



PennDOT 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 the employee and the agency. Completing this form with the required signatures constitutes authorization from the agency to start the Telework arrangement under the Commonwealth's Telework Program, as is required by Management Directive 505.36, *Telework*.

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, 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 Commonwealth 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 is unusable for any reason.

Part-Time 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 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 a group of 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, or ad hoc basis pursuant to a signed Telework Agreement.

2.0 Program Guidance

2.1 Basic Principles of Telework Program

Participation in the Commonwealth's Telework program is not an employee right or guarantee, and is at the sole discretion of, and subject to, the prior written approval of management. Management may modify or terminate this Telework Arrangement with the employee 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 the employee's participation in the Telework program has an adverse impact on work operations, the employee's supervisor shall terminate or modify the employee's 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.

The employee must abide by all applicable laws and regulations as well as Commonwealth rules, policies, and procedures, that apply while working at Headquarters.

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

The Commonwealth will not reimburse the employee for the cost of basic office supplies that will be used as a Teleworker. The employee will be provided the opportunity to pick up office supplies deemed necessary by the Commonwealth to perform required job duties at a designated Commonwealth work location at intervals to be determined by the agency. The employee will be reimbursed for postage fees incurred if mailings cannot be achieved at headquarters and are required by the employee's job duties.

2.2 Participation Criteria¹

An employee must be in a position that has been designated as a Telework Eligible Position by their employing agency. Factors that may impact an employee's eligibility to participate in the Telework program are:

- The employee completes Commonwealth-required training as part of the request process prior to starting Telework.
- The employee completes Commonwealth-required web-based 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 satisfactory or equivalent. A supervisor may complete an interim EPR to assess improvements in employee performance that may enable an employee to participate in the

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.

Telework program.

- The employee is currently not on a corrective action or performance improvement plan.
- The employee is currently not on leave restriction.
- 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.

3.0 Employee Responsibilities

3.1 Communications

The employee must be available by telephone, email, collaboration software (Skype, Teams, WebEx, etc.), instant messaging, and any other platform made available by the 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.

The employee 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 (video/web) conferencing. Supervisors have the authority to require use of video capability during work meetings via applicable platforms.

3.2 Alternate Worksite Location and Requirements

Prior to the commencement of Telework, the employee must designate an Alternate Worksite for Telework; this site must be located within the Commonwealth of Pennsylvania. The Alternate Worksite must be located within reasonable travel distance of the employees Headquarters or another facility where the employee could be operational, as agreed upon by the supervisor. The employee must also designate a workspace at the 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, the employee must have a securely configured high-speed internet connection at the Alternate Worksite. The Commonwealth maintains the right to visit and inspect the Alternate Worksite, at a mutually agreed upon time within thirty days of notification, for the express purpose of inspection, retrieval or maintenance Commonwealth equipment. The employee must use the same precautions to secure and protect all Commonwealth IT resources at Alternate Worksite that are required at 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 the employee begins to Telework. Should unforeseen circumstances affect the employee's ability to meet productivity goals and work effectively from the 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 that unforeseen or unplanned personal issues prevent the employee from working at the designated Alternate Worksite, the employee must advise their supervisor promptly and request another

authorized worksite for a reasonable period of time. This other authorized work location could include Headquarters.

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

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

3.3 Equipment Necessary to Telework

The employee will be provided with equipment and accessories necessary to perform the assigned duties. The Commonwealth will not provide, nor will it pay or reimburse for, furniture, utility costs (internet, electric, phone, etc.), wireless access points, routers or other equipment or services. (excluding individual employee arrangements that predate the beginning of temporary telework assignments that began in March 2020).

