



X Administrative Policy
Operational Policy

Clackamas County Employment Policy & Practice (EPP)

Name of Policy	Telework Policy	Policy #	EPP 48
Policy Owner Name	Evelyn Minor-Lawrence	Effective Date	01/22/2022
Policy Owner Position	Human Resources Director	Approved Date	06/03/2025
Approved By	Gary Schmidt, County Administrator	Next Review Date	06/03/2028

I. PURPOSE AND SCOPE

The purpose of the Telework Policy is to establish criteria for County employees to perform all requirements of their job via telework and enable County functions to be performed from an approved alternate worksite.

This policy applies to all County employees, interns, and volunteers.

II. AUTHORITY

County Code 2.09.060 authorizes the County Administrator to draft administrative rules and implement operational policies.

III. GENERAL POLICY

It is the expectation of Clackamas County that employees will physically report to their County designated work site for at least half of their regularly scheduled work week unless otherwise approved by the Department Director (elected and appointed) or County Administrator. The County may require the use of telework when County business needs dictate, in cases of inclement weather and in situations where it will work to the mutual benefit of the County, employees, and the County's customers. Telework may be a work option that offers employee flexibility and can enhance productivity. Telework is not an entitlement and is considered on a case-by-case basis, similarly to a flex work arrangement. Telework approval is at Department Director's discretion.

All existing work rules, department policy, County Policy, Personnel Ordinance and applicable collective bargaining agreement(s) shall apply to teleworking employees.

Employees who are authorized to telework will receive support described in this policy and be subject to the terms and conditions described herein when teleworking.

Telework is not a substitute for protected leaves. Telework that is being considered as a reasonable accommodation for a disability is addressed under EPP – 3 Workplace Accommodations.

At management discretion, teleworking agreements for individuals or positions may be revoked at any time. The employee may be required to report to work at their regular County assigned work locations either the next scheduled workday or in accordance with the terms of the respective collective bargaining agreement. Provided, however, any notice provisions in any Collective Bargaining Agreement must be honored.

IV. DEFINITIONS

Assigned Telework Location the approved remote worksite (such as home), within the normal home-to-work commuting area, where the employee performs their job while teleworking. Employees must be able to perform all their customary job duties from the Assigned Telework Location.

County Designated Worksite the official County assigned worksite, typically located on County property, that the employee normally reports to at the beginning of their workday and may or may not perform the majority of their work from that location.

Equipment refers to the variety of technological tools necessary to support the telework assignment, such as, but not limited to: computer (laptop or personal), telephone with voice mail, desk chair, etc.

Regular work hours are the set of scheduled hours during the normal work shift when the supervisor and co-workers can always communicate with the teleworker.

Telework is a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, outside their regular County designated worksite. Following are the types of telework:

- Full-time telework: Employees are working in a telework environment full-time with limited to no onsite/in-person interaction.
- Hybrid telework: A regularly scheduled and mix of full-day telework and full-day onsite/in-person work. The amount of telework is determined by business needs and may differ by the employee, position and team.
- Short-term telework: Telework authorized by management to meet short-term (30 days or less) business needs or the needs of an individual where it will not impact service or delivery.

Telework Agreement the form that an employee completes that describes the telework arrangement. The form must be approved by the department director, elected official or their designee, and must be signed by the employee and their supervisor.

V. POLICY GUIDELINES

Departments are responsible for ensuring that all individuals subject to this policy who are teleworking comply with this policy.

Each department is responsible for determining which positions and employees are required to perform work on site.

Telework arrangements shall not allow for more than fifty (50%) percent of regularly scheduled work hours to be performed at the assigned teleworking location. Case by case exceptions may be approved by the Department Director for good business reasons.

Oregon and Washington State are the only approved telework locations, excluding approved Short-Term Telework authorizations. Washington state residents are required to work on-site at county locations 50% or more of their scheduled work time per pay period. All hours worked outside Oregon must be reported on the employee's timesheet.

POSITION ELIGIBILITY

Positions eligible for telework must meet the following criteria:

- The telework arrangement will maintain or improve department service delivery.
- The telework arrangement will maintain or improve client services and staff availability to the public.
- The telework will have no significant negative impact on other County departments.
- The nature of the work requires minimal face-to-face interaction with supervisor or co-workers, or can be scheduled to permit telework.
- There is minimal need for specialized material or equipment, or the work is at least capable of being scheduled to permit telework.
- The employee's job is not dependent upon location of the workplace, and has tasks and deliverables that can be clearly defined and monitored at other than the County work site.
- The position's absence from the office is not detrimental to the productivity of the work group timeliness, or quality of the work.

EMPLOYEE RESPONSIBILITIES

- Employee must demonstrate the ability to successfully meet the working conditions of the telework status.
- Employees must submit telework agreements to their Department Director through their immediate supervisor.
- Teleworking employees are not expected to work when ill. Employees who are unable to work due to illness or non- work-related injury are required to follow established call out procedures and code time as non-working hours.

