



Telecommuting Policy 5.35

Board Approval Date: 08-11-2009

Supersedes Policy Dated:

Policy

Purpose: This Telecommuting Policy will define telecommuting, procedure and selection criteria, term and conditions, equipment/supplies, work space, inventory, liability, and data privacy/security. Moreover, it is a policy designed to minimize staff overcrowding due to physical space limitations.

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Telecommuting Agreement

This policy is designed to help employees and their direct supervisors understand their obligations and responsibilities when employees work from home.

Types of Telecommuting

Telecommuter: Telecommuting is the practice of an employee working from their home on a regular basis. A regular basis is defined as at least 50% of the time working from home. Telecommuters normally must agree to share a County based workstation with at least one other worker. Telecommuters generally use information technologies at the home work site.

Prerequisites for Telecommuting Selection

1. The employee is not in a probationary employment status (management may still consider).
2. Level of service does not decrease.
3. Their duties can be fulfilled within the telecommuting structure.



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4. Their telecommuting arrangement provides for space savings or increased productivity.
5. Working at home will not increase the workload of other staff.
6. Working at home will not disrupt the work of other staff.
7. The employee's performance, work habits, and abilities are conducive to working from home.
8. The employee meets the working at home Procedure and Selection Criteria.
9. The employee successfully completes the mandatory telecommuting orientation.
10. The County computer system(s) the employee uses in performance of their function can be accessed effectively through high-speed remote access.

Procedure and Selection Criteria

Employees who are interested should discuss telecommuting with their direct supervisor. The employee should have some idea as to how working from home would apply in his/her situation. If the direct supervisor concludes that working from home may be appropriate for the employee, the supervisor and employee should develop a proposal in writing and submit to the department head.

1. The direct supervisor will assess each proposal. The following factors will be considered in determining employee eligibility to telecommute, but assessment shall not be limited to these:
 - Positive/negative effects on the level of service.
 - Cost effectiveness.
 - Needs of the department/division.
 - Unit responsibilities.
 - Employee's work duties.
 - Employee's job performance, work habits, and compliance with work rules.
 - Employee's work skills, including organizational, time management, self-motivation, reliability, ability to work independently, and ability to solve basic hardware and software problems.
 - Positive/negative effects on the unit, supervisor, division, and department.
 - Employment status (individuals in a probationary period are not allowed; however management may consider).
2. If the direct supervisor has reason to deny an employee's proposal to work from home, the direct supervisor will discuss that decision with the employee.



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3. The signed Telecommuting Agreement and any written proposal will be sent to the Department Head for consideration/approval. The Department Head will send the written proposal and the proposed Telecommuting Agreement, if applicable, to the Personnel Director for approval. Upon approval of the Personnel Director, the Department Head will then render a decision to either approve or deny the proposal. This decision should be based on the above factors and costs/benefits to the department. At a minimum, telecommuting must be cost neutral.
4. Telecommuting is a voluntary arrangement between employee and department via the supervisor and department head. It is neither a benefit nor a right and cannot be grieved.

Terms and Conditions

1. Telecommuting is a privilege and may be discontinued at the discretion of the Department Head, when it is determined to be in the best interests of the Department. The employee understands that the terms and conditions of this arrangement may be changed and that the County may withdraw permission to telecommute at any time. The selection and approval of which staff may telecommute and for what length of time is the sole discretion and exclusive right of Management. Decisions regarding who may telecommute will not be made by seniority.
2. Telecommuters may not take home work that includes customer checks or cash.
3. The employee must agree to a telecommuting arrangement for a period of at least six months.
4. Telecommuters must give the Department at least 30 days' notice of their intent and reason to discontinue telecommuting, in writing, unless a shorter time period is agreed to or an emergency situation exists. This 30 days' notice is to ensure continuity of work and space requirements.
5. Each telecommuting arrangement will be reviewed on a regular basis by the applicable supervisor but at least annually to determine if it continues to provide satisfactory outcomes and to meet the needs of the Department. If it does not, the department head may terminate the arrangement. If appropriate, attempts to correct the situation may be made before the arrangement is terminated.



