

Remote Work Policy

I. Policy Overview

Town of Apex recognizes that remote work arrangements provide a mutual benefit to both the Town and its employees, supporting environmental and sustainability efforts, increased work efficiencies, and higher levels of satisfaction and retention from employees. Remote work may be a viable regular secondary work arrangement for some, but not all, jobs, employees or supervisors. These arrangements will be considered on a case-by-case basis and approval is within Town of Apex's sole discretion. Remote work will not be approved in cases where the employee, the job or the supervisor is not best suited to such an arrangement or where the remote work arrangement would negatively impact the delivery of service or be an inconvenience to Town of Apex's customers, vendors, or any third parties relative to our business.

This policy applies to employees whose principle place of employment is designated as their personal residence. This policy does not apply to office-based employees who may be working from home or another location during a short-term project, during business travel, or other informal, short term arrangements (less than 4 weeks). This policy also does not apply to hybrid arrangements where office-based employees regularly work a portion of the week from their personal residence. All such temporary arrangements are made on a case by case basis, focusing on the business needs of the organization first, and can be referenced in the **Flexible Work Scheduling Policy**. Such arrangements are not the focus of this policy. Similarly, this policy does not apply to requests for remote work arrangements as a reasonable accommodation under the Americans with Disabilities Act (ADA). Such requests should be made directly to human resources and follow the ADA reasonable accommodation process.

Eligibility

To be eligible for a remote work arrangement, employees must be meeting performance expectations and not have any corrective or disciplinary actions within the last 12 months. New hire eligibility for remote work arrangements are at the department director's discretion.

Requesting a Remote Work Arrangement

1. Employees interested in a remote work arrangement are responsible for providing all information, as requested, to assess the proposed arrangement and must submit a written proposal to their immediate supervisor.

The proposal should include (i) any duties that could not be performed as proficiently from the home location as they are performed in the office; (ii) how communication with supervisors, coworkers and business third parties will be maintained throughout the work day; (iii) how security and confidentiality of all Town of Apex information will be maintained;

(iv) whether and how the employee will be as or more productive working from home than in the office and how this can be measured.

2. Upon receipt, the immediate supervisor will evaluate the proposal for, among other things, employee suitability including needs and work habits of the employee, job responsibilities to determine if the job is appropriate for a telecommuting arrangement and potential effect on providing service to internal/external customers and vendors. Additionally, consideration will be given to whether the employee has the proper equipment for the arrangement to include an appropriate, high speed internet access, and appropriate home work space.
3. Following the immediate supervisor's review of the proposal, the proposal will be submitted to the immediate supervisor's manager and up to the department director for final review and disposition. Approval of telecommuting arrangements will be in the sole discretion of the Town Manager.

Conditions for Remote Work Arrangements

Schedules and Work Hours. The supervisor and employee will agree in advance to the remote work schedule. The schedule must remain consistent, and not change each week unless so required or approved by the supervisor on a temporary basis and/or for a specific business or departmental reason.

Work hours during remote work days must be the employee's regularly scheduled work hours, and the employee must remain at the home work location and in telecommunications contact with the immediate supervisor and Town of Apex personnel during the scheduled work hours. Communication between the employee and the supervisor should be at a level consistent with, or better than, the level that exists when the employee is working at the office. All deviations from the scheduled work hours or work location must be approved in advance by the immediate supervisor.

Employees must attend office or other offsite meetings on remote work days, as requested. Remote workers shall not meet with customers, vendors, or any third parties relative to Town of Apex business in their home, and Town of Apex specifically disclaims any liability for such activities in the employee's home. Management retains the right to modify this schedule and any remote work arrangement as a result of business necessity.

Non-exempt employees must accurately and contemporaneously record all hours worked in a manner designated by Town of Apex. All hours worked in excess of those specified per day and per week SHALL require the advanced approval from the immediate supervisor. Remote work employees will be held to a higher standard of compliance than office-based employees due to the nature of the work arrangement. Any failure to comply with this requirement can result in immediate cessation of the remote work agreement.

During regularly scheduled work hours and other approved work times, employees must work exclusively on Town of Apex projects. Work on personal or other business matters regardless of whether the employee is being compensated for such work is not permitted. Employees may not hire or use assistants to perform work for Town of Apex. Remote work arrangements are not substitutes for arranging primary care for children or other dependents, and employees may not undertake such responsibilities during scheduled or other approved work time. Employees may not work second jobs while approved remote work arrangements are in place.

Town of Apex property and policies. Remote work employees must take all necessary and appropriate steps to protect Town of Apex property from theft, damage or unauthorized use and to protect Town of Apex information from access by or disclosure to other persons, including persons residing or visiting in the home. The following apply regardless of whether or not the information is confidential information: no forwarding or copying of electronic files, data, emails or other Town of Apex information to home, personal or external email or storage accounts even for the purpose of working remotely; emails, voicemails or other communications, whether written, verbal, electronic or otherwise, sent to employees in connection with their work are for employee eyes/ears only and are not to be shared with any other employee or person, except with the express consent of the sender; no installation of unapproved software to any Town of Apex computer or device.

