



**PROCEDURES
EXECUTIVE AND LEGISLATIVE BRANCHES
DEPARTMENT OF PERSONNEL MANAGEMENT**

SECTION:	ALTERNATIVE WORK SCHEDULES	NO. 20-V-002
SUBJECT:	TELECOMMUTING PROCEDURES	RELEASE DATE: 3/23/2020
CROSS REFERENCE:	Navajo Nation Personnel Policies Manual (NNPPM), Section on Alternative Work Schedules	REVISION DATE:
REVIEW:	DEPARTMENT OF JUSTICE	DOJ REVIEW DATE: 3/23/2020

PURPOSE

The purpose of these procedures is (1) to define telecommuting as it applies to the Navajo Nation Executive and Legislative Branches, and (2) to establish the guidelines for telecommuting. The Department of Personnel Management issues these procedures in accordance with Navajo Nation Personnel Policies Manual (“NNPPM”).

The Navajo Nation provides these procedures to facilitate telecommuting work as an option for certain positions under appropriate circumstances.

APPLICABILITY

These procedures shall apply to all programs of the Executive and Legislative Branches when addressing telecommuting activities. All program managers, supervisors, and telecommuters shall be familiar with these procedures. In the event of an emergency, such as a weather disaster or epidemic, the Navajo Nation may allow or require employees to temporarily work from home to ensure operational continuity.

These procedures do not apply to non-emergency situations where a program allows an employee to work at home on a temporary, irregular basis.

DEFINITIONS

Telecommuting - a voluntary or mandated “alternative work schedule” NNPPM under which an employee performs some or all assigned duties at home or another remote location, determined by an employee’s immediate supervisor, Department Manager, or Division Director.

Telecommuter's Agreement – a document that describes a specific Telecommuting work arrangement, and any necessary equipment needed for rendering services.

PROCEDURES

Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is a management tool allowing flexibility in work options. It does not change the terms and conditions of employment with the Navajo Nation, the telecommuter's salary, employment status, job responsibilities, applicability of manuals and procedures, or employee benefits.

Employee Selection and Criteria

Only employees who can perform a substantial amount their work away from the main work site may telecommute. Eligibility criteria shall be determined by Department Managers. Selection of individual employees for Telecommuting shall be determined by the employee's immediate supervisor or a manager higher in the chain of command. Supervisors must make the criteria known to eligible employees. Such criteria may include reasonable accommodation provisions for permanently or temporarily disabled employees. Such criteria may also be based on, or include, a valid state of emergency declaration by the appropriate officials in the Executive or Legislative Branches.

Telecommunication Period and Work Schedule

Telecommuters shall maintain regular contact, through email or by phone, with their immediate supervisor, co-workers, and with anyone else the work requires and is feasible. Employees must ensure, to the extent possible, that they have access to job-related documents and equipment from their homes or the remote location from which they may be Telecommuting. Supervisors shall maintain frequent communication with the telecommuting employee.

Supervisors, in consultation with their respective Department Managers, shall set Telecommuting periods and work schedules. Supervisors shall provide employees with start and end-dates for Telecommuting in the Telecommuter's Agreement. Except in the case of exigent circumstances, the employee and Program shall execute the Telecommuter's Agreement before the start of Telecommuting. The Telecommuting schedule may require part- or full-day presence at the regular worksite some days, to be determined at the supervisor's discretion. If the supervisor sets no alternative, the employee's normal Tour of Duty shall apply during the Telecommunication period.

Changes to Telecommuting assignments or work schedules may be made at the discretion of the Division Director to meet the needs of the program or the employee. Telecommuting periods may be ended earlier than agreed to, due to the resolution of the event or circumstances that were cause for the Telecommuting arrangement, as determined by [OFFICIAL(S)]. In the event Telecommuting is ended earlier than planned, the employee shall have a reasonable time to return to the worksite as decided within the discretion of the supervisor in consultation with the employee.

Equipment

Supervisors may require a telecommuter to have a computer with functioning internet access to communicate with people and access the information needed to perform their duties and meet their responsibilities. Supervisors may also request a telecommuter to have a telephone at which the telecommuter may be reached during the Telecommuting period. If an employee does not have a phone at which the supervisor may reach them, the supervisor

and employee shall establish an alternative means by which the employee may be reached expeditiously.

