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## TeleWORK Policy

## Introduction and Purpose

Teleworking, or allowing an employee to work at home or an alternate location as part of their scheduled hours within a pay period, can both accommodate the needs of the employee and benefit the County. The County considers teleworking to be a viable work option that, when used appropriately, benefits both the organization and the individual employee. Teleworking is a tool allowing for flexibility in works options for a variety of reasons, including providing services in an innovative manner as well as to provide flexibility during an emergency. This is especially true during declared emergencies that may include the need to physically relocate, or physically distance for the protection of the community and County employees.

Teleworking is defined as allowing employees, during their scheduled work hours, to fulfill their job responsibilities at a telework location other than their primary work location.

For purposes of this policy, teleworking is a voluntary work arrangement, not an entitlement. Teleworking does not change salary, job responsibilities, benefits and County-sponsored insurance coverages, or other basic terms and conditions of employment with the County, or alter the employee’s assignment to a primary worksite. The decision to permit teleworking is solely at the discretion of the County.

## Teleworking Guidelines and Principles

* Teleworking is a cooperative arrangement between the supervisor and employee, for reasons that include:

- the needs of the job, employee, department and County.

- the operational needs of the department and the services it provides to the public   
 unless mandated due to an emergency.

- the employee's current level of performance, up to and including the employee’s most recent evaluation.

* the need to physically relocate or reduce the number of staff at the workplace.
* the need to create flexibility to provide essential services.
* Jobs suitable for telework are characterized by clearly defined tasks and work products that may be completed at a location other than the worksite. The expectation of work deliverables is the same, regardless of work location.
* Each teleworking arrangement must be a joint agreement between the employee and supervisor, and approved by the Department Head. Teleworking is voluntary and may be terminated by the employee, supervisor, or Department Head and should be communicated in writing describing the reason, within forty-eight (48) hours unless mutually agreed upon between employee and supervisor/manager. Telework may be an alternative if physical distancing restrictions cannot be met as a result of the office configuration.
* The business needs of the County onsite office may take precedence over telework days.
* In the event of delay in repair or replacement of equipment or any other circumstances under which it would be impossible for the employee to telework, the department may assign the employee to work onsite.
* Depending on the job, equipment needs for teleworkers will vary. Some equipment may be provided at the County's availability as set forth in “Equipment Considerations” below. The teleworking employee is responsible for ensuring compliance with the Computer Use Policy and security of information at their telework location.

## Selection Criteria

Criteria to be considered when assessing the feasibility of telework are:

#### Job Characteristics

* Clear and definable tasks and work products exist or can be identified, and work activities are measurable, including objectives with identifiable timeframes.
* Alternatives to face-to-face communication such as (telework communication can be handled via telephone, voicemail, e-mail, or video conferencing) where physical presence is not required, or is not possible.
* Position already works independently in the handling of information, such as writing, reading, telephoning, planning, etc.

## Roles and Responsibilities

Department Heads (or designee):

* Examine department operations and identify job duties where telework will be successful.
* Ensure managers and supervisors are advised of the Telework Policy and the use of the Telework Agreement.
* Provide approval or written explanation of denial on Telework Agreements.
* Follow appropriate protocols and all local, state and/or federal regulatory guidelines during emergencies when considering telework agreements.

Supervisors/Managers:

* Educate prospective and current employees about the Telework Policy and review the Telework Agreement form.
* Obtain approval of the Department Head or designee for all Telework Agreements.
* Inform teleworkers that failure to comply with established County and department policies and procedures, as well as telework requirements, may result in termination of the Teleworker Agreement.
* Provide specific, measurable, and attainable performance expectations for the teleworker, such as specific assignments and corresponding deadlines.
* Communicate at least weekly regarding progress made and any other topics related to teleworking. Supervisors will provide support as needed on an ongoing basis.
* Periodically review telework schedules.
* Maintain copies of all signed Telework Agreements.
* Coordinate with ITS and fiscal staff regarding potential budget impacts (additional ITS equipment, ITS services, etc.)

