

ORDER

WHEREAS, Effective March 16, 2020, a “Telework Policy for COVID-19 Outbreak” policy was issued by the City of Chicago; and,

WHEREAS, The stated purpose of the March 2020 Telework Policy for COVID-19 Outbreak was to provide an option for “certain employees” to work from home and was specifically “not intended to serve as a permanent Citywide Telework” policy in perpetuity; and,

WHEREAS, The Telework Policy for COVID-19 Outbreak was to be limited to the provisions set forth in Exhibit 1 (attached); and,

WHEREAS, Effective April 12, 2022, a “City of Chicago Amended Telework Policy” was issued and revised on April 18, 2022; and,

WHEREAS, The stated purpose of the City of Chicago Amended Telework Policy was to provide “a telework option for non-represented City of Chicago (“City”) employees who can perform their job duties remotely,” and was clearly intended to normalize remote work at least one day per work for eligible employees; and,

WHEREAS, The City of Chicago Amended Telework Policy was to be limited to the provisions set forth in Exhibit 2 (attached); and,

WHEREAS, On May 11, 2023 the COVID-19 federal Public Health Emergency and state declaration ended; and,

WHEREAS, In an email sent on May 9, 2023 by then-Chief of Staff Sybil Madison, then-Commissioner of Human Resources Christopher Owen, and then-Commissioner of Public Health Allisson Arwady, the hypothetical question was posed “Does anything change with the telework policy related to the end of the public health emergency” and the subsequent response: “There are no changes to the telework policy related to the end of the public health emergency,” as described in Exhibit 3 (attached); and,

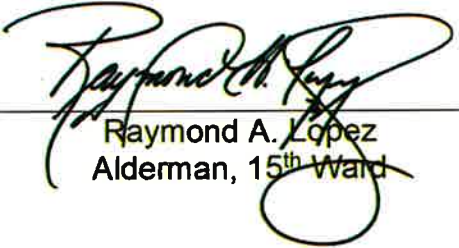
WHEREAS, The City of Chicago is currently seeing downtown vacancy rates at 23.8%, up from 21.4% in 2022, and 13.8% at the start of the pandemic, with many bars, restaurants and entertainment venues still struggling as a result of the reduced downtown population; and,

WHEREAS, The City of Chicago can lead by example the return to the office and traditional work environment; and; now therefore,

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, That the Acting Commissioner of the Department of Human Resources shall immediately end all non-medically relevant telework policies and procedures across all departments; and,

BE IT FURTHER ORDERED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, That all department heads shall immediately provide the Acting Commissioner of the Department of Human Resources and the Committee on Budget & Government Operations the signed Telework Agreements as submitted per the rule; and,

BE IT FURTHER ORDERED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, That all agreements shall be considered terminated, with departments informing all impacted employees of their return to an in-person work schedules unless otherwise provided for in accordance with remaining attendance policies and procedures.



Raymond A. Lopez
Alderman, 15th Ward

Exhibit 1

Telework Policy for COVID-19 Outbreak

Effective Date: March 16, 2020

I. Purpose

This policy is intended to provide a telework option for certain employees able to work from home for Department Heads to help manage their workforce during the COVID-19 outbreak. This policy is not intended to serve as a permanent Citywide Telework Policy.

II. General Policy Provisions

- a. This Telework Policy may allow staff to work at home for periods of time under certain conditions which are described below.
- b. The terms and conditions of employment, including all City of Chicago policies and procedures, and all departmental policies and procedures, continue to apply in any telework arrangement.
- c. The City of Chicago is under no obligation to approve any telework arrangement or to approve any telework agreement. The decision as to whether or not telework will be approved will be made on a case-by-case basis.
- d. Telework is limited to no more than two weeks at a time. Any extensions must be approved on a case-by-case basis by the Department Head for two-week increments.
- e. Telework is limited to the following:
 - i. Employees who have received a quarantine order by CDPH or a medical provider.
 - ii. Employees who have been ordered to remain home by the City due to exposure or potential exposure.
 - iii. Employees who have returned from a country that has been listed on the CDC's Geographic Risk Assessment for COVID-19 as a Level 3 country. The CDC Geographic Risk Assessment for COVID-19 can be found at www.cdc.gov/coronavirus/2019-ncov/travelers.
 - iv. Employees who have an underlying medical condition that subjects them to increased risk from the COVID-19 outbreak, at the discretion of the Department Head.
- f. Employees who have any illness or injury, including contracting COVID-19, that restricts or renders the employee incapable of performing their job duties are not expected to and should not work from home while ill or injured. Employees should consult with their HR Department on sick leave benefits.
- g. This policy applies to any person employed by the City or detailed to the City by a sister agency. This policy does not apply to any employee detailed to the City by a foundation, charitable organization, or outside employer; those such employees should follow the telework policy of their official employer.

