

## Kitsap County Telecommuting Policy

### **A. Introduction**

As an employer, Kitsap County is required to implement commute trip reduction programs, consistent with state law and local ordinances to reduce the number of trips and miles employees commute alone to work. RCW 70.94.531 (2) (xiii) lists telecommuting as one of the alternatives that employers have available to achieve the applicable commute trip reduction goals. The evolution of technology has created the opportunity for certain work activities to be accomplished from remote and/or alternate locations.

Telecommuting allows employees to work at home, on the road, or at a satellite location for all or part of their workweek. Kitsap County considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting can allow the County to deliver high-quality service to residents while also allowing flexibility in the face of ever-changing business needs and priorities. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not a Countywide benefit, and does not change the terms and conditions of employment with Kitsap County.

Approval for telecommuting under this policy is for remote work performed in Washington State only. Employees who want to temporarily work remotely outside of Washington State must receive approval from Kitsap County Human Resources and their Employing Official, pursuant to the procedures outlined in the section on Temporary Out of State Remote Work.

Certain requirements for all telecommuting arrangements are set forth in this policy statement and are intended to ensure that such arrangements comply with all applicable laws as well as data and network security. The intent is to allow Employing Officials discretion in designing telecommuting programs that align with their business needs.

Employees who are approved to work at least part time at an alternate work location on a regular basis over a period of time must complete and sign a written telecommuting agreement provided by the County regarding the employee's work arrangement away from the regular office. The Employing Official must also sign the written agreement.

Telecommuting can be occasional, such as working from home for a short-term project or during business travel, or it can be a formal, set schedule of working away from the office as described in this policy.

Kitsap County has three primary types of workers. They are:

- Onsite workers – Employees who work primarily or entirely onsite at Kitsap County facilities;
- Hybrid workers – Employees who work partially onsite and partially remote; and
- Remote workers – Employees who work primarily offsite, typically from home or other approved non-county location.

How and where employees perform their work is decided based on service delivery needs and individual work tasks. Each Employing Official determines which tasks must be performed in person and which can be performed in a remote capacity.

The work itself and our mission to best serve residents guides whether a worker should be onsite, hybrid, or remote. All worker types are subject to supervisor and Employing Official approval. All hybrid and remote employees are required to complete a Kitsap County Telecommuting agreement outlining the expectations for hybrid and remote work. Approval to work hybrid or remote does not create a contract for employment, nor does it alter the employee's status. Teleworkers are expected to regularly communicate with their supervisors regarding work assignments and schedules. In addition, teleworkers must follow all the same rules and employment expectations as if they were working onsite. Hybrid or remote workers may be required to come onsite, as determined by their supervisor, to perform work duties or attend meetings or trainings. The County may, at its sole discretion, modify an employee's worker status at any time. The County will strive to give affected employees at least 14 days' notice of the decision.

### **B. Policy Statement**

To reduce traffic congestion, conserve petroleum resources, protect air quality, reduce stormwater pollutants generated from vehicle traffic, increase the availability of public parking around the Courthouse Campus, and reasonably meet the needs of Kitsap County employees, Kitsap County will give consideration to telecommuting work arrangements. These arrangements will be considered provided they do not have a negative impact upon public service nor impede the organizational unit from accomplishing its mission in an efficient and cost-effective manner.

### **C. Statement of Philosophy**

All telecommuting agreements are approved by the employing official. While telecommuting should be considered throughout the County, it may not be appropriate for all positions. Employees are not entitled to nor guaranteed the opportunity to telework. Teleworking is a management option at the discretion of the Employing Official, and an employee's participation is voluntary. All regular or limited term full-time or part-time employees may be considered. Before entering into any telecommuting agreement, the employee and supervisor, with the assistance of Human Resources, evaluate the suitability of such an arrangement. Employing Officials should analyze their workforce and determine service delivery models for their areas to help determine what work must be performed onsite.

It is important to take time to make sure telecommuting is a viable option. Listed below are several characteristics that support telecommuting. Supervisors should consider these points as they evaluate telecommute requests.

