



U.S. DEPARTMENT OF ENERGY

DESK REFERENCE ON DOE-FLEX



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DOE's Telework Program

Office of the Chief Human Capital Officer (CHCO)

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INTRODUCTION AND BACKGROUND

Introduction

The information in this desk reference supplements DOE N 314.1, DOE-Flex: DOE's Telework Program, and the Office of Personnel Management's (OPM's) *Guide to Telework in the Federal Government*. The format of this desk reference follows the structure of the OPM guide, with the following exceptions:

- a. it describes one additional type of telework arrangement that applies in DOE;
- b. it contains a frequently asked question section as additional guidance; and
- c. it contains sample forms that may be used or modified by a Departmental element as needed.

This desk reference replaces the *Handbook on DOE-Flex, DOE's Flexiplace Program* dated March 2000. The information in this desk reference should be further supplemented by a Departmental element to address local procedures.

Note: DOE's Telework Program only applies to DOE Federal Government employees; it does not apply to DOE contractor employees. For information regarding contractors and telework, contact the applicable Contracting Officer Representative to determine if it is addressed in the respective contract.

Legislative Background

The lead agency on telework has evolved from the General Services Administration (GSA) to OPM due to some of the laws (and associated conference reports) identified in the legislative background section of the OPM guide. The GSA telework policy staff continues to partner with the OPM work/life staff in expanding the use of telework throughout the Federal Government, including the OPM-maintained web site www.telework.gov. GSA also focuses on alternative workplace arrangements and is responsible for the use of information technologies (IT) that support teleworking.

What is Telework?

Definition

"Telework" means the same as "flexiplace." Several months after DOE selected the term "flexiplace" to describe its new program in early 2000 in anticipation that "flexiplace" was going to be the preferred term, the international organization that was leading the flexible workplace movement, along with the GSA policy staff that had two members on the international organization's board at that time, selected "telework." Because the Department has embraced the DOE program title "DOE-Flex" over the past 11 years, it is being retained, but is being redescribed as "DOE's Telework Program." "Telework" is replacing "flexiplace", but during this transition period both terms are used on the sample forms in this desk reference. "Telework" should be adopted by Departmental elements as they update their local guidance, procedures, and forms.

"Official worksite" is the employee's primary work location (see http://www.opm.gov/oca/pay/html/Official_Duty_Station.asp). The official worksite determines the duty station and applicable locality pay schedule. OPM has retained "duty station" in Chapter 23 of the Guide to Processing Personnel Actions and on the Standard Forms 50 and 52, and GSA uses "duty station" in the Federal Travel Regulation (FTR).

Types of Telework Arrangements

After much debate by an OPM-led interagency telework workgroup that has been involved with the implementation of the Telework Enhancement Act (TEA) of 2010, OPM decided to limit the types of arrangements for reporting purposes to two – Routine and Situational; however, DOE will use the following three types:

- a. Routine, which replaces the term Regular. Departmental elements may continue to use Regular, but, as indicated in this desk reference, DOE is transitioning to Routine, including referring to both as Routine/Regular to facilitate the transition. A Routine telework arrangement may be in effect indefinitely as long as the employee's duties and/or responsibilities do not change significantly, but is subject to periodic review and recertification at least annually. A Routine arrangement should be used for an employee who is authorized to telework on a regular, recurring schedule at least one day per pay period to full-time for non-medical reasons.
- b. Situational, which OPM uses to cover all other situations. DOE will use Situational to reflect all situations except for a Medical arrangement. A Situational telework arrangement may be in effect indefinitely as long as the employee's duties and/or responsibilities do not change significantly, but is subject to periodic review and recertification at least annually.

Departmental elements are encouraged to put as many employees as possible on Situational agreements, even if they will only be using it under certain emergency situations [see the examples in the Emergency Situations section under Frequently Asked Questions (FAQs)], in which case the arrangement may be contingent on the specified situation(s); e.g., a facility closure. [See the FAQs under Types of Arrangements regarding (1) emergency responders, (2) medical situations, (3) absence for maternity and paternity reasons, including pre-delivery and post-delivery periods], and (4) dependent care.]

- c. Medical, which is to be used only for definitive periods of confinement, rehabilitation, and/or recuperation from a serious illness or injury and may be a full-time and/or part-time arrangement depending on the medical situation. A medical arrangement must be supported by acceptable documentation from the applicable medical service provider. The duration of a Medical arrangement is determined by the specified period that the arrangement is in effect. It may be extended or reduced, depending on the circumstances.

This arrangement is appropriate for the employee's medical condition or that of a family member when the employee is expected to provide care for the family member throughout the period and not on an intermittent or periodic basis. Periodic medical appointments for an employee or family member are regarded as Situational arrangements when an employee is authorized to telework on a day in which s/he has or accompanies a family member to a medical appointment.

TELEWORK GUIDANCE BY AUDIENCE

Federal Agencies/Telework Managing Officers

Agency Roles and Responsibilities and Telework Policies

The Office of Strategic Planning and Policy, Office of the Chief Human Capital Officer (CHCO), issued DOE N, 314.1, DOE-Flex, DOE's Telework Program, as an interim policy to meet the TEA requirement to establish a policy that describes the criteria for eligibility. In DOE, the policy has been, and continues to be, that all employees, including supervisors and managers, are eligible to telework; i.e., to request and be approved to telework, unless one of the specified exclusions applies. **If determined to be eligible, an employee's participation is subject to their supervisor's and manager's determination as to the type of arrangement(s), situation(s), and frequency that they may telework.**

In addition, the TEA requires that, effective December 9, 2010, agencies notify all employees of their eligibility to telework. In DOE, the notification process is handled by each Departmental element. An initial general notice covering all serviced employees may be issued by a servicing human resources staff to satisfy the requirement. However, to provide meaningful information of eligibility, managers who would otherwise be an Approving Official if one of their employees initiated a request must be proactive and issue the notice by the time an employee is placed on a new performance plan, including when the employee's assignment(s) changes significantly. This desk reference contains a sample Employee Telework/Flexiplace Notice template (see Appendix A) in the form of a Memorandum that, when completed, should effectively communicate to an employee whether or not s/he is eligible to telework, the type of arrangement(s) that will be approved based on a general description of assignments that may be performed, and under what situations. If ineligible, the business reason must be provided the employee based on the exclusions in DOE N 314.1.

Except for an emergency situation, employee participation in a telework arrangement is voluntary. **During an emergency, essential and nonessential employees are expected to telework if covered by a telework agreement, unless there is a good reason for excusing those employees who would otherwise telework** (see Q&A e in the Work Schedule section under the FAQs). Per OPM's guide, telework agreements must clearly communicate this information. Employees who have been designated as emergency responders or nonessential emergency employees and who have been provided one of the previous contingent emergency telework agreements can continue to be covered by it; however, as a Departmental element transitions to the updated agreements, those employees should be covered by a new agreement. Employees who are not covered by a telework agreement must be charged leave or other available category unless all nonessential employees are excused.

All policies and practices that apply to an employee at the employee's organization to which assigned apply to the employee at a telework site and the employee must be treated the same in both situations. In addition, the OPM *Guide to Telework in the Federal Government*, which is available at http://www.telework.gov/policies_and_procedures/telework_guide/index.aspx; DOE's policies on telework (DOE N 314.1, *DOE-Flex: DOE's Telework Program*, and the Deputy Secretary's memorandum: Flexiplace/Telework Policy, dated March 1, 2010); this desk reference; the DOE information on telework in the DOE Continuity of Operations (COOP) Plan and on the Health, Safety and Security (HSS) pandemic web site; and the Departmental element's telework/flexiplace guide and procedures apply. The employee is also bound by the Standards of Conduct for Employees of the Executive Branch and the Department's supplement thereto while teleworking.

Security of DOE IT systems and equipment and information, including personally identifiable information (PII), classified information, and sensitive program information, is just as important at a telework worksite as it is in a DOE building. DOE O 206.1, Department of Energy Privacy Program, which

addresses protecting PII, and DOE O 205.1, Departmental Cyber Security Management Policy, also apply.

Each Departmental element must identify a Telework Coordinator who will assist with administering this program, including training employees, supervisors, and time keepers on the procedures for applying for and reporting on a telework arrangement. Sample procedures for applying for a telework arrangement in the form of instructions for employees, supervisors, and Approving Officials are available at Appendixes D and E. Those procedures may be customized by a Departmental element based on established procedures.

Training

The TEA requires employees and their managers to be trained before a telework agreement may be signed. The training at www.telework.gov satisfies the interactive training requirement in the law. Once that training is completed, a training certificate can be printed. The employee and supervisory certificates should be retained so that a copy can be attached to an application. The web training must be supplemented by the Departmental element's Telework Coordinator and/or local guidance so all employees understand how the program is administered locally. A sample checklist of training requirements and options is available at Appendix C. It should be submitted with an eligible employee's application so that supervisors and Approving Officials can verify that the employee has satisfied all the training requirements. Supervisors and managers who choose to telework or are expected to telework during an emergency situation must also complete the employee training on line.

Employees need to be proficient performing work at a telework worksite. Thus, they need to be reasonably knowledgeable about accessing their network and utilizing the applicable software applications. There are a number of training courses, such as Microsoft Office, available at no cost in the DOE OLC2 and employees should periodically test their access capabilities.

Telework Agreements

A sample telework agreement is available at Appendix F that covers the three types of arrangements available in DOE and includes the issues identified in the OPM guide regarding program implementation and responsibilities. An agreement may be used for both a Routine/Regular and Situational arrangement concurrently because they may be in effect indefinitely; however, a separate agreement should be prepared for a Medical arrangement since it is for a definitive period. All agreements should be recertified at least annually. A sample recertification form is available at Appendix I. An agreement may be suspended or terminated at any time by management because the employee's performance has dropped below the Meets Expectations or equivalent Fully Satisfactory level, or due to the adverse impact on an organization's operations, including inadequate office coverage, a security violation; or inappropriate conduct. It will also be terminated when an employee requests that it be terminated; when an employee's position changes significantly; e.g., upon reassignment to a new organization; or when an employee separates. Sample termination documents are available at Appendixes J and K.

