ADMINISTRATIVE PROCEDURES

Procedure Number: 3-33
Effective Date: 03/05/2014
Revision Date: 01/16/2022

County Administrator

SUBJECT: TELECOMMUTING PROGRAM

DEPARTMENT RESPONSIBLE: All County Departments

I. STATEMENT

Pima County considers telecommuting to be a viable, flexible work option when the Appointing Authority has determined that both the employee and the position are suited for such an arrangement. Under the Telecommuting Program, employees may telecommute up to five (5) days per week, based on necessity, staffing levels, and business needs as determined by the Appointing Authority. All approvals will be made on a case by case basis in accordance with this procedure. Telecommuting does not change the employee’s conditions of employment with the County.

II. DEFINITIONS

Confidential Information: The hard copy or electronic document or information which may contain privileged information about an individual, group, process, or content belonging to the County. This information includes, but is not limited to, Federal Tax Information (FTI), Protected Health Information (PHI), Personal Identifiable Information (PII), and other information that is statutorily confidential under Federal and State law.

Post of Duty: The officially approved worksite provided by the County. This is the usual and customary physical work address.

Telecommuting Address: The officially approved worksite within Pima County specifically designated as the physical location where the employee will work during telecommuting. The physical location will be deemed to be the employee’s home address, unless otherwise waived by the Appointing Authority.

Telecommuter: The County employee approved to work from their telecommuting address for a specific amount of time during a work week or pay period.

Telecommuting: A voluntary work arrangement provided to a County employee allowing the employee to work from the telecommuting address during one or more days during the work week.
to enhance productivity and services of the County. Telecommuting cannot be used to assist any employee in meeting the essential duties and expectations of their position, unless approved with a reasonable accommodation under the Americans with Disabilities Act (ADA).

**Telecommuting Agreement:** The approved written agreement between a County employee and the County regarding the expectations of telecommuting activities and schedule.

**Telecommuting Guide:** The approved Telecommuting Guide and Agreement introducing telecommuting to a County employee and their supervisor to assist in determining if the telecommuting program suits the needs of the employee, the position, and further enhances the service(s) of the County.

**Telecommuting Work Plan:** The detailed outline of the agreed upon goals and objectives a County employee must accomplish within a specific time period.

**III. ELIGIBILITY**

A. The Appointing Authority (or designee) may authorize telecommuting for County employees who meet the following criteria:

1. Probationary employees must be in the position for a minimum of six (6) months;

2. Employee must have a satisfactory performance record;

3. Employee must perform duties that can be performed at the telecommuting address without additional costs to the County, unless approved through an ADA accommodation;

4. The employee’s supervisor and the employee must agree that the employee is self-motivated and requires little supervision while performing their job duties; and,

5. Employee must complete the Telecommuting Guide and Agreement and complete the telecommuting training. The employee may not start telecommuting until the employee and supervisor successfully complete the appropriate telecommuting training and appropriate approvals have been granted.

**IV. PROCEDURE**

A. **Telecommuting Guide and Agreement**

1. The employee must complete and submit a Telecommuting Guide and Agreement to their supervisor for approval for telecommuting. If approved by the supervisor, the Telecommuting Guide and Agreement must be provided to the Appointing Authority for approval.

2. The employee and supervisor must successfully complete the appropriate telecommuting training and provide a copy of the certificate with the Telecommuting Guide and Agreement.

3. The employee must adhere to all the terms and conditions of the Telecommuting Guide and Agreement.
4. The Telecommuting Guide and Agreement must be revisited every six (6) months initially and every year thereafter to determine if telecommuting continues to be in the best interest of the County, the Appointing Authority, and the employee's position.

5. The Appointing Authority (or designee) may require the employee to complete a new Telecommuting Guide and Agreement in the event there is a change in the Agreement.

6. Appointing Authority determinations as to which job functions are eligible for telecommuting are final and are not grievable or appealable.

B. Work Schedule

1. The employee may not use telecommuting for caregiving purposes unless approved under to Board of Supervisors Policy D 23.20, Attendance Policy During Influenza or other Viral Pandemic Outbreak, and/or the Board of Supervisors Policy C 2.9, Temporary Policy – Novel Coronavirus (COVID-19).

