

RESOLUTION NO. 2022-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG updating the Personnel Policies for the City of Ellensburg.

WHEREAS, the City of Ellensburg's Personnel Policies Manual does not contain a policy for remote work; and

WHEREAS, the City of Ellensburg, like most other agencies and businesses in our community and across the world, faced many challenges during the COVID-19 pandemic, forcing them to quickly find alternate ways of serving their customers; and

WHEREAS, remote work became a sudden reality in 2020, which brought to light how some governmental services can be successfully conducted from a remote worksite, in either a full-time or hybrid manner; and

WHEREAS, allowing remote work has the potential to increase recruitment and retention success when the position and the employee are eligible for a remote work arrangement; and

WHEREAS, the City of Ellensburg faces workspace challenges, particularly in City Hall, as our community grows, increasing the need to expand staff in order to sustain quality customer service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ellensburg, Washington, as follows:

Section 1. Section 4 of the City's Personnel Policies Manual will be updated to include 4.10 – “Remote Work,” attached hereto as Exhibit A.

Section 2. This policy is effective for non-represented employees upon approval of this Resolution.

Section 3. This policy will be effective for represented employees after notification and an opportunity to bargain is provided to the Unions.

All remaining terms and conditions of the City's Personnel Policies Manual remain in full force and effect.

ADOPTED by the City Council of the City of Ellensburg at a regular meeting on the 7th day of November, 2022.



Nancy H. Ellquist
Mayor



Attest: Betty Leader
City Clerk

REMOTE WORK POLICY

The COVID-19 pandemic taught us a great deal about our capacity to perform many of our functions through remote work, flexible scheduling, and use of technology. As we look to the future, we understand some essential work must still be done onsite in our facilities and offices. However, a combination of onsite and remote work—a hybrid model—may be the best option for the City as we consider space limitations, recruitment/retention, and technological capacity.

Determining Eligibility

There are two primary factors to consider for remote work eligibility.

The Position

A **position** that is eligible for remote work must have responsibilities that can be fulfilled from a remote work location without diminishing service quality or agency operations. When considering eligibility, there are several criteria that must be examined.

- 1) The work that needs to be done to meet the needs of the organization and the community, including the level of confidentiality and access to confidential records required.
- 2) The logistics – what tools and technology are necessary to work productively from a remote location.
- 3) The impact of remote work on individual and team engagement.

If the position is approved for remote work, the next step is to evaluate the employee's ability to work remotely.

The Employee

The **employee** must be self-motivated, capable of independent work, communicative, technologically proficient, and be able to maintain or improve their level of productivity when working from a remote location. They must have excellent time-management skills and a strong ability to stay focused. Working from a remote location requires an environment that provides a distraction-free, safe workspace, adequate network capability, etc. Any employees currently under any type of performance improvement plan or disciplinary action will not be eligible for remote work.

Each employee who is given the option to request a remote work arrangement and will be working from their home should take time to reflect on whether they benefit more from a separation of work and home, or if they can find balance when work and home become one. Employees considering remote work should take the assessment at the end of this policy.

Probationary employees are generally not eligible for remote work authorization.

The Process

Each department Director will perform a remote work analysis of their department at least once per year. If there are positions identified as eligible for remote work, they may accept requests for remote work from the employees in those positions, or they may opt to assign certain positions to remote work. The

annual assessment will be submitted to HR for review. HR will then submit the assessment to the City Manager for approval. Individual requests for remote work shall be routed in the following manner:

- 1) HR – for compliance with policies and/or Union contracts
- 2) IT – for completion of training, review of technology requirements, and recommendations
- 3) Finance – for review of payroll-related concerns
- 4) City Manager – final approval

Remote Work Schedule

Remote work comes with the expectation that the employee will adhere to their standard work schedule. However, requests for a flexible work schedule – temporary or ongoing – may be considered. The request must be made using the Remote Work Request & Agreement form. It is important to remember that we are public employees and as such, we must be mindful of public perception.

Employees may be required to report to their regular work location as determined by their supervisor. The supervisor should provide as much advance notice as possible, but in some cases notice may be minimal. Travel to the employee's regular work location is considered commute time and is not paid time unless the employee is required to report to the work location mid-shift.

