

# United States Department of the Interior

## OFFICE OF THE SECRETARY Washington, DC 20240

July 23, 2021

#### PERSONNEL BULLETIN NO: 21-07

**SUBJECT:** Telework Program

- 1. Purpose. This Personnel Bulletin (PB) establishes the policy, assigns responsibilities, and prescribes procedural requirements for the Department of the Interior's (DOI or Department) Telework Program. Consistent with the Telework Enhancement Act of 2010, this PB establishes the Departmental policy under which eligible employees may be authorized to telework to the extent that the arrangement does not diminish employee or organizational performance. This PB replaces PB 19-02, Telework Program, dated June 14, 2019, and supersedes the existing policy in Departmental Manual (DM) Chapter 370 DM 226, Telework Program, until corresponding changes in the DM are made.
- **2. Effective Date.** This PB is effective on August 23, 2021.

#### 3. Authorities.

- A. Title 5 of the United States Code (U.S.C.), Chapter 63
- B. Title 5 of the U.S.C., Chapter 65
- C. Title 5 of the U.S.C., Chapter 81
- D. Title 40 of the U.S.C., Chapter 5, Section 587
- E. Part 531 of Title 5 Code of Federal Regulations (CFR)
- F. Part 550 of Title 5 CFR
- G. Part 630 of Title 5 CFR
- H. Part 2635 of Title 5 CFR
- I. Part 1630 of Title 29 CFR
- J. PB 18-04, Weather and Safety Leave, dated May 10, 2018
- K. PB 14-01, Reasonable Accommodation for Individuals with Disabilities, dated February 20, 2014
- L. 370 DM 771, Administrative Grievance Procedures
- M. Office of Management and Budget Memorandum M-21-25, Integrating Planning for A Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment, dated June 10, 2021
- **4. Coverage.** This policy applies to all DOI employees (including supervisors) and supersedes any other Departmental or Bureau/Office policies or procedures that conflict with this policy. Bureaus/Offices may issue supplemental implementing procedures at their discretion. The Bureau/Office supplemental procedures must be forwarded to the Director of the Department's Office of Human Capital for concurrence prior to implementation.

#### 5. Definitions.

- A. <u>Alternative Worksite</u>. A location, other than the employee's official worksite, that has been approved for the performance of assigned official duties as designated on the telework agreement. It may be an employee's home, a telework center, or other approved worksite that is conducive to performing the official duties.
- B. <u>Core Telework</u>. A telework arrangement in which eligible employees telework from an approved alternative worksite on a recurring, scheduled basis—i.e., fixed day(s) per week or pay period.
- C. <u>Dependent Care</u>. The support and nurturing of persons who cannot meet their own needs such as children, elders, or other dependent adults.
- D. <u>Hoteling</u>. An arrangement in which employees are not assigned permanent, dedicated office space at a DOI location, but rather are provided office space by reservation, on an as-needed basis. Also referred to as "shared workstations."
- E. <u>Mobile Work</u>. Work that is characterized by routine and regular travel to conduct work in customer or other worksites as opposed to a single authorized alternative worksite. Examples of mobile work include site audits, site inspections, investigations, property management, and work performed while commuting, traveling between worksites, or on Temporary Duty (TDY). This category of work is not considered telework and is not covered by this policy.
- F. Official Duty Station. The official location of an employee's position of record as determined under 5 CFR §531.605. The official duty station is often referred as the "official worksite."
- G. <u>Official Disciplinary Action</u>. Any disciplinary action that results in the placement of a document in an employee's electronic Official Personnel Folder (e.g., written reprimand, suspension, removal, reduction in grade/pay).
- H. <u>Remote Work</u>. An arrangement under 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 is the employee's official duty station for pay purposes, even if that location is their home. This category of work is not considered telework and is not covered by this policy.
- I. <u>Situational Telework</u>. A telework arrangement in which eligible employees telework without a set schedule (e.g., telework as a result of inclement weather, personal appointment, special work assignment). An employee with an approved situational telework arrangement must obtain advance approval from their supervisor in order to telework on a particular day(s).
- J. <u>Telework</u>. 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.

