

**First Court of Appeals**

**Telework Policy**

Pursuant to Chapter 658 of the Texas Government Code, as amended effective September 1, 2025, employees of the First Court of Appeals may request and be allowed to conduct all or some of the Court’s business at a place other than the employee’s regular place of employment during a portion of the employee’s established work hours as specified below, subject to appropriate management approval.

The purpose of this Telework Policy is to define and outline the rules and guidelines under which the Court’s telework program will operate in accordance with Chapter 658 of the Texas Government Code, as amended effective September 1, 2025. This Telework Policy does not supersede or alter in any way the terms and conditions of the Court’s Employee Handbook, which remain in full force and effect.

Teleworking is not appropriate for all job functions. As the needs of the Court change, the Court may change or terminate telework arrangements. No employee is entitled to or guaranteed the opportunity to telework. Teleworking is a cooperative arrangement between the Court and an employee offered to provide reasonable flexibility that enhances the Court’s ability to achieve its mission. It shall not be considered a condition of employment. Teleworking is a privilege that can be revoked at any time by the Court without notice. All Court policies and rules must be followed when teleworking.

Approval to telework may be granted by the Chief Justice, as provided for in section 658.011(a) of the Texas Government Code, and in accordance with the terms of a completed and signed telework agreement, as specified by Government Code section 658.011(b).

**Time Allowed to Telework**

All full-time attorneys will be allowed to telework 40% of the month. Teleworking for part-time attorneys will be assessed on a case-by-case basis.

All clerks and administrative personnel will be allowed to telework 40% of the month.

All computer personnel will be allowed to telework 25% of the month.

Teleworking time not taken during a month may not be carried over into another month.

**Computation of Time and Normal Business Hours**

Employees must designate set days of the week on which they will telework.

Non-exempt employees must work 8-hour days, Monday through Friday, or take leave time. Exempt employees are expected to work a full professional schedule consistent with the required duties of their positions, unless they are taking leave. Exempt employees must report leave time consistent with the Court’s leave policy.

Employees must be available and responsive on their teleworking days during the Court’s normal business hours, Monday through Friday, 8:00 a.m to 5:00 p.m., and as necessary to address emergency filings.

A court holiday is considered 8 hours in the office for calculating teleworking percentages.

Employees must provide contact information at which they can be reached during normal business hours on their teleworking days.

**Supervisor Approval**

An employee’s teleworking schedule will be approved by the employee’s immediate supervisor, who may require work in the office on specific days of the week.

A Teleworking agreement does not prohibit an immediate supervisor from requiring an employee to report to the Court on a designated teleworking day.

Teleworking agreements will be renewed at least once a year after an employee begins teleworking.

**Use of Court Equipment and Teleworking Expenses**

Employees will bear all expenses associated with teleworking.

All court equipment must be returned to the Court and only a computer provided by the Court may be used at the remote teleworking location.

Employees must follow all computer safety protocols when teleworking.

Employees must provide their own suitable and safe office space for teleworking, secure any equipment provided by the Court from theft, and ensure such equipment and confidential information is not accessed by unauthorized persons.

A teleworking employee is prohibited from conducting in-person business at the employee’s personal residence.

**Eligibility to Telework**

Employees must work a minimum of three months before being eligible to telework. Employees changing positions within the Court may be required to work additional time in the office at the beginning of the new position before being eligible to telework, at the discretion of the employees’ immediate supervisor.

To qualify and remain eligible for teleworking, all employees must be in good standing with the Court and, for those who have received an employment evaluation, have received a minimum overall performance score of “meets expectations” in their immediately preceding employment evaluation.

In addition, teleworking employees must meet the following performance standards:

For clerks, handle all matters filed by 4:00 p.m. each day.

For administrative and computer personnel, handle all matters timely.

For all attorneys, consistently and satisfactorily perform the duties for which the attorney was hired, including meeting productivity targets and effectively managing their caseloads.

Monitoring compliance with the above performance standards will be done by the employee’s immediate supervisor through regular assessment of the employee’s work and productivity and with reference to the Court’s internal operating procedures, the case management system, and performance evaluations.

Failure to meet performance measures may result in an employee’s teleworking agreement being revoked by the Court until all performance issues are resolved to the satisfaction of the employee’s immediate supervisor.

Teleworking employees are subject to the same rules and disciplinary actions as any other Court employee.

Teleworking may be revoked at any time, without notice, in addition to and including for an employee’s failure to remain in good standing with the Court or for failure to comply with the Court’s Employee Handbook or Teleworking Policy.

This Telework Policy is approved by the Chief Justice of the First Court of Appeals and a majority of the Justices on the Court. And it shall be published on the First Court of Appeals’ official webpage as required by Government Code section 658.012(b).

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Chief Justice of the First Court of Appeals

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**First Court of Appeals**

**Telework Agreement**

Employee Name:

Position:

Supervisor / Justice:

Alternative in-state workplace address, e-mail, telephone:

Teleworking days:

I wish to telework and agree to abide by all policies in the First Court of Appeals’ Employee Handbook and Telework Policy. I acknowledge that both the handbook and the policy are subject to change by the Court. I further acknowledge that this agreement may be revoked at any time, without notice, including for any violations of the Employee Handbook or Telework Policy.

With these agreements and acknowledgments, the Court authorizes this Telework Agreement and authorizes to telework for the purpose of providing reasonable flexibility to enhance the Court’s ability to achieve its mission.

The employee is currently eligible to telework.

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Employee Date

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Chief Justice Date