Telework Managing Officer (TMO)

Each head of an agency must designate a Telework Managing Officer (TMO) who has direct access to the agency head. The Secretary has designated the Chief Human Capital Officer (CHCO). A Designation Order has been issued to reflect this decision. Designations are maintained on the DOE directives web site at http://management.energy.gov/about_us/designations.htm.

Reporting

Normally, cumulative quarterly data from ATAAPS will be provided to Departmental element Telework

Coordinators and servicing human resources offices (HROs) as feedback on the information that Certifying Officials have approved and time keepers have entered in ATAAPS. The data should be checked against the type of arrangement(s) that has been approved for each employee. Telework Coordinators and servicing HROs are expected to assist the CHCO when responding to reporting requirements, including program assessments.

ADDITIONAL GUIDANCE

Frequently Asked Questions

Departmental Element's Procedures

- a. **Does a Departmental element have to use the sample documents in this desk reference or can it deviate from them?**

The samples are provided to facilitate administering a local telework program and ensure that all the requirements and issues are adequately addressed. There is nothing that requires that they be used. If a Departmental element chooses to deviate from them, it may do so, but should use the DOE policy, this desk reference, and the OPM *Guide to Telework in the Federal Government* to ensure that all requirements and issues are addressed.

- b. **Can a Departmental element continue to use the terms “flexiplace” and “regular” to avoid having to change documents?**

Yes. Employees on existing agreements may continue on them; however, Departmental elements should transition to the updated terms and documents as soon as possible to avoid confusion and ensure that they are compatible with the new requirements and guidance.

Eligibility

- a. **Is there a minimum time period before an employee should be considered eligible to telework?**

No. Previously the DOE *Handbook on DOE-Flex* indicated at least six months in their organization and at least three months in their position. Some organizations established a longer period; e.g., one year, or have eliminated the wait period. No time period is stipulated in this desk reference since some employees have experience teleworking, may already be reasonably knowledgeable about their organization and organizational relationships when they are hired, and/or have excellent information technology (IT) skills and can learn the organization and position requirements in a short period of time.

It is not unusual for a new hire to be a former DOE contractor who is already knowledgeable and has been using the Departmental element's resources; an employee who has been on a telework agreement at their assigned Departmental element to be detailed to another Departmental element and doesn't need to delay being covered by a new agreement; or an employee hired under a student program who is used to teleworking regularly to be ready to telework with minimum orientation to their organization.

- b. **Should an employee whose job has only a limited amount of work that can be done at an alternative location be eligible?**

Probably yes - for a Situational arrangement. If an employee does not have sufficient work that can be performed for their entire tour of duty on the day(s) that they telework, then, if not excused, they must be charged leave; if available, compensatory time, compensatory time for travel, or credit hours; and/or LWOP for that portion of the day(s) that they cannot perform work. For this to work, there needs to be a discussion between the supervisor and employee at the time a notice is being prepared in an effort to get mutual agreement and understanding of what assignments can or should be done and how much time is normally involved because the

notice should identify the typical assignments that the supervisor and Approving Official will expect to be accomplished.

In addition, the employee may need to provide his/her supervisor with information as to what tasks s/he will be doing in advance or when s/he begins to work, particularly if it will only involve reviewing and responding to email and/or doing online training, to reassure his/her supervisor that s/he is not abusing the privilege of teleworking. This requirement may result in a feeling that the employee is being treated differently when teleworking vice when in the office. To avoid this feeling, supervisors need to ensure that employees are treated the same way in the office and teleworking by periodically discussing workloads, production levels, priorities, and how well those employees are meeting deadlines and/or other performance measures, but at least during progress reviews and performance rating discussions. If there has been a decline in the employee's performance while teleworking, then the employee needs to be aware of that concern. If the problem persists, then the supervisor needs to take action (see the section on Poor Performance or Conduct).

c. Senior supervisors and/or managers in many Departmental elements have not been allowed to telework in the past. Should this change?

Probably yes – at least for a Situational arrangement in which the notice may specify that it is contingent on an emergency situation(s) and/or for a Medical arrangement when needed. This has been confirmed in those organizations that have allowed their managers to telework on a situational basis and is done regularly by most of these employees after hours anyway. They may also be eligible for a Routine telework arrangement. If the practice of not allowing them to telework will continue, their notices need to provide an explanation for determining why they're not eligible.

d. Can an employee hired under a student program be authorized to telework while attending school?

Yes, if the employee will be performing work that will contribute to the Departmental element's mission and is adequately supervised. Some Departmental elements have found that students can perform assignments, usually of a research nature, that can benefit both the Departmental element and the student's courses. However, this situation raises the question as to when the student can do the work if going to school full time, even with a light course load. Such arrangements should be closely monitored by the Departmental element's supervisor and Telework Coordinator. Before a student may be authorized to telework, s/he must not be on LWOP, satisfy the training requirement, and be covered by an appropriate telework agreement.

e. For an employee who has been officially disciplined for being absent without permission; i.e., AWOL, does the 5 calendar days specified in the TEA refer to the number of full or partial days that the employee was AWOL or the days specified in the disciplinary action?

(Note: We are waiting for OPM's response to this question. In the meantime, if the employee was AWOL for any part of a day for more than 5 days and/or officially disciplined for more than 5 days for being AWOL in any calendar year, the employee may not be authorized to telework even during an emergency situation.)

Notices of Eligibility

a. Are employees on an existing flexiplace agreement required to be issued a notice of eligibility?

The TEA requires all employees to be notified of their eligibility. It doesn't specify that

employees on existing agreements may be exempt like the exemption for the training requirement or how that should be done. OPM's guide mentions some methods, but doesn't limit agencies.

It is DOE's position that employees who have been approved or denied an application or who are on a contingent telework agreement have been notified. However, the assumption is that the employee's application and/or agreement addressed the only type of arrangement for which they would be eligible. Although an employee may have discussed this with or been informed by his/her supervisor of the option(s) available, at least at that time, before making application or being designated as an emergency employee, the employee may not have been informed of all arrangements for which s/he may be approved or for all situations. Thus, it would be best to provide all employees, even those on current telework agreements, with a notice, particularly since supervisors and Approving Officials may have changed or they may have changed their view of teleworking since the agreement was signed.

Groups of employees who have previously been informed that their positions are not eligible under any situation need not be provided a notice. However, such communications should be documented and retained by the Departmental element's Telework Coordinator. It is not unusual for employees, particularly supervisors or managers, to be told that they are not eligible during a staff meeting, but, under certain emergency situations, they are expected to telework. Should this be the situation, or something similar, then those employees must be provided notices so that all parties understand what is expected.

b. When should a new notice be issued?

Any time that an employee's assignment changes significantly, as evidenced by a new or revised performance plan with different critical elements, a new notice should be issued. Annual renewals of performance plans that reflect updated tasks and deliverables, but no change in critical elements, normally would not warrant issuing a new notice. The assignments described in notices should be sufficiently broad enough that periodic changes in tasks, activities, and performance measures would not result in a new notice.

A change in a supervisor and/or Approving Official does not necessarily warrant a new notice unless the previous notice will change, in which case, a new notice should be issued as soon as possible. New supervisors and managers should review their subordinates' notices and agreements when they do a review of performance plans or as part of a recertification process, whichever is earlier.

c. What is the time frame that a notice needs to be issued?

There is no required time frame. A good practice is to issue a notice when the employee's performance plan is initially issued or a critical element(s) changes.

d. If an employee is deemed not eligible to telework or eligible with a restriction; e.g., eligible for a Situational arrangement that is contingent on a certain emergency situation, can that determination be challenged? If so, what should an employee do?

The employee should first discuss the situation with his/her supervisor or Denying Official if possible. Bargaining unit employees may also contact their union representative(s) to discuss the issue. If not resolved informally, then the determination is grievable under the applicable grievance procedure.

Types of Arrangements

- a. **What type of arrangement is appropriate for emergency responders in support of one of DOE's essential functions, such as ESF #12 that the Office of Electricity Delivery and Energy Reliability (OE) coordinates?**

The OPM guide clarifies on page 4 that work performed while on TDY is considered mobile work and not telework. When emergency responders travel in support of OE's mission, they are not considered to be teleworking. However, when a responder from a HQ's element is detailed to the Federal Emergency Management Administration's (FEMA's) operations center in Washington, DC, and there is no travel involved, such work may be regarded as teleworking when the work is performed for DOE, rather than FEMA. Because it may be difficult to distinguish when work supports DOE, it would be best to cover those employees on a Situational agreement and identify them as emergency responders.

- b. **What type of arrangement is appropriate for an employee who is recovering from surgery and is able to return to his/her main office on an intermittent basis, particularly when they have periodic medical appointments?**

Normally such a situation involves a period of leave and, if able, teleworking at the employee's home while recovering. Any period of an extended absence for medical reasons will be covered by a Medical arrangement that is supported with documentation indicating the period of absence that is expected. The period could be extended or shortened depending on the employee's condition and medical documentation, even if it involves intermittent work at his/her main office. Once the employee returns to duty on a full-time basis, the arrangement changes to Situational if the employee teleworks on days that s/he has a follow-up medical appointment.

- c. **What is the appropriate type of arrangement for an employee who has an absence for maternity or paternity reasons?**

A pregnancy is regarded as a serious health condition. When an employee has medical documentation that states that the employee should not commute to work, should be confined at home, is hospitalized, and/or requires a recovery period, the employee should be covered by a Medical arrangement for whatever period of time is specified in the medical documentation. However, the issue of the type of arrangement is not as clear during the following situations.

- 1) The pre-delivery period, when an employee is not feeling well enough to work a full day at the office, but able to work for short periods during the day, or is able to work intermittently for a few days at a time, the employee does not necessarily require medical documentation to confirm the employee's health condition or limitations. Normally, the employee is going to request sick leave (or other appropriate leave) for those periods when she is not well enough to work. When an employee is able to work a few days at a time and is approved to work those days at home, then the employee should be on a Situational arrangement.