- K. <u>Telework Agreement (Form DI-3457)</u>. A written agreement that outlines the terms and conditions for an employee authorized to telework, as approved by the appropriate management official. Telework agreements are mandatory for an employee's participation in the telework program. Bureaus/Offices may not alter, supplement or modify the Form DI-3457.
- L. <u>Teleworker</u>. An eligible employee who has completed the required telework training, has an approved telework agreement in place, and has the required work necessities (e.g., equipment, materials) to effectively perform their duties at an approved alternative worksite. Also referred to as a "telework-ready" employee.
- **6. Responsibilities.** As noted in Section 4, Bureaus/Offices may issue implementing procedures to add additional responsibilities to each of the below roles and/or identify additional roles within their organizational structures in order to implement this policy.
- A. <u>Deputy Assistant Secretary for Human Capital and Diversity</u>. The Deputy Assistant Secretary for Human Capital and Diversity, as the Department's Telework Managing Officer, is responsible for:
  - (1) Overseeing policy development and implementation related to the Department's Telework Program and submission of required reports to the U.S. Office of Personnel Management (OPM) or other government organizations as may be required.
  - (2) Advising Departmental leadership on the administration of the DOI Telework Program and serving as the Department's primary liaison with OPM on telework matters.
- B. <u>Office of the Chief Information Officer</u> is responsible for:
  - (1) Developing strategies and providing guidance for enterprise information technology capabilities and data security required to support telework.
  - (2) Overseeing the evaluation of new and emerging technologies that facilitate telework and approving them for Department-wide use, as appropriate.
  - (3) Establishing criteria and guidelines for using and protecting Government furnished equipment (GFE) and non-GFE, including personally owned equipment to access DOI information systems and networks to perform telework.
- C. <u>Departmental Telework Coordinator</u>. Appointed by the Telework Managing Officer, the Departmental Telework Coordinator is responsible for:
  - (1) Administering the DOI Telework Program in accordance with governing law and Departmental policies.
  - (2) Serving as a resource for Bureau/Office telework coordinators on telework matters and advising on strategies to overcome barriers to implementing telework within the Bureaus/Offices.

- (3) Developing DOI Telework policy and coordinating policy and procedure changes with the Bureau/Office telework coordinators.
- (4) Assessing the Department's Telework Program.
- (5) Preparing reports on employee telework participation rates and other related metrics, and providing information regarding employee telework agreements as required by OPM, other Federal agencies, Departmental leadership, and the Office of the Solicitor.
- (6) In consultation with the Telework Managing Officer, establishing agency telework participation goals.

#### D. Bureau Directors and Equivalent Office Heads are responsible for:

- (1) Ensuring that their organizations are in full compliance with the requirements of this policy.
- (2) Establishing implementing procedures, as needed, to maximize appropriate use of telework as a work flexibility arrangement, to include integrating telework into continuity of operations (COOP) plans.
- (3) Holding subordinate supervisors and managers accountable for implementing telework in accordance with this policy and applicable Bureau/Office implementing procedures.
- (4) Holding subordinate supervisors and managers accountable for evaluating teleworkers and non-teleworkers under the same performance management system and ensuring that teleworkers are afforded the same professional opportunities, assignments, and treatment as non-teleworkers with regard to duties assigned, periodic appraisal of employee performance, awards, training and developmental opportunities, promotions, and retention incentives.
- E. <u>Bureau/Office Telework Coordinators</u>. Each Bureau and equivalent Office will designate a Telework Coordinator to serve as the Bureau/Office contact for telework policy and program questions. This individual should be of sufficient position and grade as to allow them access to senior Bureau/Office officials and to speak with authority regarding telework. The Bureau/Office Telework Coordinators are responsible for:
  - (1) Providing assistance and guidance to Bureau/Office employees and managers regarding telework.
  - (2) Preparing and submitting periodic reports to the Department's Office of Human Capital on the Bureau/Office telework eligibility and participation rates.
  - (3) Preparing and submitting reports to Bureau/Office leadership (e.g., Regional Directors or equivalent positions) on telework participation rates and providing information regarding employee telework agreements.

(4) Maintaining Bureau/Office employee telework agreement records.

#### F. Servicing Human Resources Offices (SHRO) are responsible for:

- (1) Ensuring vacancy announcements and position descriptions contain accurate information regarding the suitability of a position for telework.
- (2) Ensuring that all position and employee telework eligibility codes are correctly reflected in the Federal Personnel and Payroll System.
- (3) Providing assistance and guidance to Bureau/Office managers on managing and supervising teleworkers.