III. Considerations for Telework Approval

Department Heads must designate which job titles within their Department have the ability to work from home and notify DHR of that designation prior to allowing any employee to work from home. When determining whether or not telework is appropriate, supervisors must consider whether or not it is operationally feasible for the employee to perform the core duties of their job away from the worksite. Work to be performed from an alternate worksite must be part of the employee's job description. Supervisors should also consider whether the work performed can be adequately assessed to ensure that work is being performed and whether or not teleworking would pose any adverse risks to the operations of the department or the City. Specifically, supervisors should consider the following questions:

- a. Can the work performed be monitored by output versus time spent doing the job?
- b. Is the job characterized by clearly defined tasks and deliverables?
- c. Is there sufficient work for the employee to perform away from the worksite?
- d. What are the technical and equipment needs required to perform the work and can those technical and equipment needs be readily accessed from home?
- e. Does the work require minimal need for on-site files, records, special equipment, software, or other resources?
- f. Does the work require limited need for face-to-face contact with the public or colleagues?
- g. Can communication with the public or colleagues be satisfied remotely?
- h. Can the work be performed remotely without unnecessary risk to the security of data, networks, or client confidentiality?
- i. If the position is supervisory or managerial, can the employee effectively supervise their subordinate employees remotely?

IV. Requirements for Telework

If it has been determined based on the Considerations for Telework described in Section III above that the employee can work from home, the following requirements apply:

- a. The employee must receive advance written approval from the Department Head before telework can begin.
- b. The employee's supervisor and timekeeper must be notified in advance that the employee has been authorized for telework.
- c. The employee must e-mail both their supervisor and designated timekeeper when the employee begins work that day and then must e-mail again when the employee ends work that day.
- d. The employee must work a full 7 hours on City of Chicago business for each telework day.
- e. The employee must keep the Department's core business hours.
- f. The employee must check e-mail periodically throughout the day and must be available via e-mail and phone.

- g. Employees who telework must complete a written certification at the conclusion of each work week which provides the following:
 - i. The employee worked the requisite 7 hours (or the hours designated to work from home);
 - ii. The employee must provide a list or description of the work performed while teleworking;
 - iii. That the information provided by the employee is true and correct and that the employee acknowledges that they may be disciplined if the information they provide is false.
- h. Employees must also sign a Telework Agreement (*see* Attachment A). The agreement requires the employee to certify that his or her home includes a safe, private, and quiet space sufficient to allow the employee to perform the core duties of the job, and that the employee has technology and equipment needed to perform the job. The agreement also provides, among other things, that the City is not responsible for the costs of the employee's equipment and facilities utilized during telework, including without limitation home office space, internet, computer and phone equipment.

V. Termination of Telework

- a. The Department Head can terminate any telework arrangement or agreement or modify any telework arrangement or agreement at any time.
- b. Any employee who is unable to abide by the terms of a Telework agreement and the guidelines of this policy, must notify their supervisor immediately. The supervisor, in consultation with the Department Head, is responsible for determining if the employee can continue to participate in the telework arrangement.

Exhibit 2

City of Chicago Amended Telework Policy

Effective Date: April 18, 2022

I. Purpose

This Amended Telework Policy (the “Policy”) provides a telework option for non-represented City of Chicago (“City”) employees who can perform their job duties remotely.

