

Reclamation Manual

Directives and Standards

Subject:	Telework
Purpose:	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 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) ; Department of the Interior Personnel Bulletin No. 11-01 ; Telework Handbook [370 Departmental Manual (DM) 226] ; Administrative Grievance Procedures (370 DM 771) .
Approving Official:	Director, Policy and Administration (Policy)
Contact:	Human Resources Policy and Programs Division (84-58000)

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 or work within the geographic area of their official duty location at least twice each bi-weekly pay period. Arrangements for employees who are not scheduled to report at least twice each 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 the Bureau of 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 operations during emergencies, natural disasters, and inclement weather; improve employee satisfaction and work-life balance; and enhance recruitment and retention efforts.

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- 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 all *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. **Definitions.**
- A. **Absence Without Official Leave (AWOL).** AWOL is a non-pay status for any absence from duty *not* authorized by the supervisor. Although AWOL is not considered a disciplinary action, it can form the basis for future disciplinary action.
- B. **Core Telework.** A telework schedule that is fixed to specific days or hours each pay period (often referred to as fixed schedule telework).
- 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.** The 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 twice per pay period on a regular and recurring basis.
- E. **Remote Work.** A work arrangement in which the employee resides and works at a site beyond the local commuting area of the employing organization's worksite. 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).
- F. **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).
- G. **Situational Telework.** Approved telework agreement without a fixed schedule per pay period (often referred to as intermittent telework). Situational telework is based on situational job requirements or emergency situations such as weather conditions.

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- H. **Telework Location.** The location where the employee teleworks, with the approval of the first line supervisor.
4. **Responsibilities.**
- A. **Directors.** Directors are responsible for implementing this D&S.
- B. **Director, Policy.** The Director, Policy, is responsible for:
- (1) implementing procedures to determine the eligibility and authorization status of all employees to participate in telework;
 - (2) implementing procedures to ensure that all employees have been notified of their eligibility and authorization status; and
 - (3) designating a senior point of contact within Reclamation's Policy Directorate, Human Resources Policy and Programs Division, as the "Bureau Telework Coordinator."
- C. **Servicing Human Resources Offices.** Reclamation's servicing human resources offices are responsible for:
- (1) maintaining records of who is eligible and authorized to telework;
 - (2) making telework indicator codes in Reclamation's Electronic Time and Attendance System (E-TAS) available for authorized employees, upon documented completion of training; and
 - (3) 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:
- (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;
 - (3) advising the Reclamation Leadership Team concerning telework issues; and
 - (4) being a resource for managers, supervisors, 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 and notifying them of their eligibility status;
 - (2) conducting a recurring eligibility status evaluation as needed for teleworkers (see Paragraph 7 for eligibility standards);
 - (3) completing appropriate telework training;
 - (4) making a determination whether each employee's duties and assignments are appropriate for telework;
 - (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 procedure if there is a collective bargaining provision to that effect.
- F. **Telework Employees.** 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 Telework Handbook (370 DM 226). 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;
 - (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 the employee's ability to work, given that telework is not a substitute for dependent care.

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5. **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 Paragraphs 7 and 8 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 conditions 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 his/her supervisor (see Paragraph 9 of this D&S).
 - G. Except for certain temporary situations identified in 370 DM 226, core telework schedules may not be for more than 8 days per each regularly recurring bi-weekly pay period.
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 will supersede this D&S and any existing telework agreement.
7. **Eligibility to Telework.** All employees are eligible for telework unless a specific exception applies.
 - A. This D&S identifies the following exceptions to eligibility based on the 2010 Telework Act and the Department's Telework Handbook (370 DM 226).
 - (1) Employees who have been formally disciplined, as documented in the employee's e-OPF, for AWOL for more than 5 days in any calendar year.

