



DoD INSTRUCTION 1035.01

TELEWORK AND REMOTE WORK

Originating Component: Office of the Under Secretary of Defense for Personnel and Readiness

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Purpose: In accordance with the authority in DoD Directives 5124.02 and 1400.25, this issuance:

- Establishes policy, assigns responsibilities, and prescribes procedures for implementing DoD telework and remote work programs.
- Implements the provisions of:
 - Sections 6501 through 6506 of Title 5, United States Code (U.S.C.).
 - Sections 101 and 206 of Title 37, U.S.C.
 - Section 359 of Public Law 106-346.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY.

This issuance applies to:

- a. OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).
- b. Employees and Service members as indicated in this issuance and at the discretion of the OSD and DoD Component heads.

1.2. POLICY.

- a. Telework and remote work:
 - (1) Are not interchangeable terms.
 - (2) Promote workforce efficiency, emergency preparedness, maximum mission readiness, and quality of life when implemented throughout the DoD.
 - (3) Should occur to the broadest extent possible by eligible employees or Service members.
 - (4) Are workplace flexibilities, not a right or entitlement.
 - (5) Allow for continued operations during a crisis or national emergency (e.g., pandemic, severe weather events, natural disaster).
 - (6) Create employment and return-to-work opportunities for veterans, people with disabilities, spouses of Service members, and employees facing relocation.
- b. Telework and remote work may be used to:
 - (1) Retain valuable employees with hard-to-replace, mission essential skills.
 - (2) Promote career continuity for employees who are military spouses and relocating due to assignment of Service member spouses.
 - (3) Recruit employees with specialized skills for hard-to-fill vacancies.
 - (4) Reduce costs associated with filling vacancies.
 - (5) Reduce costs associated with training.

- (6) Achieve real property and other business cost reductions.
- (7) Increase work-life balance, resulting in increased morale.
- (8) Increase employment opportunities for individuals with disabilities, as a routine or situational arrangement pursuant to Sections 791 and 794a of Title 29, U.S.C. (also known as “The Rehabilitation Act of 1973,” as amended).

1.3. INFORMATION COLLECTIONS.

The Department of Defense (DD) Form 2946, “Department of Defense Telework Agreement,” available on the DoD Forms Management Program Website at <https://www.esd.whs.mil/Directives/forms/> referred to in Paragraph 2.7.1., has been assigned Office of Management and Budget (OMB) control number 0704-0611 in accordance with the procedures in Volume 2 of DoD Manual 8910.01. The expiration date of this information collection can be found on the Office of Information and Regulatory Affairs website at <https://www.reginfo.gov/public/do/PRASearch>.

SECTION 2: RESPONSIBILITIES

2.1. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA)).

Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, the ASD(M&RA) has overall responsibility for the development of DoD civilian and military personnel policy covered by this issuance.

2.2. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR CIVILIAN PERSONNEL POLICY.

Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, through the ASD(M&RA), the Deputy Assistant Secretary of Defense for Civilian Personnel Policy:

- a. Supports the development of civilian personnel policy covered by this issuance and monitors its execution by DoD Components, ensuring consistent implementation and application throughout the DoD.
- b. Designates the DoD Telework Managing Officer who:
 - (1) Develops and implements telework and remote work policies.
 - (2) Serves as an advisor for DoD leadership and the Chief Human Capital Officer.
 - (3) Provides advice and guidance and serves as a resource to Component representatives, managers, and employees.
 - (4) Serves as the primary point of contact for the Office of Personnel Management (OPM) on telework and remote work matters.
 - (5) Monitors and evaluates DoD's telework and remote work programs for compliance with this issuance and Section 6505 of Title 5, U.S.C.
 - (6) Develops telework and remote work training and marketing materials as necessary.
- c. Consults with the DoD Chief Information Officer (CIO) on telework information technology requirements.
- d. Consults with the Under Secretary of Defense for Intelligence and Security (USD(I&S)) on telework and remote work security policies and procedures.

2.3. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR MILITARY PERSONNEL POLICY.

Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, through the ASD(M&RA), the Deputy Assistant Secretary of Defense for Military Personnel Policy supports the development of military personnel policy covered by this issuance and monitors its execution by DoD Components, ensuring consistent implementation and application throughout DoD.

2.4. DIRECTOR, DEPARTMENT OF DEFENSE HUMAN RESOURCES ACTIVITY.

Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, and in addition to the responsibilities in Paragraph 2.7., the Director, Department of Defense Human Resources Activity:

- a. Supports the Deputy Assistant Secretary of Defense for Civilian Personnel Policy and the Deputy Assistant Secretary of Defense for Military Personnel Policy, as appropriate, in the execution of the duties and responsibilities in this issuance.
- b. Prepares consolidated reports on DoD-wide employee telework and remote work participation rates as well as eligibility for telework and remote work status reports.
- c. Coordinates with the DoD Telework Managing Officer to:
 - (1) Assess the progress made toward telework and remote work participation goals during the reporting period.
 - (2) Assess other DoD goals relating to telework and remote work (e.g., the impact of telework and remote work on emergency preparedness, recruitment, and retention).
- d. Submits the consolidated telework data call report to OPM for the annual Status of Telework in the Federal Government Report to Congress.

2.5. USD(I&S).

In addition to the responsibilities in Paragraph 2.7., the USD(I&S):

- a. Develops policies and procedures related to operations security, information security, insider threat, and foreign intelligence risks in the telework and remote work environment.
- b. Develops policies and procedures related to the issuance, control, and use of classified telework devices.

2.6. DOD CIO.

In addition to the responsibilities in Paragraph 2.7., the DoD CIO:

- a. Develops strategies and provides guidance for enterprise information technology capabilities and data security required to support telework and remote work.
- b. Oversees the evaluation and approval of new and emerging technologies that facilitate telework and remote work for DoD-wide use, as appropriate.
- c. Establishes criteria and guidelines for using and protecting government furnished equipment (GFE) and non-GFE, including personally owned equipment, that access DoD information systems and networks to perform telework and remote work.

