

Policy #: 456
Title: TELEWORKING
Date of Initial Approval: 8/15/2019
Revision/Re-authorization Dates: 11/30/2022; 02/11/2026
Reviewers: MSA Human Resources Director; MSA Superintendent

I. PURPOSE

The purpose of this policy is to provide structure and clarity to the process for teleworking arrangements for certain employees of the Minnesota State Academies (MSA). At MSA, teleworking is provided in two forms – permanent (long-standing) teleworking or situational/as-needed teleworking. Permanent teleworking is established in mutually agreeable work schedules between the MSA administration and the employee that benefits both parties. Situational or as needed telework arrangements allow certain employees the flexibility to perform work at home or from an alternative location in times when situations prevent them from working from their usual office spaces. This arrangement may provide alternate benefits to MSA, including supporting the state's requirements for continuity of operations; attracting skilled workers; minimizing the impact of inclement weather; and increasing productivity. As appropriate, MSA employees may have the option to telework at the discretion of MSA if their performance is satisfactory and if it meets MSA's needs.

II. SCOPE

This policy applies only to certain MSA employees identified by the MSA superintendent as eligible for permanent or situational teleworking. Employees who provide direct services to students (i.e., teachers, support service personnel, paraprofessionals, dorm staff) as well as those whose services cannot be provided by teleworking (i.e., physical plant staff; food services staff) are not eligible for permanent teleworking under this policy.

Under normal circumstances, very few MSA employees are eligible for permanent teleworking, following definitions set forth in MMB HR/LR Policy #1422 as almost all of MSA's essential services require physical presence on MSA's campuses to serve students, parents/family members, staff, and community members.

However, in some situations, situational teleworking arrangements can be made. Situations in which temporary teleworking arrangements might be made are as follows:

- 1) School Closures due to snow, extreme cold, or other weather conditions
- 2) Poor road conditions preventing normal commute to work.
- 3) Unique needs due to scheduling or travel arrangements.
- 4) Unique situations requiring specific accommodations that are only available in alternate locations.
- 5) Incident requiring implementation of MSA's Continuity of Operations Plan (COOP) or Crisis Implementation Plan.

Identified employees requesting teleworking (either permanent or situational) will have their requests reviewed by their supervisor and passed along to the superintendent's office. Employees who are approved for teleworking will be notified by the Superintendent's office and required to complete a teleworking agreement, outlining the understanding between MSA and the employee regarding work expectations and conditions prior to any telework. The plan is not a contract and can be changed or canceled at any time at the discretion of MSA. After teleworking agreements are completed, the employee and their supervisor will agree on schedules, expectations, and work products completed during teleworking.

In accordance with MMB HR/LR Policy #1422, identified employees who are approved for teleworking have the option to telework up to 50% of their scheduled workdays each month at the discretion of MSA administration if their performance is at least satisfactory and if it meets MSA business needs.

This policy does not apply to employees who are mobile workers or remote workers.

III. DEFINITIONS AND KEY TERMS

- A. **Core hours:** The designated period of each workday when generally all agency employees are expected to work.
- B. **Permanent/Principal work location:** The location to which a position is permanently assigned.
- C. **Permanent Telework:** A work arrangement that allows an employee to perform work on a scheduled, regular, recurring basis at a telework location that is not the employee's permanent/principal work location. This arrangement must be pre-approved by the employee's supervisor and the superintendent's office.
- D. **Situational Telework:** A work arrangement that allows an employee to perform work on an as-needed basis at a telework location that is not the employee's permanent/principal work location. This arrangement must be pre-approved by the employee's supervisor.
- E. **Remote Worker:** An employee who, as a condition of their appointment, has their home or alternative location as the assigned work location, works permanently from that location, and does not have an agency permanent/principal work location.
- F. **Mobile Worker:** An employee who travels continuously for work or who performs work at multiple locations outside of an agency office, such as a field location or other site.
- G. **Telework schedule and acknowledgement form:** A document identifying the employee's expected telework schedule and which the employee acknowledges the requirements of the telework arrangement.
- H. **Telework location:** An approved worksite, different from the permanent/principal work location, in which an employee is authorized to conduct telework. In most cases, the telework location will be an employee's home.

- I. **Teleworker:** An employee who has an agreed-upon schedule during which they are expected to work at a telework location rather than their permanent/principal work location.

IV. GENERAL STANDARDS AND EXPECTATIONS

As a state agency, MSA is bound by MMB HR/LR Policy #1422, and all employees are expected to adhere to this policy when teleworking. Exceptions granted for situational teleworking must be accompanied by a signed plan with specifics regarding the frequency and reasons for identified situations. Supervisors and the superintendent must sign off on all teleworking requests before forwarding them to the HR office.

Employees are responsible for requesting and reporting telework hours, following directives sent out by the Human Resources office.

Legal References:

Minn. Stat. § 16E.05, Subd. 3 (Government Information Access, Capitol Investment)
Minn. Stat. § 43A.38 (Code of Ethics for Employees in the Executive Branch)
Minn. Stat. § 13 et seq (Minnesota Government Data Practices Act)

Cross References:

MSA Policy #524 – Appropriate Use of Electronic Communication and Technology
MSA Records Retention Schedule
[MMB HR/LR #1422 - Telework](#)

Appendix:

456-A: Teleworking Agreement Form