

Board of Lucas County Commissioners



TITLE: Hybrid Work Policy

POLICY NUMBER: 50

RESOLUTION NUMBER: 2024-209

SUPERSEDES POLICY:

EFFECTIVE DATE: March 5, 2024

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I. SCOPE

This policy applies to all employees under the appointing authority and jurisdiction of the Board of Lucas County Commissioners subject, where applicable, to collective bargaining agreements.

II. PURPOSE

Hybrid working is a management option that may be used by agencies or departments with the approval of the Director and County Administration. Hybrid working is designed to support a strategy that maximizes productivity and performance while balancing workforce needs, regardless of the work location, when the duties of the position allow. An agency or department that is considering hybrid working shall ensure that its use does not interfere with the agency's maintenance of operations and services to internal and external customers. Agencies or departments should ensure appropriate coverage of in-office functions, including in-person service delivery functions.

As a management option, hybrid working is not an employee right that an employee can expect or demand. Not every position is suited for hybrid working, nor is every employee. The Director may choose to limit hybrid working to employees in certain classifications, certain positions, or certain circumstances. The use of hybrid working may be suspended or terminated at any time. Directors have the discretion to decide that hybrid working is not available within their agency or department. Employees are not eligible for hybrid work until successfully completing their probationary or training period or with the approval of their supervisor, manager, or Director.

III. POLICY

Employees interested in working remotely must submit the following forms available on the [Department of Human Resources](#) webpage:

- *Hybrid Work Agreement Form*
- *Hybrid Work Home Safety Checklist*
- *Hybrid Work Equipment Inventory Form*
- *Hybrid Work Attestation Form*

Employees of the Department of Job and Family Services and the Child Support Enforcement Agency will use the State of Ohio form JFS 00869, *Capital Asset Control Sheet* instead of the *Equipment Inventory Form*.

These forms, or subsequent versions, will identify:

- The schedule of days the employee will work at their hybrid working site, as determined by their supervisor or Director;
 - The address of the location where the employee will be working from while remote, usually the employee's primary place of residence at that time;
 - At least one (1) phone number at which the employee can be reached while working remotely;
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- A list of computer hardware that will be taken to the hybrid working location;
- A statement that the employee acknowledges that they have been provided a copy of this policy.

Allowable Work Locations

Unless otherwise approved by the agency or department Director, hybrid working is limited to the employee's primary place of residence. This place of residence must be the same as the location on file with the employee's agency or department. Any changes in the primary place of residence must be updated with Human Resources and the agency or department within twenty-four (24) hours of the change taking place.

Employees cannot hybrid work from public places such as libraries, coffee shops, restaurants, etc. Exceptions to this rule may be made for employees travelling to meetings, training courses, conferences, forums, and other activities while on county business. All exceptions must be approved by the agency or department Director or designee.

To ensure safety, security, and productivity, participating employees must also meet the following requirements:

- The employee's workspace must be safe and free from recognized hazards. Prior to beginning hybrid working, employees are required to complete and return the *Hybrid Work Home Safety Checklist*.
- The employee's workspace must have sufficient internet connectivity for the employee to perform their essential job functions to the same level as they would while working at their normal departmental work location. Disruptions in internet service may require the employee to return to work or make other arrangements to satisfy this requirement. Neither the Board nor any agency or department will subsidize or pay for any internet services including portable "hot spots".
- The employee's workspace must be free from interruptions and distractions, that is consistent with a normal and professional office working environment.
- The employee's workspace must provide privacy to prevent the inadvertent disclosure of restricted or sensitive information and allow for the employee to preserve the confidentiality of sensitive or non-public information.
- For employees who must verbally communicate with others as part of their duties, the workspace at the employee's primary place of residence must be quiet and allow for professional communications during those times.
- Employees shall not meet with the public, clients, or customers in their primary place of residence and any such appointments must be scheduled to occur in the employee's normal agency or departmental workplace or other approved location.

Under no circumstances will employees be reimbursed or compensated for expenses related to hybrid working. Since hybrid working is optional, employees are expected to provide their own internet and telephone service as well as creating a suitable space for hybrid working. Departments and agencies will not purchase additional equipment such as monitors, keyboards, printers, ink, paper, etc. to facilitate hybrid work.

Employees working a hybrid schedule must still be able to report to their usual work setting or other assigned location within a reasonable period when required by their supervisor or manager for legitimate operational reasons such as meetings, training, or other situations

requiring the employee's presence. The agency or department leadership should provide enough notice, when possible, should such a schedule change be necessary. This recall to work does not change the existing hybrid working agreement nor does it affect the employee's remaining work schedule.

Performance While Hybrid Working

Employees permitted to hybrid work must maintain a standard of performance equal to the standard expected when working at their primary work location. Agency and department Directors, managers, and supervisors have the right to terminate an employee's hybrid work agreement if performance falls below acceptable standards. Termination of the hybrid work agreement will not in itself be recorded as a negative action against the employee unless that action is taken as part of disciplinary action for any related charges found in [Ohio Revised Code 124.34](#) or the applicable collective bargaining agreement.