- The Navajo-Nation-is not obliged to provide equipment necessary for an employee to telecommute.
- Telecommuting employees must abide by all Navajo Nation laws and policies, including those regarding privacy, information security, and software licensing.
- Telecommuting employees must abide by the Navajo Nation accounting policies for all purchases and expenditures incurred for telecommuting equipment or services.
- Maintenance or repair of Navajo-Nation-owned equipment will be performed only by the Nation's authorized technician. The telecommuting employee, in consultation with their supervisor, shall be responsible for bringing or delivering any equipment in need of repair or maintenance to a repair service designated by the supervisor or Program. The employee, in consultation with their supervisor, shall be responsible for picking up or arranging for delivery of equipment once service is completed. "Maintenance" shall not be read to include standard, necessary software updates, which the employee may initiate as such updates are made available.
- Maintenance and repair of employee-owned equipment is the responsibility of the employee. The Navajo Nation is not liable for such equipment even if the employee was engaged in the department/program's work at the time of malfunction.
- Upon termination of the telecommuting agreement or employment, or at the program's or supervisor's directive, the employee must return all Navajo Nation-owned equipment and property to the Navajo Nation.

Confidentiality

As Navajo Nation employees, telecommuters are expected to adhere to all policies and procedures within the Navajo Nation Personnel Policies Manual, regarding privacy, security and confidentiality for the computer, its data and information, and any other information handled in the course of work.

Health and Safety

If an employee incurs an injury while telecommuting, Navajo Nation workers' compensation laws and policies apply. Per these procedures' definition of "Telecommuting", Telecommuting does not include actions that the telecommuter may take while not actively working, including both at the site from which the employee is telecommuting or elsewhere. These non-covered actions include all actions that the employee would not be able to perform in his/her regular work site, or which are related to living at home. Examples of such non-covered actions include caring for children, caring for pets/livestock, cooking, cleaning, yard work, checking the mail, shopping, and maintenance work on vehicle. In the event of an injury or illness, the employee must immediately notify their immediate supervisor and complete all required documents related to the injury or illness.

Telecommuter's Agreement

The Telecommuter's Agreement documents the policies in effect and their effect on any other agreements between the Navajo Nation and the telecommuter. The Agreement must be signed or agreed to by physical or electronic signature by the employee and supervisor, and the Human Resources Director or her designee, and any other official designated by the

Division Director. Except in exigent circumstances, the Agreement shall be signed by all parties prior to the start of telecommuting.

A telecommuter's agreement is not required for occasional situations in which the employee works from home, which situations shall be determined at the discretion and authorization of the employee's supervisor, in accordance with the NNPPM.

The "Equipment and Supervisor's Checklist for Telecommuters" provides verification that all essential details from start-up of a telecommuting arrangement to end of telecommuting have been covered with an employee prior to the start of telecommuting.

FORMS REQUIRED:

Telecommuter's Agreement

Equipment and Supervisor's Checklist for Telecommuters

Telecommuter's Agreement

In accordance with the Department of Personnel Management's "TELECOMMUTING PROCEDURES" We, the supervisor, on behalf of the Navajo Nation, and [NAME] ("Employee"), collectively referred to as the "Parties", enter into this Telecommuter's Agreement to allow Employee to Telecommute for the duration and per the conditions provided in this Agreement. The Parties agree that home-based telecommuting is at the discretion of the employer, and subject to discontinuation by the supervisor at any time. This agreement shall be in effect from _____ at _____ until _____ at _____. Employee's work schedule shall be [e.g. MONDAY THRU FRIDAY, 8AM-12PM, 1PM-5PM].

The Navajo Nation will pay the following work-related expenses during the Telecommuting period:

- Maintenance and repair of equipment, including cellular phones, owned by the Navajo Nation and duly-issued to the employee for the Telecommuting period.

The Navajo Nation will not pay for the following expenses during the Telecommuting period:

- Any and all day-to-day expenses not covered by the Navajo Nation under normal circumstances
- Cost, maintenance, or repairs of privately owned equipment
- Utility costs related to the use of equipment or home office
- Travel expenses associated with commuting to the regular worksite.

