



X Administrative Policy Operational Policy

Clackamas County Teleworking Policy

Name of Policy	Telework Policy	Policy # 48	
Policy Owner Name	Evelyn Minor-Lawrence	Effective Date	01-01-2022
Policy Owner Position	Human Resources Director	Approved Date	11-18-21
Approved By	Gary Schmidt	Next Review Date	01-01-2024

I. PURPOSE

The purpose of the Clackamas County Telework Policy is to establish criteria for County employees to telework and enable County functions to be performed from an alternate worksite. This policy applies to all County employees, interns, and volunteers.

II. AUTHORITY

Pursuant to County Code 2.09.060E, the County Administrator has the authority to promulgate policies for the management and operation of Clackamas County government.

III. GENERAL POLICY

Clackamas County encourages the use of telework in situations where it will work to the mutual benefit of employees, the County, and the County's customers. Telework is an opportunity available to employees at the Department Director's discretion. Telework is considered a work option, rather than an entitlement and is considered on a case by case basis, similarly to a flex work or job sharing arrangement.

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

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.

At management discretion, teleworking for an individual position may be terminated and the employee required to return to the office.

IV. DEFINITIONS

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 (cell or land-line) with voice mail, desk chair, etc.

Regular Office Hours or Core Office Hours are the agreed-upon, set of hours during the normal work shift when the supervisor and co-workers can always communicate with the teleworker.

Telework means working arrangements in which the work place is located at least part time at an alternate location, including, but not limited to, an employee's residence, a satellite office or other

agreed upon location. 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 mix of telework and onsite/in-person work. The amount of telework is determined by business needs and may differ by position and team.
- Situational telework: Telework authorized by management to meet short-term business needs or the needs of an individual where it will not impact service or delivery.

Telework Agreement is 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.

V. POLICY GUIDELINES

Departments are responsible for ensuring that all individuals subject to this policy and working remotely comply with this policy.

Each department is responsible for determining which positions and employees are required to perform work on site. Departments are encouraged to arrange teleworking agreements to establish at least one workday per month for each program where all the teleworking employees for that program are present onsite, unless the entire department/program has been approved to be full-time telework.

Telework locations cannot be located out of state, with the exception of Southwest Washington.

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 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 traditional 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 ELIGIBILITY

- Regular county employees including those on probationary status, are eligible for telework.
- Performance characteristics of the employee demonstrate the ability to successfully meet the working conditions of the telework status.

DIRECTOR RESPONSIBILITIES

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 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.
- **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 Accessibility

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 and Fair Labor Standards Act.

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 and

emails on a consistent basis, as if working at their County worksite.

- All periods of employees' unavailability 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.

Request 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.

Home Work Site

The teleworker shall establish and maintain an adequate and safe workspace. The teleworker will not hold business visits or meetings with professional colleagues, customers, or the public at the home worksite.

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. Employees will not be reimbursed for mileage for travel between their telework site and their regular County worksite.

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 the agreed upon work hours, unless otherwise specified in other policies or collective bargaining agreements. 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 is responsible for maintaining the current virus protection for all software as directed by Clackamas County Technology Services. Employee is also responsible for reviewing and maintaining all published security policies and procedures.
- County-issued phones are for the sole use of County business. If a supervisor approves an employee using their personal cell phone, the phone and data plan are the responsibility of the employee. Employees must comply with the text retention policy.
- 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 off line 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 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.

Disabled Worker/Return to Work

Supervisors and employees may consider teleworking as a flexible workplace arrangement for assisting disabled workers, or in returning to work those employees on medical leave, or injured on the job and on Workers Compensation.

Emergency Excuse From Work

In the event the County Administrator closes an office due to inclement weather or emergencies, teleworkers are not excused from working.

An employee may be excused from working for 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 regular office.

Short-Term, Occasional and Sporadic Telework

The Department Director or designee may authorize occasional and sporadic telework for short periods. County equipment should still be used in these situations. Department Director or designee will be responsible to assure that any approval is consistent with the general provisions of the telework guidelines. Completion of the Telework Agreement is not required for short-term, occasional and sporadic telework. (Short-term is defined as no longer than 30 business days.)

Telework Agreement Form

A Telework Agreement based on the needs of the County, the employee's department,

workgroup and job must be signed by the employee and the department director or elected official or their designee. The employee's supervisor shall keep a copy of the telework agreement in the employee's file. Human Resources may request copies of telework agreements for recruitment purposes to determine history of position eligibility.

VI. ACCESS TO POLICY

This policy will be shared with all covered persons via their work email, posted on the County's intranet site, and disseminated by supervisors and managers within their offices.

Questions related to the application or administration of this policy should be directed to the employee's supervisor, Technology Services, or Human Resources, as appropriate.

VII. RELATED POLICIES

- Travel Policy
- Text Retention
- Inclement Weather (EPP 12)