



# Virginia Department of Corrections

## Human Resources

### Operating Procedure 110.5

#### *Telework*

#### **Authority:**

Directive 110, *Time Utilization*

**Effective Date:** April 1, 2026

#### **Amended:**

#### **Supersedes:**

Operating Procedure 110.5, June 1, 2023

**Access:**  Restricted  Public  Inmate

#### **ACA/PREA Standards:**

None

**Content Owner/Reviewer:** Luke E. Black  
Deputy Chief Human Resource Officer

*Signature Copy on File* 3/16/26

**Signatory:** Lucinda Childs-White  
Deputy Director for Administration

Signature Date  
*Signature Copy on File* 3/16/26  
Signature Date

### REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

### COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

## Table of Contents

DEFINITIONS .....	3
PURPOSE .....	4
PROCEDURE .....	4
I.    Telework .....	4
II.   Telework Classifications.....	4
III.  Initiation, Renewal, and Termination of Telework Agreements .....	5
IV.  Telework for Unplanned or Temporary Circumstances .....	7
V.    Schedules and Hours of Work .....	8
VI.  Equipment.....	9
VII.  Safety and Workers’ Compensation .....	10
VIII. Information Security, Confidentiality, and Conduct While Teleworking .....	10
IX.  Evaluation and Resources .....	11
REFERENCES.....	11
ATTACHMENTS .....	11
FORM CITATIONS .....	11



## DEFINITIONS

**Alternate Work Location** - Approved work sites other than the employee's central workplace where official state business is performed; such locations may include, but are not limited to, employee's home, approved facility workstations, other work sites, etc.

**Central Workplace** - The employees' main work location, where the employee is normally located for work.

**Eligible for Telework** - Employee whose position is designated as eligible for telework, with or without an active Telework Agreement.

**Ineligible for Telework** - Employees who occupy positions that are designated as not suited for telework.

**Inmate and Probationer/Parolee** - A person who is serving a state responsible sentence or under community supervision with the Virginia Department of Corrections or other release authority.

**Mobile Worker** - Employees who work a clear majority of their planned schedule in a mobile mode away from agency offices/facilities out in the field.

**Sensitive Information** - Sensitive information is data that must be protected from unauthorized access or disclosure to safeguard the privacy and security of an individual or organization. Sensitive information can be on paper, electronic (computer or phone), or verbal.

**Telework** - A work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their central workplace.

**Teleworker** - An employee who has an active Telework Agreement on file and teleworks one or more days of their assigned work schedule from a defined and agreed upon alternate worksite(s).

**Telework Agreement** - The written agreement between the Agency and employee that details the terms and conditions of an employee's work away from their central workplace.



## PURPOSE

This operating procedure provides guidance for Department of Corrections (DOC) employees to participate in teleworking in compliance COV §2.2-2817.1, *State agencies to establish alternative work schedules; reporting requirement* and Department of Human Resources Management (DHRM) Policy 1.61, *Teleworking*.

## PROCEDURE

- I. Telework
  - A. The DOC supports the Commonwealth's telework program as a means of achieving administrative efficiencies, increasing productivity, reducing operating and transportation costs, enhancing recruitment and retention efforts, and improving employee morale while meeting the essential needs of the DOC.
  - B. This operating procedure applies to all full-time and part-time employees in positions identified by the respective Organizational Unit Head as eligible to telework and approved by the Director or designee.
  - C. Work performed at an alternate work location is considered official state business. Teleworkers remain subject to the terms and conditions of employment and must comply with:
    1. all applicable DHRM policies;
    2. other applicable state policies and guidelines affecting conditions of employment; and
    3. DOC operating procedures.
  - D. Alternate work locations are established in the Telework Agreement and are typically the employee's personal residence.
    1. Telework outside the Commonwealth of Virginia may be permitted based on agency business needs and must be approved in advance.
    2. Employees may not telework while traveling or residing outside of the United States.
    3. Approval from the Virginia Information Technologies Agency (VITA) is required for executive email access when traveling outside of the United States.
  - E. Employee compensation and benefits will generally not change because of Telework Agreements. There may be some compensation or benefits impact for employees teleworking outside of the Commonwealth of Virginia due to legal or other requirements.
  - F. Telework Agreements do not change:
    1. working conditions;
    2. core responsibilities;
    3. performance expectations; and
    4. required total hours worked in a work period.
  - G. Telework Agreements may be reviewed, revised, or ended at any time based on:
    1. business needs;
    2. operational requirements;
    3. performance considerations; or
    4. public safety concerns.
- II. Telework Classifications
  - A. Position Eligibility for Telework
    1. All agency positions will be classified in Human Resource information systems such as:



