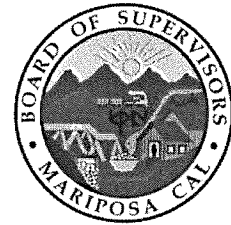




MARIPOSA COUNTY

Human Resources · (209) 742-1379



RESOLUTION - ACTION REQUESTED 2019-108

MEETING: February 26, 2019
TO: The Board of Supervisors
FROM: Kimberly Williams, Human Resources Director
RE: Approve Amendments to the County's Telecommuting Policy and Process

RECOMMENDATION AND JUSTIFICATION:

Approve Amendments to the County's Telecommuting Policy and Process.

The County's current Telecommuting Policy and Process was adopted in 2017 and was designed as an alternative work arrangement to allow employees with job functions suitable for telecommuting the option of working from a location other than the traditional office. Telecommuting arrangements were approved by the affected Department Head and the County Administrative Officer on a case-by-case basis.

In an effort to streamline and update the current policy, proposed amendments include updating the term of "telecommuting" to "teleworking" and removing restrictive language under "Employee Eligibility Considerations" relating to past job performance and successful completion of probationary periods as standards of eligibility, which prohibit new employees from telecommuting arrangements. Removing this language would allow the County to promote telework as a useful recruiting tool to attract and retain qualified candidates and to expand the candidate pool for many positions. Offering this alternative work arrangement would benefit the County in employee retention and in the ability to compete in today's job market where telework options are common and in high demand.

Further proposed amendments include updating the "Implementation Standards" section to the "Terms of e-Telework Agreement," removing the outdated "Telecommuting Screening Questionnaire/Application," and replacing the "Telecommuting Agreement" with a simplified "e-Telework Agreement" with options of regular/recurring, situational, and/or remote telework.

Department Heads have been provided with an opportunity to review and comment on the updated policy and their comments have been addressed and/or included in the proposed changes.

The Human Resources staff is requesting that the Board approve the proposed amendments to the County's Telecommuting Policy and Process to meet the evolving needs of County departments, employees, and future employees.

Resolution - Action Requested 2019-108

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On August 8, 2017 the Board of Supervisors approved the Mariposa County Telecommuting Policy and Process.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board may choose not to approve the proposed amendments and the County would continue with the current policy and process.

ATTACHMENTS:

Telecommuting Policy Amendments-Draft (DOC)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

MARIPOSA COUNTY TELEWORKING POLICY

The County may offer teleworking as an alternative work arrangement (either full time or part teleworking/part traditional office) for employees whose essential job functions are compatible with this approach.

The teleworking option is designed as a work alternative that the County may offer to some employees when it would benefit both the employee and the organization. Teleworking does not change the basic terms and conditions of employment with the County, and employees are subject to the same policies that apply when working at a County facility. Teleworking is not a benefit or entitlement, but a voluntary alternative work arrangement intended to enhance productivity, creativity, employee satisfaction, and/or reduce operations costs. Teleworking arrangements must be approved by the Department Head and/or Supervisor, and include a signed Telework Agreement.

Employee Eligibility Considerations

Does the nature of the work lend itself to teleworking?

- Jobs that entail periods of working alone or with equipment that can be kept at the alternate work site;
- Clearly defined tasks, objectives, and priorities;
- Periods of little face-to-face communication; and,
- Measurable work activities.



Telework Agreement Between Mariposa County and Employee Approved for Teleworking

The employee completes Nos. 1-13 and submits to their immediate supervisor and/or department head. The supervisor and/or department head completes Nos. 14-16 and electronically transmits the form to Human Resources. If the Telework Agreement is denied, the reason is provided in No. 12 and transmitted to Human Resources and the employee.

1. Employee Name:	2. Job Title:	3. Date of Request
4. Business Telephone:	5. Department:	
6. Official Worksite/Location:	7. Alternative Worksite Telephone:	
8. Alternative Worksite Address:		
9. Telework Arrangement Implementation Dates: <i>This Telework Agreement may not exceed one year and may be approved for lesser periods.</i> Start date: End date: Comments:	10. Telework Arrangement: <i>(Check all that apply)</i> <input type="checkbox"/> Regular/Recurring* <input type="checkbox"/> Situational (occasional, temporary medical situation)** <input type="checkbox"/> Remote*** <input type="checkbox"/> Employee is on flex schedule and has a regular day off on the first <input type="checkbox"/> or second <input type="checkbox"/> week of the pay period. Indicate day of the week: <input type="checkbox"/> Telework Agreement Cancelled <i>(cite reason in comments section, #12)</i>	

***Regular and Recurring Telework**

Telework is performed on a regular and recurring basis by week or pay period, as indicated above.

****Situational Telework**

Employees telework on a case-by-case basis where the hours worked are not part of a previously approved, ongoing, and regular telework schedule.

*****Remote Telework**

- (1) A telework arrangement in which the employee resides and works at a location beyond the local commuting area of the employing organization's worksite.
- (2) A full-time telework arrangement.

