

# Reclamation Manual

Directives and Standards

## **TEMPORARY RELEASE**

(Expires 06/03/2013)

<b>Subject:</b>	Telework
<b>Purpose:</b>	To ensure proper and consistent implementation and administration of telework throughout the Bureau of Reclamation. The benefit of this Directive and Standard (D&S) is the continued implementation of a management tool that provides eligible employees with the opportunity to perform their duties at alternative worksites during an agreed portion of their workweek while supporting efforts to improve employee productivity and morale, to reduce the carbon footprint, and reduce office space needs. Telework may also serve as a recruitment and retention tool.
<b>Authority:</b>	Section 359 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (Pub. L. 106-346; 114 Stat. 1356A-36); Telework Enhancement Act of 2010 (Pub. L. 111-292; 124 Stat. 3165); Department of the Interior Personnel Bulletin No. 11-01.
<b>Approving Official:</b>	Director, Policy and Administration (Policy)
<b>Contact:</b>	Human Resources Division, Program Management Group, 84-58100

1. **Introduction.** Telework is a management tool that allows employees to work at an alternative worksite, be it their home, telecenter, or another location, that allows the employee to accomplish work in an efficient and effective manner. Such arrangements may be referred to as telecommuting, flexiplace, and work-at-home. The Telework Enhancement Act of 2010 requires each executive agency to establish a policy under which eligible employees may be authorized to telework. The Department's policy is to provide all *eligible* employees the maximum opportunity to *participate* in telework at an alternate workplace when doing so is consistent with the bureau/office mission and where employees have received fully successful or greater performance ratings, require minimal supervision, and whose responsibilities are not dependent on location. The Department's policy further states that some duties may be unsuitable for telework. This Reclamation Manual (RM) D&S establishes the framework on how telework and specifically the Telework Enhancement Act of 2010 will be administered within Reclamation and provides details concerning how Reclamation will implement and administer telework opportunities.

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2. **Applicability.** This D&S applies to all Reclamation employees. This D&S does not apply to contractors hired by Reclamation, whose terms of employment are to be established by contract.
3. **Definitions.**
  - A. **Fixed Schedule Telework.** A telework schedule that is fixed as to the specific days or hours an employee will telework each week or pay period.
  - B. **Intermittent Telework.** A telework schedule that is not fixed; rather, the employee teleworks only as needed based on job requirements, or based on external factors, such as weather conditions.
  - C. **Office Coverage.** As established by each Director, the hours during normal work days when the office will be open and an employee's presence is required.
  - D. **Official Duty Location.** Location of the regular worksite for the employee's position (i.e., the place where the employee would normally work absent a telework agreement).
  - E. **Restricted-Access Materials.** Includes all classified materials and materials specified in RM D&S, *Identifying and Safeguarding For Official Use Only (FOUO) Information*, SLE 02-01.
  - F. **Telework.** A work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from a location other than the employee's official duty location.
  - G. **Telework Location.** The site from where the employee will telework, with the approval of the supervisor or manager.
  - H. **Worksite.** The place where the employee works or at which the employee's activities are based. This can be an official duty location or a telework location and can change, even on a daily basis.
4. **Responsibilities.**
  - A. **Directors.** Directors are responsible for implementing this D&S.

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- B. Director, Policy and Administration.** The Director of Policy is responsible for:
- (1) implementing procedures to determine the eligibility status of all employees to participate in telework;
  - (2) implementing procedures to ensure that all employees have been notified of their eligibility status; and
  - (3) designating a senior Reclamation manager within Policy's Human Resources Division as the "Bureau Telework Coordinator."
- C. Servicing Human Resources Offices.** Reclamation's servicing human resources offices are responsible for:
- (1) identifying or developing appropriate telework training courses for managers, supervisors, and employees;
  - (2) maintaining records of who is authorized to telework; and
  - (3) gathering all information concerning telework needed to provide reports to the Office of Personnel Management (OPM), Department of the Interior, and any other required submittals.
- D. Bureau Telework Coordinator.** The Bureau Telework Coordinator is responsible for:
- (1) developing and implementing RM documents, and any associated discretionary guidelines;
  - (2) being the primary point of contact for OPM on telework matters;
  - (3) advising the Reclamation Leadership Team concerning telework issues; and
  - (4) being a resource for supervisors, managers, and employees concerning telework.

