

NEW CASTLE COUNTY

PERSONNEL POLICY

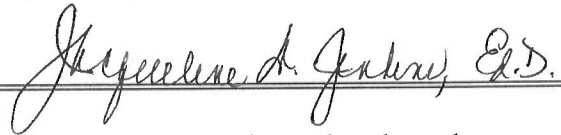
NUMBER 5.20

PAGE 1 of 2

DATE 12/18/19

SUBJECT: TELECOMMUTING FOR
UNCLASSIFIED APPOINTED EMPLOYEES OF
THE EXECUTIVE BRANCH

APPROVED:



OBJECTIVE: To outline the procedures to allow non-union, unclassified appointed employees of the Executive Branch, who serve at the pleasure of the County Executive or a General Manager to telecommute under limited circumstances.

STATEMENT: Occasionally, alternative work arrangements in the form of telecommuting can benefit an employee and the County. Telecommuting is a voluntary work alternative that may be appropriate for some appointed employees under limited circumstances. It is not an entitlement and will be approved consistent with operational needs and on a case by case basis solely at the discretion of the employee's General Manager or the County Executive. This policy sets forth the guidelines for telecommuting for appointed personnel.

COVERAGE: This policy applies only to unclassified appointed personnel of the Executive Branch, excluding Row Offices. An employee must have no record of performance problems or disciplinary actions within the preceding two (2) years. In the case of a new hire, the County will conduct a thorough reference check with past employers to determine whether he/she is eligible.

PROCEDURE:

1. Appointed employees of the Executive Branch who wish to request to telecommute must submit a signed copy of the Telework Program Policy Agreement to the County Executive or the employee's General Manager. The Chief Human Resources Officer shall receive a copy. The County Executive or General Manager may approve such a request provided that, there is no significant negative impact to the County. The County has the right to refuse to make teleworking available to an employee and to terminate a teleworking arrangement at any time.
2. Appointed employees of the Executive Branch who are approved to work in an alternate location shall create an appropriate work environment with a designated workspace. The County may inspect the workspace with 48 hours advance notice to ensure that it is safe and free of hazards. Employees must immediately report material changes to their workspace to their General Manager. Injury resulting from unsafe work conditions at the employee's alternate work location, which is not in the control of the agency, is the responsibility of the employee.

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3. The County will not assume responsibility for operating costs, home maintenance, or other costs incurred by employees in the use of their homes as an alternate work location. Examples include but are not limited to: hardware/software repair, telephone equipment, service or repair, travel costs which would not otherwise be incurred, office desk or chair, broadband/internet access. Employees will be responsible for any licensing costs incurred for the installation of required software at the alternate work location.
4. Appointed employees of the Executive Branch who are approved to telecommute shall work an agreed upon schedule which shall be documented with the employee's General Manager or County Executive. When working, such employee shall be expected to respond to telephone calls and emails promptly. Employees shall record their time.
5. Request to use Sick Leave, Vacation, or Personal Leave or any other kind of accrued leave while working at an alternate work location must be requested and approved in the same manner as when working in the office. If the employee becomes ill during scheduled hours, he/she must report those hours worked, report the time of the illness, and use Sick Leave for hours not worked.
6. The employee must comply with all personnel policies and procedures regarding proprietary information, security, and acceptable use of technology resources. The County reserves the right to monitor and log, without notice, all telecommuting activity, including email. Employees that are telecommuting should have no expectation of privacy in the use of County-related resources or business.

REQUIRED ACTION:

The Chief Human Resources Officer, department general managers, and covered individuals shall be responsible for the implementation of and compliance with this policy.

Established: 12/18/19

New Castle County



Telecommuting Program Policy Agreement

Telecommuting, or teleworking, is the concept of working from home or another location on a full- or part-time basis. Teleworking is not a formal, universal employee benefit. Rather, it is an alternative method of meeting the needs of the County. The County has the right to refuse to make teleworking available to an employee and to terminate a teleworking arrangement at any time. Employees are not required to telework. Employees have the right to refuse to telework if the option is made available.

The County's policies for teleworking are as follows:

Eligibility

To be eligible for consideration of a telework arrangement, an employee must be an unclassified appointed employee of the Executive Branch and have no record of performance problems or disciplinary actions within the preceding two (2) years. In the case of a new hire, the County will conduct a thorough reference check with past employers to determine whether he/she is eligible.

Request

Appointed personnel of the Executive Branch who wish to request to telecommute must submit a signed copy of this agreement to the County Executive or the employee's General Manager. The County Executive or General Manager may approve such a request provided that there is no significant negative impact to the County. The Chief Human Resources Officer shall receive a copy of the approved agreement.

