

Buffalo County Resolution



Drafted By:
Sonya J. Hansen
Presented Month/Year:
May 2021
Involved Committees:
Human Resources

County Department:
Administration
Fiscal Impact: YES / NO
AC Approved: YES / NO

RESOLUTION # 21-05-05

A RESOLUTION TO ADD POLICY 512 REMOTE WORK (TELECOMMUTING) POLICY TO BUFFALO COUNTY EMPLOYEE HANDBOOK

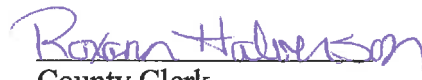
WHEREAS, the current Buffalo County Handbook requires the Buffalo County Board of Supervisors to authorize by resolution any amendments to the Employee Handbook; and,

WHEREAS, the Human Resource Committee recommends adding Policy 512 to the Buffalo County Employee Handbook to encourage recruitment, employee retention, increase productivity, reduce office space, improve morale, and decrease absenteeism; and,

WHEREAS, Buffalo County considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement.

NOW, THEREFORE BE IT RESOLVED, that the Buffalo County Board of Supervisors hereby approves adding POLICY 512 – REMOTE WORK (TELECOMMUTING) POLICY to the Buffalo County Handbook. A copy of the amended policy is attached as Exhibit A and to be incorporated herein and to become a part of this resolution effective June 1, 2021.

Adopted at a duly called and noticed meeting of the Buffalo County Board of Supervisors on the 21st day of May, 2021.



County Clerk

ATTEST:


County Board Chairperson

Respectfully Submitted:

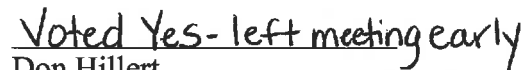
Human Resources Committee


Larry Grisen


Mary Anne McMillan Urell


Nathan Nelson


Michael L. Taylor


Don Hillert

ANTICIPATED FINANCIAL IMPACT STATEMENT

No additional costs anticipated.

POLICY 512. REMOTE WORK (TELECOMMUTING) POLICY

- 1. Purpose:** The purpose of this policy is to provide guidance to Buffalo County management and employees with a work policy that outlines our guidelines for employees who work from a location other than our offices.

Telecommuting benefits Buffalo County with recruitment, employee retention, increased productivity, reduced office space, improved morale, and decreased absenteeism. The employee benefits include reduced travel time and costs, flexible work hours and more job satisfaction.

Buffalo County considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not a county wide benefit, and it in no way changes the terms and conditions of employment with Buffalo County. This policy provides a general overview and does not attempt to address each unique situation or technology need.

Telecommuting is not designed to be a replacement for appropriate dependent care during work hours or intended to permit staff to work at other jobs or run their own business. The focus of the arrangement must remain on job performance and meeting business demands.

- 2. Policy:**

Following adoption by the County Board of Supervisors, this policy will be in effect from June 1, 2021 until May 31, 2022.

Telecommuting is a voluntary work alternative for some employees and some jobs. Telecommuting can be informal, defined as working remotely for a short-term project or other short-term arrangement or a formal set schedule of working away from the office. Either an employee or manager can suggest telecommuting as a possible work arrangement.

Any telecommuting agreement is between employees and managers to work from a non-office location which may be altered or ceased due to business and/or efficiency requirements. Every effort will be made to provide 30 days' notice for any formal telecommuting agreement to accommodate commuting, dependent care and other issues that may arise from the termination of a telecommuting agreement. There may be instances, however, when no notice is possible.

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3. Eligibility:

- 3.1 The employee has demonstrated sustained high performance and the supervisor believes the employee can maintain the expected quantity and quality of work while telecommuting.
 - 3.1.1 No pending personnel-related disciplinary action or performance concerns.
 - 3.1.2 Employee has demonstrated good communication suitability.
 - 3.1.3 Employee has demonstrated good time management skills.
 - 3.1.4 Attendance history (excluding Family Medical Leave absences and Americans with Disabilities accommodations).
 - 3.1.5 Employee has demonstrated ability to complete work projects with minimal supervision.
 - 3.1.6 Supervisor has ability to provide adequate supervision of the employee remotely.
 - 3.1.7 Supervisor shall evaluate position to assure the telecommuting request does not have a negative impact on customer services.
- 3.2 New employee must successfully achieve their four months goals unless an exception is recommended by the Department Manager and granted by the Administrative Coordinator.
- 3.3 Employees must review the Telecommuting Policy (policy #512) with their direct supervisor.
- 3.4 Employees must sign the Telecommuting Agreement Form.

