

Fillmore County

Telecommuting/Extended Work Place Policy

Policy Statement

The County recognizes the importance of providing options to the normal work environment which uses technology to increase employee productivity, improve employee satisfaction, reduce employee absenteeism, reduce the costs of office space, and provide greater employment opportunities throughout the county.

To accomplish that, the County permits telecommuting/extended work place as an alternative work arrangement for County employees on a very limited basis. The County's telecommuting/extended work place program is intended to be an innovative work option that benefits the County, constituents, and employees.

Definitions

Telecommuting - to work part of the standard work week at home on a regularly scheduled basis rather than at the designated County location.

Intermittent Telecommuting- to work part of the standard work week at home on a non-regular basis as determined by the Department Head.

Extended Work Place - an environment in which technology provides the County employee with a portable office, enabling them to effectively work at anytime, from anywhere.

Eligible Employee - regular full time, part time, exempt, and non-exempt employees.

Telecommuting/Extended Work Place Agreement - a document that describes a specific alternative off site work arrangement agreed to between the employee and the Department Head.

Core hours - those hours during which the employee must be available for contact.

Eligibility

An employee must have regular status to participate in the telecommuting/extended network program. Thus, employees are not eligible to participate during their probationary period with the county.

Department Heads/~~Supervisors- can telecommute are also unable to participate in the telecommuting/extended network program~~regular telecommuting, although can are able to telecommute on an intermittent basis.~~Although department heads may find themselves doing work from home on occasion, they~~ Department Heads/Supervisors serve as a valuable resource to their subordinates and need to conduct business from a Fillmore County worksite on a regular basis.

Process

Employees interested in participating in a regular Telecommuting/Extended Work Program must take the following steps.

1. Read, review and understand the guidelines set in place by this Telecommuting/Extended Work Place Policy.
2. Complete the Fillmore County Telecommuting Compatibility Survey. This survey will be

available to employees on the County intranet and also by request from the Human Resources Officer.

3. Review the Telecommuting Compatibility Survey with your department head/supervisor to determine if telecommuting is an appropriate choice at this time. Keep in mind what information and materials the employee would need access to from home.
4. If the result of the survey favors telecommuting, a Fillmore County Telecommuting Handbook and Telecommuting Agreement should be ~~obtained~~attained by the employee. These materials will be available to employees on the County intranet and also by request from the Human Resources Officer
5. Upon review of the above materials, complete the Fillmore County Telecommuting Agreement with the department head.
6. Final approval of ~~the telecommuting approval~~ shall be ~~sought from the County Board~~ granted by the department head.
7. The completed County Telecommuting Compatibility Survey and approved Telecommuting Agreement shall be turned into the Human Resources Officer to be filed in the employee's personnel record.
8. The Human Resources Officer shall track approval dates and notify department heads and employees when an agreement renewal is needed (See renewal of telecommuting agreements below).

Employee Selection Criteria and Conditions

The Department Head will review each telecommuting/extended work place request on a case-by-case basis. A request may be initiated by either the employee or the Department Head. The Department Head will consider the unique circumstances of each request in light of at least the factors listed below:

- Needs of the department
- Employee's work duties and the ability to measure work performed
- Availability and costs of needed equipment
- Adequate work space at the employee's home
- Employee's current and past job performance
- Employee's work skills, such as time management, organizational skills, self motivation, and the ability to work independently
- Effect on customer service
- Effect on the rest of the work group, unit or department
- Other items deemed necessary and appropriate by the Department Head

Seniority will not be a basis for selecting employees to participate in this program.

Telecommuting/Extended Work Place is a prerogative of the County not an entitlement of employees, and as such is approved on a case by case basis consistent with the mission of the County and the respective department.

~~Telecommuting/Extended Work Place is not a substitute for dependent care.~~

Compensation and Benefits

Compensation and benefits will be those determined by County policy. Compensation and benefits will not be negatively impacted by telecommuting.

Tax Implications

Any Federal, State, or Local tax implications resulting from an employee being a telecommuter and the potential use of a home office will be the sole responsibility of the employee. Employees should refer questions in this area to their personal tax advisors.