II. General Policy Provisions

- a. The Policy allows eligible City employees to work from home under certain conditions which are described below.
- b. The terms and conditions of employment, including all City policies and procedures, and all departmental policies and procedures, apply to this Policy.
- c. The City is not obligated to approve any telework arrangement or to approve any telework agreement.
- d. Telework is limited to one (1) day per week and must be pre-approved by your Department Head or their designee(s). The Department Head or their designee(s) must consider departmental needs in approving telework arrangements and must treat employees equitably when approving telework days.
- e. A Department Head or their designee(s) must ensure that an appropriate number of employees are in the office each business day to perform essential departmental functions.
- f. Telework is limited to non-represented employees who must certify in writing that they:
 - i. Have enough work to work from home for a minimum of seven hours;
 - ii. Have the appropriate equipment (e.g., software, hardware, phone, internet connectivity) and safe workspace to work from home;
 - iii. Are not presently on a performance improvement plan or have been on such a plan in the 6 months preceding the request;
 - iv. Have not been disciplined in the past 12 months;
 - v. Have no unapproved absences within the past 6 months;
 - vi. Have no in-person work commitments on telework dates; and
 - vii. Are teleworking exclusively from their designated alternative worksite. The designated alternative worksite, if not the employee’s home, must be within the City of Chicago.
- g. Employees must also sign a Telework Agreement (“Agreement”) (*see* Attachment A). The Agreement requires the employee to certify that their designated alternative worksite includes a safe, private, and quiet space sufficient to allow the employee to perform the core duties of the job, and that the employee has technology and equipment needed to perform the job. The Agreement also provides, among other things, that the City is not responsible for the costs of the employee’s equipment, services and facilities utilized during telework, including without limitation home office space, internet, computer and phone equipment. In

addition, the employee must comply with any other requirements set forth by the Department Head or their designee(s) that are necessary to complete the work.

- h. Employees who have any illness or injury that restricts or renders the employee incapable of performing their job duties are not expected to and should not work from home while ill or injured. Employees should consult with their department's HR liaison on sick leave benefits.
- i. The Policy applies to any City employee who meets the conditions set forth in Section II. g., above.
- j. **This Policy does not apply to represented employees with the exception of Sections VII and VIII below.**
- k. This Policy does not apply to any employee(s) detailed to the City by a foundation, charitable organization, sister agency, or contractor.

III. Considerations for Telework Approval

When determining if telework is appropriate, Department Heads or their designee(s) must consider whether it is operationally feasible for the employee to perform the core duties of their job away from the worksite. Department Heads or their designee(s) should also consider whether the work performed can be adequately assessed to ensure that work is being performed and whether teleworking would pose any adverse risk(s) to the operations of the department or the City. Specifically, Department Heads or their designee(s) should consider the following questions:

- a. Can the work performed be monitored by output versus time spent doing the job?
- b. Is the job characterized by clearly defined tasks and deliverables?
- c. Is there sufficient work for the employee to perform away from the worksite?
- d. What are the technical and equipment needs required to perform the work and can those technical and equipment needs be readily accessed from home?
- e. Does the work require minimal need for on-site files, records, special equipment, software, or other resources?
- f. Does the work require limited need for face-to-face contact with the public or colleagues?
- g. Can communication with the public or colleagues be satisfied remotely?
- h. Can the work be performed remotely without unnecessary risk to the security of data, networks, or client confidentiality?
- i. If the position is supervisory or managerial, can the employee effectively supervise their subordinate employees remotely?

IV. Requirements for Telework

If it has been determined based on the Considerations for Telework Approval described in Section III above that the employee can work from home, the following requirements apply:

- a. The employee must receive advance written approval from the Department Head or their designee(s) before telework can begin;
- b. The employee's supervisor and timekeeper must be notified in advance that the employee has been authorized for telework;
- c. The employee must work a full seven hours on City business for each telework day;
- d. The employee must maintain the same level of productivity while teleworking as he or she does when in the office;
- e. The employee cannot work overtime while teleworking;
- f. The employee must keep and be available as needed during the department's core business hours, except when on approved breaks; and
- g. The employee must check e-mail periodically throughout the day and must always be available via e-mail and phone.

