



**County Administrative
Office
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: October 6, 2020

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Marta Rodriguez PHONE: 636-5005

SUBJECT: New Administrative Regulation 42 regarding telework for county employees

REQUEST(S):
That the Board of Supervisors:
Approve a new Administrative Regulation No. 42 establishing policies and procedures regarding telework for county employees, to be effective October 7, 2020, subject to meet and confer.

SUMMARY:
In April 2020, as an initial response to the COVID-19 pandemic, the County implemented an Emergency Telecommuting Policy that enabled essential county functions to be performed from alternative worksites. Through the implementation of this policy, the County demonstrated its ability to efficiently and effectively provide services to the public utilizing a remote workforce. Departments have expressed a desire to maintain more permanent telework options for those employees able to perform the majority of their duties from a remote location. The proposed new Administrative Regulation No. 42 (AR 42) is a product of these discussions.

AR 42 intends to improve employee morale and retention, promote administrative efficiencies, and enhance recruitment efforts by reimagining work locations for County employees through the use of modern technologies. Working from an alternative location would be offered under this AR as a voluntary option for all employees, who meet the eligibility criteria, to increase their work schedule flexibility and foster a culture of work-life integration.

The proposed policy is not intended to supersede the existing Emergency

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Telecommuting Policy, which will remain in effect for the duration of the COVID-19 Local Health Emergency, and will continue to be utilized by departments to ensure compliance with social distancing and other recommended health protocols.

Notable policy elements of the new AR 42 include the following:

1. Eligibility considerations for telework would include business need, personnel and performance matters, and an assessment of practicability, and any other considerations deemed necessary by the employee's immediate supervisor, Department Head, or the Human Resources Director.
2. Teleworking would not change an employee's salaries and benefits.
3. Telework hours would not be used in lieu of other forms of leave (sick, vacation, etc.). Employees would continue to abide by County and departmental practices, policies, and procedures for requests of sick, vacation, and other leaves of absences
4. The County would provide computer equipment and remote network access, as necessary to facilitate telework, and employees would have access to remote technical support.
5. Department heads would be responsible for administering the policy and creating department-specific rules and procedures for implementation within their department. Specifically, in accordance with AR 42, each department would:
 - a. Determine an employee's eligibility to telework;
 - b. Establish a telework schedule;
 - c. Establish availability and responsiveness requirements;
 - d. Establish clear performance and productivity measures; and
 - e. Ensure that employees have read and received a copy of AR 42.

If approved, AR 42 would formalize procedures for the County's telework program and would allow departments to offer telework options to their staff while balancing their department's operational needs. This policy ensures flexibility is given to department heads to design their department's telework program to fit their department's needs, while simultaneously outlining the responsibilities of employees who are granted the opportunity of teleworking.

Finally, in their 2019 publication on employee satisfaction, with 41% of all federal employees teleworking, the Federal Office of Personnel Management reported that nearly 80% of all employees teleworking were satisfied and reported improvements in their work-life balance and improved relationships with their supervisor and senior leadership. Staff, therefore, requests that the Board approve AR 42 and implement a Countywide telework policy. If approved, AR 42 would become effective October 7, 2020.

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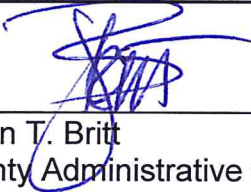
FISCAL IMPACT/FINANCING:

There is no Net County Cost associated with this agenda item.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County of Tulare Strategic Business Plan includes an Organizational Performance Initiative to increase organizational effectiveness. The proposed action supports this initiative by ensuring the County maintains current policies and procedures that support the changing needs of its workforce.

ADMINISTRATIVE SIGN-OFF:



Jason T. Britt
County Administrative Officer

cc: County Administrative Office

Attachment(s)

A – Administrative Regulation No. 42

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF NEW)
ADMINISTRATIVE REGULATION 42) Resolution No. _____
REGARDING TELEWORK FOR COUNTY)
EMPLOYEES)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Approved a new Administrative Regulation No. 42 establishing policies and
procedures regarding telework for county employees, to be effective October 7,
2020, subject to meet and confer.



Policy Type	Personnel Practices
Policy Name	AR 42 – Telework for County Employees
Resolution Number	2020-_____
Effective Date	October 7, 2020

PURPOSE

The purpose of this policy is to improve employee morale and retention, promote administrative efficiencies, and enhance recruitment efforts by reimagining work locations for County employees through the use of modern technologies.

Specifically, the policy intends to:

- a. Establish guidelines that enable employees to work remotely while maintaining or enhancing productivity and job performance;
- b. Improve employee morale by offering employees flexible work schedules, and building a culture of work-life integration;
- c. Broaden the County’s employee recruitment pool to include those who may have alternative work location needs, including working parents, the disabled, family caregivers, etc.; and
- d. Improve local air quality by reducing the carbon footprint of the County workforce.

SCOPE

All County employees who meet the eligibility criteria of this policy, as determined by the department head, may be considered for a telework assignment.

