



# COUNTY OF INYO

## TELEWORK POLICY

### **I. PURPOSE**

The purpose of this policy, along with its procedures and guidelines, is to authorize and outline the scope of Telework, allowing employees to work from designated sites outside of the County office(s) for all or part of their workweek.

### **II. AUTHORITY**

The County Board of Supervisors establishes this policy, and may discontinue and/or modify this policy, in its sole discretion, as an exercise of its management rights subject only to effects bargaining and shall review the policy annually.

### **III. IMPLEMENTATION**

The County Board of Supervisors delegates administration of the Policy to each department head or designee, with general oversight by the County Administrative Office/Personnel Department. The County Board of Supervisors further delegates authority to the Personnel Department to draft a Telework Agreement, and any other forms or agreements applicable to this Policy.

### **IV. INTENDED BENEFITS**

The County of Inyo strives to be an employer-of-choice where employees have high levels of job satisfaction. Equally important for the County is the primary mission of serving the public. These values and objectives are not mutually exclusive, and the County authorizes this policy as an alternative work option with the expectation that telework will not diminish the level of services and programs that County departments provide, and the County's work culture will continue to foster employee collaboration, camaraderie, and innovation and that some level of in-person presence at the workplace supports these objectives. Telework is not intended to replace in-person services or

decrease accessibility to services and programs and does not replace the need for employees to report on-site for disaster worker assignments or for operational needs.

An appropriately crafted and implemented telework policy can benefit employees, departments, and the community. The primary intended benefit of this policy is to enhance Inyo County's recruitment and retention of highly qualified and productive employees.

## V. DEFINITIONS

**Teleworking Site:** Any approved worksite not County-owned or -operated where County employees perform the duties of their position by teleworking. In most cases, an employee's teleworking site will be their home.

**Telework:** A work arrangement where an employee performs the duties and responsibilities of their position from an alternative workplace environment. Telework involves the use of County or Department provided communication/collaboration technology that enables the employee to avoid traveling to a regularly assigned County workplace to conduct business when no in-person interaction is required.

**Regular Worksite:** Any Inyo County-owned or -operated building or site where County employees normally report to work to perform the duties of their positions (unless a contractual agreement supersedes this definition).

**Teleworker:** An employee who meets the eligibility requirements and has appropriate approval and resources to work effectively as a teleworker. Teleworking is not to be confused with alternative work schedules or flexible schedules. Although some teleworkers will have alternative work schedules or flexible schedules, not all who have such schedules will be teleworkers.

**Telework Workspace:** The designated area within the teleworking site where authorized work is performed for the County.

**Telework Agreement:** A written agreement between an employee and the County which stipulates the terms and conditions of the telework agreement, including the regular days, hours, and teleworking site.

**Regularly Scheduled Telework:** Regularly scheduled telework is the focus of this policy. Regularly scheduled telework refers to an ongoing, long-term arrangement where an employee is authorized to perform their job duties from an alternative workplace environment, such as their home or another approved site, on a regular basis. This arrangement is intended to be ongoing, subject to periodic review and approval, and is established to provide flexibility while maintaining the operational needs of the organization.

**Temporary Telework:** Refers to a short-term arrangement where an employee is authorized to work remotely from a designated site outside the County office(s) for a

limited, specified period. This arrangement is typically used to accommodate temporary circumstances such as emergencies, special projects, short-term personal needs, or other situations where it is beneficial for the employee and the organization. A temporary telework authorization may be extended to an employee who has a regularly scheduled teleworking agreement. This policy is not specifically aimed at temporary telework arrangements.

## **VI. POLICY**

Telework is a management tool that provides an alternative workplace location intended to promote general work efficiencies, cost effectiveness, greater environmental responsibility, and support recruitment and retention while maintaining or enhancing service levels.

Telework is a privilege, not an entitlement or a right. A telework agreement may be suspended and/or canceled at the will of the County without any cause required related to the employee's performance. Any such suspension or cancellation shall not be considered a disciplinary action. Should a Telework Agreement be suspended or canceled the employee shall be given reasonable notice of such change. For purposes of this policy, five (5) business days is considered to be a reasonable amount of notice for a suspension or a cancellation of the telework agreement.

Employees who wish to revoke their own Telework Agreement will be accommodated as soon as operationally feasible for the department.

