



Board of County Commissioners Agenda Request

6A
Agenda Item #

Requested Meeting Date: November 14, 2023

Title of Item: Adopt Remote/Alternative Work Site Policy

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft)	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing* <small>*provide copy of hearing notice that was published</small>
Submitted by: Bobbie Danielson		Department: Human Resources
Presenter (Name and Title): Bobbie Danielson, HR Director		Estimated Time Needed: 5 Minutes
Summary of Issue: Seeking Board approval to approve the attached Remote/Alternative Work Site Policy. A work group was created to draft this policy and it has been through the Department Head committee for additional input and edits. Remote work became a widespread practice during the Covid-19 pandemic and it has continued in both the public and private sectors, including here in our organization. Many government agencies at the state and local levels have continued to support remote work for their employees. This was especially important during the pandemic as it allowed government services to continue while minimizing the risk of infection. The attached policy is a hybrid work model, allowing eligible employees to split their time between remote work and in-office work. This approach provides flexibility while maintaining a physical office presence (a minimum of 2 days per week in-office) to maintain team cohesion and collaboration.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Motion to adopt the attached Remote/Alternative Work Site Policy, with an effective date of December 1, 2023.		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Aitkin County Personnel Policy, Supplemental Policy
Remote/Alternative Work Site Policy
(Hereinafter referred to as Remote Work Policy)

I. Introduction

- A. The purpose of this **Remote Work Policy** is to establish clear guidelines and expectations for remote work arrangements within the organization. This policy serves as a framework to ensure that remote work is managed consistently and effectively by outlining eligibility criteria, communication expectations, data privacy and security measures, and other considerations. This **Remote Work Policy** aims to provide a structured and supportive environment for remote work while safeguarding the organization's interests and values.
- B. Aitkin County is adopting a hybrid model, combining elements of both an "employer-initiated" and "employee-initiated" approach to remote work. The employer takes the lead in determining when and how remote work is implemented. This ensures that remote work arrangements align with the organization's strategic objectives and address specific business needs. Simultaneously, the organization considers individual requests from employees seeking flexibility and autonomy while working remotely. Employees are expected to meet their performance goals and maintain communication with colleagues and supervisors during remote work.
- C. Remote work is not considered a discretionary benefit or entitlement for employees. Decisions regarding remote work shall be made on a case-by-case basis, considering the organization's needs and nature of the work. While remote work may be approved when it aligns with business objectives, approval is not automatic or guaranteed, and remote work availability may change over time. The employer reserves the right to modify, suspend, or terminate remote work arrangements at its discretion.
- D. Upon request of MCIT or the County Auditor, employees who work remotely may be required to furnish an umbrella insurance policy that provides additional coverage beyond the limits of the organization's primary insurance policy
- E. Any questions regarding the **Remote Work Policy** shall be directed to the Department Head and/or HR Department.

II. Definitions

- A. **Remote location**: an approved alternate work site in which an employee is authorized to regularly conduct their work remotely. The remote location shall be the employee's residence unless otherwise approved by the Department Head.
- B. **Primary Work Site**: The Aitkin County Department that the employee would primarily work at, not the remote location.
- C. **Remote worker**: Full-time Aitkin County employee who has an approved remote

arrangement through their supervisor and Department Head.

- D. **Remote work**: Fulfilling job responsibilities at an approved remote location.
- E. **Scheduled work hours**: Those work hours during which the remote worker must be available for contact by the employer and/or public consumer.
- F. **Aitkin County Remote/Alternative Work Site (AWS) Arrangement**: A document that describes a specific remote arrangement agreed upon between the employee, the supervisor, and the Department Head.
- G. **Aitkin County Remote Access Agreement**: A required document from the IT Department to provide employees remote access to the network via methods that provide information security and protection. This document requires approval of the IT Manager and Department Head or designee.
- H. **Aitkin County Remote Equipment Inventory**: A document that lists the equipment removed from the primary work site to be used at the remote location. All employees working at a remote location must have an equipment inventory completed and on file.

