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ERCOT CORPORATE STANDARD

Document Name:	Telecommuting and Flexible Work Schedule Corporate Standard
Document ID:	CS5.42
Effective Date:	Upon Approval
Owner:	Vice President Human Resources & Organizational Development
Governs:	ERCOT Staff
Approved:	Bob Kahn, President & CEO

5.42.1 Purpose: While not all positions or departments will be able to benefit from telecommuting or flexible work scheduling, there are certain situations where such programs are viable management tools and may benefit both the Company and the employee.

Some of the potential benefits of telecommuting and flexible work scheduling include:

- Improved employee morale,
- Reduced absenteeism,
- Reduced commuting expenses for employees,
- Improved employee recruitment and retention, and
- Improved effectiveness of business continuity as part of a disaster recovery or emergency plan

Telecommuting and flexible work schedules are only allowed if:

- The employee's manager believes such activities do not impair the overall efficiency and effectiveness in the employee's performance of assigned Company duties, and
- The employee's manager and the employee agree to a trial program which is reviewed at the manager's discretion to ensure that objectives are being met.

Employees are paid in accordance with CS5.6. Non-exempt employees who participate in a flexible work schedule may experience a greater variation of pay per pay period. Exempt employees are expected to work whatever hours are necessary to complete the job. Example: An exempt employee who worked four tens and then needs to come in on the fifth day to finish a project or attend a required meeting is required to do so without additional pay. Exempt employees are expected to work at minimum an average of forty hours per week.

If the manager, at his sole discretion, determines that the trial program, telecommuting and/or flexible work schedule are not in the best interest of the Company, it is discontinued. When a telecommuting arrangement or flexible

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work schedule is discontinued for any reason other than the individual employee's performance, the employee is normally given at least one week's notice of the change. If an employee is placed on any type of corrective action plan or performance deteriorates, the telecommuting or flexible work schedule may be discontinued immediately and without notice.

5.42.2 Definitions and Requirements:

Telecommuting - Periodic work away from the main office, either at home or in another ERCOT-authorized workspace.

Flexible Work Schedule - Working additional hours on certain days and then working either reduced hours or no hours on specific days. For this corporate standard, the increase scheduled hours shall not exceed 10 work hours in one day, unless the position requires 24 hour coverage, in which case the maximum normally scheduled worked hours shall not exceed 12 hours in one day.

Hours Allowed for Flexible Schedules - Employees who are not working in positions that require 24 hour coverage must begin the work day between the hours of 7 AM – 9 AM and must take a minimum of 30 minutes for lunch. A non-exempt employee who is required to work through the lunch hour must receive prior written approval from his supervisor. The non-exempt employee will be paid for all hours worked. Examples of flexible work schedules:

- 9 hours Monday – Thursday and then 4 hours on Friday
- 9 hours Monday – Thursday, 8 hours for Friday and 9 hours Monday – Thursday of the following week and no time on Friday

5.42.3 Considerations:

Telecommuting is not appropriate for all positions and not suitable for all employees.

To determine whether a position is eligible for telecommuting, the manager must consider:

- Can the work be performed at a remote site without diminishing the quality of the work or disrupting deadlines?
- Does the job require reference material which may not be easily accessed outside the office or must be shared with other employees?
- Does the employee have the necessary knowledge to perform the required job tasks at home, or does the employee need close supervision or input from others that is only available at the office?
- Does the employee have the demonstrated ability to work well with minimal supervision?
- Does the employee hold a position that does not require frequent face-to-face interaction with other employees?
- Does the employee have a thorough knowledge and understanding of the job tasks and operations for which he is responsible?

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- Does the employee have the necessary equipment and resources to perform the required job tasks at an alternate ERCOT approved workspace?
- Has the employee received a corrective action in the past 90 days, or is the employee on an improvement plan?
- Does the employee have a history of reliable and responsible accomplishment of work duties?
- Has the employee demonstrated the ability to establish priorities and manage his own time?