2.7. OSD AND DOD COMPONENT HEADS.

The OSD and DoD Component heads:

- a. Develop, implement, monitor, operate, and assess telework and remote work programs in accordance with the law; this issuance; the policies, procedures, and guidance issued by the DoD CIO and USD(I&S); Component-specific guidance; and other applicable DoD policies.
- b. Delegate authority for telework and remote work implementation to subordinate authorities as appropriate.
- c. Designate a Component telework coordinator or manager to:
 - (1) Maintain the Component telework and remote work programs for compliance with this issuance in accordance with Sections 6501 through 6506 of Title 5, U.S.C., as applicable.
 - (2) Serve as an advisor for Component leadership.
 - (3) Serve as a resource for supervisors and employees or Service members.
- d. Actively promote telework and remote work within their respective Components and identify and eliminate barriers to program execution through education and training.
- e. Identify telework and remote work eligible civilian positions, as mission allows. Document the telework and remote work eligibility in the position record in the Defense Civilian Personnel Data System or equivalent human resources system.
- f. Make telework and remote work civilian employee position determinations when establishing new positions or filling vacant positions that were not previously designated for telework and remote work eligibility.
- g. Ensure employees and Service members are notified of their eligibility for telework and remote work.
- h. Establish annual Component telework and remote work participation goals, track employee or Service member participation, and monitor goal progress.
- i. Define the local commuting area, as it will impact eligible reimbursable expenses.

j. Provide civilian employee eligibility and participation data to the Defense Civilian Personnel Advisory Service for submission to OPM for the annual Status of Telework in the Federal Government Report to Congress, which is available at <https://telework.gov/reports-studies/reports-to-congress/annual-reports>.

k. Require training on telework procedures for telework and remote work eligible employees and Service members prior to beginning telework.

l. Require all telework participants to complete DD Form 2946.

m. Require all authorized remote work employees or Service members to sign a remote work agreement.

n. Monitor domestic employee teleworking overseas (DETO) arrangement requests and provide data to the Defense Civilian Personnel Advisory Service.

o. Coordinate with the human resources office to ensure compliance and fulfillment of collective bargaining obligations, as appropriate.

SECTION 3: TELEWORK

3.1. PROGRAM SCOPE.

Telework is an alternative workplace arrangement under which an employee or Service member performs the duties and responsibilities of the assigned position and other authorized activities from an approved alternative worksite but is required to report to the agency's worksite on a regular and recurring basis.

a. Types.

(1) Routine.

Telework is performed from an alternative worksite on regularly scheduled telework day(s) as specified in a written telework agreement between the employee or Service member and the supervisor.

(2) Situational.

Situational telework is authorized on a case-by-case basis as the need arises, such as to prepare for continuity of operations (COOP), perform special projects, complete complex tasks, conduct web-based training, allow for recovery from illness or an injury, tend to personal situations, or when opting for unscheduled telework when OPM announces the Federal Government operating status, in the area of the employee's regular worksite as, "Open with an Option for Unscheduled Leave or Unscheduled Telework." Situational telework may also be authorized for routine teleworkers in such circumstances on regularly scheduled in-office days.

b. Official Worksite.

(1) The official worksite for teleworkers remains the agency's worksite as long as they are regularly scheduled to report to the agency's worksite at least twice each bi-weekly pay period.

(2) In the case of mobile work in which an employee's or Service member's work involves recurring travel to various worksites (e.g., site audits, site inspections, investigations), the employee or Service member does not have to report to the agency's worksite twice each pay period as long as the regularly performed work is within the same locality pay area as the agency's worksite.

3.2. ELIGIBILITY.

a. Position Suitability.

(1) Telework position eligibility criteria will be applied impartially and consistently without consideration of prohibited factors such as race, color, religion, sex, national origin, age, disability, or genetic information. Job functions alone, not managerial preference, determine telework position eligibility.

(2) Generally, positions which require the employee or Service member to handle, discuss, or process classified material will be identified as ineligible for routine telework. Such positions may be eligible for routine telework only in the following circumstances.

(a) Telework will be performed at an alternative worksite, located in the United States, that is a facility accredited by DoD for the handling, discussion, and processing of the classified material necessary to perform official duties. The DoD will not accredit new facilities solely for purposes of telework.

(b) Telework will be performed at an alternative worksite, located in the United States, and all of the following criteria are met.

1. The duties of the position do not require more than occasional handling, discussion, or processing of classified materials.

2. When the duties involve classified materials at the collateral Secret level, a classified telework device is provided as GFE, in accordance with the procedures established by the DoD CIO and the USD(I&S), or the employee or Service member is required to timely report to a facility that has been accredited for the handling, discussion, and processing of the classified material necessary to perform the duties of the position.

3. When the duties involve classified materials at the Top Secret, sensitive compartmented information, or special access program levels, the employee or Service member is required to timely report to a facility that has been accredited for the handling, discussion, and processing of the classified material necessary to perform the duties of the position.

(c) Employee is eligible to participate in a DETO arrangement as described in Section 5.

b. Employee or Service Member Eligibility.

(1) Each DoD Component will determine the eligibility of all employees or Service members to participate in telework. Supervisors will consider employees' or Service members' performance and conduct in making eligibility determinations. Telework will be permitted to the maximum extent possible without diminished individual or organizational performance.

(2) Supervisors must restrict telework pursuant to Section 6502 of Title 5, U.S.C., if the employee or Service member has been officially disciplined for the following disqualifying misconduct:

(a) Being absent without permission for more than 5 days in any calendar year.

(b) Viewing, downloading, or exchanging pornographic material on a government computer or while performing Federal Government duties.

(3) Foreign national employee or Service member eligibility will be jointly determined by the relevant overseas Service Component commander or supervisor in accordance with the joint committee process applicable to the country concerned, and consistent with applicable host nation laws and regulations, as well as international agreements and implementing arrangements.

(4) Telework is a discretionary workplace flexibility. The decision to telework is voluntary, except for employees who are in positions designated as mission essential. Employees designated as mission essential may be required to telework from an alternative worksite such as their home or a telework center during an emergency.

3.3. TELEWORK AGREEMENTS.

Section 6502(b)(2) of Title 5, U.S.C., mandates an approved written agreement be in place for any employee to participate in telework. Therefore, every telework participant must complete a DD Form 2946, regardless of whether telework is routine or situational. Service members may also use DD Form 2946 to document their written agreement. If an employee indicates routine telework on the DD Form 2946, that same agreement will further provide for situational telework as requested and approved.

a. The DD Form 2946 will include Component-specific guidance and instructions regarding authorization of use of classified and controlled unclassified information (CUI) data at the telework location. If authorized, the proper encryption, storage, safeguarding, and return of such information and data will be consistent with Paragraph 3.8.

b. Telework agreements will be reviewed by employees and Service members at least every 2 years and submitted to their supervisors for approval.

c. Employees or Service members designated as mission essential must complete a DD Form 2946 if telework is required in the case of a COOP event, office closure, inclement weather, or national emergency.

d. Components will ensure a new DD Form 2946 is completed by employees and Service members if any information on the form changes (e.g., change in supervisor, telework days, or alternative worksite location).

3.4. TEMPORARY SITUATIONS.

In certain temporary situations, such as an office closure or severe weather emergency, a Component may waive the requirement to report to the regular worksite twice a bi-weekly pay period. In such situations, even though the employee works from an alternative worksite, the regular worksite remains the employee's official worksite because the Component expects the employee to return to the regular worksite after the temporary event. Examples of appropriate temporary telework situations include:

a. An extended office closure or other operating status announcement, national or local emergency, a public health crisis, the activation of a COOP, an issued order of evacuation, or any similar scenario when an employee may be unable to commute to or otherwise be unable to return to the regular worksite.

b. Recovery from an injury or medical condition or other extended period of approved absence from work during which the employee will not be able to report to the regular worksite at least twice a bi-weekly pay period.

c. A period during which the employee is in temporary duty travel status away from the regular worksite.

d. A period during which an employee accepts a detail to work at a location other than the alternative worksite on the telework agreement.

e. A period during which OPM announces the Federal Government operating status, in the area of the employee's regular worksite as, "Open with an Option for Unscheduled Leave or Unscheduled Telework."