Employment, including the work performed at the employee's home, remains subject to all agreements between the employee and Town of Apex and all Town of Apex policies, procedures and practices (including but not limited to the Town's Information Technology Policy and Use of Town Time, Equipment, Supplies, and Vehicles Policy). In cases where the terms of such agreements, policies, procedures and practices do not expressly mention their application to work performed at home or other non- Town of Apex locations, this policy operates to modify them to the extent necessary to render them applicable to such work. Violation of these policies are subject to removal of the remote work place agreement and/or disciplinary action, up to and including termination. Employees working from home must perform all job duties and responsibilities while logged into Town of Apex's virtual private network (VPN), to the maximum extent practicable.

Remote work employees must also maintain public records to the same standard as when working onsite, and in accordance with the Municipal Record Retention and Disposition Schedule issued by the North Carolina Department of Cultural Resources. Any hard copies or digital documentation, texts or email, both internal and external, that contain information concerning the administration, management, operation, activities and business of an office may be considered to be a public record and may be subject to public disclosure or inspection from Town officials in accordance with the Public Records Law. Public records created and/or used at a remote work location must be maintained securely and returned to Town offices upon completion of work.

Work location and equipment. All remote work must be performed from the employee's principle residence in the state of North Carolina within a traveling radius that would allow the employee to appear onsite if required. Internet cafes or any other non-secured public work sites are not acceptable locations for ongoing work. Remote work employees must maintain an appropriate work environment within their home for work purposes. Town of Apex is not be responsible for any costs associated with the setup or continued maintenance of the home office space, including but not limited to, software outside of that typically installed on computers issued to employees, equipment beyond a laptop and monitor (which would be issued to the employee upon approval of the remote work arrangement or the start employment) remodeling, lighting, repairs, or modifications to the home office space. Requests for any additional equipment will be evaluated on a case-by-case basis. All equipment issued to employees for the purpose of remote work must be returned to the Town of Apex upon separation. Expenses for services such as electrical, and phone are the employee's sole responsibility and not reimbursed by Town of Apex. Data and internet expenses will be subsidized at a percentage deemed appropriate by the Town. Standard office supplies will be made available to remote work employees, and employees will retrieve them in person from the appropriate Town of Apex office location. This includes purchases that must be shipped to Town facilities (supplies/orders cannot be shipped to an employee's personal residence).

All responsibility for tax or other legal implications for the business use of the home, based on all applicable IRS, state, other federal or local government restrictions or restrictive covenants, rests solely with the employee. Town of Apex has no responsibility to the employee should tax or legal problems arise from the remote work arrangement.

Equipment supplied by Town of Apex will be maintained by Town of Apex and must be used for business purposes only. Employees must refrain from personal or other non-Town of Apex business use of the equipment and prohibit all use by others. Unless applicable law provides otherwise, employees may be financially responsible for any Town of Apex equipment that is lost, stolen or damaged. In the event equipment failures or connection issues prevent or restrict the employee's ability to work at home, employees must contact IT to schedule a designated time to bring equipment onsite for repair, and contact their supervisor immediately to discuss arrangements to report to the office. If you experience any technical difficulties, you must call or book a time to come into the Town Hall office with your equipment and meet with IT to resolve your technical issues onsite (there is no home repair option).

Employees who are approved for remote work arrangements will not be entitled to exclusive use workstations and will be assigned to a shared work arrangement when working on Town of Apex premises.

Safety and injuries. Injuries sustained by an employee while working in the course and scope of the job duties at home may be covered by Town of Apex's workers' compensation policy. Remote workers are responsible for notifying their supervisor and Human Resources immediately of such injuries, however minor.

Evaluation. Approved remote work arrangements made will be on a trial basis and may be discontinued at any time for any or no reason by Town of Apex in its sole discretion. Employees are expected to be as or more productive and produce work of the same or better quality when working from home as when working in the office.

Immediate supervisors and managers of remote work employees are responsible for establishing audits and methods of verification that can directly evaluate the employee's productivity on a regular basis. Particular attention will be given at that time to the remote worker's work output and completion of their goals/objectives.

At a minimum, an evaluation of the employee's performance and arrangement will be conducted after the conclusion of the first 6 months. Consideration will be given to whether the arrangement should be continued, modified or discontinued. After an initial 6-month evaluation, the employee's performance and the arrangement will be evaluated based on a schedule determined by the immediate supervisor and/or department director. Annual performance evaluations will be conducted on the same schedule as evaluations for non-remote work employees.

Failure to comply with the requirements of the remote work arrangement may result in discontinuation of the arrangement and/or disciplinary action, up to and including immediate termination of employment. Any deviations from this policy must be approved in writing by the Town Manager and with the concurrence of human resources.