



South Carolina
DEPARTMENT OF AGRICULTURE
HUMAN RESOURCES DEPARTMENT

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REMOTE WORK POLICY

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. PURPOSE

To establish a remote work program within the South Carolina Department of Agriculture (SCDA) as provided by Section 8-11-15(B) of the South Carolina Code of Laws which allows State agencies to offer alternative work locations. The SCDA remote work program lends to employee retention, schedule flexibility, and recruitment.

II. DEFINITIONS

The official work location is the SCDA office location to which the employee is assigned. It remains the primary work location for employees participating in the remote work program.

III. POLICY

The remote work program is a flexible work arrangement that allows an employee to work at an alternate location from their primary work location for a limited number of day(s) per work week. The alternate location may be their home, a different SCDA location, or a temporary location based on the employee's specific needs. An example of a temporary location would be a relative's home while assisting during a family situation. Remote work is a management option and not a universal employee benefit or right. It is SCDA's option to allow an employee to work remotely or in an alternate location.

Remote work is an arrangement in which eligible SCDA employees are allowed to perform the normal duties and responsibilities of their positions, through the use of computers, the internet, cellphones, and wireless devices, at home or at an alternate work location apart from the employee's usual location of work one or two days per week, as determined by the supervisor and Assistant Commissioner of the employee's division.

IV. EMPLOYEE ELIGIBILITY

To be eligible to routinely work remotely, an employee must have completed one year of satisfactory employment with SCDA, regardless of covered status. At the discretion of Assistant Commissioner, in conjunction with the supervisor, an employee may not have to meet the one-year satisfactory employment period with SCDA to be eligible to work remotely. An exemption to the one-year waiting period may be made for limited remote work capability due to special circumstances (i.e. home repairs). Employees in a warning period of substandard performance are not eligible for remote work.

Participation in remote work will be based on the ability of the employee to perform tasks that can be completed from an alternate workspace, such as a home office, and management's assessment of the employee's ability to complete these tasks satisfactorily. Employees interested in working remotely should submit a request to his/her supervisor, for approval by the Assistant Commissioner or his/her designee. The Assistant Commissioner may request additional information as deemed necessary to consider the remote work request.

V. REMOTE WORK EMPLOYEE'S CONDITIONS OF EMPLOYMENT

The employee's duties, responsibilities, and conditions of employment remain the same as if the employee were working at the employee's official work location. The employee will continue to comply with all Federal laws, State laws, and SCDA's policies and procedures while working at the alternate workspace/location. Working remotely will not adversely affect an employee's eligibility for advancement or any other employee right or benefit. An employee will be compensated for all pay, leave, overtime, and travel entitlement as if all duties were being performed at the employee's official work location.

Working remotely is not a substitute for child or elder care on an on-going basis.

VI. HOURS OF WORK, OVERTIME HOURS, AND TIME REPORTING

Work hours, compensatory time, and leave benefits will not change as a result of working remotely. Requests to work overtime or use sick, annual, or other leave must be approved by the employee's supervisor or designee in the same manner as when the employee works at the employee's official work location. A remote employee shall not work overtime unless authorized in advance by his/her supervisor. Remote employees are required to submit a bulletized list of tasks worked on/completed during their remote day to his/her supervisor by noon the following day. An employee must forego working remotely if needed in the official work location on a regularly scheduled remote day.

SCDA's guidelines for variable workweek schedule or work hours schedule (flex time) apply to remote work employees. Employees must be reachable via phone and email during scheduled work hours.

VII. TEST PERIOD

A test period of three to six months will be established. The employee and management will evaluate the success of the remote work arrangement. Examples of success criteria include, but are not limited to, the employee maintaining or enhancing work quality and productivity compared to in-office performance, meeting deadlines consistently, responding promptly to emails, message, and calls, and fully adhering to the requirement of this Remote Work Policy. Management has full discretion to determine if the employee is eligible to continue working remotely.

VIII. ALTERNATE WORKSPACES

The employee must maintain a separate workspace in the remote site, ensuring it is safe, free from hazards and other dangers to the employee, SCDA's equipment, and confidential information. It is the employee's obligation to ensure the safety of the alternate workspaces and compliance with all health, safety, and confidentiality requirements.

The employee will be liable for injuries or damages in the alternate work locations to the person or property of third parties of any members of the employee's family and agrees to indemnify SCDA for any such claims. The employee understands that SCDA will not reimburse the cost of home-related

expenses, including but not limited to heat, water, electricity, internet, and insurance.

IX. WORKERS' COMPENSATION

The alternate workspace is considered an extension of the employee's official work location; therefore, workers' compensation will continue to exist for the employee when performing official work duties in the defined alternate workspace during approved remote work hours. Any work-related injuries must be reported to the employee's supervisor immediately, and the employee must complete all necessary or agency requested documents regarding the injury.

X. SECURITY OF STATE-OWNED EQUIPMENT AND DOCUMENTS

SCDA established security controls and conditions for use of the State-owned equipment for the regular office will also apply to alternate work locations.

All official SCDA records, files, and documents must be protected from unauthorized disclosure or damage and returned safely to the official work location whenever requested by SCDA. The employee will return all SCDA equipment, files, documents and supplies immediately upon termination of the employee's employment or the end of the employee's remote work privileges.

XI. STATE-OWNED EQUIPMENT

Support, maintenance, repair, and replacement of State-owned equipment issued to employees are the responsibility of SCDA. In the event of equipment malfunction, the employee must notify SCDA Information Technology (IT) immediately. If repairs will take some time, the employee's remote work ability may be amended until the equipment is usable.

XII. EMPLOYEE-OWNED EQUIPMENT

Use of an employee-owned computer is prohibited. Only SCDA issued computers may be used to complete remote work.

XIII. COMPUTER RESPONSIBILITIES

The employee agrees to abide by any rules promulgated by SCDA concerning the use of computer equipment and understands that these rules may be changed at any time. (Refer to SCDA's IT policies). The employee agrees to follow

the SCDA's procedures for network access and to take all necessary steps to protect the integrity of systems including but not limited to: (1) Not making passwords available to anyone else; not allowing others to see passwords when the employee is working; not posting passwords where others can see them; and not leaving the password accessed systems unlocked when leaving the work area; and (2) software used at the remote work site must be approved by the IT Director before installation. SCDA-owned software may not be duplicated. The employee agrees to use a state issued computer when accessing the agency's network. Use of employee's personal computer or laptop to access the agency's network and/or to conduct official work duties may result in disciplinary action up to and including termination. This does not include the use of cloud-based applications, as allowed and regulated by State and SCDA IT.

XIV. TERMINATION OF PARTICIPATION

An employee's participation in the remote work program is voluntary. SCDA or the employee may terminate the remote work arrangement at any time with or without cause. This termination is final in terms of administrative review.

The availability of remote work for employees can be discontinued at any time at SCDA's discretion.