3.5. EMERGENCY EVENTS.

a. Some situations may require an employee to work from home whether or not they are bound by a telework agreement or identified as eligible to telework. These situations are not true telework arrangements. Examples of emergencies that may prompt telework include but are not limited to:

(1) Any period during which employees are evacuated under Subpart D of Part 550 of Title 5, Code of Federal Regulations, including a pandemic health crisis as described in Section 550.409(a) of Title 5, Code of Federal Regulations, or other public emergency, if an evacuation order has been issued.

(2) When OPM, the Secretary of Defense, or their respective designee announces government offices are open with the option for unscheduled telework when weather conditions or other circumstances disrupt commuting and/or compromise employee or Service member safety in reporting to the worksite.

b. If the teleworker is unable to communicate with their supervisor to request excusal from duty and cannot maintain their telework status, they must follow the Component's emergency guidance, orders, and procedures contained in the COOP and other applicable emergency management plans.

3.6. DEPENDENT CARE.

a. While performing official duties, teleworkers are expected to arrange for dependent care just as they would if they were working at an agency worksite; however, telework may be used as part of a more flexible work arrangement. Employees may perform telework with a child or other person requiring care or supervision present at the alternative worksite, provided the employee is not engaging in dependent care activities while performing official duties.

b. Permissible telework arrangements may include authorizing an employee to telework while another individual provides dependent care, to take intermittent paid or unpaid leave to fulfill dependent care responsibilities during the workday, and to work a flexible schedule that permits an employee to complete a full workday while completing dependent care responsibilities.

c. Telework arrangements must comply with all workplace policies, including those applicable to tours of duty, flexible work schedules, time and attendance, and performance and conduct.

3.7. TRAINING.

Supervisors, employees, and Service members authorized to telework will complete telework training before signing the DD Form 2946.

a. At a minimum, employees must complete telework training every 2 years. Comprehensive OPM telework training courses for employees and Service members are available at the OPM telework website.

b. Supervisors must complete supervisory telework training every 2 years. Telework training for managers will satisfy employee training requirements.

c. Employees, Service members, supervisors, and leaders may participate in telework training on duty time.

3.8. SECURITY CONSIDERATIONS.

Employees or Service members must comply with criteria and guidelines established by the DoD CIO and their respective Component for using both GFE and non-GFE and for access to DoD information systems and networks while working from an approved alternative worksite. Employees and Service members are responsible for safeguarding all DoD information, protecting GFE and U.S. Government (USG) property, and performing assigned duties while working from an alternative worksite, in support of Component mission requirements. Government-furnished computer equipment, software, and communications, with appropriate security measures, are required for any alternative worksite arrangement that involves CUI data.

a. Employees and Service members participating in alternative worksite arrangements will not take classified hardcopy documents to their approved alternative worksite, unless authorized in accordance with the volumes of DoD Manual 5200.01 and documented in their applicable agreement. Employees who have been issued an authorized classified telework device will only use it to process electronic classified documents, or hold classified conversations, in accordance with the policy and procedures issued by the USD(I&S). If classified telework is authorized at an approved security location, teleworkers or remote workers will comply with the procedures established by the DoD Component regarding such work, including the use of proper encryption, storage, safeguarding, and return of such information and data contained in Paragraph 3.8.

b. Employees and Service members must protect CUI as defined in DoD Instruction (DoDI) 5200.01 including Privacy Act data consistent with the guidance set forth in Section 552a of Title 5, U.S.C., also known as the Privacy Act of 1974, and classified data, and in compliance with all criteria and guidelines for information, electronic, and all other applicable security disciplines consistent with DoD Manual 5400.07 and DoD Component policy.

(1) DoD policy strictly prohibits personally identifiable information (PII) transmission over personal e-mail. PII must be transmitted securely between government email accounts using digital signatures and encryption.

(2) Employees performing work from an alternative worksite who access PII may only do so on encrypted GFE requiring two-factor authentication for access, in accordance with OMB Memorandum 19-17.

(3) Extraction of PII from DoD systems onto non-GFE used for teleworking is prohibited unless approved by a manager and logged and erased in accordance with the requirements of OMB Memorandum M-17-15.

c. Employees and Service members must select designated workspaces that will ensure that their work-related conversations cannot be overheard or observed by smart home devices (e.g., voice assistants, voice-activated appliances). Smart home devices may need to be removed or unplugged from the workspace to prevent any incident.

d. Employees and Service members who are approved to work from home must protect non-public DoD information discussed in voice, or via video conversations, and information shown on computer screen displays from other individuals present in the residence (e.g., spouses, children, roommates). This can be done by prohibiting the issuance of classified telework devices to employees and Service members with foreign national cohabitants; requiring automatic, timer-based screen locks; orienting computer displays away from the views of others; removing common access card or Secret Internet Protocol Router tokens from computers when stepping away; and taking voice and video calls in isolated spaces.

e. Employees and Service members who are approved to work from home must comply with criteria and guidelines established by their respective Component for keeping USG property and information safe and secure. Restrictions may apply to employees or Service members located outside the continental United States as determined by DoD Component criteria and guidelines.

3.9. EQUIPMENT AND OFFICE SUPPLIES.

Teleworkers must comply with equipment usage requirements set forth in DD Form 2946. The General Services Administration offers guidelines for equipment and support that Components may provide to teleworkers on page 13845 of Volume 71, Federal Register.

a. General.

(1) DoD Components should provide the necessary equipment and office supplies to employees and Service members who telework on a regular and recurring basis.

(2) Equipment and supplies may be furnished by Components to employees and Service members who telework on a situational basis when practicable.

(3) DoD Components will not provide internet access for teleworking employees, except in rare instances when such access is required for national defense purposes.

b. GFE.

The local Component commander or supervisor will determine the appropriateness of furnishing and installing GFE and software. The Component's designated information technology or facilities provider will be responsible for the service and maintenance of GFE. Examples of GFE that a Component may furnish include:

- (1) Computer equipment such as a desktop, laptop, or mobile devices, and peripheral equipment such as printers and external storage devices.
- (2) Office furnishings such as desks and chairs.
- (3) Facsimile machines.
- (4) Videoconference equipment.
- (5) Any other equipment the agency deems necessary by individuals performing telework.

c. Services.

Components may pay for services in connection to GFE including subscription fees or service charges required for the GFE to perform its intended purpose. Operating costs associated with the worker using their personal residence as the alternative worksite including home maintenance, insurance, or utilities (e.g., heat, electricity) will not be assumed by the DoD.

d. Software.

DoD remote access software may be installed onto government-furnished and personally owned computers to enable access to unclassified DoD systems and networks consistent with criteria and guidelines established by the DoD CIO and the employee or Service member's respective DoD Component requirements.

e. Authorized Uses.

Employees and Service members must use GFE for official and authorized purposes only. Family members and friends of employees or Service members are not authorized to use GFE or materials. GFE must be returned to the DoD Component at the conclusion of telework arrangements or at the Component's request.

f. Personally Owned Devices.

