

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT
MEMORANDUM
April 12, 2021

TO: FRAQMD Board of Directors
FROM: Christopher Brown AICP, FRAQMD APCO/EO
SUBJECT: Adopt Telework Policy

RECOMMENDATION:

Adopt proposed telework policy and direct the APCO to proceed with its implementation. The APCO is authorized to make typographical corrections to the policy as needed.

ALTERNATIVES:

Refer item back to Personnel Committee

BACKGROUND:

Due to COVID-19 many District employees have been working remotely for the last year under interim telework contracts based on a model contract used by Sutter County. Staff is proposing the Board adopt a formal telework policy.

This policy does not include any "teleworker allowance" or other compensation for the employee. Staff feels that issue needs further discussion before bringing any recommendation to the Board.

DISCUSSION:

The attached telework policy has been developed by District Counsel and reviewed by Staff. Also attached is the Teleworking Agreement. This is for reference only and the actual agreement language may be modified as required by the APCO.

The general goal of the District teleworking policy is threefold –

- 1.) Reduce emissions by reducing unnecessary vehicle trips.

- 2.) Improve employee morale and retention by reducing the hours per day spent commuting.
- 3.) Reduce the District's need to conduct expensive remodeling of facilities by allowing shared workspaces.

The attached policy defines which positions are generally for teleworking and defines that teleworking is not a right and it may not be available to positions or all employees.

As with any policy it is likely, over time, issues may arise which will require revisions to the policy.

FISCAL IMPACT:

None

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT
TELEWORK POLICY

INTRODUCTION

This policy is designated to allow telework to be made available to District employees whose work can reasonably be completed remotely and is intended to provide mutual benefit to both employees and the District.

Telework benefits employees, departments, and the community. Benefits may include:

- Decreased energy consumption, air pollution, traffic and parking congestion, and transit overcrowding
- Recruitment and retention of highly qualified employees
- Increased productivity
- Reduced employee absenteeism
- Efficient use of District resources, including office space
- Greater flexibility for employees and departments
- Improved employee morale and job satisfaction
- Reduced employee commute time and costs
- Improved work life balance
- Ability to function during an emergency.

DEFINITIONS

Telework – An alternative work mode in which the employee works at home or some remote location instead of working in his/her principal work location.

Teleworker – Anyone who meets the eligibility requirements and has appropriate resources to telework effectively. Teleworking is not to be confused with alternative work schedules or flexible schedules. Although some teleworkers will have alternative work schedules or flexible schedules, not all who have such schedules will be teleworkers.

ELIGIBILITY

1. An employee may be eligible as a teleworker if:
 - a. The nature of his/her job, or a portion of his/her job:
 - i. Is primarily “knowledge-based” and involves handling of information, including but not limited to reading, writing, analyzing or processing data,
 - ii. Entails project-oriented activities or work with measurable milestones or deliverables,

- iii. Allows for work to be performed at a telework location during a regularly-scheduled work day or portion thereof,
 - iv. Will not, as a result of telecommuting, compromise any of the functions of the department or outside agencies, or
 - v. Does not require elements outlined in ELIGIBILITY section 2 below.
 - b. He or she has passed probation unless this requirement is specifically waived in writing by the Air Pollution Control Officer (“APCO”).
 - c. He or she is in good standing, having a current “Meets Expectations” or above performance evaluation.
- 2. Not every District employee is eligible for teleworking. Employees who would not be eligible for telework have jobs that are entirely, or primarily, location dependent, or require access to resources that are not allowable, or practical, from a telework location.
 - a. More specifically, employees are not good candidates for teleworking if their job requires such things as:
 - i. Face-to-face interaction in the office with clients, co-workers or the public,
 - ii. Access to special office resources, such as copying equipment, large machines, special files, etc.
 - iii. Access to the District’s computer databases and/or applications while teleworking if the District cannot provide remote access due to lack of resources,
 - iv. Field work that must begin and end at the assigned work location in order to comply with District health and safety guidelines,
 - v. Onsite coverage for cyclical or rotating tasks.
- 3. While most employees have jobs that are at least partially location-dependent, if some portion of their work can be done essentially anywhere, these employees are potential teleworkers.
- 4. However, even among employees with teleworkable jobs there may be constraints on teleworking:
 - a. Teleworkers must have work schedules and types of work that allow them to be away from their principle office for entire days or portions thereof,
 - b. The employee’s past work performance is such that the APCO and immediate supervisor have determined that the employee can effectively and fairly perform his/her duties as a teleworker; and
 - c. The type of work must be such that the immediate supervisor can establish clear performance measures for evaluating the results of the teleworker’s efforts.
 - d. Teleworkers may lack adequate internet or phone service to support teleworking
- 5. Telework is a work assignment, not a right, and is at the sole discretion of the APCO (or designee).
- 6. The authorization for telework may be removed at any time for coverage requirements or any other reason by the APCO or designee. Removal or denial of a telework schedule will not be deemed punitive and is not a grievable matter.