III. Eligibility

- A. Many employees and positions can thrive in a remote work arrangement. In accordance with this policy, suitability for remote work will be assessed by the Department Head or designee, in consultation with Administration, Human Resources, and the IT Department.
- B. Positions that are not suitable for remote work typically involve tasks and responsibilities that require physical presence or access to specific equipment. Some examples of jobs that may not be well-suited for remote work include: front office staff providing face-to-face interactions to walk-in customers, staff delivering in-person care to clients or inmates, drivers, equipment operators, custodial and building maintenance staff, parks staff, correctional officers, dispatchers, licensed peace officers, food service, education staff, and other positions requiring face-to-face interactions with customers or those who rely on specialized equipment that cannot be replicated remotely.
- C. Employees on probation, trial periods, performance improvement plans (PIP), or having performance or disciplinary issues are not eligible for a remote work arrangement.
- D. Employees assigned a new caseload may be denied remote work for a period of time to complete necessary training and job shadowing.
- E. The employer may modify, suspend, or terminate the remote work arrangement at its discretion due to performance concerns, low productivity, attendance issues, missing meetings or trainings, disciplinary matters, or for any other reason.
- F. Decisions regarding an employee's eligibility for a remote work arrangement or the

modification, suspension, or termination of such an arrangement are not subject to the grievance procedures outlined in any collective bargaining agreement or county policy.

G. The employer is willing to consider exceptions to this policy in cases of medical necessity.

IV. Remote Work Arrangements

- A. Expectations for timely completion of work, meeting attendance, responsiveness, and other performance criteria are the same for remote workers as non-remote workers. Remote workers are expected to comply with all applicable personnel policies, acceptable use of computers, mobile phone, data privacy and security policies. Non-exempt (hourly paid) employees are required to abide by wage and hour reporting policies – accurate reporting of time worked, no working off the clock, etc. A remote work arrangement may be modified, suspended, or terminated by the Department Head at any time for any given reason. Violation of this policy may result in disciplinary action and termination of the remote work arrangement.
- B. Remote work arrangements shall generally be in accordance with the regular work day or under an approved flex schedule. All work rules regarding overtime, comp time, etc. apply to employees with an approved remote work arrangement. No overtime shall be accrued while working remotely, without prior supervisory approval. A remote work arrangement cannot be a substitute for dependent care, PTO, medical leave, sick leave, etc.
- C. All remote workers shall be required to schedule a minimum of two days per week at the primary work site to engage, collaborate, and ensure goals are being met. The two day per week minimum is dependent on work load and individual needs of the unit. The supervisor can request a remote worker to be at the primary work site more than two days per week to ensure department needs are being met.
- D. Business meetings and client visits to the employee's remote location are prohibited.
- E. No out-of-state remote work is permitted as the employer's workers' compensation insurance coverage does not extend out-of-state.
- F. The remote worker must not undertake other employment in the remote location during scheduled work hours.
- G. Travel time to and from the employee's home/AWS and primary work site is not considered work time and is not eligible for mileage reimbursement. This includes travel time for mandatory meetings and other work-related purposes requiring the employee to report to the primary work site. (If an employee's remote work location is home and they have to travel a distance that is greater than the distance to the primary work site, the additional distance would be reimbursable. As an example, if the employee typically travels 28 miles from Brainerd (home/AWS) to Aitkin (primary work site), but has a meeting in Grand Rapids, which is 81 miles from home/AWS, then the additional distance of 53 miles would be eligible for mileage reimbursement.)

- H. The remote worker agrees that all county-owned property will be returned to the primary work site at the employer's request. When the remote arrangement is terminated for any reason, all county-owned property and supplies must be returned within 24-hours or by the next business day. An inventory will be taken by the supervisor within two (2) business days to ensure everything is returned and in good condition. Appropriate steps will be taken if the county-owned property and supplies are not returned by the due date. The remote worker agrees to be responsible for covering the replacement cost of any equipment this is missing or not returned on time, and that said expense may be deducted from their final paycheck.