- a. eligible for telework;
  - b. not eligible for telework; or
  - c. mobile worker.
2. Position eligibility and classification determinations are based on:
- a. agency business needs;
  - b. the purpose of the position; and
  - c. the nature and responsibilities of the work performed.

#### B. Employee Eligibility for Telework

1. Though a position may be designated as eligible for telework, an employee may be deemed eligible or ineligible for telework by the Organizational Unit Head.
  - a. Employee eligibility determinations are based on:
    - i. agency business needs;
    - ii. the nature of job duties;
    - iii. individual performance; and
    - iv. the employee's ability to effectively perform assigned duties at an approved alternate work location.
  - b. The Organizational Unit Head may determine an employee ineligible for teleworking based on:
    - i. an employee's understanding of job and performance expectations;
    - ii. an employee not demonstrating an approach that is organized or dependable;
    - iii. performance;
    - iv. lack of technology; or
    - v. other employee or supervisory considerations.

#### C. Mobile Workers

1. Mobile workers may be required to report to an agency worksite(s) to attend meetings, record time, or receive assignments.
2. Mobile workers may perform limited work from the employee's home, and the employee may occasionally travel away from normal work area(s) for meetings or conferences when approved by their supervisor.
3. A Telework Agreement is not required for mobile workers; however, the Organizational Unit Head must notify the Compensation Unit of these designations for appropriate updates to human resource information systems.

### III. Initiation, Renewal, and Termination of Telework Agreements

#### A. Initiation of Telework Agreements

1. Employees eligible for teleworking who are considering teleworking must:
  - a. first discuss the request with their supervisor, including a review of telework policies and expectations; and
  - b. agree to the expectations and conditions outlined in the Telework Agreement, including:
    - i. assigned work hours;
    - ii. productivity requirements;
    - iii. approved alternate work locations;
    - iv. equipment and technology requirements;
    - v. continuity of operations expectations; and
    - vi. safety requirements.
2. Prior to approving a Telework Agreement, supervisors and Organizational Unit Heads must ensure



that telework expectations are clearly communicated to the employee. These expectations include, but are not limited to:

- a. assigned work schedules;
  - b. leave usage;
  - c. emergency telework requirements;
  - d. communication protocols;
  - e. performance expectations;
  - f. equipment and technology responsibilities;
  - g. data security requirements;
  - h. participation in on-site meetings; and
  - i. other applicable state and agency requirements.
3. All requests for new or revised telework status must be submitted using *COV Telework Application*.
    - a. The COV Telework Application is an electronic portal that all executive branch agencies are required to use. HR staff are designated as the “initiators” and then the employee gets an e-mail to complete their part of the application.
    - b. If the employee’s request to telework is supported by their supervisor and Organizational Unit Head, the appropriate Human Resource Officer (HRO) will initiate the request in the *Commonwealth of Virginia (COV) Telework Application*.
    - c. For routing purposes, the HRO will modify the supervisor field to the appropriate Organizational Unit Head.
  4. Once initiated, the employee will receive an e-mail to complete the electronic Telework Agreement in the *COV Telework Application*.
  5. Once electronically submitted by the employee, the Telework Agreement will be routed to the Organizational Unit Head for review.
    - a. Submission of the Telework Agreement by the employee acknowledges they:
      - i. have read the Telework Agreement;
      - ii. have understood the Telework Agreement; and
      - iii. will abide by the terms and responsibilities described within the Telework Agreement and accompanying operating procedures.
    - b. Once the Telework Agreement is received, the Organizational Unit Head must:
      - i. make a final determination whether the employee is eligible for telework; and
      - ii. review the agreement for accuracy and suitability based on operational needs.
  6. If supported by the Organizational Unit Head, the Telework Agreement will be forwarded to the Office of Human Resources for compliance review and then to the Director or designee for a final approval decision.
  7. Once the Telework Agreement is approved, the employee will receive an automated e-mail notification. The employee will then notify their supervisor and confirm a start date before implementing their telework arrangement.
  8. The Office of Human Resources must monitor electronic telework approvals and record approvals in applicable personnel systems in accordance with applicable reporting requirements.
  9. Approved Telework Agreements remain effective for one year, subject to termination by the Agency at any time.
- B. Renewal of Telework Agreements**
1. Each year, Organizational Unit Heads must:
    - a. review each employee’s Telework Agreement by June 1;



