



# PERSONNEL POLICY BULLETIN



## Alternative Worksite Policy

Board of Commissioners Approval & Effective Date: August 15, 2023

### Purpose

This policy sets forth the guidelines for alternative worksite arrangements and is intended to provide consistency across the County while allowing Elected Officials and Department Heads to meet their business needs through optimal staffing and operational decisions.

### Policy

#### **A. Objective**

It is expected that most employees will perform their job duties at their worksite at Sarpy County. Regular, physical attendance fosters a positive, cohesive workplace culture and is an essential function for most Sarpy County positions. However, we also recognize flexible work schedules and arrangements may be needed. In those situations where an alternative worksite arrangement is necessary as part of an accommodation or in response to unforeseen circumstances such as natural disaster or a pandemic, or in those situations where an employee is able to perform their essential duties at an alternative worksite without a loss in work efficiency, a department may consider entering into an alternative worksite arrangement with an employee.

Positions well suited for an alternative worksite arrangement includes those that require independent work and minimal face-to-face contact with co-workers and the general public. Alternative worksite arrangements are not an entitlement or benefit, and it in no way changes the terms and conditions of employment with Sarpy County. The County and the employee's Elected Official or Department Head reserve the right to modify, suspend or terminate any alternative worksite arrangement in their discretion.

*Occasional work off-site, including work while traveling on county business does not require the formal arrangements discussed in these guidelines.*

#### **B. Terms and Conditions of Employment**

1. **Accountability.** Employees working from an alternative worksite are expected to perform the same job duties and produce the same quantity and quality of work expected from them if they were working at their regular, on-campus worksite. To ensure that this is occurring, employees working from an alternative worksite may be required to submit written reports to their supervisors detailing their work performance. Employees working from an alternative worksite also may be



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required to work on-campus or attend meetings in-person or by videoconferencing, as determined by their supervisor.

2. **Hours and Availability.** Employees working from an alternative worksite are expected to generate the same number of hours and to be available throughout the approved workday in the same manner as if they were working from their regular, on-campus worksite. Employee's work schedule may be amended by their immediate supervisor. Employees are expected to obtain their supervisor's advance written approval before working any fewer or greater number of hours than their work schedule and such request may be denied. Personal obligations must not interfere with the quantity or quality of the employee's work and employees therefore are expected to request appropriate leave time in advance if they need to attend to personal needs during their regularly scheduled work hours.
3. **Compensation.** Employees working from an alternative worksite will continue to be compensated in the same manner and at the same rate as if they were working at their regular, on-campus worksite. Non-exempt employees working from an alternative worksite must record the actual number of hours that they spend working. Employees must not engage in overtime work without prior written approval from their supervisor. On those occasions that non-exempt employees report to their regular, on-campus worksite, they will not be compensated for the time they spend traveling to the on-campus worksite from their alternative worksite.
4. **Professionalism.** Employees working from an alternative worksite are expected to conduct themselves in the same manner and with the same degree of professionalism expected of them if they were working at their regular, on-campus worksite. Employees working from an alternative worksite are expected to adhere to all applicable county policies including, without limitation, those relating to standards of conduct, IT/data security, sexual harassment or misconduct, and discrimination.
5. **Tax and Insurance Considerations.** The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling obligations in this area rests solely with the employee. The County will not provide tax guidance to employees, nor will the County assume any additional tax liabilities. Additionally, the employee may be required to maintain appropriate insurance coverage on their alternative worksite. The County makes no representations as to the personal liability or tax consequences of maintaining an alternative worksite.



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- 6. Travel to Designated Work Location (Sary Campus).** Employees working off-campus may still be required to attend on-campus meetings or events. The County will not reimburse mileage or compensate for travel time for employees to attend such on-campus meetings and events.