V. Employee Responsibilities

An employee who works remotely must:

- a. E-mail their supervisor and designated timekeeper when the employee both begins and ends the work day;
- b. Be available as needed during the department's core business hours, except when on approved breaks;
- c. Check e-mail periodically throughout the day and must always be available via e-mail and phone;
- d. Keep their Outlook calendar up to date and accessible; and
- e. Maintain their home workspace in a safe manner, free from safety hazards.

VI. Supervisor Responsibilities

An employee's direct supervisor must:

- a. Confirm an employee has enough work to fill a seven-hour work day;
- b. Ensure that the employee's teleworking does not negatively impact team or unit functions; and
- c. Conduct at least one check-in with employees who are teleworking during the workday to get status updates and address any concerns or issues. Such check-ins can be conducted via telephone, videoconferencing (e.g., Zoom, Microsoft Teams), or email.

VII. Telework due to an Emergency or Inclement Weather

- a. Upon advance approval from the Office of the Mayor, teleworking may be authorized for eligible employees during inclement weather or in instances where a state of emergency is declared. The rules of this policy still apply unless otherwise suspended at the discretion of the Office of the Mayor. This Section also applies to union covered employees who meet all eligibility requirements as described in this Policy.

VIII. Telework Due to School Ordered Quarantine

- a. An employee whose child is required to quarantine due to a school ordered quarantine of their classroom may submit a request to telework during the period of the quarantine.
- b. Any employee requesting to telework under this section of the Policy due to a classroom quarantine shall provide a certification (*see* Attachment B) that provides the following information:
 - i. The name of the school, the name of the teacher, the grade-level, duration of the required quarantine, and the name and age of their child.
 - ii. Any additional information that may be required to fully consider the certification.
- c. The employee must otherwise be eligible to telework under this Policy and adhere to all of this Policy's requirements. This Section also applies to union covered employees who meet all eligibility requirements as described in this Policy.
- d. The employee may not begin teleworking until their request has been approved by their department. Approval of telework is at the discretion of the Department Head.

IX. Termination of Telework

- a. The Department Head can terminate any telework arrangement or Agreement or modify any telework arrangement or Agreement at any time, consistent with the General Policy Provisions in Section II., above.
- b. Any employee who is unable to abide by the terms of an Agreement and the guidelines of this Policy must notify their supervisor immediately. The supervisor, in consultation with the Department Head, is responsible for determining if the employee can continue to participate in the telework arrangement.

X. Violations of Telework Policy

- a. Any employee found to be in violation of this Policy and/or the Agreement shall lose any previously approved telework arrangement and shall not be eligible for future telework consideration.
- b. Any employee found to be in violation of this Policy or in violation of the Agreement between the department and the employee may be disciplined up to and including discharge.

Exhibit 3

Employee policy update: COVID-19 and the end of the Public Health Emergency

City Announcement <CityAnnouncement@cityofchicago.org>

Tue 5/9/2023 4:04 PM



Dear City Colleagues,

This Thursday, May 11, 2023, marks the end of the federal Public Health Emergency and state disaster proclamation related to COVID-19. This email is to update City of Chicago employees on the status of internal policies related to COVID-19.

Most COVID-related employee policies, including COVID-related sick leave policies, will continue unchanged at this time. Details on each policy, as well as some questions and answers, are below.

Sick Leave Policy Addendum: This addendum has provided City employees with COVID-specific leave. This policy will **remain in effect and unchanged at this time**, with plans to evaluate a timeline to sunset COVID sick leave later this year. Employees may be granted COVID leave after providing reasonable evidence to their department's HR section that they have COVID-19.