2. The employee may not telecommute while driving or being transported to and from destinations. However, driving to work-related meetings and appointments that would normally be considered as part of the employee's work day when not telecommuting, is considered work time.

3. The employee will work their scheduled hours and follow any Department procedures related to notification of need to use any accrued annual leave, sick leave, or compensatory time.

4. In the case of a Fair Labor Standards Act (FLSA) non-exempt (hourly) employee, the employee will only work during their regularly scheduled hours and will not perform any work activities outside of those regularly scheduled hours. FLSA non-exempt employees must get prior approval to work any overtime.

5. The employee must record all time worked, including the use of overtime (pre-approval required).

6. The employee must be available via computer and/or telephone during their work hours.

7. The employee must obtain supervisor approval before making any changes in their Telecommuting Guide and Agreement.

8. The Appointing Authority may change or terminate an employee's telecommuting status based on business need(s) at any time.

C. Workspace and Equipment

1. The County employee must not use County equipment for personal purposes.

2. The County employee is responsible for providing a safe and ergonomically-sound work area for telecommuting.
3. The County employee is responsible for providing an appropriate workspace free from distraction.

4. The County employee must provide adequate utilities and internet service at their own expense and maintain the required equipment in good working order during telecommuting. Should any connectivity issues arise at the employee’s telecommuting address, the Appointing Authority may require the employee to return to work at their post of duty until such issues have been remediated and full connectivity achieved at the telecommuting address.

5. The employee is responsible for providing work/office equipment such as, but not limited to, a computer monitor, printer/scanner, desk, and chair. The equipment is expected to be safe and ergonomically sound.

6. The Appointing Authority or their designee retains the right to make on-site visits (with a 48-hour advance notice) to the telecommuting workspace for safety and other business reason(s).

7. The County employee is responsible for forwarding their work telephone to their personal telephone or other appropriate number when telecommuting.

8. Office supplies will be provided by the County as needed. Out of pocket expenses for supplies purchased by the employee will not be reimbursed unless pre-approved by the supervisor/manager.

9. A Department-issued laptop may be provided by the Department if available. Any other tools/equipment necessary to perform duties such as computer hardware, computer software and remote desktop access require Appointing Authority and Information Technology Department approval. The use of equipment, software, and data supplies, when provided by the Department, is limited to authorized individuals and for Pima County business purposes only. If County-issued equipment is faulty, the employee is required to bring the County-issued equipment to their Department for repair. If no other County equipment is available for use, the employee will be required to work at the worksite. The employee is responsible for maintenance and repair of their own equipment.

10. The County employee is required to take appropriate action to protect equipment from damage or theft. Damage, loss, or theft of equipment must immediately be reported to the supervisor/manager.

11. Human Resources shall provide reasonable accommodation as required by the Americans with Disabilities Act (ADA). Contact Human Resources for guidance.

D. Computer and Information Security

1. The County employee must safeguard all passwords used in connection with County files or programs to ensure sensitive information is protected.

2. Any County information possessed by the employee cannot be shared with or made available to any other individuals.
3. The County employee must ensure that official records and information are secure and maintained in a way that would make them inaccessible to any other individuals.

4. The County employee is responsible for adhering to all State, County, and Departmental policies, procedures and standards concerning use of computer equipment and the security of data/information while telecommuting.

5. Unauthorized access to or disclosure of official information or systems must be immediately reported to the employee’s supervisor/manager. Such unauthorized access or disclosure, including the release of confidential information or personally identifiable information, which occurred due to the employee’s neglect, will be addressed through administrative channels up to and including disciplinary action.

6. Any suspected data breach containing sensitive data must immediately be reported to the employee’s supervisor/manager and the employee must provide their supervisor with any required documentation with regard to the suspected breach prior to the end of the employee’s normal work hours on the day the suspected data breach is discovered.

7. The County employee must protect and safeguard files, documents, equipment and other materials transported back and forth between the post of duty (or other County site) and the telecommuting address. Employees shall protect official records and documents from unauthorized disclosure or damage and comply with all established policies and procedures regarding such matters.

