



## **REMOTE WORK POLICY**

### **I. STATEMENT OF POLICY**

Deschutes County is dedicated to its mission: Enhancing the lives of citizens by delivering quality services in a cost-effective manner. Deschutes County may implement its mission by allowing flexible work opportunities where appropriate.

Flexible work opportunities may include a variety of options, including remote work. This policy provides departments with a framework to implement remote work as a personnel management, recruitment and retention tool while ensuring employees performing remote work maintain or increase performance standards and service levels. Individual departments (upon the recommendation of the department head and the approval of the County Administrator) or offices of elected officials may opt out of this policy.

### **II. APPLICABILITY**

This policy applies to all Deschutes County employees, who work remotely.

### **III. DEFINITIONS**

1. Remote Work is defined as a work flexibility arrangement under which an employee performs the duties and responsibilities of their position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.
  - a. Hybrid Work is when an employee is performing work from both on-site and remotely from an approved worksite other than the regular assigned work location for the position.
  - b. Fully Remote Work is when an employee is performing more than 75% of their work from an approved (non-County) worksite other than the regularly assigned work location for the position. If working under this category, the employee's primary work location becomes a non-County location.
2. Central Oregon is defined as Deschutes, Crook, Jefferson or Klamath County.

### **IV. ROLES AND RESPONSIBILITIES**

Employees who work remotely are responsible for adhering to all expectations outlined below.

Supervisors are responsible for determining whether an employee is eligible to participate based on criteria outlined in this policy. Further, supervisors are responsible for implementing this policy consistently and with robust oversight and accountability, including monitoring remote work effectiveness and measuring performance.

## **V. LOCATION OF REMOTE WORK AND IMPACT ON COMMUTE/TRAVEL**

For a fully remote employee, the employee's primary work location changes (and will likely be their residence). As a result, any regularly scheduled **remote work is only allowed if the employee's remote work location is in Central Oregon. (unless approved in advance by the County Administrator – see section 2 below).**

Unless otherwise approved in writing (e.g., due to departmental operational needs or a reasonable accommodation), the remote work location must allow the employee to report onsite within the time it ordinarily takes them to commute to their assigned worksite.

1. Remote work options from within Central Oregon:
  - a. Hybrid remote work - does not change the employee's assigned County work location. Travel time from the employee's remote work location to their assigned County location will be considered commute time and not compensated by the County.
  - b. Fully remote work – changes the employee's assigned work location. When business needs require the employee to work from or report to another location, the employee must be compensated for travel time in accordance with the Fair Labor Standards Act (FLSA). Generally, this means that travel time to and from their assigned work location as a part of their regular work duties is considered work time unless the travel is outside the employee's regular work schedule. Deschutes County will follow the State of Oregon [Travel Time & Mileage](#) guidelines. Travel time during regularly scheduled work hours is considered work time and may also include mileage reimbursement (or the use of a County vehicle). Therefore, when required to come into the County workplace to perform work, the employee shall make every effort to travel to the County workplace during non-scheduled work time.
2. Remote work from outside Central Oregon is eligible under the following conditions:
  - a. It is not regularly scheduled.
  - b. While temporarily traveling for work purposes, such as attending a conference or training. Such occurrences cannot exceed 14 days per calendar year and must be approved in advance by the Department

Director. Any exception beyond the 14 day limit must be approved by the County Administrator or a Deputy County Administrator.

- c. Remote work from outside Central Oregon shall never result in the employee's work location becoming a location outside Central Oregon.. Establishing a work location outside Central Oregon would result in complications with paying the employee for travel time when coming to a County office/facility.
- d. Remote work location does not cause cross-jurisdictional employment relationships, or local and city tax liabilities which could affect employee withholding. Departments can coordinate with Payroll on any potential impacts. The requirements in this section are intended to prevent an employee working outside of Central Oregon becoming an employee of or incurring tax liabilities from another jurisdiction (for tax purposes). Deschutes County is not set up to be a multi-jurisdictional employer.

