



# ADMINISTRATIVE POLICIES

<b>SECTION:</b> 300 – Human Resources		<b>POLICY#:</b> 311
<b>TITLE:</b> Telecommuting / Remote Work		<b>R &amp; O #:</b> 21-8
		<b>IMPLEMENTED BY PROCEDURE #:</b> 311-A
<b>SPONSORING DEPT/DIV:</b> Support Services/Human Resources		
<b>ADOPTED:</b> 1/19/2021	<b>REVIEWED:</b>	<b>REVISED:</b>

**PURPOSE:** This policy provides the County’s framework for use of telecommuting as a personnel management, recruitment and retention tool. Embracing and maximizing the appropriate use of telecommuting will support the County’s sustainability efforts including reduced commuting miles, resource conservation, and supporting a healthy environment.

Telecommuting is not a formal, universal employee benefit, and there is no pay differential for participating or not participating in remote work. Telecommuting is a work alternative that may be offered to some employees when it is mutually beneficial to the employee, the County and the community we serve.

**AUTHORITY:** This policy is issued pursuant to Washington County Code Chapter 2.32 and is consistent with the Fair Labor Standards Act (FLSA), Oregon Administrative Rules (ORS 839-026-0020 and 839-020-0040), and Oregon Revised Statutes (ORS 240.855).

**DEFINITIONS:**

**Appointing Authority:** A Department Head (elected or appointed) or designee with the authority of Appointment for any County Position within their Department.

**Reasonable Efforts:** Actions that do not impose an undue hardship on the operation or community members of Washington County.

**Telecommuting Agreement:** A document signed by the employee, supervisor and Appointing Authority that describes the conditions of each telecommuting arrangement.

**Telecommuting or Remote Work:** The practice of working in a home office in lieu of traveling to a central County workplace.

**Undue hardship:** Significant difficulty, expense, or impact on services or operational needs.

## **GENERAL POLICY:**

This policy provides a general framework for telecommuting and does not address the special considerations and needs of each individual. The County will make a reasonable effort to afford employees the opportunity to telecommute provided it does not impose an undue hardship on business and operational needs or negatively impact the delivery of services to the community. Telecommuting will be available where an Appointing Authority determines there is mutual benefit to the employee and the County and no adverse impact on service delivery.

Telecommuting is evaluated on a case-by-case basis and must be authorized in advance. It is a privilege and not a right of an employee or position. Eligibility has two components: position suitability and employee performance. It is intended that telecommuting will not result in additional expenses to the department or IT Services in administering, implementing, and monitoring an employees' work.

Authorization to telecommute does not change an employee's duties, obligations, responsibilities, or terms and conditions of employment. Telecommuting employees must comply with all County and departmental rules, policies, practices, and instructions.

Nothing in this policy shall be construed to obstruct or interfere with an Appointing Authority's right to modify, suspend, or dissolve a Telecommuting Agreement.

Since Washington County must be open and available to the public during certain days and timeframes, the County management reserves the right to limit the number of individuals who can telecommute at any given time.

**APPLICABILITY:** This policy and related implementing procedures apply to all Washington County employees.

## **POLICY GUIDELINES:**

### 1. Departmental Authority:

- 1.1. Each Appointing Authority will determine the extent to which departmental employees and workgroups may participate in the County's telecommuting program.
- 1.2. An Appointing Authority may modify, suspend, or end a Telecommuting Agreement at any time based on input from an employee's supervisor or manager and/or on the needs of the department.

### 2. Telecommuting Agreements:

- 2.1. Every employee who telecommutes must have an approved Telecommuting Agreement on file with their department which defines the terms of the telecommuting arrangement (e.g. equipment, software, alternate workspace, and tasks to be performed) and which is signed by the employee, supervisor, and Appointing Authority. This includes employees who telecommute on a regular or occasional basis.

- 2.2. Employees who may telecommute on an occasional basis should complete a Telecommuting Agreement when requested by their supervisor.
- 2.3. Employees are not authorized to telecommute without prior supervisory approval.
- 2.4. A Telecommuting Agreement shall not change the essential functions of a position or the nature, quality, or quantity of work to be performed.
- 2.5. Any request for a Telecommuting Agreement for the purpose of accommodating a medical condition or disability must be evaluated by Human Resources through an Americans with Disabilities Act (ADA) interactive process prior to approval.

3. Telecommute Workday Expectations:

- 3.1. Employees on telecommuting workdays shall have the same expectations as on-site workdays including, but not limited to, workload size and management, work quality, professional communications, schedule adherence, overtime pre-authorization, and use of sick, vacation or other leaves.
- 3.2. Employees may be required by their supervisor to adjust or forego their telecommuting day when needed on-site for business, operational, or other needs as determined by their supervisor.
- 3.3. An employee who fails to adhere to their Telecommuting Agreement may lose their eligibility to participate in telecommuting for a period of time determined by the Appointing Authority and may be subject to discipline up to and including termination of employment.

## **RESPONSIBILITIES**

Appointing Authorities or their designees are responsible for:

- Determining if there is mutual benefit to an employee, the department, and the community and approving, altering, or denying Telecommuting Agreements;
- Determining if workgroups or teams within their departments are eligible for telecommuting and, if so, for acting on the Telecommuting Agreements of each workgroup/team employee; and
- Ensuring the fair, consistent, and inclusive application of this policy within their departments.

The Human Resources Division is responsible for:

- Working collaboratively with Appointing Authorities, managers, and supervisors to develop and have the County Administrator approve Administrative Procedures to implement this policy; and
- Evaluating all requests for Telecommuting Agreements submitted by employees seeking accommodation for a medical condition or disability.

**DISTRIBUTION:** This policy shall be made available to all Washington County employees. Any questions, concerns, or comments related to this policy should be directed to the Chief Human Resources Officer or their designee.

**IMPLEMENTATION:** Observance of and adherence to this policy is mandatory for all County employees. Violation of this policy may result in disciplinary action up to and including termination.

**PERIODIC REVIEW:** This policy shall be reviewed by the County Administrative Office at least every three years, or more often if needed, and updated as necessary.