

Article XVI Flexible Work Arrangements

Section 1. Purpose of the Policy

Alexander County recognizes some of its employees may seek ways to achieve better balance between work and life, reduce commuting costs, or address other issues affecting their ability to work onsite at County facilities or to work a traditional schedule. As such, management has the ability to utilize flexible work arrangements, when appropriate, to meet departmental needs while at the same time providing enhanced flexibility to employees.

Departments are strongly encouraged to be open to alternative work arrangements with the understanding the flexibility must be accompanied by appropriate employee accountability measures and be compatible with the operational and staffing needs of the work unit. Department Heads are expected to offer flexible work arrangements equitably for similarly situated individuals within a particular work unit.

Specifically, Department Heads and employees alike must be mindful of the special accountabilities applicable to the County as a public employer. Additionally, not every Alexander County position lends itself to flexible work arrangements, nor may every proposed arrangement be accommodated or approved.

Beyond the benefits afforded to individual employees, additional policy considerations include balancing workplace flexibility against the needs, interests, and mission of the County, ensuring the County can continue services to its citizens, and providing Department Heads with an important tool to meet environmental and budgetary challenges.

Section 2. Flexible Work Arrangements

This policy sets out three types of flexible work arrangements available at Alexander County: (1) temporary changes in work hours; (2) flexible work schedules; and, (3) flexible work locations (“teleworking” or “telework”). A description of the expectations and obligations associated with each of these flexible work arrangements are included herein.

Temporary Change in Work Hours

Employees may request and the Department Head may grant a change in an employee’s regular work schedule which is not permanent or ongoing in order to adjust for an unplanned, short-notice, or sporadic event. This change may include modifying normal work start and end times or allowing work missed on one day to be made up on another. The flexibility helps the employee to avoid taking leave or other paid time off that would otherwise have to be accounted for in a given week. Department Heads have the discretion to grant minor, temporary changes in work hours as long as the operational needs of the department are satisfied and to discontinue such arrangements when deemed necessary.

Flexible Work Schedules

Flexible work schedules are adjustments to the employee's reporting or departure times on a regular or recurring basis to respond to the work/life needs of an employee. The revised schedule must continue to support the operational needs of the County and allow for appropriate oversight of the employee's work assignments. Department Heads are advised to ensure adequate supervision for situations in which adjusted work schedules fall outside of core operating hours. Department Heads may revise or revoke flexible work schedules at any time; however, Department Heads should consult with the Human Resources Director and provide reasonable advance notice to the employee of such revision or revocation, to permit the employee to make alternate arrangements. Ten working days of notice is generally considered appropriate, unless employee conduct or safety issues necessitate a shorter notice period, at the discretion of the Department Head.

Flexible Work Locations ("Teleworking" or "Telework")

Teleworking represents an adjustment to the employee's customary worksite, either on a short-term, ongoing, or recurring basis, made to respond to the work/life needs of an employee while also considering the operational and staffing needs of the department or unit. A telework situation is voluntary for the employee and at the sole discretion of management. An employee is not entitled to a telework option; it is the County Manager's prerogative to establish a telework arrangement.

The County Manager makes the sole determination of which positions or employees are eligible for teleworking. Full-time or part-time (30 hours per week or more) who are permanent employees are eligible for consideration of teleworking arrangements. As a general rule, temporary, intermittent, probationary, or part-time (less than 30 hours per week) employees are not eligible for teleworking arrangements. The employee must not have any disciplinary action in their personnel file in the previous year. Some positions have job responsibilities or unique functions which do not lend themselves to teleworking (e.g., front desk receptionist, building and grounds maintenance staff, and supervisory staff).

Work activities by those employees who are not subject to the overtime provisions of the Fair Labor Standards Act (FLSA) and who choose to accomplish part of their job duties outside of their normal work hours, such as, but not limited to, checking email, reading work-related documents, and returning calls, are not covered by this policy.

Typically, telework arrangements involve the employee regularly or primarily working from home and are sometimes referred to as "virtual" work arrangements. The teleworking arrangement must continue to support the operational needs of the work unit and also provide for appropriate oversight of the employee's work. To assure appropriate accountability and oversight of teleworking arrangements, the County established the following pre-approvals and minimum work requirements:

- a. A teleworking arrangement must be recommended for approval by the Department Head, pre-approved by the Human Resources Director, and final approval rests with the County

Manager prior to being communicated to and implemented with the employee. The employee and Department Head must submit a completed Telework Request form to the Human Resources Department.

b. Once approved, the employee must sign the Telework Agreement before starting the teleworking arrangement and submit the form to Human Resources. The form must be signed-off on by all parties prior to the telework assignment begins.

c. The teleworking employee must spend at least one day per week physically on-site at the assigned department location working in an official County office or facility to assure the employee gets an opportunity to interact with their work team and has adequate “face to face” supervision and accountability. Other types of virtual interactions (video conferencing, etc.) should occur regularly enough to provide the teleworking employee a connection to coworkers and the workplace.

d. Teleworking arrangements will be in effect during the time period indicated on the teleworking request and must be renewed every thirty (30) days. If there are any changes to the teleworking agreement, including changes to the employee’s teleworking location, a new Telework Agreement Form needs to be submitted to the Human Resources Director at least ten (10) days in advance of the effective date of the change(s).

e. Department Heads are responsible for notifying Human Resources when a teleworking assignment is being discontinued prior to the date indicated on the teleworking form.