Job Responsibilities

Employee job responsibilities will not change due to teleworking. Professionalism in terms of job responsibilities, work output, and constituent orientation will continue to follow the standards set by the County.

Compensation and Work Hours

The employee's compensation, benefits, work status, and work responsibilities will not change due to participation in the teleworking program.

The amount of time the employee is expected to work per day or pay period will not change as a result of participation in the teleworking program. Employee work hours will be mutually agreed upon by the County Executive or General Manager and the employee prior to the employee's start of teleworking.

The employee may not work overtime while teleworking.

The employee's hours while teleworking may not exceed 8 hours a day and 40 hours a week.

Personal Time

Request to use Sick Leave, Vacation, or Personal Leave or any other kind of accrued leave while working at an alternate work location must be requested and approved in the same manner as when working in the office. If the employee becomes ill during scheduled hours, he/she must report those hours worked, report the time of the illness, and use Sick Leave for hours not worked.

Workspace

The employee shall designate a workspace within the remote work location for placement and installation of equipment to be used while teleworking. If in a home, this space shall be separate and apart from the living space. The space must allow for undisturbed home working. This space must include furniture, which would be suitable for long periods of computer work, e.g., suitable table and chair which meets the same or similar standards as required within an office environment. Suitable furniture if not already available in their home would need to be purchased at the employee's own expense.

The employee shall maintain this workspace in a safe condition, free from hazards and other dangers to the employee and equipment.

The County must approve the site chosen as the employee's remote workspace. The County may direct the design of the workspace.

The employee is expected to submit photos of the home workspace to management prior to implementation and anytime thereafter upon request.

Any County materials taken home should be kept in the designated work area at home and not be made accessible to others.

The County has the right to make on-site visits (with 48 hours advance notice) to the remote work location for purposes of determining that the site is safe and free from hazards, and to maintain, repair, inspect, or retrieve County-owned equipment, software, data or supplies.

Equipment/Tools

The County will not assume responsibility for operating costs, home maintenance, or other costs incurred by employees in the use of their homes as an alternate work location. Examples include but, are not limited to: hardware/software repair, telephone equipment, service or repair, travel costs which would not otherwise be incurred, office desk or chair, broadband/internet access. Employees will be responsible for any licensing costs incurred for installation of required software at the alternate work location.

Office Supplies

Office supplies will be provided by the County as needed. Out-of-pocket expenses for other supplies will not be reimbursed.

IT Issues

The employee must comply with all personnel policies and procedures regarding proprietary information, security, and acceptable use of technology resources. The County reserves the right to monitor and log, without notice, all telecommuting activity, including email. Employees that are telecommuting should have no expectation of privacy in the use of County-related resources or business.

Workers' Compensation

The County shall provide workers' compensation protection as obligated by State statute for the employee while in the course of employment within the agreed upon location and defined work schedule. The County assumes no responsibility for any activity, damages, or injury which is not directly associated or resulting from the official job duties for which the County has no ability to exercise control.

The County assumes no liability for injuries occurring in the employee's home workspace outside the agreed-upon work hours.

The County is not liable for loss, destruction, or injury that may occur in or to the employee's home. This includes family members, visitors, or others that may become injured within or around the employee's home.

The County assumes no responsibility for the employee's real or personal property.

Dependent Care

Teleworking is not a substitute for dependent care. Teleworkers will not be available during County core hours to provide dependent care.

Income Tax

It will be the employee's responsibility to determine any income tax implications of maintaining a home office area. The County will not provide tax guidance, nor will the County assume any additional tax liabilities. Employees are encouraged to consult with a qualified tax professional to discuss income tax implications.

Insurance

As working from home on a regular basis may affect the employee's home insurance policies, employees should inform their insurance company before commencing with any agreement. If as a result the home insurance premium for either contents or buildings is increased, employees will be liable for such costs. Employees should also check that the terms of their mortgage allow for working from home.

Communication

Employees must be available by phone and email during core hours. Participants will still be available for staff meetings, and other meetings deemed necessary by management. Once a teleworking arrangement has been approved, the teleworking employee is responsible for maintaining regular contact with his or her Supervisor. The Supervisor shall be the teleworking employee's primary contact within the central work location. It is expected that

the Supervisor and the teleworker will act together to keep each other apprised of events or information obtained during the working day.

Evaluation

The employee shall agree to participate in all studies, inquiries, reports, and analyses relating to this program.

The employee remains obligated to comply with all County rules, practices and instructions.

I, _____, certify that I have carefully read, fully understand, and will comply with all provisions of this Agreement.

Employee Signature

Date

Supervisor Signature

Date

County Executive or General Manager Approval