The employee is not permitted to use their own hardware, software, or other equipment without the prior, written approval of IT delivery center or IT office. Use of employee-owned hardware, software, and other equipment not issued by the Commonwealth (such as printers, scanners, etc.) is voluntary and requires pre-approval by the Office of Administration, Office for Information Technology (OIT). 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](#). The employee is responsible for the installation, maintenance, repair, or replacement of approved employee-owned equipment; the Commonwealth will not pay for or reimburse employee for personal property used for Telework. The Commonwealth will not 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 Commonwealth IT policies. The Commonwealth shall not be liable for any drivers or other software loaded onto employee-owned equipment.

3.4 Security of Data and Equipment

The employee is 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 Commonwealth policies, including, but not limited to, [Management Directive 205.34 Amended, Commonwealth of Pennsylvania Information Technology Acceptable Use Policy](#), regardless of where the employee conducts Commonwealth business. Data accessed while teleworking may only be stored on Commonwealth-furnished equipment. The employee must follow established directives regarding the use of records, data, user IDs, and passwords. The employee will be held responsible for the intentional or unintentional release of Commonwealth information resulting from improper use, storage, or disposal of that information, and may be subject to discipline up to and including termination of employment.

Commonwealth-furnished equipment must only be used by the Teleworker. The Commonwealth is responsible for the regular maintenance of all Commonwealth-issued equipment; as such, the employee may be required to bring equipment into Headquarters for periodic maintenance. The employee is responsible for the physical condition of all Commonwealth-issued equipment. The employee may be charged repair or replacement costs for any damaged or lost Commonwealth-issued equipment and may be subject to discipline up to and including termination of employment. If the employee is approved to use

personal equipment, any Commonwealth equipment must be detached from the personal equipment before the personal equipment is used by the employee or others or for activities outside of Commonwealth work.

Any Commonwealth materials taken to or maintained at the 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 the employee's job duties are the property of the Commonwealth 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.

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](#).

The employee must always use a secure internet connection when teleworking. The employee must follow the Commonwealth requirements for the use of encryption and strong passwords for all devices related to a home network configuration (i.e. wireless router, computer).

The employee is 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.

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

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

The employee must abide by all agency and Commonwealth policies, as well as all applicable laws and regulations, that all non-teleworking Commonwealth 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 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. 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 point of 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, 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 disciplinary action to be treated under the basic tenets of just cause.

3.6 Work Hours and Overtime

The employee will adhere to the regularly scheduled work hours, as identified in the core HR system, and must be available during those scheduled work hours to perform assigned duties according to established standards and to communicate with supervisory staff, customers, and other business partners as appropriate. The workday shall continue to be 7.5 or 8.0 hours unless an approved alternate work schedule is in effect, including permanent part-time work schedules.

The employee is required to follow standard agency overtime procedures and must secure supervisory approval prior to performing work in excess of 7.5 or 8.0 hours per workday for full-time employees or any approved permanent part-time schedule as in accordance with **Management Directive 525.15, Overtime**.

Failure to comply with this provision may result in termination of the Telework Agreement, and/or other appropriate corrective action.

3.7 Requests for Leave

Commonwealth and agency-specific policies for requesting and using annual, sick and all other leave remain unchanged when Teleworking. The employee is responsible for requesting leave in advance from supervisor. In all cases, appropriate leave must be requested if employee is not working during scheduled work hours.

3.8 Office Closings

As a Teleworker, if an employee is scheduled to work at an 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), the employee is expected to work from the Alternate Worksite or use leave, unless otherwise authorized by the Office of Administration, in accordance with **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, the employee is expected to work from the Alternate Worksite during the full, regularly scheduled workday, even if the employee was scheduled to report to Headquarters or another worksite. Essential employees shall continue to follow specific agency guidance. When significant weather events or other emergencies are anticipated, the employee should ensure that all equipment and accessories are in the employees' possession to enable them to Telework. Teleworkers are required to work or use leave during weather events, unless otherwise authorized by the Office of Administration.

