

## C-21 MOBILEWORKER, TELEWORKING AND HOTELING POLICY



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### 21.1.0 PURPOSE

- 21.1.1 To allow for flexibility in employee work locations while reducing costs, maintaining or enhancing County service and productivity levels.
- 21.1.2 Advances in technology have made it possible for employees to access information, manage files and complete transactions remotely, which makes it possible for County managers and employees to work in ways they never could before. As financial pressures continue to challenge our ability to provide services, the County must explore all opportunities to improve efficiency and productivity. Further, creating a County workforce capable of working from remote or alternative locations will make the County better prepared to continue delivering services if an emergency requires staff to perform duties at alternative sites.

### 21.2.0 POLICY

- 21.2.1 The Board of Supervisors authorizes teleworking programs to be implemented in County departments when operations or business necessity permits. When authorized, a County employee may participate in a teleworking program and shall comply with all County and department policies, ordinances, practices, work assignments and instructions as directed by the Appointing Authority.
- 21.2.2 Management Retains the Right to Determine Eligibility for Teleworking shall be based on the duties performed and the ability to perform those duties as mobile work
- A. ~~Not a~~ All positions/classifications are suitable for a Teleworking Program. The determination of an employee's ability to Telework is exclusively at the County's discretion. Teleworking is not an employee right, but rather, is available to those all employees unless the County meets and confers with the Union and the parties determine the position is not suitable for telework. who work in positions wherein the County has determined it is beneficial and/or consistent with operational business needs. Teleworking does not change the basic terms and conditions of employment with the County. The determination of how many days an employee may telework may be based upon the ability to perform work offsite.
- 21.2.3 Teleworking may be modified or revoked by the County at any time. Whenever practical, the County shall give ~~five (5)~~ seven (7) calendar days' notice when revoking, denying or modifying a telework arrangement. The County must provide a reason for the modification, termination, or denial of the agreement to the employee in writing. Any such changes are subject to the grievance procedure. Requests for telework must not be unreasonably denied.
- 21.2.4 An employee who is authorized for telework shall use his/her working hours to perform County work. Teleworking arrangements do not substitute for dependent care or the use of any leave accruals. Employees shall ensure dependent care requirements are addressed and arrangements are in place so as not to interfere with the employee's work.

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- 21.2.5 Work done on behalf of the County at the telework site is considered official County business. Products, documents and records used by/or developed while teleworking shall remain the property of the department and the County and are subject to department and County rules regarding confidentiality, disclosure, and records retention requirements.
- 21.2.6 Non-FLSA exempt (hourly) employees are required to perform work duties within an established schedule and shall adhere to scheduled rest and meal breaks. An employee authorized to telework may not alter his/her work schedule or work additional hours beyond his/her authorized hours without prior written authorization. FLSA exempt employees may be required to work core hours, as directed by the Appointing Authority.
- 21.2.7 Teleworking which occurs at the employee's home may increase the employee's home utility costs. The employee is responsible for any additional telecommunications or connectivity charges resulting from the teleworking arrangement. The County assumes no responsibility for any operational costs or liability associated with the employee's home residence, including home maintenance, personal office equipment or office furniture, insurance, or utilities.
- 21.2.8 An employee who teleworks shall not bring clients, customers, vendors or other persons into his/her home to conduct County business.
- 21.2.9 An employee authorized to telework on a regular or recurring basis or on a situational basis may be required to come to the County worksite on short notice. The employee shall be provided reasonable notice to return to the office. Such a requirement does not constitute call-back pay. The County shall not reimburse a teleworking employee for mileage when an employee is required to report to the County worksite.
- 21.2.10 Use of sick leave, vacation, compensatory time off (CTO), administrative leave or other absences from work, must be approved in advance and in accordance with department and County policy.

21.3.0 DEFINITIONS

- A. "Appointing Authority" Department Head (or designee).
- B. "Eligible" Refers to the individual employee and the ability for him/her to be considered for a teleworking agreement. (Independent contractors are not eligible for telework).
- C. "Hoteling" When an employee uses a County work space not designated exclusively for his/her own use. Hoteling may be appropriate for an employee who is assigned to work in the field, and who does not have a regular work space assigned to him/her.
- D. "Inspection" Refers to the process whereby a telework alternate worksite or home office location is inspected to determine if Federal Tax Information (FTI) is securely maintained in accordance with State or Federal standards.
- E. "Suitable" Refers to the classification and/or position and/or whether or not the work is well suited for consideration of telework or hoteling.

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F. "Telework" An arrangement that allows an employee to perform work, during any part of regular, paid hours, at an approved alternative non-County worksite. Teleworking is generally divided into three types:

1. "Regular Telework" telework occurs as part of an ongoing or regular schedule; or
2. "Situational Telework" telework that is approved on a case-by-case basis, where the hours worked were NOT part of a previously approved, ongoing and regular telework schedule; or
3. "Emergency Telework" telework that occurs during emergencies only. This may include inclement weather, natural disasters, continuity of government and similar situations.

