



PENNSYLVANIA GAMING CONTROL BOARD

Telework Agreement

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I.0 General Information

I.1 Purpose

This document sets forth the terms and conditions of the Telework Agreement between you and the Pennsylvania Gaming Control Board (PGCB or Board). Completing this form with the required signatures constitutes authorization from the PGCB to start the Telework arrangement under the Commonwealth's Telework Program, as is required by Management Directive 505.36, *Telework*, and adopted by the PGCB.

I.2 Definitions

Ad Hoc Telework Type of Telework in which an employee is approved as a Part-Time Teleworker and works from the Headquarters on a regular basis but must request and receive the supervisor's consent in advance of scheduling a day to Telework. Ad Hoc Telework is intended to accommodate situations such as an inaccessible Headquarters, blocked commuter routes (i.e., major road construction, storm, or a disaster) or a special work project requiring an extended period of uninterrupted time.

Alternate Worksite An agency-approved remote office location or site (e.g. one's primary residence or home office), other than an employee's Headquarters, when an employee Teleworks.

Full-Time Telework Type of Telework in which an employee works from an Alternate Worksite on all workdays, except those occasional days when required to report to a physical location, including the Headquarters, or other sites, for meetings, training, other on-site duties, or as directed by a supervisor.

Headquarters The work location to which an employee is assigned, including PGCB office buildings within and outside the Harrisburg area, commonly referred to as an employee's assigned main office. For Teleworkers, the Headquarters is the location to which they would report when their Alternate Worksite (e.g. one's primary residence or home office) is unusable for any reason.

Part-Time or Hybrid Telework Type of Telework in which an employee works from an Alternate Worksite on a regular schedule, but less than on a full-time basis.

Telework A supervisor-approved work flexibility arrangement, formalized in a Telework Agreement, under which an employee performs the duties and responsibilities of such employee's position on a full-time, part-time/hybrid or ad hoc basis from an Alternate Worksite other than the employee's Headquarters location.

Telework Plan A document developed by the agency identifying specific information and requirements for the agency's Telework program that apply to the agency or Teleworkers within the agency.

Teleworker An employee in a Telework eligible position, who has been approved, under a Telework Plan, to perform job duties at an Alternate Worksite on a full-time, part-time/hybrid, or ad hoc basis pursuant to a signed Telework Agreement.

2.0 Program Guidance

2.1 Basic Principles of Telework Program

Participation in the PGCB's Telework program is not an employee right or guaranteed employee benefit, and is at the sole discretion of, and subject to, the prior written approval of management. Management may modify or terminate this Telework Arrangement for you at any time and for any reason.

Telework must not adversely impact the agency's mission and functions, nor shall it put a burden on staff remaining in the Headquarters. If, at any time, it is determined that your participation in the Telework program has an adverse impact on work operations, your supervisor shall terminate or modify your participation immediately. Except in cases of emergencies or where the totality of the circumstances dictates otherwise, you will be provided with a minimum of a two-week notice if such a change is necessary.

You must abide by all applicable laws and regulations as well as PGCB or Commonwealth rules, policies, and procedures, that would otherwise apply while working at your Headquarters.

Upon retirement, separation from employment, or departure from the position in which you are teleworking, you shall immediately return all the equipment, supplies, and other property provided to you by the PGCB, inclusive of that property identified in the PGCB Telework Data Sheet (Appendix A). You shall surrender to your supervisor all handbooks, data, documents, files in all formats, including digital, both PGCB-issued and related to PGCB work.

The PGCB will not reimburse you for the cost of basic office supplies that you will use as a Teleworker. However, you may request basic office supplies through a process prescribed by the PGCB which will require you to document the supplies requested and received and pickup said supplies from your Headquarters.

