

# INDIAN AFFAIRS DIRECTIVES TRANSMITTAL SHEET

(modified DI-416)

DOCUMENT IDENTIFICATION NUMBER NPM-HR-4	SUBJECT Telework Policy	RELEASE NUMBER #07-41
FOR FURTHER INFORMATION Office of Human Capital Management		DATE

**EXPLANATION OF MATERIAL TRANSMITTED:**

This memorandum describes the policies and procedures concerning Indian Affairs Telework Program, a management approved agreement that permits an employee to work from an alternative worksite other than the employee's official duty station. The Department issued its telework policy on February 18, 2005, *Personnel Bulletin No. 05-02*, which Indian Affairs will adopt with minor modifications for Assistant Secretary – Indian Affairs and non-bargaining unit employees in Bureau of Indian Affairs and Bureau of Indian Education.



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Deputy Assistant Secretary – Indian Affairs (Management)

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**FILING INSTRUCTIONS:**

Remove: None

Insert: NPM-HR-4 (New)



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240



## National Policy Memorandum

**Assistant Secretary - Indian Affairs  
Deputy Assistant Secretary – Management  
Office of Human Capital Management**

**Number: NPM-HR-4**

**Effective: MAR 23 2008**  
**Expires: MAR 23 2009**

**Title: Telework Policy**

### 1. Purpose

This memorandum provides policy on the Indian Affairs Telework Program and implements the Department's policy and Public Law 106-346, Section 359, which requires agencies to establish a policy. This policy provides information and guidance for supervisors and employees considering a telework arrangement in those instances where the employee's presence in the office will not impact or impede organizational performance.

### 2. Scope

This policy applies to non-bargaining unit employees of the Assistant Secretary – Indian Affairs, the Bureau of Indian Affairs and Bureau of Indian Education. Only employees in positions whose job can effectively be performed away from the official duty station without adverse affect on customer service delivery and are conducive to supervisory oversight at the alternate worksite may participate in the Telework Program indicating supervisory approval.

At a minimum, an employee under consideration for a telework arrangement must:

- have a satisfactory performance rating
- and a signed Telework Agreement.

### 3. Policy

Indian Affairs adopts the Department of Interior's (DOI) Telework Policy with the following addendum; (1) Attachment A must be completed and signed by both the supervisor and the employee, and (2) supervisors must retain copies of each Attachment A and the associated Telework Agreement in order to file quarterly reports with the Director, Office of Human Capital Management on the number of employees teleworking.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240



FEB 18 2005

PERSONNEL BULLETIN NO. 05-02

SUBJECT: Telework Policy

**1.1 Purpose.** This chapter provides policy on the Department of the Interior's telework program. This implements the requirement of Section 359 of Public Law 106-346 that each Executive Agency establish a policy under which eligible employees of the agency may participate in teleworking to the maximum extent practical without diminished employee or organizational performance. Bureaus/Equivalent Offices must remove managerial, logistical, organizational, or other barriers to full implementation and successful functioning of the telework program to afford eligible employees the opportunity to telework. This policy will be coordinated through the Departmental Manual review process and will be established as a chapter of the Departmental Manual. This Personnel Bulletin is in effect until superseded by the Departmental Manual Chapter.

## **2.1 General Provisions.**

**A. Authority.** The authorities for the telework program are:

- (1) Public Law 106-346, section 359, of the Department of Transportation's FY 2001 Appropriations Act that requires executive agencies to establish telework policies (Appendix A).
- (2) Public Law 105-277, Sections 411 and 630, related to General Services Administration telework centers.
- (3) Presidential memorandum of July 26, 2000, Employing People with Significant Disabilities to Fill Federal Agency Jobs that can be Performed at Alternative Work Sites, Including the Home.
- (4) Presidential memorandum of June 21, 1996, which instructed Executive Heads of Departments and Agencies to implement Federal Family Friendly Work Arrangements.
- (5) Presidential memorandum of July 11, 1994, that adopted the National Performance Review recommendation for expanded opportunities for Federal workers to participate in a flexible work arrangement.
- (6) 40 U.S.C. 587(c)(2) that requires executive agencies to consider whether needs for additional space can be met using alternative workplace arrangements, such as telework.

**B. General.** The telework program provides eligible employees with a potential opportunity to work at an alternative worksite on a regular or recurring basis (core telework); or on an occasional, one-time, or irregular basis (situational telework). Typically, the alternative worksite is the employee's home or a telework center convenient to the employee's home. Working at an alternative worksite is called "telework" and such workers are called "teleworkers." Although the terms "flexiplace," "telecommuting," and "telework" are often used interchangeably, for the purposes of this issuance, the term "telework" will be used.

**C. Policy.** It is the policy of the Department of the Interior to provide eligible employees opportunities to work at alternative worksites when that is consistent with the mission of the organization and budgetarily supportable. This policy is designed to promote telework as a flexibility for managers and employees to: enhance the recruitment and retention of a high-quality diverse workforce; assist in employing and accommodating individuals with disabilities, including employees who have temporary or continuing health conditions, or who may otherwise have to retire on disability; reduce traffic congestion in major metropolitan areas resulting in positive impact to air quality; reduce transportation costs including costs associated with payment of transportation subsidies; and to complement Continuity of Operations (COO) plans.

**D. Scope.** Except as indicated below, this policy applies Departmentwide. Only eligible employees in eligible positions who have at least a satisfactory performance rating and a signed Telework Agreement may telework. Employee participation is voluntary and subject to management approval. Bureaus/equivalent offices may establish procedures for an employee to request a second-level review if the employee is not initially approved for telework.

**E. Denial or Termination of Telework Agreements.** Employees may be terminated from participation in the telework program at any time their performance falls below the satisfactory level; when customer service is adversely affected; when leave restrictions become necessary; and/or conduct issues arise or other requirements of the telework agreements are not fulfilled. Employees are not eligible to participate in telework if they have unresolved performance deficiencies documented during progress reviews, or who are under a performance improvement plan (PIP) or a formal (written) leave restriction. Their participation may be reconsidered when the performance or leave issues have been corrected. Employees who have successfully completed a PIP may be allowed to participate after they have maintained a satisfactory level of performance for a full year. Because of conduct or other performance concerns, a supervisor may have a valid reason for disapproving telework. Telework is not an employee's right and approval or written termination is within the supervisor's discretion.

**F. Labor-Management Relations.** Prior to implementing the telework program, management must fulfill its labor-management obligation at locations where there is an exclusive bargaining unit representative (i.e., union). Management must also review applicable collective bargaining agreements, and if they contain language pertaining to telework, such language supersedes this policy. The parties may, however, mutually agree to modify the collective bargaining agreement when it is open for renegotiation or enter into a memorandum of understanding adopting this policy. The organization's labor relations office should be contacted for assistance.