AUTHORIZATION FORMS AND APPROVAL PROCESS

1. An employee may become a teleworker if he/she:

- a. Meets the eligibility requirements identified above as determined by the APCO or designee,
 - b. Has read, understood, and meets the additional qualifications for teleworking, as described in this policy,
 - c. Has completed, submitted, and received approval on the Telework Agreement Form, and
 - d. Agrees to abide by other District policies related to teleworking, where applicable.
2. District may require periodic reviews of telework assignments to ensure coverage and other operational requirements are met.

GENERAL TELEWORK REQUIREMENTS AND CONSIDERATIONS

1. In assessing telework assignments, the District is encouraged to consider that teleworking is preferred to be in whole days only, since one of the goals of teleworking is to reduce traffic congestion and related air emissions. However, there are times when partial telecommute days can assist the employee in his/her work and help to reduce traffic congestion and associated air emissions if commuting to/from the principal work office is done during off-peak commute hours.
2. Telework days and hours must be agreed to in advance with the teleworker's immediate supervisor. The actual telework days per week or month may vary depending on the nature of the work at the discretion of the immediate supervisor.
3. Teleworkers will be as accessible as their onsite counterparts during their agreed-upon regular work hours, regardless of work location. Teleworkers and their supervisors should agree upon how teleworkers can ensure they are accessible to their clients, customers, and coworkers and the response time for returning phone calls.
4. In all cases, a teleworker's regular work hours of work, whether on a fixed or flexible schedule, must not exceed their normal schedule unless it is approved in advanced by the immediate supervisor. Prior approval of the immediate supervisor is required for any overtime worked.
5. Performance standards and/or employee accountability for quantity and quality of output should normally not change as a result of teleworking. What may change is an immediate supervisor's method of monitoring and evaluating teleworker performance and possibly some modification of how the teleworker is expected to perform his/her assigned duties. This will be decided by immediate supervisor. The teleworker, his/her supervisor, work teams, subordinates and coworkers may discuss and must ensure that they mutually understand what the teleworker is expected to produce, how that work is to be performed, when it is due, and what resources are necessary for success.
6. A teleworker must report any problems he/she may develop with, or because of, teleworking to his/her supervisor (such as absence of child care, feeling isolated and need more interaction with co-workers, etc.)

TELEWORK OFFICE USE AND EQUIPMENT

1. Most teleworkers will need to have computers and other information technology at their telework location.
2. Teleworkers will take all precautions necessary to secure proprietary information in their home and from wherever they work to prevent unauthorized access to any District information or system.
3. All teleworkers using computers must abide by the policies and procedures established by the District for the purposes of maintaining security and integrity of the District's network system and supporting infrastructure.
4. District has the right to inspect telework computers and/or cancel access to District data. Employees may be directed to stop using their computer and either bring their computer used for telework in to the office for inspection or to have it repaired locally before reauthorization is provided and access is reestablished.
5. It is preferable that telework which requires computers be performed on-line (remotely accessing the District's network) because data will be automatically backed-up, thus protecting against loss of work products. If working on-line is not possible or practical, each teleworker will be required to backup his/her own files, and then update those files on the District's network when he/she goes back online.
6. Home office furniture used for telework must meet the District's ergonomic standards following industry practices. See Health, Safety and Risk Management, below, for more details.
7. Furnishing and household expenses, e.g. heating, electricity, etc., are the sole responsibility of the teleworker. Equipment for use at home is generally not provided nor is it a reimbursable expense.

HEALTH, SAFETY AND RISK MANAGEMENT

1. In order to maintain a business like atmosphere and minimize the chance of accidents, teleworkers are expected to keep their home offices clean and free from obstructions as if they were their regular District offices. A specifically designated work area, to be maintained during work hours, may be part of the formal agreement between the District and the teleworker. Teleworkers will need to complete a checklist of home safety rules and workspace ergonomic requirements. Each teleworker will be required to certify that his/her home office meets or exceeds those requirements and that they will maintain a safe home office.
2. If a teleworker has a work-related accident at home during designated work hours and while conducting District business, he/she will be subject to the same District rules and regulations regarding work-related accidents and must report the incident immediately to his/her supervisor. The Administrative Services Officer will investigate work-related accidents reported to have occurred while teleworking.
3. Home-based teleworkers will be required to keep their offices free of dangerous obstructions, loose wires, and other hazards. They should also have desks, seating, keyboard heights, task lighting, glare reduction, and lighting that is conducive to a good

work environment. Additionally, electrical and telecommunication outlets should be available and in good working order.