- To reduce office operation costs, and reduce travel costs for employees who work in the field
- To reduce County parking space requirements and enhance opportunities for 'shared' office space
- To enhance employee productivity, creativity and satisfaction
- As a mutually agreed upon work alternative between supervisor and employee, rather than a reward or a job requirement
- If clear communication exists between supervisor and employee, and between telecommuter and the rest of the office
- If the practice is transparent to the public

- If standard business practices are maintained
- If consistent criteria for participant selection is employed
- If there is a clear understanding and agreement that ensures attendance at meetings, agency events, or other in-person requirements.

## **D. Management Responsibilities and Considerations**

Employing Officials determine how telecommuting is used in their respective areas of responsibility. Managers and supervisors are tasked with implementing and evaluating telecommuting options to ensure that telecommuting continues to be viable in accomplishing the employee’s assigned tasks and duties. Employee Officials who choose to allow telecommuting in their departments will take the following steps before implementing a telecommuting program.

- **Set Clear Expectations**
  - Formulate and communicate a comprehensive department specific telecommuting policy and procedure for employees.
  - Evaluate employee status annually in conjunction with the employee’s annual performance review.
  - Set core work hours – the standard hours during which an employee is expected to be working. These may vary from employee to employee. Supervisors are expected to establish core work hours with their staff.
  
- **Monitor and Evaluate**
  - Develop fair performance evaluation criteria before implementing telecommuting;
  - Develop clear and consistent expectations for how to measure performance;
  - Develop a plan with periodic monitoring to ensure work is being completed properly; and
  - Routinely engage employee to determine what, if any, tasks must be completed onsite and how often the team is expected to meet in person.
  
- The decision to telecommute is based on the ability to complete assigned tasks and duties. Ensure that department policy provides for fair and equitable treatment of employees regardless of telecommuting status
  
- Allow for flexibility in individual employee agreements based upon the Department/Office comprehensive policy and ensure agreements are signed in advance. Document variances from established policy and procedure, except those required by the Telecommuting Rules (section E).
  
- Establish a procedure for the periodic review of individual employee telecommuting agreements and arrangements.
  
- Arrange for filing and maintenance of telecommuting agreements within the Human Resources Department.

Jobs which lend themselves to telecommuting are positions in which:

- Clear work objectives can be established and met;
- Workflow can be controlled;
- Tasks and deliverables on telecommuting days can be clearly defined; and
- Projects where quiet or uninterrupted time would increase employee productivity.

A determination whether to allow an employee to telecommute should be based on an employee's past performance. Only employees who meet the following criteria should be considered as candidates for telecommuting:

- Self-motivated and self-starter;
- Results and product-oriented;
- Able to work independently;
- Familiar and comfortable with the expectations for the position;
- Knowledgeable about necessary procedures;
- Successful in current position;
- Effective communicator who is adaptable; and
- Demonstrated ability in communicating electronically.

### **E. Telecommuting Rules**

Successful telecommuting is built on mutual trust. It is important in any agreement that both parties understand the parameters and boundaries, as well as agreeing on basic core principles. Here are some core principles that must apply to employees participating in a telecommute agreement.

1. Telecommuting is not a universal employee benefit, and an employee's participation in a telecommuting program is entirely voluntary. Telecommuting is strictly within the discretion of the Employing Official and may be revoked at any time. Employees are expected to maintain high-quality productivity, performance, communication, and responsiveness standards and to meet deadlines.
2. Employees are responsible for maintaining a home office or offsite workspace that is safe and conducive to completing work assignments and protecting all data used in the performance of the employee's work responsibility. If an employee incurs a work-related injury or accident, they must report it immediately. All determinations regarding eligibility for workers' compensation benefits will be made in accordance with applicable state law. The County is not responsible for any injuries sustained by third parties at an employee's remote worksite.

