

Reclamation Manual

Directives and Standards

Subject:	Telework
Purpose:	To ensure proper and consistent implementation and administration of telework throughout 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 also supporting efforts to improve employee productivity and morale, reduce the carbon footprint, and reduce office space needs. Telework may also serve as a recruitment and retention tool.
Authority:	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); Administrative Grievance Procedures (370 DM 771); Department of the Interior Personnel Bulletin No: 18-04, <i>Weather and Safety Leave</i> ; Office Management and Budget Memorandum M-21-25, <i>Integrating Planning for A Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment</i> ; Department of the Interior Personnel Bulletin No: 21-07, <i>Telework Program</i>
Approving Official:	Deputy Commissioner, Policy, Administration and Budget
Contact:	Human Resources Division, Human Resources Policy Office, 84-12100

1. Introduction.

- A. Telework is a work flexibility arrangement under which an employee (teleworker) performs their duties and other authorized activities from an approved worksite other than their official duty location (i.e., the location from which the employee would otherwise work). These arrangements may also be referred to as telecommuting, flexiplace, and work-at-home, and are formalized by a telework agreement signed by both the teleworker and the first-line supervisor. To be considered telework, an employee must report to their official duty location at least 2 full workdays per bi-weekly pay period. Arrangements for employees who are not scheduled to report at least 2 full workdays per bi-weekly pay period may be referred to as remote work and are not covered by this D&S.
- B. While telework is not an employee entitlement and some positions or duties may not be suitable for participation, the Department of the Interior and Reclamation encourage a robust telework program to, among other goals, provide supervisors with flexibility to respond to changing work conditions; conserve and reduce the use of natural resources; increase workforce efficiency and improve the operations during emergencies, natural

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disasters, and inclement weather; improve employee satisfaction and work-life balance; and enhance recruitment and retentions efforts.

- C. 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 *eligible* employees the opportunity to *participate* in telework, to the maximum extent possible, 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. This Reclamation Manual (RM) D&S establishes the framework for how telework will be administered within Reclamation and provides details concerning how Reclamation will implement and administer telework opportunities.
2. **Applicability.** This D&S applies to all Reclamation employees. It does not apply to contractors hired by Reclamation, whose terms of employment are to be established by contract.
3. **Requirements and Responsibilities.** In addition to the responsibilities identified in Personnel Bulletin No. 21-07, *Telework Program*, each of the below roles have Reclamation-specific responsibilities.
- A. **Directors.** Directors are responsible for implementing this D&S.
- B. **Deputy Commissioner, Policy, Administration and Budget.** The Deputy Commissioner, Policy, Administration and Budget, is responsible for:
- (1) authorizing procedures to determine the eligibility of employees to participate in telework, and
 - (2) designating a senior point of contact within Reclamation's Human Resources Policy Office as the "Bureau Telework Coordinator."
- C. **Servicing Human Resources Offices (SHROs).** Reclamation's SHROs are responsible for:
- (1) maintaining records of who is eligible and authorized to telework, and
 - (2) gathering all information concerning telework needed to provide reports to the Office of Personnel Management (OPM), the Department, and any other required submittals.
- D. **Bureau Telework Coordinator.** The Bureau Telework Coordinator is responsible for:

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- (1) developing and implementing RM documents, and any associated discretionary guidelines,
- (2) being the primary point of contact for OPM and the Department on telework matters, and
- (3) advising the Reclamation Leadership Team concerning telework issues.

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

- (1) determining telework eligibility for each employee and notifying them of their eligibility status,
- (2) conducting a recurring eligibility status evaluation as needed for teleworkers (see Paragraph 6 of this D&S for eligibility standards),
- (3) completing appropriate telework training,
- (4) making a determination whether each employee's duties and assignments are suitable for telework and reviewing that determination each time the position description is modified,
- (5) ensuring that each employee whose assignments are found to be suitable for telework receives telework training before starting telework,
- (6) entering into a formal agreement with each employee who is to telework that outlines the specific work arrangement,
- (7) ensuring adequate office coverage during normal work hours,
- (8) reviewing the coding on timesheets to ensure telework time is properly recorded, and
- (9) 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 procedures if there is a collective bargaining provision to that effect.