Full-Time Teleworking

Department directors, managers and supervisors may not telework full-time unless approved by the County Administrator; however, they may work on a hybrid schedule. Directors must ensure that there is management presence at the office on a daily basis unless the entire department has been previously approved for full-time telework.

Full-time teleworking for represented employees must be approved by the employee's supervisor and the department director.

Any director seeking full-time telework for all of their employees in a program, division, or entire department must receive prior approval by the County Administrator.

TERMS OF EMPLOYMENT

The teleworker's salary, benefits, responsibilities, professional standards, and promotional opportunities will not change as a result of the telework arrangement.

PERFORMANCE EVALUATION

Performance evaluation requirements shall not change, although the supervisor's method of monitoring and evaluating performance may focus more on results than direct observation. Deadlines, goals and objectives must be clearly communicated in a timely manner.

WORKERS COMPENSATION

- **Employee Injuries.** The County will have the same responsibility for job-related accidents or injuries to the employee that are caused by a condition within the designated work site that it has at the employee's regular County office, provided the injury occurs in the course and scope of the telework duties. Employees are expected to report any job-related injuries occurring at their assigned teleworking site immediately.
- **Family and Visitor Injuries.** The County does not assume responsibility for injury to any persons at the employee's residence or alternate workspace within it.

VI. PROCESSES AND PROCEDURES

Work Hours and Scheduling

The number of hours worked will not change because of telework. Work hours will be scheduled, and the supervisor must approve any changes in advance. Refer to County Policy regarding work hours, schedules, Fair Labor Standards Act and collective bargaining agreements.

Availability & Responsiveness

- Employees are required to be accessible in the same manner as if they are working at their County worksite during the established teleworking "Work Schedule", regardless of the designated location for teleworking or "Alternate Worksite."
- Employees must be accessible via telephone, email, and/or network access to their supervisor and other County employees during all designated work hours, as if working at their County worksite.

- Employees shall check and respond to their County-related business phone messages, emails, and online chat (i.e., Teams) on a consistent basis, as if working at their County worksite.
- All periods of employees' unavailability, with the exception of illness or non-work-related injury, must be approved in advance by management in accordance with department policy, including appropriate documentation.

Hours of Work

- The teleworker will have regularly scheduled work hours agreed upon with the supervisor, including specific core hours and telephone accessibility. Employee must take appropriate meal and rest breaks.
- The teleworker will attend job-related meetings, training sessions and conferences, as requested by supervisors. In addition, the teleworker may be requested to attend meetings in person.

Overtime and Leave

Requests to work overtime must receive advance approval, and requests for leave shall be reported and/or approved by the supervisor, in a manner consistent with County policy and the respective Collective Bargaining Agreement.

Assigned Teleworking Location

The teleworker shall establish and maintain an adequate and safe workspace, which offers sufficient privacy to allow sensitive or confidential communications to take place. The teleworker will not hold in-person business visits or meetings with professional colleagues, customers, or the public at the home worksite. Any deviation from the agreed upon work site location must be provided and approved in advance.

Inspections

In case of injury, theft, loss, or tort liability related to telework, the teleworker must allow agents of Clackamas County to investigate and/or inspect the telework site, upon reasonable notice, if deemed necessary by the County to address claimed specific issue.

Travel and Mileage

Employees are required to obtain written approval from their supervisor prior to travel during work hours and from their telework site, except for travel consistent with their general job duties. A teleworking employee is not entitled to reimbursement for commuting costs, or travel expenses related to commuting to or from the official County designated worksite. Time normally spent commuting between home and the County designated worksite is considered non-work time.

Incidental Costs

Unless otherwise stated in the telework agreement, all incidental costs, such as residential utility costs or cleaning services, are the responsibility of the teleworker.

Dependent Care

Telework is not to be viewed as a substitute for dependent care during scheduled telework hours. This does not mean dependents must be absent from the home during the employee's work hours. It does mean that an employee should make every reasonable effort to minimize the impact of interruptions and distractions during their work hours. Employees must make necessary dependent care arrangements to permit successful completion of work assignments and be able to report to their regular worksite upon advance notice of a supervisor request.

Teleworker's Privacy

Only the employee's supervisor or persons authorized by the employee will be provided with a teleworker's home phone number.

Equipment

Home office furnishings shall generally be the responsibility of the teleworker. Home furnishings include furniture, chair, desk, and adequate lighting, necessary to perform work from home. The employee and department, in conjunction with Technology Services, have a shared responsibility for documenting which pieces of County-owned equipment have been delivered to the employee's telework site.

