

**Michigan Department of Attorney General
Telecommuting Policy in Event of Emergency Directive**

Policies and Procedures: Pilot Telecommuting Policy

Effective Date: March 16, 2020

Supersedes:

As part of its Continuity of Operations Planning, the Department is adopting a pilot Telecommuting program where employees may work virtually from their personal residence or at a Department-designated telecommuting center.

The Department's Telecommuting Policy will strengthen the Department's response to any emergency declaration and increase employee safety.

- A. Application.** This policy applies to all Department staff and will begin upon notice by the Chief of Operations or Deputy Attorney General. The policy may be activated for some or all staff in a division(s) based on operational needs. When the policy is activated based on an emergency declaration ("Telecommuting Directive"), participation in the telecommuting program may not be optional.
- B. Definition.** Telecommuting is a work arrangement in which employees are permitted to perform their job duties away from their Department-designated workstation, either at their personal residence or a Department-designated location.
- C. Eligibility.** If a Telecommuting Directive is announced, all Department staff are eligible, and participation may not be optional.
- D. Telecommuting Limitations and Conditions.**
1. The Department will provide employees with the following equipment for the home office, if available:
 - a. Department-issued laptop and power cable
 - b. VPN access
 - c. Office 365

The employee is responsible for home internet connectivity (DSL or higher).

2. Management may limit telecommuting based on operational needs. The Division Chief retains the sole authority to determine which days and

hours during the pay period the divisional employee will be allowed to telecommute. The Division Chief also retains sole authority to determine which employees will be allowed to telecommute. Telecommuting may not be offered to every employee due to operational needs, the unavailability of equipment, the employee's particular job duties, etc.

3. Employees may only telecommute out of their residence or at a Department-designated telecommuting center ("telecommuting location").
4. Equipment, hardware, software and other devices furnished by the Department remain the property of the State of Michigan and are subject to the Departmental work rules on the limitation on personal use. State-owned software shall not be installed on employee-owned computer devices. Employee-owned software shall not be installed on state-owned computer devices or hardware.
5. Telecommuters must return state-owned hardware, software, supplies, documents and other information or property to the official work location when done telecommuting.
6. Telecommuters must receive work-related telephone calls and emails during regular business hours. A condition of participation in the telecommuting program is that staff are available to communicate with managers, clients, and their colleagues throughout the day, as needed. State phones will not be specifically provided for telecommuting, therefore staff that do not have state-issued cellular telephones must use a personal phone for voice calls. Office telephones must be forwarded to the telephone you will be using on telecommuting days.
7. The Division Chief or supervisor may require telecommuting employees to document the work performed and the associated time spent. Division Chiefs will direct telecommuters on tracking performed work.
8. The Department values a culture of trust and responsibility between employees and their supervisors. The telecommuter is to perform only official duties and not conduct personal business while on work status at the telecommuting location.
9. Telecommuters must comply with departmental requirements regarding illness and absence reporting and the use of leave credits.
10. All Departmental policies, procedures and work rules applicable to an employee's official workstation apply to the telecommuting location.

E. Connectivity Issues

1. If an employee loses power or internet connectivity at their home office, the employee should immediately notify his or her supervisor and plan to report to a telecommuting location. Employees should also contact their internet service provider.
2. If an employee cannot report to a telecommuting location, the employee should speak to his or her manager for an alternative work assignment.
3. Internet connectivity in the home office is the employee's responsibility. DTMB is unable to troubleshoot an employee's personal home network connectivity issues. However, DTMB will provide a basic troubleshooting guide that should be utilized prior to calling the Department's IT services. DTMB's Client Service Center may be reached at 517-241-9700.
4. If an employee experiences a problem with their VPN or Office 365 access, please contact DTMB's Client Service Center.

F. Maintaining Data Privacy and Security

1. Sensitive data may not be stored on employee-owned storage media.
2. All sensitive data (including, but not limited to, client communications, medical records, and working documents) should be handled in a secure manner, stored electronically and accessed using the State-provided VPN or using OneDrive.
3. A telecommuting employee may not conduct work meetings in the telecommuting location.
4. Employees must physically secure all Department-owned equipment, files, logs and other State-issued hardware and software.

G. Cancellation of the Department's Telecommuting Policy

1. Cancellation of telecommuting can be made at any time upon verbal or written notification of the Division Chief, Bureau Chief or Chief of Operations.
2. The Appointing Authority may discontinue the use of this pilot telecommuting policy at any time.

- H. Telecommuting Directive.** In the event of a Telecommuting Directive, and if the Department cannot provide the necessary equipment or IT support to enable the employee to perform all of his or her job duties:
- i. The employee's job duties may be temporarily modified to enable the employee to temporarily work from a telecommuting location; and/or,
 - ii. The Department may permit staff to access Office 365 applications through a secure internet connection with their personal computer. However, employees may not save State data to their personal computer. Staff acknowledge that using their personal computer for work may subject the equipment to e-discovery under court rules or by court order, a legal hold, a Freedom of Information Act request, and cybersecurity investigation. Staff can mitigate these risks significantly by working solely in the Office 365 environment and by not downloading or otherwise saving State data to their personal computer.
- I. Agency Rights.** Telecommuting is discretionary. Eligible employees may telecommute only with the approval of the Division Chief, Bureau Chief or Chief of Operations. The denial of a telecommuting request; cancellation of a telecommuting arrangement; or the discontinuation of the telecommuting program or Telecommuting Directive is not disciplinary and is not subject to the grievance and appeals procedures.
- J. Questions Regarding Policy.** Any questions regarding this Policy may be directed to the Office of Human Resources.

Employee Certification:

I acknowledge that I have received and reviewed a copy of this policy. I agree to be bound by the policy's terms and conditions in order to participate in the telecommuting program. I understand that my participation in the telecommuting program can be terminated or modified at any time and for any reason.

Employee Name

Date