Employees working remotely must also follow the required meal and break periods, as established by policy and/or Union contract, and as required by the Department of Labor & Industries.

Employees are expected to use paid leave in accordance with the City's policies. If an employee has been approved to utilize a flexible schedule, they need to accurately report their time and communicate fluctuations with their supervisor. For transparency and to prevent misunderstanding and/or conflict, communicating schedule fluctuations to coworkers or using a shared calendar is also recommended.

All overtime must be approved in advance for non-exempt employees. Remote work employees will record their time using the standard protocols for their department or as agreed to by the department Director.

Communication Expectations

Employees working remotely will be expected to respond to calls and emails promptly during their regularly scheduled hours. A regular check-in schedule will be documented on the Remote Work Request & Agreement Form, along with the communication methods that are acceptable – phone, email, virtual meeting, and/or in person. This may also include check-ins with other team members to maintain team relations and ensure continuity of workflow. This schedule indicates the minimal amount of communication expected; the supervisor may check in with the employee more frequently. If an employee misses multiple check-ins the Remote Work Request & Agreement may be rescinded.

Communication by email, Teams messaging, etc. must be done thoughtfully. It is common for these forms of communication to be misinterpreted when the recipient does not have the benefits of face-to-face conversation such as tone, facial expressions, and body language. It is often too easy to quickly hit "send" without thinking about how the message may be received, especially when working in the more casual environment of one's home. Employees should try to avoid making assumptions. If in doubt, ask for clarification. If conflict develops that cannot be resolved, the employee should share their concerns with

their supervisor. If the conflict involves the supervisor, the employee should report their concerns to the department Director and/or HR.

Virtual Meetings

Remote work provides the ability for employees to dress more casually; however, when employees are engaged in a virtual meeting, the following will be expected:

- Turning on video is preferred; the employee should utilize the blurred virtual meeting background or other background as directed by their supervisor to minimize distractions. Other environmental noises should also be minimized (turning the TV/music off, etc.).
- Proper attire – Employees should be dressed in business casual attire, especially if the meeting involves outside parties such as contractors, outside agencies, etc.
- Eating a meal (unless it is a lunch meeting), smoking, and vaping are not allowed.
- Avoid multi-tasking.

Technology and Other Tools, Supplies, and Expenses

City-owned technology (computer, keyboard/mouse, printer, etc.) will be provided as determined necessary by the department Director, IT Manager, and City Manager, and in a manner that complies with the Washington Public Records Act as well as standard security requirements and best practices. The employee must ensure that they are able to secure City-owned equipment and records to the extent required by policies, applicable laws, and best practices. At minimum, this would include a City-issued laptop. Other devices that may be authorized and issued by the City, if necessary to perform job responsibilities, may include a Multi-Function Printer (MFP), docking station, monitor(s), and/or a tablet. Other specialty equipment may be considered on a case-by-case basis. The employee shall only use equipment issued and/or approved by IT, and properly licensed software for City business. The equipment supplied by the City will be maintained by the City, however it is the employee's responsibility to handle in an appropriate manner to prevent damage. A reduction in productivity/efficiency may result in the Remote Work Request & Agreement being rescinded. It will be up to the Department Director to determine what consumable supplies will be provided and how they will be replenished. All expenses must be approved in advance.

Communications, Internet, and Cybersecurity

The employee, at their expense, will be responsible for ensuring they have a phone and adequate private/secure internet connection to perform the duties of their job as efficiently and securely as if they were at the office. The employee must be able to obtain an internet connection that meets the minimum "Broadband" standards¹ and is approved by the IT Manager. If the employee is sharing their internet service with others at their work location and the shared usage is impacting the employee's ability to have adequate video and internet service, then a second internet service must be obtained by the employee, or the employee must ensure their internet service is dedicated for remote work use only during their assigned work hours. Demonstrating adequate "Broadband" service is a pre-requisite to receiving approval from the IT Manager for remote work. Additionally, the employee, with guidance from IT, must

¹ Washington State Broadband Office defines "Broadband" within 2SSB 5511 as 25/3Mbps Link: Broadband in [Broadband in Washington | Data.WA | State of Washington](#)

complete a test of the remote work location internet service to ensure their service meets the requirements for both voice and video.