Teleworkers:

* Agree and sign a Teleworking Agreement.
* Shall have normally scheduled work hours, unless employee pre-arranges with their supervisor and/or Department Head. To maintain service level standards employees must be available and accessible via email and/or telephone during those work hours. Employees agree to respond to inquiries in the same fashion, and within the same timeframes, as if in the office.
* Teleworkers must record and report all of their time accurately on their timesheet as prescribed by the applicable policy, practice, MOU provision, law or County Ordinance. If any employee is not able to telework, the employee must code their timecard using the appropriate time (i.e., if an employee is sick they must use sick leave or other accrued time to cover the hours not worked).
* Teleworker will remain obligated to comply with all County rules, policies and procedures and be responsible that service demands are met. This agreement shall be documented using the Telework Agreement form.
* Will take all reasonable precautions to safeguard confidential or privileged information from disclosure and prevent unauthorized access to any County system at the telework location.
* Teleworker will have a designated workspace maintained by the employee. The County shall not be responsible for any costs related to remodeling and set-up (e.g., furniture, fixtures) of the designated workspace. The County, at its discretion, may assist employees with costs for teleworking. Expenses not covered in this policy will be dealt with on a case-by-case basis between the employee and the Department Head.
* Tax implications related to the home workspace are the responsibility of the employee.
* Teleworker will manage dependent care and personal responsibilities in a manner that allows them to successfully fulfill job responsibilities.
* Communicate at least weekly regarding progress made and any other topics related to teleworking.

## Equipment Considerations

The need for teleworking equipment shall be determined on a case-by-case basis by the employee and supervisor. Employee’s personal equipment used for teleworking should be compatible with the County’s remote access technologies, unless the nature of the work assignment does not require it. The Department Head shall have final determination of the County equipment needed for teleworking purposes. If County equipment is approved, the repair and maintenance of teleworking equipment is the responsibility of the County; the County may track the use of borrowed County equipment to ensure it is used solely for business purposes and in meeting the goals of the department. ITS will maintain a current inventory of equipment. The department shall provide ITS a list of borrowed County equipment assignments and provide timely updates if reassignments of equipment occur. If needed, employee shall be responsible for contacting ITS for initial setup. If hardware or software issues arise it is the employee’s responsibility to contact ITS and, if necessary, coordinate a time and meeting location to resolve.

The County, at its sole discretion, may choose to provide equipment and related supplies for use by the employee while teleworking or may permit the use of employee-owned equipment subject to County rules and limitations. The decision as to the type, function, and/or quality of electronic hardware, systems access and voice and data shall rest entirely with the County. The employee agrees that the use of equipment, software, data and supplies provided by the County for use by the employee is limited to authorized persons and subject to the Computer Use Policy.

The employee agrees to designate an appropriate workspace within their remote work location for placement and use of any County-provided equipment. Repairs to employee-owned equipment will remain the responsibility of the employee. The County does not assume any liability for loss, damage or wear of employee owned equipment.

## Telework Objectives and Deliverables

Supervisors and employees will jointly set clear and measurable performance objectives and deliverables, including:

* Identifying the specific tasks and objectives.
* Establishing how to measure the objectives.
* Prioritizing work by identifying those results most crucial and those that can be deferred.
* Analyzing how objectives support work goals.

#### Timekeeping/Reporting and Liability

All County policies and Memoranda of Understanding regarding attendance and hours worked including break and lunch period rules and changes to work schedule shall apply to teleworking employees. The teleworker and supervisor shall agree upon a schedule of normally scheduled work hours, to be approved by the Department Head. The teleworker must be available and accessible during those work hours unless pre-arranged with their supervisor and/or Department Head.

Teleworkers are generally expected to spend the entire teleworking day at the same telework location. Only travel specifically authorized by the teleworker’s supervisor and Department Head will be considered business travel. Establishing a telework location does not make the teleworker's regular commute to their primary work location a business trip or subject to compensation.

Overtime

Existing policies, laws, and Memoranda of Understanding are applicable for teleworkers. Overtime work shall be pre-authorized by the supervisor/manager.

Information Security Requirements

The Napa County Computer Information Use and Security Policy and Federal and State regulations and contract requirements for information security that apply to on-site employees shall apply to teleworkers. The teleworking employee is responsible for ensuring compliance with the Computer Use Policy, regulations, contracts and security of information at their telework location, including logging off the computer when not in use, and securing all County documents and data.

The information provided by the County for teleworker use, generated in the course of teleworking, and/or used by the teleworker for approved County purposes is owned and an asset of the County, and must be protected from unauthorized, incorrect or accidental access, use, modification, destruction or disclosure.

The County has an unrestricted right of access to and disclosure of all data and software on any County equipment at the request of the appropriate County official(s). Information generated on County time, as well as work undertaken on behalf of the County during or outside of any County worksite and/or work hours shall be made available for review at the request of appropriate County officials. Such access and disclosure shall be in accordance with, and subject to any controls or restrictions imposed by applicable statutes or licenses.

Safety and Liability

The employee has the responsibility to maintain their telework space in a safe condition, free from hazards or other dangers. The County does not assume any liability for loss, damage, or wear of employee-owned equipment, furniture, or other personal property.

The teleworker remains liable for injuries to third parties and/or members of the employee's family on the teleworker's premises.