# G. <u>Supervisors</u> are responsible for:

- (1) In consultation with the servicing SHRO, determining an employee's eligibility for telework and notifying the employee, as appropriate. Generally, employees must be notified of their telework eligibility within 60 days of starting a new job.
- (2) In consultation with the servicing SHRO, determining whether the duties of a position are suitable for telework. After an initial determination, this determination will be made each time the position description is modified.
- (3) Executing telework agreements with employees who request to and are permitted to telework; ensuring that required telework training is completed prior to allowing the employee to telework; and terminating telework agreements when employees are no longer eligible to telework or the teleworking arrangement fails to meet organizational needs.
- (4) Upon approval of a telework agreement, establishing and communicating clear expectations with employees regarding methods of communication (e.g., customer service, time frames for returning phone calls, email communication), meeting attendance, duty hours, the accurate coding of telework for time and attendance purposes, requesting leave while teleworking, and notification procedures for requesting situational and unscheduled telework.
- (5) Establishing clearly defined performance standards and using existing quality and quantity standards to evaluate work performance of a teleworker. Managing the teleworker remains the same as for employees in the official worksite in that performance is measured by results.
- (6) Treating teleworkers the same as non-teleworking employees concerning performance appraisals, work assignments and requirements, awards and recognition, training and developmental opportunities, promotions, retention, and other employment matters involving management discretion; and treating employees equitably when implementing telework in their organization.

- (7) Actively supporting telework and working through minor problems or obstacles that may occur.
- (8) Being cognizant of opportunities to achieve savings by monitoring and coordinating teleworker schedules to share office space. Supervisors will be proactive in pairing employees in the same location with opposite schedules (one employee present when another is not) to optimize the use of reduced office space.
- (9) Ensuring employees protect and secure agency records and sensitive information consistent with established DOI policies.
- (10) Reviewing and recertifying telework agreements annually to validate whether the arrangement is still effective and in the best interest of the agency.
- (11) Executing a new telework agreement when an employee is assigned to a new position, a new supervisor, or to effect a permanent change to a telework arrangement (e.g., new alternative worksite, new core telework day).
- (12) Ensuring adequate worksite office coverage during business hours so that mission operations continue to be carried out efficiently and effectively.
- (13) Maintaining records of direct reports' current telework agreements.

#### H. <u>Teleworkers</u> are responsible for:

- (1) Securing approval of their telework agreement and completing required telework training prior to teleworking.
- (2) Providing the same level of support, availability, accessibility to customers, coworkers, and supervisor as if working at the official worksite. This includes, but is not limited to, meeting organizational and individual work requirements, participating in staff meetings, participating in video conferencing, working assigned duty hours, and responding to phone calls, email, instant messaging chats, and voicemail in a timely manner.
- (3) Ensuring there is no diminishment of individual performance or agency requirements and that they have sufficient work assignments conducive to telework.
- (4) Complying with their approved telework agreement and adhering to Departmental policies while working at the alternative worksite. These policies include but are not limited to: Standards of Ethical Conduct for Employees of the Executive Branch and other applicable ethics laws and regulations; Acceptable Use of the Internet; Conduct and Discipline; Time and Attendance; and Records Management.
- (5) Obtaining advance approval from their supervisor for each instance of telework when teleworking under a situational agreement.
- (6) Accurately coding their timesheet to reflect the hours teleworked.

- (7) Conforming to office requirements for shared space at the employee's official duty location.
- (8) Teleworking, if they have a telework agreement in place and are required to do so by the supervisor, when the employee is subject to an investigation or other administrative action that requires the employee to be taken out of the workplace.
- (9) Teleworking when prevented from safely traveling to or performing work at their official worksite due to inclement weather or other emergency condition (e.g. building fire at the official worksite, pandemic) that prevents an employee or group of employees from safely traveling to or safely performing work at an approved location if the telework site is not also impacted. This includes preparing and planning ahead, including taking necessary work equipment (e.g., laptop) to the alternative worksite, when severe weather or other emergency situations can be anticipated.
- (10) Properly protecting and securing GFE and sensitive information in compliance with Departmental guidance.
- (11) Ensuring the alternative worksite is safe, free from hazards, and provides an adequate work environment with regard to connectivity and technology. Employees are expected to provide internet service and other general utility costs at their own expense.
- (12) Ensuring appropriate arrangements for the care of dependents while teleworking.
- **7. Policy.** Telework is an effective strategy for mission accomplishment, ensuring COOP in a crisis, and recruiting and retaining valued talent. It is the policy of the DOI to promote telework that does not diminish employee performance or agency operations, or adversely affect the ability of the Department to achieve its mission. Employees do not have a presumptive right to telework. An employee's participation in the telework program is voluntary and must only be approved when it is deemed to be in the best interest of the agency.

