



*City of Arts & Innovation*

# Human Resources Board

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**TO: HUMAN RESOURCES BOARD** **DATE: NOVEMBER 7, 2022**

**FROM: HUMAN RESOURCES DEPARTMENT**

**SUBJECT: REVISIONS TO THE TELECOMMUTING PROGRAM FOR FLSA EXEMPT EMPLOYEES POLICY (II-11), AND THE ESTABLISHMENT OF A NEW HUMAN RESOURCES POLICY (II-12) TELECOMMUTING PROGRAM FOR FLSA NON-EXEMPT EMPLOYEES.**

**ISSUE:**

Approve revisions to the Telecommuting Program for FLSA Exempt Employees Policy (II-11), and the establishment of a new policy in the Human Resources Policy and Procedure Manual that defines the Telecommuting Program for FLSA Non-Exempt Employees (II-12).

**RECOMMENDATION:**

That the Human Resources Board approve revisions to the Telecommuting Program for FLSA Exempt Employees Policy (II-11), and the establishment of a new policy in the Human Resources Policy and Procedure Manual that defines the parameters of the Telecommuting Program for FLSA Non-Exempt Employees (II-12).

**BACKGROUND:**

The Telecommuting Program for FLSA Exempt Employees Policy (II-11) was last revised in March 2020. The creation of a Telecommuting Program for FLSA Non-Exempt Employees Policy is necessary to establish official guidelines based on the City's existing practice of permitting employees to telecommute under the Minimum Staffing Order caused by the COVID-19 pandemic and to ensure continuity of City services. As part of the Human Resources Department's practice of regularly reviewing and updating policies and procedures, these policies were reviewed and refined.

**DISCUSSION**

The Telecommuting Program Policy for FLSA Exempt Employees (II-11), 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 Telecommute Policy establish uniform guidelines for eligibility, hours and availability, work location, equipment, supplies and support, confidentiality, limitations, frequency, and duration.

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 schedules will be important for the City to remain a competitive and valued employer of choice. 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. These reductions can help the City be a part of reducing climate change.

The establishment of a Telecommuting Program for FLSA Non-Exempt Employees Policy (II-12) is necessary to establish official guidelines based on the City's existing practice of permitting employees to telecommute under the Minimum Staffing Order. The COVID-19 pandemic forced employers worldwide to transition to a remote work environment in an effort to ensure continuity of operations.

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.

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 policies were reviewed by City Management, the City Attorney's Office, a City-Wide Policy Committee, and if applicable sent to the respective Union for their concurrence with all policy changes.

**STRATEGIC PLAN ALIGNMENT:**

This item contributes to Strategic Priority No. 5 High Performing Government and Goal No. 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** – The policies contained within this report has been reviewed and approved by the City Attorney’s Office, will be reviewed by the Human Resources Board, and a Public Hearing will be held to receive public input and build community trust.
2. **Equity** – Policies and procedures reflect the City’s vision, values and culture and ensures equality for all employees.
3. **Fiscal Responsibility** – There is no funding associated with this report. However, updated policies and procedures ensure that quality services are provided to all.
4. **Innovation** – A collaborative and innovative approach was used to revise this policy to meet the City’s current and changing needs while ensuring compliance with various rules and regulations.
5. **Sustainability & Resiliency** – To maintain a sustainable and resilient workforce it is important to keep all policies and procedures up-to-date to ensure equitable applicability of personnel rules.

**FISCAL IMPACT:**

There is no fiscal impact associated with this report.

Prepared by: Rene Goldman, Human Resources Director

Attachments:

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