



# CITY OF LONGBEACH

## PERSONNEL POLICIES + PROCEDURES

### Policy 4.5

### Hybrid Work Program

Effective Date: September 23, 2021

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#### I. SCOPE

Applicable to all City departments and offices directly responsible to the City Manager. It is also requested that elected and other independent offices and departments of the City comply with these procedures in the interest of administrative uniformity.

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#### II. POLICY STATEMENT

It is the intent of the City to implement a Hybrid Work Program while contributing to the improvement of work quality, increased productivity, and achievement of air quality and traffic reduction goals. It is the intent of the City to implement the program Citywide and to make it available to all departments to the extent possible.

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#### III. REASON FOR THE POLICY

The purpose of this policy is to set guidelines, responsibilities, and expectations regarding the Hybrid Work Program.

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#### IV. DEFINITIONS

##### A. Primary Workplace

The employee's designated worksite at a City location/facility.

##### B. Alternate Work Location

A management-approved work site, other than the employee's primary workplace, where the hybrid work employee performs their regularly assigned job duties. Such locations may include, but are not limited to, the employee's residence.

##### C. Hybrid work

A flexible work arrangement in which some or all of an employee's regularly assigned duties are performed at an alternate work location for all or some of their regularly scheduled hours.

## V. PROCEDURES

### A. Eligibility

An employee wishing to participate in the Hybrid Work Program must submit a Hybrid Work Request (Appendix A), Safety Checklist (Appendix B) and Agreement (Appendix C) to their supervisor and obtain approval from their Department Head or designee. Denied requests must be reviewed with the employee. The denial or discontinuation of a hybrid work request or agreement is not subject to any grievance procedure or appeal process.

Departments should consider the following factors in determining whether an employee is eligible for hybrid work:

- Needs of the City and the respective Department.
- Nature of the employee's job and duties to be performed.
- Availability and cost of necessary equipment as provided by the respective Department.
- Impact to the work group, Division, Bureau, Department and/or City.
- Adequate and appropriate workspace at the employee's alternative work location, which may be subject to review by Human Resources.
- Employee's current and past job performance, including attendance and disciplinary record.
- As a reasonable accommodation request pursuant to Fair Employment Housing Act (FEHA)/American with Disabilities Act (ADA).
- Employees on an approved leave of absence are not eligible to hybrid work.
- Other job-related considerations deemed necessary and appropriate, and consistent with business necessities, by the employee's Department Head or the Director of Human Resources.

### B. Approval Process

The following process outlines the steps necessary for approval to participate in the Hybrid Work Program. Initial approval shall be followed by periodic status updates at 30-days, 60-days, 90-days, 6 months, and then annually. Approved hybrid work agreements should be reviewed after one year, or anytime a substantive factor in the agreement changes, and a new agreement may be required.

Step 1: The employee must complete and sign the Hybrid Request, Safety Checklist and Agreement and submit to their immediate supervisor for review.

Step 2: Upon receipt of the initial Request, Safety Checklist and Agreement, the supervisor will complete the Hybrid Work Plan (Appendix D). Prior to starting the hybrid work arrangement, the immediate supervisor must prepare a written plan to check-in with the employee at the required milestones established within this policy to evaluate the effectiveness of the Hybrid Work Program. The supervisor discusses any additional equipment/resources/checklist items necessary with the employee and documents them on the Hybrid Request or Safety Checklist.

Step 3: The supervisor will route the Request, Safety Checklist, Agreement and Plan for review and approval to the Department Head or designee, through the Administrative Officer.

Step 4: The Department Head or designee will review the completed Request and Plan to determine whether it will be approved or denied and the decision will be communicated to the employee. Employees are not authorized to hybrid work until their Request and Plan has been approved.

### **C. General Hybrid Work Guidelines**

Participation in the Hybrid Work Program is voluntary, unless otherwise directed to hybrid work as a result of an emergency, and will be approved on a case-by-case basis consistent with the mission and operational needs of the City and the employee's Department. The City is not obligated to approve hybrid work arrangements for employees.

At the City's discretion, adjustments to the Hybrid Work Program may be made if deemed necessary to accommodate operational needs. Additionally, the City may cancel the Hybrid Work Program at its discretion and consistent with this policy.

An employee may request to withdraw from hybrid work arrangement at any time with reasonable notice to their immediate supervisor. A hybrid work arrangement may also be terminated at any time by the employee's immediate supervisor or Department Head with reasonable notice to the employee, and in accordance with any legal requirements including those under the FEHA/ADA. The decision to terminate a hybrid work arrangement will be reviewed with the employee, but is not subject to any grievance procedure or appeal process. When a hybrid work agreement is terminated, the hybrid work employee must promptly return all City-owned devices and work product to their immediate supervisor.

