

Telecommuting Policy

1.0 Policy Statement

Telecommuting is defined for the purpose of this policy as an employee working from a remote site other than their primary work location, typically the employee's home, on a regular, on- going basis. Telecommuting may improve operational efficiency, reduce air pollution, traffic and parking congestion, and demand for office space. Telecommuting may also provide the County with the flexibility necessary to maintain essential government functions during emergencies.

Telecommuting is not an employee benefit, entitlement, or property right. The employee, the employee's Department Head, the HR Director, and County Administrative Officer must all approve any requested telecommuting and any such telecommuting that is allowed may, in the County's sole discretion, be terminated at any time with or without notice.

2.0 Compensation, Work Hours, and Conditions of Employment

- 2.1 Nothing in the policy is intended to alter, supersede or contradict in any way the Memoranda of Understanding (MOU's) between the County and the various bargaining units.
- 2.2 The employee's compensation, benefits, work status, full or part-time schedule, and work responsibilities will not change due to participation in the telecommuting program.
- 2.3 The employee's work schedule may be adjusted, as agreed between the employee and the department head, to work other than the normal hours of County operation. This work schedule must be in writing.
- 2.4 Telecommuting must not result in any employee receiving overtime, unless approved by the supervisor in accordance with the applicable MOU.
- 2.5 Telecommuting employees will be available for in-person meetings, assignments, and projects, and by phone as necessary, as determined by the department head.

3.0 Eligibility

- 3.1 The telecommuting employee and the supervisor will jointly develop a written performance plan which must include measures which are sufficient to evaluate the telecommuter's work results and quality. The plan must be approved by the department head and HR. Work results and quality will be assessed quarterly by the

supervisor, which must include a meeting with the employee, and shall be part of the employee's annual performance evaluation.

- 3.2 Not all jobs are appropriate for telecommuting. Employees will be selected based on the suitability of their jobs and functional assignments, an evaluation of past performance reviews over the last 18 months, and an evaluation of the likelihood of their being successful telecommuters, which may include the ability of the employee to provide appropriate space or equipment within the home.
- 3.3 The County will provide training designed to prepare employees who have been selected for telecommuting to prepare them for telecommuting and remote supervision.
- 3.4 An employee selected must sign the Telecommuting Application and Agreement which sets forth the terms of approval of telecommuting.

4.0 Equipment, Tools and Supplies

- 4.1 The tools, equipment and supplies needed to telecommute will be provided either by the employee, the County, or a combination. The specific tools and equipment necessary for each employee shall be within the discretion of the supervisor or department head. All data processing equipment including computers and phones must be provided by the County, except in accordance with section 9 of this policy and the Colusa County Cell Phone Policy. All county-provided equipment requiring power must be protected with a county-provided surge protector or Uninterruptible Power Supply (UPS) for the exclusive use of county equipment.
- 4.2 The County, in its discretion, may add visual identification and/or electronic tracking devices to county-owned equipment and the employee may not remove, disable or in any way tamper with these devices.
- 4.3 The use of equipment, software, data, supplies and furniture when provided by the County for use at the home work location is limited to authorized persons for purposes related to county business. No data may be exported or printed except as authorized. The County will provide for repairs and maintenance to county-owned and provided equipment. Employees are responsible for the maintenance and repair of their own equipment. Repairs and maintenance of data processing equipment will be provided by IT remotely when possible. If repairs and maintenance cannot be handled remotely, it is the employee's responsibility to bring the equipment to IT.
- 4.4 A high speed Internet connection must be available at the telecommuter's residence, at the employee's own expense. IT will determine the required speed of the Internet connection based on bandwidth needed to perform stated duties. The County may,

when warranted, pay installation and on-going costs associated with increased expenses associated with telecommuting.

- 4.5 No personal devices such as portable hard drives, USB drives, scanners, or cameras, may be connected to the County's data processing equipment, if they contain any files other than County work-related files.
- 4.6 Office supplies will be provided by the County as needed. Out-of-pocket expenses for other supplies will not be reimbursed unless by prior approval of the employee's department head. Adequate records of expenses, as defined by the County Auditor-Controller, must be maintained to support the telecommuter's demand for reimbursement. Requests for reimbursement must be submitted to the Auditor within 15 days of purchase. Employees will not be reimbursed for incidental costs they would have normally incurred that are not incurred solely as a result of telecommuting, such as internet, data, and phone charges.
- 4.7 The County may require the return of any county property at any time. All county property must be returned upon the termination of the telecommuting agreement, the termination of the employee's employment with the County, or during any period of leave from employment expected to exceed 30 days.