Because the above situation is often unplanned a day or more in advance, but can be anticipated, it behooves the employee to discuss her situation with her supervisor and try to have work identified in advance and appropriate resources available at home to be able to be approved as a Situational arrangement on short notice.

- 2) The post-delivery period for a mother who has fully recovered and, thus, is no longer eligible for a Medical arrangement, and a father who desires to spend time bonding with the infant, a Situational arrangement is appropriate when the employee is able to work part-time or

full-time at home during the remaining period of an authorized maternity or paternity absence. This situation can be a win-win opportunity for the organization and employee because it allows the mother to return to work earlier than perhaps would otherwise occur and allows the father to continue to be productive.

Some employees can be productive while caring for infants following the birth or adoption of a newborn, so each situation should be determined on a case-by-case basis, particularly if they have a flexible or modified work schedule and/or other adult available to assist with the care of the child. If supervisors are not comfortable with such arrangements or it is apparent that an employee is either abusing the privilege or is not performing satisfactorily, they may disapprove, suspend, or terminate the arrangement. However, supervisors are encouraged to support reliable, conscientious employees who have been good or excellent performers before ruling them out. Thus, the Department encourages supervisors and employees to try to work out mutually agreeable win-win situations.

d. What is the appropriate type of arrangement for an employee who wants to relocate to care for a parent(s) or other family member, such as a seriously injured service member? What should the employee and supervisor consider to retain a good employee?

As parents are living longer, we're seeing more of these elder care situations arising, and there continue to be many veterans who require care by a family member due to their injuries or illnesses attributed to the wars that they have been in. Teleworking can be a win-win situation, but there are several issues to consider before determining whether the employee should relocate and telework.

- 1) Portability of the employee's duties – Will the employee be able to perform the same duties? If not, what adjustment, if any, can be made in assignments?
- 2) Type of telework arrangement – This is a remote work situation in which the employee should be on either a Routine/Regular agreement or, if the relocation is due to a medical situation, a Medical agreement.
- 3) Work schedule – If relocating to another time zone, will the employee's work schedule need to change to be available during the current office's hours of operation or when customers need to contact him/her? Is the employee expected to be available on a full-time or part-time basis? If only intermittent care is needed; e.g., to ensure that medications are taken, prepare or assist with lunch, or periodically take the family member to a medical appointment or senior center for the day, then a modification in the employee's full-time work schedule may be needed, if feasible. However, if a significant amount of time will be needed at some point in time, then a part-time schedule may be the solution if it can be accommodated.
- 4) Pay – If relocating to another locality pay area with no change in duties, there may or may not be a change in pay. If the employee will be required to return to his/her current official worksite at least 2 times during each pay period (except for periods of official travel or leave), then the employee will remain on his/her current salary schedule with no change in pay. If the employee is not required to report at least 2 times during each pay period, then the employee's official worksite will be the new location, even if it is the family member's home. If the new official worksite is covered by a different salary schedule, then the employee's pay will change.

When there will not be a change in duties, but a change in the salary schedule, the personnel action is a Change in Pay (see paragraph 1.b.(2) of Chapter 23 of the OPM Guide to

Processing Personnel Actions), not a Change in Duty Station. If there will not be a change in pay because the employee will continue to be subject to the Rest of the United States salary schedule, the personnel action is a Change in Duty Station.

- 5) Relocation Expenses or Incentives – The employee is not eligible for either of these.
- 6) Travel Expenses – If the employee’s official worksite remains at his/her current worksite, travel expenses to and from the new location may not be authorized. However, if the official worksite changes, then the employee must be authorized travel expenses for any official business (this is an entitlement that cannot be waived).

e. How should a Situational arrangement work when an employee needs to care for a dependent at the employee’s home?

Although a Situational arrangement is not a substitute for primary care giving, there are circumstances in which an employee can be productive teleworking at an alternative worksite and still provide needed care on a limited basis to a family member. Each situation should be discussed on a case-by-case basis, as some situations can work well, while others don’t. Examples of situations that may work well are care for a child who is very sick and will be in bed all, or most of a day, with a fever; teenagers who don’t need any care when they come home from school; and adults who may only need assistance with their medications or preparing lunch. Examples of situations that may not work well are care for young children when their school(s) are closed and no other adult is available to care for them (note: if an employee is permitted to bring their children to work on days other than “bring a son or daughter to work” days and the children are disruptive in the office, then the employee may have a valid complaint if s/he is not permitted to work at home with them); and a dependent who requires significant or frequent assistance for medical reasons. Departmental elements should not establish policies that preclude teleworking when an employee has a periodic dependent care situation. On the other hand, employees should not expect to telework on a nonemergency basis when dependents are disruptive and the employee’s productivity and/or availability is adversely affected.

Telework Agreements

a. Previously DOE provided contingent emergency agreements for Continuity Emergency Response Group (CERG) Employees and nonessential emergency employees. Can those agreements still be used for COOP and pandemic situations?

Those agreements were created as the need arose over the past few years. Since Situational agreements cover emergency situations as well as nonemergency situations, employees on the contingent agreements should be placed on Situational agreements as part of transitioning to the updated documents and the contingent agreements no longer used for new CERG employees. The employee’s notice of eligibility should indicate if s/he is approved only for an emergency situation(s) and for what situation(s) if it should be limited.

b. When should employees on existing flexiplace agreements be put on new telework agreements?

There is no time frame for doing that. As a Departmental element transitions to the updated program, employees should be put on new agreements in lieu of doing recertifications to ensure that employees understand the updated requirements and expectations while teleworking.

c. Can an employee who has been on a Routine/Regular and/or (contingent) Situational agreement also be on a Medical agreement concurrently?

Yes. Since a nonmedical agreement may be for an indefinite period, while a Medical agreement is for a definite period, there may be overlap. Should this be the case, then the Medical agreement will cover the period specified and then the other agreement will remain in effect before and after it. There is no need to terminate or reestablish the other arrangement. However, if a medical situation is for an extended period of time or is used for an expected terminal medical condition, the nonmedical agreement should be reviewed at least annually to determine whether it should be recertified or terminated.

f. When is a telework agreement effective?

It may be effective on any date on or after the agreement is signed. In accordance with the TEA, an agreement is not to be signed until after the employee has completed the required training.

g. When should a Routine/Regular or Situational agreement be recertified? If it is not done, what is the status of the agreement?

Indefinite agreements should be reviewed at least annually. Departmental elements should establish when that will be done in their procedures. Some Departmental elements do it at the time of a performance review; i.e., a Progress Review(s) and/or annual appraisal, while others do it during specific months, such as January, or during the employee's "anniversary" month. The latter procedure is the least likely to be controlled effectively.

If an agreement is not recertified in accordance with the Departmental element's procedure, there is no consequence to the employee because the agreement is in effect indefinitely as long as the employee's duties and responsibilities have not changed significantly. Employees should discuss having their agreements recertified on a timely basis with their supervisor and/or Telework Coordinator.

h. Can an agreement be suspended? If so, when would this be done?

Yes, a supervisor may suspend an agreement at any time by informing the employee, approving official, and, if on a routine/regular agreement, the timekeeper as to the reason(s) for the action and the effective dates in accordance with the Departmental element's procedures. Some of the reasons that an agreement may be suspended are:

- When the employee's performance is beginning to diminish, including being put on a Performance Assistance Plan (PAP);
- Travel (TDY);
- To ensure that training requirements are completed on time;
- To attend essential meetings, conferences, etc.;
- To complete a critical or urgent assignment that requires the employee's presence at the official duty station, e.g., when participating in a Source Evaluation Board or accident investigation team;
- To ensure adequate office coverage during vacation periods; or
- When an acting supervisor and supervisors are not eligible except under an emergency situation.

i. When should an agreement be terminated?

An agreement may be terminated voluntarily by the employee for any reason or involuntarily by the supervisor with concurrence of the Approving Official. Some of the reasons for an involuntary termination are:

- Reassignment to a new position not eligible to telework;
- Promotion to a position not eligible to telework;
- Separation;
- Lack of office coverage;
- Failure to fulfill the terms of the agreement; or
- Failure to maintain eligibility in accordance with DOE N 314.1.

j. What procedures should be used to terminate an agreement?

An employee may initiate terminating an agreement at any time by notifying the employee's supervisor, Approving Official, Telework Coordinator, and timekeeper in accordance with the Departmental element's procedures. This decision should be documented along with the effective date. With the concurrence of the Approving Official, a supervisor may initiate suspending or terminating an agreement at any time by informing the employee in writing as to the reason(s) for the action and the effective date, and also inform the Approving Official, Telework Coordinator, and timekeeper. The termination may be documented on the recertification form at Appendix I if the decision is made during the periodic recertification process. In addition, Appendix J is a sample form that may be used at any time and a sample memorandum is available at Appendix K if a detailed explanation is needed.

Training

a. Do employees on existing agreements have to complete the training that is required since the TEA was effective (December 9, 2010)?

Employees who were on agreements prior to that date are not required to take the training, but any employee who has been put on an agreement since that date must do so. Employees who are not required by DOE to take the training; i.e., they are exempt from the requirement, need to be updated on the program. Thus, those employees who are exempt should be included in the training provided by the Departmental element's Telework Coordinator and take the OPM training on its telework web site (www.telework.gov).

b. Does a supervisor who is authorized to telework have to take both the employee and supervisory training?

Yes, a supervisor who will telework must take the employee training and is required to take the supervisory training if s/he supervises a teleworker. If no subordinate teleworks, a supervisor is encouraged to take the supervisory training. Currently, there is one different module for supervisors. OPM is revising the training courses and plans to reduce the length and amount of overlap.

c. Can an employee who DOE has exempted from the required training be required to take it by their Departmental element?

Yes.

d. Is the Department preparing a training course on DOE-Flex? If not, why not?

No, there will not be an interactive, Departmental web-based, on-line training course on DOE-Flex because OPM's web training on its web site (www.telework.gov) satisfies that requirement, currently at no cost, and, even if one was developed, it would still need to be supplemented by each Departmental element because of different local procedures that exist. Some Departmental elements already have implementation information available online that is being updated for their employees.