Examples of tasks which may be performed while telecommuting include but are not limited to:

- Analyzing documents, proposals, data estimates, and budgets;
- Performing computer-related functions such as entering or compiling data, developing databases, and programming;
- Communicating by e-mail, fax, or telephone when the location of the staff member is not critical;
- Arranging meetings, coordinating studies, consulting with experts, and providing information in response to requests;
- Documenting reports and test results;
- Reviewing plans and specifications, policies, standards, procedures, legal documents, and reports;
- Performing research for department planning documents and procedures;
- Verifying reports, records, and accuracy of data; or
- Writing or editing memos, reports, letters, articles, policies, procedures, and evaluations.

Flexible Work Schedules are not appropriate for all positions and not suitable for all employees.

When a manager considers whether an employee's position is eligible for a flexible work schedule, he must consider the following:

- Would it make business sense for this position to work the restructured hours?
- Would expanded hours provide better coverage of this function?
- Will the function be adequately covered during the times the employee is not in the office?
- Required coverage must be provided on all days, including Mondays and Fridays.

5.42.5 **Limitations:**

- Due to management responsibilities, officers, directors, managers and supervisors are limited to telecommute no more than one day every two weeks, and these positions are not normally eligible for a flexible work schedule unless 24 hour coverage is required of the entire team.

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- Employees who are currently on an improvement plan or who have received a corrective action in the past 90 days are not eligible for a telecommuting arrangement.
- Any exceptions to these limitations must be approved in writing by the area officer and the Director of Human Resources.

5.42.6 Approval: The employee must obtain all written approvals on the “TELECOMMUTING AND FLEXIBLE WORK SCHEDULE AGREEMENT” from his direct manager and his director and/or vice president and return the originals to HR. Non-exempt employees must receive supervisor/manager permission prior to working any overtime.

5.42.7 Types of Telecommuting:

Regular Schedule - When a specific day of the week is routinely agreed upon by the employee and his supervisor and a “TELECOMMUTING AND FLEXIBLE WORK SCHEDULE AGREEMENT” is approved.

Intermittent Schedule - Employees may be allowed to telecommute on a temporary basis as their duty assignment permits. The “TELECOMMUTING AND FLEXIBLE WORK SCHEDULE AGREEMENT” is not required for an intermittent use of telecommuting. Supervisors and managers must approve this type of schedule in advance. Circumstances which may be appropriate for “Intermittent” telecommuting include, but are not limited to:

- Pre-approval for a special project which requires a period of uninterrupted time.
- Pre-approval for working from home to enable an employee to meet a home repair person.
- Temporary blockage of all reasonable commute routes (i.e., storm or disaster). Pre-approval not required; however, employee must contact his manager as soon as possible.
- Primary work site is inaccessible or uninhabitable. Pre-approval not required; however, employee must contact his manager as soon as possible.

Medical Accommodations - Employees who meet the requirements for accommodations as outlined by the Family Medical Leave Act, the Americans with Disabilities Act, or other legal requirements may be eligible for additional programs and must coordinate such requests with Human Resources. The Human Resources Department will review any type of medical accommodation request or family medical leave accommodation request to determine if the request is reasonable and would allow the employee to perform the essential functions of their role. HR then works with the employee and his manager to determine the availability of this type of arrangement, possible duration, and any required paperwork.

5.42.8 Task Delivery and Availability During Telecommuting: Employees are responsible for completion of specific tasks when they are telecommuting.

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Telecommuters must be available by phone and e-mail response within a reasonable time during the employee's normal business hours.

5.42.9 Time Tracking and Reporting: A telecommuter (Regular, Intermittent and/or Medical) is required to maintain accurate time accounting documentation to support and substantiate worked hours and is required to submit time and status reports detailing hours worked and tasks performed or completed. A telecommuter is required to clearly designate the time the employee is telecommuting and note specifics about the work accomplished in the comments section of the employee time tracking system. Example: when working on e-mail, the employee may have selected "General Administrative" but should include in the comments section "Telecommuting from home and working on e-mail response to the XX data requests".

5.42.10 Equipment and Services Required: Employees are required to have the necessary equipment to perform their duties from the ERCOT authorized workspace. The equipment and services shall include, but are not limited to, a computer, internet access, phone line, and cell phone if the phone line is used for computer access. ERCOT will not purchase or reimburse for computers, software, software licenses, internet or phone services, or office equipment such as printers, fax machines, calculators, or furniture for in-home telecommuting. If remote access is specifically needed for ERCOT business, the purchase of certain items may be approved in writing by the area officer, and must be in compliance with ERCOT and department budgets, and procurement and information management corporate standards. ERCOT may provide a remote network authentication device (i.e. FOB) or other connections required to access the ERCOT servers and network. ERCOT also may provide limited help desk support to assist with technical support issues related to telecommuting. Employees must adhere to ERCOT's Acceptable Use Corporate Standard (CS7.1) during working hours.

