary. FCPS assumes no responsibility for personally owned equipment and will not service or repair such equipment.

F. Records

The employee should follow standard FCPS data retention and data security policies, whether working on FCPS premises or remotely. The employee will ensure backup of data used in a remote working location and apply approved safeguards to protect department records from unauthorized disclosure or damage. Work done at the alternate work site is considered official FCPS business. All records, papers, and correspondence must be safeguarded and returned to the official location immediately on request, as well as at the end of the teleworking arrangement. If the employee will be away from the teleworking site during a period that FCPS is open, the employee must make advance arrangements with the supervisor for access to records, in the event they may be needed. Automated files are considered official records and must be protected from unauthorized use or disclosure. Departments are responsible for having records protection policies and procedures in place and for communicating those policies and procedures to all employees who have access to the records including teleworkers and other employees accessing records remotely.

G. FCPS Liability

FCPS will not be responsible for damages or losses that occur to the employee’s equipment and real property resulting from participation in a telework arrangement. The employee is required to maintain appropriate insurance coverage to protect his/her equipment and property as per Regulation 5720. The employee will provide proof of insurance coverage if requested by FCPS.

H. Workers Compensation and Injury Leave

The employee is covered by FCPS personnel policies and regulations related to injury leave and by the provisions of the Workers’ Compensation Act if injured while performing official duties at the alternate work site. The employee agrees to notify the supervisor immediately of any accident or injury that occurs at the alternate work site and to comply with FCPS policies covering on-the-job injury.

I. Reimbursement

FCPS will not be responsible for operating costs, home maintenance, or any other incidental costs (e.g. electricity, internet service, etc.) whatsoever, associated with the use of the employee’s residence.

J. Work Area

The employee must designate a work area within the alternate work site and agree to maintain safe and secure conditions in the designated area.

K. Telephone Accessibility

The employee shall ensure telephone accessibility during scheduled work hours or as specified by the employee’s supervisor. A busy signal, no-answer, or accessibility only through electronic-mail is not acceptable during participation in the telework program.
the teleworker uses an answering service, it must have a business message (rather than a personal greeting).

L. Employee Check-In

Employee must be available during the defined working hours. The supervisor may require the employee to check-in at the start of the workday and/or at some point(s) during the workday.

M. Work Assignments

The employee will complete all assigned work according to work procedures and deadlines agreed upon by the employee and the supervisor. Employee may be required to attend virtual meetings and/or trainings. Further, the employee agrees to keep track of his/her work performed while teleworking and report the results to his/her supervisor.

N. Performance Evaluation

The evaluation of the employee’s job performance will be based on the performance elements and FCPS-wide behaviors for the job. The employee and supervisor acknowledge that the employee’s job, in whole or part, is appropriate for telework.

O. Exiting the Program

The employee or supervisor may end the employee’s participation in telework at any time. It is recommended that either party give the other two weeks’ notice if practical. Notwithstanding the notice provision, the supervisor may terminate the telework arrangement immediately if the employee violates the provisions of this regulation or management determines that there is a work situation or requirement which necessitates immediate termination. Telework arrangements are not automatically transferred when an employee transfers to another position or supervisor.

Legal Reference: Fair Labor Standards Act, as amended
Workers’ Compensation Act

See also the current version of:

Regulation 5720, Property Losses
Regulation 5620, Time and Attendance Administration Procedures
Regulation 4660, Overtime Pay for Eligible Employees

FAIRFAX COUNTY PUBLIC SCHOOLS