## **G. Definitions.**

- (1) Eligible Employee. An employee whose performance and conduct are satisfactory.
- (2) Eligible Position. Some or all duties of the job can effectively be performed away from the official duty station without adverse affect on customer service delivery and are conducive to supervisory oversight at the alternative worksite. Positions shall not be excluded categorically from eligibility on the basis of occupation, series, grade or supervisory status.
- (3) Official Duty Station. An employee's official duty station that is documented on the most recent notification of personnel action (e.g, SF-50) for his or her position of record and is where the employee normally performs duties. Normally, an employee's duty station is the city/town, county, and State where he or she regularly works, as determined by the employee's bureau.
- (4) Alternative Worksite. A worksite other than the employee's "official duty station." such as employee's residence, a telework center, or a facility established by state, local, or county governments or private sector organizations for use by teleworkers, including National Guard Bureau Distance Learning Centers. The alternative worksite must be approved by the employee's supervisor.
- (5) Telework Center. A multi-agency satellite facility that the General Services Administration established to provide Federal employees an opportunity to work at an alternative location that is geographically convenient to the employee's residence. Information on the telework centers can be found on the Internet at [www.telework.gov](http://www.telework.gov). An employee's use of a telework center must be in accordance with law, regulation and budget appropriation authority. An organization's budget office can provide specific details on whether funding is available for telework center use.
- (6) Core Telework. An approved work schedule where an eligible employee works on a routine or regular basis away from the official duty station one or more days per week. (e.g. at home, at a telework center, or at an alternate location).
- (7) Situational Telework. An approved work schedule where an eligible employee works on an occasional, one-time, or irregular (non-routine) basis away from the official duty station. This type of telework is ad-hoc in nature and can be used when a project or assignment requires intense concentration or weather conditions are unfavorable.
- (8) Federal Records. Books, papers, maps, photographs, machine readable materials, e-Mail, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government and preserved or appropriate for preservation as evidence of agency functions, organizations and activities or because of the value of information they contain (44 U.S.C. 3301).

(9) **Telework Agreement.** A written agreement between an employee and the first-level supervisor, required for all types of telework arrangements, that outlines the terms and conditions under which the employee may perform work at an alternative worksite. (See 3.1E for minimum content requirements and Appendix C for a sample telework agreement). A telework agreement can be obtained from the bureau's telework coordinator, or from the telework website at <http://www.telework.gov>.

## **H. Roles and Responsibilities.**

(1) **Bureau heads or designees** ensure that a telework program is implemented in their respective bureaus. Bureau heads may designate the Human Resources Officer or another designee as the Bureau Telework Coordinator.

(2) The **Office of Human Resources** provides overall Departmental policy guidance for the program.

(3) **Bureau Telework Coordinators** provide information and guidance to supervisors, managers, and employees on the DOI/Bureau Telework Program. The Bureau Telework Coordinators serve as liaisons with Departmental officials and officials from other federal agencies, and collect and provide bureau telework program information to various requesting officials.

(4) **First-level Supervisors:** Prior to the commencement of any type of telework arrangement (core or situational), a first-level supervisor must ensure that a telework agreement is completed and signed that outlines the terms and conditions of the telework arrangement. In addition, first-level supervisors must:

a. evaluate employee requests for telework participation in a fair and equitable manner, ensuring that restrictions or denials are based on sound business or mission-related criteria;

b. ensure that an eligible employee, prior to teleworking, is provided an orientation to the bureau's policies regarding telework; the first-level supervisor must obtain basic instruction in telework from the bureau's telework coordinator or through the Office of Personnel Management's Gov Online Learning at <http://www.golearn.gov>;

c. approve/disapprove employee requests to participate in telework, including approval on a trial or pilot basis when concerns remain about the appropriateness of the proposed telework;

d. ensure the employee understands and agrees with the terms and conditions of the telework agreement;

e. establish communication requirements and methods to ensure the employee is kept informed of relevant information, performance expectations and progress; and is made aware of requirements to be available for contact by the supervisor, co-workers, customers, etc., to include scheduling staff or all-hands meetings on days and at times when the majority of employees are

present at the regular worksites; and/or making arrangements for conference call connections for employees at alternative worksites;

f. during emergencies, communicate with employee working at alternative worksite, and ensure employee is kept informed regarding dismissal or closure procedures;

g. confirm the need for accessibility of records/reference materials;

h. ensure that procedures are established for safeguarding records and maintaining their integrity according to the requirements of the Department's and the U. S. National Archives Records Administration (NARA) records schedules and the Privacy Act, and ensure return of materials used or created at the alternative worksite;

i. monitor and evaluate the employee's performance based on the employee's performance appraisal plan and the telework agreement; and work with the human resources office to develop any requirements for the employee to provide progress reports on work performed at an alternative worksite;

j. ensure that applicable policies and procedures are followed under a telework agreement with regard to removal of/accountability for government property, records and documents; approval of overtime, leave, alternative work schedules, etc;

k. review employee self-certification safety checklist to ensure it is complete, and that the answers provided do not indicate a potentially unsafe working environment;

l. when warranted and with advance notice of at least 24 hours, the supervisor or designee has the right to inspect the home or alternative worksite before the telework arrangement begins, and at periodic intervals during the telework arrangement, to insure that the proposed workspace is safe, and all equipment is adequately installed and performing properly;

m. inform employees of those work tasks they are expected to perform while in a telework status;

n. investigate employee reports of work-related injury or illness at the alternative worksite in much the same manner as would be the case for injury or illness at the regular worksite;

o. terminate, modify or temporarily suspend telework agreements for mission-related reasons, such as decline in employee's overall performance; failure to adhere to the terms and conditions of the agreement; changes in office priorities, vacancies or long-term leave of other employees in the office that cause office coverage issues, etc;

p. make arrangements for the employee to begin working at the employee's official duty station as quickly as possible following an employee's request to terminate a telework agreement, or when supervisor determines that the telework agreement must be temporarily suspended or terminated;

- q. respond to requests for information or reporting requirements from the local Telework Coordinator, DOI, OPM or other sources; and
- r. ensure that standard training policies are followed for the development of basic skills in computer technology for use at the alternative worksite.

(5) **Second-level Supervisors:** Bureaus may implement a process to provide for a second-level supervisory review of telework requests that have been approved, disapproved, or terminated. Second-level decisions are final unless otherwise outlined in bureau policy and/or labor agreements. Specifically, second-level supervisors may:

- a. ensure that all denials are based on sound business or mission-related criteria;
- b. ensure that there is sufficient evidence of negative impact on employee performance or the work of the office to warrant a termination of the telework arrangement;
- c. collaborate with subordinate supervisors on methods/alternatives to existing work practices that will allow employees maximum opportunities to telework; and
- d. ensure that teleworking activity is consistent with achieving the organization's mission.

(6) **Employees:** Participation in a telework arrangement requires employees to:

- a. complete a telework agreement and submit it to their supervisor prior to commencing telework. A telework agreement is provided at Appendix C, or can be obtained from the bureau's telework coordinator, or from the telework website at <http://www.telework.gov>. An employee may request to end participation in the program, without cause, at any time;
- b. suggest to their first-level supervisor if modifications are necessary to the agreement;
- c. perform an assessment of the alternate work environment and answer the required questions on the self-certification safety checklist;
- d. adhere to the telework policy and procedures and the terms and conditions of the approved telework agreement;
- e. work with the supervisor to deal with problems or obstacles to work accomplishment as they occur;
- f. follow established procedures for requesting leave, and comply with OPM regulations, Department, bureau/equivalent office policies, or negotiated agreements for requesting approval of leave;
- g. follow established procedures for obtaining advance approval for working overtime, compensatory time, or credit hours;