Work Schedules

a. Can an employee who is on a Routine/Regular or Situational arrangement be directed to work in their office/official worksite or an alternative worksite on a previously approved telework day?

Yes. The employee's telework agreement should state that the employee understands that if his/her supervisor determines that a change in his/her telework schedule is necessary due to operational needs, then the employee is expected to report to the location unless there are extenuating circumstances that would preclude that from happening or result in the employee requesting leave for the day; e.g., a medical appointment that shouldn't be cancelled. Thus, the employee must be flexible regarding this issue. On the other hand, supervisors should minimize such changes, particularly for Situational arrangements, provide as much advance notice as possible, and discuss an alternative schedule if feasible.

Since travel to and from an authorized telework site that occurs during the employee's tour of duty for that day is included in their tour; i.e., the travel is not commuting time (per DOE O 322.1), a change during a telework day should be avoided. If the employee is directed to report to the office, then the employee should remain there for the rest of the day.

b. Can an employee's work schedule be modified when they telework if they are on a fixed regular or compressed work schedule, particularly for an occasional Situational arrangement?

That depends on the Departmental element's local policy and/or practice, including collective bargaining agreement, if applicable. Departmental elements should provide flexibility in their policies and practices to accommodate at least emergency situations. Modification in an employee's tour of duty can be a win-win situation for both the organization and employee in many situations. Supervisors usually have the authority to determine an employee's tour of duty, so they can adjust it on an occasional basis if needed. An employee's time card in ATAAPS only shows the total number of hours in a day, so if the supervisor approves a modification in an employee's work schedule, the employee needs only to account for the total hours for that day. Thus, an employee should report their actual hours worked in the comment box of the SF-71 along with the type of telework arrangement.

c. Can an employee telework to perform overtime work?

There is no restriction by law, regulation, or Departmental policy that would preclude performing overtime work at an alternative worksite, including a vacation spot, if authorized to do so, so the answer may depend on the Departmental element's practices and procedures regarding telework and overtime work. To earn overtime pay or compensatory time off in lieu of being paid for irregularly scheduled overtime work, the overtime work must be preapproved except in an emergency. To earn credit hours for an employee covered by a flexible work schedule (FWS) that provides for credit hours, the Departmental element's directive on its FWS should specify the number of hours and which days of the week an employee may earn credit

hours with or without prior supervisory approval. Overtime pay and regular compensatory time off are subject to the biweekly, or if waived, the annual premium pay cap, while the maximum number of credit hours that may be carried forward to the next pay period is 24.

- d. If an employee is covered by a Situational telework agreement, does s/he still have to get supervisory approval to telework when OPM (or the field element) announces that unplanned telework or unplanned leave may be taken?**

Yes. Even though an employee may begin teleworking before the supervisor is available, the employee is expected to follow his/her Departmental element's notification procedures to inform his/her supervisor that s/he plans to telework and/or take leave and obtain approval. [Note: If the employee was previously approved to telework that day, then the employee is expected to start work on time unless leave is approved, a modified work schedule is approved, or the employee is excused (see the next question regarding an excused absence).]

- e. Since employees with telework agreements are expected to telework during an emergency situation, what are the factors that should be considered in determining whether to excuse an employee from teleworking? When should employees be expected to start work?**

Supervisors should make the determination on a case-by-case basis upon consideration of such factors as, but not limited to, the following:

- 1) Does the employee have power in order for their alarm clock to work and/or have access to the Departmental element's network? If there was a problem getting up on time, then consider modifying his/her work schedule for the day upon request. If s/he doesn't have Internet access, then, unless s/he has calls to check or make or brought work home to do off-line, s/he should be charged annual leave or other available creditable time until s/he can perform work.
- 2) Does the employee have dependent care issues because of school closings? If so, is s/he able to work all or part of the day? If so, s/he may need to provide a modified work schedule for approval. If s/he can't work, then s/he must take annual leave or other available creditable time.
- 3) Did s/he try to clean off their vehicle and driveway to come to the office, but found it too much to do until the sun comes out for a while or the snow stops? This could result in him/her not starting on time, in which case s/he should request to have his/her work schedule modified for the day.

If none of the above or other similar situation applies, then supervisors should expect employees to start work on time; otherwise, employees should be charged either annual leave; if available, regular compensatory time, compensatory time for travel, and/or credit hours; or LWOP.

Time and Attendance Reporting

- a. What are the procedures for reporting telework?**

The procedures for reporting telework/flexiplace in the DOE Automated Time, Attendance and Production System (ATAAPS) via the Employee Self Service (ESS) are available at <http://chris.doe.gov/payroll/RecordingFlexiplace.PDF>. Telework Coordinators or supervisors should provide time keepers information on each approved telework arrangement(s) so that time keepers can verify that the information submitted by employees and their Certifying Officials matches the type of approved arrangement(s); e.g., an SF-71 that just shows telework or flexiplace

in the comment box should be clarified to ensure that the reason code entered in ATAAPS is consistent with the type of telework arrangement that was approved. A good practice is for Telework Coordinators to provide an updated list of employees by type of arrangement(s) and the days of the pay period for Routine/Regular arrangements or period of time for Medical arrangements. As an alternative, some organizations provide timekeepers with a copy of approved telework agreements.

b. For Routine/Regular arrangements, can an employee's timecard be set up to display the reason code for the employee's scheduled day(s) during a pay period?

Yes, ATAAPS does allow the reason code to be set up on a default. However, it adds it as a percentage (e.g., 10%) for each scheduled workday of the pay period. The payroll staff doesn't recommend using it unless the employee is teleworking a full day or works the same amount of hours each day.

c. If a delay in arrival or an early release is authorized due to weather and the employee is authorized to telework at home before traveling to their office or after leaving the office, how is the time charged?

Any work or travel during an employee's tour of duty is regular duty time. The employee's work schedule may be modified if needed, but any time before or after the employee's tour of duty is charged as overtime or compensatory time off, if preapproved, or credit hours, if allowable, and the applicable telework reason code cited.

Emergency Situations

a. What are the emergency situations covered by a Situational arrangement?

A notice to an employee may specify certain contingent emergency situations; e.g., business or operational situations, such as

- 1) a facility closure or delay in opening, which could cover COOP events, adverse weather conditions, natural disasters, or utility outages;
- 2) only COOP or pandemic events for a member of a Continuity Emergency Response Group (CERG);
- 3) furloughs; i.e., for essential (excepted) employees who must continue to work during a furlough; or
- 4) a special assignment regarding a major disaster that doesn't result in a facility closure.

Otherwise, if not specified, it can cover all of the above and such personal emergency and nonemergency situations that the employee has no or limited control over or can't be done after duty hours, but is able to telework for some or most of the day, such as

- 5) medical appointments for the employee, family member, or pet;
- 6) home or auto repairs, deliveries, or installations;
- 7) death of a family member; and
- 8) school closures due to adverse weather conditions or a natural disaster.

Just because an employee is approved for a Situational arrangement doesn't mean that the employee should expect to be able to telework for personal emergencies. Situational arrangements are subject to supervisory approval.

Compensation Issues

- a. **If an employee works while commuting to their office; e.g., reviews and/or responds to email on his/her Blackberry while a rider on a subway, train, or bus or in a car or van pool, is that considered telework and should they get overtime pay if done after their regular duty hours?**

Work performed while commuting is considered mobile work, not telework (see the definition of mobile work on page 4 of OPM's guide).

For both Fair Labor Standards Act (FLSA) exempt (not covered) and non-exempt (covered) employees, normal commuting time from home to work and from work to home is not hours of work [see 5 CFR 551.422(b) and 5 CFR 550.112(j)(2)]. In other words, in most instances working while commuting is not compensable.

However, there are exceptions to the general rule. An FLSA non-exempt employee can be compensated for commuting time if s/he is required to perform substantial work under the control and direction of the employing agency; i.e., productive work of a significant nature that is an integral and indispensable part of the employee's principal activities. Similarly, an FLSA-exempt employee's commuting time may be hours of work to the extent that the employee is officially ordered or approved to perform substantial work while commuting.

In summary, an employee who is simply monitoring his or her phone or Blackberry or other similar device would not be performing substantial work under the exception listed above. The employee would need to perform substantial work while commuting, as determined by the employee's supervisor and be ordered or approved (or "under the control and direction of the agency" for FLSA non-exempt employees) to be considered as hours of work. For more information on this issue, see OPM's fact sheet at <http://www.opm.gov/oca/WORKSCH/HTML/TRAVEL.asp>.

- b. **If an employee is on a telework arrangement for part of the day, then drives to the office for the remainder of their tour for the day, would the travel time be compensable?**

Yes. It's no different than if the employee started at his/her office and then traveled to a different site. Both are authorized worksites and the travel time is duty time if done during the employee's regular tour of duty for that day. The difference is that in this scenario the employee has no commute time before starting work. All time for conducting official business during the employee's tour is regular time.

- c. **If an employee is on a telework arrangement for the whole day, but has to come in to the office for a meeting, is that travel time compensable?**

Yes (see paragraph 4.c.(5) of DOE O 322.1). The reason for the statement in the Order was to minimize travel to and from home during the day when an employee doesn't prepare to telework properly and has to go back to get materials or the employee and supervisor don't communicate effectively regarding meetings, etc. As capabilities and practices have improved over the years, most employees call in to meetings to avoid the loss of time traveling to the office. Once back in the office, the employee should remain there for the rest of the day to avoid traveling back home to work on duty time.

d. If an employee gets hurt while teleworking, are they eligible for workers' compensation?

Safety is just as important at a telework site as it is in a DOE building; however, there is a lesser standard of responsibility on the part of an employer off-site. For an employee who is injured or becomes ill while at a telework worksite, to be covered by workers' compensation the employee must be performing authorized work at the time. Should an incident such as falling down stairs at home after going to the bathroom upstairs occur, the injury would not be covered. However, if the employee was working at their computer at the time that a tree fell on his/her home during a storm and got hurt because the tree fell, the employee would likely be covered, but that determination is made by the Department of Labor. For more information on workers' compensation as it applies to teleworking, see the information at <http://humancapital.doe.gov/resources/doefxbl2.pdf>.