5.42.11 Information Security While Telecommuting: Employees must adhere to all applicable ERCOT requirements to ensure that information is protected in the same manner as if the employee was working at his normal work station.

Specifically, the employee must:

- Use ERCOT information assets only for authorized purposes, and ensure that information is handled consistent with the Information Classification Corporate Standard (CS7.6) and the Information Classification Guideline (GL7.6.1).
- Ensure compliance with all logical access management requirements in the Access Management Corporate Standard (CS7.3).

When the telecommuting agreement is terminated, the employee must immediately return all notes, data, reference materials, sketches, drawings, memoranda, reports, records, equipment, software, supplies, and any other ERCOT property or confidential information in the employee's home office to ERCOT.

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5.42.12 Establishing a Home Office: The employee must establish a telecommuting environment which is conducive to performing work. The employee must:

- Designate an area that allows for working in an office setting and ensure that the equipment necessary to perform the work is in the designated area.
- Make advance arrangements for dependent care to ensure a productive work environment. (Telecommuting is not a substitute for day care or other personal obligations.)
- Keep personal disruptions such as non-business telephone calls and visitors to a minimum.
- Obtain pre-approval from the supervisor for use of vacation time, floating holidays or sick leave to attend to family or home matters during normal telecommuting office hours
- If an employee incurs a work-related injury while telecommuting, the employee must notify his supervisor and the safety department immediately and complete all necessary documents regarding the injury.

5.42.13 Subject to Audit: Employees who participate in one of these programs are subject to audit and review. Unless agreed to at hire, most full-time employees are expected to work an average or at least 40 hours per week. All telecommuting hours must be noted in the comments on the employee's time card.

5.42.14 Holidays: Flexible work schedules are not allowed during a week that includes a Corporate Holiday. Example: Thanksgiving, Christmas, etc.

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TELECOMMUTING AND FLEXIBLE WORK SCHEDULE AGREEMENT

Name of Employee: _____

Residence Phone: _____ Cell Phone: _____

ERCOT management (manager and director/VP) and the employee have read and understand the ERCOT Telecommuting and Flexible Work Schedule Corporate Standard 5.42. All parties understand that this agreement may be terminated by the Company at any time.

Telecommuting

Regular Telecommuting Schedule - It is understood that telecommuting days must be scheduled in advance and approved by the manager. At certain times, the manager has authority to require that the telecommuting schedule be revised to ensure critical deadlines are met or to attend meetings in person. Any change by the telecommuter in the agreed upon schedule must be pre-approved, and if the change is for a period of greater than one month, it must be documented and appended to the Telecommuting Agreement.

Date of first scheduled telecommuting day: _____

Telecommuting days and hours will typically be: _____

Telecommuting location will be: Home Other, Specify: _____ (Approval Required)

Flexible Work Schedule

Regular Flexible Work Schedule – My flexible work schedule will normally be the following:

	MON	TUE	WED	THU	FRI	SAT	SUN
Week 1							
Week 2							

Starting hours must be between 7 AM and 9 AM and ending times must include at least a 30-minute lunch period. The lunch period and end times may vary accordingly.

This arrangement will be reviewed at the manager's discretion. The employee agrees to abide by the requirements of the Telecommuting and Flexible Work Schedule Corporate Standard 5.42, as amended and all other related corporate standards and operating procedures of ERCOT. A non-exempt employee agrees that this is a voluntary flexible work schedule and understands and agrees that he will not receive overtime for his normal two week rotation of ____ hours for the first week and ____ hours for the second week. Also, the non-exempt employee may experience a greater variation in pay check amounts due to participation in a flexible work schedule.

The employee must complete the training program titled "Security for the Mobile Office", located on the ERCOT Learning Management System, prior to the start date of any telecommuting arrangement.

Employee: _____

Date: _____

Manager: _____

Date: _____

Director/VP: _____

Date: _____

HR: _____

Date: _____