- h. follow established bureau procedures for removal of government property from the official duty station worksite. Bureau telework coordinators or the employee's administrative officer can provide procedures;
- i. follow established procedures for standards of conduct;
- j. use government equipment only for official purposes and as allowed in the Department's Limited Use policy;
- k. comply with Department's policies for use of telephones and information technology security;
- l. ensure that alternative worksites at their homes comply with the home safety checklist in accordance with Federal Occupational Safety and Health (OSHA) standards found at <http://www.osha.gov>, and with the workstation and inspection guidance found at [www.telework.gov](http://www.telework.gov);
- m. ensure that a proper work environment is maintained at the alternative worksite;
- n. repair and properly maintain personally-owned equipment that is used for teleworking and pay for any repairs. The employee is responsible for payment of repairs and maintenance of personally-owned equipment;
- o. maintain government-owned equipment in a secure environment, promptly reporting the need for repairs and returning the equipment to the official duty station office if needed in order to obtain repairs. The employee's organization is responsible for payment of repairs and maintenance of Government-owned equipment;
- p. ensure personal disruptions such as non-business telephone calls and visitors are kept to a minimum (for example, family considerations must not interfere with teleworking);
- q. comply with federal and Departmental regulations, policies, and procedures;
- r. observe information security requirements and procedures established by bureau/equivalent office when transporting, using, creating or transmitting any and all government files;
- s. ensure that files, records, and reference material taken, used, or created at the telework site are:
  - 1) adequately protected during transmission to and from a telework site and at an alternative worksite;
  - 2) managed in accordance with the provisions of records management policy, the Federal Records Act and the terms of agreement regarding accessibility to records; and returned or electronically transmitted back to the official work station and incorporated into the organizational unit's official recordkeeping system when necessary;

- 3) made available in response to an applicable discovery, Freedom of Information Act, or Congressional request for information;
  - 4) not covered by a Privacy Act System or Records unless the employee, working with their bureau's Privacy Act Officer, determines that it is permissible under the established system.
- t. immediately report to their supervisor any job-related incident that results in or has the potential to cause injury, illness, or property damage, and complete any required forms; and
  - u. notify security of any tampering with information entered into a Privacy Act system of records.

### 3.1 PROGRAM REQUIREMENTS

**A. Cost Analysis.** Supervisors and employees must consider cost issues before approving and/or participating in the Telework Program. For example, there may be both non-recurring and recurring technology costs. Equipment and software are normally non-recurring charges but may involve additional costs later if maintenance is required. Recurring charges can include telephone services, long distance, and Internet access. For more information about costs refer to section "R. Expenses."

**B. Job Characteristics Appropriate for Telework.** Not all jobs are appropriate for telework. Jobs that work exclusively with equipment available only at the regular office, such as a laboratory, or that require face-to-face interaction with the public at a particular geographic location do not fit a telework program. Some jobs can be restructured to permit work at an alternative worksite by separating the tasks that can be completed at an alternative location from those that are dependent on the employee being at the normal duty station. The tasks suitable for performance at an alternative worksite could then be combined and performed during a full work day at the alternative worksite.

The jobs most suitable for telework have some or all of the following characteristics:

- (1) work activities that are portable and can be performed effectively outside the normal office or facility environment such as mental tasks, writing, data analysis, reviewing or editing proposals or reports, telephone-intensive tasks. This could include setting up or participating in a meeting/conference, obtaining information from a variety of sources that can be obtained on-line or via the telephone, computer oriented tasks such as programming, processing payroll transactions, data entry, word processing, etc., information research, customer service (complaints desk), architectural design, or engineering;
- (2) tasks that are easily quantifiable or primarily project-oriented so that progress/productivity can be measured by results rather than by direct observation;

- (3) contact with other employees or customers that is predictable and can be performed by telephone or e-mail without loss of service or productivity;
- (4) tasks for which classified materials or proprietary data are not required for accomplishment;
- (5) tasks for which appropriate technology is available to perform off site;
- (6) work that has clearly defined performance measures; and
- (7) tasks that require use of data and systems involving sensitive, non-classified or Privacy Act (when authorized) information that can be adequately secured at the alternative worksite. It is recommended that an employee protect and secure sensitive, nonclassified, or Privacy Act information in a locking cabinet or safe.

**C. Employee Characteristics Associated with Successful Telework Program**

**Participation.** A telework arrangement requires an employee who is especially responsible and motivated, can work independently and requires little supervision or interaction with other employees. Employees with documented performance, attendance, motivation, or behavioral problems are not viable candidates for telework arrangements.

Successful telework candidates typically include individuals with the following characteristics and/or circumstances:

- (1) severe physical limitations that restrict mobility but do not prevent the employee from performing the essential functions of the position. This type of individual may be hired with the understanding that the employee will work at the alternative worksite full or part time immediately upon employment;
- (2) ability to perform the essential functions of the current position, but the employee has become disabled with restricted mobility that inhibits ability to report to the office. A telework arrangement may be considered as part of the reasonable accommodation process;
- (3) an on-the-job injury that limits an employee's ability to report to the regular office, but the employee is still capable of performing full or part-time work from an alternative worksite. A telework arrangement in this case may reduce or eliminate extended need for the employee to be on workers' compensation;
- (4) ability to function independently and demonstrate dependability;
- (5) highly motivated and a conscientious self-starter;
- (6) requires minimum supervision to complete assignments;
- (7) demonstrates sound time management skills; and

- (8) maintains a satisfactory performance rating for one year or more.

**D. Supervisory Characteristics Associated with Successful Telework Program**

**Participation.** Supervisors of telework participants must use sound judgment about the individual's work performance prior to approving work at alternative worksites. The employee's performance should be monitored and feedback provided both when expectations are met and when not met. Supervisors should restrict telework privileges for the following reasons: when an emergency or other circumstances require the employee to be at the worksite; violation of the telework agreement; productivity is negatively impacted; or organizational mission and function accomplishment are diminished.

Successful telework supervisors exhibit and/or should develop the following characteristics:

- (1) proficiency in evaluating work performance by measuring results and assessing work outputs instead of relying on direct observation;
- (2) effective communication skills and ability to clearly define expectations; ability to provide both positive and negative performance feedback;
- (3) ability to use sound judgment relative to an employee's work ethic and the ability to abide by the terms of the telework agreement.

**E. The Telework Agreement.** Before beginning work at an alternative worksite, the employee and immediate supervisor must sign a telework agreement. It is the supervisor's responsibility to adequately document the telework arrangement in advance to explain/define the employee's duty status, credit hours, overtime, leave, alternative work schedules, etc. The agreement should specify the terms and conditions of program participation, the performance expectations, and the work schedule information for the individual employee. The telework agreement documents a commitment by the employee and the supervisor to abide by the applicable guidelines and program policies and must be in place before the employee begins working at an alternative worksite. A sample telework agreement is at Appendix C.

At a minimum, telework agreements must contain the following:

- (1) alternative worksite location such as the employee's home address or the address of the telework center. The location of the alternative worksite must be mutually agreed upon by the employee and the supervisor;
- (2) duration of the employee's participation in the telework program. If the employee is on a trial or pilot telework arrangement, specify the length of time before the pilot will be evaluated and a decision will be made on whether to extend or terminate the arrangement. The evaluation should be ongoing and a decision should be made on whether to continue the telework arrangement while the employee is still under the pilot agreement;
- (3) the telework schedule, which identifies the specific days each week, pay period or month during which work will be performed at the alternative worksite. For intermittent arrangements,

the agreement should prescribe the procedures that will be used for approval of specifically requested days to be worked at the alternative worksite. Agreements for situational telework use should identify the time period (from/to dates), number of days and hours per week or pay period during which work will be performed;

- (4) established duty hours for work days at the alternative worksite. This section may state that the employee is free to flex his or her hours or may prescribe specific hours (similar to core hours) where the employee is expected to be available for telephonic contact;
- (5) description of the work to be performed at the alternative worksite including specific duties or projects to be completed and any deadlines for delivery that may apply;
- (6) procedures for administrative processes such as leave approval, weather dismissal, time and attendance certification, etc.;
- (7) any procedures required for work processes such as a requirement to submit progress reports to the supervisor, submission and review of completed work, participation in meetings, conference calls, etc.;
- (8) certification that adequate security measures are in place, commensurate with the risk and magnitude of the harm that could result from the loss, misuse, or unauthorized access to, or modification of, the government equipment, software and data being accessed;
- (9) certification that the employee understands that passwords must be protected;
- (10) certification that the employee understands that telework is prohibited for the purpose of dependent care;
- (11) certification that the employee understands the rules for working overtime, compensatory time and credit hours;
- (12) certification that the employee has been advised of and acknowledges the restrictions on the use of government property and use of official time;
- (13) certification that the employee has been provided with an orientation to bureau/office policies related to telework;
- (14) if recuperating from an injury or illness, a medical release to perform the duties for which the employee agrees to be responsible under a short-term arrangement; and
- (15) certification that the home office meets safety requirements.

