

CAPS COUNTER PROPOSAL

Bargaining Unit: 10

Date: March 9, 2022; 1016AM

Exclusive Representative: CAPS

Article: 7

Subject: Hours of Work and Overtime

7.10 Telecommute/Telework Program

The terms “telework,” “teleworking,” “telecommute,” and “telecommuting” refer to formalized work flexibility arrangements established between the department management and the employee under which the employee performs the duties and responsibilities of the employee’s position from a location other than the office. The term “office” refers to the location, state building, or official worksite that would be the employee’s work location if not teleworking.

- A. Where operational considerations permit, a department may establish a telework program. Such programs shall operate within the policies, procedures, and guidelines established by the ~~Telework Advisory Group~~ Statewide Telework Policy. The program shall be in writing and made available to all employees. Upon the request of the Union, the departments will provide a copy of their formal written telework policy.
- B. Not all positions or job duties may meet reasonable criteria to be appropriate for telework, per departmental policies.
- C. If the telework arrangement conforms to telework criteria established in the department’s telework policy and guidelines, no employee’s request for telework shall be unreasonably denied. Employee’s requests for telework shall be submitted in writing on the prescribed form and replied to in writing within twenty-one (21) calendar days of submission. The parties may mutually agree to extend this response period.
- D. Any Unit 10 employee who teleworks shall have an approved Telework Agreement on file.
- E. Department management shall make reasonable effort to provide employees with a minimum of 30 days’ notice in the event of a revision or termination of a Telework Agreement.
- F. Formal written telework or telecommuting policies and programs already adopted by departments before the date of this Contract will remain in effect during the term of this Contract.
- G. Departments that desire to establish a telework or telecommuting policy and/or program or departments desiring to change an existing policy and/or program shall first notify the Union. Within thirty (30) calendar days of the date of such notification, the Union may request to meet- and- confer over the impact of a telework or telecommuting policy and/or program or change in an existing telework or telecommuting policy and/or program.
- H. Should a Unit 10 employee require equipment that has not already been provided per the procedures outlined within Section 6.3 of this MOU, departments may elect to provide

reimbursement to Unit 10 employees for additional appropriate business expenses in accordance with departmental policies.

- I. Disputes regarding this section are grievable to the fourth step (CalHR level) of the grievance procedure as outlined in Article 9.