



**Steve Ehlmann**  
County Executive

**Joann Leykam**  
Director of Administration

**Jennifer George**  
Assistant Director of Administration

**John Greifzu**  
Assistant Director of Administration

## **Executive Order 2020-01**

### **Telecommuting During Public Health Emergencies**

#### **Objective**

Telecommuting is a work flexibility arrangement under which an employee performs the essential duties and responsibilities of their position, and other authorized activities, from their home. Telecommuting is not a right or entitlement and may be utilized to provide for the continued business operations of County government and the provision of essential public services. In the event of an infectious disease outbreak within the St. Louis Metropolitan area, the County shall consider circumstances for entering a Telecommuting Agreement on a case-by-case basis where telecommuting is a feasible means to lessen employee exposure. This policy is intended to address those employees whose job duties may enable the employee to work from home to the benefit of on-going operations of the County, while addressing the following outbreak related rationale.

1. Elective: those employees who desire to self-isolate due to an employee or employee's household member having a comprised immune system, an employee is pregnant or has an infant under the age of six (6) months; and
2. Public Health Directed: those employees who are asked or instructed by a public health entity to self-isolate or are ordered quarantined.

#### **Procedures**

If it is decided that the employee is a candidate for a Telecommuting Agreement after meeting the eligibility requirements and the outbreak-related rationale, the appointing authority will draft a memo to the Director of Human Resources.

A Telecommuting Agreement will be made for a period of time not to exceed a two-week period (10 business days) and may be discontinued at will and at any time at the request of either the

telecommuter or the County. If additional time is needed, the employee must request a continuation of the previous agreement and a new agreement must be executed.

All Telecommuting Agreements must be signed by the employee, the supervisor, the appointing authority and Director of Human Resources. Upon completion, the Agreement and the request document should be returned to HR to be filed in the employee's personnel and/or health file. During the telecommuting agreement period, regular interaction by phone and e-mail between the employee and the supervisor or appointing authority is required.

At the conclusion of the Telecommuting Agreement period, the telecommuter shall return to their normal work setting.

### **Eligibility**

Individuals requesting to enter a Telecommuting Agreement must be full-time and no longer in a new-hire probationary period. In addition, the circumstances surrounding their need for telecommuting must fall within the aforementioned outbreak-related rationale.

Before requesting a Telecommuting Agreement for an employee, the supervisor, with the assistance of the appointing authority and the Director of Human Resource, will evaluate the suitability of such an arrangement, reviewing the following areas:

1. **Employee suitability.** Employees eligible for telecommuting are engaged in tasks and work activities that are portable (do not depend on the employee being at the traditional worksite) and are conducive to supervisory oversight at home. Tasks and work activities generally eligible for telecommuting include, but are not limited to, work that requires:
  - a. Reviewing reports, files and applications.
  - b. Writing decisions or reports.
  - c. Participating in conference calls.
  - d. Researching and analyzing regulatory or other documentation.
  - e. Conducting computer-oriented tasks such as programming, data entry, and word processing.
  - f. Researching electronic records, files and policies.
  - g. Editing and proofreading reports.
  - h. Data analysis.
  - i. COOP related task and work activities.

2. **Employee Work Ethic**: The work habits of the employee will be assessed. Although an official record of misconduct does not automatically exclude an employee from entering into a Telecommuting Agreement, a disciplinary record or other corrective action may be considered as it relates to the employee's ability to successfully work without direct supervision.
3. **Attendance**: An employee with a documented history of excessive unscheduled absences or leaving the worksite without permission may not be suitable candidate for telecommuting.
4. **Office Coverage**: The department should be sufficiently staffed to prevent a hardship when one or more employees are permitted to work at home.

#### **Precluded due to the nature of the position's work or technology availability**

While an employee may meet the eligibility requirements as laid out above, they may be precluded from telecommuting if the official duties of the position require, on a daily basis (every workday):

1. Direct handling of secure materials determined to be inappropriate for removal from the workplace by the appointing authority;
2. On-site activity that cannot be handled remotely or at an alternate worksite;
3. Being a mobile worker, and regularly travel between multiple sites or inspections;
4. Appropriate equipment is not available to securely accommodate the employee's telecommuting within allocated resources; or
5. Telecommuting may cause an undue hardship to the County or the Department.

#### **Time Worked**

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement and possible disciplinary action.

An employee's request to telecommute during an outbreak to care for a family member with a compromised immune system may be approved for the length of time the employee is free from

care duties and has work to perform to effectively contribute to the County's mission. Any time spent on caring for family members must be excluded from total hours worked.

In the event of a quarantine, an employee will be permitted to take part in SCCMO's telecommuting program if the employee meets the eligibility requirements for telecommuting. Time spent caring for oneself or others must be excluded from total hours worked. In the event that the employee finds they are not able to perform job duties, the employee must terminate the agreement and file for FMLA.

Telecommuters are expected to perform work related tasks for a traditional 8-hour period each day. As such, regular dependent care arrangements are mandatory during telecommuting periods.

In the event of school closures while the County remains open, the County will consider permitting telecommuting with childcare exceptions. These special situation considerations will be determined on a case by case basis.

**As conditions may change rapidly during a public health emergency, this policy is not intended to be all-inclusive and address all unforeseen circumstances. The Director of Human Resources is charged with addressing new developments and making determinations as necessary.**

SO ORDERED AS OF THE DATE WRITTEN BELOW.



Steve Ehlmann  
County Executive

Date: March 11, 2020

ATTEST:



Brenda Hinton  
County Registrar