



KERN COUNTY PROBATION DEPARTMENT

Policies And Procedures

TITLE: Telework Policy			Article: 1619
APPROVED: William Dickinson, Chief Probation Officer			
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POLICY

The purpose of this document is to describe the Department's telework policy. Telework is a privilege and not a right. A telework schedule allows employees and supervisors to mutually agree upon a varied distribution of their normal work hours. It does not change the number of hours worked, but simply allows each individual the flexibility to rearrange their work schedule to better meet their personal needs while continuing to meet the needs of the Department. Telework may be used on a regular basis, for a limited term, or on a contingency basis. This policy pertains to normal working conditions, and does not pertain to a declared emergency or any emergency status the County may declare. Telework requests may be denied or terminated at the sole discretion of the Chief Probation Officer or their designee.

This policy shall be followed by all Department staff authorized for remote work.

I. Definitions

- A. Designated work site: the Department location to which an employee is assigned.
- B. Dependent Care: caregiving for infants, toddlers, preschoolers, school-aged children, adults, and elderly adults who require constant supervision. Prohibited in Department remote work.
- C. Home Office: an area designated within the employee's home for the purpose of performing Department work.
- D. Information Assets: All categories of information (criminal justice, confidential, personal, or public), all forms of information assets (paper or electronic), information technology facilities, equipment and software owned or leased by the Department.
- E. Remote Access: the connection of an information asset (computing equipment, etc.) from an off-site location to an information asset on Department IT infrastructure.
- F. Telecommute: see Telework
- G. Teleconferencing: holding a conference among people remote from one another by means of telecommunication devices (e.g. telephones or computer terminals).
- H. Telework: An arrangement in which an employee regularly performs officially assigned duties at home or other work sites geographically convenient to the residence of the employee.
- I. Telework Schedules:

1. Limited: a telework arrangement to accommodate: 1) convalescence from an injury or illness, 2) a recovering family member in need of limited in-home assistance, 3) the last weeks of pregnancy, and/or following childbirth, 4) an inaccessible main office, 5) blocked commute routes (i.e., major road construction, storm, or a disaster) 6) special project work requiring an extended period of non-interruptible time.
 2. Regular: an established telework schedule of days per week or month that centers on the needs of the Department.
- J. Teleworker: an employee that teleworks.
- II. Telework Agreement
- A. A Telework Agreement form (Appendix A) shall be completed and approved prior to the actual start of teleworking. The required signatures indicate that the teleworker and supervisor have read, understand, and agree to abide by the Telework Policy.
- III. Eligibility
- A. Telework is a privilege and not a right.
- B. Only permanent Department employees are eligible for participation in the telework program, unless otherwise authorized by the Chief Probation Officer or their designee. This includes probationary employees.
- C. Certain job duties may prohibit telework. However, all requests will be considered through the normal chain of command.
- D. Telework requests may be denied at the sole discretion of the Chief Probation Officer or their designee. Denial of a telework request is not grievable and shall be considered a work assignment for purposes of the employee's grievance procedure.
- IV. Responsibilities
- A. Deputy Chief
1. Approve the equipment and software to be issued to teleworkers. Software will be approved when the Deputy Chief approves the purchase of necessary licenses.
- B. Division Directors
1. Administer the telework program in their respective divisions, including ensuring compliance with all applicable policies and procedures and identifying positions suitable for the telework option.
- C. Supervisors
1. Shall determine if requests for their employees to telework are likely to contribute to Department's mission, while maintaining or improving efficiency and productivity.

2. Shall ensure employees who remain in the office are not burdened by being required to handle the teleworker's regular assignments (i.e., answering telephone calls, dispensing information, etc.).
3. Shall use assignment logs or other tracking tools, provide specific, measurable, and attainable performance expectations for the teleworker; define in detail, assignments, corresponding deadlines, and the quality of the work expected.
4. Shall provide for employee training in the use of equipment and software as required for the employee to function effectively and independently.
5. Shall inform employees that failure to comply with the policy and procedures may cause for terminating participation in the program and/or possible adverse action.
6. Shall maintain copies of signed Telework Agreement forms and assignment logs.
7. Shall obtain Director's approval.

D. Teleworkers

1. Shall understand telework is a privilege and not a right.
2. Shall abide by the provisions set forth in this Telework Policy and document.
3. Shall adhere to all applicable laws, rules, regulations, policies, and procedures regarding information security as outlined below in "Information Security."
4. Shall acquire the skills necessary to meet department requirements and operate independently from a telework site.
5. Shall establish and maintain an acceptable and safe home office environment.
6. Shall comply with tax laws. (The Department is not responsible for substantiating a teleworker's claim of tax deductions for operation of a home office used to perform Department work. Employees should seek advice from a tax advisor concerning home office deductions.)