11. Indicate Telework Days for Regular and Recurring: Approving Supervisor and employee agree the telework schedule will be: Day(s) each *(Please select one)*

Workweek Pay Period Month

Please select which days will be teleworked:

Monday Tuesday Wednesday Thursday Friday

Hours of Duty: (for example, 8:00 a.m.-5:00 p.m.) _____ to _____

*Supervisors may call employee back to the traditional worksite at any time. **Employee Initials:**_____*

Please list any additionally agreed expectations (i.e., log in/check in process, response times, etc.) in the comments section of this form.

12. Comments:

13. Employee signature

14. Employee may be approved for both situational and regular/recurring telework.

Approving Supervisor authorizes employee participation for: (1) situational/ad hoc telework, (2) regular and recurring telework, and (3) telework combined with a flex schedule. For supervisory employees, the immediate supervisor approves the Telework Agreement. Once employees have been approved for situational telework, their supervisor can approve telework on a case-by-case basis.

15. Department Head Signature: (Name & Title)

Date:

16. Supervisor Signature: (Name & Title)

Date:

Telework Agreements may be terminated for various reasons, including but not limited to, diminished productivity, failure to follow the Telework Policy and required procedures, unmanageable burden on other staff members, no adequate resolution to staff coverage, customers' satisfaction with service provided is adversely affected, or the arrangement no longer meets the County's needs.

TERMS OF TELEWORK AGREEMENT

The terms of this Agreement must be read in conjunction with other County policies and any additional guidance provided by the Human Resources Department. Signatories certify they will abide by this Agreement and all supplemental terms established by the County.

1. Work schedules and hours of duty may be modified as necessary, but are subject to County policy and/or collective bargaining agreement requirements. A copy of the employee's daily schedule should be kept on file with the signed Telework Agreement.
2. The official worksite is the location of employee's position of record where he or she normally works, not his/her telework location.
3. Prior to signing this Telework Agreement, the supervisor and employee will discuss:
 - a. Office procedures (e.g., procedures for reporting to duty, procedures for measuring and reviewing work, time and attendance procedures, procedures for maintaining office communications);
 - b. Work assignments; and
 - c. Performance expectations.
4. Employee agrees to complete all assigned work according to procedures mutually agreed upon by the employee and the supervisor and according to guidelines and standards in the employee's performance plan. The employee agrees to remain accessible via phone and email throughout the telework day excluding breaks and lunch and will provide regular reports if required by the supervisor to help assess performance. Employee understands that all work he/she produces while teleworking is strictly County property.
5. Employee will not work in excess of the regular schedule unless he/she obtains advance approval for paid overtime or compensatory time off from the supervisor and requests it in advance.
6. Employee understands that the County supplies no hardware, i.e., computers, printers, phones or fax equipment, and no software including specialized programs for their personal computers used while teleworking. The employee agrees to install, service, and maintain any personal equipment used, including up-to-date antivirus/malware protection. The employee is also responsible for providing their own network connectivity with a minimum speed of 10 Mbps upload and 30 Mbps download. On a case-by-case basis,

employees may be allowed to take home County equipment such as a laptop computer if approved in advance by their immediate supervisor and department head.

7. The County will not be responsible for any operating costs that are associated with the use of the employee's residence as an alternative worksite; for example, home maintenance, insurance, utilities, internet access or any costs associated with it. The employee understands he or she does not relinquish any entitlement to reimbursement for authorized expenses incurred while conducting business for the County.
8. The County may reimburse an employee on a case-by-case basis for business related long-distance telephone expenses incurred at the employee's home on teleworking days if approved in advance by the employee's immediate supervisor and department head. Teleworking expenses beyond the minimum spending limit set up by the department head will also require advanced approval by the department head. Long distance charges for remote access to the County's network are permissible if approved in advance by the employee's immediate supervisor and department head. Teleworking expenses beyond the minimum standard set up by the department head will also require advanced approval. Reimbursement will require an itemized copy of the employee's telephone bill. The County will not reimburse the employee for local telephone calls, service, or regular cell phone expenses.
9. The employee will apply approved safeguards to protect all County records from unauthorized disclosure or damage. Employees understand that other employees who may need access to County documents are not to be impacted on their telework days.
10. The employee shall designate a workspace at the alternate work location, which will be maintained in a safe condition, free from hazards and other dangers to the employee and equipment. Workers' Compensation liability will be limited to this workspace as opposed to applying to all areas of the home or other alternate work location. Any work-related injury should be immediately reported to the teleworker's supervisor.
11. The employee understands that the County will not be liable for damages to an employee's personal or real property while the employee is working at the approved alternative workplace.
12. The employee acknowledges that telework is not a substitute for dependent care.

13. The employee acknowledges that telework is a discretionary alternative workplace arrangement.
14. Management will terminate the Telework Agreement should the employee's performance not meet the prescribed standard or the telework arrangement fails to meet organizational needs.
15. The employee continues to be covered by the County's standards of conduct while working at the alternative worksite.
16. The employee must be easily accessible to his/her supervisor and must frequently check voice-mail or email while at the alternative worksite.
17. Time spent in regular duty status at an alternative worksite must be accounted for and reported in the same manner as if the employee reported for regular duty at the official worksite.
18. An employee who uses a portion of his or her home for work does not usually qualify for any Federal tax deductions. However, employees should consult their tax advisors or the Internal Revenue Service for information on tax laws and interpretations that address their specific circumstances.