Work Schedule and Overtime

- Telework arrangements must comply with State and Federal employment laws that apply to all County employees, including but not limited to, the Fair Labor Standards Act (FLSA) which regulates payment of overtime for exempt and non-exempt employees.
- Telework arrangements must comply with all applicable County rules and regulations as well as any applicable departmental rules, policies and procedures.
- The job duties, responsibilities and obligations of the position as well as the related terms and conditions of employment as specified in any applicable collective bargaining agreement are not affected by telework status.
- Provisions of any applicable bargaining agreement must be followed when implementing a telework arrangement.
- Salary, benefits and any other conditions of employment cannot be affected by a telework arrangement.
- A telework arrangement cannot be a substitute for dependent or child care. Those hours agreed to in the teleworker agreement cannot be used for the care of dependents. Employees who need to arrange care for dependents while they work at the assigned office need to make the same arrangements for the days/time they are teleworking.
- ~~Federal and State tax implications of teleworking and the potential use of a home office are the responsibility of the employee.~~
- An employee is covered by all benefits and laws pertinent to the course and scope of employment while in teleworking status. Any injury that occurs within the course and scope of employment must be reported to the employee's department head immediately using the County's standard injury reporting process. If an employee has a designated home work space, that space is considered an extension of the County's work space during scheduled telework hours for purposes of Worker's Compensation.
- The teleworker's schedule, including the number of telework days per week, normal telework day hours or core hours and use of PTO or compensatory time will be discussed by the department head and the employee prior to the finalization of the signed telework agreement. No teleworker shall work more hours than the normal workweek unless they received prior overtime authorization from the department head. The work schedule of the telecommuting/extended work place employee will be documented in the telecommuting agreement.
- Teleworkers and their department heads are expected to agree on work results and performance measures related to teleworking prior to the finalization of the signed agreement.
- Unless other arrangements are made, the employee will be expected to attend all assigned office meetings related to the performance of the job, including those which would normally

be held on a telework day.

- Travel to and from the main business office for purposes of meetings or other work requirements shall not be considered compensable hours and mileage will not be reimbursed.
- A teleworker who is scheduled to work at home on a day that is declared to be a weather emergency is expected to work at home as scheduled.
- Teleworkers and department heads are expected to develop an effective communications strategy. Teleworkers must be reachable during agreed upon hours. Teleworkers must notify the assigned office staff if, for some reason, they must leave their telework location during the pre-agreed upon hours. Telecommuters will be as accessible as their on-site counterparts during their agreed upon regular business hours, regardless of work location.

Performance Measurements

The telecommuting employee will be measured against objectives and results mutually agreed to by the employee and the Department Head who normally conducts their performance communication.

Equipment, Software, Telephone and Work Supplies

- Departments are responsible for determining the type and availability of computer equipment, software and telephone support needed for the teleworker. Due to eCounty connectivity constraints, arrangements must be made in advance ~~with the Information Systems Department.~~ for remote connectivity.
- Departments may provide computer hardware equipment, software and telephone service deemed necessary to perform assigned work off-site. Departments must maintain a complete record of county-owned hardware, software and other property located ~~at~~ in the alternative work location.
- The County is responsible for installation, testing, maintenance and repair of the equipment and upgrades of software when teleworkers use equipment owned by Fillmore County. Such costs must be covered in the County's approved budget.
- ~~Departments may authorize teleworkers to use employee owned computer hardware equipment and software equipment deemed necessary to perform assigned work off site. When such authorization is given, the department, at its discretion, may elect to provide maintenance and repair for employee owned equipment, hardware and software.~~
- Equipment, hardware and software furnished by the County remains the property of the County and is subject to the same business use restrictions as if the equipment were located in the main business office. To assure hardware and software security for eCounty-owned equipment, all software used for teleworking must be approved by the department head. County-owned software shall not be installed on employee owned hardware unless authorized by the department head. Employee owned software shall not be installed on county owned equipment.
- Teleworkers will return County owned hardware, software, supplies, documents and other information or property to the assigned department 2-5 days prior to termination of employment, ~~or~~ the teleworking agreement or at the request of the department.
- Teleworkers will be responsible for promptly notifying their department head of an equipment

malfunction, failure, theft or damage of either County owned or employee owned equipment that is required for the employee to fully function in a telecommuting environment.

- Equipment, software, data, supplies and other equipment furnished by the County for use at an alternative work site are solely for the purposes of conducting County business and may not be used for personal purposes by either the employee or other non-county personnel.
- Departments will be responsible for determining the telephone requirement for teleworkers and for determining the most cost-effective means for meeting those requirements. The department and the teleworker are expected to comply with County policies regarding long distance costs and reimbursements.
- Departments are responsible for insuring County-owned equipment; the teleworker is responsible for insuring employee-owned equipment.
- Supplies needed for the remote work location will be obtained through the normal supply procurement process. Reimbursement for supplies purchased outside of this process will not normally be allowed unless there has been prior agreement between the employee and the department head regarding the necessity for purchase outside the county process.