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

- (1) complying with the requirements of this D&S,
- (2) completing appropriate telework training before starting to telework,
- (3) signing a formal telework agreement before starting to telework,

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- (4) demonstrating the motivation, dependability, and professionalism to work in an alternative location, and
 - (5) making arrangements to ensure that dependent care and other personal requirements do not impede that employee's ability to work, given that telework is not a substitute for dependent care.
4. **Telework Principles:** Telework is not a universal employee benefit, however Reclamation will provide the opportunity to telework to all eligible employees in positions authorized for participation (see Paragraph 6 and 7 of this D&S for information on eligibility and authorization). Telework decisions will be based on management needs and performance.
- A. An eligible employee's decision to participate in Reclamation's telework program is entirely voluntary, unless telework is a condition of employment.
 - B. The teleworker may terminate teleworking without cause and at any time, unless telework is a condition of employment. The supervisor's decision to deny or terminate teleworking must be based on business needs or employee performance, in accordance with requirements of this D&S, and not personal reasons.
 - C. The condition of employment for a teleworker will remain the same as for non-teleworkers including, but not limited to, expectations, performance appraisals, training, awards, promotions, retention, reassignment, and removal.
 - D. Employee salary and benefits will remain tied to the official duty location.
 - E. To maintain equity with non-teleworkers, teleworkers will conduct work activities within an office's designated core business hours.
 - F. This D&S does not address special conditions and the needs of all individuals. More specific conditions relating to teleworking will be detailed in the telework agreement which must be negotiated by the teleworker and their supervisor (see Paragraph 8 of this D&S).
5. **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 will supersede this D&S and any existing telework agreement.
6. **Eligible to Telework.** All employees are eligible for telework unless a specific exception applies.
- A. This D&S refers to the exceptions from the eligibility based on the 2010 Telework Act and the Department's Telework Program Personnel Bulletin 21-07.

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- B. Each employee must be officially notified of their telework eligibility status and supervisors must notify an ineligible employee as to why they are ineligible.
 - C. Periods of ineligibility based on criteria in Paragraph 6.A. of this D&S depend on the type of action taken against the employee and whether a non-permanent or permanent document is in the employee's Electronic Official Personnel Folder (eOPF).
 - (1) For non-permanent documents, the prohibition lasts until the document is removed.
 - (2) For permanent documents, the prohibition from telework is generally 2 years from the effective date of the document. After the 2-year period, the supervisor, in consultation with the SHRO, will decide to continue the prohibition until a future date or allow the employee to telework.
7. **Telework Participation.** Eligibility does not automatically authorize participation in telework. Participation decisions reside with the first-line supervisor and are based on the duties of the employee's position, performance, business needs, and fulfillment of the employee responsibilities as referenced in Paragraph 3.F of this D&S.
- A. Supervisors should consider, at a minimum, the following factors prior to authorizing telework in non-emergency situations for otherwise eligible employees:
 - (1) adequate office coverage,
 - (2) whether the employee performance or agency operations will be diminished,
 - (3) whether employee performance during any previous opportunity to telework has been fully successful or greater,
 - (4) whether an employee handles, on a daily basis, materials determined to be inappropriate for telework (see Paragraph 11 of this D&S), and
 - (5) whether the employee's daily on-site activities cannot be handled at the telework location.
 - B. Employees that are not in a bargaining unit may file a grievance under the provisions of the administrative grievance procedures found in the Department's Administrative Grievance Procedures (370 DM 771).
 - C. In certain circumstances, employees in probationary periods may be limited to situational telework for the first 60 days of employment, based on business needs. This limitation may be extended for employees in long-term development programs.

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8. **Telework Agreement.** Every eligible and authorized employee will have a signed telework agreement for, at least, emergency situations within 60 days of employment. Telework agreements must be reviewed and recertified annually. A new telework agreement must be executed if the employee is assigned a new supervisor or position and for any approved changes to the telework agreement. Failure to complete the annual recertification requirement may result in the termination of the telework agreement.
 - A. The Department's Telework Agreement (DI-3457) will be used.
 - B. Employees will elect to participate in core telework or situational telework.
 - C. While supervisors will have the same productivity expectations for teleworkers and non-teleworkers, they cannot require teleworkers to complete reports designed to document completion of specific work tasks unless the same reports are required by non-teleworkers.
 - D. All completed DI-3457 forms are to be submitted in accordance with the appropriate SHRO guidelines.
9. **Telework Training.** Both the supervisor and the employee must complete the approved telework training prior to initiating a telework agreement.
10. **Telework Schedule.** As part of the telework agreement (see Paragraph 8 of this D&S), employees and their supervisors will develop a schedule for teleworking that is beneficial to the employees while also 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 a DI-3457 form.
11. **Restricted Access Material.** 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.
12. **Office Equipment and Supplies.**
 - A. **Non-Information Technology Equipment.** Reclamation may provide non-information technology equipment and supplies the supervisor determines necessary for the employee to perform official duties from the approved telework location. The supervisor must deem the equipment and supplies necessary for the performance of the employee's assigned duties, reasonably available, cost effective, and subject to availability of funding.
 - (1) Reclamation Leadership Team members must establish written instructions governing the provision, assignment, maintenance, and accountability of non-information technology equipment (see definition) prior to making non-

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information technology equipment available to teleworkers. Written instructions must comply with requirements found in applicable acquisition's circulars, property management directives, and any other Reclamation or higher-level requirements pertaining to non-information technology equipment. Written instructions must include, at minimum, processes that define:

- (a) review and approval by at least the immediate supervisor prior to the purchase or provision of non-information technology equipment,
- (b) proper home use and maintenance of non-information technology equipment, and
- (c) return and disposal of non-information technology equipment at any time during telework use, at the conclusion of the telework agreement, or upon separation from Reclamation (note that Reclamation can pay for equipment shipping to and from a remote employee).