(1) Use of personally owned peripherals (e.g., monitors, keyboards, and mice) with GFE must comply with the criteria and guidelines for using personal equipment established by the DoD CIO and the employee's or Service member's respective DoD Component requirements.

(2) Teleworkers are responsible for the installation, repair, and maintenance of all personally owned equipment and other incremental costs associated with the residential alternative worksite.

g. Infrastructure.

DoD Components may use appropriated funds to install infrastructure to support telework in a private residence consistent with the guidance set forth in Section 1348 of Title 31, U.S.C. This may include:

- (1) Telephone lines.
- (2) Cell phones.
- (3) Monthly expenses related to GFE in Paragraph 3.9.b.

h. Liability.

The DoD is not liable for damages to the employee's or Service member's personal or real property while the employee or Service member is working at home. Exceptions exist pursuant to:

- (1) Sections 2671-2680 of Title 28, U.S.C., also known as "The Federal Tort Claims Act".
- (2) Section 3721 of Title 31, U.S.C., also known as "The Military Personnel and Civilian Employees Claims Act."

3.10. TELEWORK CENTERS.

a. DoD Components are authorized, consistent with Section 587 of Title 40, U.S.C., to fund costs associated with renting space, including equipment and utilities, at telework centers as practicable.

b. Components may provide employees or Service members with a cell phone or calling card to cover long distance telephone charges while working at a telework center.

c. Security requirements prescribed in this issuance apply to all employees or Service members who telework, including those who telework from telework centers.

3.11. WORK SCHEDULES AND COMPENSATION.

a. Employees or Service members who telework must be at an approved alternative worksite, as listed on their DD Form 2946, (or, in the case of mobile work, at their assigned location) or in an approved leave status during their scheduled tour of duty unless properly authorized by their supervisor to be at a different alternative worksite on a temporary basis.

b. Employees who telework may also participate in alternative work schedules in accordance with DoD and Component policy, subject to supervisor's approval. In many cases, alternative work schedules can enhance the effectiveness of telework.

c. Premium pay provisions (e.g., overtime and compensatory time) that apply to work at the regular worksite also apply to Government employees who telework.

3.12. TIME AND ATTENDANCE.

Employees must account for time spent in a telework status in the same manner as if the employee reported for work at the regular worksite.

a. Supervisors will establish appropriate procedures for documenting hours of regular work, telework, and hours of leave as otherwise consistent with their Component-specific policies. DoD Components will document telework hours in their official time and attendance system.

b. Employees must record dates and times spent in a telework status so that Components can track telework usage. Supervisors must ensure that employees distinguish telework hours between routine versus situational.

c. Supervisors approve leave for teleworkers consistent with applicable law, rule, regulation, and DoD policy.

d. Weather and safety leave will not be provided to a telework eligible employee who is not prevented from working safely at an appropriate alternative worksite during severe weather or other emergency situation.

3.13. TELEWORK AND TRAVEL.

Teleworkers are eligible for travel reimbursement consistent with the Joint Travel Regulations (JTR) and Component-specific policy.

3.14. PERFORMANCE MANAGEMENT.

a. Employees who telework will be treated the same as those not teleworking for the purposes of periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade, retaining and removal, and other acts requiring management discretion.

b. The performance standards for duties of teleworking employees and Service members will be the same as the performance standards for similar duties of on-site employees and Service members who perform the same job.

c. As with any supervisory relationship, work assignments performed or training accomplished while on telework will be discussed, understood, and acknowledged.

d. Supervisors will communicate expectations of telework arrangements, including work assignments, office coverage, and the method of communication to teleworking and non-teleworking employees and Service members in the workgroup.

e. Supervisors will put procedures in place to maintain communication across all members of a workgroup.

f. Supervisors are responsible for the effective functioning of the workgroup. However, employees and Service members are responsible for their availability and information sharing with the workgroup. Supervisors, employees, and Service members are mutually responsible for ensuring the success of the telework arrangement.

g. Supervisors of bargaining unit employees will review the Component's collective bargaining agreement(s) to ensure that telework is conducted consistently with the agreement.

h. When a supervisor observes an employee's or Service member's performance falling below fully successful performance, the supervisor may consider pursuing a performance improvement plan prior to modifying, suspending, or terminating a telework agreement.

3.15. TERMINATION OF TELEWORK.

Either a supervisor or teleworker may terminate a telework agreement. A supervisor may consider the following when deciding to terminate a telework agreement: it no longer meets mission requirements or the needs of the workgroup, the agreement has negatively impacted individual or agency performance, misconduct, issuance of an official disciplinary action, non-compliance with the terms of the telework agreement, or for other business-based reasons to meet mission requirements.

a. When terminating an employee's or Service member's telework agreement, the supervisor will provide written justification on DD Form 2946 and will include information about when the requestor may reapply or actions the requestor may take for a subsequent telework request to be approved.

(1) When practicable, the supervisor will provide a written notice, at least 2 weeks before expecting a teleworking employee or Service member to stop participating in routine telework and return to the official worksite.

(2) In the case of performance matters, supervisors will document and demonstrate that the individual's teleworking directly and negatively impacts individual performance or the performance of the workgroup and remediation can be best accomplished by terminating the telework agreement.

(3) Supervisors may immediately terminate a telework agreement without notice when an employee or Service member becomes ineligible to telework consistent with Paragraphs 3.2.b.(1) and (2).

b. Employees may grieve termination of telework agreements through Component administrative grievance procedures where such procedures are available. Bargaining unit employees may file a grievance through negotiated grievance procedures, when otherwise not excluded. Service members may request reconsideration through their appropriate chain of command consistent with Component-specific policy.

3.16. ROLES AND REQUIREMENTS.

a. Supervisor or Commander.

- (1) Determines employee or Service member eligibility for routine or situational telework in accordance with Paragraph 3.2., Component guidance, and collective bargaining agreements, as applicable.
- (2) Approves, denies, or reassesses requests for telework based upon mission requirements, misconduct, official disciplinary actions within the last 2 years, and the needs of the workgroup, or other business-based reasons and as otherwise consistent with Paragraph 3.15.
- (3) Notifies employees or Service members of their eligibility to participate in a telework program.
- (4) Indicates position and employee eligibility in the appropriate official system of record.
- (5) Ensures employees or Service members complete and maintain telework training every 2 years, and complete, sign, and maintain a DD Form 2946.
- (6) Participates in supervisor telework training before approving employees' or Service members' telework agreements. Implements the telework program consistent with the requirements of this issuance and Component guidance.
- (7) Ensures teleworkers and onsite staff are treated equitably.
- (8) Maintains adequate worksite coverage during business hours so that mission operations continue efficiently and effectively.
- (9) Holds teleworkers accountable for safeguarding and ensuring appropriate use of GFE.

b. Employees.