Regardless of an approved Telework Agreement, employees may be required to report to work on short notice during a scheduled telework day to maintain services or operational coverage as needed and as determined by the supervisor/manager. Such action is not considered to be a suspension or a revocation of the telework agreement requiring five business days notice. Other discrete non-emergent situations in which an employee may need to temporarily report to work should include as much prior notice as feasible to allow the employee to prepare for the change, and such details shall be set forth in a Telework Agreement.

All County employees who telework must have an approved Telework Agreement consistent with this policy. A County department may have additional telework requirements, guidelines, or procedures, provided they are consistent with the intent of this policy. Such additions must be reviewed and approved by the Personnel Director or designee prior to going into effect.

Teleworking is not a substitute for child or elder care. The employee must make appropriate arrangements for dependent care in a manner that allows job responsibilities to be successfully met. In the event that dependent care is not available, the teleworker shall request and utilize appropriate accrued leave.

An employee's compensation, benefits, work status, and work responsibilities will not change due to a Teleworking Agreement. Teleworking employees must comply with all County rules, policies, and procedures, including those set forth herein.

**A.** The distinction between regularly scheduled and temporary telework lies primarily in the duration and purpose of the arrangement. Regularly scheduled telework is a long-term solution where employees consistently perform their duties from an approved teleworking site, providing ongoing flexibility while ensuring organizational needs are met. In contrast, temporary telework is a short-term solution designed to address specific situations such as emergencies, special projects, or personal needs, offering flexibility without the need for a formal, long-term commitment. This differentiation allows the County to tailor telework arrangements to best fit their operational requirements and employee needs.

**B. Eligibility**

Eligibility for a Teleworking Agreement is based on the position, employee, and telework environment. Not every department, position, or employee, is well-suited for telework.

All telework requests will be reviewed on a case-by-case basis by the immediate supervisor or manager who shall make a recommendation to their respective Department Head based on meeting eligibility criteria and the operational needs of the department. Final approval of such Telework Agreements, as recommended or revised, shall be made by the County Administrative Officer or designee.

Each department must establish internal protocols related to implementation of a Telework Agreement. Such protocols should establish the appropriate use of telework without diminishing employee performance or service delivery and information security.

**i. Position Eligibility**

The County will maintain a list(s) of positions, by department, that are eligible for a Telework Agreement. Criteria to be considered when assessing the appropriateness of a telework arrangement for a position include, but are not limited to, the following:

- Work performed by the teleworking position would not require other employees to cover the teleworking position's on-site responsibilities.
- The position's telework is not impacting the overall service delivery of the department and does not negatively impact customer satisfaction.
- Responsibilities and essential duties of the job classification and particular assignment can be fulfilled remotely.

- The position's immediate presence is not essential to the management of on-site workflow during approved teleworking hours.
- No need for specialized material and equipment to perform essential work duties.
- Work can be performed independently with minimal direction or supervision.
- Work objectives and outcomes can be achieved with minimal need for face-to-face interaction with customers, co-workers, immediate supervisor or manager or Department Head or designee.
- Work that is evaluated in terms of specific and measurable outcomes.

## ii. **Employee Eligibility**

Employees may be eligible for telework when the following criteria has been met as determined by their supervisor or manager and the Department Head or designee:

- The employee must have completed their initial or promotional probationary period and be in good standing (if a Department Head wishes to waive this requirement, approval is required from the Personnel Director or designee).
- The employee's most recent performance evaluation must have a rating of Meets Standards or higher in every individual rating criteria.
- The employee's conduct must not have resulted in disciplinary action within the last 12-month period (if a Department Head wished to waive this requirement, approval is required from the Personnel Director or designee).
- The employee has the necessary knowledge to perform the required job tasks away from the office.
- The employee demonstrates that they are reliable, responsible, self-directed, and able to work independently in performing their work duties and has a consistent high rate of productivity.
- The employee demonstrates the ability to establish priorities and manage their time effectively and has a history of accurately reporting their time.
- The employee can effectively complete work with minimal supervision/direction and demonstrates effective communication with supervisors, coworkers, and clients.
- The employee has agreed to create a functional and ergonomically safe teleworking site with reliable and secure internet access.

- The employee’s teleworking site is in California, and the employee is able to report to work if needed for necessary operational coverage within a reasonable amount of time.

### **C. Training**

All teleworkers are required to successfully complete an assigned teleworker ergonomics course at least annually. This course may be assigned by the Department or Risk Management through the County's Online Learning Management System. Supervisors and managers in consultation with Personnel and/or Risk Management, may require teleworkers to retake the teleworker ergonomics course or add additional coursework.