- B. Information Technology Equipment.** Reclamation must provide information technology equipment as defined by requirements established in Temporary Reclamation Manual Release IRM TRMR-125, *Information Technology Lifecycle Management*. Personally-owned information technology equipment may only be connected to government furnished equipment and used for work purposes when authorized by Reclamation's Associate Chief Information Officer or a designee.
- C. Operating Costs.** Other than the requirements for information technology equipment and non-information technology equipment defined in 12.A. and 12.B., Reclamation assumes no responsibility for any costs associated with the telework site, including, but not limited to, home maintenance, insurance, utilities (including any cost increases as a result of telework), internet or phone service, personal property (e.g., furniture, electronics, pens, paper), or any other item.
- D. Software.** Reclamation will provide any supervisor-approved software on government-furnished equipment that is needed by the employee to be able to telework. Such software will not be duplicated by the employee.
- E. Telecommunication.**
- (1) The teleworker is responsible for providing adequate means to communicate with the employee's office, other Reclamation locations, stakeholders, etc., from the telework location.
 - (2) Teleworkers must provide a telephone number where they can be reached while teleworking, and that telephone number will be made available to the teleworker's

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supervisor, manager, and all Reclamation employees with whom the teleworker 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 mobile devices, etc., for the sole purpose of facilitating telework,
 - (b) obtaining or installing telecommunications equipment at the telework location, or
 - (c) long distance service or long-distance bills that result from an employee teleworking unless the employee has obtained a Reclamation calling card or has been provided a Reclamation-owned mobile device.
- F. **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.
- G. **Records Management.** Official records used and created during telework remain property of the United States Government and must be returned to the employee's official duty location and not maintained at the telework location.
13. **Travel.** Travel provisions apply to employees who telework in the same manner as they apply to the official duty location as outlined in the Federal Travel Regulations.
14. **Definitions.**
 - A. **Core Telework.** A telework arrangement in which eligible employees telework from an approved alternative worksite on recurring, scheduled basis each pay period (often referred to as fixed schedule telework).
 - B. **Information Technology Equipment.** A standard package of information technology equipment, controlled under unique requirements, as defined in Temporary Reclamation Manual Release IRM TRMR-125, *Information Technology Lifecycle Management*.
 - C. **Office Coverage.** As established by each Director, the hours during normal workdays when the office will be open and an employee's presence is required.

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- D. **Official Duty Station.** The official location of the regular worksite for the employee's position (i.e., where the employee would normally work absent a telework agreement), as long as the employee is scheduled to report physically at least 2 full workdays per bi-weekly pay period on a regular and recurring basis.
- E. **Non-Information Technology Equipment.** All other accountable and unaccountable government furnished equipment/property (e.g., chairs, desk lamps, desks) assigned and/or made available to Reclamation employees, regardless the physical place of use, that is not information technology equipment.
- F. **Remote Work.** An arrangement in which an employee is scheduled to perform work within or outside the local commuting area of an agency worksite and is not expected to report to an agency worksite on a regular and recurring basis. For a remote worker, the approved remote worksite (i.e., non-Department-owned/leased worksite) is the employee's official duty station for pay purposes, even if that location is their home. This type of arrangement is not considered telework, does not require a telework agreement, and may result in a change in duty location to the alternative worksite. (e.g., home).
- G. **Restricted Access Material.** Includes all classified materials and materials specified in RM D&S, *Identifying and Safeguarding For Official Use Only (FUOU) Information* (SLE 02-01).
- H. **Situational Telework.** An approved telework arrangement in which employees telework without a fixed schedule. Situational telework is based on situational job requirements or emergency situations such as weather conditions and must be approved, in advance, by the supervisor.
- I. **Telework Location.** The location where the employee teleworks with the approval of the first-line supervisor.

RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: _____

Release No. _____

Ensure all employees needing this information are provided a copy of this release.

Reclamation Manual Release Number and Subject

Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

Filing instructions

Remove Sheets

Insert Sheets

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>

Filed by: _____

Date: _____