At Home Work Space

- At home work space can be approved as an alternate work location provided that all other conditions of work can be met.
- The teleworker is responsible for establishing and maintaining adequate work space at home and such work space must be approved by the County. The designated at home work space must accommodate any equipment to be used in the work performed and the teleworker must protect the work space from hazards and dangers that could affect them or the equipment (such as faulty or ungrounded electrical outlets).
- The teleworker will be responsible for absorbing all costs related to improvements in the home necessary to assure an adequate and safe work space (such as remodeling or electrical modifications). Home utility costs (e.g. water, heat, electricity, waste, etc) will not be reimbursable by the County.
- Furnishings may or may not be provided by the county based on individual needs and may include ~~a file cabinet, ergonomic chair, monitors~~ and/or ergonomic keyboard. Intermittent telework does not entitle the employee to any additional furnishings by the County.
- The County may make periodic visits to the home office space, with advance notice, to assure that equipment and work areas are safe and free from hazards.
- The teleworker must take appropriate steps to minimize damage to county-owned equipment at the home work site; in addition, the teleworker must take steps to assure that county-owned equipment is not used by any unauthorized person. County-owned equipment cannot be used by the teleworker's family or for any purpose other than County business.
- The teleworker's designated at-home work space is considered an extension of the County department during the agreed upon working hours. Business performed at home shall be done in the same professional manner that is expected in an office environment.

- The County does not assume any responsibility or liability for third party injury or property damage that may occur at the home residence (such as injury to a courier driver). If a County representative is visiting the home work site for County business, the injury may be covered by Worker's Compensation.
- Business meetings shall not be held at the teleworkers' home work site; client visits to the teleworker's home work site are not allowed.
- The telecommuter must inform ~~his/her~~their Department Head or supervisor of equipment failure immediately. The telecommuter may be asked to come in and continue working or be reassigned other duties until necessary repairs are made. Repeated circumstances of equipment failure may be cause for review of continued telecommunicating ability.

Data Privacy and Information Security

Provisions of the Minnesota Government Data Practices Act and program data privacy policies must be followed when performing work at an approved alternative work location. The teleworker and the department head should agree on the type and form of data which will be taken to and from the alternative work location. Agreement must be reached on the security and transfer process necessary to comply with data privacy laws, rules and regulations.

Teleworkers must provide security for the data and information that is transported to and from their approved alternative work location. Simple measures such as removing disks and documents that contain sensitive data from desk or home work areas and placing them in secure storage may prevent a major and, potentially costly, security breach and loss of information for the County.

Teleworkers needing restricted access to information while working at an alternative work location will discuss this need with their department head before taking such information off-site. The teleworker is responsible for protecting the privacy and confidentiality of data at alternative work locations the same as they would be in the assigned office.

Data created and maintained on the teleworker's personal home computer, if generated for the purpose of conducting County business, is subject to the County's record management and data privacy rules and regulations. This means that proper retention and disposal procedures as well as data privacy protections are required. Such data remains the property of the County.

Renewal of Telecommuting Agreements

Each Telecommuter agreement should be discussed and renewed annually, whenever there is a major job change (such as a promotion), or whenever the telecommuter or Department Head changes positions. Because telecommuting was selected as a feasible work option based on a combination of job characteristics, employee characteristics, and Department Head characteristics, a change in any one of these elements may require a review of the telecommuting arrangement. Actual job requirements and equipment requirements are at the discretion of the Department Head.

Telecommuting is a work arrangement between an individual employee and the Department Head. The telecommuter has no automatic right to telecommute from their home. Department Heads have no authority to require an employee to telecommute. Telecommuters and Department Heads are encouraged to continue telecommuting arrangements by mutual agreement. Neither should be required to continue a telecommuting arrangement when it is not in the best interests of either or both.

Termination of Telecommuting/Extended Work Place Agreement

This agreement may be suspended or terminated by the County for any or no reason at the sole discretion of the Department Head-County Board of Commissioners.

Intermittent Telecommuting Guidelines

Department Heads have the authority to allow an employee, who is not in a telecommuting agreement, to work from home on limited occasions. This allowance would be for instances that include, but are not limited to:

1. Completion of a specific, short-term project where both the employee and Department Head agree that uninterrupted time at home would produce a better outcome.
2. Virtual meetings which occur after normal business hours but which the employee is required to attend.
3. Other non-regular, short-term reasons as approved by the Department Head.

If the allowance of intermittent telecommuting becomes regular at any point in time, the Department Head and employee must follow the processes above for regular telecommuting.