**21.4.0 COUNTY EQUIPMENT**

21.4.1 Solano County may, at its discretion, provide teleworking equipment such as a computer, laptop, tablet, cell phone, printer or supplies. Any equipment/supplies provided by the County will remain the property of the County and will be returned to the County upon request. An employee shall promptly report any malfunction of County equipment which may interrupt his/her ability to complete work duties.

21.4.2 Employees using County-provided teleworking equipment must be able to independently transport and set-up the equipment at their telework site.

21.4.3 All County policies and procedures and departmental policies and procedures involving County equipment apply to employees using County equipment at the telework or hoteling worksite.

21.4.4 The County will provide for repairs to County equipment through an authorized vendor.

21.4.5 An employee may be subject to disciplinary action for damage caused by negligence, intentional damage or damage resulting from a power surge if no surge protector is used, or as a result of other negligent action.

**21.5.0 COMPUTER SECURITY**

21.5.1 The Department of Information Technology (DoIT) shall maintain a list of resources, required security guidelines, and a self-assessment checklist for employees to use to help secure their home computer. It is expected that teleworker or mobile worker access to County applications will utilize Citrix. Requests for VPN connectivity will be reviewed by DoIT on a case-by-case basis and may not be approved.

21.5.2 An employee authorized to telework who uses his/her personal computer is responsible for following all security guidelines including data encryption and password

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policies, and ensuring software and applications are currently updated with security patches, maintaining a personal firewall and updated anti-virus and anti-spyware programs, and keeping their operating system configured securely.

- 21.5.3 County records saved on an employee's individual computer may subject an employee to records release and search laws. As such, County employees shall not save any County records on personal computers or transmit County records via personal email accounts.
- 21.5.4 Employees are required to ensure the integrity and confidentiality of all information and take steps to ensure County, confidential, Federal Tax Information (FTI) or other Personal Identifying Information (PII) is not viewed or available to non-County employees. Only employees are allowed access to confidential information in County accessible data base applications. It is an expectation that all employees will assume the responsibility of reviewing the policy with the members of their household to ensure that the security of the data is maintained.

Employees must follow security best practices, including the following basic privacy controls:

- A. Employees are required to ensure that all sensitive/confidential information in hardcopy or electronic form is secured in their work area at the end of the day and when they are expected to be gone for an extended period. Hard copy materials are secured when they are locked in a storage area (such as a desk or file cabinet) and locked in a room.
- B. Computer workstations must be locked when workspace is unoccupied.
- C. All computers, electronic media and removable media containing FTI, including non-agency-owned/personally-owned devices (e.g., desktop, laptop, smart phone, tablet equipment, etc.), must adhere to the County's policy for the security of alternative work sites. This includes but not limited to: adhering to the requirements for maintenance and data back-up (e.g., shutting down computer) and not leaving device(s) unprotected or unsecured at any time (e.g., absences while employees are away from the device).
- D. Any Restricted or Sensitive information, including FTI or PII, must be removed from the desk and locked in a drawer when the desk is unoccupied and at the end of the work day.
- E. File cabinets containing Restricted or Sensitive information, including FTI or PII, must be kept closed and locked when not in use or when not attended.
- F. Keys used for access to Restricted or Sensitive information must not be left at an unattended desk.

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- G. Passwords may not be left on sticky notes posted on or under a computer, nor may they be left written down in an accessible location.
  - H. Whiteboards containing Restricted and/or Sensitive information should not be visible to passersby and must be erased when unattended.
  - I. Lock away portable computing devices such as laptops and tablets.
  - J. Treat mass storage devices such as CD-ROM, DVD or USB drives as sensitive and secure them in a locked drawer.
  - K. Employees shall not print FTI information, unless he/she can do so in a secured fashion in compliance with Internal Revenue Service (IRS) Publication 1075 guidelines.
  - L. Hard copy documents containing FTI information which are to be discarded shall be shredded in accordance with IRS Publication 1075 guidelines.
- 21.5.5 Any time Federal Tax Information (FTI) is transported from one location to another, care must be taken to provide appropriate safeguards. When FTI is hand-carried by an individual in connection with a trip or in the course of daily activities, it must be kept with that individual and protected from unauthorized disclosures. All computers and mobile devices that contain FTI and reside at an alternate work site must employ encryption mechanisms to ensure that FTI may not be accessed if the computer is lost or stolen. The department will utilize Mobile Device Management security software to monitor, manage and secure employees' mobile devices.
- 21.5.6 Employees who have access to FTI shall be required to undergo periodic home inspections during normal working hours to ensure the security of the FTI. Such home inspections shall be documented, including diagrams or pictures of location, and may be unannounced. Home inspections shall be conducted in accordance with IRS Publication 1075 guidelines, or as necessary, to address potential security violation. Results of home inspections shall be documented and maintained by the department performing the home inspection.
- 21.6.0 WORKPLACE SAFETY
- 21.6.1 The Department of Human Resources, Risk Management Division, shall provide a Safety Checklist for employees to use when teleworking to help ensure a safe and productive work environment. (See Attachment A)
- 21.6.2 An employee authorized to telework shall be responsible for following all guidelines provided in the Safety Checklist.