V. Employee Attendance and Performance

- A. An employee's attendance record shall be reviewed and considered prior to being approved for telework. Exceptions to this policy can be made at the discretion of the assigned Director or above.

VI. Availability

- A. In most cases, teleworkers shall work from their designated worksite at least one day per week.

- B. If an employee becomes ill on a scheduled telework day, the employee shall follow established protocols for reporting absences.
- C. If a supervisor requires an employee to respond to the office for an operational need, the employee will be given a reasonable amount of time to respond.

VII. Response Times

- A. When a response is required during normal working hours, teleworkers are expected to respond in the same manner and timeframe as if they were working at their designated worksite.

VIII. Meetings

- A. All internal meetings that include teleworkers shall be held using approved video conferencing software.

IX. Equipment

- A. Authorized teleworkers shall use Department issued equipment for telework.
- B. Equipment not issued by the Department is prohibited for being used for telework.
- C. Department issued equipment shall be enrolled in the Department's mobile device management solution.
- D. Data at rest shall be encrypted on all Department authorized equipment issued to teleworkers.
- E. Public wi-fi shall not be used for teleworking.
- F. Home wi-fi is permitted.
- G. Two-factor authentication shall be required for all teleworkers.

X. Expenses Incurred While Working a Telework Schedule

- A. Expenses incurred as a result of working a telework schedule may not be reimbursed by the Department including, but not limited to, the following: usage fees for private internet, utility costs, or travel to the office if required to come in on a telework day.

XI. Termination of Telework Participation

- A. The Telework arrangement may be terminated at any time at the sole discretion of the Chief Probation Officer or their designee. Termination of a telework arrangement is not grievable and shall be considered a work assignment for purposes of the employee's grievance procedure. Reasons for termination include, but are not limited to, the following: needs of the department; change in the employee's work function, employee's non-satisfactory performance, or abuse of the telework policy.
- B. Employee's may cancel their telework arrangement, by providing a 30-day written notice through their chain of command.

- C. All equipment provided by the Department for the purpose of telework shall be returned to Technology Services as soon as possible but no more than three business days.

XII. Information Security

- A. Security of confidential information is of primary concern and importance to the Department. Teleworkers, like all employees, are expected to adhere to all applicable laws, rules, regulations, policies, and procedures regarding information security. The following are basic information security guidelines. Teleworkers shall:
 - 1. Only use Department issued information assets for authorized purposes and ensure that confidential information is not disclosed to any unauthorized person.
 - 2. Back up critical information on a regular basis to assure the information can be recovered if the primary source is damaged or destroyed.
 - 3. Use strong passwords on all systems containing confidential information and keep those passwords secure.
 - 4. Use the latest virus protection software on telework systems.
 - 5. Return material (paper documents, etc.) containing all confidential information to the main office for proper handling or disposal.
 - 6. Adhere to copyright law by not copying or sharing any Department owned software utilized by teleworkers, and when no longer employed by the Department, return any equipment to the Department.

XIII. Restricted Use

- A. The employee acknowledges that the use of any Department provided equipment, software, data, and supplies is limited to authorized teleworker use and only for purposes related to Department business, or as allowed by law.

XIV. Self-Certification Safety Checklist

- A. Teleworkers shall self-certify that their in-home office complies with identified safety requirements by completing and signing the "Safety Checklist/Acknowledgement" in Appendix B. If needed, management retains the right to make inquiries as to the status of the in-home office work environment.
- B. The self-certification safety checklist shall be returned to a supervisor prior to beginning telework.

APPENDIX A

TELEWORK AGREEMENT

The following constitutes an agreement between (Department)_____ and (Employee) ____ on the terms and conditions below.