Resources

a. What resources must/should a Departmental element provide to an eligible teleworker?

If an employee is deemed eligible to telework, there is no requirement in the law or DOE telework policy for Departmental elements to provide any resources. Each Departmental element's local procedures should address whether or not employees are expected to provide any or all equipment and/or services needed and what the Departmental element will provide.

When an eligible employee is considering applying to telework, s/he should discuss his/her available resources with his/her IT support staff so that the staff can determine what, if any, resources are needed to satisfy their Departmental element's network security requirements. If it's just a case of providing access, for example with a downloadable application and/or an RSA Token, and that capability has been provided other teleworkers, then the Departmental element should provide that resource. On the other hand, if an employee needs special accommodation for a Medical arrangement, then a determination needs to be made as to whether or not that need can be met and to what extent. (To help with medical accommodations, see the Government's cost-free service available through the Department of Defense's Computer/Electronic Accommodations Program (CAP) at <http://cap.tricare.mil/AboutCAP/AboutCAP.aspx>.)

If the IT staff indicates that the employee meets the network requirements and can provide any needed resources, the employee needs to specify what is being requested on his/her application and the supervisor should verify that information with the IT staff for the Approving Official. However, if this situation is not compatible, then the IT staff may need to inform the employee's supervisor with an assessment and recommended alternative, if any (a section for the IT staff's assessment is provided in the sample application form at Appendix B). If the application is approved, then the IT support staff needs to complete a list of equipment and/or other resources that will be provided as an attachment to the telework/flexiplace agreement that the employee should sign acknowledging receipt and the requirement to return them (see the sample at Appendix G).

When IT staffs are planning on purchasing computing technologies and services, they must ensure that they support teleworking; i.e., remote access (for more information, see the Office of Management and Budget memorandum on this subject at Appendix J and the successor DOE policies when available).

Shared Work Space Arrangements - Telecenters and Hoteling

a. How does a Headquarters element contract to use a local telecenter?

If a telecenter has a DUNS number, then the element may contract directly with the telecenter using a purchase card or purchase order, depending on the cost per employee. All former GSA-sponsored telecenters have DUNS numbers and cost about \$60 per day for one employee. Usage will be monitored periodically to determine the number of employees who are using the telecenters to determine when a DOE-wide contract should be used.

b. With the emphasis being placed on reducing office space costs, should a Departmental element or DOE site consider a hoteling arrangement? If so, what are the considerations for doing so?

All agencies have been directed to reduce office space costs. An office sharing situation is when employees give up their separate offices to telework some or most of a week and work at their site in common office space and equipment. Although there are start-up costs, normally, the investment is recovered within two years and then there are significant savings. For more information, contact the Headquarters Buildings Operations staff or a GSA office.

Poor Performance or Conduct

a. How and when should a supervisor deal with a teleworker whose production diminishes significantly when they telework, but is an acceptable performer while in the office?

If the employee's performance is beginning to fall below the Meets Expectations (ME) or equivalent Fully Successful level, then the supervisor should first discuss his/her concern with the employee and try to determine what may be the cause and what solution the employee thinks is best to regain his/her supervisor's confidence and support to continue to telework. This discussion should occur as soon after it is apparent to the supervisor that the employee's performance is repeatedly diminishing while teleworking.

It is incumbent on the employee to improve, otherwise the supervisor, with the Approving Official's concurrence, should suspend or terminate the arrangement or limit it to certain emergency situations. This should be done in writing; e.g., by issuing an updated notice of eligibility. For further assistance, review the DOE [Supervisory/Non-Supervisory Employee Performance Management and Recognition Program Desk Reference](#) and discuss this with the servicing human resources staff.

b. What should a supervisor do to address a teleworker who has a track record of several unplanned personal emergencies that have been questionable and tells the supervisor that s/he needs to telework that day?

This should be handled like a series of unplanned leave scenarios when a supervisor begins to question whether or not the employee is abusing leave. The supervisor should realize that this is a trust issue. The first thing is for the supervisor to make the employee aware of the concern, but if it continues, discuss it with the servicing human resources staff. Consideration should then be given to issuing a letter of requirement

1) stipulating that the employee must request approval to telework on unplanned telework days, including when unplanned telework is announced for a facility closure, delayed opening, or early departure; must identify the tasks to be performed and anticipated time frame to

accomplish them; if due to medical appointments, must provide medical documentation to support the situation; and

2) informing the employee that his/her eligibility may be limited to operational emergency situations or terminated if it continues and/or that the (specified) requirements are not satisfied.

Appendix A

Sample EMPLOYEE TELEWORK/FLEXIPLACE NOTICE

[Date]

MEMORANDUM FOR [Employee's Name]

FROM: [Manager's Name]
[Title]

Subject: [Telework/Flexiplace] Notice

The purpose of this memorandum is to inform you that you [are/are not] eligible to telework.

[If eligible, then include the following information]

The following work assignment(s) are eligible for the type of telework arrangement that is specified. *[Provide a general description of the work that may be performed at a telework worksite along with the type of arrangement(s) for which eligible. Specify the number of days per week or pay period for a Routine/Regular arrangement or any limitation for a Situational arrangement; e.g., only when unplanned telework is authorized by OPM (for the Washington, DC area) or the Head of the Field Element, for facility closings, including those due to weather or a pandemic or COOP situation.]*

| Work Assignment | Routine | Situational | Medical* |
|-----------------|--------------------------------|-------------|----------|
| | <i># of days/wk or ppd</i> | | |
| | | | |
| | | | |
| | | | |

* Medical documentation must be provided to support a medical telework/flexiplace arrangement at the time of a request.

[If not eligible, then specify why the position or employee is not eligible.]

[Your position is/You are] not eligible because [specify the reason(s); e.g., your computer capability doesn't meet the security access requirements of the Departmental element's network; there aren't enough unclassified work assignments that can be performed without a secured network; frequent or extensive face-to-face contact is required throughout a day to provide a sufficient level of customer service; inadequate office coverage or the lack of depth of expertise in the employee's field (if this is a temporary situation, then indicate that the position is eligible once a backup is available, or other appropriate statement, that would result in the change in eligibility); or other operational reason; or your current performance is not at the "Meets Expectations"(ME) or equivalent level (if the employee is improving while on a PAP or PIP, indicate whether s/he is authorized to telework during an emergency situation)].

Acknowledgement: _____
Employee's Signature
Date

PRIVACY ACT STATEMENT

The Telework Enhancement Act of 2010 (Public Law 111-292), Section 6120 of Title 5 to the United States Code, and Executive Memorandum of July 11, 1994 (59 FR 36017) authorizes collection of this information. Signing this notice is voluntary, but failure to sign it may preclude the authorization for the employee to telework. The primary use of the information contained in this notice is by applicable management officials and supporting administrative staffs, human resource staffs, and the applicable Departmental element's Telework Coordinator to record the this employment situation. There are no additional uses that may be made of the information collected in the agreement. The official copy of this notice, which is a category of record included in the OPM/GOVT-1 General Personnel Records system, is maintained by the applicable Telework Coordinator.

Distribution:

Original: Employee

Copy: Applicable Telework Coordinator



Appendix B

U.S. DEPARTMENT OF ENERGY DOE-FLEX PROGRAM

Sample TELEWORK/FLEXIPLACE APPLICATION

(USE THE TAB KEY to move from field to field)

| SECTION 1 | | | |
|--|---|---------------------------------|--------------------------------|
| (To Be Completed By The Employee) | | | |
| Employee Information | | Supervisor Information | |
| Name | | Name | |
| Title, Series, Grade | | Title | |
| Routing Symbol | | Telephone | |
| Telephone | | | |
| Official Worksite | | | |
| Telework Worksite | <input type="checkbox"/> Home <input type="checkbox"/> Telecenter (Specify): <input type="checkbox"/> Other (Specify): | | |
| Type of Arrangement(s) | <input type="checkbox"/> Routine/Regular <input type="checkbox"/> Routine & Situational <input type="checkbox"/> Situational <input type="checkbox"/> Medical | | |
| SECTION 2 | | | |
| (To Be Completed By The Employee) | | | |
| a. My current Employee Telework/Flexiplace Notice is attached. | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. I have completed the required employee training and attached the Training Certification Form and Training Certificate. | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. When the telework worksite will be my or another family member's home, I have completed and attached the Self-Certification Safety Checklist Form. | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. For a Medical arrangement, supporting medical documentation is attached. If not, explain. | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Start Date: _____ End Date: _____ | | | |
| e. The following change to my work schedule is requested (specify the day(s) in a pay period for a Routine/Regular arrangement, e.g., the first Monday or each Monday in a pay period; for all arrangements, specify any change from your current work hours): | | | |
| f. The following IT equipment, software, service(s), and/or supplies are requested: | | | |
| Signature: _____ Date: _____ | | | |

| SECTION 3 (To Be Completed By The IT Support Staff) | | |
|--|---------------------------------|--------------------------------|
| a. Will the employee's remote access be compatible with the Departmental element's network? If not, what needs to be done to make it compatible? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Does the employee have current antivirus and any other needed security application on his/her computer? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Are the requested resource(s) in Section 2f available to support his/her teleworking? If not, what is recommended? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| a. Approval is recommended: <input type="checkbox"/> Approval not recommended: <input type="checkbox"/> Signature: _____ Date: _____ | | |
| SECTION 4 (To Be Completed By The Supervisor) | | |
| a. Is the attached Telework/Flexiplace Notice current? If not, then a new one must be prepared and submitted with this application to the Approving Official. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Does the employee know his/her duties and/or organizational relationships sufficiently well enough to perform independently and successfully if s/he teleworks? If no, when do you feel that the employee will be ready? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Is the employee performing at least at the Meets Expectations (ME) or equivalent Fully Successful performance level or, if not, is the employee improving on a PAP or PIP and may be authorized to telework during an emergency situation? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. Is the employee designated as a member of the Emergency Response Group? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e. I have completed the required supervisory training and attached the Training Certificate. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| SECTION 5 (To Be Completed By The Approving Official) | | |
| a. I have completed the required supervisory training and attached the Training Certificate. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| SECTION 6 Action on Application (To Be Completed By The Supervisor and Approving Official) | | |
| <p>a. Supervisor: Approval is recommended: <input type="checkbox"/> Approval not recommended: <input type="checkbox"/> If approval is not recommended, provide the reason(s), including alternate recommendation(s):</p> <p>Signature: _____ Date: _____</p> | | |

b. **Approving Official:** Approved: Not Approved:

If not approved, provide the reason(s):

Signature: _____ **Date:** _____

Note: If the application is disapproved the employee may file a grievance under the appropriate grievance procedure. Bargaining unit employees should contact their union representative to discuss this issue.

