



AP 7281 Residence of Employees Who Telecommute/Work Remotely

References:

Approved: April 6, 2022  
Last Revised:  
Last Reviewed:

---

"Telecommuting" is defined as periodic work away from the normal work location, one or more days per week, either at home or in a telecommute center.

Per AP 7280 Telecommuting, an employee must forego telecommuting/remote work if needed in the office/work site on a regularly scheduled telecommuting day to meet the work goals of their unit or department, or the needs of the district. The employee may also be called in to the office when necessary to meet operational needs. The manager or supervisor should provide reasonable notice whenever possible. However, due to unforeseen circumstances or an immediate need, the employee may be required to report to the office without advance notice, as needed. Employees are regularly required by their employment to be present at the office or other District facilities, events, and/or meetings.

In addition, the District has determined that the legal and operational obstacles to having employees work while residing outside of the state of California are extraordinarily difficult, costly, and a barrier to effective operations. The costs of legal compliance with all potential states of employee residence would impose an undue burden of complying with the laws and regulations of a different state, which have different legal, tax, and workers compensation insurance requirements.

**For these reasons, all employees, including faculty, must reside in the state of California including those telecommuting/remote working on behalf of the District.**

All employees, including telecommuters/remote workers, must maintain a current California address on file with Human Resources to ensure the proper state employment taxes are withheld from their payroll. This restriction includes the employment of out-of-state residents from teaching online courses.

As referenced in the AP 7280, all classified and management employees telecommuting/working remotely must have a Telecommute Agreement and Safety Checklist on file with the Human Resources Department that is updated annually, or if the employee moves. Employees must certify their residency in the state of California when the Telecommute Agreement and Safety Checklist are updated annually.

Faculty are not required to complete a Telecommute Agreement or Safety Checklist; however faculty are required to maintain their residence in the state of California to meet the needs and operational requirements of their department. Per AP 7280, the work to be performed will be the determining factor for telecommuting.