



**HUMAN RESOURCES  
& DEVELOPMENT**  
T U L A R E   C O U N T Y

## **County of Tulare - Emergency Telecommuting Policy**

(Issued April 8, 2020)

### **Purpose**

The County of Tulare has declared a Local Health Emergency due to the COVID-19 (Coronavirus) pandemic. The purpose of this Emergency Telecommuting Policy is to establish criteria for County employees to telecommute to work and enable County functions to be performed from an alternate worksite during this declared emergency.

### **Scope**

All County employees that meet the eligibility criteria of this Policy, as determined by the department, may be considered for telecommuting.

### **Policy**

The County will implement this Policy in keeping with the mission of the County and its respective departments. This Policy is an emergency policy and the County Administrative Officer has discretion to apply and withdraw this Policy if and when deemed necessary.

The County Administrative Officer shall designate specific times during which Emergency Telecommuting Arrangements (“ETA”) are authorized. Any ETA between the County and an Employee is voluntary and subject to the terms and conditions set forth in this Policy below.

### **Eligibility Criteria**

The Department Head or designee has the discretion to determine the employees and positions who may telecommute on an emergency basis utilizing criteria that includes, but is not limited to:

1. The operational needs of the employee’s department and the County;
2. The potential for disruption to the County’s functions;
3. The ability of the employee to perform his or her specific job duties from a location separate from his or her County worksite (“Alternate Worksite”) without diminishing the quantity or quality of the work performed;
4. The degree of face-to-face interaction with other County employees and the public that the

employee's position requires;

5. The portability of the employee's work;
6. The ability to create a functional, reliable, safe, and secure Alternate Worksite for the employee at a reasonable cost;
7. The risk factors associated with performing the employee's job duties from a location separate from his or her County Worksite;
8. The ability to measure the employee's work performance from a location separate from his or her County Worksite;
9. The employee's supervisory responsibilities;
10. The employee's need for supervision;
11. Other considerations deemed necessary and appropriate by the employee's immediate supervisor, Department Head, and the Human Resources Director.

### **Emergency Telecommuting Arrangement (ETA)**

1. Telecommuting under this policy is a voluntary arrangement between a department and its employees.
2. Any ETA is valid only during the time period authorized by the County Administrative Officer.
3. Employees acknowledge and agree that the ETA is temporary and subject to the discretion of management. Telecommuting will be approved on a case-by-case basis consistent with the eligibility criteria above.
4. Employees must adhere to the provisions set forth in this Policy. Any deviation requires prior written approval from the County.
5. Unless otherwise specified in writing, the County will not be responsible for expenses employees incur as a result of, or to facilitate, telecommuting.
6. Any violation of this policy by the employee may result in termination of the ETA and/or disciplinary action, up to and including termination of employment.

### **Work Schedule**

Telecommuting work schedules will be established by Department management.

1. Non-exempt employees who receive overtime shall be assigned to work a specified schedule, including rest and meal breaks (“Work Schedule”). Any deviation from the Work Schedule must be approved in advance, in writing, by management.
2. Non-exempt employees must take meal and rest breaks while telecommuting, just as they would if they were reporting to work at their County worksite.
3. Non-exempt employees may not telecommute outside their normal work hours without prior written authorization from their supervisor. A non-exempt employee who fails to secure written authorization before telecommuting outside his or her normal work hours may face discipline in accordance with the County’s policy for working unauthorized overtime.
4. Employees shall continue to abide by practices, policies and procedures for requests of sick, vacation and other leaves of absences. Requests to work overtime, declare vacation or take other time off from work must be pre-approved in writing by each employee’s supervisor. If an employee becomes ill while working under an ETA, he/she shall notify his/her supervisor immediately and record on his/her timesheet any hours not worked due to incapacitation.

### **Salary & Benefits**

Employees’ salary and benefits remain unchanged.

### **Availability & Responsiveness**

Employees are required to be accessible in the same manner as if they are working at their County worksite during the established telecommuting Work Schedule, regardless of the designated location for telecommuting, or “Alternate Worksite.”

1. 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.
2. 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.
3. All periods of employees’ unavailability must be approved in advance by management in accordance with department policy and documented on the appropriate leave of absence slip.

### **Performance & Productivity**

Employees authorized to perform work at an Alternate Worksite must meet the same standards of performance and professionalism expected of County employees in terms of job responsibilities, work product, timeliness of assignments, and contact with other County employees and the public.