The employee is responsible for security while conducting remote work and is the first line of defense to protect the City's information systems and data. The employee is responsible for ensuring that their remote work environment is secure and safe to reduce the chances of compromising or causing a Cyber Security risk to the City's data, systems, or exposing City's security credentials. Only the authorized City employee is allowed to use the City equipment or access the City systems. The employee must not allow any non-City personnel to access equipment or systems for any purpose. If any unauthorized person accesses City equipment the employee must report the unauthorized access to the IT personnel immediately for evaluation and any necessary remediation.

To assist the employee with understanding their role and responsibility with cyber security, they must complete the IT remote work training course(s) and successfully pass the remote work knowledge benchmarks. This training will be updated annually by the IT department, reviewed, and approved by the IT Manager, and will become part of the annual requirement for the employee to maintaining eligibility for remote work. Remote access may be suspended without notice, and the employee may lose remote work eligibility if they create a cyber-security event, possible cyber-security event, are unable to successfully pass regular knowledge challenges, or demonstrate a disregard for the security of the City's systems and data.

Employee Safety and Working Conditions

State and Federal safety regulations require that employers provide a safe and healthy work environment. Employees approved to work from a remote location should ensure that they have an ergonomically correct workstation available. It is expected that employees will exercise the same precautions in their remote workspace as they do at their City workspace. Employees authorized to work remotely will be required to pay for any equipment and/or furniture needed to ensure their workspace is ergonomically correct. Employees may be required to participate in an in-person safety assessment of their workspace or may be required to provide photos of their remote workspace. Poor positioning can cause muscle strains and repetitive motion injuries – employees who will work from a remote location will be assigned the Office Ergonomics online training through HSI (formerly VIVID), which must be completed prior to working remotely, or as soon as possible. Should a work-related injury occur, the employee must report it to their supervisor right away. Please review the additional ergonomic reference materials at the end of this policy. There are many resources offered through the Department of Labor & Industries, including additional online training [[Ergonomics Essentials \(wa.gov\)](#)], a computer workstation checklist, push/pull and lift/carry calculators, and more.

Out-of-State Work Locations

Employees who wish to work remotely must live in the state of Washington². Many laws and regulations are based on the state of residence and not the state where the employer is headquartered. It's **extremely** important that any employee authorized to work remotely notifies their supervisor **and** the City's Finance

² Employees who were authorized to work remotely from another state prior to the implementation of this policy will be allowed to continue to work remotely until such time the City determines it is no longer feasible, or until the employee separates from employment. Should that employee subsequently move to a different state, other than Washington, the Remote Work Authorization will be rescinded.

Director as soon as possible if they plan to move out of Washington State. Moving out of state will necessitate ending the employment relationship. Failure to report this information could result in possible disciplinary action, up to and including termination, and possible financial consequences due to variances between different State laws and regulations.

Performance

Employees who work remotely will continue to be evaluated based on their performance. Communication and collaboration are critical to successful remote work. Failure to meet the expectations of the employee's job description may result in discontinuing the remote work assignment, implementation of a Performance Improvement Plan (PIP), or potential disciplinary action. Employees who feel that remote work is hindering their success should notify their supervisor as soon as possible. The supervisor and employee can then discuss potential solutions.

General Expectations

- The City's personnel policies and work rules continue to apply at remote work locations.
- Professional and courteous behavior is expected at all times when performing work on behalf of the City.
- Inviting customers to conduct business at the employee's home is prohibited.
- Working from a remote location creates no expectation of privacy with respect to the City's property – an employee may be required to return City property or allow inspection of City property without advance notice.
- Consumption of alcohol or other controlled substances (including marijuana) during work hours is never acceptable. Employees who have prescriptions that could impair the employee's ability to perform their job safely/effectively must notify their supervisor and may be prohibited from working while using the medication.
- Non-exempt employees must only conduct work-related activity during authorized work hours – this includes checking email. All overtime must be approved **in advance** and in writing.
- Employees are expected to be dedicated to their duties and responsibilities while "on the clock" – personal distractions must be limited to ensure productivity is maximized.
- Remote work is not a mandated benefit and may be rescinded at any time.