Hybrid Work is not intended to allow for employees to pursue outside employment, to run their own business or engage in personal activities, including child, dependent, or elder care, during working hours. Hybrid work employees shall comply with the City's Collateral Employment/Business Activity Policy 1.7 and may be subject to disciplinary action, up to and including termination, for violating the policy.

Hybrid work employees understand that all obligations, responsibilities, codes of conduct, laws, policies, and terms and conditions of employment apply in the same manner during hybrid work as if the employees were working at the primary workplace, unless otherwise specifically addressed in this policy or the Hybrid Work Request or Plan. Any breach of the hybrid work agreement by the employee may result in modification or withdrawal of hybrid work privileges, termination of the hybrid work arrangement, and/or disciplinary action, up to and including termination.

All pre-existing terms and conditions of employment, including but not limited to the employee's position description, salary, benefits, vacation, leave, and overtime remain the same as if the employee only worked at their primary workplace.

Employees participating in the Hybrid Work Program are not excused from being activated as a Disaster Services Worker (DSW). Provisions regarding an employee's obligation to the City as a DSW are pursuant to the California Emergency Services Act (California Government Code Section 3100-3109).

#### **D. Employee Responsibilities**

The physical address, telephone number, and description of the alternate work location shall be outlined in the Hybrid Work Request, Safety Checklist and Agreement. It is the responsibility of the employee to maintain current and accurate information and update the Hybrid Work Request as necessary.

The work schedule of the hybrid work employee will be determined by the employee's immediate supervisor and set forth in the Hybrid Work Request. While a designated day(s) to hybrid work is recommended, ad-hoc hybrid work is also acceptable with supervisor approval. There is no limit to the number of days an employee may hybrid work. Work schedule policies and rules must still be enforced.

An employee may only work at their alternate work location on approved hybrid work days. Otherwise, the employee should report to their primary workplace as scheduled. Hybrid work outside of an agreed upon date requires advance approval from their supervisor.

Hybrid work employees are subject to the same job responsibilities and standards of performance and productivity as if they were working at their primary workplace. Supervisors may require hybrid work employees to submit a written daily account of the work performed at the alternate work location.

Hybrid work employees are required to be accessible and responsive in the same manner as if they were working at their primary workplace, regardless of the alternate work location. Hybrid work employees are required to be available to respond to inquiries and/or call-back within 30 minutes, unless not operationally feasible due to work-related reasons, in which case the employee will respond as soon as available. Hybrid work employees are in an on-duty status when hybrid working and are expected to have the resources necessary to perform their job and concentrate on job duties without undue interruption.

Hybrid work employees must promptly notify their immediate supervisor of any disruptions at the alternate work location (e.g., equipment failure, power outages, etc.) that impact the employee's ability to perform their job duties. In these situations, the City may require the employee to report to the primary workplace or the employee may request leave. If the employee is required to report to the primary workplace, the employee is not guaranteed "replacement time" or an "in lieu of" hybrid work day. The employee's hybrid work day may be temporarily switched to another day with approval from their immediate supervisor.

Hybrid work employees understand that effective communication is essential for the hybrid work arrangement to be successful. The hybrid work employee must be available by telephone (i.e., landline or mobile), email, and/or fax during the established hybrid work schedule. Teleconferencing or video conferencing (i.e., Teams or Webex) may be considered as a reliable means of communication and may substitute for actual attendance at some meetings with advance approval from the employee's immediate supervisor.

Hybrid work employees must be available to report to the primary workplace, as instructed by the employee's department, in a reasonable amount of time (i.e., within two hours).

Hybrid work employees must manage personal responsibilities such as childcare and other dependent care at their own expense (e.g., cost of childcare/dependent care during work hours) and in a manner that allows job responsibilities to be successfully met as if they were working at their primary workplace. Participation in hybrid work is not a substitution for child, dependent, and/or elder care.

Hybrid work employees will maintain accurate time accounting documentation to support and substantiate hours worked. Furthermore, hybrid work employees should accurately complete their timesheet and provide it to their supervisor or designee per established Department deadlines. Hybrid work employees should submit routine reports detailing hours worked and the status of tasks performed and/or completed as mutually agreed upon with their supervisor. Hybrid work employees subject to overtime, per FLSA overtime regulations and/or MOU agreements, shall obtain advance written approval from their supervisor before working overtime hours. Hybrid work employees must follow the Department's standard reporting and leave request procedures.

#### **E. Safety and Workers Compensation**

Hybrid work employees agree to furnish and maintain the alternate work location in a safe manner consistent with the requirements of the City, State, and Federal safety regulations. The alternate work location is subject to safety compliance inspections by City Safety professionals or their designees on an employee's hybrid work day during their scheduled work hours. Reasonable notice will be provided prior to any inspection. Virtual ergonomic assessments may be conducted at alternative work locations.