## **F. Work Hours.**

- (1) The amount of time an employee will work at an alternative worksite will vary depending on the individual arrangement made between the employee and the supervisor. Employees may work as few as one day per month or as many as five days per week or full-time telework.
- (2) The employee must remain available to personally participate in regular staff meetings and other meetings necessary to the accomplishment of work; have direct interaction with the supervisor, coworkers, and customers; and access equipment, files and reference materials not available at the alternative worksite. Supervisors may consider deviations from this requirement to include such circumstances as: accommodating physical disabilities, recovery from illness or injury, field work, etc, depending on bureau/office policy.
- (3) Monitoring and certification of an employee's work time are critical to the success of the program. Work is to be performed during established work hours agreed to by the employee and supervisor in the telework agreement. No work is to be performed between 6 P.M. and 6 A.M. or on weekends or holidays unless prior overtime authorization is received or an alternative work schedule is established with the supervisor. Supervisors must report time and attendance to ensure that employees are paid only for work performed and that absences from scheduled tours of duty are accounted for correctly. The assigned hours of work while teleworking form part of the employee's regular tour of duty. Time spent in a telework status must be accounted for and reported in the same manner as if the employee reported for duty at the traditional worksite. Timekeepers will record the numbers of hours each individual spends in a telework status during the regular daily tour of duty by entering the appropriate pay type hour code into the automated time and attendance system.

For instance, if an employee has a regular daily tour of duty of 8 hours and spends 8 hours in a telework status, 8 hours would be recorded using the appropriate pay code. Hours spent in a telework status that are outside of the regular daily tour must also be accounted for and reported. Employees in a telework status must adhere to their approved work schedules. Any overtime work or other work outside regularly scheduled duty hours must be ordered and approved in advance by the supervisor.

Supervisors can verify an employee's time spent working at an alternative worksite by determining the reasonableness of the work output for the time spent, or by making telephone calls during the employee's scheduled work hours at the alternative worksite. The technique for determining reasonableness of work output for the time spent is consistent with managing by results (refer to the section below on performance management).

- (4) With supervisory approval, employees may choose to change their scheduled work hours, or change to or from an alternative work schedule. For example, an employee may begin his/her work at an earlier time when working from home since no time is spent commuting to the worksite.
- (5) With supervisory approval, employees on approved Alternative Work Schedules may continue to work on a flexible or compressed schedule when participating in telework.

**G. Pay Issues.** An employee's pay, geographic locality pay rate, wage rate, special salary rates, etc., are based on the location of the duty station. An employee's official duty station is the duty station that is documented on the most recent notification of personnel action (e.g. SF-50) for his or her position of record. Normally, an employee's duty station is the city/town, county, and State where he or she regularly works, as determined by the employing agency. For an employee who teleworks from an alternative worksite, the employee's official duty station is the location of the employee's main or reporting office, as long as he or she regularly commutes into that office (i.e., at least once a week). The employee's official duty station must be changed to the location of the telework site (location of his or her home, telework center, or other alternative worksite) if the employee does not regularly commute into the main or reporting office, except in certain temporary situations.

In certain temporary situations, the location of the main or reporting office is the official duty station of employee who teleworks on a regular basis at the alternative worksite, such as when recovering from an injury or medical condition that prevents employee from regularly commuting to the normal worksite, except in certain situations.

The location of employee's official duty station may affect other benefits. Information on an employee's travel, transportation and relocation benefits and entitlements may be obtained from GSA's web site at [www.gsa.gov](http://www.gsa.gov). Information on an employee's entitlements to overseas allowances and benefits may be obtained from the Department of State's web site at [www.state.gov](http://www.state.gov).

**H. Premium Pay.** The governing rules, regulations, and policies concerning attendance, leave, and overtime are unchanged by participation in telework. Hours of duty must be described in telework agreements. Employees may be compensated for overtime or night work performed with approval in advance.

**I. Absence and Leave.** The current rules and regulations for leave administration apply to teleworkers. Procedures for leave approval from the alternative worksite and for time and attendance reporting should be addressed in the telework agreement, but will usually be the same as those used in the normal worksite.

**J. Position Descriptions.** Telework will seldom require changes in position descriptions.

**K. Performance Plan.** Generally, supervisors will use the same measures for telework employees as they use for employees who perform similar tasks at the official duty station.

**L. Home-based Office Requirements.** For work-at-home arrangements, the employee is required to designate an area in his/her home as the official work station. The space for working at home should be a separate room or area in a room that is adequate for the performance of the employee's official duties. The Federal Government's potential liability is restricted to this official work station for purposes of telework. Each telework participant must sign a self-certification safety checklist that certifies that the alternative worksite is free of safety and health hazards and unsafe conditions. Bureaus must have a self-certification safety checklist for

use by employees. See Appendix D for a sample self-certification safety checklist. The employee's supervisor must keep the safety checklist.

With advance notice of at least 24 hours, the supervisor or designee has the right to inspect the home or alternative worksite before the telework arrangement begins, and at periodic intervals during the telework arrangement, to ensure that the proposed workspace is safe, and all equipment is adequately installed and performing properly. Management may deny an employee the opportunity to participate in telework or may rescind a telework agreement based on safety problems in the home office.

The employee must agree to permit the access to the alternative home-based worksite by agency representatives as necessary during the employee's normal working hours.

**M. Administrative Leave, Dismissals, Emergency Closings.** The ability to conduct work and the nature of any impediments, whether at home or at the office, determine when an employee may be excused from duty. Employees who telework from home or from an alternative workplace are an invaluable resource during a time of emergency. Teleworkers may be designated as "emergency employees" and the designation should be included in their telework agreements.

#### Emergency at Home Work Site.

When an employee knows in advance of a situation that would preclude working at home, the employee must request leave approval or report to his/her official duty station. When an emergency affects the area of the home work site and the employee cannot perform work at home for any reason beyond his/her control, such as loss of heat or disruption of electricity, the employee must notify his/her supervisor immediately. The supervisor or appropriate management official should determine action on a case-by-case basis. If the emergency affects the employee's home work site, the employee may be required to provide appropriate documentation to support a claim of emergency affecting the home work site that causes him/her to stop work. Depending on the particular circumstances, supervisors may offer the teleworker the option of taking leave or using compensatory time off or credit hours; reporting to work at the traditional worksite; or, granting the teleworker excused absence in accordance with Department policy 370 DM 630.11 found at [www.doi/hrm/guidance/370DM630.pdf](http://www.doi/hrm/guidance/370DM630.pdf).