4. Remote Working Procedures:

Employees must obtain the approval and concise expectations from their Department Manager/Elected Official.

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4.1 Formal Telecommuting:

Formal telecommuting arrangements involve setting up a home-base office on an ongoing basis for the purposes of performing work for Buffalo County.

4.1.1 The Department Manager/Elected Official or designee and employee will complete a Formal Telecommuting Proposal detailing a performance assurance and monitoring plan, employee work location schedule, benefit of telecommuting to the department mission and any other information relevant for consideration.

4.1.2. The employee must review the Telecommuting Policy with their direct supervisor and sign the Telecommuting Agreement Form.

4.1.3 The Proposal & Approval Form is presented to the County Administrative Coordinator for review and recommendation prior to presentation to the Home Committee.

4.1.4. The Proposal & Approval Form is presented to the Home Committee where it is approved or denied. The employee will be notified of the decision by the direct supervisor.

4.1.5 If approved, the Proposal & Approval Form will be presented to the Human Resources Committee for final decision. The employee and Department Manager/Elected Official will be notified of the final decision.

4.1.6 Formal telecommuting arrangements are subject to annual review and must be signed prior to implementation.

4.1.7. Documentation will be retained in the employee’s personnel file in the Administration Office.

4.2 Informal Telecommuting:

4.2.1 The employee shall submit the completed Telecommuting Proposal & Approval Form to their direct supervisor. The supervisor reviews the request and may approve contingent on ascertaining the proposed work is valuable in terms of supporting mission, the proposed details acceptable quantity targets, and planned work is sufficiently verifiable. If their direct supervisor is not a Department Manager or Elected Official, the Department Manager or Elected Official must also approve the request unless authority is granted to the supervisor.

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4.2.2 Informal telecommuting, other than on-call activity, requires approval by a department supervisor at least forty-eight (48) hours in advance. Exceptions to the forty-eight (48) hour notice include an unplanned change in employee's work schedule. (For example: meeting/appointment cancellation or time change.)

4.2.3 Supervisor approval can be granted for up to eight hours.

4.2.4 Informal telecommuting cannot be approved for consecutive days without Administrative Coordinator approval.

5. Expectations:

5.1 Employees will establish an appropriate work environment within his or her home for work purposes. Buffalo County will not be responsible for costs associated. Employees must provide internet access at their own expense and provide documentation that internet service provider has adequate upload/download speeds to allow telecommuting. A supervisor may visit the employee's telecommuting worksite to confirm suitability for telecommuting.

5.2 Buffalo County will supply the employee with appropriate office supplies (pens, paper, etc.) and equipment for successful completion of job responsibilities as established at time of approval. The County is not responsible for provision of supplies or equipment above and beyond minimum necessary for completion of the employee's regular job duties. Employee may not use any home computer or devices unless specifically approved.

5.3 The employee and their supervisor or designee agree on a work schedule that is consistent with the courthouse operations (Monday thru Friday, 8:00 a.m. – 4:30 p.m.). Exceptions will be reviewed on case-by-case basis with department manager and approved by Administrative Coordinator. The manner and frequency of communication between employee and supervisor will be established. The employee agrees to be accessible by phone or modem within a reasonable time period during the agreed work schedule.