There are two types of telework arrangements available at the Department:

- Core Telework
- Situational Telework

Employees, regardless of their telework arrangement, must have an approved telework agreement in place in order to participate in telework. Once the telework agreement is finalized, employees will be considered telework-ready.

An employee approved to telework must physically report to their official duty station at least two full workdays per bi-weekly pay period, except for rare circumstances or as a reasonable accommodation.

A. <u>Telework Eligibility</u>. To the extent that mission requirements are not jeopardized, management officials may permit eligible employees who exhibit suitable work performance and

conduct, occupy positions suitable for telework, and have access to an appropriate alternative worksite to telework to the extent feasible. Telework eligibility criteria must be applied impartially and consistently and be based on appropriate business and organizational needs. While telework is a workplace flexibility, it is not an employee entitlement and not all employees are eligible to telework.

The following factors must be evaluated when determining telework eligibility:

- (1) <u>Position Suitability</u>. In determining position suitability, supervisors should consider what duties and functions an employee performs, and not simply the occupation, pay plan, series, or grade level of the position. 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.

While many positions may be suitable for telework, there are certain positions that are not conducive to telework. Positions are not suitable for telework that require on a daily basis (every workday):

- (a) Direct handling of classified or other secure materials determined to be inappropriate for telework by management.
- (b) 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.

- (2) Employee Eligibility. After ensuring that the position is suitable for telework, the supervisor must determine the employee's eligibility to telework. To be considered eligible for telework, an employee must demonstrate characteristics indicating their 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.
- (3) Employee Ineligibility. Employees are ineligible to telework if:
  - (a) 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. When disciplined employees become eligible for telework, supervisors, after consultation with the servicing SHRO, may allow disciplined employees to telework or may continue periods of telework ineligibility until a future date;

- (b) Consistent with 5 U.S.C. § 6502(a)(2), they have been officially disciplined for:
  - being absent without permission 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 misconduct indicated in Section 7.A.(3)(b) 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., personnel actions documenting suspensions), the prohibition would be permanent; or

(c) 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 (e.g., by receipt of a Notice of Opportunity to Demonstrate Acceptable performance). On a case-by-case basis, employees who are formally notified during the performance year that their performance has improved to the Fully Successful level may resume teleworking, if the supervisor deems telework to be in the best interest of the agency.

Although the above criteria establish when an employee is eligible to participate in telework, eligibility does not equate to an entitlement to telework. The determination regarding the suitability of a position, eligibility of an employee to telework, or approval of an employee's participation in telework resides with management and will be based on the duties of the employee's position, business needs, and/or the employee's ability to fulfill their responsibilities as outlined in Section 6.H. Bureaus/Offices may not supplement these eligibility criteria in their implementing procedures.

B. <u>Establishing a Telework Arrangement</u>. 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 training and execute a telework agreement before initiating a telework arrangement.

#### (1) Complete Telework Training.

(a) Prior to initiating a telework arrangement, employees and their supervisors must complete telework training. The required training courses for supervisors

and employees are available via the Department's electronic learning management system. Employees must complete the course titled "Telework Fundamentals – Employee Training," and supervisors must complete the course titled, "Telework Fundamentals – Manager Training." This is a one-time requirement. Once completed, employees and supervisors do not need to repeat the training for the purposes of telework. 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.

(b) Bureaus/Offices may establish organization-specific telework training to fulfill this requirement.

## (2) Complete Telework Agreement.

- (a) An approved telework agreement (Form DI-3457) must be in place before an employee is permitted to telework. The telework agreement documents the terms and conditions of the telework arrangement, including the type of telework arrangement approved and the particular days for which the employee is approved to telework, if applicable, and includes a safety checklist for the employee to use in assessing the overall safety of the alternative worksite. The final decision regarding the type of telework arrangement and days an employee is scheduled to telework rests with management. The telework agreement must be completed by the employee and the supervisor. Supervisors should strive to complete the telework agreement form within ten (10) business days of receipt from employee.
- (b) A new telework agreement form must be initiated when the employee is assigned a new supervisor or new position. A new telework agreement form must also be initiated to document approved changes to the employee's telework arrangement (e.g., change in approved core telework days, change in type of telework arrangement).
- (c) Telework agreements must be reviewed by the supervisor and teleworker on an annual basis to be revalidated, revised, or terminated as appropriate. During this annual review and recertification, the supervisor must verify that the employee is still eligible to participate in telework (e.g., review employee's most recent performance rating to ensure that it is at least Fully Successful). The annual review and recertification should occur on or before the one-year anniversary date that the telework agreement was originally approved. Failure to complete the annual recertification requirement may result in the termination of the telework agreement.
- (3) <u>Telework Denial and Termination</u>. Management may deny or terminate a telework agreement at any time. In addition, an employee may voluntarily terminate a telework agreement with proper notice to their supervisor.