Attachments: Employee Telework/Flexiplace Notice
Employee Training Certification Form & Training Certificate
Medical documentation for a Medical arrangement
Supervisory Training Certificates

PRIVACY ACT STATEMENT

The Telework Enhancement Act of 2010 (Public Law 111-292), Section 6120 of Title 5 to the United States Code, and Executive Memorandum of July 11, 1994 (59 FR 36017) authorizes collection of this information. Providing information and signing this application is voluntary, but failure to sign it will preclude the authorization for the employee to telework. The primary use of the information contained in this application is by applicable management officials and supporting administrative staffs, human resource staffs, and the applicable Departmental element's Telework Coordinator to approve and record the this employment situation. There are no additional uses that may be made of the information collected in the agreement. The official copy of this agreement, which is a category of record included in the OPM/GOVT-1 General Personnel Records system, is maintained by the applicable Telework Coordinator.

Distribution: Original: Applicable Telework Coordinator
Copy: Employee
Supervisor(s)



Appendix C
U.S. DEPARTMENT OF ENERGY
DOE-FLEX PROGRAM

Sample TRAINING CERTIFICATION

(To Be Completed By The Employee)

In accordance with the Telework Enhancement Act (TEA) of 2010, _____(*Employee's Name*)
_____ has completed the following training prior to entering into a Telework/Flexiplace
Agreement. The training consisted of (*check all that applies*):

Required:

- Reviewed the information and material on the www.telework.gov website, including "Basics for Employee," and completed the "Employee Training" (attach a copy of the Training Certificate)
- Reviewed the information and material for _____(*Departmental Element*)

Optional:

- Reviewed the DOE *Desk Reference on DOE-Flex* available at http://humancapital.doe.gov/resources_doeflex.htm
- Reviewed the applicable section on telework/flexiplace in the Collective Bargaining Agreement (for employees in Bargaining Unit positions)
- Met with my Departmental element's Telework Coordinator
- Met with my IT support staff regarding remote access
- Reviewed DOE O 206.1, Department of Energy Privacy Program, regarding protecting personally identifiable information (PII) and information systems
- Discussed teleworking with my supervisor
- Other, please specify: _____

Employee's Signature

Date

PRIVACY ACT STATEMENT

The Telework Enhancement Act of 2010 (Public Law 111-292), Section 6120 of Title 5 to the United States Code, and Executive Memorandum of July 11, 1994 (59 FR 36017) authorizes collection of this information. Providing information and signing this certification is voluntary, but failure to sign it may preclude the authorization for the employee to telework. The primary use of the information contained in this certification is by applicable management officials and supporting administrative staffs, human resource staffs, and the applicable Departmental element's Telework Coordinator to approve and record the this employment situation. There are no additional uses that may be made of the information collected in the agreement. The official copy of this certification, which is a category of record included in the OPM/GOVT-1 General Personnel Records system, is maintained by the applicable Telework Coordinator with the employee's application to telework.

Attachment: Training Certificate

Appendix D

***Sample* EMPLOYEE INSTRUCTIONS**

New Application and Agreement

STEP 1

- Carefully assess your work assignments (i.e., tasks and activities), skills (i.e., your ability to perform independently), and eligibility (i.e., as indicated on your telework/flexiplace notice).
 - Determine a proposed work schedule based on your availability to work at the telework worksite (i.e., if it needs to change from your regular duty hours).
 - Review your Departmental element's telework/flexiplace agreement.
 - Discuss implementation issues with your supervisor, Telework Coordinator, and/or IT support staff.
-

STEP 2

- Complete your Departmental element's application form.
 - Complete the required telework training.
 - Complete your Departmental element's training certification form.
 - For a Medical arrangement, provide the supporting medical documentation.
-

STEP 3

- Submit the application package to your supervisor for consideration; your supervisor may discuss issues with you that will result in revising the application before either recommending approval or disapproval to the Approving Official who will make the final determination. (If approved, proceed to Step 4).
-

STEP 4

- Complete and sign your Departmental element's telework/flexiplace agreement; one agreement may be used if you are requesting both a Routine/Regular and Situational arrangement; a separate agreement should be used for each Medical arrangement.
 - If equipment, service(s), software, and/or other resources are needed, your IT support staff needs to complete your Departmental element's form that lists what is needed for a telework/flexiplace worksite.
 - Complete your Departmental element's self-certification safety form.
-

STEP 5

- Submit the Telework/Flexiplace Agreement(s) with the attachments to your supervisor and Approving Official for signature(s).
 - Inform your Telework Coordinator that you have submitted the agreement.
-

STEP 6

- Upon approval, submit an SF-71 to document the type of telework arrangement and hours each time that you telework in accordance with your Department element's procedures.

Recertification

- Complete and submit your Departmental element's recertification form to your supervisor when advised by your Telework Coordinator or supervisor to do so.

Appendix E

***Sample* SUPERVISOR AND APPROVING OFFICIAL INSTRUCTIONS**

Supervisor

- Be open to discussing the feasibility of a prospective employee teleworking with the objective of arriving at a mutually agreeable arrangement if at all possible.
- Unless you are a direct report to the Head of the Departmental element, you may not approve or deny a request to telework. That responsibility is at least the second-level supervisor's. (Each Departmental element must establish who has the authority.)
- Applications should be acted upon within a reasonable time frame, e.g, 5 working days from the date of receipt, unless such action is not possible because of your travel, training, leave schedule, etc. (for organizations with bargaining unit employees, the time frame may be established in the Collective Bargaining Agreement). When there is a delay, the supervisor should inform the applicant as soon as possible and provide an expected time frame for discussing the application with the employee or moving it to the Approving Official.
- Complete the required supervisory training promptly if it hasn't been completed previously to avoid delaying an application for this reason.
- If the employee's existing Telework/Flexiplace Notice is not current, then supervisors should discuss this first with the Approving Official, inform the employee, and then initiate a new one. Allow the employee sufficient time to decide if the change will affect his/her application.
- Recommend approval or disapproval to Approving Official with an explanation if it's not an approval.
- If approved, work with the employee on preparing a mutually agreeable telework/flexiplace agreement.
- Follow the same steps for the application when taking action on the telework/flexiplace agreement, ensuring that all forms are attached so that needed resources are acceptable and informing the employee's co-workers of the employee's telework schedule. With the exception of a Medical arrangement, the effective date is the first work day in a pay period.

Approving Official

- Applications should be acted upon within a reasonable time frame, e.g, 5 working days from the date of receipt, unless such action is not possible because of your travel, training, leave schedule, etc. (for organizations with bargaining unit employees, the time frame may be established in the Collective Bargaining Agreement). When there is a delay, have the supervisor inform the applicant and provide an expected time frame for reviewing the application.
- Complete the required supervisory training promptly if it hasn't been completed previously to avoid delaying an application for this reason.
- If the application is disapproved, provide the reason(s) for the disapproval.
- Provide your Telework Coordinator with the signed application and a copy to the employee (and union, if applicable).

- If the application is approved, follow the same steps for taking action on the telework/flexiplace agreement.
- Provide the Telework Coordinator with the original signed agreement and a copy to the employee.
- Review your Departmental element's procedures to determine whether you or your Telework Coordinator should provide the applicable timekeeper with information on the teleworker's arrangement.



Appendix F U.S. DEPARTMENT OF ENERGY DOE-FLEX PROGRAM

Sample TELEWORK AGREEMENT

(1) Introduction

This agreement is between (Employee's name) and the (Departmental element) . The agreement specifies the terms and conditions under which the employee will work at the alternate worksite(s) specified below. This agreement does not create an entitlement, but recognizes that telework is an additional method the (Departmental element) uses to accomplish work.

(2) Type of Telework Arrangement *(Mark the box that applies)*

ROUTINE ROUTINE & SITUATIONAL SITUATIONAL MEDICAL

(3) Effective Date, Duration, and Termination

This agreement is effective (Start date) and will continue

- (a) indefinitely for a **ROUTINE** arrangement contingent upon an initial review -----
 (Date or event) if this is the first telework arrangement for the employee, and recertification at least annually ----- (Date or event) .
- (b) indefinitely for a **SITUATIONAL** arrangement contingent upon recertification at least annually ----- (Date or event) . During the agreement, the employee's supervisor may direct the employee to work for specified periods of time (i.e., a specific number of days which may or may not be successive) at an alternate work site in order to complete specific non-recurring assignments or special projects; or
- (c) until (Start date) for a **MEDICAL** arrangement contingent upon acceptable medical documentation. The duration may be shortened or extended depending on the medical situation if agreed to by the employee and approving official.

Except for a designation as an Emergency Responder in Section 12, the employee may terminate this agreement at any time by giving the employee's supervisor reasonable notice and returning to the employee's official worksite. To ensure that appropriate physical arrangements are completed at the employee's official worksite, the employee should provide (If applicable, specify the time frame) notice of desire to terminate this agreement. Management has the right to suspend, terminate, or modify this agreement at any time with reasonable notice. Management will inform the employee of the reason and will inform the employee of the right to grieve the action under the appropriate grievance procedure.