- b. determine whether to renew or update the agreement for the upcoming fiscal year (July 1 - June 30); and
- c. e-mail [CompInfo@vadoc.virginia.gov](mailto:CompInfo@vadoc.virginia.gov) to certify the annual review has been completed, with note of any Telework Agreements that have been resubmitted for approval due to changes or termination.

C. If changes or updates are needed to any employee's Telework Agreement, the agreement must be resubmitted through the process described in Subsection III.A, *Initiation of Telework Agreements*.

D. Telework Agreements with no changes need not be resubmitted.

E. By July 1 of each year, the Compensation Unit will prepare an Agency Telework Certification for the Director. Once certified, the Compensation Unit will update applicable personnel systems.

F. Termination of Telework Agreements

1. The agency may terminate the telework agreement at its discretion, consistent with operational needs and applicable policy.
2. If a teleworker is determined to be ineligible for telework in accordance with Subsection II.B, *Employee Eligibility for Telework*, employees should, if possible, be notified two weeks prior to the termination of their Telework Agreement.
3. The Organizational Unit Head or Human Resource Officer must notify the [CompInfo@vadoc.virginia.gov](mailto:CompInfo@vadoc.virginia.gov) mailbox of any terminated Telework Agreements for appropriate updates in personal information systems.

#### IV. Telework for Unplanned or Temporary Circumstances

A. Operational Priority

1. Telework authorized under this section must not interfere with institutional operations, public safety responsibilities, or the operational readiness of the Department.

B. Emergency Closings of the Central Workplace

1. Teleworkers can provide a vital service during periods of emergencies or authorized office closings.
2. Employees eligible for telework, or who are reporting to an alternate work location that is not impacted by the emergency, must work as scheduled during authorized emergency closings to ensure continuity of operations, even if they do not have an active Telework Agreement on file.
3. Employees teleworking under these circumstances remain subject to all applicable state and DOC telework policies and procedures.
4. Employees eligible for teleworking who are unable to do so during periods of emergencies or authorized office closings due to illness or dependent care responsibilities must request appropriate leave.
5. Employees working during emergency closings are not eligible for compensatory leave.

C. Situational Telework to Support Continuity of Operations

1. During inclement weather, hazardous travel conditions, facility disruptions, or other short-term operational circumstances, Organizational Unit Heads may authorize situational teleworking for employees whose duties can be effectively performed from an alternate work location.
2. Situational telework may be used to support continuity of operations and ensure completion of time-sensitive administrative, fiscal, compliance, and operational responsibilities when normal on-site work is temporarily disrupted.
3. Institutional security, inmate supervision, and other operational functions requiring an on-site presence must continue to be performed at the designated work location unless otherwise directed by agency



leadership.

4. When advance notice of potential disruptions exists, supervisors may encourage employees in critical roles to take assigned agency equipment home to ensure operational readiness.
5. Supervisors remain responsible for appropriate oversight of employees performing situational teleworking and may require check-in/check-out communication, availability during scheduled work hours, and updates on assigned duties.
6. Situational teleworking authorized under this subsection is intended only for temporary or emergency circumstances and does not replace the requirement for an approved Telework Agreement for routine teleworking.

#### D. Temporary Telework for Individual Circumstances

1. The Organizational Unit Head may approve temporary teleworking for unplanned or temporary circumstances, such as family illness or injury, even if the employee does not have an active Telework Agreement on file.
2. The Organizational Unit Head or designee may exercise discretion in determining whether the employee can accomplish at least some portion of assigned job duties from the telework site, or whether leave should be requested.

