



*City of Arts & Innovation*

# Human Resources Board

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**TO: HUMAN RESOURCES BOARD** **DATE: OCTOBER 7, 2019**

**FROM: HUMAN RESOURCES DEPARTMENT**

**SUBJECT: REVISIONS TO THE PROBATION AND PROBATIONARY PERIODS POLICY (I-5), AND THE ADOPTION OF THE TELECOMMUTING POLICY (II-11)**

## **ISSUE:**

Approve revisions to the Probation and Probationary Periods Policy (I-5), and the adoption of the Telecommuting Policy (II-11).

## **RECOMMENDATION:**

That the Human Resources Board approve revisions to the Probation and Probationary Periods Policy (I-5) and adopt the Telecommuting Policy (II-11).

## **BACKGROUND:**

The Probation and Probationary Periods Policy (I-5) was last revised in November 2012. In accordance with the Human Resources Department's practice of regularly reviewing and updating policies and procedures, these policies were reviewed for content and form.

The Telecommuting Policy was established to administer eligibility requirements and guidelines for the appropriate use of telecommuting as a substitute for commuting into a City facility. Due to technological advances and enhanced connectedness, the City recognizes that telecommuting is a viable work option when both the employee and nature of work are suited to such an arrangement. A formal telecommute arrangement ensures transparency, preserves public trust, and provides a framework for assessing the appropriateness of the work arrangement.

## **DISCUSSION**

*Probation and Probationary Periods* – The updated policy includes revisions to probationary periods in accordance with each collective bargaining unit. Major changes include that employees have property rights to a position once a probationary period in City service is completed. The policy was updated to clarify that if an employee's probation is terminated they will be returned to their previous position, if a probationary period was completed in the previous position. The extension of probationary periods was revised to include that the extension of

probation due to absences will be based on the total number of hours of the absence rather than continuous number of days. This policy also includes minor administrative changes to reflect process changes and conformity with a citywide format.

Telecommuting – Under the provisions of the new policy, the City will offer telecommuting to employees who are exempt from overtime requirements of the Fair Labor and Standards Act (FLSA). The policy clearly states that telecommuting is not an employee right and may be modified or terminated at any time based on the business and operational needs of the department. The policy also indicates that telecommuting is not appropriate for all employees and no employee is entitled to or guaranteed the opportunity to telecommute. Lastly, the policy establishes guidelines for the telecommuting approval process. The employee and supervisor shall evaluate the employee's job responsibilities, equipment needs, and tax and other legal implications. The policy notes that telecommuting does not change an employee's duties, obligations, responsibilities, or the terms and conditions of City employment.

The policies were reviewed by City Management and Labor Unions for their concurrence with policy changes.

### **FISCAL IMPACT:**

There is no fiscal impact to the General Fund associated with this report.

Prepared by: Stephanie Holloman, Human Resources Director  
Approved by: Rafael Guzman, Assistant City Manager

### **Attachments:**

1. Probation and Probationary Periods Policy (I-5)
2. Telecommuting Policy (II-11)