1. The employee is willing to participate in the telework program and adhere to the applicable guidelines and policies.
2. The department concurs with employee participation and agrees to adhere to the applicable guidelines and policies.
3. The employee agrees to participate in telework beginning (date)___.
4. The employee's agreed upon schedule will coincide with the employee's approved schedule in the County timecard system.
5. The employee will report to the office on the following day(s) _____ or as required by the supervisor.
6. The employee must be available by telephone during telework hours.
7. The employee must obtain advance supervisory approval before taking vacation or sick leave in accordance with departmental procedures. By signing this form, the employee agrees to follow established procedures for requesting and obtaining approval of leave.
8. If the employee works overtime that has been ordered and approved in advance, he/she will be compensated in accordance with County policies and applicable laws. The employee understands that unapproved overtime work is prohibited. By signing this agreement, the employee agrees that failing to obtain proper advance approval for overtime work may result in his/her termination from the telework program and discipline up to and including termination of employment.
9. If the employee is authorized to use Department equipment, the employee will protect and safeguard the equipment. Department-owned equipment will be serviced and maintained by the Department.
10. If management has reasonable cause to believe that hazardous working conditions exist, the department can immediately suspend telework approval until a pre-arranged inspection by the department of the employee's home worksite may be conducted during the employee's normal working hours to determine if such hazards continue to exist..
11. The Department or County will not be liable for damages to an employee's personal or real property except as required by law.
12. The Department or County will not be responsible for operating costs, home maintenance, or any other incidental costs whatsoever, (e.g., utilities), associated with the use of the employee's residence.

13. To the extent required by the California Workers' Compensation law, an employee who is injured in the course of actually performing official duties at the approved telework site may receive required benefits.
14. The employee will meet with the supervisor to receive assignments and to review completed work as necessary or appropriate.
15. The employee will apply approved safeguards to protect County/Department records or confidential information from unauthorized disclosure or damage.
16. The employee may terminate participation in the telework program at any time by providing thirty days written notice; however, employees may be expected to continue working at home offices or for a reasonable period to allow management time to arrange a workstation. The Chief Probation Officer, or their designee, has the sole right to remove the employee from the telework program at any time.
17. Overtime shall only be paid to nonexempt employees in accordance with the employee's current MOU.
18. Work schedules will comply with County policy. Performance standards will be the same as for on-site employees, with clear expectations from the teleworker's supervisor about the nature, scope, and timeframe for completing assignments.

Employee (Sign)

Date

Employee (Print)

Supervisor - (Sign)

Date

Supervisor – (Print)

Department Head (Sign)

Date

Department Head (Print)

APPENDIX B

EMPLOYEE SELF-CERTIFICATION SAFETY CHECKLIST

Teleworker Name: __ Telework Location: _

Telephone: __

☐ This is my residence☐ Other location (identify):

Department Assets to be Used at Remote Work Site:

Description	Property Tag Number

The following checklist is designed to assess the overall safety of the telework site. Participating employees shall complete the self-certification safety checklist. Then the checklist will be signed and dated by the employee and immediate supervisor. The supervisor will retain a copy of this checklist with the telework agreement. If the department determines the telework site is inadequate in terms of safety or health, the telework agreement will be terminated. Departments reserves the right to inspect telework premises without prior notification.

A.	WORKPLACE ENVIRONMENT	Yes	No
1.	Are all stairs with four or more steps equipped with handrails?		
2.	Are all circuit breakers and/or fuses in the electrical panel labeled as to intended service?		
3.	Do circuit breakers clearly indicate if they are in the open or closed position?		
4.	Is all electrical equipment free of recognized hazards that would cause physical harm, e.g. frayed wires, bare conductors, loose wires, flexible wires running through walls or exposed wires to the ceiling ?		
5.	Will the building's electrical system permit the grounding of electrical equipment?		

6.	Are aisles, doorways, and corners free of obstructions to permit visibility and movement?				
7	Are file cabinets and storage closets arranged so drawers and doors do not open into walkways?				
8.	Do chairs have any loose casters (wheels) and are the rungs and legs of the chairs sturdy?				
9.	Are the phone lines, electrical cords, and extension wires secured under a desk or along side a baseboard?				
10.	Is the office space neat, clean, and free of excessive amounts of combustible materials?				
11.	Are floor surfaces clean, dry, level, and free of worn or frayed seams?				
12.	Are carpets well secured to the floor and free of frayed or worn seams?				
13.	Is there enough light for reading?				

B.	COMPUTER WORKSTATION (IF APPLICABLE)		Yes		No
14.	Is your chair adjustable?				
15.	Do you know how to adjust your chair?				
16	Is your back adequately supported by a backrest?				
17	Are your feet on the floor or fully supported by a footrest?				
18.	Are you satisfied with the placement of your computer monitor and keyboard?				
19.	Is it easy to read the text on your screen?				
20.	Do you need a document holder?				
21	Do you have enough leg room at your desk?				
22	Is the monitor free from noticeable glare?				
23.	Is the top of the monitor screen level?				
24	Is there space to rest the arms while not keying?				