3. Employee salary, benefits, workers' compensation, sick leave, vacation leave, and other employee insurance shall not change due to telecommuting. Likewise, an employee's duties, obligations, and job responsibilities remain unchanged.
4. Performance evaluation requirements for telecommuting shall not differ from those of non-telecommuters.
5. Total hours worked on a telecommuting day must be the same as the hours the employee is scheduled to work. The specific day(s) and work hours are identified in the separate Telecommuting Agreement. An employee is expected to perform work and be accessible during their agreed upon core hours unless they receive approval from their supervisor to adjust their schedule. Employees must keep their supervisor informed of any changes to their work schedule.
6. Non-exempt/hourly employees may not perform any work outside their established work schedule or perform any overtime work without advance approval. This prohibits even de minimis activities, such as checking electronic messages. Each incident of overtime must be expressly approved in advance by the Employing Official or their designee.
7. Employees voluntarily choose to participate in the County's telecommuting program and are not compensated for ordinary travel time or expense reimbursement between their approved alternative work location and a County worksite/premises.
8. As a best practice, the established work schedule should designate telecommuting at the approved alternate work location in full day/shift increments. If an employee is required by the County to report to County premises on a day previously scheduled as a telecommute day, the County premises will be designated as the work location for that day and the travel is an ordinary commute.
9. Non-exempt/hourly employees who voluntarily choose, for their convenience or benefit, to telecommute part of the day/shift at the alternate work location and another part on County premises are not compensated for travel time between their approved alternate work location and the County premises (this is ordinary commuting time). Non-exempt/hourly employees are off duty and may not perform any work while so commuting. Employees who choose to split their workday/shift in this manner must request approval for such a schedule that provides sufficient commute time between locations while still enabling the employee to work the scheduled hours per day/shift. However, if a telecommuting employee is required by the County to report to County premises during the regular workday/shift, such travel time and expense reimbursement will be compensated.
10. Employees who are working remotely are expected to have appropriate dependent care or caregiving arrangements. Employees should not be actively engaging in dependent care or caregiving activities during periods they count toward time worked. If dependent care or caregiving activities prevent or significantly disrupt work, employees should notify their supervisors to request an appropriate adjustment to their schedules. When feasible, with supervisor approval, employees may be allowed to flex their hours to account for time lost while engaged in dependent care or caregiving responsibilities. When not feasible, employees are

expected to use available paid or unpaid leave balances, with supervisor approval, to account for time missed due to dependent care or caregiving activities.

11. The telecommuter is responsible to track their hours worked and accurately report hours in Workday. This includes taking meal and rest breaks as required by state and federal laws and applicable collective bargaining agreements. If employees are having difficulty maintaining their agreed upon schedule, they must speak to their supervisor.
12. Telecommuters should notify their supervisor immediately when circumstances prevent effective telecommuting. This includes illness, power or equipment failures, loss of connectivity, or any other circumstances that prevent an employee from telecommuting. Supervisors may direct the employee to report to their regular worksite or other County worksite.
13. Kitsap County makes no representation as to whether a telecommuter's alternative workstation is a tax deduction for the telecommuter. Telecommuters should contact a tax expert for independent advice on this issue.
14. A telecommuter is responsible for conforming to all policies, including the County's policy regarding Use of Technology. See Appendix F.
15. Employees shall not have in-person work-related meetings with external or internal customers in their homes.
16. Employees who desire to deviate from their approved remote work location must notify their supervisor and receive approval ahead of time.
17. The teleworker shall be solely responsible for any and all expenses needed to establish and maintain an appropriate work environment including any remodeling, furniture or lighting, or repairs or modifications to the environment. Suitable internet connectivity and network security must be provided by the teleworker.
18. The County retains the right to monitor all information generated and actions performed using remote access technology while an employee is teleworking. Employees have no expectation of privacy in computer or other technology resources used for teleworking.

### **F. Teleworking and Inclement Weather**

1. If the County offices are closed for work activities or has a delayed opening, teleworkers whose home office is not impacted by the inclement weather should continue to work as usual. If the office closure impacts the employee's ability to perform work (i.e., do not have access to materials or resources needed), the employee should contact their supervisor immediately. If the employee and the supervisor agree that the employee is unable to work, follow the guidance of the teleworking and inclement weather policies.