#### Emergency at Official Work Site.

If an employee is working at a telework center or home work site and an emergency such as local power outage or lack of heat leads to closing and dismissal of employees at the official work site, the teleworker must continue to work at the telework center or home work site.

If the official duty station closes due to severe weather conditions:

Employees working at home may not be affected and normally would not need to be excused from duty. Therefore, the employees are expected to work until the end of their scheduled work day. Supervisors can determine if excused absence is appropriate in accordance with guidance provided in Section M, Administrative Leave, Dismissals, Emergency Closings, above.

Employees working at telework centers in the Washington, DC metropolitan area could be affected by severe weather, such as road conditions, and the telework centers could close. Therefore, employees working at a telework center during severe weather conditions should follow the Office of Personnel Management's Washington, DC Metropolitan Area Dismissal or Closure Procedures. Teleworkers working outside the Washington, DC metropolitan area should follow procedures issued by his/her Federal Executive Board.

Teleworkers who are not excused from work during their regular work hours and workdays are paid their regular pay for working during that time. Employees (including teleworkers) who work their regular work hours are not entitled to additional compensation, compensatory time off, or credit hours because their main office is closed. Employees, including teleworkers, who have an Alternative Work Schedule day off (nonworkday) on a day an agency closes are not entitled to a "replacement day off" or any additional compensation.

**N. Travel.** Travel provisions that apply to employees working at a traditional worksite also apply to employees who telework. A teleworker who is directed to travel to another worksite (including the traditional worksite) during his or her regularly scheduled basic tour of duty would have the travel hours credited as hours of work. If the employee is directed to report to the official duty station, the travel will be at no cost to the Government.

Where an employee teleworks full-time from a location outside of the local commuting area of the traditional worksite, and his or her alternative worksite has been determined as his or her official duty station, the employee's organization would be responsible for all work-related travel outside the employee's normal commuting area, including travel to the traditional worksite.

A supervisor has the right to require employees to report to the traditional worksite on scheduled telework days, based on mission and/or operational requirements.

**O. Safety and Workers' Compensation.** Telework employees are covered by the Federal Employees' Compensation Act (FECA). Telework employees working at home are required to designate one area in the home as the official work station. The Government's potential exposure to liability is restricted to this official work station for the purposes of telework. Telework employees working at home are responsible for ensuring that their work space is safe and in compliance with safety guidelines. Occupational Safety and Health Administration rules govern Federal employee workplace safety. An employee who wants a work at home arrangement must complete and sign a safety checklist (Attachment D) that certifies that the home is safe. An employee must notify his/her immediate supervisor immediately of any accident or injury at the alternative worksite, provide details of the accident or injury, and complete the Department of Labor Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation. Supervisors must ensure that claim forms are properly filed. The supervisor is responsible for investigating the incident immediately and submitting the report of the incident to the bureau safety manager. Where internet access is available, the supervisor will enter the report of the incident in the Department's Safety Management Information System (SMIS) at the web address <http://www.smis.doi.gov>.

*Sections P, Q, R, S, T, and U relate to IT and IRM functions managed by the OCIO. Teleworkers fall under the same regulations, directives, and policies as if they were at their government work site. As policies are available electronically they will be linked from the OCIO website at: <http://www.doi.gov/ocio/>. In addition, the employee must comply with all the Department security and information technology policies and procedures including those for remotely accessing Interior's networks and services.*

#### **P. Information Technology Resources.**

(1) **Equipment.** Computers, faxes and other IT related equipment: Some employees working at home may only require paper and pen; others may require a computer, modem, or other equipment to perform duties. An inventory of equipment, including whether employee or Government owned, should be included as part of the telework agreement.

a. **Employee Owned.** As part of the telework agreement, an employee who wants to telework may use his/her personally-owned computer equipment while working at home. However, the employee is responsible for the installation, repair and maintenance of all personal equipment. The Government is not liable for damages to the employee's personal or real property while the employee is working at the approved alternative worksite, except to the extent the Government is held liable by the Federal Tort Claims Act or the Military and Civilian Employees Claim Act. Management should consider the effects of permitting use of personally-owned equipment in a telework setting by assessing the impact on the ability to access, change, or retrieve government information when needed. Further, the employee must ensure that prior to terminating participation in the telework program, records are appropriately printed and filed. Then the employee must delete and certify the deletion of information on an employee's personal computer.

b. **Government Owned.** As part of the telework agreement, a Bureau may provide computers and telecommunications equipment in the employee's home for telework use on a case-by-case basis and considering the availability of existing equipment, budget, the nature of the employee's work, etc. Surplus or excess computer equipment may be available for use by telework participants. The loaned equipment must be used only for official business and as allowed in limited use policies, and is subject to the same monitoring as Government equipment at an employee's official worksite. Procedures must be established to document the temporary removal of any computer equipment, software, or peripherals from a Government office (i.e., property receipt). Normally, the employee is responsible for the safe transfer of loaned equipment to and from the office to his/her residence. The government, however, is responsible for payment of repairs and maintenance of Government-owned equipment. The employee is responsible for notifying his/her supervisor immediately when the loaned equipment is malfunctioning. Employees who use telework centers will be provided access to basic office equipment (e.g. computer, modem, telephone, fax, and copier). Telework centers are responsible for installation and maintenance of telework center equipment.

(2) **Telecommunications Services.** Telephone management and use will be in accordance with Departmental and Bureau Directives and Bulletins, GSA's Bulletins, and the Federal Management Regulation (FMR), Chapter 102, Subchapter F - Telecommunications. In addition, supervisors should consult with the bureau/office Telecommunications Manager to determine the appropriate telecommunications services for a teleworker. For example, how frequently will the teleworker work at the home site; how often will they require access to systems and networks;

what types of data are they accessing; and what will be the telephone usage and requirements, such as audio conferencing. All of these answers will help the Telecommunications Manager obtain the right type of service or set of services. For more information refer to section "R. Expenses."

(3) **Enterprise Agreements.** In accordance with Departmental and bureau policies, employees who work from an alternative worksite may have available for work purposes various products from DOI's enterprise agreements. Most of the descriptive and ordering information for select products and services is contained on the following website – <http://www.doi.gov/ocio/erm/index.html>. However, employees should contact their respective IT, IRM, or administrative support office for specific information related to home use of these products.

(4) **Office Supplies.** Office supplies, such as paper and toner, will be available to the teleworker for use at the alternative worksite in the same way as at the official duty station.

#### **Q. Security and Liability Issues.**

(1) A telework employee must comply with Department security and information technology policies and procedures. An employee must ensure that adequate security measures are in place to protect the equipment from being damaged, stolen, or accessed by unauthorized individuals. A telework employee must use the same precautions at home to secure and protect the Government-owned computer equipment that is used at the workplace; for example, such precautions as keeping doors locked and liquids away from the computer. Employees may be liable for damaged or stolen equipment.

(2) Employees are responsible for ensuring that records created and/or maintained offsite comply with the requirements of the Federal Records Act, the FOIA, the Privacy Act, and the Federal Information Security Management Act of 2002. Bureaus may provide employees with a locking cabinet to maintain the records.

(3) The privacy risk assessment should consider not just the handling of paper records, and information stored on PC's or on diskettes, but the impact phone communication, wireless communication, and remote access to Interior databases may have on privacy protected information.

(4) Management must coordinate with bureau/equivalent office Record Officers, Security Managers, and Privacy Act Coordinators to ensure that the records contained in a Privacy Act System of Records may be used for telework. When it is permissible under the Privacy Act System to use covered records in telework, management must develop a privacy plan to ensure that appropriate physical, administrative, and technical safeguards are used to protect the security and confidentiality of such records used for telework.