Section 3. Management Considerations

In reviewing an employee’s request for a flexible work arrangement, Department Heads need to consider a variety of factors in determining whether the request is compatible with the operational and staffing needs of the work unit and the County as a whole, such as:

- a. Present and future operational and staffing needs of the department.
- b. Employee’s level of performance and experience on the job.
- c. Work/life needs of the employee and suggested timeframe.
- d. Restrictions on how, when, and where the employee’s work must be performed.
- e. Degree of autonomy and independence of the position.
- f. Functionality as part of a team requiring a matching schedule of all team members or significant in-person communication, compared to telephone or online communication.
- g. Visibility of the position and relative efficiency.
- h. Ability of the department to provide coverage for all work functions without unduly burdening other employees in the department, or creating employee dissatisfaction, in absence of the employee who is teleworking.
- i. Ability to handle requests for flexible schedules equitably for similarly situated employees within the department.
- j. Application of teleworking to be made consistently without showing favoritism.
- k. Adequate budget to provide the necessary office supplies and equipment.
- l. Effective monitoring of the employee’s work occurring outside the supervisor’s regular schedule and away from the office location.
- m. Employee access to all necessary work-related data or files at the teleworking site and assurance of secure and confidential information.

Section 4. Teleworking Conditions

Compensation and Benefits

An employee's compensation, benefits, work status, and work responsibilities will not change due to teleworking. The amount of time an employee is expected to work per day or pay period will not change as a result of a telework arrangement.

If an employee is unable to work due to illness or becomes ill while working, he/she should notify their supervisor immediately. Any time away from work due to illness must be covered by using accrued leave.

Conditions of Employment

Any and all legal protections and workplace policies that relate to an employee's status which normally apply to the office location will apply to an employee authorized to telework off-site (e.g., FLSA, Family Medical Leave Act, workers' compensation, performance evaluations, and other standards and requirements). Teleworking arrangements do not change the conditions of employment or required compliance with applicable workplace laws, policies, and rules.

Environmental Health and Safety Considerations

In a manner consistent with Alexander County's personnel and safety policies, employees and supervisors will work together to make safety an integral part of a telework arrangement. The employee is responsible for maintaining the telework site in a manner free from health or safety hazards.

Since the employee's telework site is an extension of the County workspace, workers' compensation liability may be, but is not necessarily, applicable for job-related injuries that occur in the course and scope of employment. In cases where the home and the designated workplace are the same, workers' compensation will not apply to non-job-related injuries that might occur at the telework site. Questions, including those related to how and when to report a job-related injury, should be directed to the Department Head and Risk Management Specialist.

Equipment, Materials, and Security

The County will provide a teleworking employee with office supplies and equipment as it deems appropriate. A teleworking employee understands and agrees that County-owned resources will be used for County business in accordance with County policies, and will take reasonable steps to protect all County property from theft, damage, or misuse. A teleworking employee will follow all appropriate data security and record management practices and protocols, to the same degree as is expected of employees in the customary worksite, including their vigilant compliance with all data security and confidentiality requirements, as established by applicable law and policy. The teleworking employee agrees to comply with the licensing agreements for all software owned by the County, whether used on or off-site to conduct work. The County assumes no responsibility for any damage to, wear of, or loss of the teleworking employee's personal or real property.

The County is not responsible for any costs associated with the maintenance, insurance, and utilities at the employee's alternative worksite.

Travel Expenses

Flexible work and teleworking employees are not eligible for travel expense reimbursement when they commute to and from the County's office location for work purposes. Teleworking employees may be eligible for travel reimbursement, in accordance with current County policies, for meetings and business events that take place away from the County worksite (e.g. travel from/to the teleworking site to a location away from the assigned office location).

Work Hours and Leaves of Absence

Teleworking employees are expected to perform their work during designated work hours and not engage in activities which are not work-related. Variations to telework hours, including overtime work, vacation, and other leave requests, must conform to department and County policies and practices.

Family Medical Leave Act

Teleworking is not a substitute for sick leave or family medical leave. Employees are encouraged to use their leave benefits and must not be compelled to work when medical leave is used.

Third Party Prohibition, Injuries, and Liability

Teleworking employees shall not host or allow third parties to enter their remote worksite to conduct official County business or use county owned equipment.

Section 4. Termination of Telework Arrangement

Teleworking is not an employee right and the County may terminate a telework arrangement at its sole discretion. The termination of a teleworking arrangement established by management cannot be appealed through the County's grievance process.

Section 5. Special Circumstances Requiring Widespread Teleworking

In the event of a catastrophic weather incident, an outbreak of a serious communicable disease, physical damage, destruction, or unavailability of the worksite due to fire or other condition, or other such significant emergencies, this telework policy may be implemented by the County Manager on a more widespread basis. In such cases, employees may be required to work from alternate sites (including their homes) in order to meet the operational needs of the County. The County Manager has authority to determine whether special circumstances exist to implement the telework policy on a required and more widespread basis.

The implementation of this provision would typically occur for no more than thirty (30) days. If the County determines that a special circumstances provision should last longer than the initial thirty (30) days, renewal decisions will be made in increments of thirty (30) days. This will give both the County and the employee(s) reasonable notice. (For example, a category three hurricane may require three weeks of teleworking whereas a smallpox pandemic may require a longer period of time.)

Section 6. Roles and Responsibilities

Department Heads and supervisors with questions regarding the flexible work arrangements described in this policy should contact the Human Resources Director or the County Manager's Office.

Approved: January 17, 2023