

Policy Title: Remote Work

Policy Number: Part 5, Staff Policies; Chapter 1, Rules; Section 9

Type of Policy: Administrative

Adopting Resolution: ~~CC24-311~~

References: Resolutions CC20-149, CC20-360, CC21-075, CC21-303, CC24-311

Effective Date: ~~October 8, 2024~~

Adoption Date: ~~October 8, 2024~~

Administrative Revision Date: Not Applicable

Policy Custodian: Human Resources

Compliance: All Elected and Appointed Official's Offices and staff

Purpose: To allow employees to work outside the office for all or part of their workweek. Jefferson County considers remote working to be a viable, flexible work option when both the employee, the job, applicable income tax laws, workers compensation laws, and cyber security protocols are suited to such an arrangement. Remote work may be appropriate for some employees and jobs but not for others.

A. Applicability

Either an employee or a supervisor can suggest working remote as a possible work arrangement. A remote working arrangement may be discontinued based on the needs of the County or the employee.

B. Eligibility

1. Employee suitability: The employee and supervisor shall assess the needs and work styles of the employee to ensure that remote work will be a successful arrangement.
2. Job responsibilities: The employee and supervisor shall discuss the job responsibilities and determine if the job is appropriate for a remote work arrangement.
3. Equipment needs: The employee and supervisor shall discuss the physical workspace needs and the appropriate supplies and equipment needed for remote work. The employee is responsible for creating a workspace that meets ergonomic standards. Before an employee's remote work request may be approved, the employee and supervisor must document that the proposed workspace meets all requirements in Section F. below, and employee must

acknowledge in writing his or her responsibility to maintain a safe and ergonomic work environment.

4. Policies and Procedures: Employees shall adhere to all County policies and procedures while working remotely.

C. Working from Outside the State

1. Employees may work outside the State of Colorado for up to 30 consecutive calendar days at a time, and up to a maximum of 60 workdays (based on the employee's work schedule) in a calendar year, subject to supervisor approval. Remote work outside the State of Colorado beyond these time frames shall not be permitted unless otherwise required by law and reviewed by Human Resources and Safety & Compliance.

a. Under no circumstances may an employee work for the county while residing outside of the state of Colorado.

b. Residing for purposes of this provision means establishing a place to live for a considerable amount of time, as distinguished from vacation or temporary travel.

c. An employee is a Colorado resident if either:

1) The employee is domiciled in Colorado; or

2) The employee maintains a permanent place of abode in Colorado and spends, in aggregate, more than six months of the tax year in Colorado.

d. An employee's domicile is the place they consider their home. It is the permanent place of abode to which a person intends to return, whenever they are away. An employee's permanent place of abode may include but is not limited to, a house, condominium, apartment, room in a house, or mobile home.

e. The employee's current address must be a valid Colorado address.

f. Various factors may be considered in determining a domicile and an employee's domicile is demonstrated by objective evidence. Example of evidence of domicile may include:

1) The most prior year state tax return filed as a resident of Colorado;

2) A Colorado-issued driver's license or a Colorado-issued ID;

3) A motor vehicle registration;

4) Voter registration;

5) Residency of spouse and dependents;

6) Ownership and occupation of real property; and

7) Residency status for the purpose of college tuition.

8) See 1 CCR 201-2: 39-22-103(8)(a)(2) for further examples of domicile.

9) Once an employee's domicile is established in Colorado, it will continue to be the employee's domicile until the employee establishes domicile in another state.

2. Employees shall be responsible for assuring compliance with income tax obligations to states and localities outside of Colorado.
3. Working remotely from out of the country is permitted in limited circumstances such as travel, for less than 30 consecutive calendar days when approved by a Department or Division Director, or Elected or Appointed Official,
 - a. If the employee intends to use county information technology equipment or access county information technology resources from out of the country, the employee must request a cyber-security review and receive approval from Business Innovation & Technology oprior to performing work outside of the county for any period of time.
 - b. Under no circumstances may an employee work for the county while residing outside of the country. Residing for purposes of this provision means establishing a place to live for a considerable amount of time, as distinguished from vacation or temporary travel.

D. Equipment

1. County-owned IT equipment (PCs, monitors, etc.) and associated supplies may be taken home by employees for use in the performance of their job upon approval of the employee's supervisor. Jefferson County shall determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, employee-provided phone, and other office equipment) for each remote work arrangement. Equipment supplied by the County shall be maintained by the County. All necessary repairs or replacement of County supplied equipment shall take place at County offices. Equipment supplied by the employee, if deemed appropriate, shall be maintained by the employee. Jefferson County accepts no responsibility for damage or repairs to employee-owned equipment.
2. Jefferson County reserves the right to make determinations as to appropriate equipment, subject to change at any time. The employee agrees that Jefferson

County equipment shall not be used by anyone other than the employee. The employee shall not make any changes to security or administrative settings on Jefferson County equipment.

3. The employee understands that all tools and resources provided by the County shall remain the property of the County at all times. The employee shall report an inventory of all Jefferson County property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all equipment shall be returned.
4. Jefferson County shall supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. Jefferson County shall also reimburse the employee for approved business-related expenses in accordance with the Employee Reimbursement Policy.

E. Security

1. Consistent with the expectations of information security for employees working at the office, remote employees shall be expected to ensure the protection and security of County information that is accessible from their home office or work location in accordance with County privacy, HIPAA, CJIS, PCI and security policies and applicable laws or regulations. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment. If the business process allows, employees shall not keep or store physical documents with sensitive information. If physical documents with sensitive information need to be used at home, they shall be kept in a locked location. Employees who have confidential physical documents with sensitive information at home shall bring these documents to the office to be stored or shredded using the County's confidential shredder at least monthly.

F. Work Environment and Safety

1. The employee shall establish an appropriate work environment within his or her home or remote work location. Jefferson County is not responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space, except as otherwise required by law.
2. Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties may be covered workers' compensation. Remote employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.
3. Employees shall ensure a proper ergonomic set-up and should take measures to incorporate appropriate stretching and moving during the workday. Safety &

Compliance is available to assist with ergonomic evaluations of home offices. Upon consultation with Safety & Compliance, the County may choose to provide recommended equipment at its own cost.

G. Expectations

1. Successful on the job performance and meeting the needs of County operations is an essential expectation for all remote work arrangements. Prospective remote workers are encouraged to discuss expectations of remote working with family members prior to entering a schedule.
2. Employees are expected to be available and accessible as they would while in the office. Regular communication and meetings are expected to occur as they would normally using the technology available to employees. Employees shall comply with all Jefferson County rules, policies, practices, and instructions that would apply if the employee were working at the physical work location.
3. The employee shall report to the physical work location as necessary upon directive from his or her supervisor. The employee shall continue to communicate regularly with his or her supervisor and co-workers. The employee will maintain satisfactory production and performance standards.

H. Time Worked

1. Remote employees who are non-exempt from the overtime requirements of the Fair Labor Standards Act are required to accurately record all hours worked using Jefferson County's time-keeping system. Hours worked in excess of those scheduled per day and per workweek shall require the advance approval of the employee's supervisor.
2. Travel Time
 - a. Employees must obtain supervisor approval to work both from a remote location or home office and in the county office on the same workday. In such cases, the time spent traveling between the employee's remote office and the county office may be compensable if the employee is not afforded the opportunity to effectively devote the period between the remote work and office work period to their own personal purposes.