

MENDOCINO COUNTY POLICY # 57	TELEWORK POLICY
ADOPTED: April 5, 2022 REVISED: June 2, 2026	ADOPTED BY: Minute Order

1.0 BACKGROUND AND PURPOSE

1.1 Background:

The County of Mendocino (County) may utilize telework as a viable, voluntary option for County employees when it serves operational needs or ensures continuity of services. Approval of telework arrangements will be determined based on business needs, job duties, and employee performance.

Telework may be authorized on a part-time or project-specific basis and or in some cases in the event of an emergency. Telework is not a permanent work assignment and is not guaranteed to any employee.

1.2 Purpose:

The purpose of the Telework Policy is to establish a uniform framework for the County Telework Program. A separate document titled *Mendocino County Telework Program Guidelines* outlines the details which are intended to support consistent implementation of telework arrangements when determined appropriate by a department.

Telework is a privilege, not a right. Every County Telework employee must have a Telework arrangement that is established, approved, and maintained under the provisions of the County Telework Program. The duties, obligations, responsibilities, terms and conditions of County employment remain unchanged for employees who are approved to telework. As with an employee reporting to the regular worksite, a telework employee must perform work during their scheduled telework hours.

2.0 COUNTY TELEWORK PROGRAM

The Chief Executive Officer, in conjunction with the Director of Human Resources, is responsible for establishing and maintaining the County Telework Program. The Program defines the terms and conditions of participation in a telework assignment. Any revisions to the County Telework Program must be approved by the Chief Executive Officer.

2.1 Telework Defined:

The County defines telework as work performed by an employee at an alternative location other than a county facility, such as the employees' home or at an alternative worksite as approved by the County.

2.2 Telework Arrangement:

Telework requires an alternative work arrangement that is voluntary and available to qualifying County employees to work from a remote worksite rather than commuting to the employee's designated County worksite.

- The remote worksite must be within a seventy-five (75) minute commute time from the employee's designated County worksite.

- Remote worksites outside of the seventy five (75) minute commute time requirement must be requested in writing by the Department Head/Elected Official to the Chief Executive Officer for approval.
- Department management will establish a telework arrangement with their qualifying employees.
- The telework arrangement is not permanent and may be terminated at any time for any reason.

All terms and conditions of employment remain unchanged. Performance expectations, work schedules, overtime, compensation, and vacation schedules must conform to existing County and departmental policies, guidelines and procedures, as well as the provisions within the respective Memoranda of Understanding (MOU).

2.3 Telework Program Eligibility:

Eligibility is based on many criteria including assessment of the job requirements and responsibilities. Due to the nature of the services offered by the County, employees in some job classifications may not be approved for teleworking.

An employee's position and job duties, along with the employee's demonstrated personal characteristics should be assessed to determine the suitability of the employee to telework. The Department Head/Elected Official or their designee retains the discretion to determine employee eligibility subject to business needs, job requirements, probationary status, and employee performance.

2.4 Telework Implementation Responsibilities:

2.4.1 Departments are responsible for:

- Ensuring compliance with all applicable federal, state, and county laws, regulations, and security requirements.
- Identifying job tasks and positions suitable for telework.
- Reviewing employee request to telework and determining if telework arrangements would allow the County and employee to effectively conduct business at or exceeding the same service capacity if the employee was not working remotely.
- Ensuring employee compensation, benefits, work status, hours worked per pay period, and work responsibilities remain unchanged.
- Ensuring managers, supervisors and employees are familiar with relevant telework policies, procedures and training.
- Ensuring any telework arrangement approved ensures that County business effectively and efficiently continues and a business justification is clearly documented for each position approved for telework.

2.4.2 Supervisors/Managers are responsible for:

- Review, approve, or deny telework application and agreement.
- Ensuring compliance with all applicable policies, procedures, MOU, guidelines, etc.
- Budgeting the necessary resources, if applicable.
- Maintaining control over County-owned property used by teleworkers.
- Monitoring and overseeing all requests to remove County documents and files that contain customer/patient/client data for purposes of teleworking.