While performing work duties outside of the Deschutes County tax jurisdiction, if the remote work location causes the County to be subject to additional state and local income tax withholding and payment obligations, the additional fees and costs incurred for implementing and administering such taxes is the responsibility of the employee.

- e. In general, additional costs incurred for the employee to work remote is the responsibility of the employee.

## **VI. ELIGIBILITY**

Not all positions are suited for participation in the program, such as customer facing positions. If the employee is sick and unable to function at full productivity, remote work is not permissible and is not a substitute for using Time Management Leave or Sick Leave.

Employees may be eligible to participate in the program based on criteria outlined below. Participation in this program is at the County's sole discretion and may be modified or revoked at any time. Employees must meet all the following to be eligible for participation in the program, unless granted an exception by the Department Director after consultation with HR:

1. Duties must be completed as efficiently, or more efficiently, than at the primary onsite location.
2. Participation must not lower the level of service delivery for the participant's work unit, including taking into account the impact on teamwork and morale.
3. The employee must have adequate job knowledge to work independently or remotely.
4. An overall rating of "Meets Expectations" or higher on most recent evaluation, if applicable.
5. No formal discipline within the last 12 months (written reprimand or higher).

Potential remote work situations that require careful review:

1. If an employee has a mild illness (for example, a mild cold or mild cough) or is recovering from a short-term medical condition, and is still able to work at full capacity, remote work is an option.
2. Remote work is not a substitute for childcare or other dependent/family care. Employees shall make or maintain childcare arrangements to permit concentration on work assignments. However, in limited situations, remote work may be approved to allow the employee to be at home with a sick child or to allow for dependent/family care, such as:
  - a. The child or dependent/family member under care needs little or no direct care. The purpose of the employee working remotely is for the employee to be able to respond to an unlikely emergency event (examples: a dependent care arrangement where the employee works remotely to attend to an emergency situation should it arise, a child is recovering from a surgery and is sleeping most of the time, an older child is sick but does not require much direct care).
  - b. The employee will only record and report time worked.
  - c. There is another care giver at home.

While performing remote work, the employee is expected to devote the same degree of time and attention to work as when the employee is at their County worksite. Meeting the above criteria does not guarantee approval for participation; final approval is subject to supervisor/manager discretion.

Depending on the criteria in this policy, an employee may be determined to be:

1. Eligible for remote work on a part-time basis or intermittently.
2. Eligible for remote work on a regular schedule.
3. Not eligible for remote work.

## **VII. REMOTE WORK EXPECTATIONS AND ENVIRONMENT**

While performing remote work, the employee must adhere to the following expectations:

1. Continue working their regular set schedule unless the employee receives supervisory approval to change their schedule.
2. Seamlessly and completely be accessible via standard County phone and email systems during working hours.
3. The employee takes full responsibility for the technology required to complete their job remotely. If the technology does not work, the employee will be required to fix the problem without any loss of work time or take TML or other available leave for any time loss associated with the remote technology barrier.
4. The employee will be required to use TML or other approved leave if the employee is otherwise unable to perform their job from a remote location.

Participants must have an adequate work environment that:

1. It is free from distractions.
2. It has adequate office furniture and office equipment provided by the employee.
3. It contains a secure, reliable internet connection with sufficient bandwidth to perform duties at the employee's cost.
4. Provides adequate auditory confidentiality if work requires it.
5. It is maintained in a safe condition, free from hazards to employees and equipment.
6. If needed, it is modified to meet work safety requirements, (i.e., if modified workstation is required at the primary worksite, remote working environment should be similarly modified).
7. Meets the ergonomic needs of the employee.

In general, the participant will be responsible for most/all costs associated with meeting the above requirements, including setting up of designated workspace, as well as ongoing costs related to connectivity, printing, scanning, and/or other necessary equipment. There may be special situations where a department allows the employee to use County furniture/property for remote work. If significant county-funded supplies are required to perform work duties, such as a specialized scanner, this would constitute a need for the employee to perform those duties on-site.