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21.7.0 TELEWORKING AGREEMENT

21.7.1 An employee who is authorized to telework must complete a MobileWorker, Teleworking and Hoteling Agreement, Attachment B, and if approved by the Appointing Authority, the MobileWorker, Teleworking and Hoteling Agreement will be signed. The MobileWorker, Teleworking and Hoteling Agreement details the expectations of the employee authorized to Telework, including, but not limited to:

- A. Productivity standards;
- B. Employee responsibilities for adherence to all laws, rules, policies, procedures, regulations;
- C. Schedule and timekeeping requirements;
- D. Compliance and security requirements for equipment, sensitive or confidential data;
- E. A listing of equipment provided to employee, its proper use and maintenance of County equipment;
- F. Reporting of injuries and other required safety measures;
- G. Acknowledging that the teleworking arrangement can be terminated or modified by the County at any time;
- H. Verification that County Information and Technology Security Standards are met; and
- I. Verification that the County's Safety guidelines provided in the Safety Checklist, Attachment A, are met and adhered to.

21.8.0 CRITERIA FOR HOTELING

21.8.1 The Appointing Authority or designee who wishes to participate in hoteling between an alternate County facility(ies) must demonstrate the type of work is suitable to an employee working between varying County facilities and that there is sufficient workspace and necessary equipment available at the alternate County facility(ies) to perform the duties of the position.

- A. The work can be performed from a remote or alternative County location;
- B. The work can be performed without negatively impacting service delivery;
- C. Supervisors and managers are trained to handle work situations arising from supervising remote workers;
- D. There is a clear way to measure the work the employee completes;

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- E. The alternate work site is suitable for the type of work to be performed;
- F. Sensitive and/or confidential data is reasonably protected and not placed at a higher risk because of the telework arrangement; and
- G. The Department has the ability to provide the necessary tools and equipment to the employee which are necessary for the employee to be able to perform the work.

21.8.2 An employee's participation in a hoteling work arrangement, where he/she is not assigned to a designated work station, is not necessarily voluntary.

21.9.0 GENERAL TELEWORK REQUIREMENTS

21.9.1 Employees wishing to telework must:

- A. Have passed an initial probationary period;
- B. 1) Not be under investigation,  
2) not have been subject to pending or final disciplinary or ~~corrective~~ action within the past ~~three years~~ year, and  
3) must not be on a performance improvement plan.
- C. Possess the knowledge to be able to perform the assigned work duties without direct supervision; and
- D. Be self-directed, have the ability to prioritize, and have a history of reliable and responsible discharge of work duties.

21.9.2 The following types of tasks/duties are generally not suitable for regular telework:

- A. Jobs that require frequent face-to-face customer, co-worker/stakeholder contact, which occur at specific County office locations;
- B. Law enforcement;
- C. Jobs that require specialized equipment;
- D. Jobs that require highly confidential work that cannot be adequately secured working offsite;
- E. Jobs that focus on maintaining County facilities or equipment;

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- F. Jobs that require resources located at the employee's primary work location and are of such a nature that they can't easily be removed or taken home as they will negatively impact operations.

**21.10.0 CRITERIA FOR REGULAR TELEWORK**

21.10.1 The County Department Head shall determine ~~if he/she wishes to establish a teleworking arrangement in his/her Department~~ the approval or denial of a teleworking agreement with the employee. Prior to establishing a telework agreement program, ~~he/she~~ they must demonstrate:

- A. The work can be performed from a remote or alternative non-County location;
- B. The work can be performed without negatively impacting service delivery;
- C. Supervisors and managers are trained to handle work situations arising from supervising remote workers;
- D. There is a clear way to measure the work the employee completes;
- E. The alternate work site is suitable for the type of work to be performed;
- F. Sensitive and/or confidential data is reasonably protected and not placed at a higher risk because of the telework arrangement; and complies with the security requirements of IRS Publication 1075, including worksite inspections; and
- G. The Department has the ability to provide the necessary tools and equipment to the employee which are necessary for the employee to be able to perform the work.