### **D. Teleworking Site/Telework Workspace**

All employees conducting work for the County at a teleworking site shall comply with all County ordinances, rules, policies, and procedures. Additional requirements may be imposed for teleworkers as deemed appropriate by the Department Head or designee and approved by the Personnel Director or designee.

- Teleworker must designate a teleworking site for performing official business and be within the boundaries of California.
- Teleworker must provide a telework workspace that is maintained in a safe condition, free from hazards and an environment that allows them to perform their duties safely and efficiently and take into consideration ergonomics, noise, and interruption factors.
- Those authorized to telework shall perform work for the County at the approved teleworking site.
- Teleworkers shall be available via Teams, text, and/or voice communication channels as traditionally used within the department for coordinating work and maintaining connectivity between team members.
- Teleworkers shall forward their designated regular worksite phone to their teleworking site/telework workspace.
- Teleworkers shall be required to turn on the computer camera during video conference meetings when the video camera is supplied by their department and participation is required. Teleworkers may blur or use an appropriate supplied background. At the discretion of the Department Head, this can be waived.
- Teleworker may be required to report to the regular worksite when directed by the department. If called to report, the employee will be provided a reasonable amount of time specified in the Telework Agreement to return to the worksite, unless another timeframe is agreed to by the supervisor/manager. Such change in schedule is neither subject to mileage reimbursement nor pay for time required to travel.

The County is not liable for damages to a teleworker's personal or real property while the teleworker is working at their teleworking site and is not obligated to assume responsibility for operating costs, utilities, appropriate internet connection, home maintenance, property, casualty, automobile, or homeowner's insurance, or other costs incurred by the teleworker in the use of their homes as teleworking site. The teleworker is solely responsible for all costs associated with the operations of their telework worksite.

Teleworkers are solely responsible for determining any tax implications related to their Telework Agreement.

#### **E. Schedules and Hours**

Most positions are not eligible for full-time telework. Typically, positions are designated to telework 2-3 days per week to ensure a balance between telework and maintaining high standards of public service.

Teleworker must record and report all their time accurately as prescribed by the applicable policy, practice, MOU provision, or law. Telework is not intended to be used in lieu of vacation, sick leave, Family and Medical Leave, Pregnancy Disability Leave, Worker's Compensation leave, or any other type of job-protected or county sponsored leave of absence program.

The total number of hours that employees are expected to work will not change due to a Telework Agreement, regardless of work location. All the rules applicable at the regular worksite are applicable while teleworking. That is:

- Teleworkers must perform designated work and be available by phone and email during scheduled work hours outlined in their approved Telework Agreement.
- Teleworkers must account for, and report time spent teleworking the same way they would at the regular worksite, and in addition, reports may be required detailing daily activity. All teleworkers must complete a daily timesheet accounting for all hours of their assigned schedule.
- Teleworkers may work overtime only when directed to do so and approved in advance by the supervisor/manager; however, departments are strongly discouraged from authorizing overtime.
- Teleworkers must request and obtain approval to use vacation, sick, or other leave in the same manner as departmental employees who do not telework.
- Teleworkers who become ill must report the hours actually worked and use sick leave for hours not worked.

- Deviations from the agreed upon schedule outlined in the Telework Agreement must be approved in advance by the teleworker's supervisor/manager.
- In the event that the County offices are closed due to a natural disaster or other cause that prevents employees from commuting to their regular County workplace, teleworkers shall continue to work from their telework location pursuant to their telework agreement.

## **F. Roles & Responsibilities**

Below are the standard roles and responsibilities with respect to teleworking in Inyo County.

### **i. Department Heads (or designee)**

- Examine department operations and identify areas where telework will be successful.
- Maintain a list of department positions eligible for a Telework Agreement.
- Ensure a balance between in-person and telework to avoid negatively impacting departmental operations and the operations of other county departments. If program requirements and operations allow, recommend approval of Telework Agreements which adhere to all applicable Federal, State, County and departmental policies and procedures and do not negatively impact operation and service standards.
- Approve or deny Telework Requests.
- Ensure that all teleworkers understand and adhere to all applicable County, State and Federal regulations and requirements including, but not limited to, Criminal Justice Information Services (CJIS), Health Insurance Portability and Accountability Act (HIPAA), and Federal Tax Information (FTI).
- Determine security requirements to access department information remotely.
- Ensure supervisors/managers are advised of the Telework Policy and the use of all applicable forms.
- Ensure supervisors/managers are appropriately communicating with and supervising teleworkers.
- Ensure there are internal processes that maintain copies of all signed Telework Agreements and applicable forms; ensure effective dates are current; and ensure copies are provided to the Personnel Department on an annual basis.