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

3.9 Travel Time

All travel time and expenses are determined based on the employees Headquarters location. You will not be reimbursed for parking (unless you telework on a part-time basis and are regularly required to report to your headquarters and were eligible for reimbursement, or received paid parking, immediately prior to the signing of this agreement), travel miles, time spent travelling to your Headquarters, or any other expenses related to commuting to/from your Headquarters.

If required by a supervisor to report to the Headquarters after the start of the employees workday, the time required to commute from the Alternate Worksite to 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 the employee be eligible for travel expense reimbursement. In the event technological difficulties preventing connectivity and/or any disruptions at the alternate worksite continue into a second work day, it is the employees responsibility to ensure guidance has been received by the supervisor in advance of the employees next shift regarding where to report, allowing for normal commute times in advance of the start of the shift. Failure to do so will result in appropriate leave being charged for any commute time falling within the shift.

3.10 Workers' Compensation

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

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). The employee must make and maintain dependent care arrangements during scheduled work hours to permit the employee to concentrate on work assignments at the Alternate Worksite. If a dependent is present at the Alternate Worksite during scheduled work hours, the employee must have arrangements for the care of that dependent. Teleworkers shall not engage in dependent care during work hours.

3.12 Documentation of Work

The employee may be required to document work activities on a daily or weekly basis. The employee is required to comply with the frequency and manner in which the documentation shall occur as determined by supervisory staff.

3.13 Income Tax

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

3.14 Waiver of Liability

The Commonwealth shall not be responsible for any costs associated with the employees Alternate Worksite such as property or service maintenance, insurance, services, and utilities. The Commonwealth shall not be liable for damages or wear and tear to any personal or real property at the Alternate Worksite. The Commonwealth shall not be responsible for any 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, the employee is 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 Commonwealth'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. 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 available in the Commonwealth, 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 overtime and work schedule changes.

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 the teleworker. 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

5.1 Additional Participation Criteria for PennDOT Employees

In addition to the Participation Criteria, outlined in 2.2:

- Employees must receive a “satisfactory” or above rating in each EPR category to telework

5.2 Internet Requirements

In addition to the Equipment Necessary to Work, outlined in 3.3, employees must have an internet connection that meets department standards, as specified below. By entering into this telework agreement, employees are certifying that their alternate worksite’s internet connection meets the following criteria and they can provide proof to their supervisor upon request:

- Internet speed/performance must be capable in performing required work activities efficiently, timely, and effectively.
- Additional internet speed/performance and/or IT requirements may exist for specific positions based on the nature of the work and systems utilized (e.g., CADD, DOT Grants, etc.)

5.3 Probationary Teleworking

In certain circumstances, as approved by the Secretary, Deputy Secretary, or District Executive with a request from an Assistant District Executive, Office Director or Bureau Director, an employee may telework during their probationary period if the employee meets all Participation Criteria. While this is not to be considered in all situations, probationary telework can be used in certain situations for positions deemed telework eligible, such as:

- Current Commonwealth employees new to a position or working Temporary Out-of-Class (TWOC), where telework is possible, with a current EPR on-file (within the previous 18 months);
- New Commonwealth employees who are filling a position where telework is eligible and is requested by the Assistant District Executive, Office Director or Bureau Director.

If approved for telework, a probationary teleworker must adhere to all telework policies and rules, and follow any additional guidelines provided by their supervisor.

Supervisors are required to file an interim EPR for probationary teleworking employees at the two-month employment point to allow them to continue to telework. Employees must receive an overall “satisfactory” or higher rating and receive “satisfactory” or higher rating in each category. Once an employee completes their probationary employment period and receives their probationary EPR, they will be able to continue to telework, as long as they continue to meet all required participation criteria and make the request to telework.

6.0 Employee Safety Self-Certification

6.1 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 the employee and reviewed with the supervisor prior to the commencement of Telework. This checklist is meant to provide suggestions to help maintain an Alternate Worksite that allows the employee 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.

(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, 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, AD HOC**) **SCHEDULE IS REQUIRED FOR APPROVAL**