**21.11.0 CRITERIA FOR SITUATIONAL TELEWORK**

21.11.1 The Appointing Authority may establish the advance notice requirements for authorizing situational telework. Generally speaking, sufficient notice should be provided to ensure the employee understands the outcomes/work product he/she is responsible for completing during the period of the situational telework. Further, the Appointing Authority must be able to establish the employee has the necessary equipment and tools to complete his/her assignment(s) and communication protocols have been established for checking back with his/her supervisor and or customers, as necessary.

**21.12.0 CRITERIA FOR EMERGENCY TELEWORK**

21.12.1 Emergency telework is infrequent or rare and approval is limited. The Appointing Authority or designee may authorize emergency telework for inclement weather when circumstances warrant only if the employee has access to his/her work via the necessary tools (such as through VPN or Citrix) to be able to perform meaningful work. For all other



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circumstances of emergency work, the criteria shall be established by the County Administrator or designee.

21.13.0 PROCEDURE FOR TELEWORK

21.13.1 No employee may telework without written approval of the Appointing Authority or his/her designee.

21.13.2 A regular MobileWorker, Teleworking and Hoteling Agreement, Attachment B, may be initiated by the County or by an employee; however, no employee shall be forced to work from his/her home on a regular or recurring basis. Hoteling, situational or emergency teleworking arrangements may be initiated by the County or by the employee. Emergency teleworking for inclement weather may be authorized by the appointing authority; however, emergency teleworking for natural disasters, continuity of government or other similar situations, shall be authorized at the discretion of the County Administrator or designee.

21.13.3 A MobileWorker, Teleworking and Hoteling Agreement, Attachment B, must be signed for regular or situational telework or hoteling.

21.13.4 When emergency teleworking is approved, written authorization detailing the dates of the approval of emergency telework and clear expectations must be communicated to the employee.

21.13.5 Home office

A. Employee shall review and complete a Safety Checklist, Attachment A, to help ensure a safe and productive work environment. Upon completion, employee should send a signed authorization and MobileWorker, Teleworking and Hoteling Agreement to Human Resources and a copy shall be placed in the employee's personnel file.

21.14.0 MANAGEMENT RESPONSIBILITIES

21.14.1 Determine positions appropriate for telework or hoteling after meeting and conferring with the Union.

21.14.2 Approve performance standards and expectations for an employee authorized to telework or hotel at other County work locations.

21.14.3 Ensure adherence to work standards and County or department policies, procedures, work rules, and laws and regulations.

21.14.4 Maintain efficient and effective work operations and ensure that authorized telework agreements do not interfere, disrupt or have any negative effects or consequences to County operations.

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21.14.5 Ensure supervisors and managers are provided opportunities and are trained to sufficiently supervise an employee authorized to telework remotely from their primary work location.

21.14.6 Ensure adequate resources are provided to an employee authorized to telework.

21.14.7 Determine which positions are appropriate for hoteling and how to best allocate space.

21.14.8 Provide seven (7) days' notice pursuant to Section 21.2.3.

21.15.0 SUPERVISOR RESPONSIBILITIES

21.15.1 Appropriately assess an employee's readiness and ability to telework or hotel.

21.15.2 Review requests for teleworking and outline performance expectations.

21.15.3 Monitor the work environment for, and report to management, any negative effects or consequences resulting from approved telework agreements.

21.15.4 Establish performance standards and expectations for an employee authorized for telework.

21.15.5 Provide effective means of communication to teleworking employee.

21.15.6 Ensure adherence to work standards and County or department policies, procedures, work rules, and laws and regulations.

21.15.7 Maintain efficient and effective work operations and ensure that authorized telework agreements do not interfere, disrupt or have any negative effects or consequences to County operations.

21.15.8 Establish and maintain appropriate methods of communication.

21.16.0 EMPLOYEE RESPONSIBILITIES

21.16.1 Sign and adhere to County MobileWorker, Teleworking and Hoteling Agreement, Attachment B.

21.16.2 Secure computer systems in accordance with County guidelines of County records so that confidentiality is maintained.

21.16.3 Secure and arrange work space to protect confidentiality of County records and to maintain a safe work environment.

21.16.4 Make appropriate childcare or other dependent care arrangements to ensure distractions do not exist to interfere with performing County duties.

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21.16.5 Adhere to all County policies, rules and procedures.

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21.16.6 Update and maintain correct contact information.

21.16.7 Successfully meet County performance standards.

21.16.8 Properly store and maintain County issued equipment.

21.17.0 REFERENCES

Attachment A – Safety Checklist

Attachment B – MobileWorker, Teleworking and Hoteling Agreement

Attachment C – Alternate Worksite Inspection Checklist

Information Technology Security Policy

Internal Revenue Service Publication 1075

21.18.0 AMENDMENTS

21.18.1 The Director of Human Resources, with concurrence of the County Administrator and County Counsel, is authorized to make amendments, except to Section 21.2, Policy.