An employee must be in a position that has been designated as a Telework Eligible Position by the PGCB. [Participation Criteria](#)¹, please see footnote below. Factors that may impact an employee's eligibility to participate in the Telework program are:

- The employee completes the required action steps as part of the request process prior to starting telework.
- The employee completes PGCB prescribed Telework training within the first three months of the commencement of Telework.
- The employee's latest employee performance review (EPR) (not older than 18 months), shows an overall rating of at least meets expectations. A supervisor may complete an interim EPR to assess improvements in employee performance that may enable an employee to participate in the Telework program.
- The employee has not been the subject of disciplinary action (written reprimand, alternate discipline in lieu of suspension, suspension, or disciplinary demotion) related to time and attendance, work performance or misconduct that would cause management concerns with an employee's ability to telework within the previous 12 months.

¹ These criteria represent the minimum requirements. Other criteria may be included (e.g., restricting employees in their probationary periods from Telework or phasing in their eligibility), provided there is legitimate documentation to support such.

3.0 Employee Responsibilities

3.1 Communications

You must be available by telephone, email, collaboration software (e.g. Skype, Teams, WebEx, etc.), instant messaging, and any other platform made available by the PGCB and/or Commonwealth during scheduled work hours. Email and telephone calls must be returned within agency-specific timeframes such as contained in service level agreements and/or performance standards. Supervisors may require communication to confirm start and end times of shifts, meal periods, and break periods (check-in/check-out). Communications may be monitored to ensure that communication and professional standards are maintained.

You may be required to attend meetings. Such meetings could be required in-person at the Headquarters or at another location, or by conference call or online (i.e. video/web) conferencing. Supervisors have the authority to require in-person attendance at meetings, as well as the use of video capability during work meetings via applicable platforms.

3.2 Alternate Worksite Location and Requirements

Prior to the commencement of Telework, you must designate an Alternate Worksite for Telework; this site must be located within the Commonwealth of Pennsylvania unless approved by the Executive Director. The Alternate Worksite must be located within reasonable travel distance of your Headquarters or another facility where you could be operational, as agreed upon by your supervisor and approved by the Executive Director. You must also designate a workspace at your Alternate Worksite for the placement and installation of equipment to be used while teleworking which ensures a secure, professional work environment. Requirements will vary depending upon the nature of the work and the equipment necessary to perform the assigned duties. At a minimum, you must have a securely configured high-speed internet connection at your Alternate Worksite. The PGCB maintains the right to visit and inspect the Alternate Worksite, at a mutually agreed upon time, to inspect, retrieve, or maintain PGCB equipment. You must use the same precautions to secure and protect all Commonwealth IT resources at your Alternate Worksite that are required at your Headquarters (i.e., making sure that all work-related equipment and materials are secured, data confidentiality is protected, liquids are kept away from the computer, etc.).

Potential distractions and conflicting demands must be resolved before you begin Telework. Should unforeseen circumstances affect your ability to meet productivity goals and work effectively from your Alternate Worksite, appropriate steps must be taken to resolve the situation. Steps may include arranging a different authorized Alternate Worksite or discontinuing Telework.

In the event personal issues prevent you from working at your designated Alternate Worksite, you must advise your supervisor promptly and request another authorized worksite for a reasonable period of time. This other authorized work location could include Headquarters.

You may not have in-person meetings at your Alternate Worksite unless such worksite is a PGCB leased work location or a field location to which the employee has been assigned to perform work. Meetings not held via telephone or online (i.e. video/web) conference must be held at your Headquarters or at a location approved in advance by your supervisor.

As an approved Teleworker, you are responsible for having your required equipment with you on every workday, whether working in Headquarters or at the Alternate Worksite.

3.3 Equipment Necessary to Telework

You will be provided with equipment and accessories necessary to perform your assigned duties. The PGCB will not provide, nor will it pay or reimburse for, furniture, utility costs (e.g. internet, electric, phone,

etc.), wireless access points, routers or other equipment or services.