#### E. Telework Related to Medical Leave, Disability Accommodation, or Return-to-Work

1. In certain circumstances, telework may be used as part of an arrangement related to medical leave, disability accommodation, or return-to-work planning.
  - a. The DOC may authorize a temporary Telework Agreement when telework is determined to be an appropriate component of:
    - i. a Return-to-Work opportunity following injury or illness;
    - ii. an approved Family and Medical Leave Act (FMLA) request; or
    - iii. a disability accommodation.
2. In these circumstances, supervisors and Organizational Unit Heads must consult with the Employee Benefits Manager prior to implementing a telework arrangement to ensure compliance with applicable laws, policies, and procedures.
3. The Employee Benefits Manager must review temporary Telework Agreements and handle them in accordance with Operating Procedure 150.3, *Reasonable Accommodations*.

#### F. Work Stoppage During Telework

1. Teleworking employees must contact their supervisor immediately if they experience work stoppage due to:
  - a. an interruption with internet services;
  - b. power failure; or
  - c. employee-owned equipment failure.
2. In the event of work stoppage, the supervisor, in conjunction with the Organizational Unit Head, must determine under what conditions the teleworker may:
  - a. be reassigned to the office;
  - b. alternate their DOC work location; or
  - c. continue operating from the approved teleworking location.

#### V. Schedules and Hours of Work

- A. Employees permitted to telework must perform assigned duties during scheduled work hours, and supervisors are accountable for ensuring that approved teleworkers work the required hours.



1. Teleworkers must adhere to their assigned and approved work schedule, unless otherwise authorized in the Telework Agreement or approved by their supervisor.
  2. Supervisory staff must ensure that procedures are in place to document the work hours of teleworking non-exempt employees; ensuring compliance with the 29 U.S.C., Chapter 8, *Fair Labor Standards*.
  3. Whether work is performed in the office, on-site, or remote, leave policies and practices do not change. Personal time off must be recorded as leave in accordance with Operating Procedure 110.1, *Hours of Work and Leaves of Absence*.
  4. Teleworkers must receive approval from their supervisor to temporarily shift their alternate work location or schedule from those approved in the Telework Agreement. This approval should be documented in writing and outline the temporary location or schedule as well as any other expectations.
- B. Supervisors may require teleworkers to:
1. report to a central workplace as needed for work-related meetings or other events;
  2. meet with their supervisor at the alternate work location as needed to discuss work progress or other work-related issues; or
  3. adjust their schedules to ensure attendance at meetings or work-related events.
- C. Teleworkers must arrange for appropriate childcare or adult care during scheduled work hours. Telework is not intended to be used as a substitute for dependent care.

## VI. Equipment

- A. Normally the DOC will provide a laptop computer for teleworkers to perform their duties at alternate work locations. Peripheral hardware and other equipment may be provided in some instances based on a legitimate business need and availability of funds.
- B. In cases where full-time teleworking is a condition of employment, the employee must be provided with the approved equipment and materials; see Attachment 1, *Information Technology Equipment Management for Teleworking*. Where agreements specify, teleworkers may be authorized to use their own equipment.
1. Telework Agreements must specify equipment requirements.
  2. In rare instances, employees may be authorized to use their own equipment for access to non-sensitive applications; however, this must be pre-approved by the Virginia Information Technologies Agency (VITA) and the DOC Information Technology Unit (ITU), since special requirements apply to the use of personal devices connecting to the Commonwealth's network.
- C. Teleworkers are responsible for DOC equipment used off-site, which includes protecting the equipment from theft, damage, and unauthorized use.
1. Needed repairs or service should be reported immediately to their supervisor.
  2. The DOC is not responsible for the cost, repair, or service of personal equipment.
- D. Teleworkers must:
1. maintain the security and confidentiality of DOC information and assets at alternate work locations, including travel to and from those locations, in the same way it is maintained at the central work location, including proper access, discard, and disposal;
  2. comply with Operating Procedure 310.2, *Information Technology Security*, when using DOC equipment or accessing DOC data and information; and
  3. maintain sufficient internet speed and connectivity to successfully perform assigned job duties.
- E. Only authorized employees may use DOC equipment and only for authorized and legitimate DOC

business.