V. Expectations and Responsibilities

- A. Expectations and responsibilities are established to ensure the effectiveness and safety of a remote arrangement. All employees who have an approved remote arrangement must complete a 40-hour work week. If the remote worker is not able to complete their scheduled hours of work in accordance with Article III, Section G, of the personnel policy, they shall contact their supervisor in advance of logging off.
- B. All remote workers must come into the office for all in person work requirements, attend regularly scheduled staff meetings, and attend mandatory training sessions while adjusting their schedules accordingly.
- C. Remote workers shall be dressed appropriately and be ready to go into the field with little notice to conduct face to face visits or come into the primary work site for coverage.
- D. Remote workers will participate in meetings via video conferencing when called upon to do so, including on short notice. It is expected that participants will have their video cameras enabled during virtual calls and remote meetings unless doing so interferes with the quality of the meeting and participants are asked to turn off their video cameras. All office telephone calls will be forwarded to employees' work cell phones.
- E. It is the responsibility of the remote worker to assure that child or elder care responsibilities do not interfere with work tasks and scheduled work hours. During scheduled work hours, remote workers shall have dependent care arranged for their children, parent, or other family members. Remote workers cannot work while providing care to others. Conflicts must be immediately communicated to their supervisor and adjustments made to their schedule to reflect time worked. Personal tasks and errands shall only be performed during the remote workers scheduled rest breaks and meal periods.
- F. When remote workers resign employment or retire, they are required to return to the primary work site for the final two-week resignation notice period to facilitate the transfer of knowledge and a smooth transition.
- G. There may be additional expectations that are job specific. The Department Heads or designee will communicate these expectations with each employee individually.

VI. Responsiveness and Productivity Measures

- A. Employees who have an approved remote work arrangement must maintain regular communication with their supervisor and remain productive and responsive during their scheduled work hours. The remote worker is expected to maintain the same response times as if they were at their primary work site. Remote workers are responsible to take and respond to client, supervisor, and department calls in a timely manner. If the remote worker is found to be unavailable during scheduled work hours, the remote work arrangement may be terminated.
- B. Remote workers may be required to document their work completed each day and to provide a summary to their supervisor.
- C. Generally, it is the remote worker's responsibility to do their own printing, scanning, mailing, etc. If they are unable to complete these duties remotely, the remote worker may be required to come into the office more often. Team agreements for coverage may be considered, subject to Department Head approval.
- D. It is the responsibility of the supervisor to set clear expectations and regular meetings with remote workers to ensure their availability, schedules, communication protocols and methods, engagement, etc. The supervisor is responsible for regularly evaluating the remote workers' job performances to ensure the remote work arrangement remains suitable.

VII. Workspace Arrangements

- A. All remote workers are responsible for having their own designated workspace at the remote location. Remote workers must identify a workspace that is conducive to performing their job duties. Choose a good workspace that provides a safe place for their work with little interruption. They are also responsible for maintaining safe conditions in the workspace, including proper ergonomics, and to practice the same safety habits as those followed at the primary work site. Workplace injuries or illnesses must be reported immediately, or as soon as practical, to the employee's immediate supervisor. Work-related injuries or illnesses apply while the employee is remotely performing work for pay and is directly related to the performance of work, rather than general home environment. The remote location is considered a work site only during scheduled work hours for purposes of workers' compensation.
- B. The remote worker will furnish all furniture required for the workspace such as a desk, office chair, file cabinets, etc. The employer will not assume responsibility for operating costs, home maintenance or other costs to include Wi-Fi/internet fees incurred by the employee in the use of a residence for a remote workspace (i.e., if an employee voluntarily opts to accept a remote work arrangement; the employer will not reimburse costs). Materials and equipment must be in a secure place that can be protected from damage or misuse. Data must be protected from disclosure to unauthorized individuals.
- C. The employer reserves the right to audit remote work locations during work hours, to visit the remote work location with or without notice to the employee, and/or to request a video of the workspace, all intended to ensure compliance with this policy, proper set-up of the workspace,

and to ensure that private data is being stored properly at the remote work location.

D. When setting up the workspace, the following checklist shall be used to evaluate and take corrective actions. Note: additional hazards may be present in any given situation.

General

- Floors are clear and free of hazards.
- Work area is reasonably quiet and free of distractions.
- Electrical cords are secured under desk, along the wall, away from feet and heat sources.
- Temperature, ventilation, and lighting are adequate.
- First-aid supplies are readily available.
- Where appropriate, the home has been tested for radon.
- Carbon Monoxide detector is in an appropriate location.

Fire Safety

- Walkways, aisles, and doorways are unobstructed.
- Exits are accessible and kept unobstructed.
- Working smoke detector is located near designated work space.
- Charged fire extinguisher is accessible from designated work space.
- Work space is kept free of trash, clutter, and flammable liquids.
- Radiators and portable heaters are located at least three feet away from combustible items.

