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PALM BEACH COUNTY

ADMINISTRATIVE POLICY 18-03 Remote Work

TO: All Employees
FROM: Joseph Abruzzo, Clerk of the Circuit Court & Comptroller
SUBJECT: Remote Work

ORIGINAL ISSUE DATE: 9/5/2018

REVISION DATE: 04/01/2020,
07/10/2020, 6/1/2021, 9/10/2021,
3/15/2022

PURPOSE:

To establish a policy and procedures to encourage, where appropriate, the use of remote work in order to:

- attract and retain a diverse and talented work force;
- reduce employee commute trips and traffic congestion;
- reduce parking requirements and office space needs;
- accommodate special needs of employees;
- accommodate emergencies;
- increase employee motivation;
- increase productivity;
- provide an enhanced work/life balance; and
- support public policy goals by reducing environmental impact.

BACKGROUND:

The Clerk's office supports remote work, one or more days a week, as an alternative work arrangement and encourages supervisors to implement remote work arrangements, where appropriate, for eligible employees. Guidelines and criteria for remote work arrangements are set forth in this policy. The intent of this policy is to allow employees and their supervisors to design their own remote work arrangements, in accordance with the provisions of this policy.

DEFINITIONS:

Remote work – the concept of working from an employee's home or alternate work location on a full- or part-time basis; also referred to as telecommuting.

Situational remote work – remote work that is done infrequently or on an as-needed basis; situational remote work does not require a "typical" schedule; situational remote work may be approved in instances where employees are working on a particular project (for example). All employees are required to document remote workdays on their timesheet in the timekeeping system accordingly.

Regular remote work – remote work that follows a "typical" schedule each week. All employees are required to document remote workdays on their timesheet in the timekeeping system accordingly.

RESPONSIBLE PARTY:

Human Resources department

POLICY:

The remote work program is not a formal employee benefit nor is it an entitlement. Rather, it is an alternative method of meeting the needs of the Clerk's office and our employees if appropriate and approved. Employees are not required to work remotely. Employees have the right to refuse to remote work if the option is made available to them, and to terminate a Remote Work Agreement at any time, with up to a two-week notice.* The Clerk's office has the right to refuse to make remote work available to an employee, and to terminate a remote work arrangement at any time and for any reason, with up to a two-week notice. Remote workers are subject to the same rules, policies, and procedures as other

employees. Remote work will not adversely affect an employee's eligibility for advancement or any other employee right or benefit.*

*In the event of an emergency, including a public health emergency or if the Clerk's Continuity of Operations Plan (COOP) is invoked, the Clerk can require employees who are not sick, who qualify for the Remote Work program, and who are provided appropriate resources to work remotely to ensure the continuation of essential services to the public.

Exempt employees are expected to work the hours necessary for the successful completion of their work obligations. This policy does not necessarily apply to exempt employees who perform work remotely outside normal business hours.

I. Eligibility

Employees may be selected based on successful completion of their introductory period (or waiver of same by a Chief Officer), the suitability of their jobs for remote work, an evaluation of the likelihood of their success as a remote worker, and an evaluation of their supervisor's ability to manage remote workers. Each department will make its own selections with Chief Officer approval, with a focus on performance and job characteristics.

A. Performance Characteristics

The following performance characteristics are typically associated with successful remote workers and may be considered, among other characteristics, before entering into a Remote Work Agreement:

- i. employee's self-motivation, initiative, and judgment;
- ii. fully trained and proficient in work duties based on supervisor's assessment;
- iii. meets all productivity standards;
- iv. ability to work alone effectively for extended periods;
- v. completes assignments independently and on time, meeting standards for quality;
- vi. asks for assistance when needed;
- vii. limited need for feedback but able to ask for it if necessary;
- viii. communicates information fully and timely with leadership, coworkers, support staff, and customers, as applicable;
- ix. sets appropriate priorities, changes priorities as needed, and maintains a suitable work pace;
- x. demonstrates dependability and responsibility in meeting attendance standards, following through on projects and work assignments, maintaining confidentiality of Clerk's office information, and properly document remote workdays; and
- xi. operates and adjusts computer or other equipment independently, to the degree that will be required at the alternate work location.

B. Job Characteristics

A job that is appropriate for a remote work arrangement typically has the following characteristics:

- i. face-to-face interactions are minimal or can be scheduled;
- ii. the needs of internal and external customers can be satisfied from an alternate work location;
- iii. the need for specialized equipment is minimal or flexible;
- iv. workflow can be scheduled and different tasks can be allocated to be completed on remote work or non-remote work days;
- v. clear objectives can be set and tasks can be clearly defined; and
- vi. includes tasks that can best be completed during quiet, uninterrupted time.

