DoD Telework Program

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This one hour course covers:

- What is telework?
- Telework Eligibility
- The Telework Agreement
- What is an official worksite?
- Telework and Emergency Situations
- Work Schedules and Compensation
- Time and Attendance
- Telework Training
- Telework Denial and Termination
Telework is a work arrangement that allows an employee to perform work, during any part of regular, paid hours, at an approved alternative worksite (e.g., home, telework center). This definition of telework does not include any part of work done while on official travel or mobile work. This definition is also distinct from what is generally referred to as remote work. See the following clarifications on remote and mobile work.

Telework is an effective strategy for mission accomplishment, ensuring COOP in a crisis, and recruiting and retaining valued talent. Telework also benefits the environment by reducing traffic congestion and decreasing energy consumption and pollution.
What is Telework

There are two types of telework:

- **Routine**: Telework that occurs as part of a previously approved, ongoing, and regular schedule.

- **Situational**: Telework that is approved on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing, and regular telework schedule. This includes emergency telework. *Examples of situational telework include telework as a result of inclement weather, doctor appointment, or special work assignments. Situational telework is sometimes also referred to as episodic, intermittent, unscheduled, or ad-hoc telework.*

*Situational telework may be done periodically (as practice) to prepare for COOP and an efficient transition to telework in the event of an emergency situation.*
Telework Eligibility

The Department of Defense shall determine the eligibility of all employees to participate in telework. Eligible employees shall be permitted to telework to the maximum extent possible without diminished individual or organization performance. All employees shall be notified of their eligibility to telework.

• Supervisors should allow maximum flexibility for employees to telework to the extent that mission readiness or accomplishment is not compromised.

• Telework is a discretionary workplace flexibility. Although use of telework is encouraged, employees cannot be ordered to telework, unless the employee’s duties are designated as mission-critical and the employee is required to report to an alternative worksite or the employee’s telework agreement addresses this requirement.
Telework Eligibility

In certain situations, positions or employees may be identified as ineligible for telework if:

- The position requires, on a daily basis, direct handling of classified materials.

- The position requires, on a daily basis, an on-site activity or face-to-face personal contacts that cannot be handled remotely or at an alternative worksite.

- An employee’s performance or conduct warrants more close supervisory direction than telework may provide; whose rating of record is below fully successful (or its equivalent); whose conduct has resulted in disciplinary action within the past 12 months; or who have unresolved security issues that might influence telework eligibility.

- An employee recently assigned or newly appointed to trainee or entry level positions. The length of time for which the employee is deemed ineligible for telework is at the Component’s discretion and should be based upon criteria identified and addressed in the Component’s telework guidance.
Telework Eligibility

Employees in positions determined not normally suitable for telework may become eligible to telework in an emergency situation if their functions are designated as mission-critical.

Employees shall not be authorized to telework consistent with Federal laws and regulations if:

- The employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year.

- The employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing Federal Government duties consistent with the guidance set forth in section 2635.704 of Title 5, CFR.
The Telework Agreement

All employees who are authorized to telework shall complete a DD Form 2946.

The DD Form 2946 shall be signed and dated by the employee and supervisor and maintained by the employee’s supervisor. Components are encouraged to include a DD Form 2946 in the new employee on-boarding packages for those employees occupying telework eligible positions.

Employees with mission-critical duties and those who may be required to telework in the case of a COOP event, office closure due to adverse or inclement weather, or pandemic health crisis shall have a DD Form 2946 in place.
The Telework Agreement

The DD Form 2946 outlines the specific work arrangement agreed upon and address the logistics of alternative workplace arrangements such as the employee’s:

- work schedule
- security requirements
- safety requirements for the alternative worksite
- supplies and equipment issued
- the supervisor’s expectations of a teleworker’s performance
- the employee’s emergency response telework responsibilities
The Telework Agreement

All telework agreements, regardless of the employee’s emergency response status, should address:

- The employee’s telework location (e.g., the employee’s home or other approved alternative worksite).

- Telework requirements when the regular worksite is closed (e.g., emergency dismissal due to adverse weather conditions or any other type of emergency situation).

- Instructions on whether classified and CUI data is authorized for use at the telework location.

- That the employee may not be authorized to telework if the employee’s performance does not comply with the terms of the telework agreement.
Telework Agreement

If the employee’s home is the telework location, it is the responsibility of the employee to make certain that a safe work environment is maintained while teleworking. Employees should designate one section of the home as the telework work station for purposes of the telework agreement and complete and sign a self-certification safety checklist as part of the initial submittal of the DD Form 2946 prior to beginning the telework arrangement.

Telework agreements shall be reviewed by the supervisor and teleworker, re-validated at least every 2 years, and revised when appropriate. A new DD Form 2946 should be completed when a new supervisor is responsible for the employee.

Teleworkers may be required to return to the regular worksite on scheduled telework days based on operational requirements (e.g., to attend a specific meeting).
Designation of the official worksite shall be established for an employee on an approved regular telework schedule on a case-by-case basis consistent with the guidance in section 531.605 of title 5 of the CFR.

