



WILMA QUAN
City Manager

EMERGENCY ORDER 2020-07
TELEWORK BY CITY EMPLOYEES

As the Director of Emergency Services pursuant to Fresno Municipal Code Section 2-505, and by the powers invested in me by Fresno Municipal Code Section 2-506, I hereby issue the following orders, to be effective immediately and for so long as the City's declared emergency is in effect related to COVID-19:

1. Department directors have discretion to allow an employee or groups of employees to telework from their home or other approved location, and may terminate or suspend telework of an employee at their discretion. Department directors should, if practical, give employees advance notice if a decision is made to terminate or suspend telework.
2. Telework will not change the terms and conditions of employment or the employee's required compliance with City and department policies. The total number of hours an employee is expected to work each workweek will not change, and the employee shall be available by phone, e-mail, text, web-conferencing and/or instant messaging during work hours. Requirement for pre-authorization to work overtime hours, or other timekeeping procedures remain in effect and employees must report their absence from work in the same way they would if reporting to their regular worksite. All City or departmental procedures for requesting and using accrued leave, including for leave for illness or vacation, shall apply.
3. Departments must ensure that procedures are in place to document the work hours of employees who telework, in particular ensuring compliance with the Fair Labor Standards Act (FLSA), personnel rules, the Salary Resolution, and any applicable Memorandum of Understanding (MOU), unless otherwise permitted during this emergency.
4. Employees may be required to report to their regular worksite or other specified location as needed for regularly scheduled work-related meetings or other events, or to appear telephonically, as determined by the department director.
5. Employees are responsible for maintaining the alternative work location in a safe condition, free from hazards or other dangers and remain responsible for injuries to third parties and/or members of the employee's family on the employee's premises.

6. City-owned equipment provided to the employee for telework, shall be used only for legitimate City purposes by authorized employees and maintained, serviced and repaired by the City. City Informational Services Department (ISD) staff will not go to employees' homes to install or troubleshoot City equipment. Employees are responsible for protecting City-owned equipment from theft, damage and/or unauthorized use.
7. Employees who telework must take all precautions necessary to ensure the security of confidential and propriety information and unauthorized access to City or customer data is prevented, including complying with City approved security procedures in order to ensure confidentiality and security of data.
8. Employees who telework must also comply with all applicable City and department protocols for maintenance, security, retention, and disposal of all records maintained in the ordinary course of City business to assure compliance with the California Public Records Act and litigation hold/evidence preservation notices.
9. This Order shall be subject to amendment or repeal at any time, and shall not be deemed to confer any contractual obligations, property rights, or assume any City liability.
10. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
11. Employees who violate this Order may be subject to disciplinary action, up to and including termination.

IT IS SO ORDERED.

Director of Emergency Services



Wilma Quan
City Manager

March 25, 2020

Date

11:30am

Time