- As a reminder, and unchanged, the 5-10 calendar day isolation period for COVID will remain in place. Employees may utilize COVID sick leave for a maximum period of up to 10 calendar days for isolation following either the date of symptom onset or the date of the positive test (if asymptomatic).
 - Unchanged, all COVID-positive employees should isolate at home for a minimum of 5 days, regardless of symptom severity. After 5 days, employees whose symptoms have resolved may return to work but must continue to mask on days 6-10 following symptom onset or positive test (if asymptomatic).
- The City of Chicago Family and Medical Leave Act (FMLA) policy and other forms of leave may apply to employees out of work due to COVID illness.
- The Chicago Department of Public Health will continue to monitor citywide case rates, and in close discussion with the Department of Human Resources, Mayor's Office, and Department of Law, evaluate a timeline to sunset COVID sick leave later this year.

COVID-19 Vaccination Policy: This policy will **remain in effect and unchanged at this time**, meaning that new employees must either be fully vaccinated against COVID-19 or have an approved exemption prior to starting employment with the City. Unvaccinated employees with approved exemptions do not need to routinely submit negative test results.

COVID-19 Workplace Reporting Requirements: Workplace **reporting requirements will be retired** with the end of the public health emergency. Beginning May 11, 2023, departments and agencies:

- Will not collect or report individual cases of COVID-19 among their employees.
- Will not report cases or outbreaks to CDPH or DHR. CDPH, of course, remains able and willing to assist any City of Chicago department or agency that is concerned about a potential workplace outbreak of any disease or condition.
- Do not need to pursue work-based contact tracing or employee notification activities related to cases of COVID-19.
- Departments should continue to follow OSHA reporting requirements on work-related illness or injury.

Additional Questions:

- **Does anything change with the telework policy related to the end of the public health emergency? Can I still telework if my child is sent home from school to quarantine due to COVID-19?**
 - There are no changes to the telework policy related to the end of the public health emergency. Telework due to school-ordered quarantine is covered in the current telework policy and will continue to remain in effect. Note that this policy on school-ordered quarantine is not specific to COVID-19.
- **I thought there was a lawsuit against the City about the vaccination policy – how does that impact things?**
 - The ruling is not yet final. However, at this point the vaccine policy primarily affects new employees.
- **Will external-facing City policies, like the anti-retaliation ordinance, remain in place?**
 - Yes. The two existing City COVID-19 anti-retaliation ordinances, which protect employee rights to take time off to get vaccinated and to obey public health orders remain in effect at this time.
 - The two existing City public health orders requiring hospitals and congregate facilities to provide case reporting to CDPH, and for hospitals to share COVID-related medical records with CDPH, also remain in effect.

General COVID Reminders: Please visit chicago.gov/covid to learn more about how the end of the public health emergency impacts access to vaccines, treatment, and testing for COVID-19. CDPH will continue to use and make public all available data to track COVID-19 locally, including data about severe disease and healthcare burden, along with variant and wastewater monitoring, to inform public health activities.

Even after the public health emergency ends, Chicagoans should continue to be aware of COVID-19 and remember the steps they can take to protect themselves, their loved ones and their communities:

- **Stay up to date with COVID-19 vaccines.** Vaccines remain the best line of defense against severe illness, hospitalization, and death. This is especially important for older adults, people with disabilities, people who are immunocompromised, and people with underlying medical conditions. As the public health emergency ends, vaccines remain free for all, at least in the short term.
- **Effective early treatments for COVID-19 are available.** If you test positive for COVID-19, especially if you are over age 50 and/or have underlying conditions, contact your healthcare provider, community health center, or CDPH to learn about treatment options. Treatment must be started within 5–7 days of developing symptoms to be effective.
- All Chicagoans can continue to protect themselves and others by wearing masks, getting tested, and staying home if experiencing potential COVID-19 symptoms. Gathering out of doors and improving ventilation indoors also help decrease the risk of spreading COVID and other respiratory diseases.
- Any Chicagoan can continue to call the CDPH COVID hotline (24/7) at 312-746-4835 with questions about COVID, including accessing vaccine or treatment, or to schedule a free at-home vaccine appointment.

Please contact your department's HR liaison with questions about any of the above employee policies.

Sybil Madison, Ph.D.
Chief of Staff

Christopher Owen

Commissioner, Department of Human Resources

Allison Arwady, M.D.

Commissioner, Department of Public Health

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