



County of Orange

County Policy

Subject:	Telecommuting Policy
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Policy Owner:	Human Resource Services: Signature <u>James Newton</u> 1EE4561471B0435...
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A. Policy

Each County of Orange Department may allow telecommuting as an alternate work arrangement subject to the provisions of the County and department-specific priorities, staffing needs, policies, procedures, rules and other factors. Telecommuting must not negatively impact County operations.

An alternate work arrangement is not an employee right nor is it suitable for all employees. It will be made available at the department's discretion. The work performed by the employee must be conducive to a remote working environment; not every position lends itself to this type of arrangement. The decision to allow an employee to telecommute will be case-by-case based on the Department Head/designee. If approved, the employee's supervisor will draft a Telecommuting Agreement (Agreement) suitable for the employee's specific assignment for the employee's signature. The Agreement can be terminated at any time and for any reason by either the employee or the department/supervisor in writing such as via email. No justification is required by the employee or department for the termination of the telecommuting arrangement. There is no right to appeal the department's decision to terminate the telecommuting arrangement.

Telecommuting is not a substitute for childcare, elder care or other forms of family or dependent-care assistance during working hours. The employee is responsible for ensuring that provisions for such care have been made in advance of work time.

The duties, obligations, responsibilities, compensation, benefits, and conditions of employment remain unchanged by the employee's telecommute status. Employees remain obligated to comply with all County rules, policies, practices, and instructions. Violation of such may result in immediate discontinuance of the telecommuting arrangement and/or disciplinary action, up to and including termination of employment.



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B. Definitions

1. **Telecommuting:** An alternate work arrangement in which an employee is permitted to complete their usual job responsibilities at an Alternative Work Location other than their Primary Work Location for a specific time period and not intended to be a permanent work arrangement for any employee.
2. **Primary Work Location:** A facility such as an office where the employee is regularly assigned, reports to and completes their usual job responsibilities.
3. **Alternative Work Location:** A remote working environment within the State of California, such as a home office, and approved by the supervisor.

C. Purpose

To establish consistent guidelines for department-approved telecommuting as an alternate work arrangement.

D. Authority

This policy is consistent with the relevant County policies including but not limited to: County Information Technology Use and Security Policies, Restrictions on Private Devices and Accounts, County Workers' Compensation and Personnel Salary Resolutions.

E. Scope

This policy applies to all County departments and departments may have their own telecommuting policy as long as it is generally consistent with this one. Special circumstances may also lend themselves to create situational Agreements specific to the circumstances which will allow different rules to be applied, deviating from this policy and approved by the Department Head.

F. Guidelines

1. Telecommuting Assessment:
 - a. Employee suitability will be evaluated by the supervisor to assess the needs of the unit and nature of the work. To complete this assessment, the employee and their supervisor will review and complete the Telecommuting Assessment (Attachment A).
 - b. The employee and supervisor will discuss job responsibilities and schedules so that the supervisor can determine if the job function is appropriate for a telecommuting arrangement.
 - c. Equipment resource/software needs, including but not limited to mobile devices (e.g. cell phones), internet connection and specific application/system access, are to be reviewed by the employee and supervisor prior to the implementation of the telecommuting schedule.
2. County Workers' Compensation:



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- a. The County Workers' Compensation coverage for job-related injuries to the employee is in effect during the employee's telecommuting work hours. The County will not be held responsible for non-employee injuries incurred at the Alternative Work Location, including those incurred by visitors, other residents, or the public. Any employee injuries that occur while working in the Alternative Work Location must be promptly reported to a supervisor.
 - b. The County and/or County's Workers' Compensation Administrator may investigate circumstances in the Alternative Work Location, including the employee's home, related to workers' compensation claims.
 - c. Employees are responsible for ensuring a safe and ergonomically correct work setup at the Alternative Work Location.
3. Training Materials:
- a. For supervisors: In addition to any department-specific training, supervisors must complete the following training course:
 - i. [Effective Leadership for Hybrid Teams](#)

Additionally, supplemental courses and other training materials on how to effectively manage a remote workforce are available in Eureka. These resources have been designed to help supervisors lead, guide, communicate effectively, and maintain productivity in a remote work environment. Eureka can be accessed by clicking [here](#).
 - b. For employees: Any employees who participate in telecommuting are required to review the following training materials:
 - i. [Risk Management's Home Safety for Telecommuting Document](#)
 - ii. [Annual Cybersecurity Awareness Training \(CSAT\) Campaign](#)
 - iii. [Telecommuting for County Employees](#)

G. Telecommuting Assessment Considerations and Expectations

1. Eligibility criteria: In order to receive consideration for telecommuting, the employee must have at least a "meets expectations" performance rating in the most recent rating period.
2. Benefits:
 - a. An employee participating in telecommuting shall maintain the same hourly salary, leave hour accruals, annual leave, and all other benefits as they would at the employee's Primary Work Location.
 - b. Procedures for requesting time-off, unplanned leave, sick leave, and/or change in work hours remain the same as those in the Primary Work Location.
 - c. If a telecommuting employee is sick while working at home, the employee must report hours worked and use appropriate leave balances to document the hours not worked, in compliance with the applicable Memorandum of Understanding (MOU).