2. Hybrid workers: If the closure or delayed opening occurs during scheduled telework time and the home office is not impacted; the employee should telework as usual. If the closure or delayed opening occurs during the time the employee was scheduled to work in the office, the employee should work from home if able to do so. If the employee is unable to work from home the employee should contact their supervisor immediately. If the employee and the supervisor agree that the employee is unable to work, follow the guidance of the teleworking and inclement weather policies (generally, the hybrid worker will stay home until the office reopens and will not be required to use leave).
3. If the employee's duties and resources allow for teleworking during an inclement weather closure, the supervisor may direct the employee to take work materials home in order to safely telework during a current or anticipated County office closure.
4. Workers who are unable to work from home during an inclement weather or similar event (i.e., power or internet outage) should contact their supervisor immediately. If the County offices are not impacted, the supervisor may direct the teleworker to come into the office to finish their workday. Other alternatives include utilization of vacation or comp time to cover the remainder of the day, or, if the teleworker is on a flexible work schedule, making arrangements to make up the lost time later in the same week.
5. Non-exempt/hourly workers who have begun teleworking when the interruption occurs will be compensated for commute time if they are instructed to come into the office to complete their workday. When directed by the County, commuting from the alternative work location to another after the workday has started is considered worktime and will be compensated.

### **F. Communications**

Communicating at work is essential and effective communication is key to the success of telecommuting. Prospective telecommuters should work with their supervisor to determine the most effective ways to communicate. From the perspective of professionalism and productivity, telecommuters must strive to ensure that telecommuting has no negative impacts. While there is no "one size fits all" for communicating in a virtual environment, there are several communication tips for telecommuters to help keep the lines of communication open.

1. Use of instant messaging will allow for real-time communication. While email is effective, instant messaging is instantaneous and lets management and co-workers know that you are available.
2. Provide status reports to help establish trust in the telecommuting environment. Employees and supervisors should establish an expectation for how often status reports will be required (i.e., daily or weekly) as a way to keep management and co-workers informed of work and progress.
3. When working remotely, attendance at meetings is important. Meetings are a place for the team to share ideas and get updates on operations and projects. It is expected that virtual meetings will be conducted with both visual (camera on) and audio components.

4. Established office hours where the employee is available for co-workers is important. It may vary daily, weekly, or monthly and should be communicated to team members to support communication exchanges and the “open door policy” used in County offices.
5. Use document sharing such as OneDrive and Teams to support collaboration, sharing, and communication with team members.
6. When issues arise, communicate with relevant parties in a timely manner.

### **G. Alternate Work Locations**

1. The Employing Official shall have the discretion to inspect and approve an employee's home as an alternate work location for telecommuting. When the employee's home workplace is considered an extension of the office workplace, the employee may be covered by workers' compensation laws and regulations for accidents that occur while performing work on behalf of the County and during the understood and approved work schedule. Workers' compensation shall NOT apply to non-job related injuries that occur in the home.
2. All approved work locations must be maintained by the telecommuter in a clean, professional, and safe condition.
3. At mutually agreed-upon times, the County shall have the right to make on-site inspection of the work area and County-owned equipment, to ensure that safe working conditions exist.
4. Except for local calls, the County will reimburse the employee on a case-by-case basis for job-related telephone expenses incurred by the employee at home. The employee must present an itemized copy of the telephone bill for reimbursement. The County will not be responsible for any basic phone service.
5. The public will not be given a telecommuter's home phone number.
6. Any hardware, software, or other equipment provided by the County remains the property of the County and must be returned to the County when the telecommuting agreement or employment is terminated. Employees must agree to allow the County to withhold from their final paycheck the value of any County property not returned.
7. For security purposes, only Kitsap County software may be installed on County-owned equipment.
8. Restricted-access materials (such as payroll and personnel files) may not be removed from County offices or accessed through computers from a remote location without the written permission of the Employing Official.
9. County equipment or supplies located at an alternate worksite may not be used for personal purposes.



