

Memorandum



July 13, 2020

Colleagues,

These past few months have been unique and presented many challenges for all of us with regards to how we complete our work. Thousands of your colleagues have rapidly transitioned to working from home, most of them for the first time.

These solutions remain in place as we take a phased approach to returning to the office. Plans have been put in place to reduce the density of employees in the workplace. As a result, employees started the transition this past week, from emergency telecommuting five days a week to working some days in the office and teleworking the other days. Some employees will continue to work remotely permanently. Your supervisor will discuss with you your work schedules and arrangement. The goal is to have employees' transition from Emergency Telecommuting to Telework completed by August 24, 2020.

To help with this transition, we implemented a variety of new processes and guidelines around telework which will become part of the way we work daily. The new Telework Program information and resources can be found on My MTA Portal (www.mymta.info) in the BSC Forms and Information section under Human Resources/Teleworking.

The attached Telework Program Guidelines and User Guide cover all non-represented employees and represented employees whose participation is allowed according to their applicable Collective Bargaining Agreement.

Thank you for your continued dedication.

Be safe out there!

Regards,

A handwritten signature in black ink, appearing to read 'P. Fama'.

Paul Fama
MTA Chief People Officer

Please see below a program overview in the [MTA Telework Program Guidelines](#). For complete details, requirements, and the employee agreement memo form, see the program [User Guide](#).



Teleworking Program Guidelines

MTA All-Agency

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1 Scope

The purpose of this Program is to establish a Guideline for employees at the Metropolitan Transportation Authority and its affiliated and subsidiary agencies (“MTA”) to Telework as directed and approved by their Department Head and Human Resources. The objective is to ensure all employees understand the Telework Program so that the MTA can meet its business, operational, and safety needs.

Nothing in this policy shall affect the employees right to request a Reasonable Accommodation under Title I of the Americans With Disabilities Act.

2 Definitions

Alternate Work Site – A location away from the official work site where the employee is authorized to conduct business. This location must meet all criteria set forth in this document. Any change to the alternate work site must be pre-approved by the supervisor and/or Department Head.

Planned Teleworking - An established schedule where the employee works from an Alternate Work Site up to five (5) days per week and if applicable reports to the official work site for the other days.

Department Head - As designated by each agency’s organizational structure and may include a senior level manager in charge of a department/area with oversight for budgets and personnel.

Intermittent Teleworking - Allows the employee to work from an Alternate Work Site on an as needed basis without an established schedule and reports to an on-premise MTA location for the other days.

Official Work Site –This is the official MTA work site or the usual and customary MTA work address.

Teleworkers – Employees who have been approved or directed to Telework.

Teleworking - An alternate work arrangement that allows employees to conduct all or some of their work away from the official work site.

Teleworking Period - The period as determined by the Department Head which establishes the beginning and end dates of the Teleworking Work Plan.

Teleworking Work Plan – The documentation completed by the Teleworker that documents the tangible tasks, deliverables, work to be completed, and work completed during the Teleworking Period.

3 Covered Employees

The Telework Program covers (i) all non-represented employees and (ii) represented employees whose participation is allowed according to the applicable Collective Bargaining Agreement (“CBA”) or otherwise authorized by the applicable union.

4 Participation

The Department Head or designee shall have the sole discretion to determine which positions and employees will be eligible to participate in the Teleworking Program.

5 Schedules and Work Hours

1. Teleworking schedules and work hours will be determined by the supervisor and/or Department Head or designee. Teleworkers shall be given a reasonable opportunity to indicate their preferred days, hours and schedules for Teleworking for consideration by the Supervisor and/or Department Head or designee.
2. Teleworkers may Telework on either a Planned or Intermittent Teleworking basis at the discretion of the supervisor and/or Department Head or designee.
3. Teleworking does not change any applicable rules, regulations or policies concerning overtime, compensatory time, or sick leave.