1. All existing duties, obligations, responsibilities and conditions of employment remain unchanged. Employees are expected to abide by all County and departmental policies and procedures, rules and regulations, applicable Memoranda of Understanding, and all other official County documents and directives.
2. All of employees' existing supervisory relationships, lines of authority and supervisory practices remain in effect. Prior to the approval of this Agreement, supervisors and employees shall agree upon a reasonable set of goals and objectives to be accomplished. Supervisors shall use reasonable means to ensure that timelines are adhered to and that goals and objectives are achieved.
3. Employees are required to maintain an accurate record of all hours worked at the Alternate Worksite and make that record available to his or her supervisor upon request. Employees shall record all non-productive work time on his/her timesheet.
4. Employees must notify their supervisor promptly when unable to perform work assignments because of equipment failure or other unforeseen circumstances.

### **Alternate Worksite Environment**

Employees must provide department management with the location and address of the Alternate Worksite. The Alternate Worksite is subject to approval by management.

1. Employees shall have the Alternate Worksite be quiet and free of distractions, with reliable and secure internet and/or wireless access.
1. The Alternate Worksite shall be maintained in a safe condition, free from hazards and other dangers to the employee and equipment.
2. Employees shall ensure dependent care will not interfere with work responsibilities.
3. Workers' Compensation benefits will apply only to injuries arising out of and in the course of employment as defined by Workers' Compensation law. Employees must report any such work-related injuries to their supervisor immediately. Employees must allow an immediate inspection by the County as well as follow-up inspections and investigations at the Alternate Worksite as needed. The County shall not be responsible for injuries or property damage unrelated to such work activities, including injuries to third persons when said injuries occur at the Alternate Worksite.

## **Equipment & Supplies**

1. Employees may receive approval to use personal computer equipment or be provided with County issued equipment at the discretion of the Department Head or designee.
2. Equipment provided by the County for the purpose of facilitating telecommuting may be used: 1) Only at the Alternate Worksite designated above; 2) Only by the employee; and, 3) Only for County business. Equipment and materials provided by the County for use at the Alternate Worksite remain the property of the County, and employees agree to take the necessary steps and precautions to safeguard all County equipment and materials.
3. If the County has provided equipment, employees agree to follow the County's Policy for the use of such equipment. Employees will report to their supervisor any loss, damage, or unauthorized access to County owned equipment, immediately upon discovery of such loss, damage, or unauthorized access.
4. The County is responsible for maintaining, repairing, and replacing County-owned equipment issued to Employee. In the event of equipment malfunction, the employee must notify his/her supervisor immediately. In the event of any delay in repair or replacement of County equipment, or other circumstances that would make it impossible for the employee to telecommute, the Department may assign other work, move the employee to another work location, or return the employee to his/her primary County Worksite.
5. Employees may receive remote access to the County network, as approved by the Department Head or designee
6. Employees must take reasonable precautions to ensure their devices (*e.g.*, computers, laptops, tablets, smart phones, etc.) are secure before connecting remotely to the County's network and must close or secure all connections to County desktop or system resources (*e.g.*, remote desktop, VPN connections, etc.) when not conducting work for the County. Employees must maintain adequate firewall and security protection on all such devices used to conduct County work from the Alternate Worksite.

## **Security & Confidentiality**

1. Employees shall ensure that all official County documents are retained and maintained according to the normal operating procedures in the same manner as if working at a County worksite.
2. Employees shall exercise the same precautions to safeguard electronic and paper information, protect confidentiality, and adhere to the County's records retention policies, especially as it pertains to the Public Records Act.
3. Employees must safeguard all sensitive and confidential information (both on paper and in electronic form) relating to County work they access from the Alternate Worksite or transport from their County worksite to the Alternate Worksite.

4. Employees must also take reasonable precautions to prevent third parties from accessing or handling sensitive and confidential information they access from the Alternate Worksite or transport from their County worksite to the Alternate Worksite.
5. Employees must return all records, documents, and correspondence to the County at the termination of the ETA or upon request by their supervisor, Department Head or Human Resources.

**ACKNOWLEDGMENT**

By my signature below, I acknowledge that I have read and understand the County's Emergency Telecommuting Policy, and that I agree to abide by the terms and conditions it contains.

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Department

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date