

Highlights of Departmental Telework Program Policy Personnel Bulletin 21-07

Telework is a work flexibility arrangement under which an employee performs the duties and responsibilities of their position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work. Effective August 23, 2021, the U.S. Department of the Interior (DOI) updated the Departmental telework program policy via Personnel Bulletin (PB) 21-07 to reflect two key program changes:

- (1) Delegates authority to approve core (regular, recurring) telework agreements to the immediate supervisor (the requirement that core telework agreements be reviewed and approved by a higher-level management official (previously referred to as the “concurring management official”) has been removed); and
- (2) Enhances flexibility afforded to supervisors in that employees in supervisory positions may be considered for core telework arrangements (the restriction that limited supervisory employees to only be considered for situational telework arrangements has been lifted).

Highlights of the 2021 DOI Telework Program include:

- Telework is an **effective workplace flexibility** for accomplishing work, ensuring continuity of operations in a crisis, and recruiting and retaining valued talent. However, **employees do not have a presumptive right** to telework.
- An **employee's participation in the DOI telework program (i.e., entering into a telework agreement) is voluntary** and telework must only be approved when it is deemed to be in the best interest of the agency.
- Teleworkers must physically report to the regular work site **at least two full workdays per bi-weekly pay period**, except for rare circumstances or as a reasonable accommodation. These days can be any two days during the pay period as approved by the supervisor.
- Two types of telework arrangements available within the agency: **core** or **situational telework**. Regardless of the type of telework arrangement, an approved telework agreement must be in place in order for an employee to participate in telework.
- Telework agreements must be **reviewed and recertified on an annual basis** to validate that the arrangements are still effective and in the best interest of the agency.
- New telework agreements must be initiated when a new supervisor has been assigned, an employee is reassigned to a different position, or to effect a permanent change to a telework arrangement (e.g., new alternative worksite, new core telework day). Telework-ready employees (i.e., those with approved agreements in place) **must telework when the official worksite is closed due to an inclement weather event or other emergency condition** (e.g., building fire, pandemic).
- The period of telework ineligibility for the two bases provided for in the Telework Enhancement Act (i.e., employees who have been officially disciplined for being absent without permission for more than five days in any calendar year or for reviewing/downloading/exchanging pornography on a federal computer or while performing federal duties) **depends on the type of disciplinary action issued and that the period of ineligibility may be permanent**.

- Teleworkers **may not personally care for a dependent** while teleworking and are responsible for securing appropriate arrangements for any dependents who are unable to care for themselves independently. If, however, a teleworker cannot arrange for dependent care due to a weather or emergency event affecting the official worksite, they may provide personal care to dependents at the telework site. The employee is expected to accurately account for work and non-work hours during their tour of duty and to take the appropriate leave (paid or unpaid) to account for any time spent providing dependent care during their scheduled tour of duty.
- **Mobile work** and **remote work** arrangements are not considered telework and are not covered by the Departmental telework program policy.

Telework Eligibility Requirements

To the extent that mission requirements are not jeopardized, eligible employees who exhibit acceptable work performance and conduct, occupy suitable positions, and have access to an appropriate alternative worksite may be permitted to telework. The following factors must be evaluated when determining telework eligibility:

Position Suitability. Positions suitable for telework must have:

- Quantifiable, project-oriented, or other portable job tasks that can be performed at the approved alternative worksite (e.g., reading reports, analyzing documents and studies, preparing written documents).
- Limited need for access to classified information.
- Off-site access to needed technology.

Positions are not suitable for telework that require on a daily basis (every workday):

- Direct handling of classified or other secure materials determined to be inappropriate for telework by management.
- On-site activity that cannot be handled remotely or at an alternative worksite (e.g., face-to-face personal contacts; intake or distribution of mail; hands-on contact with machinery, equipment, or vehicles; law enforcement).

When an employee's position is determined not normally suitable for telework, there may be circumstances or portions of the employee's work (e.g., reading and analyzing documents and preparing reports or other types of correspondence, non-classified assignments) that may be considered for telework on a situational basis if the supervisor deems it to be in the best interest of the agency.

Employee Eligibility. To be considered eligible for telework, an employee must demonstrate characteristics indicating his or her ability to effectively work away from the official worksite. Employees eligible for telework must display:

- Dependability, responsibility, and conscientiousness.
- The ability to work independently and without close supervision;
- Self-motivation and self-discipline; and
- The ability to prioritize work and manage time wisely.

Employee Ineligibility. Employees are ineligible to telework if:

- Their conduct has resulted in an official disciplinary action taken against them (e.g., written reprimand, suspension, removal, reduction in grade/pay) for any type of misconduct. Disciplined employees may remain ineligible to telework for a maximum of

- two years from the effective date of the official disciplinary action.
- They have received less than a Fully Successful performance rating at any time during the rating period or been notified in writing of less than Fully Successful performance.
 - Consistent with 5 U.S.C. § 6502(a)(2), they have been officially disciplined for:
 - Being absent without permission (i.e., AWOL) for more than five days in any calendar year; or
 - Violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for reviewing, downloading, or exchanging pornography, including child pornography on a Federal computer or while performing Federal Government duties
 - The period of ineligibility for employees who have been officially disciplined for being AWOL for more than five days or for reviewing/downloading/exchanging pornography of federal computer or while performing official duties depends on the type of action and whether a non-permanent or permanent record of the discipline is filed in the employee's electronic official personnel folder (eOPF). For non-permanent records (e.g., reprimand), the prohibition from telework exists until the document is removed. For permanent records (e.g., Standard Form (SF) 50 documenting a suspension), the prohibition is permanent.

Establishing a Telework Agreement

If it is determined that telework is a viable option and in the best interest of the agency, the supervisor and the employee must:

- Complete the required telework training¹
 - Telework Fundamentals – Employee Training
 - Telework Fundamentals – Manager Training
- Complete a telework agreement form (Form DI-3457)
 - Must be completed by the employee and supervisor.

To view the DOI telework program policy and other additional telework resources, please visit <https://www.doi.gov/telework>. For questions regarding telework, please contact your Bureau Telework Coordinator.

¹ This is a one-time requirement. Once completed, employees and supervisors do not need to repeat the training. If employees or supervisors have documentation demonstrating they completed previous training titled "Telework 101 for Employees," or "Telework 101 for Supervisors," or equivalent training, they do not need to complete these courses.