(4) Official Worksite

The employee's official worksite (duty station) is as follows:

Address: _____

Telephone number: _____

(5) Alternate Worksite(s) (for a full-time remote worker, this may not apply)

The employee's alternative (telework) worksite(s) is as follows:

Address: _____

Telephone number(s): _____

(6) Applicable Policy and Guidance

The employee and supervisor agree that all policies and practices that apply to the employee at the employee's organization to which assigned apply to the employee at a telework site and that the employee is to be treated the same in both situations. DOE N 314.1, DOE-Flex: DOE's Telework Program, DOE's *Desk Reference on DOE-Flex*, which supplements the Office of Personnel Management's *Guide to Telework in the Federal Government*, the **Departmental element's telework/flexiplace guidance**, and DOE O 206.1, Department of Energy Privacy Program, which addresses protecting personally identifiable information (PII) apply. The employee is bound by the Standards of Conduct for Employees of the Executive Branch and the Department's supplement thereto while working at a telework site.

(7) Employee's Responsibilities

While teleworking, the employee will:

- Perform those work assignments agreed to with his/her supervisor;
- Ensure that the appropriate resources are available or accessible to perform those assignments at the telework site ;
- Notify his/her supervisor and co-workers via email that s/he is teleworking and provide a work schedule and phone number for the day; if power is out, notify his/her supervisor as soon as possible of the problem;
- Forward the office telephone to the telework site or provide a voice-mail greeting message that informs callers how (and when) to contact the employee;
- Notify his/her supervisor when starting and ending work, of any change in availability (e.g., departure for and return from an appointment or a conference call that will tie up the telephone for a while), and of any change in contact information;
- Be reasonably accessible (e.g., either responding promptly to management's attempts to contact him/her or responding within the time expected if the employee were at the office) during agreed-upon hours of work;
- Safeguard DOE equipment, personal identifiable information, and records, and use such equipment and records for official business only;
- Maintain any DOE-issued equipment used to perform work at a telework site;
- If the telework site is the employee's home, maintain a reasonably safe working environment, keeping it hazard-free and normally free from distractions; and
- Ensure that unclassified work products are safely conveyed between a telework site and any other location; classified work products may not be taken to an employee's telework site.

For **SITUATIONAL** telework, the employee must request approval prior to teleworking or as soon as his/her supervisor is available for each situation, even when UNSCHEDULED TELEWORK is authorized (see Section 11). The employee should be prepared to discuss the projects, tasks, and assignments to be worked while teleworking and provide feedback on them if the supervisor

requests such information.

(8) Departmental Element's Responsibilities

_____ (***Departmental element***) _____ will:

- Provide agreed-upon resources to support the employee while teleworking;
- Ensure that the time an employee teleworks is properly recorded in DOE's time and attendance system (see Section 10); and
- Except for suspected or known security violations, provide reasonable notice to the employee when conducting an inspection at the employee's worksite if the worksite is other than the organization's main office.

(9) Work Schedule

The employee's daily hours of duty will be the same as at the official worksite unless a deviation is approved or directed by his/her supervisor. The employee understands that if the employee's supervisor determines that a change in the employee's previously approved telework schedule is necessary due to operational needs; e.g., the supervisor's or a co-worker's absence, a face-to-face meeting or conference, examination of materials that cannot be taken from the worksite, or serve as a witness, the supervisor may direct the employee to be at the organization's main office or other location on a day or part of a day that the employee would otherwise telework, unless there are extenuating circumstances that would preclude that from happening or result in the employee requesting leave for the day; e.g., a medical appointment that shouldn't be cancelled. Notice of this direction would be given as far in advance as possible. The employee further understands that s/he has no claim on another day during the current pay period or any other pay period to substitute another day or days on telework unless an alternative day during the pay period is approved; however, the supervisor will make every effort to establish a mutually agreeable adjustment in the employee's telework schedule.

For a **ROUTINE** or **MEDICAL** telework arrangement, a copy of the employee's work schedule will be provided to the employee's time keeper. For a **SITUATIONAL** telework arrangement, the number of hours or days spent teleworking will depend on the situation or nature of the assignment.

(10) Time and Attendance Reporting

All time worked while teleworking within the employee's 80-hour bi-weekly pay period and authorized overtime will be recorded in the DOE Automated Time, Attendance and Production System (ATAAPS). Normal rules and procedures apply for authorizing, approving, earning, and using leave, overtime, and/or compensatory time, and credit hours. The employee's time and attendance must be certified by the Certifying Official so that there is an accounting for all hours included in the work schedule. Time and attendance will be reported as though the employee were at the duty station and applicable ATAAPS reason codes for telework must be used. Overtime will not be permitted except when expressly authorized and confirmed in writing in advance. If available, credit hours may be earned in accordance with the _____ (***Departmental element's***) _____ policies and procedures.

Any change to the employee's daily hours of duty should be noted via submission of a Standard Form (SF)-71, Request for Leave or Approved Absence (submitted by the employee and approved by the Certifying Official through ESS). Employees should select "Other" as the type of leave and specify the type of telework arrangement that matches the type authorized in this agreement in the comment box. For **ROUTINE** and **SITUATIONAL** telework, employees will

submit an SF-71 via ESS/ATAAPS prior to beginning the telework assignment when feasible, or as soon thereafter as possible. For **SITUATIONAL** telework, include the actual hours worked in the comment box. **MEDICAL** telework will be coded into ATAAPS based on the number of hours worked each day during the approved period for the **MEDICAL** telework arrangement. Employees on a **MEDICAL** telework arrangement may need to submit an SF-71 via ESS/ATAAPS each pay period showing the actual hours worked or on an approved absence each day when they work intermittently or part-time.

(11) Administrative Dismissals and Closures

When changes in the Operating Status of the Federal Government or a DOE facility impact the normal operations of the official worksite, the expectations of the employee to telework will be based upon several factors such as the nature of the employee's interactions with the worksite affected by the dismissal or closure; the nature and severity of the emergency situation; the duration of the situation; and other circumstances that are common or unique to a given emergency (i.e., childcare, power outages, travel delays, etc.).

When "**Federal Offices are Closed to the Public**" or a **DOE Facility is closed**, the employee is not expected to report to that worksite, but is expected to telework if (s)he has at least a **SITUATIONAL** telework agreement. The employee is expected to work to the extent feasible or when directed to do so.

When the Federal Government is operating under an "**Unscheduled Leave or Unscheduled Telework**" status, the employee must inform his/her supervisor of his/her intent in accordance with his/her Departmental element's procedures and request to use unscheduled leave or unscheduled telework. The employee may use annual leave, earned compensatory time off, earned credit hours (if applicable), leave without pay; or telework. An employee scheduled to telework on the day of the announcement is expected to begin telework on time or request unscheduled leave unless excused; i.e., granted administrative leave.

In the event of an administrative **delayed arrival (i.e., the Operating Status is "Federal Offices are Open – XX Hour Late")**, the employee scheduled to telework should begin work on time and work his/her normal work schedule, unless excused; i.e., granted administrative leave, because the employee is unable to perform work due to circumstances beyond their control; e.g., because of a power outage. The employee should discuss a change to their work schedule due to the nature of the situation causing the change in Operating Status; e.g., their alarm didn't go off because of a power outage prior to their start time, they need to take a child to school when the school also has a delayed start time, or they need to clean off their vehicle or driveway to commute to work the next day. However, if the employee's child's school is closed for the day and the employee is unable to perform work, then the employee must take leave or other charged absence.

In the event of an administrative **early dismissal (i.e., the Operating Status is "Federal Offices are Open – XX Hour Early Departure")** and the employee is teleworking, s/he should continue to work on planned tasks and activities or as directed by the supervisor. When continuing work is not practical or feasible for some or the entire remaining work schedule, the employee will be excused; i.e., granted administrative leave, for the dismissal period.

(12) Continuity of Operations (COOP):

Employees designated as Emergency Responders are expected to report to the designated work location and/or telework during COOP-related administrative or facility closures as directed by the (Departmental element's) management or COOP Coordinator and/or the DOE

COOP Office. All nonemergency or nonessential employees with a telework agreement are expected to be prepared to telework when directed to do so.

As of the date of this agreement, the employee *(is/is not)* designated as a member of the _____ ***(Departmental element's)*** Emergency Response Group. If so designated, then during an emergency the employee will perform the applicable work assignment(s) of his/her position identified as essential and any other assignment(s) that s/he is directed to perform during the emergency.

(13) Other Emergency and Nonemergency Situations

For **SITUATIONAL** telework, if you are designated as an essential (excepted) employee for furloughs, you are to report to the designated work location or, if authorized, telework. You *(may/may not)* request to telework for personal emergency and nonemergency situations.

(14) Resources Provided

The _____ ***(Departmental element)*** will furnish the resources specified in attached list, along with network access permissions and associated equipment, such as an RSA Token. The employee is not authorized to incur any costs to telework unless specified in the attachment.

The employee agrees to maintain the resources provided and to report problems with accessing the _____ ***(Departmental element's)*** network, supplied equipment, or software to _____ ***(Departmental element's contact or Help Desk)*** and his/her supervisor. Employee-provided equipment and services, such as an Internet provider, and any additional operating costs, such as home maintenance, insurance, or utilities, that are associated with the employee's using his/her home as the telework site are at the employee's expense, unless specifically authorized in the attachment. Upon termination of this agreement, all supplied resources must be returned to the _____ ***(Departmental element)***.

(15) Pay, Travel, and Benefits

Pay and travel entitlements are based on the employee's official worksite location and a determination as to whether or not evacuation pay and associated travel expenses are authorized due to an evacuation that affects the employee.

The employee understands that if the telework arrangement affects his/her eligibility for parking or a transit subsidy, the employee is expected to follow the _____ ***(Departmental element's)*** procedures to report the change and may lose or have their benefits reduced.

(16) Performance

The employee and his/her supervisors understand that the same critical elements apply while on telework as at the employee's organization's main office and that the employee will be treated the same at all worksites. They further understand that if the employee's supervisor determines that the employee's performance has dropped below the Meets Expectations (ME) or equivalent Fully Successful level, the employee may only be eligible to telework under an emergency situation if the employee is showing improvement while subject to a Performance Assistance or Improvement Plan.