C. Prerequisites Necessary for Qualification

The following conditions must be met in order for an employee to qualify for remote work:

- i. the employee must submit a Remote Work Agreement and receive approval;
 - a. supervisor, manager, director, and Chief Officer approval is required for non-management staff;
 - b. manager, director Chief Officer, and Chief Deputy Clerk (if applicable) approval is required for supervisory staff;

- c. managers, directors and Chief Officers are exempt from the requirement to submit an agreement, but must receive approval from their immediate supervisor.
- ii. the employee must sign and abide by the Remote Work Agreement, which must specify the number of days the employee is able to work remote. An updated Remote Work Agreement will be required should the specified number of workdays change.
- iii. both the supervisor and the employee must participate in all training and evaluation efforts associated with the Remote Work Program;
- iv. the employee should make and maintain appropriate dependent care arrangements, as they are able and if applicable, to permit concentration on work assignments;
- v. the supervisor must be willing to invest the time necessary to help the remote work arrangement succeed, including making adjustments to the arrangement;
- vi. the employee and supervisor must plan with co-workers how workflow issues will be addressed while working remotely, such as phone calls, mail, and meetings;
- vii. the employee must be available by phone and e-mail during all specified working hours; and
- viii. the employee must be available for on-site meetings deemed necessary by management.

II. Responsibilities

A. Remote Work Employees

If selected for a remote work opportunity, employees are required to:

- i. become familiar with the policy and guidelines for remote work, the Remote Work Agreement and related documents;
- ii. document all remote workdays in the timekeeping system accordingly;
- iii. complete and sign the Remote Work Agreement, and abide by its terms and conditions;
- iv. participate in remote work training;
- v. set up a dedicated alternate work area that is safe for the employee and others entering it;
- vi. establish work practices that make the remote work arrangement transparent to customers, ensuring that customers are not inconvenienced in their dealing with the employee or the Clerk's office;
- vii. report to customer and Clerk's office work locations, as required, at the request of their supervisor or customers;
- viii. safeguard proprietary information;
- ix. determine federal, state and local tax implications resulting from working at an alternate location and satisfy their personal tax obligations;
- x. comply with applicable state and local zoning ordinances;
- xi. comply with all other terms and conditions of employment; and
- xii. submit accurate Remote Work Logs and/or Productivity Logs to their supervisor for any days worked remotely.

B. Supervisors

Supervisors are required to:

- i. become familiar with the policy and guidelines for remote work, the Remote Work Agreement and related documents;
- ii. ensure employee is accurately documenting remote workdays in the timekeeping system;
- iii. consider employee requests to work at alternate locations that benefit the remote worker and do not adversely affect Clerk's office interests;
- iv. decide whether a remote work arrangement is beneficial to an employee and the Clerk's office;
- v. update the Remote Work Agreement if any aspect covered by the agreement changes;
- vi. participate in remote work training;
- vii. review Clerk's office instructions for computer security and safeguarding proprietary information with the employee;
- viii. maintain inventory of Clerk's office owned equipment at an employee's alternate work location;
- ix. continue normal supervisory activities including career development, ongoing feedback, and performance appraisals; and
- x. maintain and audit Remote Work Logs and/or Productivity Logs of remote workers.

C. Human Resources

The Human Resources department is required to:

- i. assist and encourage employees, and leaders wishing to implement remote work arrangements;
- ii. answer questions about the remote work program and help resolve difficulties impeding implementation;
- iii. assist in establishing expectations and effective communication; and
- iv. provide and/or coordinate training for remote work participants (remote workers, supervisors, and management).

III. Communication

Employees are expected to be available by phone and email when working remotely. The employee is primarily responsible for maintaining effective communication and workflow among customers, co-workers, and their supervisor. Communication should allow remote work to appear invisible to outside customers. Employees must keep their supervisor informed of their progress on assignments, as well as any problems experienced while working remotely. Supervisors are responsible for establishing the method and frequency of communication to be utilized in the Remote Work Agreement and may include:

- i. e-mails or in-person discussions regarding plans for work for the upcoming remote workday(s);
- ii. follow-up e-mails or in-person discussions regarding accomplishments during the remote workday(s); and
- iii. scheduled telephone “meetings” on the remote workday(s).

IV. Remote Work Training

If selected for a remote work opportunity, and before beginning the remote work arrangement, employees and their supervisors must complete a remote work training administered by HR. The training will include Remote Work Policy, alternate workplace safety, performance evaluation, designing remote work assignments, and tips and guidelines for successful remote work. The objective is to ensure continued high quality of customer service and to avoid transferring work to coworkers, as well as other considerations for successful remote work.

V. Workspace

The employee must designate a workspace within the remote work location for placement and installation of equipment to be used while working remotely. The employee must maintain the workspace in a safe condition, free from hazards and other dangers to the employee and equipment. Any materials taken to the alternate work location should be kept in the designated work area and not easily accessible to others.

The employee’s alternate workspace will be considered an extension of the Clerk’s office workspace. Therefore, the Clerk’s office will continue to be liable for job-related accidents that occur in the employee’s alternate workspace during the employee’s working hours. The Clerk’s office assumes no liability for injuries occurring in the employee’s alternate workspace outside the agreed-upon work hours. This includes family members, visitors, or others that may become injured within or around the employee’s alternate workspace.

Physical work-related meetings must not be held at the remote work site.

It is the employee’s responsibility to determine any income tax implications of maintaining a home office or alternate work area. The Clerk’s office will not provide tax guidance or assume any additional tax liabilities.