- (1) Participate in telework training before entering into a written telework agreement in accordance with the requirements in Paragraph 3.7.a.
- (2) Complete DD Form 2946 detailing the location(s) of the alternative worksite comparable to the requirements of Paragraph 3.3. and Component guidance.
- (3) Protect all CUI, as defined in DoDI 5200.48 and including Privacy Act data, and classified information (where applicable and authorized at a secure alternative location). Comply with all criteria and guidelines for information and electronic security consistent with Paragraphs 3.8. and Component guidance.
- (4) Safeguard and ensure appropriate use of GFE consistent with Paragraph 3.9.b. and Component guidance.

(5) Work at the official worksite on approved scheduled telework days if directed by management.

(6) Contact supervisor and obtain approval when:

(a) Government offices close to the public. Teleworkers who are unable to telework due to a personal situation or other circumstances will request the appropriate category of leave or request to be excused from duty.

(b) The regular worksite office is open and circumstances prevent the employee from teleworking. The employee must report to the regular worksite or request leave.

(c) Requesting situational telework or appropriate leave to accommodate unanticipated personal circumstances.

(d) Component leadership provides the option of unscheduled leave or unscheduled telework.

(7) Maintain a required performance level of at least fully successful or equivalent.

(8) Code and report approved telework time in the Component's time and attendance system.

(9) Report any work-related accident or injury occurring at the alternative worksite and provide the supervisor with medical documentation related to the accident or injury.

(10) Adhere to Component's mandatory training or drug testing requirements.

c. Service Members.

Service member responsibilities are at the discretion of the OSD and DoD Component heads, unless otherwise indicated in this issuance.

3.17. WORKERS' COMPENSATION.

a. Chapter 81 of Title 5, U.S.C., also known and referred to in this issuance as "The Federal Employees' Compensation Act (FECA)" covers employees when injured or suffering from work-related illnesses while conducting official government business at the approved alternative worksite. Employees should notify their supervisor if injured while teleworking and provide their supervisor with medical documentation related to the injury in a manner consistent with law, regulation, and policy. Employees may pursue claims in accordance with Volume 810 of DoDI 1400.25.

b. Chapter 18 of Title 33, U.S.C., also known and referred to in this issuance as "The Longshore and Harbor Workers' Compensation Act" covers nonappropriated fund (NAF) employees. Employees should notify their supervisor if injured while teleworking and provide their supervisor with medical documentation related to the injury consistent with law, regulation,

and policy. NAF employees may pursue claims in accordance with Volume 1408 of DoDI 1400.25.

SECTION 4: REMOTE WORK

4.1. PROGRAM SCOPE.

Remote work is an alternative work arrangement that involves an employee or Service member performing their official duties at an approved alternative worksite away from an agency worksite, without regularly returning to the agency worksite during each pay period.

a. Conditions.

- (1) Employee or Service member requests remote work;
- (2) The employee position is identified as remote work eligible at the time of recruitment; or
- (3) A position previously designated as ineligible for remote work is re-evaluated and determined to be eligible for remote work.

b. Verification Requirements.

Remote workers must have a designated workspace that is safe and conducive for the performance of their duties at the approved alternative worksite. Verification will be accomplished using a remote work agreement which requires pre-approval of any changes in the remote work location and completion of a safety checklist, and through ongoing oversight of remote work arrangements.

c. Operational Requirements.

Components must develop and foster a culture that supports remote work while successfully achieving mission and meeting operational requirements through transparency, open communication, trust, and the use of technology.

- (1) Prior to approving remote work, Components will consider:
 - (a) Potential impact to administrative and operational functions including delivery of quality customer service and subsequent perceptions of inequitable treatment between on-site and remote working employees.
 - (b) Potential personnel and organization cost implications:
 1. Changes in locality pay.
 2. Cost of travel.
 3. Future agency directed changes in regular worksite (including potential permanent change of station costs).

4. Transit subsidies.

(c) Potential social impact to employees or Service members who may experience difficulties in a remote situation due to reduced social interaction.

(2) Supervisors will consider:

(a) Equity of work assignments.

(b) Sufficient office coverage as applicable.

(c) Performance management through focusing on goals and outcomes.

(d) Frequent communication regarding tasks and projects.

(e) Expenses associated with shipping materials to remote workers.

(f) Logistics of handling GFE during issuance and repairs.

(g) Availability of resources located at a nearby installation or other official worksites that can provide support and ensure accountability of remote workers.

4.2. ELIGIBILITY.

a. A remote work arrangement may not be approved unless it meets all of the telework eligibility criteria described in Paragraph 3.2., to include criteria applicable to positions involving classified material.

b. Positions that are eligible for telework may not be suitable for remote work. After initially determining whether the position and employee are eligible for telework, DoD Components will consider the following factors before determining remote work eligibility:

(1) Number of remote work arrangements the work unit can accommodate.

(2) Need for in-person interaction or shared experiences.

(3) Availability of resources, to include those listed below, to ensure the remote worker will be provided the same opportunity for assignments and consistency of workload as peers at the official worksite.

(a) Standards and guidelines which promote fair and equitable application of remote work duties.

(b) Tools to manage workload and facilitate collaboration with coworkers.

(c) Activities to engage remote workers with on-site coworkers.

(d) Communication channels for announcements or changes in policies.

(e) Supplies and training.

4.3. REMOTE WORK AGREEMENTS.

Approved remote work participants must have a remote work arrangement documented in writing, known as a remote work agreement. At the minimum, the agreement must be signed by the employee and the immediate supervisor. Remote work agreements will be consistent with the same terms of agreement of working from an alternative worksite as telework agreements as contained in Paragraph 3.3. Figure 1 provides a sample template of a remote work agreement.

Figure 1. Sample Remote Work Agreement

Date of Request:	Proposed Start Date of Remote Work:
Location of Official Work Site: City: _____ State: _____ <i>Note: Official worksite is used to determine pay, reduction in force competitive area, travel reimbursement, and unemployment compensation.</i>	
Assignments and Communication: [Use if appropriate. This may include work assignment, clarification related to remote worksite, agreements related to office communication, checking/responding to voicemail and email, and/or contacting the supervisor.]	
Component-Specific Remote Work Training [Identify any specific requirements and completion date, if applicable.]	
Travel and Relocation Expenses All costs associated with a move to the new official worksite are the responsibility of the employee. The employee agrees to waive any rights to moving expenses if directed to return to the regular worksite based on a decline in performance or for misconduct. <div style="text-align: right;">Employee Initials _____</div> [Insert Component-specific travel policy, as applicable.] <u>Remote work within the locality pay area:</u> <ul style="list-style-type: none"> ● Employees will not be paid for local travel to the agency's worksite if their official worksite is within the local commuting area (50-mile radius, as defined in the Joint Travel Regulations (JTR)). ● Employees will be paid for travel to the agency's worksite if their official worksite is outside the local commuting area (50-mile radius, as defined in the JTR). ● Employees will be paid for travel from their official worksite for official business travel to locations away from the agency's worksite. <u>Remote work outside the locality pay area:</u> <ul style="list-style-type: none"> ● Employees will be paid for travel from their official worksite for official business travel to the agency's worksite. ● Employees will be paid for travel from their official worksite for official business travel to locations away from the agency's worksite. 	