The official worksite for an employee covered by a telework agreement is the location of the regular worksite for the employee’s position (i.e., the place where the employee would normally work absent a telework agreement), as long as the employee is scheduled to report physically at least twice each biweekly pay period on a regular and recurring basis to the regular worksite.

In the case of a telework employee whose work location varies on a recurring basis, the employee does not need to report at least twice each bi-weekly pay period to the regular worksite established by the agency as long as the employee is performing work within the same geographic area (established for the purpose of a given pay entitlement) as the employee’s regular worksite.
Official Worksites

When an employee’s worksite is changed from the official worksite to the telework location in a permanent arrangement, a Standard Form 50, “Notification of Personnel Action,” or equivalent nonappropriated fund form must be completed by the servicing human resources office. Supervisors and employees should be aware of the implications of this arrangement.

- Employees are compensated based on the location of their official worksite (i.e., when the telework location is the employee’s official worksite, locality pay would be based on the location of the telework site, not the regular worksite).

- Employees are entitled to reimbursement for official business travel to the regular worksite when the employee teleworks full-time from a location outside of the local commuting area, and his or her alternative worksite has been determined as his or her official duty station.

- Reassignment of the employee from the official worksite to the telework site may also have implications for a reduction in force (e.g., the telework site may be a different competitive area than the regular worksite).
Official Worksite

OPM Definitions

Remote work: A work arrangement in which the employee regularly works from an approved remote worksite (usually the employee’s residence). Remote work is distinct from telework and may result in a change in duty location to the alternative worksite (e.g., home) if the employee does not return to the official worksite at least twice in a biweekly pay period. (informally called “full-time telework).

Mobile work: Work that is characterized by routine and regular travel to conduct work in customer or other worksites as opposed to a single authorized alternative worksite. Examples include site audits, site inspections, investigations, property management, and work performed while commuting, traveling between worksites, or on Temporary Duty (TDY).
Telework and Emergency Situations

Employees who perform mission-critical duties may be required to work from home or an alternative worksite such as a telework center during an emergency situation. Components shall require these employees to complete a DD Form 2946.

Supervisors will include a description of emergency duties with the telework agreement if emergency duties are different from the employee’s normal duties. During any period that a Component is operating under the COOP plan, that plan shall supersede the telework policy and the provisions of the telework agreement.

Employees approved for regular and situational telework who are not able to report to their assigned office location due to office closure or dismissal from a natural or manmade emergency event or when OPM announces that Government offices are open with the option for unscheduled telework shall telework each regularly scheduled work day during the emergency situation.
Telework and Emergency Situations

When Government offices are closed to the public, designated employees who are unable to work due to personal situations or other circumstances (e.g., illness, dependent care responsibilities, loss of electrical power, evacuation by local authorities, or the employee cannot access materials necessary to continue work during the emergency) shall contact a supervisor to request leave or to be excused from duty. Supervisors may administratively excuse designated teleworkers from teleworking on a case-by-case basis.

If the worksite office is open and circumstances prevent the employee from teleworking, the employee may report to the worksite or request leave as practicable. Any requirement that a teleworker continue to work during an office closure or early dismissal shall be included in the employee’s DD Form 2946.
Work Schedules and Compensation

• Employees who telework must be at their alternative worksite during their scheduled tours of duty.

• Employees who telework may also have alternative work schedules at the discretion of the supervisor.

• Employees may not use telework as a substitute for dependent care (e.g., child or elder care).

• Premium pay provisions that apply to work at the regular worksite also apply to employees who telework.
Time and Attendance

Time spent in a telework status must be accounted for and reported in the same manner as if the employee reported for work at the regular worksite.

- Supervisors should establish appropriate procedures for documenting hours of work and approved leave for teleworkers to ensure telework hours are appropriately coded as regular and recurring, situational, or medical.

- DoD Components using the Defense Civilian Pay System shall document these telework hours in the time and attendance system.

- Employees must record dates and times of telework accomplished so Component telework usage can be tracked.
Telework Training

Employees authorized to telework and their supervisors shall complete telework training prior to signing the telework agreement.

Comprehensive OPM telework training courses for supervisors and employees are available at the joint OPM/GSA telework website. https://www.telework.gov/training-resources/telework-training

DoD Component Telework Coordinators or their designees may provide training and consultation on telework matters to employees, supervisors, and leaders.

All employees and Service members who telework shall be trained on accessing the unclassified DoD information technology network remotely consistent with the guidance in References (h) and (i) and in the guidance set forth in DoD Directive 8570.01 (Reference (ad)).
A telework request may be denied by the supervisor.

A telework agreement may be terminated at the discretion of the supervisor or at the employee’s request.

- Employees may dispute the denial of telework through Component administrative grievance procedures.
- Bargaining unit employees may file a grievance through negotiated grievance procedures
References

• DoD Instruction 1035.01, “Telework Policy,”

• Sections 6501 through 6506 of title 5, United States Code, as added by Public Law 111-292 (also known as the Telework Enhancement Act of 2010)

• OPM Guide to Telework in the Federal Government
Questions