You are not permitted to use your own hardware, software, or other equipment without the prior approval of the IT office. Use of employee-owned hardware, software, and other equipment not issued by the PGCB (e.g. printers, scanners, etc.) is voluntary and requires pre-approval by the Office for Information Technology (OIT) and as appropriate, the Administrative Director. Approved employee-owned hardware, software, and other equipment must have a configuration that is compatible with the OIT's information technology infrastructure as outlined in the Commonwealth Information Security Technology Policy, [ITP-SEC000, Information Security Policy](#). You are responsible for the installation, maintenance, repair, or replacement of approved employee-owned equipment; the PGCB will not pay for or reimburse you for personal property used for Telework. The PGCB may opt to provide technical support for approved employee-owned equipment. Some employee-owned equipment may require OIT to load drivers or other software to allow functionality; this will be approved by OIT on a case-by-case basis in conformance with IT policies. The PGCB shall not be liable for any drivers or other software loaded onto employee-owned equipment.

3.4 Security of Data and Equipment

You are responsible for protecting and securing sensitive and confidential data and records in accordance with established state and federal statutes, regulations and guidelines, as well as all agency and applicable Commonwealth policies, including, but not limited to, [Management Directive 205.34 Amended, Commonwealth of Pennsylvania Information Technology Acceptable Use Policy](#), regardless of where you conduct PGCB business. Data accessed while teleworking may only be stored on PGCB-furnished equipment. You must follow established directives regarding the use of records, data, user IDs, and passwords. You will be held responsible for the intentional or unintentional release of PGCB information resulting from improper use, storage, or disposal of that information, and may be subject to discipline up to and including termination of employment.

PGCB-furnished equipment must only be used by the Teleworker. The PGCB is responsible for the maintenance of all PGCB-issued equipment; as such, you may be required to bring equipment into Headquarters for periodic maintenance. You may be charged repair or replacement costs for any damaged or lost PGCB-issued equipment and may be subject to discipline up to and including termination of employment. If you are approved to use personal equipment, any PGCB equipment must be detached from the personal equipment before the personal equipment is used by you or others or for activities outside of PGCB work.

Any PGCB materials taken to or maintained at your Alternate Worksite must be kept in the designated workspace and must not be accessible to others. All electronic and hard copy records, data, and files created or maintained in connection with the performance of your job duties are the property of the PGCB and are subject to applicable confidentiality and retention policies, regardless of where stored or maintained. Personal devices may be subject to access and review in accordance with [Management Directive 205.34, Commonwealth of Pennsylvania Information Technology Acceptable Use Policy](#), the Right-to-Know Law, 65 P.S. §§ 67.101—67.3104 and other applicable laws, regulations, and Commonwealth policies, as applied by the PGCB.

All retention schedules are to be followed for records, whether electronic or hard copy; records are to be handled in accordance with [Manual 210.9, The Commonwealth of Pennsylvania General Records Retention and Disposition Schedule and PGCB's Records Retention Manual](#).

You must use a secure internet connection at all times when teleworking. You must follow the PGCB's and/or Commonwealth's requirements for the use of encryption and strong passwords for all devices related to a home network configuration (i.e. wireless router, computer).

You are not permitted to use public wi-fi (i.e., coffee shops or other non-secured areas and networks) as a means of an internet connection for Telework.

You must terminate the remote connection to Commonwealth and/or PGCB systems at the end of each workday and ensure that devices are properly locked and secured when not in use.

You may not print work-related materials at home unless explicitly approved in writing by your supervisor, the home printer is approved by OIT, and the printer complies with [ITP-SEC000, Information Security Policy](#).

You must abide by all PGCB and Commonwealth policies, as well as all applicable laws and regulations, that all non-teleworking PGCB employees are required to follow.

