

# Warren County Board of Supervisors

## RESOLUTION NO. 307 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC**

### **ADOPTING AMENDED REMOTE WORK AGREEMENT**

WHEREAS, the Warren County Board of Supervisors adopted the Remote Work Agreement by Resolution No. 96 of 2021, and

WHEREAS, the Personnel, Administration & Higher Education Committee has reviewed suggested updates to the Remote Work Agreement and recommends that the same be advanced to the Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Remote Work Agreement annexed hereto, be, and the same hereby is, adopted as the official Agreement for Warren County, and be it further

RESOLVED, that any and all prior Remote Work Agreements or Resolutions are hereby repealed, effective June 14, 2023.



## **WARREN COUNTY REMOTE WORK POLICY**

### **Purpose and Intent**

Warren County considers remote work to be a viable, flexible work option which may permit an employee to perform his or her official duties at an offsite location on a limited basis, when the employer, employee, and the tasks and responsibilities for the employee's job are all deemed suitable for such an arrangement. Therefore, when the supervisory chain for an employee determines that the employee, job duties required and the technology permit, County employees, except for those in the Sheriff's office, may work remotely or telework in accordance with the provisions of this Policy.

The opportunity for an employee to work remotely is not a right and is not an entitlement., Should an employee be permitted to work remotely such an arrangement in no way changes the terms and conditions of the employee's employment with the County. Additionally, working remotely does not change the essential job duties and responsibilities of an employee's position. This Policy shall also be subject to the provisions of the Collective Bargaining Agreement with CSEA for all bargaining unit employees who work remotely.

These guidelines outline best practices specific to remote work, including eligibility, pay, hours worked and information regarding reasonable accommodations that may be different from accommodations under the Americans with Disabilities Act (ADA), currently in place in some County Departments.

### **Requests**

All requests for remote work must be made to the Department Head using the Remote Work Arrangement form. Requests and considerations for remote work will be at the discretion of the Department Head, with all approvals to be issued in writing. Approval for remote work by Department Heads will be at the discretion of the County Administrator, with all approvals to be issued in writing.

Any individual employee remote work assignment will be evaluated as frequently as is necessary and may be discontinued at any time, for any reason, or for no reason at all, by the Department Head.

Where the request to work remotely is a request for a reasonable accommodation under the Americans with Disabilities Act (ADA), the Department Head must notify Human Resources prior to approving any such request and Human Resource shall immediately begin the usual interactive process of assessing the requested accommodation of remote work under this policy.

### **Priorities & Essential Work**

Employees may, at the discretion of their immediate supervisor or Department Head, be called to report to their normal worksite to meet workload or operational requirements. Employees will not be compensated for travel time or mileage in their commute to or from their worksite if called into work to complete their normal work day.

The employee shall submit electronic time sheets only for time actually worked. For all other hours, the employee must utilize appropriate accruals for paid time off. The submission of false payroll information by an employee may constitute a crime in the State of New York and result in referral for criminal investigation.

### **Technology**

All use of County computer equipment and remote access to the County's network server while performing remote work must comply with the Warren County Computer Usage Policy. County Department Heads shall coordinate with the Warren County IT Department for technology needs of individual employees which are permitted to perform remote work. In certain circumstances, employees may be provided with a County-issued laptop or other equipment. Equipment and/or service that the County provides to the employee is County property and may be recovered or discontinued at any time and at the sole discretion of Warren County. The

**WARREN COUNTY REMOTE WORK ARRANGEMENT**

(Department and Employee Retain a Copy)

use of personal computer devices to access the county network is strictly prohibited and a violation of the Warren County Computer Usage Policy.

Employees are required to adhere to all County policies and procedures while performing the County job responsibilities while using remote access capabilities. Additionally, employees are required to take the necessary steps to keep all County equipment and/or service used for remote access in a safe location and avoid any misuse. No one other than the County employee assigned equipment to use during remote work is allowed to access or use the County equipment or any County computer data or information maintained on the computer equipment or upon the County's network server. Unauthorized use of County property is strictly prohibited.

Remote access to any county resource requires two-factor authentication. Any deviation from this must be reported to the IT Director.