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3. Location/Hours/Availability:

- a. The telecommuting employee's Alternative Work Location must be located within the State of California.
- b. Employees who telecommute must be able to report to their Primary Work Location within a reasonable time as agreed upon with the employee's Supervisor. Employees may, for example, be required to come to an office for required meetings, to pick up or drop off work items, or to conduct other job functions that must be performed at the Primary Work Location or require physical presence or for any other reason as determined by the supervisor.
- c. Employees who telecommute may not host in-person work-related meetings at their Alternative Work Location.
- d. Telecommuting schedules may be all or a portion of the work days/hours.
- e. Telecommuting employees are expected to work during normal business hours as determined by their supervisor and are required to be available by phone, email, and other County-approved virtual platforms (e.g. Microsoft Teams, etc.) during scheduled hours, with the exception of agreed upon-break periods.
- f. Non-exempt employees must document their work hours and may not work overtime without pre-approval from their supervisor. However, if overtime is worked, the hours must be reported and the employee will be compensated per the terms of the applicable MOU.
- g. The employee will forward calls made to their County desk phone to their personal or County-issued cell phone to take calls as if they were working in their Primary Work Location.

4. Accountability:

- a. At the discretion of the department, the employee is required to check in as directed by their supervisor.

5. Confidentiality:

- a. The employee is at all times responsible for the security and privacy of all confidential business-related information that they use regardless of their work location. All County and departmental policies and procedures with respect to privacy and confidentiality remain in effect and must be adhered to.

6. Workspace:

- a. The employee will maintain a professional and productive work environment when working from home.
- b. The employee is responsible for maintaining his or her premises in a safe condition and ensuring, at their own expense, an environment that is ergonomically correct.
- c. Employees who do not have or are not able to provide themselves an ergonomically appropriate place to work should not telecommute and should work instead at their Primary Work Location.



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7. Equipment and Supplies:

Use of personally-owned equipment such as mobile devices (e.g. cell phones) will adhere to the County policy titled [“Restrictions on Use of Private Devices and Accounts for County Business.”](#)

- a. The employee must possess the proper equipment and supplies to work at an Alternative Work Location. The employee must have an internet connection suitable to ensure he/she can carry out their normal work duties. In certain circumstances and depending on availability of County-issued equipment, the department may issue a laptop to use at the Alternative Work Location. It is the employee’s responsibility to ensure that County equipment is properly used and secured and protected from damage. If the employee does not possess the proper equipment or equipment is not available to be assigned, a telecommuting arrangement may not be possible. Computer equipment and access to the County’s network should be consistent with the [County Cybersecurity Policy](#).
- b. The County will not reimburse the employee for home utility costs, internet service, furniture, mobile devices (e.g. cell phones) or peripheral equipment, application or software expenses, telephone service, data charges, office supplies, housing costs, homeowner’s insurance rates, or any other costs associated with telecommuting.
- c. In the event that the telecommuting employee is unable to work due to the failure of equipment (e.g., telephone line, computer, internet connection, etc.) that departmental technical support cannot resolve over the phone or due to other extenuating circumstances, the employee shall contact his/her supervisor and will likely need to report to the Primary Work Location.

H. Procedure

1. An employee may request a telecommuting arrangement by completing Attachment A – Assessment and Agreement and sending it to their supervisor for approval.
2. The Alternative Work Location from which the employee will be telecommuting, the days the employee will telecommute, and the working hours for those days must be specified in the Agreement.
3. The fully completed Agreement signed by the employee and supervisor shall be forwarded to the department designee for review and signature approvals.
4. After approval, the appropriate department designee shall return the signed Agreement to the employee's supervisor. The supervisor will provide the original back to the employee and forward a copy of the Agreement to Human Resource Services who will retain a copy in the personnel file.
5. The Supervisor will work with the employee and request the appropriate IT setup for access and any IT equipment needed. The types of IT programs that facilitate offsite work by telecommuting employees include:



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- a. **Virtual Private Network (VPN):** An end-to-end encrypted connection that allows secure access to County resources.
- b. **Outlook Web Access (OWA):** A web-based email client that allows offsite users to access their mailboxes.
- c. **Other: Office 365:** An application that provides remote access to all Microsoft Office products (Outlook, Word, Excel, and files in OneDrive).

I. References

#	Title/URL
1	Annual Cybersecurity Awareness Training (CSAT) Campaign
2	County Cybersecurity Policy
3	Information Technology Usage
4	Memorandums of Understanding and Personnel and Salary Resolutions
5	Restrictions on Use of Private Devices and Accounts for County Business
6	Risk Management's Home Safety for Telecommuting Document

J. Attachments

Title
Attachment A - Telecommuting Assessment and Agreement

**Telecommuting Assessment and Agreement****Agreement:**

In correlation with the County Telecommuting Policy, this Telecommuting Agreement applies to County employees who meet the criteria of having conducive tasks that fit within a remote working environment.