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**E. Managers and Supervisors.** Managers and supervisors are responsible for:

- (1) determining telework eligibility for each employee he/she supervises and notifying each employee of his/her eligibility status; this includes all new employees;
- (2) conducting a recurring eligibility status evaluation for employees he/she supervises as needed;
- (3) completing appropriate telework training;
- (4) making a determination for each employee he/she supervises as to the suitability of the employee's duties to participate in telework;
- (5) ensuring that each employee whose assignments are found to be suitable for telework receive telework training before starting telework or continuing to telework, if the employee has not yet completed the appropriate training;
- (6) entering into a formal agreement with each employee who is to telework that outlines the specific work arrangement;
- (7) ensuring adequate coverage of the office during normal work hours;
- (8) ensuring employee accomplishments while teleworking are measureable;
- (9) reviewing the coding on timesheets to ensure time spent teleworking is properly reported (see Paragraph 11 of this D&S); and
- (10) ensuring bargaining unit employees are informed in writing that they may file a grievance about the denial or cancellation of a telework agreement through the negotiated grievance procedure if there is a collective bargaining provision to that effect. Employees that are not in a bargaining unit may file a grievance under the provisions of the administrative grievance procedures, found in 370 DM 771.

**F. Telework Employees.** All employees who telework are responsible for:

- (1) complying with the requirements of this D&S;

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- (2) completing appropriate telework training before starting to telework or continuing to telework, if appropriate training has not yet been completed.
  - (3) signing a formal telework agreement; and
  - (4) keeping their supervisor or manager advised of work progress while teleworking to ensure productivity is maintained or enhanced and that telework is successfully incorporated into their work schedules.
5. **Management Standards.** Reclamation will provide the opportunity to telework to all employees, based on the assigned duties of each employee being compatible with teleworking (see Paragraph 7 and 8 of this D&S).
- A. Offering the opportunity to telework is a management option; telework is not a universal employee benefit. Management authorization for telework, allowing the employee to “participate”, will be based on business needs and performance and not personal reasons.
  - B. An employee’s participation in Reclamation’s telework program is entirely voluntary.
  - C. The employee may terminate teleworking without cause, with proper advance notice to the supervisor. The supervisor will deny or terminate teleworking based on business needs or employee performance and not personal reasons.
  - D. The conditions of employment for an employee who is teleworking will remain the same as for those employees who are not teleworking.
  - E. Employee salary and benefits will not change as a result of teleworking.
  - F. Teleworkers will be treated in the same manner as nonteleworkers for purposes of performance appraisals, training, awards, promotions, retention, reassignments, and removals.
  - G. This D&S does not address special conditions and needs of all individuals. More specific conditions relating to employee teleworking will be detailed in the Telework Agreement which must be negotiated by the employee and his/her supervisor or manager (see Paragraph 8 of this D&S).

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6. **Continuity of Operations.** Telework will be incorporated as part of Reclamation's continuity of operations plan (COOP) in the event of an emergency. In the event that Reclamation is operating under a COOP, that plan shall supersede this D&S.
  
7. **Eligibility and *Ineligibility* to Telework.**
  - A. Each supervisor and manager will determine telework eligibility or ***ineligibility*** for each employee he/she supervises. In accordance with the statute, the following factors determine an employee to be ***ineligible***:
    - (1) employees who have been officially disciplined for being absent without permission for more than 5 days in any calendar year;
    - (2) employees who have been officially disciplined for violations of subpart G of the Standard of Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography on a Federal government computer or while performing official Federal government duties;
  
  - B. Each employee must be formally notified of their telework eligibility status. For those employees that are ineligible, Managers/Supervisors must notify the employee why he/she is ineligible in accordance with the exceptions (See paragraph 7.A.).
  
8. **Telework Participation.** To participate in telework, an employee must first be identified as eligible. Appendix A includes a decision tree that will facilitate this process.
  - A. For employees that are eligible for telework, at a minimum the following factors may determine the employee's authorization and/or ability to participate:
    - (1) employees who are on a "performance monitoring plan" or on a "performance improvement plan;"
    - (2) adequate office coverage;
    - (3) employee performance and agency operations will not be diminished;