**ii. Supervisors/Managers**

- Review department operations and identify job duties where telework could be successful to be able to make recommendations to the Department Head.
- Review Telework Requests and determine, on a case-by-case basis, if the proposed telework schedule will contribute to the County’s objectives, while maintaining or improving safety standards as well as the efficiency, productivity, and effectiveness of business operations. Submit Telework Requests to the Department Head for recommended approval/denial.
- Work with approved teleworkers to establish the work duties to include in the Telework Agreement and ensure the teleworker understands their role and responsibilities and completes all applicable forms.
- Ensure Telework Agreement does not include tasks that allow or require Teleworker to take to Telework Site any cash, checks, gift cards, bus passes or cash equivalent.
- Ensure teleworkers’ hours are recorded accurately on employee timesheet.
- Ensure regular communication and support for teleworkers, to maintain an engaged direct report/supervisory relationship.
- Review performance expectations with the teleworker, and complete performance evaluations.
- Periodically review the telework arrangement with the teleworker and affirm compliance and efficacy; and monitor teleworkers’ ability to deliver on performance expectations, assignments, deadlines, as well as quality and quantity of work.
- On an annual basis (during annual performance evaluation) review the Telework Agreement with the employee, make changes if necessary and submit for approval.
- Monitor the impact of teleworker agreements on business operations and/or workload impact on other employees. Coordinate with the Information Services Department and other staff regarding approved system and equipment needs.

**iii. Employees**

- If desired, submit a Telework Request to supervisor/manager.
- When a Telework Request is approved, the teleworker must work with their supervisor/manager to:
  1. Establish and maintain an acceptable and safe telework workspace, including internet speed and service and complete a “Telework Health & Safety Self-Certification Checklist”.

2. Comply with the telework agreement.
3. Perform work duties in accordance with applicable performance standards.
4. Adhere to all County and Departmental policies and procedures regarding information security, computer usage, and record retention, and any position-related legal and confidentiality requirements, etc., and ensure that confidential information is kept in a secure manner and is not accessible by others, including during transport.
5. Ensure that no cash, checks, gift cards, bus passes, or cash equivalents are taken to the Telework Site.
6. Maintain the same communication standards applicable within the office environment (i.e., answering phone calls, checking voicemails, emails, etc. on a regular basis).
7. Notify their supervisor as soon as possible if the employee experiences constraints that impact their ability to telework such as power/technology failure, dependent care needs, and make other personal/work arrangements to continue working or use appropriate leave options.
8. Maintain work performance standards including maintaining professionalism during communications and meetings and keeping interruptions to a minimum.
9. Report any teleworking site/security incidents immediately to their supervisor and cooperate with any initiated investigations.
10. Follow County policy for reporting work-related injuries. The policy includes immediately notifying the supervisor and immediately calling the Work-Related Injury/Illness Reporting Hotline at 877.215.7285.
11. Immediately report to their supervisor any improper functioning, damaged, lost, or stolen County or Department-issued equipment assigned to the teleworker.
12. Continue to abide by practices, policies, and procedures for requests for sick, vacation, and other leaves of absence.
13. Record and report all time worked accurately.
14. When stepping away from one's computer, even briefly, prevent unauthorized access by locking one's screen (e.g., by using the Windows+L key combination).

#### **G. Procedures/Application Process**

1. Employees interested in entering a Telework Agreement must submit the following, to their supervisor/manager:
  - Completed Telework Request Form

- Completed Telework Health & Safety Self-Certification Checklist
  - Submit 2 photos of telework workspace
- a. If the telework request is approved, a Telework Agreement must be completed and shall be forwarded to the Personnel Department, where it will be placed in the employee's official personnel file.
  - b. If the telework request is denied, the applicable section on the Telework Request Form must be completed by the Department Head. The Department Head shall provide a copy of the denied Telework Request Form to the employee and the original forwarded to the Personnel Department, where it will be placed in the employee's official personnel file.
2. The performance of the employee and the respective Telework Agreement shall be reviewed at least during the regularly scheduled annual performance evaluation and considered for renewal, modification, or revocation.
  3. Assuming a Telework Agreement remains in place, the employee and their supervisor/manager must review and sign the Telework Agreement as part of the annual performance evaluation and forward it to the Personnel Department, where it will be placed in the employee's official personnel file.

