

Telecommuting may pose advantages for both the Mendocino County Office of Education (MCOE) and its employees, such as increased productivity and performance, relief of on-campus space constraints, cost reduction, environmental sustainability, greater work-life balance, and in some instances, crisis response.

MCOE recognizes that the current state of technology allows individuals to work effectively from home or at other alternative locations under specific circumstances (“telecommuting”).

Telecommuting may be allowed on a discretionary basis and is entirely voluntary. Either a MCOE supervisor or employee may request a full-time, part-time, or short-term telework arrangement. The County Superintendent or designee shall make the final determination to approve or reject a telecommuting request, considering: (1) whether telecommuting is suitable for the position, (2) whether the employee has consistently demonstrated the ability to work independently and meet performance expectations, (3) whether the employee has an appropriate and safe work space for telecommuting, and (4) whether the work arrangement hinders MCOE operations.

Except in an emergency situation or otherwise required by law, a supervisor may not require an employee to telecommute and an employee does not have a right to telecommute. Telecommuting is not a benefit of employment and may be terminated at any time in accordance with the Administrative Regulations 4045 established for telecommuting. The opportunity to work remotely shall be entirely at MCOE’s discretion, and no grievance or appeal right may arise from MCOE’s denial of any employees request for remote work.

Employees approved to telecommute shall comply with all MCOE policies, administrative regulations, work schedules, and job assignments. Except when specifically agreed upon in writing, approval of a telecommuting arrangement shall not change the compensation, benefits, or other terms and conditions of employment of an employee.

Unless otherwise approved in advance by the County Superintendent or designee, employees who are telecommuting shall do so within regular work hours established for the position. 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.

Telecommuting employees are expected to conduct their work in a location that is safe and free of obstructions, hazards, and distractions. Such employees shall report to their supervisor any serious injury or illness occurring in the home workspace or in connection with their employment as soon as practically possible in accordance with MCOE policy.

Work done at an alternative work location or home office is considered official public business. MCOE records and communications shall be retained and safeguarded against damage or loss, and shall be kept confidential and only made accessible to the public in accordance with law.

Employees shall use caution in accessing the Internet from public locations and in accessing information from networks outside of MCOE in order to safeguard confidential information. Employees shall be responsible for maintaining and protecting equipment on loan from MCOE and shall adhere to the MCOE's Acceptable Use Agreement. The employee's personally owned equipment may only be used for district business when approved by the County Superintendent or designee.

Any employee telecommuting 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 telecommuting. Employees shall be required to attend virtual or in-person meetings when directed by their supervisor.

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, whether working at the County Office or telecommuting.

The County Superintendent shall maintain an administrative regulation that addresses the procedures for telecommuting. The County Superintendent shall require that employees read and sign a *Telecommuting Work Plan Agreement* prior to, and as a condition of, authorization to work remotely.

Emergencies

The Superintendent recognizes that working remotely at home or at another alternative location may also be necessary at times when widespread illness, natural disaster, or other emergency condition makes the school or worksite unsafe or otherwise interrupts the county office's ability to effectively conduct operations at the school or worksite. In such emergency circumstances, the Superintendent or designee may require that employees work remotely.

Legal References:

Government Code, 6250-6270, 12900- 12996

Labor Code 226.7, 6400, 6401

United States Code, Title 20, 12101 - 12213

MENDOCINO COUNTY OFFICE OF EDUCATION

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