POLICY GUIDELINES

For the purposes of this policy, “telework” is defined as working from a location separate from a County worksite, or an “Alternate Worksite.” Telework will be implemented at the convenience of departments and employees, and in keeping with department and County missions.

Telework is a voluntary agreement between an employee and the department. Both parties must agree to the terms of this agreement before an employee may commence telework. At any time, the employee, department head, or County Administrative Officer, or designees, may discontinue a telework agreement.

1. POLICY ADMINISTRATOR

County Department Heads, or designees, shall be responsible for administering this policy within their respective departments. For each teleworking employee, a Department Head, or designee, shall:

- a. Determine an employee’s eligibility to telework in accordance with Section 2.
- b. Establish a telework schedule in accordance with Section 4.
- c. Establish availability and responsiveness requirements in accordance with Section 5.



- d. Establish clear performance and productivity measures in accordance with Section 6.
- e. Ensure that teleworking employees have read and received a copy of this policy.

2. ELIGIBILITY

An employee's eligibility to telework shall be determined by the Department Head, or designee, utilizing criteria that includes, but is not limited to, the following:

Business Considerations

- a. The operational needs of the employee's department and the County;
- b. The potential for disruption to the County's functions;
- c. The degree of face-to-face interaction with other County employees and the public required by the employee's position;

Personnel Considerations

- d. The ability of the employee to perform his or her specific job duties from an Alternate Worksite while maintaining the quantity and/or quality of the work performed;
- e. The ability of the department to measure the employee's work performance from a location separate from his or her County worksite;
- f. The employee's supervisory responsibilities;
- g. The employee's need for supervision;

Practicability

- h. The portability of the employee's work;
- i. The risk factors associated with performing the employee's job duties from a location separate from his or her County Worksite; and

Other

- j. Other considerations deemed necessary and appropriate by the employee's immediate supervisor, Department Head, and the Human Resources Director.

3. SALARY & BENEFITS

- a. Teleworking will not change an employee's salary and benefits

4. SCHEDULING

- a. Telework schedules will be agreed to in writing by each department.
- b. Departments must maintain a record of all telework schedules.
- c. Telework schedules may include the following:
 - i. Full-time: Every working day
 - ii. Part-time: On certain days, scheduled in advance
 - iii. Split-time: Partial day in office and partial day at home, scheduled in advance
 - iv. Intermittent: On an as-needed basis
- d. Telework hours are not to be used in lieu of other forms of leave (sick, vacation, etc.).



- e. Employees shall continue to abide by County and departmental practices, policies and procedures for requests of sick, vacation, and other leaves of absences.
- f. The following shall apply to all non-exempt employees:
 - i. Meal and rest breaks must be taken while teleworking, just as they would if they were reporting to work at their County worksite.
 - ii. Any deviation from the agreed upon work schedule must be approved in advance, in writing, by the employee's supervisor. Deviations include working outside of normal work hours, working fewer hours than scheduled, and working overtime.
 - iii. If an employee becomes ill while teleworking, he/she shall notify his/her supervisor immediately and record on his/her timesheet any hours not worked due to illness.

5. AVAILABILITY & RESPONSIVENESS

- a. Telework schedules shall correspond with office work hours, to the extent practicable.
- b. Employees must be available by phone, email, and/or network access to their supervisor during scheduled work hours, as if working at a County worksite.
- c. Employees shall check and respond to their County-related business phone messages and emails on a consistent basis, as if working at a County worksite.
- d. All periods of unavailability must be approved in advance by the employee's supervisor, in accordance with departmental policy and documented accordingly.

6. PERFORMANCE & PRODUCTIVITY

- a. 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.
- b. Employees must meet the same standards of performance and professionalism expected of County employees working from County worksites in terms of job responsibilities, work product, timeliness of assignments, and contact with other County employees and the public.
- c. Department and employees shall agree upon a reasonable set of goals and objectives to be accomplished in advance. Departments shall use reasonable means to ensure that timelines are adhered to and that goals and objectives are achieved.
- d. Employees are required to maintain an accurate record of all hours worked at the Alternate Worksite and make that record available to the Department upon request. Employees shall record all non-productive work time on his/her timesheet.
- e. Employees must notify their Department promptly when unable to perform work assignments because of equipment failure or other unforeseen circumstances.

7. EQUIPMENT & SUPPLIES

- a. Employees may be provided with County issued computer equipment at the discretion of the Department Head, or designee.
- b. Employees may receive a virtual private network ("VPN") or other remote network access account, as approved by the Department Head or designee.



- c. 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.
- d. 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.
- e. The County will provide remote technical support to employees. Technical support that cannot be provided remotely must be provided at a County worksite.

8. ALTERNATE WORKSITE ENVIRONMENT

- a. Employees shall have the Alternate Worksite be quiet and free of distractions.
- b. The Alternate Worksite shall be maintained in a safe condition, free from hazards and other dangers to the employee and equipment.
- c. 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. 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.

9. SECURITY & CONFIDENTIALITY

- a. 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.
- b. 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.
- c. 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.
- d. Employees must 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.
- e. Employees must return all records, documents, and correspondence to the County at the termination of the telework assignment, or upon request by their supervisor, Department Head or Human Resources.