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6. Telecommuting does not change the basic terms and conditions of employment. The telecommuter's wage, benefits, work status, and responsibilities will not change as a result of telecommuting.
7. Telecommuters will manage dependent care and personal responsibilities in the same way they meet these responsibilities while working at the County-owned work site and in a way that allows them to successfully meet job responsibilities. Employees who are working at home need to work in an environment free from family or personal distractions. Telecommuting is not to be used as a substitute for dependent care. If anyone requiring dependent care resides in the home during paid work time, the County reserves the right to verify a separate person is providing said dependent care. A written plan and verification of this arrangement may be requested by management.
8. Each supervisor should decide, within County policies and procedures and applicable laws, how they will handle leave status or hours-worked issues relating to weather emergencies, including when County offices are closed, and other extenuating circumstances that impact the telecommuter's safety and ability to work, whether scheduled to work at their home or in a county-owned work site. These decisions should be based on business needs and job responsibilities and be included in the telecommuting agreement.
9. Telecommuters must conform to all State and Federal statutes and rules, and all Winona County and department policies and procedures, and in particular to those relating to use of county equipment, data privacy, computer security issues, personal liability coverage (Homeowners/Renters insurance), mileage and parking reimbursement. Any private data must be kept in a secure area, not accessible by others.
10. The telecommuter must inform his/her supervisor or available department manager of equipment failure immediately. The supervisor/department manager may ask the employee to come in and continue working or be reassigned other duties until necessary repairs are made. Repeated circumstances of equipment failure may be cause for review of continued telecommuting ability.
11. Supervisors are responsible for monitoring and approving any overtime work performed off-site.



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12. The supervisor and the employee will determine the work schedule of the employee. The work schedule and hours of work shall be consistent with county and department policies. Employees will have regular scheduled days and hours for working at home. Changes may be made, if needed, with the approval of the supervisor.
13. Telecommuting is not intended for individuals who are on medical leave due to doctor's work restrictions.
14. Employees will be expected to participate in all meetings and training related to the performance of their job.
15. An employee and his/her supervisor will read, complete, and sign the Winona County Telecommuting Agreement before participation begins, attesting that the employee and supervisor have received and reviewed these guidelines.
16. County-installed phone/communications services will be discontinued when a telecommuting arrangement ends. All county-owned equipment and supplies will be returned to the County.
17. To determine when a telecommuter is entitled to mileage and/or parking reimbursement, the following policy as well as the Travel Expenses and Reimbursements Policy in the Winona County Personnel Policies and Procedures Manual apply. The following mileage reimbursement policy applies to telecommuters as indicated by the Internal Revenue Service ruling: The first one way trip of the day from home to another location for the purpose of paid employment is not reimbursable as a non-taxable work expense, and is considered the responsibility of the telecommuter. This rule also applies to the last trip of the day from another location for the purpose of work to the home. The IRS determines that these trips are the responsibility of the telecommuter and are the same as another non-telecommuting staff person who does not get reimbursed for driving to and from their place of employment from their home. On a practical basis, Winona County will begin to pay mileage beginning with the first "not at home" work location of the day and stopping with the last "not at home" work location of the day. In the event the first trip and/or the last trip of the day is longer than the mileage to the normal County building work location and home, we will reimburse for the difference on those trips. If the first trip of the day is shorter than the distance from the normal County building work location to home, this mileage would not be reimbursable.



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18. It has been the experience of counties who have telecommuters that work productivity has increased 15-20% due to lack of normal office disruptions. As a result, Winona County may assign additional work beyond that of a comparable office based position.

Equipment/Supplies

The following criteria will be used in deciding what County-owned equipment and phone lines may be provided to the telecommuter. Additional equipment and/or phone lines may be provided as the situation warrants. Only those items deemed necessary to perform assigned work duties according to job function may be provided.

Telecommuters should utilize the following County owned equipment:

- Computers/laptop with required applicable operational attachments (mouse, keyboard, etc.)
- Printers – if justified and pre-approved by the Department Head.
- Shredder – if justified and pre-approved by the Department Head.

Minimum recommended guidelines are as outlined below:

1. 50%-80% of the time - the telecommuter must agree to give up their county workstation, and Winona County may provide:
 - At least one phone/communications line (more if needed by job function).
 - A personal computer, modem, and/or other required equipment.
 - Shredder
 - Software needed to accomplish their job.
 - At least one lockable file cabinet or drawer (if needed for data security) – at management's discretion.
 - Appropriate office supplies to complete job function.
 - An ergonomic chair and work surface (desk or table) if requested (size of table to be determined by job) – Personal equipment must meet ergonomic requirements and be approved by management.
 - The 50%-80% telecommuter agrees to share a workstation with at least one other employee. The number of telecommuters that will share a workstation depends on the amount of time scheduled in the county workstation. **EXAMPLE:** If a telecommuter were in the office 50% of the time, he/she would share with one other person, but if he/she works at home 80% of the time, he/she would share with four telecommuters.