- (a) <u>Denial or Termination of Telework Arrangement by Management</u>. When an employee's request to telework is denied or an agreement is terminated by management, the reasons for denial or termination will be documented in writing on the Telework Agreement Form (Form DI-3457) and given to the employee. Denial or termination decisions must be based on mission-related reasons and what is in the best interest of the agency (e.g., telework arrangement fails to meet the organization's needs; employee's performance or conduct does not comply with the terms of the telework agreement; employee or their position no longer meets the eligibility criteria; staffing issues lead to inadequate office coverage). For terminations of current agreements, management will strive to give the employee advance notice of at least one business day before effecting the termination, when practicable.
- (b) <u>Termination of Telework Arrangement by Employee</u>. Employees may voluntarily terminate their participation in a telework arrangement. Such requests must be submitted in writing to the employee's supervisor. Employees will normally provide at least two (2) weeks' notice so that arrangements can be made to accommodate their return to work at the official worksite, if necessary.
- (c) Employee Grievance of Telework Denial or Termination. Employees may grieve the denial of telework or the termination of an existing telework agreement. Bargaining unit employees may file a grievance through negotiated grievance procedures, if provided for in their applicable collective bargaining agreement. If there is no collective bargaining agreement and/or negotiated grievance procedures in place, bargaining unit employees may be permitted to file in accordance with the Department's Administrative Grievance Procedures where the use of these procedures has been agreed to via a written agreement between the appropriate management and union representatives. Non-bargaining unit employees may file a grievance in accordance with the Department's Administrative Grievance Procedures.
- C. <u>Equipping for Telework</u>. To the extent permitted by Bureau/Office policies and procedures, Bureaus/Offices will provide the equipment and supplies the supervisor determines necessary for the employee to telework from the approved alternative worksite. The equipment and supplies should be deemed necessary for the performance of the employee's assigned duties, reasonably available, cost effective, and subject to availability of funding. The Bureau/Office agrees to service and maintain any GFE issued to the teleworker.

# D. <u>Teleworking from the Approved Alternative Worksite</u>.

(1) <u>Designated Workspace</u>. Teleworkers must have a designated workspace that is safe and conducive for the performance of their duties at the approved alternative worksite. At a minimum, an employee must be able to send, receive and respond to electronic mail and communicate via telephone. The employee's communications from the alternative location should be seamless (e.g., customers should not experience an interruption in service delivery from an employee who is teleworking). Management maintains the right to make on-site inspections of the employee's telework site. Such inspections will be by

appointment during the teleworker's normal tour of duty and with advance notice of at least 24 hours.

- (2) <u>Dependent Care</u>. Employees cannot 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. This does not preclude a teleworker from having a caregiver in the home who provides care to the dependent(s) while the employee teleworks, provided the arrangement does not disrupt the employee's ability to telework effectively. Also, an employee may have a dependent present in the home, provided they do not require constant supervision or care (e.g., older child or adolescent) and their presence does not disrupt the employee's ability to telework effectively.
- (3) <u>Costs Associated with Telework at Home</u>. Work-at-home telework may increase certain costs to the employee. The Department assumes no responsibility for any costs associated with the employee's home residence, including home maintenance, insurance, utilities, internet access, and telecommunication costs.
- (4) <u>Work-Related Injuries or Illnesses</u>. Teleworkers may be covered by the Federal Employees' Compensation Act for an on-the-job injury or occupational illness sustained while conducting official Government business at the approved alternative worksite. Employees must inform their immediate supervisor of any on-the-job injury or occupational illness sustained at the approved alternative worksite at the earliest time possible. Accidents and on-the-job injuries must be reported using the Safety Management Information System to enable Bureau/Office Safety Managers to track and report incidents. Teleworkers must also visit the Department of Labor's Employees' Compensation Operations & Management Portal to file a workers' compensation claim with the Office of Workers' Compensation Programs.
- E. <u>Tour of Duty While Teleworking</u>. Employees who telework must perform official duties at their alternative worksite during their approved, scheduled tour of duty. Work schedules and hours of duty may be changed with the supervisor's approval and in accordance with established Bureau/Office procedures. Telework is compatible with standard and alternative work schedules (e.g., flexible and compressed work schedules). Bureaus/Offices may not establish implementing procedures that prohibit a teleworker from having an alternative work schedule.
- F. <u>Telework Schedule Modification</u>. Supervisors may require teleworkers to report to the employee's official worksite on scheduled telework days to accommodate workload demands or for other operational requirements (e.g., to attend mandatory staff event). When possible, the employee will be provided advance notice in writing of any change to their scheduled telework. Requests by the employee to change their scheduled telework day in a particular week or biweekly pay period must be submitted in advance and approved by the supervisor. A permanent change in the telework arrangement requires a new telework agreement to be executed.
- G. <u>Telework During Emergency or Closure Situations</u>. In the event the official worksite is closed due to an inclement weather event or other emergency condition (e.g., building fire, pandemic), telework-ready employees must telework each regularly scheduled workday during the