Figure 1. Sample Remote Work Agreement, Continued

Pay Entitlements	
All pay entitlements (including locality-based pay) and other government benefits are based on the new official remote worksite identified above.	
Requests for Change of Remote Location	
Employees must obtain supervisor’s oral or written approval to work at a location other than the approved alternative remote worksite prior to making any arrangements and reporting to work (e.g., temporary arrangements).	
Requests for permanent changes to alternative remote work location must be made at least 30 calendar days in advance. Approved requests will require a new remote work agreement and the servicing human resources office will complete a Standard Form 50, “Notification of Personnel Action,” documenting the approved alternative worksite location.	
Employee Name:	Employee Signature:
Date:	
Supervisor Action	
<input type="checkbox"/> Approve	<input type="checkbox"/> Disapprove Date:
Supervisor Signature:	

- a. DoD Component remote work agreements will include but are not limited to:
- (1) Whether the employee or supervisor initiated the request.
 - (2) Alternative worksite location and locality pay area if it differs from the regular worksite.
 - (3) Hours of work.
 - (4) Sources for obtaining supplies, location of the common access card facility, or other relevant resources and locations that support completion of assigned duties.
 - (5) Whether travel and relocation costs will be paid by the Component.
 - (6) Clearly outline the terms of termination, including any associated costs.
 - (7) Agency specific remote work policy and applicable collective bargaining requirements.
- b. An employee’s request to change the terms of a current remote work arrangement (e.g., move to a new alternative worksite location) must be approved in advance and requires the employee to submit a new remote work agreement to document the new agreement terms. A new remote work agreement must be approved before the employee implements the requested change.

4.4. OFFICIAL WORKSITE.

The official worksite is the location where the employee regularly performs their duties. The approved alternative worksite that is listed on the remote work agreement will become the official worksite. Remote work arrangements will require a documented change in the official worksite to the approved alternative worksite.

- a. The servicing human resources office will complete a Standard Form (SF) 50, “Notification of Personnel Action” (located at <https://www.gsa.gov/reference/forms>), or the equivalent NAF personnel action, documenting the approved alternative worksite location.
- b. Reassignment of an employee from the regular worksite to the approved alternative worksite may result in a change to the employee’s locality pay and may impact a reduction in force since the approved alternative worksite may be in a different competitive area than the regular worksite.

4.5. WORK SCHEDULES.

- a. Remote workers must establish a work schedule consistent with Component policy, subject to supervisory approval. Supervisors must consider coverage for the appropriate time zone relative to the mission objectives.
- b. Supervisors must ensure remote workers request changes to their work schedule and then communicate those approved changes to peers and customers.
- c. Remote workers are permitted to participate in available flexible work schedules in accordance with DoD and Component policy, subject to supervisory approval.

4.6. TIME AND ATTENDANCE.

- a. Remote workers are responsible for accurately reporting their working hours using their Component’s official time and attendance system.
- b. Remote workers will adhere to their approved work schedule as recorded in the DoD Component’s time and attendance system and their organization’s published guidance on hours of duty, work schedules, and tours of duty, unless otherwise approved by their supervisor.
- c. Remote workers must account for work and non-work hours during tour of duty and take appropriate paid or unpaid leave to account for time spent away from normal work-related duties. The provisions of Paragraph 3.6. regarding dependent care are also applicable to remote workers.

4.7. TRAVEL/RELOCATION EXPENSES FOR CIVILIAN EMPLOYEES.

- a. All relocation requests, approvals, denials, and associated responsibility for costs must be documented in writing.

b. An employee-requested relocation to a remote work location is for the employee's own convenience and benefit. Pursuant to Chapter 2 of the JTR, the agency is prohibited from paying relocation expenses to a new remote work location. In accordance with the JTR, if approved to work remotely, the employee agrees to waive any rights to moving expenses if directed to return to the regular worksite based on a decline in performance or for misconduct. Accordingly, the employee is responsible for incurring such expenses when directed to return to the regular worksite due to a decline in performance or for misconduct.

4.8. PERFORMANCE MANAGEMENT.

Supervisors, employees, and Service members will adhere to the guidance contained in Paragraph 3.14.

a. Remote workers will be treated the same as on-site employees for the purposes of periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade, retaining and removal, and other acts requiring management discretion.

b. If a Component determines that the remote work arrangement is negatively impacting the employee's performance, the Component may wish to pursue a performance improvement plan that can be done remotely at the remote work site versus requiring the remote worker to work onsite.

4.9. SECURITY CONSIDERATIONS.

Regardless of the worksite, it is the responsibility of employees and Service members to keep Government property and DoD information safe, secure, and separated from their personal property and information. Remote workers will adhere to the guidance contained in Paragraph 3.8.

4.10. EQUIPMENT AND OFFICE SUPPLIES.

DoD Components should provide the necessary equipment and office supplies for use with GFE for remote workers based on the nature and type of work performed. Supervisors, employees, and Service members must comply with equipment usage requirements contained in Paragraph 3.9. The General Services Administration offers guidelines for equipment and support that Components may provide to remote workers on Page 13845 of Volume 71, Federal Register.

4.11. ROLES AND REQUIREMENTS.

a. Supervisor or Commander.

(1) Using the criteria in Paragraph 4.2., assesses whether the duties and responsibilities of the position can be performed remotely and considers the impact to mission.

(2) Budgets for potential travel costs associated with reasonable travel to and from the employee or Service member's permanent remote worksite and the regular worksite.

(3) Determines employee or Service member eligibility for remote work consistent with the requirements of Paragraph 4.2., Component guidance, and collective bargaining agreements, as applicable.

(4) Notifies employees or Service members of their eligibility for remote work.

(5) Indicates position and employee eligibility in the appropriate official system of record.

(6) Participates in Component-required remote work training before approval of an employee or Service member's remote work agreement consistent with the requirements of this issuance, Component guidance, or at least once every 2 years.

(7) Establishes clear criteria to evaluate and approve or disapprove remote work agreements to avoid unfair or inequitable practices.

(8) Approves or denies requests for remote work based upon mission requirements, misconduct, for non-compliance with the terms of the remote work agreement, official disciplinary actions within the last 2 years, the needs of the workgroup, or for other business-based reasons.

(9) Drafts, signs, and maintains a remote work agreement comparable to the requirements of Paragraph 3.3.

(10) Returns decisions on requests for remote work, including new requests or modifications to existing agreements, within 30 calendar days of receipt where practicable.

(11) Justifies, in writing, the basis for the denial of remote work requests.

(a) Supervisors must provide written basis for the denial and if appropriate, include information about when the requestor may reapply and actions the requestor may take for a subsequent remote work request to be approved.

(b) Employees may grieve termination of remote work agreements through Component administrative grievance procedures where such procedures are available. Bargaining unit employees may file a grievance through negotiated grievance procedures, when otherwise not excluded. Service members may request reconsideration through their appropriate chain of command as consistent with Component-specific policy.