8. Employees must also take the following precautions:
   a. Only take confidential information from their post of duty when authorized by the supervisor/manager.
   b. Do not transmit confidential information from work email to personal email addresses or text messaging services (e.g., gmail, yahoo).
   c. Securely store all hard copy documents or office media so that others cannot access or view it.
   d. Do not communicate confidential information where others can listen.
   e. Handle documents requiring destruction according to the records management guidelines established by the Records Division of the Clerk of the Board’s Office.

9. Under no circumstance shall official data or information be transferred to or stored on any personal devices. Under no circumstances shall the employee allow County-issued equipment to be used by another individual(s). Employees must log off and secure any computer being utilized to conduct official County business when not in use.

E. Telecommuting Work Plan

1. The employee is expected to complete a reasonable amount of work activities, similar to or exceeding the work activities they accomplish while working at their regular post of duty, while telecommuting. A Work Plan must be completed prior to telecommuting.

2. The Work Plan will contain measurable work-related activities performed by the employee through the course of their telecommuting. To ensure expectations are met
during the telecommuting, the approved telecommuter must submit a completed telecommuting Work Plan to their supervisor by the end of the last day of each pay period.

3. The Work Plan must be signed by the employee and approved by the supervisor/manager.

V. RESPONSIBILITY AND ACCOUNTABILITY

A. Employee Responsibilities Include:

1. Employees must comply with all Federal, State and local laws and County rules, policies and procedures required at the official work site when telecommuting. All employees must sign an agreement identifying the terms and conditions for participation in the program. Any violation of the terms of the agreement or of the policies/procedures governing telecommuting may result in termination of the Telecommuting Agreement.

2. Employees must initiate an application for participation in the Telecommuting Program by completing the Telecommuting Guide. The employee and the supervisor/manager must successfully complete a training course designed to prepare employees and supervisors for the telecommuting experience.

3. Employees must treat telecommuting days as regular workdays and are expected to maintain a regular work schedule as specified in the Work Plan. Employees will work their entire approved shift (including overtime when applicable and previously authorized). Employees must request time off in advance and submit leave requests as currently required under County policy and Department directives.

4. Employees may be required to report to their post of duty, upon management’s request, at any time. When employees are required to report to their post of duty on a scheduled telecommuting day, there is no expectation that the employee will be granted an additional telecommuting day in return. If an employee is required to report to their post of duty, they will not be reimbursed for travel.

5. Employees must be available via all required methods of communication throughout the workday. Should an employee not be available through official channels, management will contact the employee via their personal contact information. Non-responsiveness of the employee during the workday may result in designation of absent without leave (AWOL) and revocation of telecommuting approval.

6. Employees must forward their official post of duty phone number to the phone that will be used while telecommuting.

7. In-person meetings at the employee’s telecommuting address are prohibited. This restriction does not preclude an employee from participating in phone or web-based meetings from their telecommuting address.

8. Unless otherwise directed, telecommuters will not be excused from work when a directed departure is issued for employees working at the post of duty. Conversely, if an emergency occurs at the telecommuter’s telecommuting address which prevents
the telecommuter from conducting business during their regularly scheduled hours, the supervisor/manager may direct the telecommuter to report to the post of duty.

B. Department Responsibilities Include:

1. Appointing Authority will determine positions within their Department suitable for the Telecommuting Program.

2. The Department shall notify Human Resources when the Telecommuting Guide and Agreement has been approved by the Department.

3. The Department shall ensure the approved telecommuter and supervisor successfully complete the appropriate Telecommuting Training before the employee begins telecommuting.

4. The Department shall maintain the approved Telecommuting Guide and Agreement and revisit when appropriate.

5. The Department shall notify Human Resources in the event of a change, update, or revocation of the Telecommuting Guide and Agreement for the telecommuter.

References:

Board of Supervisor Policy C 3.7
Board of Supervisor Policy D 27.1
Personnel Policy 8-104
Administrative Procedures 22-16
Administrative Procedures 23-37
Administrative Procedures 23-40

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