emergency situation. As such, telework-ready employees must prepare to telework when a weather or emergency event is forecasted or anticipated (e.g., a major snowstorm is predicted) by bringing home any necessary equipment (e.g., laptop computer) and work files. To the extent that an employee is unable to telework because they failed to make necessary preparations for reasonably anticipated conditions, the employee must use appropriate paid leave, paid time off, or leave without pay. In the event the employee is prevented from safely teleworking from the approved alternative worksite due to conditions related to the emergency (e.g., weather-related damage that makes occupying the employee's home telework site unsafe, loss of electrical power or internet service, evacuation by local authorities), the supervisor may, at their discretion, grant weather and safety leave consistent with Departmental policy.

- (1) <u>Unscheduled Telework Operating Status Announcements</u>. When OPM, a local Federal Executive Board, or DOI local operating unit head announces that employees have the option for unscheduled telework or unscheduled leave, telework-ready employees may telework from their approved alternative worksite. When the option is announced, an employee must notify their supervisor of the intent to use unscheduled telework. Employees who are approved to perform unscheduled telework must have the necessary equipment and have a sufficient amount of work to complete in order to telework from the approved alternative worksite. If the employee does not have enough work, they must report to the official worksite or request appropriate unscheduled leave to account for hours not worked.
- (2) Dependent Care Arrangements During Weather or Emergency Events. As provided for in Section 7.D(2), employees cannot personally care for a dependent while teleworking and are responsible for securing appropriate arrangements for any dependents who are unable to care for themselves. If a teleworker cannot arrange for appropriate dependent care because of the weather or emergency event affecting the official worksite, any time spent providing personal care to dependents cannot be considered hours of work. 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 away from normal work-related duties during their scheduled tour of duty. Weather and safety leave may not be granted for this purpose.
- H. <u>COOP Planning</u>. Telework can play a vital role for the Department's COOP plan by preserving essential functions and providing an option for designated employees to continue working when a COOP plan has been activated. Bureaus/Offices may designate employees who are critical to operations and should inform employees of their COOP designation well in advance in anticipation of possible emergency events. Consistent with 5 U.S.C. § 6504(d), during any period that the Department is operating under a COOP plan, that plan will supersede the Departmental telework policy.
- I. <u>Hoteling</u>. Employees who have core telework agreements for five or more days per bi-weekly pay period may be expected to use hoteling when they report to the official worksite. If there is a business reason for providing a dedicated workspace, such as privacy needs of the position, the supervisor should document the reasons for the decision and maintain that documentation. Hoteling workspaces should be properly equipped and supplied to ensure employees can accomplish work assignments.

- J. <u>Reasonable Accommodation</u>. Consistent with applicable law and Departmental policy, employees may request telework as a reasonable accommodation, and the Department must process such requests in accordance with applicable law and Departmental policy.
- **8.** Labor-Management Obligations. Bureaus/Offices are reminded to fulfill their labor-management obligations, as appropriate, in implementing the requirements set forth in this PB.
- **9. Inquiries.** Any Department employee or employee representative seeking further information concerning this policy may contact their Bureau/Office Telework Coordinator and/or servicing SHRO. Bureau/Office Telework Coordinators and servicing SHRO's may contact the Department's Office of Human Capital concerning questions related to this policy.

Jennifer A. Ackerman
Director, Office of Human Capital
Deputy Chief Human Capital Officer