(12) Holds employees and Service member accountable for safeguarding and ensuring appropriate use of GFE.

(13) Ensures remote workers have the software needed to complete their duties, which may include collaboration software to attend virtual meetings with customers, peers, or management.

(14) Reiterate security requirements for computer systems access with the remote worker in a virtual environment.

b. Employee.

(1) Participates in Component-required telework training before entering into a written remote work agreement consistent with the requirements of this issuance, Component guidance, or at least once every 2 years.

(2) Completes Component's remote work agreement form detailing the location of the alternative worksite comparable to the requirements contained in Paragraph 3.3. and Component guidance. If requesting remote work at home, completes a self-certification safety checklist and makes sure any areas used for remote work comply with safety requirements.

(3) Completes and submits appropriate tax documents in accordance with Federal and State laws.

(4) Reports any work-related accident or injury occurring at the alternative worksite and provides the supervisor with medical documentation related to the accident or injury.

(5) Protects all CUI as defined in DoDI 5200.48 and classified data as defined in DoDI 5200.01, including Privacy Act data, and complies with all criteria and guidelines for information and electronic security contained in Paragraph 3.8. and Component guidance.

(6) Safeguards and ensures appropriate use of GFE contained in Paragraph 3.9. and Component guidance.

(7) Codes and reports approved work hours in the Component time and attendance system.

(8) Obtains supervisor's verbal or written approval to work at a location other than the approved alternative worksite prior to making any arrangements and reporting to work (e.g., temporary arrangements).

(9) Requests any changes to alternative remote work location 30 calendar days in advance.

(10) Attends required meetings the same as peers located at the official worksite.

(11) Adheres to mandatory training requirements.

(12) Adheres to mandatory drug testing requirements.

c. Service Member.

Service member responsibilities are at the discretion of the OSD and DoD Component heads, unless otherwise indicated in this issuance.

4.12. TERMINATION OF REMOTE WORK.

a. The supervisor or commander may terminate a remote work agreement, if it no longer meets mission requirements or the needs of the workgroup, for misconduct, for non-compliance with the terms of the remote work agreement, or for other business-based reasons. The employee or Service member may also request to terminate a remote work agreement.

(1) The person who initiates the termination of a remote work agreement must provide notification of cancellation at least 30 calendar days before the effective date. The notice of cancellation will include any relevant justification or reason for the cancellation.

(2) Responsibility for costs associated with reassigning the remote worker from the alternative work site to the regular work site will be consistent with the terms of the remote work agreement, the JTR, and any other applicable law, regulation, or policy. Additional requirements are set forth in Paragraph 4.7.

b. Employees may grieve termination of remote work arrangements through Component administrative grievance procedures where such procedures are available. Bargaining unit employees may file a grievance through negotiated grievance procedures, when otherwise not excluded. Service members may request reconsideration through their appropriate chain of command as consistent with Component-specific policy.

4.13. WORKERS' COMPENSATION.

Remote workers pursuing claims under FECA or the Longshore and Harbor Workers' Compensation Act will follow guidance in Paragraph 3.17.

SECTION 5: DOMESTIC EMPLOYEES TEMPORARILY WORKING FROM OVERSEAS PURSUANT TO DETO ARRANGEMENTS

5.1. ADDITIONAL REQUIREMENTS FOR DOMESTIC EMPLOYEES.

Pursuant to Section 4802 of Title 22, U.S.C., the Secretary of State has security responsibility for USG personnel whose alternative worksite is a foreign location that is not the location of the employee's regular worksite. Such arrangements require Department of State (DoS) approval pursuant to its DETO program. Generally, the DoS does not approve DETO arrangements involving alternative worksites that are not within 25 miles of a U.S. Embassy or Consulate or a U.S. military installation with permanently assigned forces. Additional security requirements and threat assessments apply.

5.2. COORDINATION OF DETO ARRANGEMENTS.

a. Employees are not authorized to perform the duties of a position whose regular worksite is located in the United States at an alternative worksite in a foreign location without an approved DETO arrangement. In addition to prerequisites otherwise applicable to telework and remote work arrangements, DETO arrangements require coordination with the Component DETO coordinator. A DETO arrangement cannot begin until all required official approvals have been obtained, including all required signatures on the DETO agreement and chief of mission (COM) approval via the National Security Decision Directive (NSDD) 38 or eCountry Clearance process.

b. DoD Components will designate a DETO coordinator to serve as a central point of contact to coordinate DETO arrangements for employees of the DoD Component. Component DETO coordinators may direct inquiries concerning DETO policy and coordination requirements to the DoD DETO coordinator at the Benefits, Wage and NAF Policy Branch of the Defense Civilian Personnel Advisory Service by emailing dodhra.mc-alex.dcpas.mbx.dod-worklife@mail.mil. OSD Component DETO coordinators will coordinate with the DoD DETO coordinator before contacting the DoS.

c. Employees and supervisors may direct inquiries to their Component's telework coordinator, human resources office, or DETO coordinator.

5.3. ELIGIBILITY.

a. Employees may be permitted to temporarily perform work requirements and duties from an approved overseas location pursuant to an approved DETO agreement in the following circumstances.

(1) The employee is eligible to perform telework or remote work from an approved alternative worksite.

(2) The employee is one of the following:

(a) On the orders of a sponsoring USG employee who is or will be assigned (not temporary duty) to a U.S. mission abroad under COM authority or to a U.S. military installation with permanently assigned forces.

(b) Not on the orders of a sponsoring USG employee but the alternative worksite is within 25 miles of a U.S. Embassy or Consulate or a U.S. military installation with permanently assigned forces and the location of the alternative worksite is rated low or medium by the DoS for crime, terrorism, and political violence.

(3) The duties of the position do not require access to, and/or the handling of, classified materials, unless the employing Component has arranged for the employee to obtain appropriately secure access to such materials at an alternative worksite located at a U.S. Embassy or Consulate or at a U.S. military installation with permanently assigned forces.

(4) The employing Component determines it is in the best interests of the Component, and funding is available, to pay for any additional costs (e.g., International Cooperative Administrative Support Services Program) necessary to support the DETO arrangement.

(5) The employee's duties do not involve reporting on or playing any substantive role in policy or administrative issues pertaining to the country from which the employee would work.

b. DETO arrangements are a discretionary workplace flexibility, not an employee entitlement. DoD Components will consider DETO arrangements on a case-by-case basis and establish DETO policies for enforcement and administration.

5.4. LOCALITY PAY.

Effective January 1, 2023, DETO employees are entitled to locality pay in accordance with Section 9717 of Public Law 117-263. The locality payment is equal to the lesser of the amount of Title 5 locality pay the employee would have been paid if the official duty station of the employee had not been changed to an overseas location under the DETO arrangement or the amount of overseas locality pay the employee would be paid if the employee were an eligible member of the Foreign Service, as continued to be authorized under Section 9802(c) of the Fiscal Year 2023 National Defense Authorization Act. Information about how to calculate DETO locality pay is available at <https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/domestic-employees-teleworking-overseas-deto-locality-pay/>.