Employees who enter into a Remote Work Agreement may be required to forfeit the use of their personal office space or workstation at their normal work location in order to maximize office space needs.

VI. Equipment, Software, and Supplies

A. Equipment

The Clerk’s office will determine, with information supplied by the employee and their supervisor, the appropriate equipment needs for each remote work arrangement and provide the necessary hardware

and software at no cost to the employee. Equipment supplied by the Clerk's office is to be used for work-related business only and may not be used by anyone other than the remote work employee. Employees must follow the guidelines set forth in the [Acceptable Computer Use](#) policy.

To ensure that all records are properly maintained by the Clerk's office, printers will not be issued for remote use and remote workers are prohibited from printing work materials off-site, unless approved to do so by Chief Officer (or designee).

No compensation will be made to the employee for any electric, heating/air conditioning, or wear and tear related expenses at the employee's alternate workspace. The Clerk's office will not pay for or provide reimbursement for internet access or long-distance telephone calls made on the employee's personal phone. Employees will be required to have reliable internet connection with a minimum download speed of 25 Mbps.

The Information Technology department will provide the necessary equipment to the employee once HR confirms the employee has successfully completed the Remote Work Training.

The Information Technology department will provide the necessary maintenance and upgrades to the remote work equipment. It is the responsibility of the employee to promptly report any equipment and/or software problems to the Clerk's office Help Desk. The employee will be responsible for transporting the equipment to the Clerk's office for repair if necessary. Surge protectors must be used with any Clerk's office owned computer. The Clerk's office will repair or replace lost, damaged, or stolen equipment provided the employee has taken appropriate precautions to safeguard the equipment.

Equipment provided for remote work purposes (such as a laptop) may be shared among multiple remote work employees. All equipment provided by the Clerk's office remains the sole property of the Clerk's office. Upon separation or transfer to a new a job that does not allow for remote work, it is the responsibility of the employee to return any and all equipment to the Clerk's office.

B. Software

Clerk's office owned software may not be duplicated except as formally authorized. No employee-owned software may be loaded onto a Clerk's office owned computer. The employee will be liable for any intentional damage to the equipment and for any damage resulting from gross negligence by the employee or any member of the employee's family or household. The employee will also be liable for damage resulting from a power surge if no surge protector is used.

C. Supplies

Office supplies will be provided by the Clerk's office as needed. Out-of-pocket expenses for other supplies will not be reimbursed unless approved by the employee's manager.

VII. Work Schedule

The Clerk's typical workweek consists of a forty-hour week, within a 7-day period, beginning on Saturday and ending on Friday, in addition to supervisor or manager pre-approved overtime, if applicable. A regular work schedule must be indicated on the Remote Work Agreement. Employees are required to document remote workdays in the timekeeping system. Employees must notify their supervisor of any change in the number of hours worked and/or their work schedule. If a holiday falls on a regularly scheduled remote workday, the employee and supervisor may select another mutually acceptable day to work remotely. Employees may be eligible to work a flexible schedule while working remotely with supervisor approval. Work schedules for non-exempt employees must be in compliance with the Fair Labor Standards Act.

If an employee is required to be in the office on a scheduled remote workday, the employee may be required to reschedule or forfeit the remote workday. Forfeited remote workdays do not accumulate and are not transferrable from one week to the next.

Employees may not leave their normal worksite part-way through the day to work remotely without supervisor approval. Remote work employees must obtain supervisory approval before taking leave in accordance with established office procedures.

VIII. Timekeeping

Normal timekeeping procedures must be followed while working remotely. Non-exempt employees must clock in and out each day and when taking lunch using the time-keeping system. Furthermore, non-exempt employees must clock out any time work is not being performed, except for minimal interruptions. Exempt employees are not required to clock in and out. However, all employees are required to document remote workdays in the timekeeping system. All employees, supervisors, and managers must review and approve the timecard at the end of each pay period to ensure accurate pay.

IX. Travel

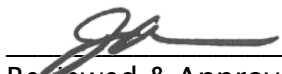
Travel time and/or costs will not be reimbursed if an employee is required to travel to their normal work location on a remote workday. Travel time and/or costs for travel to an alternate meeting or training site will only be reimbursed if these travel costs would have been incurred had the employee been working at their normal location. In this case, the amount reimbursed will be either the cost of travel from the normal work location or from the alternate work location to the training/meeting site, whichever is less.

The employee is covered by the same travel/accident provisions as at the normal work location when traveling for authorized, job-related purposes on the day the employee is working at an alternate location. The employee is not covered for travel accidents when commuting to and from work on days the employee is working in the normal work location or for accidents that may occur when the employee is not on authorized, job-related business.

X. Reevaluation

The remote workspace is not intended to permanently replace the employee's current worksite. The remote work arrangement with each employee will be reevaluated by the Chief Officer (or designee), director, manager and supervisor periodically. Further evaluation will take place during the performance review period. The employee's management team will use these ongoing reevaluations to determine whether to continue the remote work arrangement.

The employee is required to participate in inquiries, studies, reports, and analysis relating to this program.



Reviewed & Approved