



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 6, 2022
FROM: HUMAN RESOURCES DEPARTMENT WARDS: ALL
SUBJECT: REVISIONS TO THE CITY'S HUMAN RESOURCES POLICIES AND PROCEDURES

ISSUE:

Consideration of revisions to the existing Telecommuting Policy for exempt employees and establishment of a new Telecommuting Policy for non-exempt employees.

RECOMMENDATION:

That the City Council adopt the proposed revisions to the Telecommuting Program Policy for FLSA Exempt Employees and the establishment of a new policy, Telecommuting Program for FLSA Non-Exempt Employees, to the City's personnel policies contained in the Human Resources Policy and Procedure Manual.

BOARD RECOMMENDATION:

The Human Resources Board reviewed and approved the policies on November 7, 2022, voting to recommend the attached policies to Council for approval.

BACKGROUND:

The Human Resources Department routinely reviews and revises the City's personnel policies contained in the Human Resources Policy and Procedure Manual. Policy revisions are often made as a result of changes to the law, to reflect current or desired practice, or following discussions with the City's labor groups. The policies that are presented for the Council's consideration and have been reviewed by the City Attorney's Office and each of the affected labor groups.

DISCUSSION:

Two personnel policies, contained in the Human Resources Policy and Procedure Manual, are being presented for Council consideration. First, several updates are proposed for an existing policy titled “Telecommuting Program Policy for FLSA Exempt Employees”. Second, a new policy is being proposed to allow non-exempt employees the ability to telecommute if certain approvals and criteria are met. A summary of both policies is provided below:

Policy II-11 – Telecommuting Program Policy for FLSA Exempt Employees

The current Telecommuting Program for FLSA Exempt Employees was adopted in March 2020. Due to technological advances and enhanced connectedness, the City recognizes that telecommuting is a viable work option when both the employee and nature of work are suited to such an arrangement. City management has been successful at pivoting and managing hybrid workers. Telecommuting creates a flexible work environment, which can lead to increased productivity, reduced turnover, and improved morale. The pandemic, however, highlighted the need to be flexible and nimble as an organization to ensure continuity of operations and delivery of services. Telecommuting and hybrid work (i.e. working in the office and telecommuting in the same week) schedules will be important for the City to remain a competitive and valued employer of choice, consistent with Envision Riverside 2025 Strategic Plan, High Performing Government Strategic Priority. Telecommuting also has a positive impact on traffic and the environment which can also cut back on daily commutes, reducing pollution, greenhouse gas emissions, fossil fuel consumption, and energy use, which are aligned with Envision Riverside 2025 Strategic Plan, Environmental Stewardship Strategic Priority, Goal no. 4.3 (air quality) and 4.6 (carbon neutrality). These reductions can help the City be a part of improving air quality and reducing climate change.

The City has taken appropriate measures to combat remote work challenges such as reduced face time with employees, employee engagement levels, and accountability. By leveraging technology, communication and collaboration, supervisors/managers have been able to set clear remote work standards that establish transparency and trust. In addition, requiring a hybrid work schedule (combination of telecommuting and in-office work) ensures face-to-face interaction, which is vital to foster personal connections with staff and our customers.

The City conducted an Employee Engagement Survey on March 20, 2022, to seek employee feedback on telecommuting. A total of 51% of telecommuters indicated that they are fully engaged while telecommuting; whereas, non-telecommuters indicated that they are 31% engaged. Telecommuters reported that they feel supported by their direct supervisor, connected to their team, and informed about organizational goals and priorities when working remotely. The goal of these policies is to build on these strengths associated with telecommuting and to continue increasing employee engagement.

Throughout the pandemic, City staff have continued to deliver exceptional customer service to constituents while telecommuting. All telecommuting arrangements will continue to be evaluated with the highest regard to ensure productivity and service levels are maintained for the community.

The updated Telecommuting Program Policy for FLSA Exempt Employees includes revisions to clarify that out-of-state telecommuting arrangements are not allowed. Additionally, the revisions include a new section that indicates that City management has the discretion to discontinue a telecommute arrangement as employees do not have a vested right to telecommute. The revisions also specify that telecommute arrangements may not be used to circumvent the City's leave provisions.