6 Teleworking Work Plan

1. The Teleworking Work Plan is an important communication between the employee and the supervisor. The Teleworking Work Plan documents the tangible tasks, deliverables, work to be completed, and work completed by the Teleworker during the Teleworking Period.
2. The Department Head or designee has the discretion to determine the number of days, weeks, or months in a Teleworking Period.
3. The Work Plan must be agreed upon and documented by the Teleworker and the supervisor prior to the Teleworking Period. An email from the Teleworker outlining the work to be done during the Teleworking Period along with an email approval from the supervisor may be used in place of a signed document.
4. At the completion of the Teleworking Period, the Teleworker is responsible to provide an update to the supervisor on the work that was performed during the Teleworking Period. Supervisors must retain a copy of the Teleworking Work Plan submitted by the Teleworker during the Teleworking Period. All Work Plans are eligible for review by MTA Audit, Human Resources, and Senior Management.

5. At the completion of the Teleworking Period, the Supervisor is responsible for giving their employee feedback about meeting, missing or exceeding the work plan for the designated period.
6. Once per year the teleworker has the option to schedule a meeting with the supervisor to discuss his/her professional development needs.

7 Alternate Work Site

1. The Teleworker is responsible for arranging an appropriate private workspace at the Alternate Work Site. The workspace must have appropriate means of communication, equipment, and supplies to allow the employee to perform Teleworking work. The private workspace shall also have appropriate safety and security measures to maintain confidential information.
2. Any changes to the Alternate Work Site location must be pre-approved by the supervisor and/or Department Head or designee.
3. Teleworking is not a substitute for arranging for care of any dependents.
4. The MTA is not liable for conditions at the Alternate Work Site which are found to violate local, state, or federal ordinances.

8 Equipment and Supplies

The MTA may provide Teleworkers equipment to Telework in accordance with policies, practices and guidelines of the Information Technology department. The use of an employee's personal computer (for example, desktop, laptop, tablet, etc.) is encouraged. Teleworkers using their own personal equipment must use the designated technology for remote access. Teleworkers must have a secure internet connection with bandwidth that allows them to work without disruption. Teleworkers are responsible to maintain and pay for the internet connection. The MTA will not reimburse internet and phone costs.

The MTA will not provide durable equipment such as desks, chairs, file cabinets, or other office related furniture. Minimal office supplies may be provided and should be requested through the process in place at the Teleworkers Official Work Site. Generally, supplies will not be shipped to the Alternative Work Site. Any out-of-pocket expenses incurred for supplies, or equipment, will not be reimbursed. Upon request the employee shall promptly return all MTA owned equipment and supplies within two (2) business days unless otherwise specified by management.

9 MTA Policies/Security Information

1. Teleworkers shall comply with all MTA confidentiality rules and requirements. Teleworking shall not modify or limit those rules and requirements. Teleworkers shall take all necessary and appropriate measures to ensure compliance while Teleworking, including required use of the technology for remote access and to ensure confidentiality of paper files at the Alternate Work Site.

2. In connection with Section 1, Teleworkers must ensure that MTA records and information are secure and not maintained in a way that would make them available to any other individuals. Teleworkers are responsible for adhering to all MTA policies, procedures and standards concerning use of computer equipment and the security of data/information while teleworking. These policies, procedures and standards can be found on the MTA Today intranet at <http://www.mtahq.org/Policies/MTA All-Agency Policy Portal/Information Technology>.
3. Breaches in confidentiality or security must be immediately reported to the Department Head or designee. Breaches due to Teleworker's failure to comply with applicable law and/or MTA rules and regulations may result in disciplinary action up to and including termination of employment.

10 Compliance

A failure of a Department Head or designee or an employee covered by the Teleworking Program Guidelines to comply with any of the provisions herein or a Teleworking Work Plan may result in disciplinary action up to and including termination of employment.

11 Waiver

The Teleworking Program will be reviewed regularly and may, in whole or part, be modified or discontinued at any time at the sole discretion of the MTA with such notice as may be appropriate.