4. The District assumes no liability for injuries that occur outside of the performance of the employee's duties and/or outside of the employee's scheduled telework hours. Employees are liable for injuries to third parties (i.e. family members, other non-District employees, etc.) that enter the designated work space.

OTHER DISTRICT RULES WHILE TELEWORKING

1. Existing laws, rules, policies and contract provisions of the District are applicable to all teleworkers, including administrative policies and procedures. If the teleworker is conducting authorized District business and his/her actions are within the course and scope of his/her employment the same workplace rules that apply to District facilities will be applicable to teleworkers' home workplaces. This would include, but not be limited to, policies on internet usage, safety and health, standards of conduct.
2. Teleworkers will accrue sick leave and vacation time at the same rate as if they would in their principle office. If a teleworker is sick and unable to work in his/her home office, those hours are to be reported, as would occur in a traditional office setting. Teleworkers' use of vacation, compensatory time off, sick leave, or any other type of leave is subject to prior approval and verification by their supervisors.

TRAVEL EXPENSES

1. On a case-by-case basis an employee's home, rather than the principal office, may be designated as the headquarters for purposes of calculating mileage or per diem when the employee is required to make business trips.
2. Teleworkers do not receive travel pay for the times when they have to come into the office for work.

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT
TELEWORK AGREEMENT

Instructions If an employee and his or her supervisor decide to pursue the possibility of the employee telecommute, this form is to be completed by the employee, their supervisor and otherwise as noted.

1. **Part 1, General Terms and Conditions:** The employee (teleworker) should review Part 1, which ensures that each County teleworker has read Feather River Air Quality Management District Telework Policy (“FRAQMD Telework Policy”) and has agreed to abide by the general terms and conditions established therein and as described below.
2. **Part 2, Specific Terms and Conditions:** The employee together with their supervisor, should complete Part 2, that defines the employee’s specific terms and conditions for telework. Additionally, check which of the four boxes in the “Approval” section at the end of the form apply.
3. **Part 3, Ergonomic Self-Certification Checklist:** If the teleworker may use his/her home as an office, then complete Part 3 and abide by the rules set forth. Otherwise, skip Part 3. Part 3 is the “Ergonomic Self-Certification Checklist” which certifies that the teleworker’s home office conforms to the factors listed.
4. **Teleworker Certification:** The teleworker should then certify (with signature) that he/she agrees to follow all applicable requirements related to teleworking.
5. **APCO Approval:** Next, the APCO (or designee) must provide his/her signature approval.
6. **HR Filing:** Finally, the completed form (original) should be forwarded to Human Resources, where it will be placed in the employee’s official personnel file.

Part 1: General Terms and Conditions

1. I have read and agree to abide by the rules established for telework, as defined in FRAQMD Telework Policy and this Agreement.
2. Telework is entirely voluntary and may be terminated by the employee or the District at any time. Termination of telework will not be deemed punitive and is not a grievable matter.
3. Upon the receipt of written authorization, I may use my own equipment and/or software to telework. The District assumes no responsibility for the maintenance or repair of my own equipment of software.
4. If there are any equipment or software failures while I am working at home, I am responsible for immediately informing my supervisor. I also understand that I may be asked to return to my

principal office until repairs are completed or a substitute has been provided. I further understand that any repairs made by the District will be performed at a location designated by the District.

5. I am to be working in the same fashion while teleworking as I would if I was in the office; non-work related interruptions must be kept to a minimum. Responsibilities and tasks shall be completed with the same importance and attention as they would be if they were tended to in the office. Telework is not a substitute for dependent child or elder care, nor is it intended to enable employees to conduct personal or non-District business while on District time.

6. I am to report any problems I may be having with, or because of, teleworking to my supervisor (such as relatives or friends always dropping in and causing distractions from work, absence of child care, feeling isolated and needing more interaction with my co-workers, etc.).