- If teleworking full-time, chairs may be loaned by the County for exclusive use by the employee. The employee may move the chair from the work site to their home after a waiver is signed by the employee relieving the county of any cost and liability related to injury in moving the chair. All such equipment remains the property of the County and due care must be taken regarding its transport and use.
- Appropriate computer equipment (e.g., computer, monitors, docking station, video conferencing equipment, mouse, keyboard, surge protector) and software will be provided by Clackamas County. Such equipment and software shall be used exclusively by the teleworker and exclusively for the purposes of conducting County business. Software shall not be duplicated. Employee is responsible for consulting with their supervisor regarding the availability of computer equipment and ensuring that the technical requirements of the employee's work can be met while teleworking. If the County provides equipment, the teleworker is responsible for safe transportation and set-up of such equipment at their telework site. Employee is responsible for any damage resulting from a power surge if the County-supplied surge protector is not installed.
- The employee will make any computer equipment available to Technology Services when requested for security or maintenance issues. Employee is also responsible for reviewing and following all published security policies and procedures.
- County-issued phones are for the sole use of County business.

- **Printers and scanners:** In those cases where a supervisor determines that the teleworker requires a printer and/or scanner at their home worksite, the supervisor and teleworker should work with Technology Services to arrange for payment and delivery of a County-owned printer and/or scanner. The County will not reimburse employees for individually purchased printers and scanners.
- **Internet Access:** Employees are required to provide, at their own expense, a worksite that has reliable and sufficient internet access to conduct county business.
- **Network Access.** Network access is not guaranteed. Employees should plan for offline work when possible.
- **Return of Equipment.** If the telework agreement is terminated, any County equipment used for teleworking must be returned to the county within one week of the agreement termination date.

Intellectual Property

Products, documents, and records developed while teleworking are property of Clackamas County.

Data Security Regulations and Requirements

The teleworker is responsible for taking all reasonable measures to ensure that data and information subject to security and confidentiality requirements is not improperly disclosed or left vulnerable to disclosure. Teleworkers are required to comply with directives by departments and Technology Services related to the safekeeping and record retention of such data and information, including but not limited to data subject to HIPAA, Personal Identifiable Information, or Criminal Justice Information Systems.

Office Supplies

Clackamas County shall provide any necessary office supplies. Out-of-pocket expenses for supplies normally available in the office will not be reimbursed unless pre-approved by the manager/supervisor.

Equipment Liability

Clackamas County will be responsible for the repair and maintenance of equipment provided by Clackamas County. The teleworker is responsible for bringing equipment in need of repair to Technology Services at Clackamas County unless another vendor or contractor approved by Technology Services is used.

The County may pursue recovery from the teleworker for County property that is deliberately, or through negligence, damaged, destroyed, or lost while in the teleworker's care, custody or control. Damage or theft of County equipment that occurs outside the employee's control will be covered by the County. Teleworkers should check their homeowner's/renter's insurance policy for incidental office coverage. Clackamas County does not assume liability for loss, damage, or wear of employee-owned equipment.

The employee is responsible for any damage to their own equipment.

Care of Property

The employee has the same responsibility for taking appropriate steps to minimize damage to County property used at the alternate work site as would exist at the regular County office.

Maintenance and Repair

Employees who use their own equipment (not furnished by the County) are responsible for its maintenance and repair.

Damage or Loss

The County assumes no obligation in regard to damage or loss to property owned by the employee at the alternate work site.

Office Closures

In the event the County Administrator closes an office due to inclement weather or emergencies, teleworkers and/or employees who have the ability to telework are not excused from working.

Emergency Excuse From Work

An employee may be excused from working in an emergency such as a power failure that affects the alternate work site but not the office, or may be required to report to the regular office. In excused situations, the appropriate leave status will be discussed with the supervisor.

The immediate supervisor must be notified of the emergency and shall excuse the employee or require attendance at the County designated worksite.

Short-Term Telework (in-state or out-of-state)

The Department Director or designee may authorize Short Term Telework. Short term telework must be agreed to by the immediate supervisor and the telework requesting employee in writing and is consistent with the general provisions of this policy. The agreement will not exceed thirty (30) days. Completion of the Telework Agreement on Employee Self Service (ESS) is not required for short-term telework situations.

Short term telework employees have the same expectations as onsite and/or in the field workdays including, but not limited to, workload size and management, work quality, professional communications, schedule adherence, work hours and breaks, supervisor overtime pre-authorization, adherence to County policies, and use of sick, vacation/PTO or other leaves. Represented employees remain under the terms of their respective collective bargaining agreement.

Telework employees must be responsive to communications and available for contact during scheduled work hours, unless on a break or on a preapproved leave. As with any telework agreement, the County may revoke it at any time for any reason.

Telework Agreement Form

Before an employee can begin teleworking an approved agreement must be completed in Employee-Self-Service (ESS). Changes to the telework arrangement must be updated in ESS. Additional information on the approval process of the telework agreement form can be found on the County's telework intranet page.

ACCESS TO POLICY

Filed in PowerDMS

VIII. ADDENDA

Travel Policy

Inclement Weather, Major Emergencies and Disasters (EPP 12)

Actions on this Policy:

Original Policy effective date: 01/01/2022
--

Amended Policy effective: 06/03/2025