Hybrid work employees are eligible for Workers' Compensation benefits for injury or illness that arises out of the employees' regularly assigned duties, and occurs during scheduled work hours within the alternate work location specified in the approved Hybrid Work Request. A work-related accident/injury/illness during hybrid work hours must be reported to the employee's immediate supervisor or their designee immediately or no later than 24 hours after the accident/injury/illness, absent extenuating circumstances.

The City of Long Beach assumes no liability for injury or illness that occurs outside the alternate work location as outlined in the signed agreement.

**F. Equipment and Information Security**

All hybrid work employees are expected to use City-owned equipment, i.e. laptops or computers, to perform their job duties, as appropriate. Exceptions must be approved by the employee's supervisor and the Technology and Innovation Department. The use of City equipment at the alternate work location will be evaluated and supplied on a case-by-case basis. Depending on the request, equipment needs for hybrid work employees will vary and are determined by the employee's department.

Hybrid work employees must return all City-owned equipment when requested by their supervisor, when the hybrid work arrangement ends, or upon separation from the City. Separated employees must contact their department's Administrative Officer to coordinate the return of City-owned equipment.

Hybrid work employees must abide by the City's policies covering information security, software licensing, internet access, and data privacy. Please refer to Administrative Regulation 8-30: City Technology, Equipment, and Resources.

City-owned equipment is to be used for work-related purposes only, and its use is limited to the hybrid work employee. Hybrid work employees are responsible for ensuring that City-owned equipment is properly and responsibly used, maintained, or securely stored.

Hybrid work employees accept financial responsibility for any equipment that is lost, stolen, or damaged because of the employee's negligence, misuse, or abuse.

Maintenance of City-owned equipment is only to be performed by the Technology and Innovation Department. The hybrid work employee is responsible for promptly reporting maintenance needs to the Technology and Innovation Help Desk, and bringing the equipment to a City-designated repair location, if applicable. Required maintenance and repair of City-owned equipment will be performed at the City's expense, unless the need for maintenance or repair resulted from non-work related use.

Hybrid work employees who are approved to use personal equipment and resources to perform work at the alternative work location are responsible for the expenses and costs of the equipment and resources. Accordingly, maintenance and repair of personal equipment is the responsibility of the employee. The City is not responsible for costs, expenses or liability associated

with personal equipment or resource, even if the employee is engaged in City work at the time.

The City discourages hybrid work employees from taking confidential City information to the alternate work location. If work assignments necessitate remote access of, or use of, confidential City information, hybrid work employees are required to take reasonable and prudent measures to ensure the security of confidential City information and prevent its loss and unauthorized disclosure. Any breach of confidential information by the employee may result in modification or withdrawal of hybrid work privileges, termination of the hybrid work arrangement, and/or disciplinary action, up to and including termination.

All work product is the property of the City of Long Beach regardless of whether the work product is created or modified on a City-owned or personal device. As such, this work product is subject to the Public Records Act. This includes, but is not limited to: notes, data, reference materials, sketches, drawings, memoranda, reports and records.

#### **G. Costs/Expenses**

In order to obtain reimbursement for hybrid work related expenditures, employees must obtain pre-approval as stipulated in the Telecommuting Employee Expense Preapproval Reimbursement Guidelines.

Basic office supplies, such as pens, calculators, folders, highlighters, paper clips etc., may be obtained through normal department procurement procedures.

Any costs related to remodeling and/or furnishing the alternate work location are non-reimbursable and the sole responsibility of the employee.

Normal expenses associated with the alternate work location (e.g., home maintenance, utilities, high-speed internet access, rent, mortgage payments, insurance, taxes) are the sole responsibility of the hybrid work employee and are non-reimbursable.

Travel between the alternate work location and the primary work location will be at the employee's expense.

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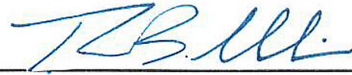
**VI. REFERENCES**

- City Technology, Equipment, and Resources Administrative Regulation 8-30
- City's Collateral Employment/Business Activity Policy 1.7
- California Emergency Services Act, California Government Code Section 3100-3109
- Telecommuting Employee Expense Preapproval Reimbursement Guidelines issued 12.22.2020

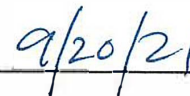
**VII. ATTACHMENTS**

- Hybrid Work Request - Employee
- Hybrid Work Safety Checklist - Employee
- Hybrid Work Agreement - Employee
- Hybrid Work Plan - Supervisor

APPROVED:



City Manager



Date