<https://www.oa.pa.gov/Policies/Pages/itp.aspx>
<https://www.oa.pa.gov/Policies/md/Pages/default.aspx>

3.5 Notice of Technology Disruptions at Alternate Worksite

Any technological difficulties preventing connectivity and/or any disruptions at your Alternate Worksite (e.g., equipment failure, power or Internet outages, telecommunication difficulties, etc.) that impact your ability to perform your assigned duties and that you cannot promptly resolve on your own must be reported to your supervisor within 15 minutes of occurrence, if possible. In those instances, your supervisor may direct you to report to your Headquarters or another Alternate Worksite for the remainder of the day (taking into consideration the time within the work shift that such problems occur), or you may request leave, subject to supervisory approval. In cases where leave is requested and approved, the first 15 minutes following occurrence of the issue will be considered work time and not subject to leave. In cases where you are to report to your Headquarters or another Alternate Worksite because of disruptions at your Alternate Worksite, the reasonable time spent traveling to the Headquarters or the Alternate Worksite location will be considered paid work time if it is required by your supervisor to occur during your work hours; it is expected that you will work out the remainder of your work shift at the Headquarters or the Alternate Worksite location unless otherwise directed by your supervisor. Normal commuting time traveled outside regular work hours, however, is not compensable (See Section 3.9.). Should the employer suspect that abuse of the time allotments provided in this Section is occurring, you may be subject to discipline up to and including termination.

3.6 Work Hours and Overtime

You will adhere to your regularly scheduled work hours, as identified in the core HR system (ESS/SAP), unless you have received supervisory approval to temporarily adjusted your work hours. You are expected to be available during your scheduled work hours to perform assigned duties according to established standards and to communicate with supervisory staff, subordinate staff, customers, and other business partners as appropriate. You are expected to select a working shift between the starting time of 7 a.m. to 9 a.m. and with supervisory approval may select a half hour or one-hour meal period. As approved by your supervisor you may request permanent changes to your work shift no more than two times in a calendar year.

You are required to follow standard agency overtime procedures and must secure supervisory approval prior to performing work in excess of your standard work hours.

Failure to comply with this provision may result in termination of the Telework Agreement, and/or other disciplinary action up to and including termination of employment.

3.7 Requests for Leave

Commonwealth and PGCB policies or practices for requesting and using annual, sick and all other leave remain unchanged when you Telework. You are responsible for requesting leave in advance from your supervisor. In all cases, appropriate leave must be requested if you are not working during scheduled work hours and leave slips must be submitted timely.

3.8 Office Closings

As a Teleworker, if you are scheduled to work at your Alternate Worksite on a day that the Headquarters is closed due to an official paid office closing event (e.g., weather conditions, Governor's Inauguration, or other emergency event), you are expected to work from your Alternate Worksite or use leave, unless otherwise authorized by the Executive Director or designee. The PGCB continues to apply the appropriate provisions of [**Management Directive 530.17, Partial and Full Day Closings of State Offices.**](#)

As a Teleworker, in the event of a delayed start or an early dismissal at the Headquarters due to weather conditions or other reasons, you are expected to work from your Alternate Worksite during your full, regularly scheduled workday, even if you were scheduled to report to your Headquarters or another worksite. Essential employees shall continue to follow specific agency guidance. When significant weather events or other emergencies are anticipated, you should ensure that all equipment and accessories are in your possession to enable you to Telework. Teleworkers are required to work or use leave during weather events, unless otherwise authorized by the Executive Director or designee.

As a Teleworker, if you are scheduled to work at your Alternate Worksite on a day of an early dismissal due to a holiday, you shall be excused from work under the same terms and conditions as if you were scheduled to work at your Headquarters.

3.9 Travel Time

All travel time and expenses are determined based on your Headquarters location. You will not be reimbursed for parking, travel miles, time spent travelling to your Headquarters, or any other expenses related to commuting to/from your Headquarters.