5.0 Workspace and Environment

- 5.1 The employee shall designate a workspace within the home for placement and installation of equipment to be used while telecommuting. The employee shall maintain this workspace in a safe condition, free from hazards and other dangers to the employee and equipment. The employee's department head, HR, and the Information Technology Director ("IT") must approve the site chosen as the employee's home workspace. The employee will provide the specific address and location of the home workspace and will submit one photo of the home workspace as part of the telecommuting application. Any county materials taken home must be kept in the designated work area at home and not used except for activities that support telecommuting. Employees will ensure the confidentiality of all information they use at the designated location in accordance with County and department policies.
- 5.2 The employee's department head, HR and IT have the right to make on-site visits (with 48 work hours advance notice) to the authorized homework location for purposes of determining that the site is safe and free from hazards including ergonomic hazards, and to maintain, repair, inspect, or retrieve county-owned equipment, software, data or supplies. Any delay in the department being able to access department owned equipment for repairs or upgrades may result in the

employee being required to work from her/his office location until repairs, etc., are successfully completed.

- 5.3 The employee's official duty location does not change as a result of telecommuting and costs to commute to her/his duty location are not reimbursable.
- 5.4 During the telecommuter's scheduled work hours, personal disruptions such as non-business phone calls and visitors must be kept to a minimum.
- 5.5 The telecommuter must ensure that non-county visitors to the home worksite treat the approved work area as an extension of the County during work hours, including confidentiality of information.
- 5.6 Any activity or interruption that takes place during the telecommuter's work schedule and interferes with her/his work must be immediately reported to the supervisor or manager and covered by the use of leave accruals.

6.0 Worker's Compensation

- 6.1 During work hours and while performing work functions in the designated work area of the home, telecommuters are covered by Worker's Compensation.
- 6.2 The employee's home workspace will be considered an extension of the County's workspace. Therefore, the County may be liable for job-related accidents that suffered by the employee in the home workspace during the employee's preapproved working hours. The supervisor, department head and HR shall consider Worker's Compensation liability when approving an employee to telecommute and when approving a designated work space.
- 6.3 The County is not liable for loss, destruction, or injury that may occur in or to the employee's home. This includes injury to family members, visitors, or others that may become injured within or around the employee's home.

7.0 Dependent Care

- 7.1 Telecommuting is not a means of providing child care or other dependent care and is not to be used for care-giving purposes such as any individuals requiring care and monitoring including infants, toddlers, preschoolers, and elderly adults. Care giving arrangements must be made for agreed-upon work hours.
- 7.2 Exceptions to the above restrictions on providing child care or other dependent care must be approved in advance and will be for a short duration, generally no more than three (3) months. If care giving activities are approved, the telecommuter must use accruals to cover the time spent away from official activities.

- 7.3 If a family member or someone in the household becomes ill and needs attention during periods of telecommuting, the supervisor must be notified immediately to review the situation and determine if telecommuting can continue or if accruals must be used to cover the time needed to attend to the family member.

8.0 Tax Implications

- 8.1 It will be the employee's responsibility to determine any tax implications of maintaining a home office area. The County cannot provide tax advice, nor will the County assume any additional tax liabilities.
- 8.2 Employees are encouraged to consult with a qualified tax professional to discuss tax implications.

9.0 Emergency Telecommuting

- 9.1 Whenever a local emergency has been declared pursuant to Government Code Section 8630 or a local public health emergency has been declared pursuant to Health and Safety Code Section 101080, all of the provisions of this policy will continue to apply. However, the following provisions shall take effect, and shall supersede any contradictory provision of this policy.
- 9.2 A department head, with concurrence of the County Administrative Officer (CAO) and the Human Resources Director, may in their discretion allow select employees to temporarily work remotely, to the extent those employees can remotely perform the essential functions of their jobs. These are employees whose services are necessary for the continued operation of the County, but whose physical presence in a county facility are not required or desired. This arrangement need not be voluntary.
- 9.3 If any provision of this policy would result in an unacceptable delay, such as approval of a designated work space, the development of a written performance plan, or the approval of the Human Resources Director, such requirements may be relaxed or ignored as necessary to meet the demands of the emergency situation. Any provision of this policy which is relaxed or ignored upon the initiation of an emergency telecommuting arrangement shall, if possible, be adhered to subsequently at the earliest possible opportunity.
- 9.4 Actual expenses incurred by the employee as a result of emergency telecommuting will be reimbursed by the County to the extent they are reasonable. Employees should endeavor to have such costs approved in advance to the extent possible.
- 9.5 The tools, equipment and supplies needed to telecommute will be provided either by the employee, the County, or a combination. The specific tools and equipment

necessary for each employee shall be within the discretion of the supervisor or department head. Employees may receive approval to use personal computer equipment or be provided with County issued equipment at the discretion of the Director of Information Technology. All county-provided equipment requiring power must be protected with a county-provided surge protector or Uninterruptible Power Supply (UPS) for the exclusive use of county equipment.

9.6 If during an emergency a school closes, forcing an employee to stay home to provide child care, telecommuting may be approved if, pursuant to procedures outlined in Section 9.2:

9.6.1 The employee's function is necessary during the emergency;

9.6.2 The employee's function can adequately be performed from home; and

9.6.3 The employee can be reasonably productive and responsive while providing child care.

9.7 The emergency telecommuting will last no longer than is necessary to perform the necessary work during an emergency. At the first opportunity, the employee must return to work at the county facility.