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- (2) Employees who have been officially disciplined for violations of subpart G of the Standard of Ethical Conduct for Employees of the Executive Branch (Misuse of Position) for viewing, downloading, or exchanging pornography on a Federal government computer or while performing official Federal government duties.
 - (3) Employees who have received less than a fully successful (minimally successful or unsatisfactory) rating during the most recent rating period and have been formally notified on their final performance appraisal.
 - (4) Employees with documented conduct issues as defined by 370 DM 752 (Discipline and Adverse Actions).
- B. Each employee must be officially notified of their telework eligibility status and supervisors must notify an ineligible employee why he/she is ineligible.
- C. Periods of ineligibility based on criteria in Paragraph 7.A. depends on the type of action taken against the employee and whether a non-permanent or permanent document is in the employee's e-OPF.
- (1) For non-permanent documents, the prohibition from telework exists until the document is removed.
 - (2) For permanent documents, the prohibition from telework is 2 years from the effective date of the document. After the 2 year period, the supervisor, in consultation with the servicing human resource office, will decide to continue the prohibition or allow the employee to telework.
8. **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 employee responsibilities as referenced in Paragraph 4.F.
- A. Supervisors should consider, at a minimum, the following factors prior to authorizing telework for non-emergency situations for otherwise eligible employees:
- (1) adequate office coverage;
 - (2) whether employee performance or agency operations will be diminished;
 - (3) whether employee performance during any previous opportunity to telework has been fully successful or higher;
 - (4) whether an employee handles on a daily basis materials determined to be inappropriate for telework (see Paragraph 13 of this D&S); and

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- (5) whether an employee's daily on-site activities cannot be handled at the telework location.
 - B. Due to operational requirements, employees with Senior Executive Service (SES) appointments are authorized to participate only in situational telework.
 - C. 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.
9. **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 do not expire but must be reviewed annually and renewed if the employee is assigned to a new supervisor.
- A. The Department's Form 3457 *Telework Agreement* (DI-3457) will be used.
 - B. 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.
 - C. All completed Forms DI-3457 are to be submitted in accordance with the appropriate servicing human resources office guidelines, with copies provided to the supervisor and employee.
10. **Telework Training.** Both the supervisor and employee must complete approved telework training prior to implementing a telework agreement.
11. **Telework Schedule.** As part of the telework agreement (see Paragraph 9 of this D&S), the employee and his/her supervisor will develop a schedule for teleworking that is beneficial to the employee 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 Form DI-3457.
12. **Timekeeping.** Employees will document all hours they telework in E-TAS. See Appendix A 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.

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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. employees must complete, along with the telework agreement (see Paragraph 9 of this D&S), the *Reclamation Work at Home Telework Safety Checklist Employee Certification* (see Appendix 1 of 370 DM 226 or your servicing Human Resources Office) and review it at least annually with their supervisor;
 - B. any changes to the telework location or work space must be reviewed and approved by the supervisor in advance; and
 - C. Reclamation will maintain the right to make on-site inspections of the employee's telework location identified on Form DI-3457 (*Telework Agreement*) at mutually agreed-upon times.
15. **Office Equipment and Supplies.**
- A. **Computers, Monitors, and Peripherals Equipment.** The use of government-furnished equipment (GFE) is encouraged to maintain consistent security standards. Supervisor approval is required before obtaining and moving GFE from Government facilities for telework use. The use of personally-owned equipment (POE) is permitted with supervisor approval. In the event that POE is used, employees must comply with all requirements outlined in Appendix 3 of 370 DM 226.
 - B. **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.
 - C. **Office Furniture.** The teleworker is responsible for providing required furniture at the telework location.
 - D. **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 supervisor, manager, and all Reclamation employees with whom the teleworker has regular contact on work-related issues.

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- (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 telecommunication 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.
 - E. **Office Supplies.** Employees may take routine office supplies (e.g., pens, paper, highlighters, etc.) to the telework location to facilitate accomplishment of 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.
 - H. **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.
16. **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.

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: _____