Electrical Safety

- Computer equipment is connected to a surge protector.
- Electrical system is adequate for office equipment and circuits not overloaded.
- Electrical panels are readily accessible in the event a breaker needs to be reached.
- All electrical plugs, cords, outlets, and panels are in good condition, no exposed/damaged wiring.
- Extension cords and power strips are not daisy chained (plugged into each other rather than the outlet) and no permanent extension cords are in use.
- Electrical cords run in non-traffic areas, do not run under rugs, and are not nailed or stapled in place.
- Equipment is turned off when not in use.

Workstation Ergonomics

- Office furniture and equipment is set up to fit employee ergonomically.
- Chair is sturdy and adjustable with backrest and casters appropriate for floor surface.
- Monitor is at arm's length or comfortable distance from eyes, and top of screen is slightly below eye level.
- Forearms are parallel to the floor and wrists are straight.
- Feet reach the floor when seated or fully supported by a foot rest.
- Back is adequately supported by backrest.

- Computer screen is free from noticeable glare and positioned to a height where neck and head are neutral.

VIII. Technology Requirements and Monitoring

- A. The necessary tools, technology and services must be readily available at the remote location. The employer will provide the necessary technology equipment to perform necessary duties to include: a suitable mobile computing device, up to two monitors, docking station, keyboard & mouse, and Webcam (if necessary). County-owned equipment will be serviced and maintained only by the Aitkin County IT Department or their designee. Employees will typically be given one set of technology equipment to be used between the primary work site and remote location. The employee must take appropriate steps to minimize damage to county-owned equipment at the remote location and ensure that it is not used by any unauthorized person.
- B. Aitkin County IT recommends cable or fiber internet service with a minimum download bandwidth of 20MB/s. Please note this is only a guideline – some internet connections may be inadequate even while meeting this guideline. Examples include but are not limited to Dial-up and Satellite internet services. All internet connections must come from within the United States, use of anonymizer VPN's or proxy servers may prevent the Aitkin County VPN from properly connecting.
- C. The remote worker is expected to set-up all computer connections. Aitkin County IT will not troubleshoot home networks/Wi-Fi, it is solely the responsibility of the remote worker. This is to include cyber threats present in the home network. In the event of a Cybersecurity threat being detected on or from a privately owned network, Aitkin County IT will revoke remote connections. All computers must be returned to Aitkin County IT for threat assessment before being returned to service either remote or on premises. Remote connections will not be restored until it can be proven to the satisfaction of Aitkin County IT that the threat has been mitigated.
- D. County-owned equipment and programs are for business use only. The department shall maintain an inventory of all county-owned equipment at the remote location to include serial numbers, when available. Personal computers and equipment may not be connected to the County's network.
- E. If the employee's internet goes out or if their equipment is not working, they will be expected to report to the primary work site to finish out the day. Repeated circumstances of technology issues may be cause for termination of the remote work arrangement.
- F. Aitkin County values the trust and autonomy of its remote workers, while also recognizing the need to ensure productivity, data security, and legal compliance. Remote workers may be subject to monitoring, including scenarios where such monitoring might occur without their explicit knowledge. Monitoring may include, but is not limited to network traffic, monitoring internet usage, email, and data transfer activities, periodic screen captures to ensure compliance with organizational policies, time tracking software, and performance and productivity metrics.

IX. Data Security/Client Confidentiality

- A. Remote workers are responsible for maintaining the security of data while working at a remote location. Because of the nature of remote work and the presence of others who are not employed by the County, remote workers have a greater individual responsibility for data security than employees have while working at a primary work site. The remote worker must follow all applicable provisions of the Minnesota Government Data Practices Act (“MGDPA”), HIPAA, Federal Tax Information (FTI), and county data privacy policies when performing work at the remote location. The remote worker and supervisor must discuss the type and form of data which will be taken to and from the remote location and must agree on the security and transfer process necessary to meet the needs of the county, to protect the security of the data, and to comply with the MGDPA, HIPAA, FTI, and county data privacy policy. Remote workers will ensure security of paper and electronic data outside of office network, password protect all county-owned devices, encrypt outgoing data, use a county VPN, and store work files on county equipment and never on personal drives or flash drives (if applicable). Wi-Fi must be password protected.
- B. Disclosure of private or confidential data related to remote work is grounds for terminating the remote work arrangement as well as other disciplinary action.
- C. Transporting data. Transportation of non-public, protected, or sensitive data must be done in a locked bag. Such data is permanently stored at the primary work site, with the only data that is transported limited to that which is necessary to conduct work assignments before returning to primary work site.