Employees may be deemed ineligible for hybrid work, at the discretion of the agency or department Director, in the following instances:

- Performance rating of "below expectations" in any category of the most recent Semi-Annual or Annual evaluation.
- Employees on a Performance Improvement Plan.
- Employees whose conduct results in disciplinary or adverse action may be prohibited from hybrid work for one (1) month or more depending on the severity of the action as determined by the Director of the organization after consultation with Human Resources. Discipline starts with a written warning.
- Employees whose attendance is unsatisfactory (as defined by the collective bargaining agreement, where applicable).
- Employees in a training period or under probation due to a transfer or hiring into a new position.

Permitted Schedule and Hours of Work

An employee should be hybrid working for no more than three (3) days of their usual, assigned weekly work schedule. These days should be scheduled as full days with the remaining days spent at the employee's normal work location. Offsite events such as training, work in the field, or court-related activities that are not unusual actions for employees, would not count against the total number of hybrid working days. The employee's immediate supervisor is responsible for monitoring and documenting the employee's ongoing work performance.

It is recommended that managers and supervisors work remotely for no more than two (2) days of their assigned weekly schedule. Agency or department Directors and Deputy Directors should be in the office five (5) days per week except when using sick leave, scheduled personal time, vacation time, or out of the office for other business-related activities unless authorized in advance by the County Administrator or Deputy Administrator.

Each agency or departmental Director will determine the allowable schedules and maintain written records of how those schedules were communicated to each eligible employee, for hybrid workers using one of the two following approaches:

1. Employees may be assigned to 1, 2 or 3 specific days of the week on which they would hybrid work, and this schedule would remain in place until changed by the agency or department with the changes taking place at the start of the next quarter, or

2. Employees may submit a quarterly schedule requesting which 1, 2 or 3 days of the week they prefer to be working remotely. If approved by the Director, this schedule would remain unchanged until the next quarter, at which time the employee may submit a new schedule or renew the existing one.

At the discretion of the agency or department Director, a specific day of the week may be designated when all employees are expected to report in-person to ensure greater communication and collaboration. If identified, this day will be made known to all employees prior to submission of the hybrid work schedules.

On rare occasions, agency or department Directors may temporarily modify an employee's hybrid work schedule at the request of the employee. This would entail temporarily exchanging a day scheduled for hybrid work with a day of on-site work and would not increase the number of days spent working remotely. Changes or modifications to the established schedule will be considered by the agency or department Director on a case-by-case basis. Directors should not approve requests by employee more than three times per month to avoid potential abuse of the policy.

In emergency situations that make it impossible or dangerous for employees to work on-site, Directors can allow hybrid work for all employees. However, this decision must be approved in advance by County Administration.

Also, hybrid work is different from flexible work and, as a result, employees working remotely will be expected to work during their regular business hours. Employees must be available to their managers and supervisors as they would if they were working on-site. Employees may not work outside of their normally scheduled hours without prior Director approval. The *Hybrid Work Attestation Form*, also available [online](#), may be required by the agency or department director to verify the hybrid employee worked their scheduled hours.

Lunch and other breaks must be taken in accordance with employer policies and, where appropriate, collective bargaining agreements. Conducting personal business during the workday must be limited to lunch and other previously approved break periods.

Employees scheduled to work remotely who become ill or who must care for an ill family member must comply with the established sick time policies and procedures for their agency or department. Similarly, any employee requesting vacation, personal or comp time off during a period which includes scheduled hybrid working days will follow the recognized time-off request processes for their agency or department.

Should an agency or department be closed due to adverse weather, all employees will follow the Snow and Winter Weather Emergency policy. For other emergencies (power failures, water line breaks, etc.) which result in agency or departmental closure, workers will follow instructions issued by the Board of County Commissioners. Employees scheduled to hybrid work on the day following an agency or departmental closure and who were unable to retrieve necessary equipment, will be required to report to their usual worksite or use accrued vacation, comp, or personal time off for that day.

While an employee is not required to carry their laptop back and forth for hybrid working, in the event an employee is without their laptop either because it was left at home or at the primary work site, they will need to retrieve it on their own time – either outside their shift or using

accrued time. In the event that the employee does not have any time available and opts not to retrieve their laptop outside their scheduled shift, they will be subject to docking pursuant to the collective bargaining agreement where applicable.

Communication

While hybrid working, employees must be reachable during their normal working hours, and any other times designated by their agency or department. For the extent of the hybrid work authorization, employees and supervisors must establish a method of communication and employees must be available for contact by the agency or department during employees' normally scheduled work hours.

Employees must immediately contact their supervisors and the appropriate IT Help Desk if they encounter any technical issues or become aware of or anticipate any disruption in technological communication while hybrid working that prevents them from communicating with their supervisor or performing essential functions from home. An employee may be required to report to the primary work location depending on the issue or duration of equipment failure.