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- The county workstation could be personalized as agreed by the telecommuters, but only one computer station and desk will be provided. A lockable private storage area for each telecommuter may be provided, which may or may not be in the immediate work area.
2. 81%-100% of the time and he/she does not maintain a county workstation, Winona County may provide:
 - At least one phone/communications line (more if needed for job function).
 - Personal computer, modem, and/or other required equipment.
 - Shredder
 - At least one lockable file cabinet or drawer (if needed for data security) - at management's discretion.
 - Software needed to accomplish job function.
 - Office supplies needed to accomplish job function.
 - An ergonomic chair and work surface (desk or table) if requested (size of table to be determined by job) – Personal equipment must meet ergonomic requirements and be approved by management.
 3. A telecommuter working from home more than 81% of the time will not have a designated workspace at the County. Each unit may have a shared work area for use by telecommuters.
 4. Equipment, software and other supplies provided by Winona County remain the property of the County and are subject to the same business use restrictions as if located at the County owned work site. No personal software may be loaded on county-owned equipment.
 5. The telecommuter will perform the initial setup of the equipment. The I.T. Department and/or the telecommuter's supervisor will provide the ongoing training on software and access issues. The supervisor will thoroughly explain his/her expectations for working from home.
 6. If county-owned equipment requires maintenance or repair, the employee will contact their supervisor or available manager and the Helpbox system. IT personnel will make arrangements for maintenance or repair of the county-owned equipment and software.
 7. The County does not assume responsibility for any loss, damage, or wear to employee-owned equipment or furnishings.



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8. IT will provide appropriate technical support for hardware and software required for the telecommuter to perform their job duties.
9. When the telecommuting agreement is terminated for any reason all county-owned equipment/software/furniture must be returned and inventory taken to ensure everything is returned and in good working condition.
10. Office supplies will be provided by Winona County and the employee should obtain them during normal office work hours.

Remote Connections and Phone Lines:

The County may provide a phone set for an employee's home office if they telecommute three or more days per week. Long distance credit cards and/or cell phones are also an option for telecommuters. These options will be explored and decisions based on individual needs through discussion and agreement with the supervisor and employee, and approved by the department head.

Inventory

The description and asset number of any Winona County equipment in the telecommuter's possession will be recorded and tracked by the applicable department.

Workspace

The telecommuter's designated home workspace will be considered to be the telecommuter's work site during scheduled work hours. The telecommuter and the supervisor shall agree upon the designation of the home workspace before the telecommuter starts working at the home site. Changes to the workspace must be coordinated with the supervisor. Substantial changes to the workspace must be approved by the supervisor.

1. Telecommuters who work at home agree to provide a safe workspace. This includes complying with County ergonomic policies and procedures to insure the workspace is ergonomically correct.
2. Upon approval of the telecommuting agreement, the Safety Officer shall make an initial inspection of the home workspace for its appropriateness. The County also reserves the right to make future periodic inspections during work hours, which may be unannounced.



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3. Telecommuters will be responsible for any costs related to remodeling and maintenance of the home workspace.
4. Any tax implications related to the home workspace are the responsibility of the employee. Employees are advised to consult a tax expert.
5. Winona County continues to be responsible for job-related accidents to the employee occurring during agreed working hours in the designated workspace. The employee continues to be obligated to provide prompt notice of any injury.

Liability

Winona County's Employee Indemnification Plan remains in effect for participants who telecommute.

1. Telecommuters may not conduct any client/customer meetings in their homes. Doing so will be cause for discontinuing the telecommuting arrangement.
2. Winona County shall have no liability to third parties for injuries or property damage occurring at the employee's home. Telecommuters remain responsible for such injuries and damages and should consult with their Homeowner's or Renter's insurance agent to protect themselves. Telecommuters are required to submit proof of Homeowners/Renters insurance coverage.
3. Telecommuters are responsible for submitting claims for stolen or damaged Winona County-owned equipment/property to their Homeowners or Renter's insurance company, and for filing a police report with their local police department. The supervisor should be consulted in the event of any damage to or loss of County property.
4. The employee is responsible for establishing a safe and secure work environment, for requesting an ergonomic review of the designated workspace, and for adhering to ergonomic guidelines. However, if the employee sustains an injury during the course and scope of performing assigned work responsibilities, Winona County will provide Worker's Compensation benefits subject to its review of the injury and applicable law. The employee is obligated to provide prompt notice of an injury.
5. Telecommuters may take work home that includes private data, with the permission of their supervisor.