### C. Equipment and Supplies

- 1. Alternative Worksite Furnishings, Telephone, Internet and Maintenance Service.** Employees working from an alternative worksite are responsible for providing a suitable work area and furnishings that will allow them to work remotely, including internet and telephone access. The costs associated with establishing and maintaining such a work area shall be the sole responsibility of the employee unless otherwise agreed to by the County in writing.
- 2. Equipment.** Sary County is required to comply with the Nebraska public records law and as a result requires that all employees utilize county computer equipment and software when conducting county business from an alternative worksite. If county equipment is not available, the employee will not be able to work at an alternative worksite. The Elected Official or Department Head may provide general office supplies, in their sole discretion.

Equipment and supplies provided by the County to employees working from an alternative worksite shall remain the exclusive property of the County and will be maintained by the County. The employee is responsible for returning all county property upon termination of employment or termination of the alternative worksite arrangement.

Employees shall be expected to strictly adhere to all County policies and restrictions relating to the use of County property and shall be liable for any damages arising out of the negligent or intentional misuse of that property. Employees shall be expected to strictly adhere to all County policies and restrictions relating to the use, security, and confidentiality of any business information that is generated, used, or collected while performing work from an alternative worksite. The County may request to inspect, repair, inventory, or retrieve any equipment or supplies provided to the employee. All County property provided to employees working at an alternative worksite shall be used solely by that employee in providing services to and on behalf of the County.



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- 3. Notification of Equipment or Internet Failure.** Employees working from an alternative worksite must notify their supervisor as soon as possible, and in no event longer than two (2) hours, after determining that their equipment or internet/phone connection has stopped or is malfunctioning during a workday. Employees who cannot perform their expected duties because of a stoppage or malfunction of equipment or a connection can, with the approval of their supervisor, arrange to perform other duties, obtain substitute equipment, report to the on-campus worksite, or take appropriate leave.

### D. Security

Consistent with the County's expectations of information security for employees working on campus, employees working from alternative worksites will be expected to ensure the protection of County systems, equipment, and confidential information accessible from their alternative worksite. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment. Employees are required to strictly adhere to all County policies and restrictions on the use, security, and confidentiality of any business information that is generated, used, or collected while performing work from an alternative worksite.

### E. Safety

- 1. Designated Work Area.** Employees using their home as an alternative worksite should designate a specific area within their home from which they will perform their work. That area must always be safe and free from hazards and all equipment and supplies provided by the County must be properly stored and maintained within that area. Sarpy County policies and procedures must be followed and any incident that breaches privacy/confidentiality must be reported to the employee's supervisor as soon as possible. The County reserves the right to assess the alternative worksite during regular working hours, for safety inspections or worker's compensation investigations.
- 2. Reporting of Work-Related Injuries and Illnesses.** Normal protocols for work-related injuries and illnesses will be followed. Employees must report any work-related injuries or illnesses they sustain while working at an alternative worksite. Such reports must be submitted to the employee's immediate supervisor within twenty-four (24) hours of the injury or the onset of the illness, using the standard form for reporting such injuries or illnesses.



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- 3. Liability.** The County assumes no liability for any injuries sustained by the employee or illnesses arising or occurring outside of the employee's alternative worksite(s), outside the employee's working hours, or during any travel by the employee between the two worksites. The County also assumes no liability for any injuries occurring to any individuals who are not County employees while they are at the alternative worksite.

### **F. Childcare.**

Assignment of an alternative worksite is not designed to be a replacement for appropriate childcare or care for others. Although an individual employee's schedule may be modified to accommodate such needs, the focus of the arrangement must remain on job performance and meeting business demands.

### **G. Terms of Alternative Worksite Arrangements**

The County reserves the right to modify, suspend, or rescind any alternative worksite arrangement whenever the County determines that such action is necessary for its operations or that the arrangement is being abused. An alternative worksite arrangement does not create any contractual rights for the employee and does not alter the basic employment relationship between the employee and the County.

Questions regarding alternative worksite arrangements should be directed to Human Resources. If an alternative worksite arrangement is established as part of a reasonable accommodation plan under the Americans with Disabilities Act (ADA), as amended, it may be necessary and permissible for the provisions of the accommodation plan to deviate from the general guidelines contained within this policy.