10. Supplies required to complete assigned work at the alternate work location should be obtained during one of the telecommuter's in-office work periods. Out-of-pocket expenses for materials and supplies normally available through the County will not be reimbursed.
11. Kitsap County shall not be liable for loss, damage, or wear and tear of employee-owned equipment or supplies used in telecommuting.

## **H. Software**

Kitsap County provides several options for employees to work remotely. This includes applications that require employees to be on the County's network as well as the many applications that are cloud-based and can be accessed from anywhere. As the County authorizes more employees to access the network remotely, it will need to ensure the network is not overloaded. The County prioritizes using cloud-based applications whenever possible.

Kitsap County determines, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. The Human Resource and Information Services departments serve as resources in this matter.

Many common applications are cloud-based and allow employees to complete most of their work remotely without direct access to the County's network. These include the following applications:

- **Microsoft Office 365** including Word, Excel, PowerPoint, SharePoint, and other common programs in the suite. You also access Microsoft Teams from O-365, enabling remote team meetings, chat and collaboration.
- **WorkDay, Neogov, Online Permitting, GovDelivery, Telestaf, Siteimprove** and other applications are also available from the cloud.

County applications housed on the County network require a VPN (Virtual Private Network) connection for remote access. Information about establishing a VPN can be obtained from the Information Services Department.

Administration rights are required to install new software on County-owned devices. For assistance with software, submit a Service Request through Information Services.

1. While working at home performing County functions, employees must conform to software standards established by the County Department of Information Services. Under most circumstances employees will be allowed to run a copy of County standard software on the PC they have at home based on the various manufacturer's licensing agreements. It will be the telecommuter's responsibility to contact Information Services to ensure that the software they plan to use conforms to this agreement.
2. All software, virus protection, and other operational utilities are required to be patched and updated to the same level that is maintained on County systems
3. No County software is to be copied and used off-site without the written approval of the employee's Employing Official and/or Information Services

4. Telecommuters using County software must adhere to the manufacturer's licensing agreement

## **I. Hardware**

1. Employees using personally owned hardware are required to be self-supporting of their hardware to ensure it meets the standard configuration requirements as County hardware.
2. Employees using County equipment at an alternate workplace are responsible for taking care of the equipment to protect it from damage or theft. Employees must take reasonable measures to protect against computer viruses.
3. Both personal and county equipment must be physically protected. Any access must have County standard complex passwords.
4. Incidents of damage or theft will be examined to determine whether loss resulted from employee gross negligence, intentional misuse, or violation of rules and procedures employee has agreed to follow.

## **K. Temporary Out of State Remote Work**

The County has discontinued mandatory remote work as a public health measure and now provides a voluntary hybrid workforce model, which is aimed at providing flexibility to employees while maintaining a high level of service to Kitsap County residents. Pursuant to this model, Kitsap County may authorize, on a temporary basis, an out-of-state remote work arrangement for eligible employees, through at least December 31, 2023. This interim policy may be extended as determined by the County Administrator.

Under this policy, employees may temporarily, up to a maximum of 30 days, be eligible to work remotely while out-of-state if they have proven they can successfully carry out their job duties remotely and follow the process outlined below to receive pre-approval from their Employing Official and the Human Resources Director before commencing out-of-state remote work.

Approval from the Employing Official and the Director of Human Resources must be obtained before a current employee may commence temporary out-of-state remote work. Approval will be conditioned on the employee's general remote work acknowledgement and Telecommute Agreement.

Approval for temporary out-of-state remote work under this interim policy does not create a contract of employment and does not alter the employee's status. The terms and conditions of employment continue to be governed by applicable law, Human Resources policy, collective bargaining agreements, the Personnel Manual, and department/office policies, guidelines, and procedures.

Approval of any temporary out-of-state remote work is at the discretion of Kitsap County, subject to the approvals outlined above. The County may rescind its approval of temporary out-of-state remote work at any time and for any reason, either on an individual basis or by rescinding this interim policy, and the County will seek to give affected employees reasonable notice of the decision.