- F. The DOC is not responsible for operating costs, home maintenance, or any other incidental costs, e.g., utilities, internet service provider costs, etc., in the use of employee homes or other alternate work locations for telework.

## VII. Safety and Workers' Compensation

### A. Teleworkers are responsible for:

1. practicing safe work habits;
2. maintaining safe working conditions at alternate work locations; and
3. notifying their supervisor immediately of any injury incurred while working.

### B. The DOC may inspect the alternate work location to ensure hazards do not exist.

- C. The DOC may be liable for job-related injuries that occur at alternate work locations during agreed upon work hours. All applicable reporting guidelines for injuries/accidents must be followed; see Operating Procedure 261.3, *Workers' Compensation*.

## VIII. Information Security, Confidentiality, and Conduct While Teleworking

### A. Sensitive and business-related information must be securely maintained at any alternate work location. DOC employees operating from an alternate work location, regardless of their telework classification, are subject to DOC operating procedures related to:

1. professional conduct;
2. confidentiality;
3. information security; and
4. data governance standards.

### B. Protecting Documents When Teleworking

1. Sensitive documents are restricted to authorized viewers only.
2. Employees must follow relevant legal guidelines for hard copy retention.
  - a. Hard copies should only be retained for the specified period.
  - b. Employees unsure if a hard copy must be retained should seek guidance from their Organizational Unit Head.
3. Only print what is necessary. Once printed, a sensitive document must be stored or discarded in an appropriate manner. See: Operating Procedure 025.3, *Public Records Retention and Disposition*.
4. Documents with sensitive information used on an ongoing basis must be securely stored at the telework site.
5. Paper copies that are no longer needed for active use but must be retained will be returned to the office when the employee returns. Paper copies that are no longer required must be shredded.

### C. Execution of Documents while Teleworking

1. Electronic signature of documents is permitted in accordance with applicable state and DOC policies.
  - a. Employees must use approved systems and processes when signing documents electronically.
  - b. Email verification in lieu of a formal signature may be permitted by the Organizational Unit Head in limited circumstances. It is not recommended for documents being transmitted outside of the DOC.
2. All provisions established in Operating Procedure 135.2, *Rules of Conduct Governing Employees Relationships with Inmates and Probationers/Parolees*, apply to all classifications of teleworkers.



- a. Inmate and Probationer/Parolee contact and visitation should occur only at approved facility workstations or sites and with approved DOC devices and telephones.
- b. Inmate and Probationer/Parolee contact and visitation is prohibited at an employee's residence or through an employee's personal telephonic or electronic devices.

#### IX. Evaluation and Resources

- A. Organizational Unit Heads and supervisors must assess individual and team objectives and ensure overall performance expectations are achieved.
- B. Teleworking arrangements may not impede an employee's ability to fulfill the fullness of the duties outlined in their Employee Work Profile, or compromise productivity or performance.
- C. All Telework Agreements, participation, and position eligibility designations are subject to periodic evaluation to ensure appropriate results and operational efficiencies are being achieved.
- D. Supervisors may conduct interim performance evaluations of teleworking employees at any time to:
  1. assess performance;
  2. address concerns; or
  3. determine whether modifications to the Telework Agreement are warranted.
- E. Teleworking employees remain subject to the agency's established performance management and evaluation cycles.
- F. DHRM offers an online toolkit of teleworking resources for managers and employees.

## REFERENCES

[29 U.S.C., Chapter 8, Fair Labor Standards](#)

[COV §2.2-2817.1, State agencies to establish alternative work schedules; reporting requirement](#)

[Department of Human Resource Management Policy 1.61, Teleworking](#)

[Department of Human Resource Management Teleworking Toolkit](#)

Operating Procedure 025.3, *Public Records Retention and Disposition*

Operating Procedure 135.2, *Rules of Conduct Governing Employees Relationships with Inmates and Probationers/Parolees*

Operating Procedure 150.3, *Reasonable Accommodations*

Operating Procedure 261.3, *Workers' Compensation*

Operating Procedure 310.2, *Information Technology Security*  
*Data Governance Telework Guidance FAQ*

## ATTACHMENTS

Attachment 1, *Information Technology Equipment Management for Teleworking*

## FORM CITATIONS

*IT Asset 110\_F5*