NOTE: This agreement is for a traditional telecommuting opportunity that arises during normal course of business and special circumstances may require specific situational telecommuting agreements as deemed appropriate by the department.

Employee Name:	
Division Name:	
Job Title:	
Immediate Supervisor:	
Current Schedule & Hours:	
Description of work to be conducted while telecommuting:	
Alternative work location:	
What equipment do you currently have at home that will be used for your telecommuting assignment:	
Check the type of access you have: ☐ VPN ☐ Outlook Web Access (OWA Only) ☐ Other:	
Dates affected by this work agreement (<u>up to one year and subject to annual review</u>):	
Contact information for meetings/conferences via telephone, Microsoft Teams, etc.:	

Application:

An employee may request a telecommuting arrangement by completing this form and sending it to their supervisor to approve or deny the request.

Security of confidential information at all times by the employee is imperative. All rules and regulations regarding security of confidential information described in the County Telecommuting Policy, Department Policy and Procedures, Information Technology Usage Policy, and in all other Federal, State, and County policies remain in effect. The employee is required to ensure that no co-inhabitant, visitor or other person has audible or visible access to confidential information at any time. Violation of any of these provisions may result in disciplinary action including termination and/or civil/criminal prosecution.

Proposed telecommuting schedule including location, days of the week and total hours of telecommuting:

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Assessment (to be completed by Employee and Supervisor):

Internet Connection Provider

(Recommended internet speed of at least 20MBS) _____

Job Duties		
Rate the frequency of work activities below associated with the essential functions of the job (H=High/Often, M=Medium/Occasionally, Low=Low/Infrequently-Almost Never):	Rating by Applicant ☐ H ☐ M ☐ L	Rating by Supervisor ☐ H ☐ M ☐ L
Daily face-to-face interaction with supervisors, colleagues, clients and the public that can't be replaced with virtual platforms	☐ ☐ ☐	☐ ☐ ☐
Telephone correspondence	☐ ☐ ☐	☐ ☐ ☐
Email correspondence	☐ ☐ ☐	☐ ☐ ☐
Independent nature of applicant's job duties	☐ ☐ ☐	☐ ☐ ☐
Project-oriented activities that involve in-person interaction that can't be replaced with virtual platforms	☐ ☐ ☐	☐ ☐ ☐
Need for employee to be immediately present	☐ ☐ ☐	☐ ☐ ☐
In-office reference material and resources required for employee's work that can't be replaced with virtual platforms	☐ ☐ ☐	☐ ☐ ☐
Level of security for data or other information used in line of duty	☐ ☐ ☐	☐ ☐ ☐
Access to County I.T. systems	☐ ☐ ☐	☐ ☐ ☐
Other considerations (write in as needed below)	☐ ☐ ☐	☐ ☐ ☐

Employee Attestations/Agreements:

Attestations/Agreements	Emp Initials
I understand my <u>Supervisor's expectations</u> on (a) my availability for meetings/conferences via telephone, Microsoft Teams, etc.;(b) completion of assignments; (c) timeframe to respond to calls/messages, and emails; and (d) ability to attend in person meetings and complete other job functions at an office.	
I have read and understand the County Telecommuting Policy. I have completed the following training: • Risk Management's Home Safety for Telecommuting Document • Annual Cybersecurity Awareness Training (CSAT) • Telecommuting for County Employees • Effective Leadership for Hybrid Teams (<i>supervisors only</i>)	
I agree to report work hours only for the time spent completing my duties within my scheduled workday and will utilize leave balances (if applicable) in accordance with provisions of my Memorandum of Understanding (MOU) and/or related laws/policies for the remainder of the workday.	
If utilizing non-County issued devices, I understand that I will not be reimbursed for use of my personal equipment while performing my duties (i.e. Internet access, computer repair, etc.).	

I understand that telecommuting is an agreement between the supervisor, the department, and myself. I agree to perform my duties as appropriate and in accordance with County policies and procedures.

I understand that this agreement can be terminated at any time and for any reason by either myself or the department/supervisor.

Employee Signature	Date
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PLEASE CONTACT YOUR SUPERVISOR IMMEDIATELY IF YOU EXPERIENCE ANY TECHNICAL DIFFICULTIES WHILE WORKING REMOTELY.

Supervisor Review and Determination:**Eligibility Criteria:**

In order to receive consideration for telecommuting, the employee must have at least a “meets expectations” performance rating in the most recent rating period.

Department cannot approve telecommuting due to other operational/business needs.

☐	Department is operationally able to agree to the employee telecommuting plan.
☐	Employee meets the criteria and completed training as outlined in the County Telecommuting Policy.
☐	Employee is able to work remotely and can perform all or some duties.
☐	I have discussed with the employee my expectations on his/her availability for meetings/conferences, completion of assignments, and response times on messages/emails.
☐	Department is operationally able to approve the telecommuting request. Employee will Telecommute up to days per week
☐	Department cannot approve telecommuting due to other operational/business needs. Employee will not Telecommute.
<u>Supervisor Comments/Expectations</u>	

Supervisor Signature	Date	Section Manager Initials:
Division Director Signature	Date	