X. Procedures

- A. An **Aitkin County Remote Access Agreement** must be signed by the remote worker, the Department Head, and the IT Manager prior to beginning any remote work. This agreement needs to be completed once during their tenure unless the guidelines change. A copy of this agreement will be placed in the employee’s personnel file in the Aitkin County Human Resources Department.
- B. A **Remote Work Arrangement and Remote Equipment Inventory** must be completed, approved, and signed each calendar year by the remote worker, direct supervisor, and Department Head. Based on their remote work arrangement, the employee will decide whether their main computer setup is at the primary work site or at the remote location and be documented on the Remote Equipment Inventory.

Aitkin County Remote/Alternative Work Site Arrangement

I have read, understand and am fully aware of the terms of the Aitkin County Employee **Remote Work Policy**; and I agree to comply with the terms of this policy. I understand that the departmental Employee **Remote Work Policy** can be more restrictive than the county policy, but not less restrictive. Therefore, if changes are made to the county policy that are more restrictive than the departmental policy, I agree to comply with the terms of the most restrictive policy. I agree that I can be asked to return to the primary work site to work at any time upon the request of the employer. I also agree to remain informed of and comply with future revisions to this policy.

I understand that when I resign or retire, I am required to return to the primary work site for the final two-week resignation notice period to facilitate the transfer of knowledge and a smooth transition.

<u>Agreement/Form</u>	<u>Completed/Signed</u>	<u>N/A</u>
Aitkin County Remote Work Access Agreement	<input type="checkbox"/>	<input type="checkbox"/>
Aitkin County Remote Work Arrangement	<input type="checkbox"/>	<input type="checkbox"/>
Aitkin County Remote Work Equipment Inventory	<input type="checkbox"/>	<input type="checkbox"/>

Remote User

Remote User (print)

Signature of Remote User

Date

Supervisor

Signature

Date

Department Head

Signature

Date

Alternate Work Sites and Telecommuting

Void this section of current policy.

- (a) Utilizing alternate work sites and telecommuting is an administrative option not an employee benefit. Upon agreement of the department head an employee may be allowed to report to an alternate work site or to telecommute but the decision to allow it will be based on the business needs of the County and the Department.
- (b) Alternate work sites and telecommuting requires support from the Department Head and approval of the County Administrator. Alternate work sites and telecommuting is not appropriate for every job at the County. Alternate work sites and telecommuting agreements may be revoked by management at any time for any reason.
- (c) The necessary tools, technology and services must be readily available at the alternate work site. The County will provide the necessary technology equipment to perform necessary duties. The County will not assume responsibility for operating costs, home maintenance or other costs incurred by the employee in the use of a residence for telecommuting. (i.e. if an employee voluntarily opts to accept a telecommuting agreement; the County will not reimburse costs).
- (d) An employee's compensation and benefits, and the terms and conditions of employment will not change as a result of alternate work location or telecommuting. An employee who works from an alternate location or telecommutes is still accountable to all county policies, departmental rules and work direction. Employees at alternate work sites must maintain communications with supervisors as directed.
- (e) Work Schedules
 - (i) Alternate work sites or telecommuting scheduling should be in accordance with the regular work day or under an approved flexible schedule.
 - (ii) All work rules regarding overtime, comp time, etc... apply to employees under this section.
- (f) Requirements
 - (i) An agreement must be signed by the County Administrator, Supervisor, Department Head and employee prior to beginning any alternate work site or telecommuting.
 - (ii) There must be clear and mutually understood methods that are documented in the agreement for measuring and evaluating the work of and holding accountable an employee who is working at an alternate site or telecommuting.
 - (iii) All employees must be required to have at least 8 hours per week of time reporting to the normal work site, unless authorized otherwise by the Department Head for business continuity purposes, such as requiring some staff to work full-time from alternate work sites during the Covid-19 pandemic.