



**ALTERNATIVE WORK ARRANGEMENT POLICY AND PROCEDURES
FREQUENTLY ASKED QUESTIONS (FAQs)**

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The content in these Frequently Asked Questions (FAQs) applies to State of Delaware (State) Executive Branch cabinet agency employees. Other employers of State personnel may choose to adopt the [Alternative Work Arrangement Policy and Procedures](#) as well as the provisions in this FAQs. Non-cabinet agency personnel should contact their supervisor to determine whether their employer has adopted these provisions. Employees should direct questions or concerns to their supervisor or Human Resources representative.

1. What is an alternative work arrangement (AWA)?

AWA are work arrangements that differ from the State's regular work schedules and employees' on-site work location to accommodate the needs of employees while meeting operational needs of agencies. All alternative work arrangements require the approval of the employee's supervisor and appropriate agency management. Examples of alternative work arrangements are telework, alternative work locations, and alternative work schedules. Each type of arrangement may require specific eligibility as outlined in the provisions of the [Alternative Work Arrangement Policy and Procedures](#).

2. What is an alternative work schedule (AWS)?

An AWS is a type of Alternative Work Arrangement with scheduled hours based upon the operational needs, staffing requirements, service delivery requirements, and back-up coverage needs of the agency that meet the full number of required hours in a pay period. AWS includes compressed, flexible, and windowed schedules.

3. What does it mean to telework?

Telework is a type of Alternative Work Arrangement in which employees perform essential and non-essential functions of their job at an alternative work location, in accordance with telework terms as outlined in the [Alternative Work Arrangement Policy and Procedures](#) and their alternative work arrangement agreement. If an employee teleworks partially during the workweek, it is referred to as hybrid telework. Telework is also referred to as telecommute or remote work and has the same meaning in this document.

4. What is an alternative work location?

Approved work locations other than employees' assigned on-site work location where official State business is performed. Such locations may include, but are not limited to, employees' residences and/or satellite offices.

5. What is adequate service for an AWA or Teleworker's home internet speed to support voice and video from home?

The Delaware Department of Technology and Information advises:

- 100Meg service is minimum if it is dedicated to just one (1) working PC.
- 300Meg service is minimum if it is being shared by multiple devices or streaming video or video game services.

While working from home using voice or video on your work laptop, **please do not connect your work laptop to your home Wi-Fi.** Your work laptop must be ethernet cabled directly to your home router.

6. Can I request an alternative work schedule and telework?

You may request an alternative work schedule and telework by completing the [Alternative Work Agreement form](#). Your agency supervisor will consider the eligibility requirements for your suitability for an AWA.

7. Are all existing employees eligible for an alternative work arrangement?

Agencies shall evaluate whether an employee requesting an alternative work arrangement satisfies eligibility requirements outlined in the [Alternative Work Arrangement Policy and Procedures](#).

8. I just got hired am I eligible for an alternative work arrangement?

Telework may be a condition of a job offer and acceptance for a new hire employee. Please reach out to your agency's Human Resources representative for further information.

9. Do I have to get approval for an alternative work arrangement?

Yes, all alternative work arrangements require the approval of the employee's supervisor and appropriate agency management.

10. If my alternative work arrangement request was denied, can I appeal the decision?

AWA are options offered at the agency's discretion and are not an employee entitlement or right. Denials of telework or AWS requests or the revoking of an AWA Agreement are not subject to appeal or grievance unless Merit Rule Chapter 2 is invoked. Exceptions to this term may apply for employees where telework is a condition included in the offer of employment.

11. Can my supervisor discontinue my alternative work arrangement?

Yes, any telecommuting arrangement may be discontinued at the request of the agency or the employee with two (2) weeks' written notice and justification.

12. Can I request to discontinue my alternative work arrangement ?

Yes, any telecommuting arrangement may be discontinued at the request of the agency or the

employee with two (2) weeks' written notice and justification.