Telecommuting days are scheduled and shall not be substituted without advance approval of the program manager or supervisor. Employee shall appear at the main worksite _____. Employee shall work remotely _____.

Employee must be available by phone or email during work hours. Employee shall respond to emails and phone messages in a timely manner.

Except to the extent the terms of this agreement conflict, the Navajo Nation Personnel Policies Manual ("NNPPM") and any [DEPARTMENT/DIVISION] policies shall continue to apply during the Telecommuting period.

Telecommuting is not a substitute for dependent care. The telecommuter agrees that regular and back-up dependent care arrangements have been made, if applicable.

The telecommuter shall carry out the steps needed to ensure information security in the home office setting, and has read the Navajo Nation's security requirements and procedures. The telecommuter agrees to check with his/her immediate supervisor when security might be a concern.

The telecommuter has read and understands the Navajo Nation's telecommuting procedures and agrees to abide by those procedures and all other applicable laws, policies, and procedures.

Employee Name (print)

Signature

Date

Supervisor Name (print)

Signature

Date

Human Resources Director

Signature

Date



Navajo Nation -- Telecommute Equipment Checkout Form

Dr. Buu Nygren
PRESIDENT

Richelle Montoya
VICE PRESIDENT

Requesting Personnel: _____ Date of Request: _____
 Requested Date(s): _____ to _____
 Purpose of Use: _____ Telecommute

	<i>Items Checked In</i>	<i>Initial Here</i>
<input type="checkbox"/> (list Navajo Nation property assigned to employee below)		
1. <input type="checkbox"/> Laptop SN: _____	<input type="checkbox"/>	_____
2. <input type="checkbox"/> Scanner SN: _____	<input type="checkbox"/>	_____
3. <input type="checkbox"/> AC Adapter (blk. Cable w/rectangular box)	<input type="checkbox"/>	_____
4. <input type="checkbox"/> Power Cord (2/3 Pronged Connector)	<input type="checkbox"/>	_____
5. <input type="checkbox"/> Black Carrying Case w/Strap	<input type="checkbox"/>	_____
6. <input type="checkbox"/> Wireless Mouse	<input type="checkbox"/>	_____
7. <input type="checkbox"/> Ether Net Cable (Blue cable)	<input type="checkbox"/>	_____
1. <input type="checkbox"/> Printer SN: _____	<input type="checkbox"/>	_____
2. <input type="checkbox"/> Power Cord (2 pieces)	<input type="checkbox"/>	_____
3. <input type="checkbox"/> USB Cable	<input type="checkbox"/>	_____
1. <input type="checkbox"/> Projector w/Lens Cap	<input type="checkbox"/>	_____
2. <input type="checkbox"/> Black Carrying Case	<input type="checkbox"/>	_____
3. <input type="checkbox"/> Power Cord	<input type="checkbox"/>	_____
4. <input type="checkbox"/> Remote Control (Missing for Proxima)	<input type="checkbox"/>	_____
5. <input type="checkbox"/> MI-DA Analog Computer Cable (blue head cable adapter)	<input type="checkbox"/>	_____
6. <input type="checkbox"/> 1-General & Mouse Adapter (PS/2) Cables	<input type="checkbox"/>	_____
OTHER:		
1. <input type="checkbox"/> MiFi Verizon JetPack	<input type="checkbox"/>	_____
2. <input type="checkbox"/> Other:	<input type="checkbox"/>	_____

AGREEMENT

*In signing this agreement, I agree to take personal responsibility for all items checked above and further agree to ensure the safekeeping of all said items. I will ensure that **ALL** items are kept in a safe and secure place. I also agree that if any items are lost or misplaced for any reason(s), whether such actions are within my control or not, I will be held personally liable for the expense(s) of replacement.*

NOTE: All items should be kept together in an organized fashion and to be checked personally by assigning personnel in your PRESENCE before the items can be signed out and back in. The borrower must obtain an approval signature from the supervisor before equipment can be checked out. Thank you.

Borrower's Signature	Date
Supervisor's Signature (Required)	Date
Date Returned	Accepted by