#### **H. Denial of Request and Subsequent Requests**

The County's Telework Policy is not subject to the grievance procedure in the Personnel Rules and Regulations or in any Memorandum of Understanding, or to any other County review or appeal procedure.

An employee who has been denied a telework request for reasons other than position ineligibility may submit a subsequent request no sooner than 12 months from the most recent date of denial. For telework requests that have been denied due to the Department Head determining the position is not eligible for telework, subsequent telework requests will not be considered unless the Department Head since formally determined that the position is eligible.

#### **I. Equipment and Supplies**

- The teleworker is responsible for any County or Department-issued equipment and teleworker shall ensure such equipment is properly used and safely secured at a telework site. This includes being safely transported, maintained, and secured at the telework site.
- Teleworkers must receive supervisor/manager approval before taking County or Department-issued equipment or materials to a teleworking site.

All County or Department-issued equipment or materials being taken to a teleworking site must be detailed in the Telework Agreement and the teleworker must protect County or Department-issued equipment and materials from unauthorized access, possible theft, loss, and damage.

- County or Department-issued equipment and office materials are intended for County business only and are not for the personal use of the teleworker and/or non-employees. County or Department-issued materials/equipment may only be used by the teleworker to whom the materials/equipment have been issued; any access by third parties or use for non-County related business is strictly prohibited and will result in the immediate revocation of telework authorization and may result in disciplinary action as outlined in the Personnel Rules and Regulations.
- Inyo County Information Services (IS) personnel will not troubleshoot or repair the operability of a home network or any non-County-owned network or equipment (including printing to personal printers), but IS will advise on minimum standards for optimal connectivity and performance.
- IS personnel will not travel to a teleworking site for County equipment related support. IS may require a teleworker to bring County owned equipment into the County office for support or maintenance.
- County owned computers shall be turned on, plugged into power, and connected to the internet so nightly maintenance can be performed remotely (the teleworker does not need to be logged in for nightly maintenance to occur).
- Teleworkers should be aware that there is no expectation of privacy with respect to documents, electronic communications, and equipment used in the performance of County business while teleworking.
- A teleworker does not obtain any rights to County or Department-issued equipment, software, or supplies provided in connection with teleworking. The teleworker must return all County or Department-issued equipment, software, and supplies at the conclusion of the teleworking agreement, at the request of the department, or upon separation from County employment.
- Teleworkers may only use personal computers and equipment in concert with County approved technology systems (such as Office 365 and other web-based applications or programs). Under no circumstances shall teleworkers store County documents on personal computing devices – all information must be stored on County devices on County-approved cloud storage platforms.
- Furnishing and household expenses (e.g., heating, electricity, internet, etc.), are the sole responsibility of the employee who has requested telework.

- Teleworkers must contact their supervisor and report if equipment, connectivity, or other supply problems prevent them from working while teleworking. The Department Head or designee may reevaluate the Telework Agreement upon receiving this report and immediately suspend or revoke the telework agreement.

#### **J. Security (IT and Confidential Information)**

- Employees have responsibility for the security of the data and other information they handle while teleworking. All teleworkers shall take all precautions necessary to secure and protect County information at the teleworking site and to prevent unauthorized access to any County software or information.
- Teleworkers must comply with Countywide and Departmental information security policies and maintain security of any relevant materials, including files, correspondence, and equipment. If County or Department-issued equipment is lost or stolen, the employee must report the incident to their supervisor immediately upon knowledge of said loss or theft.
- Teleworkers must comply with requirements of the IRS-1075 Safeguards for protecting Federal Tax Returns and Return Information where it applies to their position.

#### **K. Public Records Act**

The California Public Records Act applies to all County employees, including teleworkers. Public records include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the County regardless of physical form or characteristic. Public information means the contents of a public record. Upon receipt of an appropriate request, and subject to authorized exemptions, a teleworker must permit inspection and examination of any public record or public information in the employee's custody, or any segregable portion of a public record, within required time limits.

#### **L. Teleworker Workers' Compensation, Safety, Liability, and Site Inspections**

All existing policies for Workers' Compensation and workplace safety shall apply to a Telework Agreement. Every employee shall be required to complete and submit a "Telework Health & Safety Self-Certification Checklist" and submit two photos of the telework workspace for consideration of the employee's request for a Telework Agreement.