If required by your supervisor to report to the Headquarters after the start of your workday, the time required to commute from your Alternate Worksite to your Headquarters shall be considered paid work time; however, travel time at the end of the workday will not be treated as work time. In neither instance will you be eligible for travel expense reimbursement. In the event technological difficulties preventing connectivity and/or any disruptions at your alternate worksite continue into a second workday, it is your responsibility to ensure you have received guidance from your supervisor in advance of your next shift regarding where to report, allowing for normal commute times in advance of the start of your shift. Failure to do so will result in appropriate leave being charged for any commute time falling within your shift.

3.10 Workers' Compensation

If you are injured during the course and scope of employment, your injury will be handled in accordance with the Pennsylvania Workers' Compensation Act the same as if you were working from Headquarters. You are responsible for ensuring that your workspace within your Alternate Worksite is maintained in a safe condition, free from hazards and other dangers to yourself and equipment, and you shall be required to complete the Telework Safety Assessment (Section 6.0). The PGCB's liability for job-related accidents will apply during the approved work hours but shall be limited to your approved workspace within the Alternate Worksite and shall not apply or extend to any other areas of the Alternate Worksite. You shall notify your supervisor immediately of any accident or injury that occurs at your Alternate Worksite and complete any required forms. Supervisors must ensure claims are brought to the attention of the Office of Human Resources.

3.11 Dependent Care

Teleworking is not a substitute for dependent care (i.e., childcare, elder care, pet care or care of any other dependents). You must make and maintain dependent care arrangements during scheduled work hours to permit yourself to concentrate on work assignments at your Alternate Worksite. If a dependent is present at the Alternate Worksite during scheduled work hours, you must make and maintain arrangements for the care of that dependent to permit concentration on work assignments and to ensure that their presence does

not interfere with your ability to perform assigned work.

3.12 Documentation of Work

You may be required to document your work activities on a daily or weekly basis. You are required to comply with the frequency and manner in which the documentation shall occur as determined by the Office of Human Resources, the Administrative Director and/or supervisory staff.

3.13 Income Tax

You are solely responsible for any individual tax implications or benefits resulting from using your residence as an Alternate Worksite or any other aspect of Telework. The PGCB will not provide tax guidance, nor will the PGCB assume any additional tax liabilities. You are encouraged to consult with a qualified tax advisor to discuss tax implications.

3.14 Waiver of Liability

The PGCB shall not be responsible for any costs associated with your Alternate Worksite such as property or service maintenance, insurance, services, and utilities. The PGCB shall not be liable for damages or wear and tear to your personal or real property at the Alternate Worksite. The PGCB shall not be responsible for any PGCB and/or Commonwealth drivers, software or other products loaded onto employee-owned devices.

In the event that the Telework arrangement involves activities that must be approved by local zoning officials or homeowner's association, you are solely responsible for initiating and securing the necessary approvals, complying with the applicable terms and conditions and paying for all required costs.

4.0 Supervisor Responsibilities

4.1 Adherence to Conditions of Telework

Supervisors must review and understand the terms and conditions of their subordinates' Telework arrangements and are responsible for ensuring compliance. Supervisors must ensure that employees who remain at Headquarters are not adversely impacted by being required to compensate for the absence of a Teleworker from the Headquarters or otherwise incur extra duties.

4.2 Communications

Continual engagement and frequent communications with employees who are working remotely are critical to the success of the PGCB's Telework program. Communication can and should occur in a variety of ways: via telephone, emails, web conferences, activity reports, and in-person meetings. Supervisors must ensure that Teleworkers maximize their time, are provided the same information and updates as those not teleworking and that Teleworkers are aware of their supervisor's expectations and required performance levels. Bureau Directors, in conjunction with the Office of Human Resources, will be responsible for developing and communicating Bureau teleworking expectations and specific employee performance expectations which will be part of the telework plan. As with office-based employees, Teleworkers are to perform in accordance with their job descriptions, performance standards, and other related requirements. Supervisors are also responsible for ensuring that all employees are competent in the different communication tools made available by the PGCB, regardless of whether employees are in Telework status.