5.4 Remote working employees will be required to record all hours worked in a manner designated by their supervisor.

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- 5.5 Remote working employees will be held to the same level of standard of compliance as those employees working in offices. Hours worked more than those specified per day and per workweek, in accordance with state and federal requirements, will require the advance approval of the supervisor, unless otherwise agreed upon in advance. Failure to comply with this requirement may result in disciplinary action, up to and including termination, in addition to the immediate cessation of the remote working agreement.
- 5.6 Employees will not meet with clients and or visitors from their home while conducting Buffalo County business. Buffalo County is not liable to third parties for injuries or property damage occurring at the employee's home. Telecommuters should consult with their Homeowner's or Renter's insurance agent to evaluate any personal liabilities resulting from this arrangement.
- 5.7 Employees are responsible to take appropriate action to protect equipment from damage or theft. Employees are responsible for submitting any claims for County owned equipment stolen or damaged while in their homes to their insurance company and for filing a police report, if applicable. The supervisor should be contacted immediately in the event of any damage to or loss of County property and/or data.
- 5.8 Injuries sustained by the employee while at his or her home based work location in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Remote working employees are responsible for notifying the employer of such injuries in accordance with Buffalo County's compensation procedures.
- 5.9 Consistent with Buffalo County's expectations of information security for employees working at the office, remote working employees are expected to ensure the protection of proprietary company and customer information accessible from their home office. Steps include use of regular password maintenance, and any other steps appropriate for the job and the environment.
- 5.10 Adhere to all other Buffalo County policies.

6. Security Guidelines:

The following guidelines regarding information security will be always followed while working remotely on Buffalo County Government VPN:

- 6.1 Do not use public Wi-Fi access.

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- 6.2 Do not allow anyone else, including family members, to use the device you are using to access the work VPN.
- 6.3 Do not conduct any personal business while VPN is connected.
- 6.4 Do not open any e-mails that appear suspicious or from a sender you do not know.
- 6.5 Make sure a virus scan is always running in the background.
- 6.6 Close the VPN and logoff anytime you are not actively working through it.
- 6.7 Send all work-related e-mail using the encryption feature available to all employees.
- 6.8 Use only Windows 10 OS devices for remote working as patches and security updates are no longer obtainable for Windows 7 OS.
- 6.9 All antivirus, data loss prevention, and other security systems must not be disabled, interfered with, or circumvented in any way.
- 6.10 Authorized users shall protect their login and password, even from family members.

7. HIPAA/Protected Health Information:

Employees in a remote working arrangement must comply with all County policies and procedures concerning the handling of Protected Health Information, as well as use of computers, internet, phone, and e-mail. It is expected employees fully review and are familiar with these policies.

Staff should limit consumer specific information in their possession outside of County offices to that necessary to perform their duties. When transporting consumer files/records, staff must ensure security of confidential information. Telecommuters may take work home, including case files, while abiding by the above procedure for protecting confidential information.

8. Change in Participation Conditions:

- 8.1 In the event of a delay in repair or replacement of equipment or another circumstance under which it becomes impossible for the employee to telecommute, the employee will return to the central workplace or be required to use appropriate time off accruals.

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8.2 Each supervisor is responsible for handling leave status or hours worked issues, decisions will be based on business needs and job responsibilities and county policy. Staff will not forfeit their option to utilize the necessary appropriate paid leave or unpaid leave if/when necessary.

9. **Open Records Notice:**

Documents created by employees using Buffalo County equipment are subject to open record requests except under narrowly defined expectations. Records may include e-mail and text messages sent and received by an employee. Documents created by employees using their own equipment will similarly be subject to open record requests when related to employment.

10. **Travel Time and Mileage Reimbursement:**

An approved telecommuter is entitled to mileage reimbursement as indicated by the Internal Revenue Service (IRS Reg. Sec. 1.262-1(b)I5)).

10.1 Telecommuters may be required to work or commute to their onsite location for meetings, events, and other situations deemed necessary by their supervisor. Whenever possible, when telecommuting employees are requested to report to their onsite work location, they should be so notified by the end of the workday prior to the day they are requested to report to the onsite work location.

10.2 The first one-way trip of the day from home (approved telecommuting location) to another location for the purpose of paid employment is not reimbursable as work expense and is considered the responsible of the telecommuter.

10.3 This rule applies to the last trip of the day from another location for the purpose of work to the home (approved telecommuting location).

10.4 In the event the first trip and/or the last trip of the day is longer than the mileage between the employee's onsite work location and the employee's home (approved telecommuting location) the employee will be reimbursed for the difference. If the first trip of the day is shorter than the normal distance from the onsite work location to the employee's home (approved telecommuting location), this milage would not be reimbursable.

10.5 All other travel time and mileage reimbursement shall adhere to other Buffalo County policies.

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