5.5. AGREEMENTS.

a. Requirements.

The requirements for DETO agreements are the same as those in Paragraph 3.3. In addition to the specified DoD requirements, DoS requirements apply. DETO coordinators may obtain templates and information about DoS procedures by emailing the DoD DETO coordinator.

b. Duration.

DETO agreements will be of limited duration, subject to the following criteria:

- (1) DETO arrangements may not exceed the initial overseas assignment duration of an employee's USG sponsor.
- (2) A sponsored DETO arrangement may not exceed 5 years.
- (3) An independent DETO arrangement may not exceed 3 years.
- (4) DETO arrangements may not exceed the initial DoS approved DETO ending date, unless all required official approvals for an extension have been obtained, including all required signatures on the DETO agreement and COM approval via the NSDD 38 or eCountry Clearance process.

c. Amendments.

Supervisors may amend the DETO agreement at any time by providing written justification based on the needs of the office and with prior notification to the employee of 60 calendar days. Supervisors must work with the Component DETO coordinator to ensure that all required official approvals for an amendment have been obtained, including all required signatures on the DETO agreement and COM approval via the NSDD 38 or eCountry Clearance process.

d. Termination.

- (1) Either the employee or supervisor may cancel a DETO agreement before its prescribed termination date. The notice of cancelation will:
 - (a) Provide justification for the cancelation.
 - (b) Be in writing.
 - (c) Be submitted to the Component DETO coordinator and all parties to the DETO agreement at least 30 calendar days before the effective date of cancellation.
- (2) Supervisors may cancel agreements which no longer meet mission requirements or the needs of the workgroup, for misconduct, for non-compliance with the terms of the DETO agreement, or for other business-based reasons.
- (3) The DoD or Component DETO coordinator will ensure that the DoS is notified of the termination.

e. Workers' Compensation.

Employees on approved DETO arrangements pursuing claims under FECA or the Longshore and Harbor Workers' Compensation Act will follow the guidance contained in Paragraph 3.17. and the requirements for overseas claims.

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
CIO	chief information officer
COM	chief of mission
COOP	continuity of operations
CUI	controlled unclassified information
DD	Department of Defense (form)
DETO	domestic employee teleworking overseas
DoDI	DoD instruction
DoS	Department of State
FECA	Federal Employees' Compensation Act
GFE	government furnished equipment
JTR	Joint Travel Regulations
NAF	nonappropriated fund
NSDD	National Security Decision Directive
OMB	Office of Management and Budget
OPM	Office of Personnel Management
PII	personally identifiable information
SF	standard form
U.S.C.	United States Code
USD(I&S)	Under Secretary of Defense for Intelligence and Security
USG	U.S. Government

G.2. DEFINITIONS.

These terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
alternative work schedule	An umbrella term that refers to compressed work schedules and flexible work schedules.
alternative worksite	A management-approved telework or remote work site.
alternative worksite arrangement	An approved alternative worksite that is listed in a telework or remote work agreement.
COOP	An effort to ensure that the capability exists to continue component-essential functions across a wide range of natural disasters or local or national declared emergencies.
CUI	A categorical designation that refers to sensitive information that isn't classified, but still needs some level of protection and safeguarding. The designation CUI replaces the term "sensitive but unclassified."
day	Associated with an employee's tour of duty that is established by their agency in accordance with Sections 6101(a)(3), 6122, and 6127 of Title 5, U.S.C.
dependent care	Services that provide support and nurturing of persons who cannot meet their own needs, such as children or functionally impaired adults.
DETO	A USG employee assigned to a domestic position with an alternative work arrangement permitting work to be performed at an approved worksite in an overseas location for a limited period of time.
eligibility	Characteristics of a job position and an employee or a Service member that identify suitability for teleworking or remote working as determined by the supervisor or other appropriate management official in an employee's or a Service member's chain of command.
employee	A DoD government employee, including foreign national employees, paid from appropriated or NAF funds.

TERM	DEFINITION
independent DETO	An USG employee, not on the orders of a USG sponsoring Service member or employee, assigned to a domestic position with an alternative work arrangement permitting work to be performed in an overseas location for a limited period of time.
mission essential	Job position functions that enable the Federal Government to continue to provide the necessary, vital services during time of need.
mission-essential duties	Job position functions that are identified as critical to performance of the mission.
mobile work	Work which is characterized by routine and regular travel to conduct work in customer or other worksites as opposed to a single authorized alternative worksite.
official worksite	The official Federal agency location for most employees and Service members, including teleworkers. For remote workers, the official worksite is the alternative worksite to which the supervisor and the employee or Service member have agreed. The official worksite is generally the location of an employee's duty location as documented on an employee's SF 50 or equivalent.
official disciplinary action	A disciplinary action that results in the placement of a document in an employee's official personnel file.
regular worksite	Location where an employee or Service member would work absent a telework or remote agreement. Also called the agency worksite.
remote work	An alternative work arrangement in which an employee or Service member works from an approved alternative worksite within or outside the locality pay area of an agency worksite and is not expected to return to an agency worksite on a regular basis during each pay period.
remote work agreement	A written agreement between the supervisor and employee or Service member that outlines duties, obligations, responsibilities, and conditions of the remote work arrangement.

TERM	DEFINITION
remote worksite	Alternative worksite location where an employee performs assigned official duties in a remote work arrangement. This is also the remote worker's official worksite and must be reflected on the employee's SF 50 or equivalent NAF personnel action.
routine telework	A telework arrangement with an approved, ongoing schedule during which an employee or Service member reports to the official worksite at least 2 days a bi-weekly pay period.
situational telework	An approved telework arrangement that is not a part of an ongoing schedule and occurs occasionally. It is also referred to as episodic, intermittent, unscheduled, or ad hoc telework. Telework is also considered situational even though it may occur continuously for a specific period.
sponsored DETO	A USG employee on the orders of a USG sponsoring Service member or employee assigned to a domestic position with an alternative work arrangement permitting work to be performed in an overseas location for a limited period of time.
supervisor	Government management official, commander, or Service member who has direct responsibility for directing and managing employee or Service member work and for approving and denying employee or Service member telework or remote work agreements.
telework agreement	A written agreement, completed and signed by an employee or Service member and the authorized management official(s) or commanders via the DD Form 2946, that outlines the terms and conditions of the telework arrangement.
telework center	A facility that provides a geographically convenient office setting with workstations and other office facilities and services that are used by employees or Service members from more than one organization.

REFERENCES

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- National Security Decision Directive 38, “Staffing at Diplomatic Missions and Their Overseas Constituent Posts,” June 2, 1982
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- Public Law 117-263, Section 9717, “James M. Inhofe National Defense Authorization Act for Fiscal Year 2023,” December 23, 2022
- United States Code, Title 5
- United States Code, Title 22, Section 4802
- United States Code, Title 28
- United States Code, Title 29
- United States Code, Title 31
- United States Code, Title 33, Chapter 18 (also known as “The Longshore and Harbor Workers’ Compensation Act”)
- United States Code, Title 37
- United States Code, Title 40, Section 587