13. Will an alternative work arrangement affect my pay and benefits?

Employees' compensation, benefits, work status and work responsibilities will not change as a result of participation in alternative work arrangements. The amount of time that employees are expected to work per pay period will not change because of participation in alternative work arrangements.

14. If State offices are closed due to a declared Severe Weather Conditions & Emergencies event (SWCE) and I am telecommuting on a regularly scheduled workday, am I required to work?

Non-essential employees as defined by Governor's Executive Order #28 who are teleworking or on an AWS do not work on a regularly scheduled workday if State offices are closed due to a declared SWCE event.

15. Do I have to abide by the Alternative Work Arrangement Policy and Procedures and Alternative Work Agreement?

Employees must abide by the [Alternative Work Arrangement Policy and Procedures](#) and their AWA Agreement. Failure to do so may result in modification or termination of the AWA Agreement, addressing of unsatisfactory performance, and/or administration of discipline up to and including termination.

16. Do I have to work in my position for a certain length of time before I can request an alternative work arrangement?

Generally, employees must complete their initial probationary period to request an alternative work arrangement. Agencies may request approval from their Cabinet Secretary or Agency Head for a probationary employee who satisfies the eligibility criteria for an alternative work agreement. Exceptions to this term may apply for employees with offers of employment that include telework as a condition of a job offer.

17. Once approved does my alternative work arrangement transfer with me to other positions?

No, if an employee is promoted or otherwise leaves one State position for another, the telework or AWS privilege and AWA Agreement does not transfer to the employee's subsequent position. Any subsequent alternative work arrangement must be discussed with your new supervisor.

18. Do I need to complete a new alternative work arrangement form for a temporary modification to my existing approved arrangement?

Please discuss any temporary modifications with your supervisor. You must immediately notify your supervisor if you are not able to comply with any aspect of your alternative work arrangement or any provisions of the AWA policy. Non-temporary revisions to an AWS arrangement must be documented in a revised fully executed AWA agreement.

19. Once approved how long will my alternative work arrangement stay valid?

The agreement shall be reviewed and, if approved, renewed annually, and signed by the employee, the employee's supervisor, and the Division Director or appropriate agency management each year.

20. What if I have an ADA reasonable accommodation?

Employees who were already receiving a reasonable accommodation prior to moving from their on-site work location to an alternative work location may be entitled to additional or modified accommodation if it does not cause the agency undue hardship.

21. Are all positions eligible for an alternative work arrangement?

No, certain positions may not be eligible for telework or AWS due to operational needs or the essential duties assigned to the position.

22. Can I telework because of child or dependent care needs?

Telework is not intended to serve as a substitute for child or adult care. Teleworking employees are expected to have dependent care arrangements in place when working from an alternative work location.

23. Do I need to complete an alternative work arrangement agreement form if I want to telecommute but not on a set schedule?

In accordance with the Alternative Work Arrangement Policy, eligible employees requesting to telework must establish a telecommuting schedule by filling out the alternative work arrangement form. However, supervisors have the authority to approve variances from the established schedule.

24. What if I am scheduled off for an alternative work arrangement and the day falls on a State holiday?

If an approved state holiday falls on a day that a regular, full-time employee on an AWS is not scheduled to work, the employee may:

1. Revert to a 5-day, 7.5 hour or 8.0-hour workweek for the full pay period in which the holiday falls; or
2. Schedule an alternative day off within the same workweek as the holiday (i.e., flex the holiday); or
3. Allow the employee to request compensatory time for hours over 37.5 (or 40.00) if options 1 or 2 are not operationally feasible and the agency is able to absorb the increased cost.

25. How will my taxes be deducted from my paycheck?

The State of Delaware will continue to withhold payroll taxes based on the employee's assigned on-site work location. Telecommuters are encouraged to seek professional advice regarding any tax implications associated with working from home.