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Data Privacy/Security

The legal status of all data used by the telecommuter remains unchanged by the telecommuter's participation in telecommuting.

1. Telecommuters will take all necessary precautions to secure and prevent unauthorized access to all data used in the performance of their work responsibilities and agree to follow all pertinent policies, laws, and rules regarding data privacy.
2. Documents, reports, data or software products created as a result of work related activities are the property of the County and are subject to county policies and State law.
3. Handling and disposal of documents, reports, and data will be in accordance with state and federal law and Winona County Policy.

**WINONA COUNTY
TELECOMMUTING AGREEMENT**

Employee Name:	Dept./Unit:
Employee's Telecommuting Work Address:	
Employee's Telecommuting Phone Number:	
Number of Telecommuting Days Per Week:	
(Circle those days that apply): Monday, Tuesday, Wednesday, Thursday, Friday	
The Telecommuting Approximate Daily Schedule (hours) will be from to	

The employee will be available by phone and email during specifically established and scheduled work hours. All work hour schedules in departmental policies will be adhered to. Flexible hours are available to a telecommuting employee as determined by department policy.

Winona County will not reimburse any expenses incurred for equipment or supplies to implement telecommuting unless prior authorization has been given.

Telecommuting Work Space

The employee will be responsible for furnishing and maintaining a designated work space in a safe, ergonomic manner (i.e. extension cords, telephone cords, and computer cables must NOT be strung across the employee's walk space where they could cause one to trip and/or be injured; the work area should be ergonomically adjusted to suit the worker which will prevent injury and fatigue). He/she will protect County equipment, software, data privacy, trade secrets, and information systems.

Any injuries incurred during the normal working day while the employee is performing approved telecommuting work tasks are covered by the County, as determined by the County's Workers' Compensation Insurance carrier. This applies to both the home office and errands performed for work.

Terms and Conditions

The employee understands that telecommuting is a voluntary 6-month commitment and that he/she may terminate his/her telecommuting status and return to a traditional work arrangement upon written 30-day notice to the supervisor, and upon conditions contained within the Telecommuting Policy. The employee understands that the terms and conditions of this

arrangement may be changed and that the County may withdraw permission to telecommute at any time. The selection of which staff may telecommute and for what length of time is the exclusive right of Management.

The employee understands that when telecommuting he/she is expected at all times to practice acceptable use of the computers, network, and telecommunications according to the guidelines set forth by Winona County. The telecommuter understands that not following the policy for acceptable use is reason for withdrawing permission to telecommute and possible termination of employment depending on the severity of the abuse. The telecommuter will be required to sign this form agreeing to the consequences for not practicing acceptable use.

This telecommuting assignment will not impede normal operating requirements, service to the public, or the ability of the supervisor to assign responsibility and accountability to the employees for the performance of normal duties.

At least one face to face meeting per month is required between staff member and supervisor for the purpose of task assignments and staff supervision.

This assignment will be reviewed periodically for accuracy and appropriateness by the employer and employee.

I have read and understand the Winona County Telecommuting Guidelines and agree to the obligations, responsibilities and conditions for telecommuters expressed in that document. I understand that the terms and conditions are in addition to my normal job responsibilities. I have also read and agree to the above Terms and Conditions of the Telecommuting Agreement.

Employee Signature

Date

Supervisor Signature

Date

Personnel Director Signature

Date

Department Head Signature

Date

ADDENDUM TO TELECOMMUTING AGREEMENT

Addendum to telecommuting agreement for: _____
Employee Name

I give Winona County permission to access the work related files and County equipment in my home using the criteria and process identified below:

1. If files and/or equipment need to be accessed immediately, due to an emergency (which could be for audit or client related purposes); attempts will be made by Winona County to contact myself or other members of my family to access my home.

Signed: _____
Employee Signature

Date: _____

Supervisor

Department Head

TELECOMMUTING HOME OFFICE INSPECTION FOR: _____
Employee Name

Home Inspection Done:

Home Office is located at:

Directions to House:

- | | | |
|------------------------------|-----------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Home office has egress windows. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Sufficient lockable space for data sensitive material. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Sufficient space for desk and chair. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Sufficient electrical outlets. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Room has privacy. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Sufficient lighting |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Sufficient outlets are available. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | In general, space seems appropriate for home office. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Ergonomically correct furniture. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Mat for chair. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Proof of homeowner's/renter's insurance. |

Signed: _____
Employee

Dated: _____

Signed: _____
Safety Officer or Supervisor

Dated: _____