4.3 Time and Attendance

Proper monitoring and certification of employee work time is necessary for a Telework program to be successful. Supervisors must review and ensure that teleworkers are paid only for hours worked, and that appropriate leave is used for absences during scheduled work hours. Supervisors must take those steps necessary to ensure that Teleworkers are working when scheduled, such as regular reviews of work, regular update calls with employees and other methods of tracking performance. Supervisors will be responsible for the pre-approval of work schedule changes and pre-approval of overtime in accordance with agency practice or procedure.

4.4 Performance Monitoring and Assessments

Supervisors must provide Teleworkers with specific, measurable, and attainable assignments and expected outcomes and communicate such before Telework begins. The list of duties, assignments and outcomes should be reviewed regularly during communications between the supervisor and you. It is also advisable that supervisors and Teleworkers review work as it is completed to properly balance workloads between Teleworkers and those remaining at Headquarters.

Performance outcomes, expectations, and assessment mechanisms and schedules should not be adversely affected by Telework. The supervisor of a Teleworker may reasonably assess performance by focusing on work productivity and results rather than by direct observations of the employee.

5.0 Agency Policies

All employees, whether teleworking or in a PGCB Office, shall adhere to all PGCB Policies as contained in the PGCB Policy Manual. The Policies include but are not limited to the following policies: Supplemental Employment, Policy #109; Code of Ethics, Policy #200; Use of PGCB Property, Policy # 201; Internet/Email Policy, Policy # 204; Record Retention and Disposition, Policy # 216; Leave Management and Approval, Policy # 300; Work Hours, Policy #400; Equal Employment Opportunity, Policy # 413; and Sexual Harassment, Policy #414. Employees should consult the PGCB Policy Manual for a compilation of all applicable policies.

6.0 Employee Telework Safety Self-Certification

It is imperative that Teleworkers be able to concentrate and be safe in their Alternate Worksite. Recognizing these needs, Teleworkers must maintain an Alternate Worksite that allows them to perform their jobs efficiently, safely, and comfortably.

The following check list must be completed by you and reviewed with your supervisor prior to the commencement of Telework. This checklist is meant to provide recommendations to help you maintain an Alternate Worksite that allows you to work safely and efficiently. An Alternate Worksite that is not safe or is not maintained in safe conditions may affect workers' compensation eligibility in the event of an injury at the Alternate Worksite.

- The Worksite is free from excessive noise.
- There is adequate lighting provided at the Worksite.
- All electrical equipment is free of recognized hazards that could cause physical harm.
- The electrical system is adequate for office equipment, such as an acceptable surge protector.
- Aisles, doorways, and corners are free of obstructions, permitting visibility and movement.
- First aid supplies are readily accessible and adequate.
- Work surfaces and chairs are ergonomically correct – see “Telework Safety” on the OA Telework website.
- The office space is neat, clean, and free of hazardous materials.
- A fire extinguisher is located nearby.

I hereby affirm by my electronic signature that I have read this entire Telework Agreement and that I understand and agree to be bound by all of its provisions as well as Bureau expectations.

(Electronic Signatures are acceptable for this document.)

TELEWORKER:

Signature

Printed Name

Date

I hereby affirm by my electronic signature that I have reviewed the entire Telework Agreement with the above listed employee, and I have reviewed and approved the information submitted by the employee regarding the safety self-certification, the Alternate Worksite location, the Bureau expectations plan and the Telework schedule.

SUPERVISOR:

Signature

Printed Name

Date

Alternate Worksite Information	
LOCATION NAME	LOCATION PHONE NUMBER (INCLUDE AREA CODE)
LOCATION ADDRESS	
TELEWORK SCHEDULE (DAYS, FULL-TIME, PART-TIME/HYBRID, AD HOC) YOUR SCHEDULE IS REQUIRED FOR APPROVAL	
Information Technology Equipment and Related Devices – List All	PGCB Property Including Furniture or Equipment Excluding Office Supplies – List All