(5) Employees must ensure that there are safeguards in place to protect sensitive information maintained at the alternative worksite. This includes the physical security of paper and electronic records, access controls to the records maintained on the computer, and transmission of sensitive information.

(6) Failure to ensure the protection of sensitive information at the alternative worksite may result in termination of the telecommuting agreement, at the supervisor's discretion.

## **R. Expenses.**

(1) **Home utility costs.** Work at home arrangements may increase an employee's home utility costs. The Department of the Interior assumes no responsibility for any operating costs (which include home maintenance, insurance, and utilities) associated with an employee using personally-owned or Government-owned equipment, and/or the residence as an alternative worksite.

### (2) **Telecommunications.**

a. Normally, telecommunications services are necessary for an employee to be able to access information and effectively communicate with supervisors, co-workers, and customers. Employees that telework should be provided a calling card in lieu of being reimbursed for long distance charges. If an employee telecommutes frequently and it is decided that it is more advantageous to the government to pay for an additional line in the employee's residence, it is to be used for official purposes only. In addition, the supervisor may also elect to order long distance services under government contracts such as FTS2001, or any follow-on contract, should an analysis determine it is more cost effective than a calling card.

b. In accordance with Departmental and bureau policies, as funding permits, and as provided for in Section 1348, Title 31, U.S.C., any department, division, bureau, or office may use appropriated funds to install telephone lines, and necessary equipment, and to pay monthly charges, in any private residence or private apartment of an employee who has been authorized to work at home in accordance with guidelines issued by the Office of Personnel Management, provided that the head of the department, division bureau, or office certifies that adequate safeguards against private misuse exist, and that the service is necessary for direct support of the agency's mission.

c. Ordering, certification, and payment of government-provided equipment and services are managed in the same manner as if the equipment and service existed at a government location.

**S. Privacy Act Considerations.** Positions that use information from Privacy Act system of records (records on individuals retrievable by their name or other identifier) are normally considered not suitable for telework. Managers should assess privacy risks for positions being considered for telework that use information protected by the Privacy Act or personal privacy information protected by a Freedom of Information Act exemption. Examples of considerations included in the assessment should be:

- (1) the sensitivity level of the information;
- (2) whether the Privacy Act System Notice allows offsite use and storage of the records;
- (3) appropriate safeguards in transporting and transmitting the information;
- (4) adequate physical safeguards of the paper and electronic record; and

(5) adequate employee knowledge of the statutory and Departmental Privacy Act use, disclosure, maintenance, safeguarding and disposal requirements as well as the Act's civil and criminal penalties. For employee requirements in implementing the Privacy Act, refer to DOI Privacy Act regulations at 43 CFR.2.45-2.79 and DOI Privacy Act Manual Sections 383 DM 1-13 which are available at the DOI Privacy Program website under "Guidelines" at [www.doi.gov/ocio/privacy](http://www.doi.gov/ocio/privacy).

The FIRMR Bulletin C-22: Security and Privacy Protection of Federal Information Processing Resources, provides requirements for security and privacy plans and compliance with the Computer Security Act of 1987. Decisions to allow employees access from a telework site to databases that contain personally identifiable information on individuals should be addressed in Privacy Impact Assessments (PIA) that are required for new and amended information systems by the E-Government Act of 2002 (refer to OCIO Bulletin 2002-015 transmitting the DOI PIA and Guide on October 18, 2002).

Ownership of data created and used at an alternative worksite is determined using the same rules and regulations that apply to data created and used at the employee's official worksite. Employee agreements should require compliance with information laws such as the Privacy Act (5 U.S.C. 552a), the Freedom of Information Act (5 U.S.C. 552), and the Federal Records Act.

**T. FOIA Considerations.** Records created in the course of conducting business from an alternative worksite will be considered to be under the Department's control and therefore may contain information that must be disclosed to the public under the Freedom of Information Act (FOIA) (5 U.S.C. 552). Bureaus and offices must respond to requests for reasonably described records within 20 workdays (or 30 workdays if a time extension is taken). Employees working from alternative worksites may be required to search their electronic and paper files for records responsive to FOIA requests and to provide the requester with copies of any records that are located, unless they are protected from release by one of the nine exemptions under the law. Material considered a "non-record" under the Federal Records Act may be a record for the purposes of FOIA. Any official record created and/or maintained off site must be filed using the same file plan as used in the office's official recordkeeping system so that the record may be located with a reasonable amount of effort in response to a FOIA request. Only copies of records should be maintained at the alternative worksite; original records should not be removed from the official workstation. Bureaus and equivalent offices must develop procedures to ensure accessibility to this information in the event a FOIA request, appeal, or litigation is received and the responsible employee cannot be contacted.

Records that are the subject of active FOIA requests or appeals will not be deleted or otherwise disposed of even if they are authorized for destruction by an approved records schedule. Employees may obtain additional information from their bureau FOIA Officer, the Department's FOIA regulations (43 CFR Part 2), and the Departmental FOIA Handbook (383 DM 15).

**U. Recordkeeping Requirements.** Federal records created or received during the course of official agency business while at a telework site must be maintained, stored, and preserved in accordance with agency records management policy and the agency Records Retention Schedule, and incorporated into the official agency recordkeeping system. No original records should be removed from the official workstation and taken to a telework site. If at all possible, employees should only work with copies of records at a telework site, leaving the original records at the

official workstation. All records must be returned or electronically transmitted back to the official work station and incorporated into the organizational unit's official recordkeeping system.

**V. Dependent Care.** Employees who work from an alternative worksite are expected to use their time performing official duties as if they were in the normal work setting. Telework may not be used to replace appropriate arrangements for dependent care. The telework program is not intended to reduce dependent care costs or serve as a substitute for child care, day care, elder care, or any other type of dependent care. However, there are benefits for working at an alternative work place such as reduced child care costs due to reduced commuting times or by eliminating the need for before or after school day care. Employees who have small children or adults that require supervision must arrange to have day care or other appropriate dependent care. Personal distractions such as non-business telephone calls and visitors must be kept to a minimum.

**W. Accommodating Disabled Employees.** The telework program may be used to provide reasonable accommodation for employees who qualify, including those employees who have partially recovered from work-related injuries/illness, and who can perform work on a full or part-time basis from an alternative worksite. Employees should be provided accommodations in accordance with Section 508 of the Americans with Disabilities Act, found at <http://www.section508.gov>. More information on accessible technology for persons with disabilities can be found at <http://www.doi.gov/ocio/accessibility.html>.

**X. Customer Service.** The requirements outlined in this policy are designed to assure that customer service is not diminished. It is the policy of the Department that participation in this program must not adversely affect customer service delivery.

**4.1 EFFECTIVE DATE.** This policy is effective immediately.

**5.1 POINT OF CONTACT.** The Department point of contact on this policy is Jackie Johnston, Office of Human Resources, (202) 208-0144; e-Mail at [Jacqueline\\_Johnston@ios.doi.gov](mailto:Jacqueline_Johnston@ios.doi.gov).

  
 Kathleen J.H. Wheeler  
Deputy Chief Human Capital Officer

Attachments

## Appendix A

Section 359 of Public Law No. 106-346  
Department of Transportation and Related Agencies Appropriations Act, 2001  
(October 23, 2000)

“SEC. 359. Each executive agency shall establish a policy under which eligible employees of the agency may participate in telecommuting to the maximum extent possible without diminished employee performance. Not later than 6 months after the enactment of this Act, the Director of the Office of Personnel Management shall provide that the requirements of this section are applied to 25 percent of the Federal workforce, and to an additional 25 percent of such workforce each year thereafter.”

