

Series 4000 – Personnel

SP 4113.5

TITLE: Working RemotelyApproved by: *Francisco Reveles, Ed.D., Superintendent of Schools*Series: **Personnel**Version: **1**Effective Date: **8/03/2020**

Previous Policy

Date: **New**Revised By: **YCOE Cabinet**Policy Number: **SP 4113.5**

The Yuba County Office of Education (YCOE) recognizes that working remotely at home or at another alternative location may be necessary at times when widespread illness, natural disaster, or other emergency conditions makes the school or worksite unsafe or otherwise interrupts the YCOE's ability to effectively conduct operations at the school or worksite. A full-time, part-time, or short-term remote work arrangement may also be granted by the Superintendent or designee to an individual employee, upon request, provided that the position is suitable for remote work, the employee has consistently demonstrated the ability to work independently and meet performance expectations, and the work arrangement does not hinder YCOE operations.

If applicable to current YCOE SP's

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3516.5 - Emergency Schedules)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4113 - Assignment)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 6157 - Distance Learning)

The opportunity to work remotely shall be entirely at YCOE's discretion, and no grievance or appeal right may arise from YCOE denial of any employee request for remote work. The implementation of a remote work arrangement is not precedent setting. Remote working is a supportive arrangement between employees, supervisors, and employing departments during emergency conditions only.

Employees approved for remote work shall comply with all Superintendent policies, administrative regulations, work schedules, and job assignments. Except when specifically agreed, approval of remote work shall not change the compensation, benefits, duties, obligations, responsibilities, or other terms and conditions of employment of an employee.

YCOE is not responsible for the following: maintenance or repairs of privately owned equipment; utility costs associated with using a privately owned cell phone, internet connectivity, electricity; or travel expenses associated with commuting to the central office or school sites. Employee agrees to return YCOE equipment, records, and materials within five (5) days of a

request.

If applicable to current YCOE SP's
(cf. 4141/4241 - *Collective Bargaining Agreement*)
(cf. 4151/4251/4351 - *Employee Compensation*)
(cf. 4154/4254/4354 - *Health and Welfare Benefits*)

Unless otherwise approved in advance by the Superintendent or designee, employees working remotely shall do so within regular work hours established for the position and shall remain available during all regular work hours. Employees are entitled and expected to take appropriate, uninterrupted meal and rest breaks, and shall keep accurate records of the hours they work. Employees shall notify their supervisor when unable to perform work assignments due to illness, equipment failure, or other unforeseen circumstances.

Employee may not engage in activities while working remotely that would not be permitted at the regular worksite. Employees may take care of personal business during unpaid lunch periods, as they would at the regular worksite. Outside work of any kind may not be done during the hours of an employee being paid by YCOE and may not be done utilizing YCOE equipment or resources.

If applicable to current YCOE SP's
(cf. 4161.1/4361.1 - *Personal Illness/Injury Leave*)
(cf. 4261.1 - *Personal Illness/Injury Leave*)

Remote working is intended to be cost neutral. YCOE is not required to provide employees with materials or supplies needed to establish an alternative worksite (desk, chair, computer, software, cell phone, fax, copier, etc.), and assumes no responsibility for set-up or operating costs at an alternative worksite (telephone or internet services, etc.). YCOE may provide ordinary and necessary supplies and equipment to enable the employee to work from home and maintain a safe work environment.

Employees shall not access the internet from any public location or WiFi network outside of their home network in order to safeguard confidential information. Employees shall be responsible for maintaining and protecting equipment on loan from the County Office and shall adhere to the County Office's Acceptable Use Agreement. The employee's personally owned equipment may only be used for County Office business when approved by the Technology Director and the Superintendent or designee.

If applicable to current YCOE SP's
(cf. 4040 - *Employee Use of Technology*)

Work done at a remote work location is considered official public business. County Office records and communications shall be retained and safeguarded against damage or loss, and shall be kept confidential or made accessible to the public in accordance with law.

If applicable to current YCOE SP's

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 5125 - Student Records)

Any employee working remotely shall be available during work hours to the employee's supervisor and other staff, students, parents/guardians, and members of the public, as appropriate, via email, phone, or other means. Lack of responsiveness on the part of the employee may result in discipline and/or termination of remote work responsibilities. Employees shall be required to attend virtual or in-person meetings when directed by their supervisor.

Employees who become ill must report the hours actually worked, and use sick leave for hours not worked. Employee must obtain approval to use vacation, sick, or other leave in the same manner as departmental employees who do not remotely work.

If applicable to current YCOE SP's
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Employee productivity shall be evaluated on the basis of time spent on tasks and projects, task completion, and quality of job performance in the same manner as all employees in the same position at the assigned school or office.

Remote work arrangements may be discontinued at any time at the discretion of the Superintendent or designee.

Legal Reference:

GOVERNMENT CODE

6250-6270 *California Public Records Act*

12900-12996 *Fair Employment and Housing Act*

LABOR CODE

226.7 *Mandated meal, rest, or recovery periods*

6400 *Safe and healthful employment and place of employment*

6401 *Unsafe workplace*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

Management Resources:

WEB SITES

California Department of Industrial Relations: <https://www.dir.ca.gov>