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- (4) employee performance during any previous opportunity to telework has been fully successful or higher;
  - (5) there can be a distinction made between assignments to be performed while teleworking and other assignments in order to facilitate any review of telework performance and productivity;
  - (6) employees whose official duties require on a daily basis the direct handling of materials determined to be inappropriate for telework (see Paragraph 12 of this D&S); and
  - (7) employees whose daily on-site activities cannot be handled remotely or at the telework location.
- B. Employees who have Senior Executive Service or Senior Level appointments are only eligible for intermittent telework related to events such as officially declared weather emergencies and continuity of operations (see Paragraph 6 of the D&S).
- C. Employees who are in their probationary period are only eligible for intermittent telework related to events such as officially declared weather emergencies and continuity of operations.
9. **Telework Agreement.** A written telework agreement must be created and typically renewed on an annual basis, or renewed as needed to adjust for changes. This applies to each employee who is authorized and/or able to participate in telework on either an intermittent or fixed schedule.
- A. At a minimum, Reclamation Form 7-2576, Telework Agreement Between Supervisor and Employee Approved for Telework, will be used.
  - B. Nothing precludes a Manager/Supervisor from requiring additional business-related or performance telework terms, understandings, etc. to be added as an attachment to Form 7-2576.
  - C. All completed Forms 7-2576 are to be submitted to the appropriate servicing human resources office, with copies provided to the supervisor or manager and employee.
10. **Telework Training.** Before continuing to telework under an existing telework agreement or prior to implementing a telework agreement, both the supervisor

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and employee must complete telework training that has been approved by the applicable servicing human resources office.

11. **Telework Schedule.** As part of the telework agreement (see Paragraph 8 of this D&S), the employee and his/her supervisor or manager will develop a schedule for teleworking that is beneficial to the employee, while ensuring office coverage. Supervisors and employees may elect to set up a trial arrangement when eligible employees telework regularly. At a minimum, the schedule will be documented on Form 7-2576.
12. **Timekeeping.** Employees will document all hours they telework in the Electronic Time and Attendance System (E-TAS). See Appendix B for telework codes and indicators to be used in E-TAS.
13. **Restricted-Access Materials.** Restricted access material shall not be taken to the employee's telework location or accessed through a computer at the telework location, unless approved in writing in advance by the supervisor or manager.
14. **Employee's Telework Work Space.** The employee's telework work space is an extension of the employee's Reclamation work space. Reclamation is liable for job-related accidents during the approved telework schedule and in the employee's designated telework location. To ensure safe working conditions exist:
  - A. as part of the telework agreement (see Paragraph 8 of this D&S), the Reclamation Work at Home Telework Safety Checklist Employee Certification (Form 7-2576) must be annually completed by the employee and supervisor or manager;
  - B. any changes to the telework location or work space must be reviewed and approved by the supervisor or manager in advance, including the completion of a new Form 7-2576; and
  - C. Reclamation will maintain the right to make on-site inspections of the employee's telework location identified on Form 7-2576 at mutually agreed-upon times.
15. **Office Equipment and Supplies.**
  - A. **Computers, Monitors, and Peripherals Equipment.** Reclamation will be in compliance with Department of the Interior requirements concerning the

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use of government-owned automated data processing (ADP) equipment versus employee-owned ADP equipment at the telework location.

- B. **Software.** Reclamation will provide any software that is needed by the employee to be able to telework. Such software will not be duplicated by the employee.
- C. **Office Furniture.** The employee is responsible for providing any needed furniture at the telework location.
- D. **Telecommunication.**
  - (1) The employee is responsible for providing adequate means to communicate with the employee's office, other Reclamation locations, stakeholders, etc. from the telework location.
  - (2) Employees must provide a telephone number where the employee can be reached while teleworking, and that telephone number will be made available to the employee's supervisor, manager, and all Reclamation employees with whom the employee has regular contact on work related issues.
  - (3) Where possible, the employee's telephone at the official duty location will be forwarded to the telework location for those periods of time when the employee is teleworking.
  - (4) Reclamation will not pay for any of the following:
    - (a) landlines or connections to the Internet, either basic dial-up or high speed, nor be responsible for providing an employee with Reclamation owned cell phone, BlackBerry, etc. for the sole purpose of facilitating telework;
    - (b) obtaining or installing telecommunication equipment at the telework location; or
    - (c) long distance service or long distance bills that result from an employee teleworking; rather, employees will be responsible for obtaining and using Reclamation calling cards if long-distance telecommunications are needed and the employee has not been provided a Reclamation-owned cell phone, BlackBerry, etc.

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- E. **Office Supplies.** Employees may take routine office supplies (e.g., pens, paper, highlighters, etc.) to the telework location to facilitate meeting their official duties. Out-of-pocket expenses for supplies normally available in the office will not be reimbursed.
  
- F. **Lighting, Heating, and Air Conditioning.** Reclamation will not pay for any increases in costs associated with maintaining the environment at the telework location.
  
- G. **Loss, Damage, and Wear.** Reclamation will not assume any liability for loss, damage, or wear to the telework location or employee-owned furniture and equipment.