**Hours & Pay**

As a general rule, employees working from home are expected to work the same days and times as they normally would when onsite. Modification to an employee's normal work hours must be approved by the Department Head, in writing. All employees who work remotely when the County is open will be paid for hours worked at their regular hourly rate of pay. As is regular practice, employees who are eligible for overtime pay may only receive overtime pay when working remotely if the overtime is pre-approved, in writing, by the employee's supervisor or Department Head. Employees authorized to perform remote work shall utilize the Novatime remote time keeping system to record their daily punches as if they were working onsite. The "Work from home" reason code must be used to track all hours worked remotely.

**No Personal Contact with Employees, Independent Contractors, County Visitors**

Under no circumstances shall any employee who is approved to work remote schedule, meet or engage in any face-to-face work-related interactions with any person at any remote location where the employee is performing remote work, absent written approval by their Department Head. Any face-to-face work-related interactions with another person at a remote work location is a violation of this policy without the prior approval of the Department Head and may result in immediate discipline, to include termination from employment.

**Labor Laws/Agreements and Reimbursement**

Employees are required to take rest and meal breaks per NYS Labor Laws and applicable collective bargaining agreements. The County will not reimburse the employee for the cost of any off-site related expenses and any personal tax implications incurred by an employee related to the remote work location shall be the employee's responsibility.

**Liability**

Workers Compensation benefits will apply only to injuries arising out of and in the course of employment as defined by New York State Workers' Compensation Law. The employee must report any such work-related injuries to their supervisor or Department Head immediately. The employee must allow inspections of the employee's work area(s), home office, or other relevant location to be conducted by the County or its agent if a job-related incident, accident, or injury has occurred. Warren County is not responsible for any loss, damage, destruction to property or for any injury or loss to third persons at the approved remote worksite.

The County shall not provide any liability coverage for an employee's remote work location and any employee who submits a Remote Work Arrangement Form shall acknowledge and accept sole responsibility for non-worker compensation injuries, losses and damages incurred while the employee is conducting remote work at

**WARREN COUNTY REMOTE WORK ARRANGEMENT**

(Department and Employee Retain a Copy)

the remote location. Any injury, property damage, or other losses incurred by any person at a remote work location while an employee is performing remote work shall be the sole responsibility of the employee and/or the real property owner for the remote work location.

**Confidentiality and Non-Disclosure**

During the course of their employment with Warren County, employees acquire knowledge of and/or access to confidential and proprietary information of the County. Employees working remotely shall ensure that all documents and records are safeguarded and secured to prevent unauthorized access or release of confidential and proprietary information. While employees working remotely are expressly prohibited from disclosing confidential and proprietary information to any unauthorized person, company, or other entity and are prohibited from using any such information for personal gain or profit. Confidential and proprietary information, systems, or data and all items made or compiled by the employee or made available to the employee during any period of remote work shall be and remain exclusive property of the County. Upon cessation of remote work, the employee shall immediately return any such property to the County and no copies thereof may be kept by the employee.

WARREN COUNTY REMOTE WORK ARRANGEMENT

(Department and Employee Retain a Copy)

Employee Name: \_\_\_\_\_

Department: \_\_\_\_\_ Position Title: \_\_\_\_\_

Effective Date: \_\_\_\_\_

A Remote Work Arrangement is hereby established between Warren County and the above-named employee pursuant to the terms and conditions outlined work remotely as outlined in the County’s remote work policy.

1. Remote Work Location (address): \_\_\_\_\_

2. Remote Work Contact Number(s): \_\_\_\_\_

3. Remote Work Schedule: State schedule or complete bi-weekly schedule below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Week 1							
Week 2							

4. County Equipment & Serial # Record (if applicable): \_\_\_\_\_

The employee will return all County equipment (e.g., computer, files, programs, etc.) and documents, including all copies of documents, whether on paper or electronic, upon termination of this Remote Work Agreement and/or their employment. If the employee fails to return County equipment or property upon the termination of the remote work arrangement, the County, at its discretion, will take appropriate legal action to recover its property or amounts owed.

**Acknowledgement:** By signing below I agree that I have read and understand the provisions included in the Warren County Remote Work policy and agree to the terms and conditions therein.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head/Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_