



Military and Naval Affairs

KATHY HOCHUL
Governor
Commander-in-Chief

RAYMOND F. SHIELDS, JR.
Major General
The Adjutant General

MNAG-TAG

DEC 23 2021

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Division of Military and Naval Affairs (DMNA) State Employee Telework Policy

1. The health and safety of the members of the New York Military Forces (NYMF), civilian personnel and visitors to our facilities is the highest priority. As the Novel Corona Virus (COVID-19) continues to impact all areas of the state and nation, DMNA will consider telework requests for state employees in positions with portable duties through the payroll ending 30 March 2022.
2. Applicability. All permanent, probationary and temporary (hourly) state employees of the DMNA.
3. Effective 7 September 2021, the DMNA will consider up to 50% participation in telework for state employees in positions with portable duties. State employees must submit telework requests (DMNA telework application) through their supervisory chain to State Human Resources (MNHS) for final review and approval. State Human Resources will confer with agency leadership on all requests.
4. Telework requests may not exceed 50% time within a bi-weekly payroll period. Telework requests will be approved for full-days only. Telework is not an employee entitlement and does not change employment terms and/or conditions.
5. Telework requests will be considered for approval if (a) teleworking can support all operational needs of the unit/directorate; (b) all work production is maintained at full capacity; and (c) there is not a negative impact on employees reporting in-person.
6. Teleworking employees must be able to perform the essential functions of their position from their approved telework location. Participation in the program is voluntary. Telework will not exceed 50% of a pay period and, in all cases, approved telework will end close of business Wednesday, 30 March 2022. Where telework is approved under this policy, employees will only be approved to work from home of record or designated approved work location. Telework requests must demonstrate mission or organizational support will be maintained. Telework will not be approved for and is not a substitute for dependent care.
7. Positions must be eligible for telework, and an employee must be accessible for immediate recall to their regular offices for operational requirements when needed. If a telecommuter is required to report to their official work site, they will not be reimbursed for travel, nor may they be paid for travel. An employee on an approved telework plan must continue to appear in person where necessary for meetings, training and/or to travel. Telework agreements can be terminated by the agency or the individual at any time.

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8. To request telework approval, the employee must submit a request (DMNA Telework Application) to their immediate supervisor for review. If the supervisory chain concurs with the request, it will be forwarded to the Director of MNHS for final review and approval. If the request is approved, the employee's immediate supervisor is responsible for daily monitoring and accountability of the employee's workload.

9. Supervisors and employees will complete all requirements for an approved telework program as outlined in the "DMNA State Employee Telework Program" guide updated December 2021. Prior to first day of telework, supervisors must ensure a signed telework plan has been submitted to MNHS prior to the employee starting (or continuing) telework, and ensure appropriate oversight of the work done by the employee. If there are no changes to an employee's existing telework plan, it may be extended as is by agreement between the supervisor and the employee. Telework is a discretionary workforce flexibility. Telework agreements may be terminated or modified without notice.

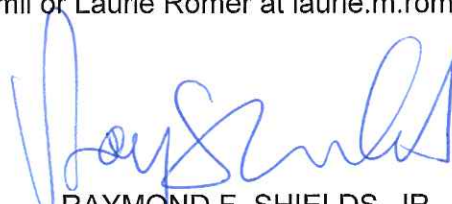
10. If inclement weather forces a delay or closing of a conventional worksite, employees with portable duties can be approved to telework if preparations have been made in advance (bringing work materials or government computer home the day before) on a case-by-case basis, with email notification to the Director of MNHS. Inclement weather situational telework may be approved without the DMNA Situational Telework Application provided it does not exceed two days. This policy does not supersede, but may work in conjunction with, any guidance provided by the New York State Governor's Office of Employee Relations for state office closures/delays.

11. The DMNA's policy is to make reasonable accommodation for the known physical or mental limitations of an otherwise qualified employee with a disability. If you are a state employee with a disability, as defined by the Americans with Disabilities Act, and you wish to request a Reasonable Accommodation, please review the procedures and submit an application on the DMNA website at <http://dmna.ny.gov/state/?page=1481751813>. Mrs. Tina Lehning is the Agency's Designee for Reasonable Accommodation (DRA), and may be contacted at tina.lehning.nfg@army.mil.

12. The DMNA State Employee Telework Policy will end 30 March 2022.

13. For questions regarding the DMNA State Employee Telework Policy, please contact Marilyn Hartley at marilyn.m.hartley.nfg@army.mil or Laurie Romer at laurie.m.romer.nfg@army.mil or by phone at 518-786-4830.

Encl.



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