WASHINGTON METROPOLITAN TELEWORK CENTERS

The General Services Administration telework centers house employees of more than one agency and include work stations and equipment similar to the traditional office environment. Typical centers include desks, computers with high-speed modems, Internet access, copiers, laser and color printers, copy machines, fax machines, lockable personal storage, e-mail and file transfer capabilities, and conference areas. Experienced center administrators are available to help teleworkers in their day-to-day use of the facilities and equipment. Information on GSA telework centers and costs can be found at [www.telework.gov](http://www.telework.gov).

Advantages of using a telework center include: on-site technical support; a professional place to work; and not all employees' homes are conducive to teleworking at their residence.

These telework centers offer a range of priced space options and can be leased on a short or long-term basis. An employee's use of a telework center must be in accordance with law and regulation. Bureau budget offices can provide specific details. The cost for use of a telework center is paid by the employee's organization. To use a telework center, an employee must have an approved telework agreement. An employee must also receive approval to use the telework center by completing and receiving approval on a Telecommuting Facility Reimbursement Information Sheet. An employee's use of a telework center must be in accordance with law and regulation. Bureau budget offices can provide specific details. A Telecommuting Facility Reimbursement Information Sheet can be obtained from the bureau telework coordinator or on the Internet at [www.telework.gov](http://www.telework.gov).

**U. S. DEPARTMENT OF THE INTERIOR  
(Bureau/Office Equivalent)**

**TELEWORK AGREEMENT BETWEEN SUPERVISOR AND EMPLOYEE  
APPROVED FOR TELEWORK**

The supervisor and the employee should each keep a copy of the agreement for reference.

**Voluntary Participation.**

Employee voluntarily agrees to work at the bureau-approved alternative workplace indicated below and to follow all applicable policies and procedures. Employee recognizes that the telework arrangement is not an employee entitlement but an additional method the agency may approve to accomplish work.

**Salary and Benefits**

The employee understands that his/her salary and benefits remain the same as at his/her official duty station.

**Duty Station and Alternative Workplace**

The employee understands that his/her official duty station remains \_\_\_\_\_, and that all pay, leave, and travel entitlements are based on the official duty station.

Supervisor and employee agree that the employee's approved alternative workplace is:

**Home work area:**

Address: \_\_\_\_\_  
(Street number, street name, city, state)

Phone Number: \_\_\_\_\_

FAX Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**GSA Telework center:**

Address: \_\_\_\_\_  
(Street number, street name, city, state)

Phone Number: \_\_\_\_\_

FAX Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**Other Approved Alternative Worksite:**

Address: \_\_\_\_\_  
(Street number, street name, city, state)

Phone Number: \_\_\_\_\_

FAX Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**Mileage Savings**

The employee estimates that the telework arrangement will result in a reduction of approximately \_\_\_\_\_ miles traveled in commuting per week.

**Official Duties**

Unless otherwise instructed, employee agrees to perform official duties only at the official duty station or bureau/office approved alternative workplace. Employee agrees not to conduct personal business while in official duty status at the alternative workplace.

The employee understands that telework is not a substitute for dependent care.

### Work Schedule and Tour of Duty

The employee is approved to work at the approved alternative worksite specified below in accordance with the following schedule. Supervisor and employee agree to this work schedule.

(If intermittent, the telework agreement should include procedures for approval of specific days/hours at alternative worksite. Supervisor and employee may agree to a telework arrangement on a trial basis for a certain period of time and time period should be specified in this agreement.)

DAY	PER WEEK	PER PAY PERIOD	<i>FIXED WORK SCHEDULE</i>	<i>ALTERNATIVE WORK SCHEDULE (Flexible or Compressed)</i>	DUTY HOURS (specify hours of work and lunch break)
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					

### Time and Attendance

The supervisor agrees to certify biweekly the time and attendance for hours worked at the alternative workplace in the same manner as if the employee reported for duty at the traditional worksite. Employee will be required to self certify time and attendance, in a format determined by the supervisor.

### Leave

Employee agrees to follow established office procedures for requesting and obtaining approval of leave.

### Overtime

Employee may work overtime only when overtime is scheduled and approved in advance by his/her supervisor. Employee understands that there is no compensation for unauthorized overtime work. Administrative or disciplinary action may result if employee performs unauthorized overtime work.

### Equipment/Supplies

Employee agrees to protect any government-owned equipment and to use the equipment only for official purposes. The bureau agrees to service and maintain any government-owned equipment issued to the telework employee. The employee agrees to report malfunctions in government-owned equipment to the supervisor, and the employee agrees to bring such equipment to the traditional office for maintenance and/or repairs if necessary.

If personal equipment is to be used for telework, the employee agrees to install, service, and maintain the personal equipment. The bureau agrees to provide the employee with all necessary office supplies and also reimburse the employee for business-related long distance telephone calls.

### Security

Employee agrees not to remove classified/proprietary/sensitive material (hard copy or electronic) from the official duty station and to safeguard all information removed from official duty station, created at alternative worksite in accordance with the Federal Records Act, FOIA, Privacy Act, etc. Employee agrees to protect federal records from unauthorized disclosure or damage and will comply with requirements of the Privacy Act of 1974, 5 U.S.C. 552a.

If the government provides computer equipment for the alternative workplace, employee agrees to comply with Department security procedures and ensure adequate security measures are in place to protect the equipment from being damaged, stolen, or accessed by unauthorized individuals. Employee understands and agrees to accept responsibility and will be liable for damaged or stolen equipment.

The employee understands that the government will not be liable for damages to an employee's personal or real property while the employee is working at the approved alternative worksite, except to the extent the government is held liable by the Federal Tort Claims Act or the Military Personnel and Civilian Employees Claims Act.

The employee agrees to follow the policies concerning personal use of office equipment and library collections while working at the alternative worksite.

### Work Area

If the alternative worksite is the employee's home, he/she agrees to designate one area in the home as the official work or office area for performance of official duties. The employee understands that the home office is a space set aside for the employee to work, and that family responsibilities must not interfere with work time. This area is the only area in the employee's home that is subject to the government's potential exposure to liability. The employee must complete a self-certification safety checklist (Appendix D) to certify that the work area is safe in accordance with Federal Occupational Safety and Health Administration (OSHA) standards.

### Workplace Inspection

The employee agrees to permit the access to the alternative home-based worksite by agency representatives as necessary during the employee's normal working hours.

### Alternative Workplace Costs

Unless otherwise agreed to, the employee understands that the government will not be responsible for any operating costs that are associated with the employee using his or her home as an alternative worksite such as home maintenance, insurance, or utilities. The employee understands he or she does not relinquish any entitlement to reimbursement for authorized expenses incurred while conducting business for the government, as provided for by statute and regulations.

### Safety and Workers' Compensation

Employee understands that he/she is covered by the Federal Employees' Compensation Act (FECA) for injuries and work-related illnesses sustained while performing official government duties at the regular office or the alternative worksite. The employee agrees to notify the supervisor immediately of unsafe and/or unhealthful conditions and practices at the alternative worksite and personal conditions (physical or mental) that adversely affect his or her ability to perform work in a safe and healthful manner. The employee agrees to report to his/her supervisor immediately any job-related incident that results in or has the potential to cause injury, illness, or property damage and to complete any required forms. The supervisor accepts the responsibility to investigate the incident immediately and to complete and submit a safety report to the bureau safety manager. Where internet access is available, the supervisor will enter the report of the incident in the Department's Safety Management Information System (SMIS) at the Web address <http://www.smis.doi.gov>.

