

152 – ALTERNATE WORK LOCATION

A. Work Location

A designated work location is assigned to an employee for the purposes of meeting staffing needs, for insurance and workers' compensation requirements and to administer Court System policies. An employee is expected to report to the employee's principal place of employment unless a position has been designated as a remote work position and an alternate work location has been approved by the employee's supervisor and appointing authority.

B. Alternate Work Location

An employee assigned to a remote work position may have a designated work location at a courthouse or office other than the city of the employee's principal place of employment or may have an office in the employee's home or alternate location that has been designated as the employee's work location. The Alternate Work Location Agreement must be completed prior to beginning work at the alternate work location.

1. Temporary Alternate Work Location

An employee temporarily assigned to an alternate work location maintains the employee's principal place of employment.

- a. The State Court Administrator or Chief Justice may designate an alternate work location for an employee to meet temporary work needs or in response to an unusual situation.
- b. An employee's supervisor may allow an employee to work from an alternate work location for all or part of a week for project specific purposes or to accommodate an employee's request for flexibility.
- c. An employee's supervisor, with the approval of the Human Resource Director, may allow an employee to work from an alternate work location for reasons related to the ADA or FMLA.

2. Involuntary Alternate Work Location

To address documented recruitment needs or a documented, long-term staff shortage in a court office, the State Court Administrator or Chief Justice may designate a position as remote work position. An employee hired to fill a remote work position will be assigned to an alternate work location.

3. Extended Voluntary Alternate Work Location

The Court System recognizes that allowing a voluntary alternate work location may enhance recruitment and retention because it saves time and money for an employee, may enhance the employee's work/life balance, and may be a better fit for the employee's desired workstyle. An employee may request an alternate work location to address the needs or preferences of the employee. An extended assignment is one that is expected to be a minimum of 60 days.

- a. Before allowing an employee to voluntarily work at an alternate work location for an extended period of time the employee's supervisor must take into account:
 - (1) The nature of the employee's work and the primary customer of the employee's service;
 - (2) The amount of effort required to make work available remotely to the employee;
 - (3) Whether the performance of the employee's work, including output, accuracy, and interaction with customers can be adequately monitored by the employee's supervisor;
 - (4) Whether frequent supervision, direction or input is required from others who are at the principal place of employment;
 - (5) Whether being physically present is required to access information that can't be retrieved remotely, to provide in-person customer service, or to service physical equipment; and
 - (6) The employee's employment history, work performance, and job knowledge.
- b. Before approving a voluntary alternate work location, the supervisor must also ensure that at the principal place of employment:
 - (1) Service to the public remains available between the hours of 8 a.m. and 5 p.m.;
 - (2) Adequate supervisory personnel are available; and
 - (3) Sufficient knowledgeable staff is available to respond in a timely manner to service requests.

C. Limitations on Alternate Work Location Arrangements

1. An employee assigned an alternate work location may be required to report to the employee's principal place of employment or closest court facility as required by the employee's supervisor.
2. The designation of an alternate work location may be temporarily suspended by the employee's supervisor to accommodate staff absences, workload fluctuations, or unusual circumstances.
3. Designation of an alternate work location may be rescinded with a 24-hour notice to address a serious work performance issue.

D. Work Schedule

An employee assigned to an alternate work location must be available during regular work hours unless an alternate schedule has been approved under Policy 105. An employee must use leave if the employee is unavailable for work during scheduled work hours.

Approved by the Supreme Court 4/1/12; amended 10/1/22