7. If I have any questions regarding any of the above or regarding teleworking, I will check with my supervisor.

Part 2: Specific Terms and Conditions

The following are the specific terms and conditions of this telework agreement that apply to my duties as a teleworker. These terms and conditions have been reviewed and approved by my immediate supervisor. Scope of the employee's duties while teleworking:

Day(s) of Week (which day[s] of week may be teleworked):

Hours of Work (how many hours per week, or per month, may be teleworked and scheduled begin and end times):

Technical Requirements (such as on-line access requirements):

Check In Requirements (to whom and how often):

Work Performance Measures (how will performance be measured while teleworking):

Part 3: Ergonomic Self-Certification Checklist

As a home teleworker, while I understand that I am free to set my home office to suit my personal tastes, it is important that my home office conforms to certain health and safety standards. As a prerequisite to home-based telecommuting I am required to certify that my home office conforms to the factors listed below. I am also required to maintain these standards while I am teleworking.

- **Desk and Chair**
 - If I am NOT using a computer while I am teleworking, then I need to have a desk with a desktop that is between 27 and 30 inches from the floor. If I am using a computer, then the desktop supporting the computer keyboard should be adjustable to within 26 to 30 inches from the floor, or of such height as to allow for the following biomechanics when adjusted in combination with my chair.
 - Specifically:
 - My forearms and wrists should be parallel to the floor, with upper arms resting at my sides, while I am using the keyboard or desktop;
 - My thighs should be parallel to the floor;
 - My feet should be flat on the floor or otherwise supported with a footrest that allows me freedom of motion—preferably with knees approximately 1 to 2 inches higher than seat;
 - There should be adequate clearance between my upper thighs and the underside of the work surface;
 - My wrists should be in a straight and neutral position when resting on the keyboard;
 - The back of my chair should support the curve of my lower back so that my spine is slightly arched.
 - Additionally, if I use a computer:
 - The center of the computer viewing screen should be about 2 inches below eye level so that I do not have to tilt my head down or back (which means that the top of the screen should be roughly at eye level);
 - The screen should be at a comfortable distance away (no more than two feet) so that I do not have to lean forward or backward to read the symbols on the screen.
- **Keyboard and Mouse**
 - Keyboard and mouse should be located at the same level, to eliminate the need for reaching;
 - The keyboard and mouse should be adjusted to retain wrist neutrality while allowing for knee clearance;
 - Wrists should have a soft pad on which to rest, not a hard angle such as that provided by a table or desk edge.
- **Computer Screen**
 - If I use a computer, the display screen should be kept clean and dust free, free from glare, and adjusted for good image contrast and brightness.

- Specifically, it should be located in the office so that:
 - It does not directly face an outside source of light such as a window or sliding glass door;
 - There are no lights above and/or behind the screen that can cause glare;
 - Windows to the side of the screen are shaded or otherwise treated to eliminate glare and distraction.
- **Lighting**
 - I should have adequate task lighting, such as a gooseneck lamp, to illuminate the surface of my workspace without causing any glare on my computer screen.
- **Electrical Power**
 - My home office space must be wired so that its capacity is more than adequate to support the requirements of the equipment I use in the office.
 - Additionally:
 - Electrical outlets, electrical cords, and other sources of electricity should meet Uniform Building and Fire Code requirements. If unsure, I will check with my local fire department on these requirements;
 - Surge protectors are installed for any computers, printers, fax machines, and phone lines in the office. Uninterruptible Power Supplies (UPS) also may be required for some computer installations;
 - All office related equipment is given sufficient ventilation space, per manufacturer's or installer's instructions.
- **General Workspace**
 - Other items needed in the workspace, such as file cabinets, worktables and chairs, are easily accessible and are situated so that they do not impede access to and from the work area. The work area is to be kept free of obstructions that may cause me to trip, stumble, or otherwise be hazardous. All equipment and objects such as shelving must be supported and/or fastened to the wall so that they will not become hazardous (such as in an earthquake). Stairways and entranceways leading to/from my workspace must be well lit and free from obstructions. If unsure, I will ask my homeowner's agent, local Red Cross, or fire department for guidance in this area.

Approval

Approval is granted below for the following parts of this form (check which apply):

____ Part 1, General Terms and Conditions (For all teleworkers)

____ Part 2, Specific Terms and Conditions (For all teleworkers. Part 2 must be reviewed and approved by an immediate supervisor)

____ Part 3, Ergonomic Self-Certification Checklist (For teleworkers who may work from a home office)

____ Check here if on-line remote access to the County's network is required for telework and that that technical requirements for online remote access to the County's network have been met.

Teleworker Certification:

I have reviewed the above requirements and hereby certify that I have read, understood, and agree to abide by the rules described above in Part 1, Part 2, and if applicable, Parts 3 and network requirements.

Teleworker's Name (printed): _____

(Teleworker's Signature)

(Date)

Approval:

(Supervisor's Signature)

(APCO's Signature)