26. What if I can't comply with a portion of my alternative work arrangement agreement?

Employees must abide by the [AWA Policy and Procedures](#) and their AWA Agreement. Failure to do so may result in modification or termination of the AWA Agreement, addressing of unsatisfactory performance, and/or administration of discipline up to and including termination. Employees must immediately notify their supervisor if they are not able to comply with any aspect of their alternative work arrangement or provisions of the policy.

27. Can I be approved for an alternative work arrangement if I have unsatisfactory performance?

An employee may not be eligible to participate in telework or an AWS if, the employee was subject to official notice of unsatisfactory performance or discipline, including suspension, involuntary demotion, or recommendation for termination, within the last 12 months from the date of request.

28. What equipment is required to telework?

It is a requirement that the alternative work location has an adequate connection and phone to broadband internet to assure performance standards are being met to telework, as determined by DTI.

29. Will equipment be provided to telework?

Generally, employees are responsible for obtaining equipment and services necessary to perform the essential functions of their position and maintain communication from the alternative work location; however, agencies may provide all or a portion of equipment subject to availability and budgetary restrictions.

30. How many hours do I have to work on an alternative work arrangement?

An alternative work arrangement, regardless of teleworking status or AWS, requires employees assigned to a standard 37.5-hour workweek, to work 75 hours each two-week pay period. Similarly, employees teleworking or on an AWS assigned to a standard 40-hour workweek, will be required to work 80 hours each two-week pay period.

31. If I am approved to telework, do I have to attend in person training or meetings?

Designated positions approved for telework will require employees to attend training and other business meetings on-site. Employees will be notified of this requirement upon hire.

32. Can I be scheduled to work less than 5 days in a week while on an alternative work arrangement?

You may be eligible for a compressed work schedule which is an alternative work schedule that reduces the standard five-day workweek to fewer number of days. Employees work the full number of required 75 or 80 hours per pay period by working longer days in exchange for shorter workweeks, for example the employee may work one less day each work week or one less day each pay period.

33. Can I telework and use leave in the same day?

Employees are required to request and use applicable annual or sick leave, accumulated compensatory time, if applicable, or other eligible leave, if the employees are unable to work any portion of the telework or AWS day.

34. Will I be reimbursed for charges accrued while teleworking such as copying, work related materials, or home utility cost?

Incremental home utility costs associated with working from home will not be paid by the agency. Costs associated with the copying of work-related materials, express mail, including printer ink and paper, etc., are the responsibility of employees. Employees may go to their on-site location to use a copier, shredder, and other office equipment. Agencies may allow employees to obtain general office supplies such as paper, pens, etc. from their workplace for their state work only.

35. Can my telework arrangement replace my on-site work location?

Telework is not intended to permanently replace employees' on-site work location unless it was a condition of employment with the job offer for that position to that employee.

36. What privacy do I have while teleworking?

The State reserves the right to monitor and log, without notice, all telework activity, including email and cell phone usage. Employees that are teleworking should have no expectation of privacy in the use of State-related resources or business.

37. Am I entitled to shift differential while working an alternative work schedule?

An AWS does not entitle the requesting eligible employee to shift differential. Merit Rule 4.15.1 states Shift differential is pay for working inconvenient hours and schedules authorized at the agency's discretion. Shift differential is not authorized for flexible or compressed schedules established at the request of, and for the convenience of, employees even if the requirements of 4.15.2 are met.

38. What if I am covered by a collective bargaining agreement?

If an employee is covered by a negotiated collective bargaining agreement, work schedule provisions that are found in their collective bargaining agreement for their position may take precedent over the Alternative Work Arrangements Policy and Procedures if there is a conflict between those provisions and this policy.

For any other personnel-related questions not covered in these Frequently Asked Questions, please contact your Human Resources representative.

ADDITIONAL RESOURCES:

[Alternative Work Arrangement Policy and Procedures](#)

[Alternative Work Arrangement Form](#)