(17) Liability

The employee understands that he/she assumes full responsibility for any damage to personal or

real property that may occur as a result of the employee's working at the telework site, except to the extent that DOE is held liable by the Federal Tort Claims Act or the Military Personnel and Civilian Employees Claims Act. The employee further understands that if s/he is injured during authorized hours of work at the telework site while performing assignments, the employee is not covered by the Federal Employee Compensation Act (workers' compensation) unless the injury occurs while performing authorized work. The employee must notify his/her supervisor promptly of any accident or injury that occurs at the telework site and complete any required forms. Officials of the _____ (***Departmental element***) and/or the Department of Labor, may investigate such a report immediately. If the employee wishes more information on liability, she/he understands that this may be obtained from their legal support staff.

(18) Inspections

To ensure that Information systems and sensitive information is appropriately protected at a telework site, the employee understands that the _____ (***Departmental element***) may inspect the employee's work site with reasonable notice to the employee, providing there is no suspected or known security violation, in which case there may not be a notice.

(19) Effect of Failure to Fulfill the Terms of This Agreement

This agreement will be terminated if the employee fails to fulfill it or any amendment to its terms. The employee will be given the right to grieve termination of the agreement. Termination for reasons of misconduct or failure to protect equipment, records, and/or data may result in disciplinary action and/or suspension or revocation of the employee's security clearance, if appropriate.

(20) Certification: I hereby certify that I have read and understood the terms and conditions of this agreement. I also understand that the above information is accurate as of this date, but that applicable policies and guidelines may change or be added without amending this agreement accordingly. I understand that I will be informed of these changes. In the event of such changes, I agree that this agreement will be subject to them.

Employee's Signature Date

Supervisor's Signature Date

PRIVACY ACT STATEMENT

The Telework Enhancement Act of 2010 (Public Law 111-292), Section 6120 of Title 5 to the United States Code, and Executive Memorandum of July 11, 1994 (59 FR 36017) authorizes collection of this information. Providing information and signing this agreement is voluntary, but failure to sign this agreement will preclude the authorization for the employee to telework. The primary use of the information contained in this agreement is by applicable management officials and supporting administrative staffs, payroll and accounting staffs, human resource staffs, the applicable Departmental element's Telework Coordinator, and travel and transportation staffs to approve and record the employment situation. There are no additional uses that may be made of the information collected in the agreement. The official copy of this agreement, which is a category of record included in the OPM/GOVT-1 General Personnel Records system, is maintained by the applicable Telework Coordinator.

Attachment: Equipment/Resources for a Telework Worksite

Distribution:

Original– Applicable Telework Coordinator

Copy – Supervisor

Employee



Appendix G
U.S. DEPARTMENT OF ENERGY
DOE-FLEX PROGRAM

Sample Equipment/Resources for a Telework Worksite
(To be completed by the applicable IT support staff)

This form is only needed if additional equipment or resources are provided by the Departmental element.

Employee's Name: _____

1. Computer (serial or property number) _____
2. Monitor (serial or property number) _____
3. Printer (serial or property number) _____
5. Fax machine (serial or property number) _____
6. Additional telephone line (type of monthly service plan) _____
7. Software, specifically: _____
8. Other items, specifically: _____

Acknowledgment:

I understand that the equipment/resources, listed above, are for use to perform official duties. I assume full responsibility for proper use and care of these items and understand that all items must be returned to the agency upon completion or termination of this Flexiplace agreement.

Employee's Signature

Date



Appendix H

U.S. DEPARTMENT OF ENERGY DOE-FLEX PROGRAM

Sample Self-Certification Safety Checklist

(To be completed when the employee's home will be the telework worksite)

Employee's Name: _____

The purpose of this form is to ensure that the terms of the telework agreement are fulfilled. The employee, if declaring that the telework worksite will be his/her or another family member's home, agrees to maintain it in a reasonably safe condition, keeping it hazard-free and normally free from distractions. If the employee answers "no" to any of the questions below, the supervisor and the employee should discuss the issue so that both the employee and the supervisor understand the condition of the worksite. The checklist will be made available to the appropriate safety and workers' compensation officials if the employee is injured at home while performing work and files a claim for compensation under the Federal Employee Compensation Act.

| Part I - Worksite Environment | Yes | No |
|--|--------------------------|--------------------------|
| 1. Are temperature, noise, ventilation, and lighting levels adequate for maintaining your normal level of job performance? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Are all stairs with four or more steps equipped with handrails? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are all circuit breakers and/or fuses in the electrical panel labeled as to intended service? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Do circuit breakers clearly indicate if they are in the open or closed position? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. 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 to the ceiling)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Will the building's electrical system permit the grounding of electrical equipment? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Are aisles, doorways, and corners free of obstructions to permit visibility and movement? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are file cabinets and storage closets arranged so drawers and doors do not open into walkways? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Are chairs free of any loose casters (wheels) and are the rungs and legs of the chairs sturdy? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Are the phone lines, electrical cords, and extension wires secured under a desk or alongside a baseboard? | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Is the office space neat, clean, and free of excessive amounts of combustibles? | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Are floor surfaces clean, dry, level, and free of worn or frayed seams? | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Are carpets well secured to the floor and free of frayed or worn seams? | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Is there enough light for reading? | <input type="checkbox"/> | <input type="checkbox"/> |

| Part II - Workstation | Yes | No |
|--|--------------------------|--------------------------|
| 15. Is your chair adjustable? | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Do you know how to adjust your chair? | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. Is your back adequately supported by a backrest? | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. Are your feet on the floor or fully supported by a footrest? | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. Do you have enough leg room at your desk? | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. Are you satisfied with the placement of your monitor and keyboard? | <input type="checkbox"/> | <input type="checkbox"/> |
| 21. Are your wrists fairly straight when keying? | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. When typing, are your forearms close to parallel with the floor? | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. Is there space to rest the arms while not typing? | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. Is the top of the monitor eye level? | <input type="checkbox"/> | <input type="checkbox"/> |
| 25. Is it easy to read the text on your monitor? | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. Is the monitor free from noticeable glare? | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. Do you need a document holder? | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

| | |
|------------------------|-------|
| _____ | _____ |
| Employee's Signature | Date |
| _____ | _____ |
| Supervisor's Signature | Date |

PRIVACY ACT STATEMENT

The Telework Enhancement Act of 2010 (Public Law 111-292), Section 6120 of Title 5 to the United States Code, and Executive Memorandum of July 11, 1994 (59 FR 36017) authorizes collection of this information. Providing information and signing this application is voluntary, but failure to sign it will preclude the authorization for the employee to telework. The primary use of the information contained in this agreement is by applicable management officials and supporting administrative staffs, payroll and accounting staffs, human resource staffs, and travel and transportation staffs to approve and record the this employment situation. There are no additional uses that may be made of the information collected in the agreement. The official copy of this agreement, which is a category of record included in the OPM/GOVT-1 General Personnel Records system, is maintained by the applicable Departmental element's Telework Coordinator.



Appendix I U.S. DEPARTMENT OF ENERGY DOE-FLEX PROGRAM

Sample Telework/Flexiplace Recertification Form

| | | |
|--|-------------------------------------|--------------------------|
| Employee's Name: | Supervisor's Name: | |
| Type of Telework/Flexiplace Arrangement: <input type="checkbox"/> Routine/Regular <input type="checkbox"/> Routine & Situational <input type="checkbox"/> Situational <input type="checkbox"/> Medical | | |
| The following is the employee's telework/flexiplace work schedule [specify the day(s) in a pay period for a Routine/Regular arrangement; e.g., the first Monday or each Monday in a pay period; for all arrangements, specify any change from the employee's current work hours at his/her telework worksite]: | | |
| The following checklist assesses the employee's eligibility to continue to telework. | | |
| | Yes | No |
| 1. Is the employee's Telework/Flexiplace Notice current? If not, then a new one must be prepared and submitted with this recertification to the Approving Official. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the employee's teleworking adversely impacting co-workers or the organization's ability to accomplish its mission? If yes, explain. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Is the employee able to telework without compromising sensitive information? If no, explain. | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Does the employee have access to resources sufficient for his/her tasks/activities while teleworking? If no, explain. | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Has the employee's performance fallen below Meets Expectations (ME) or the equivalent Fully Successful level? | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Recertified | <input type="checkbox"/> Terminated | |
| I have reviewed and discussed the recertification decision with the employee. | | |
| Supervisor's Signature: | Date: | |
| Employee's Signature: | Date: | |

PRIVACY ACT STATEMENT

The Telework Enhancement Act of 2010 (Public Law 111-292), Section 6120 of Title 5 to the United States Code, and Executive Memorandum of July 11, 1994 (59 FR 36017) authorizes collection of this information. Providing information and signing this form is voluntary, but failure to sign it may preclude the reauthorization for the employee to telework. The primary use of the information contained in this document is by applicable management officials and supporting administrative staffs, payroll and accounting staffs, human resource staffs, and travel and transportation staffs to approve and record the this employment situation. There are no additional uses that may be made of the information collected in the document. The official copy of this document, which is a category of record included in the OPM/GOVT-1 General Personnel Records system, is maintained by the applicable Departmental element's Telework Coordinator.

Distribution:

- Original – Applicable Telework Coordinator
- Copy - Employee
- Supervlsor

Appendix K

***Sample* TELEWORK/FLEXIPLACE TERMINATION**

[Date]

MEMORANDUM FOR [Employee's Name]

FROM: [Supervisor's Name]
 [Title]

Subject: Termination of Telework Agreement

This is to inform you that your telework agreement is being terminated and effective (*date*), you are expected to return to the office. The reason for this termination is (*specify*).

If you would like to discuss this decision further, please let me know. If you are in disagreement with this decision, you may file a grievance using the (*administrative/negotiated*) grievance procedure.

cc: Approving Official
 Telework Coordinator

Appendix L

OMB Memorandum – IT Purchasing Requirements



OMB Memo 4-28-11
re IT Purchasing Reqt

Appendix M

OMB Memorandum - Security Guidelines



OMB Memo 7-15-11
re Security Guidelines

(Click on the ICON to open the document)