Employees must immediately contact their supervisors if they encounter or anticipate any power or internet disruption that would prevent them from performing essential functions from home. Interruptions lasting more than 1 work hour, or multiple frequent interruptions, will require the employee to either make alternative arrangements to perform their job (such as reporting to their primary work location) or the use of accrued time off. Should power be restored after reporting to their primary work location, the employee is required to either utilize their lunch hour or other accrued time if they wish to return home. Documentation of the outage may be required.

Equipment and Supplies

Agencies and departments are not expected to incur additional costs for allowing employees to work remotely. The assignment of equipment and software shall follow established policies, procedures, and guidelines. Printers, scanners, monitors, paper, ink, and other equipment will not be purchased to facilitate hybrid working, and it will be the responsibility of the employee to determine how best to accomplish tasks requiring these devices. Employees will not be reimbursed for out-of-pocket expenses for supplies.

Equipment loss because of theft must be reported to agency or department supervisors immediately and a police report must be made by the employee and submitted to the respective agency or department.

Damage to any equipment must be reported immediately. The employee will be responsible for any loss or damage of equipment caused by intentional acts or negligence on the part of the employee or their family. In the case of loss or damage due to normal use of equipment, the employee will not be held responsible. However, the employee authorizes the Board to withhold from the employee's pay the repair cost or replacement value of equipment lost or damaged resulting from intentional acts or negligence as stated above. The Commissioners are not responsible for loss or damage of employee-owned equipment used when hybrid working.

If the worker ceases to be employed by the Board, transfer to a different agency or department, cancel their hybrid work agreement, or have their agreement cancelled by their manager or supervisor, all equipment issued for use when hybrid working must be returned. It is the

responsibility of the manager, supervisor, or a designated person within the agency or department to ensure the equipment is returned and is in suitable condition.

Data Security and Confidentiality

While working remotely, employees are expected to take all required steps to preserve the security and confidentiality of information. Confidential documents and materials must be kept in secure locations and safely stored. Should there be a breach of security or if the worker's equipment is lost or stolen, the employee should notify their manager or supervisor immediately so the manager or supervisor can alert Lucas County Information Services or, where appropriate, the State of Ohio, of the breach or loss.

Employees must maintain password protection to the same extent as required at the workplace and any suspected hacks or breaches of internet or computer security at the remote location must be reported to agency or department management immediately. In accordance with applicable policies as shared with the employee, hybrid workers are responsible for protecting all sensitive data including but not limited to protected health information (PHI), confidential personal information (CPI), and other personally identifiable information (PII) that they may be working on or with while working at working remotely. Intentional disclosure of this information may result in disciplinary action. Employees should review the Lucas County Information Services [Password Management Policy](#) for more information regarding password protection.

Public Record Requirements

Although employees who are hybrid working are performing that work off-site, all public records requirements in the Ohio Revised Code and County, agency, or departmental policy still apply. See Board of Lucas County Commissioners [Policy 4e, Public Records Policy](#).

Injury or Damage at Primary Place of Residence

Injuries occurring while performing the employee's official duties are covered, under State law, by worker's compensation while hybrid working. However, accidents or injuries resulting from the employee's failure to comply with all safety and health rules, regulations, and policies are the responsibility of the employee. This will also apply in the case of injury to family members, visitors, and others.

Investigation and Discipline

The County retains the right to investigate alleged abuse of hybrid working and may terminate or modify the agreement with the employee at any time. Discipline may result from violations of Board of County Commissioners, agency, or department policies and work rules that take place, or any other charges identified in [Ohio Revised Code 124.34](#) while remotely working through due process and just cause.

Termination of Agreement

An employee's ability to hybrid work may be terminated at the discretion of the agency or department Director at any time. The agreement may also be terminated voluntarily by the employee upon written request. Complete termination of hybrid working by the agency or department Director, for legitimate business reasons and not based on an individual employee or classification, must apply to all employees consistently.

The agency department Director or Deputy Director retains the right to re-evaluate, modify, or discontinue employee's hybrid work schedule and require employees to return to their regularly

scheduled in-office hours of work depending upon job responsibilities, operational needs, or other circumstances as determined at their sole discretion.

If a hybrid work arrangement is altered or discontinued, where practicable a good faith effort will be made to notify the employee in advance. However, there may be instances where no notice is possible.

This hybrid work arrangement does not change the basic terms and conditions of employment including the rate of pay and benefits. Employees are expected to comply with all employer policies, procedures, and performance standards while working in a hybrid schedule.

Any violations of the terms and conditions of this policy may result in discipline up to and including dismissal, subject to the terms and conditions of any collective bargaining agreements and applicable law.

For further information and guidance please refer to:

- [Public Records Policy \(Policy 4e\)](#)
- [Electronic Mail and Internet Use Policy \(Policy 22b\)](#)
- [Password Management Policy](#) (LCIS)
- [Ohio Revised Code 124.34](#)

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Signature of County Administrator

3/11/2024

Date