



MARICOPA COUNTY INTERNAL POLICY

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| Policy Title: TELEWORKING | Policy Number: HR2409 |
| | Current Adoption Date: 11-18-2020 |
| Approved by: BOARD OF SUPERVISORS | Board Agenda Number: C-31-20-042-6-00 |
| | Original Adoption Date: 04-1999 |

I. PURPOSE

To establish conditions, accountability, and arrangements for working from an Alternative Worksite.

II. AUTHORITY

This Policy is authorized by the Board of Supervisors pursuant to A.R.S. § 11-251.

III. APPLICATION

This Policy applies to all Maricopa County appointed departments as well as the Flood Control District of Maricopa County, the Maricopa County Library District, and the Maricopa County Stadium District (Special Districts). The Board of Supervisors is authorized to jointly adopt policies applying to the Special Districts under the Intergovernmental Agreement, C-06-18-393-6-00, approved on April 11, 2018. This Policy also applies to employees of County elected offices unless the elected official has implemented a similar policy specific to his or her office.

IV. DEFINITIONS

- A. Alternative Worksite:** A designated location approved by the Appointing Authority and detailed in the employee's Teleworking Agreement where the employee will perform job functions outside of the department's office.
- B. Appointing Authority:** An elected official, the single administrative or executive head of a Department/Special District or the designated representative authorized to act in this capacity.
- D. County Commuter Transportation Coordinator:** Employee designated to administer the County's Trip Reduction Program (See Maricopa County Ordinance P-7).
- F. Teleworking:** Working from an Alternative Worksite.
- G. Teleworking Agreement:** An agreement approved by the Appointing Authority that identifies the responsibilities and working conditions of an employee while Teleworking.

V. POLICY

A. Department Participation

1. Appointing Authorities may approve Teleworking and provide employees the necessary tools to telework when it supports the County's goals and mission, meets departments' needs, and leads to business efficiencies. Teleworking is a management option and not a universal employee benefit and can be revoked at any time.
2. All employees are eligible for consideration (classified, unclassified, contract, and temporary).
3. More specific internal Teleworking procedures may be used by the Appointing Authority.

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B. Self-Assessment And Training

Employees who telework on a regular basis and their supervisors are required to participate in the County’s online Teleworking assessment and training course. Taking a training course does not guarantee that a Teleworking Agreement will be approved by the Appointing Authority.

C. Teleworking Agreement

Employees who telework on a regular basis must sign a Teleworking Agreement. A copy of the agreement shall be sent to Employee Records. Employees who do not telework regularly are not required to sign a Teleworking Agreement.

D. Working Conditions

1. Employees are subject to the department’s internal policies and procedures and working conditions outlined in a Teleworking Agreement.
2. Due to varying state tax and labor laws, employees are not allowed to telework outside of Arizona.
3. Employees must submit their daily deliverables to their supervisors at the end of the workday, to include hours worked and tasks completed.
4. Teleworking is not a substitute for dependent care; teleworkers must make arrangements for dependent care during the approved work hours.
5. While Teleworking, employees must be reachable by phone and as agreed upon by their supervisor. County desk phones must be forwarded to a cell phone or home phone while teleworking.
6. Terms and conditions of employment do not change as a result of a Teleworking Agreement.
7. Overtime for non-exempt employees must be preapproved by their supervisors.
8. Teleworking hours and hours worked both need to be recorded in the County’s payroll system using the telecommuting tracking code to ensure proper tracking of telework hours.
9. No agreement shall include any improvements or additions to an employee’s owned or leased assets, including the residence, computer, vehicle, or any other property.
10. An employee’s Alternative Worksite is an extension of the department’s workspace, and the County is only liable for job-related accidents if they occur during the approved work schedule and in the designated work location. The County retains the right to make on-site inspections at mutually agreed upon times to observe working conditions.
11. Any change to a schedule or Alternative Worksite must be approved by the supervisor in advance.
12. Teleworkers are subject to audit and computer monitoring. Misuse of teleworking is subject to discipline up to and including termination.
13. Teleworkers who are unable to work for more than one (1) hour due to issues with their personal technology (e.g., internet), must make up the time or use their vacation time.

E. Technology

1. The technology provisions are intended to provide a framework for general restrictions and uses. Departments may develop and implement more specific provisions.

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2. In most instances, teleworkers provide their own equipment. However, Appointing Authorities may provide County-owned equipment at their own discretion.
3. Employees are required to seek the approval of their department's technology staff before purchasing equipment and software to ensure compatibility and connectivity requirements.
4. Employees are required to install virus protection and firewall software on all computers used at an Alternative Worksite.
5. Employees are responsible for securing all data, paper or electronic, subject to the confidentiality and security policies of the department and the County.
6. Restricted-access materials, as defined by the department, shall not be taken to the Alternative Worksite or accessed unless approved in advance by the supervisor.
7. The County does not assume liability for loss, damage, or wear of employee-owned equipment used at an Alternative Worksite.
8. County-owned software shall not be duplicated.
9. Requirements related to County policies do not change as a result of Teleworking (See [County Policy A2611 Use of County Technology Resources](#)).

F. Public Records

Departments permitting telework are responsible for ensuring that arrangements are made for teleworkers to maintain compliance with Public Records statutes and regulations as set forth by the Arizona State Library and Public Archives. This includes ensuring that public records taken to the Alternative Worksite are open to inspection as required by statute and ensuring that a chain of custody is maintained for records as required by ARS § 39-121.01.

G. Reimbursement Of Expenses

1. Appointing Authorities may pre-approve reimbursement of expenses (office supplies, etc.) in accordance with County and internal department policies.
2. The Teleworking Agreement shall state which expenses will be reimbursed. Any changes shall require the pre-approval of the Appointing Authority.

H. Exceptions

The County Manager or designee may approve exceptions to this Policy that are consistent with the intent of the Policy.

Revision History

| Version | Revision Date | Description of Revision |
|---------|---------------|---|
| 1 | 04-09-1999 | Replaced Telecommuting Policy (A1407) (initially approved in November 1993) with HR2409. |
| 2 | 02-04-2015 | Clarified roles, updated definitions, addressed public records, strengthened accountability provisions, and simplified the language. (C-49-15-035-6-00) |
| 3 | 03-11-2020 | Updated definitions, policy format, and language to remove outdated wording. (C-31-20-042-6-00) |
| 4 | 11-18-2020 | Added Working Conditions 2,3, 12, and 13 and Exceptions. (C-31-20-042-6-00) |