



## Governor's Office of Employee Relations

ANDREW M. CUOMO  
Governor

MICHAEL N. VOLFORTE  
Director

### MEMORANDUM

March 16, 2020

TO: Directors of Human Resources

FROM: Michael N. Volforte

SUBJECT: Pilot Statewide Telecommuting Programs for  
M/C, CSEA, PEF and UUP-represented Employees

We have received frequent requests for guidance on deploying employees to telecommute as we move to implement social distancing precautions recommended by the Department of Health in response to the novel Coronavirus COVID-19. We have entered into agreements with CSEA, PEF and UUP that create a Pilot Statewide Telecommuting Program (Telecommuting Pilot Program) covering employees represented by those unions. The Pilot Program also covers M/C employees. The Telecommuting Pilot Program is effective immediately and remain in effect through May 14, 2020. An Implementation Bulletin and a Telecommuting Application Form are attached to this memorandum.

Wherever existing agency telecommuting programs conflict with Telecommuting Pilot Program guidelines, the Pilot Program guidelines control for the duration of the Pilot Program. **There is no need to re-enroll current telecommuters with the new form.** Similarly, if you already have a telecommuting application and enrollment process you can continue to use it. If you do not have an established telecommuting program, please use the attached application form. Any pre-existing telecommuting programs will revert to their regular guidelines upon expiration of the Telecommuting Pilot Program. While you should refer to the attached Implementation Bulletin for full details, key points to be aware of in administering the Telecommuting Pilot Program include the following:

- Your agency Executive Team, subject to any approval required by your Deputy Secretary to the Governor, should review and approve expansion/implementation of telecommuting in advance. Considerations might include, but not be limited to, determination of which program areas and types of employees would be suitable for telecommuting and the

availability of any necessary IT infrastructure to support telecommuting. As events unfold you may find that you need to expand or contract the scale of telecommuting you approve to meet operating needs. Bear in mind, our goal is to implement these programs as widely as possible in light of operational needs.

- Employees may request to telecommute or they can be assigned to telecommute by management where such assignments meet operating needs as determined by agency management.
- There is no limit on the number of days per week/pay period that employees may be allowed/assigned to telecommute under these pilot programs. In determining how often telecommuting can take place, managers should balance challenges inherent in managing remote work with our need to increase social distancing to reduce transmission of COVID-19. Where the nature of the work allows for effective remote supervision, frequency of telecommuting should be maximized for the duration of these Telecommuting Pilot Programs.
- Telecommuters must submit a work plan describing the work they will complete at their alternate work location for approval prior to telecommuting. Managers have discretion to determine the form such work plans can take. However, to ensure that work is managed properly, it is strongly recommended that work plans not cover more than a week at a time. In some cases, daily work plans may be preferable. Managers are expected to ensure that work described in the work plans is accomplished in a timely fashion and may base decisions on approval of subsequent work plans submitted by any employee on their performance in a telecommuting situation.
- Telecommuters must have a set work schedule and abide by all operative state and agency rules and policies.

Additional details are provided in the attached agreements. We have received many questions regarding whether telecommuting arrangements can be used to assist employees with sudden child-care gaps due to extended school closures resulting from COVID-19. This is a determination that each Director of Human Resources must make based on the circumstances of any given case. Where such employees are assigned work that can be managed effectively in a telecommuting situation and the supervisor and employee have established a routine that will allow the supervisor to ensure that the telecommuter is working an approved schedule, this can be permitted under the Telecommuting Pilot Program to ease the burden on employees affected by emergency school closures.

Please work with your Deputy Secretaries on your operational plans to utilize this Pilot.

Please direct any questions regarding implementation of the Pilot Telecommuting Program to GOER at 518-474-6988.

Enclosures (Bulletin and Application)