Employees understand that all equipment, records, and materials provided by the County shall remain the property of the County. County-owned equipment and software shall be used exclusively by the employee and for the purpose of conducting County business.

Software shall not be duplicated. Employees agree to report to employee's supervisor any incidents of loss, damage, or unauthorized access as soon as possible.

## **VIII. INFORMATION SECURITY**

Employee agrees to protect County-owned equipment, records, and materials from unauthorized or accidental access, use, modification, destruction, or disclosure. This includes protecting equipment when traveling to/from County facilities. The precautions described in this agreement apply regardless of the storage media on which information is maintained, the locations where the information is stored, the systems used to process the information, or the process by which the information is stored.

Participants will be held accountable for securing information by taking measures to safeguard information in accordance with confidentiality, HIPAA and privacy rules. At all times, employees

shall adhere to all provisions of [Administrative Policy No. IT-1, "Computer, E-mail and Mobile Computing Device Use."](#)

## **IX. PROCESS AND EVALUATION**

Supervisors are responsible for ensuring that an employee performing remote work has clear and documented productivity expectations and that the employee is meeting these expectations. Supervisors may require additional actions by employees to verify work time.

Here are factors a supervisor may consider helping determine appropriate amount/frequency of remote time:

1. Quantify tasks that are appropriate for remote work and consider frequency and distribution (e.g. half a day once a week compared to a full day every other week).
2. Impact on clients, customers, and co-workers, including the importance of in-person interactions and communications.
3. Availability to attend meetings in-person (e.g. if most meetings are Tuesday/Wednesdays, schedule Thursdays as a remote day). Clearly communicate to staff that regularly scheduled remote time may be "bumped" if a need for an in-person meeting arises.
4. Impact on internal/external partners: feedback from others will inform whether the amount of time is working well (e.g., if feedback is received that the person is less available for consult or lacking timely follow up, remote time may be decreased, redistributed, or eliminated).
5. Adjustments depending on workload (e.g. a decrease in independent tasks may result in decreasing remote time; a special project with a hard deadline that necessitates independent concentration may result in approval of additional remote time).

## **X. PROGRAM AGREEMENT**

Upon approval based on the criteria contained in this policy, staff will enter into a Remote Work Program Agreement (attached). The agreement will be signed by the employee, supervisor, and department director. Remote work may be on an as needed basis or regularly scheduled. The agreement will include:

1. Time period approved for remote work (frequency and duration, including an end date of no more than one year, noting that it may be reviewed throughout the period and may be terminated at the County's sole discretion).
2. Type of remote work.
3. The specific site(s) approved for remote work. The standard approval process is for remote work sites within Central Oregon.
4. A statement that the duties, obligations, and responsibilities of the participant's employment with the County remain unchanged.
5. An explanation of how the remote work arrangement will affect the operations and impact on

the employee's productivity.

6. An explanation on how productivity will be measured/reported and how the employee will be available to supervisors, co-workers and customers.
7. A statement that the participant's salary, benefits, retirement, and County- sponsored insurance remain unchanged.
8. A statement that participants remain obligated to comply with all County, State, and Federal laws and rules, and policies, including the County's Code of Ethics and the Fair Labor Standards Act.
9. A statement that the violation of any of the above or the misuse of County time, data, or equipment may result in disciplinary action.
10. A list of County owned items (such as laptop, mouse, etc.) that will be at the remote location.
11. Signature of employee, supervisor, manager, and department head (if required per this policy).
12. A designation whether the request is for hybrid remote work or fully remote work. If fully remote work, a listing of the employee's primary work location which will not be a County location.

Revised version approved by the Deschutes County Board of Commissioners on \_\_\_\_\_(date)

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Nick Lelack  
County Administrator