- Monitoring the day-to-day performance, leave and overtime requests of teleworking employees, and ensuring teleworkers complete their assignments, as with other workers under their supervision.
 - Ensuring in-office/on-site staff are not negatively impacted by teleworking arrangements.
 - Tracking the productivity of teleworkers in coordination with Information Services and/or the department's Information Technology unit (if applicable).
 - Provide training in equipment or software use, if required.
- Ensuring compliance with all applicable telework, privacy and security policies, procedures, etc. and reporting security incidents immediately when they occur.

2.4.3 Information Services is responsible for:

- Providing secure options for facilitating remote access to County systems.
- Approval of remote access technologies such as virtual private network (VPN) for the teleworking staff.
- Providing technical support and address questions that County departments have regarding remote access.
- Identifying appropriate hardware, software, or productivity tools for remote access.

2.4.4 Human Resources is responsible for:

- Serving as a telework resource for all employees.
- Retaining and maintaining electronically approved copies of all Telework Agreements.
- Maintaining and updating the County's Telework Program.

2.5 Telework Agreement

Before teleworking begins, an Employee Telework Agreement must be completed and signed. The required signatures indicate that the teleworker, supervisor and/or manager and department head have read and understood all applicable policies, standard practices and guidelines.

- The County reserves the right to cancel a Telework Agreement at any time and for any reason.
- Departments are responsible for ensuring that all County-owned equipment and other employer-issued items provided for teleworking are returned immediately upon the end of the employee's telework arrangement, or separation from the County.

The Telework Agreement must include:

- Telework Application: Identifies the remote worksite, sets the telework schedule, job duties and management approvals.
- Telework Equipment Loan: Itemizes equipment used by the teleworker at the remote worksite. Managers should verify that any employee provided equipment is suitable to complete the employee's assigned duties.
- Telework Employee Acknowledgments: Provides a summary of telework essential components the employee must understand and agree to prior to implementing the telework arrangement.
- Self-Certification Checklist: Provides parameters for a safe and focus-based work environment.

2.6 Other Considerations for Teleworking

2.6.1 Information Security

Protecting confidential information is a critical responsibility of all County employees, including those approved to telework. Teleworkers must comply with all County-wide and departmental information security policies and procedures. (See County Information Technology Policy #22 for reference.)

Teleworking employees and their supervisors/managers shall identify any confidential, private, or personal information and records to be accessed and ensure appropriate safeguards are in place. Departments may require teleworkers to work in private locations when handling confidential or sensitive material and may restrict or prohibit the printing of confidential information outside of County facilities.

Employees are strictly prohibited from disclosing confidential or private files, records, materials, or information, and allowing unauthorized individuals to access County systems, networks, or databases.

2.6.2 Supplies, Equipment, and Costs

County provided laptops and other authorized equipment assigned to employees must be used for teleworking. All equipment must comply with County Information Services security policies and practices. In some instances, the County may provide additional equipment or software, if feasible, approved by the department, and in compliance with County Information Services policies.

The costs associated with teleworking are primarily the responsibility of the teleworker/employee. Please refer to *Mendocino County Telework Program Guidelines* for further guidance.

2.6.3 Work Related Injury While Teleworking

Worker's compensation laws apply to work-related injuries occurring during approved telework hours. Employees must follow County procedures for reporting injuries.; including notifying their supervisor/manager immediately and completing all necessary documents regarding the injury. The County assumes no liability for injuries that occur outside of the performance of the employee's duties and/or outside of the employee's scheduled telework hours, or to third parties that enter the designated telework space.

2.6.4 Telework as a Disability Accommodation

Employee requests to telework as an accommodation for a disability or pregnancy are handled through the County's accommodation process, consistent with the *Americans with Disabilities Act* and California's *Fair Employment and Housing Act*. Employees should contact Human Resources to discuss work-related requests for disability accommodation-related telework requests.