A new section was added to the policy to inform employees that the City of Riverside is a

government agency, and public employees take an oath and are required to act as Disaster Service Workers and report for duty in the event of a disaster or emergency as defined in Section 3100 of the California Government Code.

The revisions to the FLSA Exempt Telecommute Policy establish uniform guidelines for eligibility, hours and availability, work location, equipment, supplies and support, confidentiality, limitations, frequency, and duration.

Policy II-12 – Telecommuting Program for FLSA Non-Exempt Employees

The COVID-19 pandemic forced employers worldwide to transition to a remote work environment in an effort to ensure continuity of operations. Since the pivot, the City has benefited from increased flexibility when staff have had to quarantine due to COVID-19 exposures but were not symptomatic and/or were able and willing to work with mild symptoms. This flexibility has become a strength and allows the City to be resilient during extreme times. The establishment of a permanent Telecommuting Program for FLSA Non-Exempt Employees Policy (II-12) is necessary to establish official guidelines based on the City's existing emergency practice of permitting employees to telecommute under the Resilient Workplace Order. It is anticipated that the State of Emergency will end on February 28, 2023, nullifying the current Resilient Workplace Order, which allows FLSA non-exempt employees to telecommute.

The establishment of a permanent "Telecommuting Program for FLSA Non-Exempt Employees" provides uniform guidelines for eligibility, hours and availability, work location, equipment, supplies and support, confidentiality, limitations, frequency, and duration.

Due to staff's proven ability to maintain service levels and operations in a remote work environment, a formal telecommuting policy for non-exempt staff is thereby submitted for incorporation into the Human Resources Policies and Procedures Manual.

Furthermore, all policies also include administrative changes to reflect process changes and to conform to a citywide format.

The Human Resources Department confirms that these updates to the existing policy and contents of the new policy include all required elements as required by law.

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority 5 – High Performing Government** and **Goal 5.3 – Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making.**

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – All policies contained within this report were reviewed by the Human Resources Board and City Council in a transparent, public meeting subject to Sunshine Ordinance requirements that maximize availability of the policies to any interested persons. In addition, these policies minimize disruptions to our workforce that traditional work practices may not and, in doing so, maximize delivery of services and help ensure timely delivery of services.

2. **Equity** – The new, non-exempt telecommuting policy allows employees to telecommute, when feasible. Prior to the pandemic, non-exempt employees were not able to telecommute.
3. **Fiscal Responsibility** – The telecommuting policy is administered with no additional costs to the City as these policies leverage existing systems for the purpose of creating greater workplace flexibility.
4. **Innovation** – The City of Riverside is able to provide robust telecommuting optionality given its comprehensive access to numerous digital systems, technical support from the Innovation and Technology Department and a coordinated approval process facilitated by the Human Resources Department. In addition, the City of Riverside was ranked the no. 4 Digital City in the United States by the Center for Digital Government in 2022 further demonstrating the capacity of the City Team to effectively support telecommuting and the delivery of services.
5. **Sustainability & Resiliency** – The policies foster a resilient workforce because they allow an employee to telecommute when quarantining due to a COVID-19 diagnosis (with no symptoms or mild symptoms) or exposed to a COVID-19 positive person. The flexibility extends to other potential disruptions and/or hazards ensuring continuity of operations. The policies also promote sustainable practices by reducing employee vehicular trips and thereby reducing vehicular emissions. The positive impacts associated with reduced vehicle trips include improved air quality and reducing the carbon footprint of employees by reducing greenhouse gas emissions, which aligns with Envision Riverside 2025 Strategic Plan, Environmental Stewardship Strategic Priority, Goal no. 4.3 (air quality) and 4.6 (carbon neutrality). Further, fuel savings realized by fewer vehicular trips can translate to greater personnel savings and greater financial resiliency, as the average commuter spends between \$3,000 and \$15,000 on transportation costs per year.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

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Attachments:

1. Telecommuting Program for FLSA Exempt Employees Policy (II-11)
2. Telecommuting Program for FLSA Non-Exempt Employees (II-12)