### Work Assignments/Performance

Employee agrees to complete all assigned work according to procedures mutually agreed upon by the employee and the supervisor and according to guidelines and standards in the employee performance plan. The employee agrees to provide regular reports if required by the supervisor for evaluating performance. The employee understands that a decline in performance may be grounds for canceling the alternative workplace arrangement. The bureau agrees to ensure employee is properly notified of job-related training, conferences, workshops, office meetings, etc.

### Records Management Considerations

Employee agrees that he/she will ensure that files, records and reference material used or created at the alternative worksite are properly safeguarded, returned to and incorporated in the official office files as appropriate, to include adherence to the provisions of records management policy, the Privacy Act, Freedom of Information Act, and Federal Records Act.

**Standards of Conduct**

Employee agrees that he or she continues to be bound by all conflict of interest statutes and regulations while working at the alternative worksite that would apply if working at the official worksite.

**Disciplinary Actions**

Nothing in this agreement precludes the bureau from taking any appropriate disciplinary or adverse action against employee for any conduct issues associated with teleworking, including failure to comply with the telework agreement.

**Termination of Telework Agreement**

The bureau agrees to follow any applicable administrative or negotiated procedures. Employee understands that the bureau may suspend the telework agreement, and the supervisor may notify the employee to resume working at the official duty station. Suspension of a Telework Agreement could be for such circumstances as employee's performance not meeting the prescribed performance standard, or the telework arrangement does not meet the needs of the organization; for example, when there are office vacancies or peak workload periods.

**Effective Date:**

The effective date of this Telework Agreement is \_\_\_\_\_

**Signatures:**

Employee's Signature and Date: \_\_\_\_\_

Supervisor's Signature and Date: \_\_\_\_\_

**DEPARTMENT OF THE INTERIOR  
WORK AT HOME TELEWORK SAFETY CHECKLIST  
EMPLOYEE CERTIFICATION**

The following checklist is designed to assess the overall safety of the alternative worksite. Each telework employee should read and complete this self-certification safety checklist. Upon completion, the checklist should be signed and dated by the participating employee and returned to his/her immediate supervisor. Employee should retain copy for his or her own records.

Employee name		Title	
Name of Organization/Supervisor's Name			
Home Address		City and State	Zip code
Telephone (Home)	Telephone (Work)		Telephone (Cell)
Title		PP, Series, Grade	
Describe worksite in home			
I believe the Safety Checklist below is accurate and my home is a reasonably safe place to work.			
Employee signature		Date	
Supervisor signature		Date	

LIST OF ITEMS/CONDITIONS TO INSPECT – Check Yes, No, or Not Applicable (N/A) as appropriate	YES	NO	N/A
1. Is the workspace free of asbestos-containing materials?			
2. If asbestos-containing material is present, is it undamaged and in good condition?			
3. To the extent it can be determined, is the work area free of indoor air quality problems?			
4. Is the space free of noise hazards?			
5. Are temperature, noise, ventilation, and lighting adequate for your normal level of job performance?			
6. Is all electrical equipment free of recognized hazards that would cause physical harm (frayed wires, bare conductors, loose wires, flexible wires running through walls, exposed wires fixed to the ceiling, etc.)?			
7. Are all circuit breakers and/or fuses in the electrical panel labeled as to intended service?			
8. Do circuit breakers clearly indicate if they are in the open or closed position?			
9. Will the building's electrical system permit the grounding of electrical equipment (a 3-prong receptacle)?			
10. Is there a potable (drinkable) water supply?			
11. Are all stairs with four or more steps equipped with handrails?			
12. Are aisles, doorways, and corners free of obstructions to permit visibility and movement?			
13. Are file cabinets and storage closets arranged so drawers and doors do not open into hallways?			
14. Are the phone lines, electrical cords, and surge protectors secured under a desk or alongside a baseboard?			
15. Is there a smoke detector in or near the work area?			
16. Is adequate ventilation present for the desired occupancy?			
17. Are lavatories available with hot and cold running water?			
18. Do chairs have any loose casters or wheels?			
19. Are the rungs and legs of chairs sturdy?			
20. Is the office space neat, clean, and free of excessive amounts of combustibles?			
21. Are the floor surfaces clean, dry, level, and free of worn or frayed seams?			
22. Are carpets well secured to the floor and free of frayed or worn seams?			
23. Do you have an emergency or contingency plan in place with emergency telephone numbers and means of escape?			
24. Is your chair adjustable?			
25. Do you know how to adjust your chair?			
26. Is your back adequately supported by a backrest?			
27. Are your feet on the floor or fully supported by a footrest?			
28. Are you satisfied with the placement of your computer monitor, mouse and keyboard?			
29. Is it easy to read the text on your screen?			
30. Do you need a document holder?			
31. Do you have enough leg room at your desk?			
32. Is the computer monitor screen free from noticeable glare?			
33. Is the top of the computer monitor screen at eye level?			

LIST OF ITEMS/CONDITIONS TO INSPECT – Check Yes, No, or Not Applicable (N/A) as appropriate	YES	NO	N/A
34. Is there space to rest the arms while not keying?			
35. When keying, are your forearms parallel with the floor?			
36. Are your wrists fairly straight when keying?			
NOTE: Employees are responsible for informing their supervisors of any significant change to work area or space!			
REMARKS:			

#### 4. Roles and Responsibilities

The Deputy Assistant Secretary – Indian Affairs (Management) is responsible for ensuring that a Telework Program is implemented in the Assistant Secretary – Indian Affairs, the Bureau of Indian Affairs and the Bureau of Indian Education.

The Office of Human Capital Management is responsible for providing overall Bureau policy guidance for the program. The servicing human resources offices provide information and guidance to supervisors, managers and employees on the DOI/Bureau Telework Program.

Supervisors are responsible for following Section 2.1H(4) of the Department’s Telework Policy.

Employees are responsible for following Section 2.1H(6) of the Department’s Telework Policy.

#### 5. Approvals



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Debbie L. Clark  
Deputy Assistant Secretary – Indian Affairs (Management)

3/25/2008

Date

Attachment A



# Telework Checklist

Please complete the following checklist with your employee to ensure that all telework requirements are met and that each of you understands the policies and procedures of the DOI and Indian Affairs (IA) Telework Programs. After completing an item, date and initial in the assigned locations. Upon completing all items, sign and date the form and retain for future quarterly reporting requirements.

Telework Checklist	Date	Employee Initials	Supervisor Initials
1. Guidelines, policies and procedures of the telework program have been explained to the employee.			
2. The employee's most recent performance appraisal rating is "Fully Successful" or better.			
3. The provisions governing premium pay have been explained to the employee, including that he/she must receive supervisory approval in advance of working overtime.			
4. Performance expectations have been discussed with employee. Standards are in place and have been agreed upon.			
5. Policies and procedures safeguarding classified, secured and privacy data have been agreed upon.			
6. The employee has received safety guidelines which identifies safety and adequacy issues that the employee needs to consider ( <a href="http://www.osha.gov">www.osha.gov</a> and <a href="http://www.telework.gov">www.telework.gov</a> ).			
7. Equipment issued to the employee has been documented and property pass is current. Equipment provided is noted below.			
<b>Equipment provided to employee</b>			
1			
2			
3			
4			
5			
<b>Employee Signature:</b>			<b>Date:</b>
<b>Supervisor Signature:</b>			<b>Date:</b>