



Director of Administration and Management

# ADMINISTRATIVE INSTRUCTION

**NUMBER 117**

March 31, 2015

Incorporating Change 2, April 15, 2022

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DA&M

SUBJECT: Telework Program

References: See Enclosure 1

1. PURPOSE. In accordance with the authority in DoD Directive (DoDD) 5105.53 and the January 11, 2021 Deputy Secretary of Defense Memorandum (References (a) and (b)), this administrative instruction (AI) implements policy, assigns responsibilities, and prescribes procedures for administering the Telework Program in accordance with DoD Instruction 1035.01 (Reference (c)) and sections 6501 through 6506 of Title 5, United States Code (U.S.C.) (Reference (d)).

2. APPLICABILITY. This AI:

a. Applies to OSD and those Defense Agencies, DoD Field Activities, and other DoD Components that receive human resources services from Washington Headquarters Services (WHS), referred to collectively in this issuance as “WHS-serviced Components.”

b. Applies to employees requesting telework as reasonable accommodation due to a disability pursuant to sections 791 and 794a of Title 29, U.S.C. (also known as “the Rehabilitation Act of 1973,” as amended (Reference (e))).

c. Will be used in conjunction with any applicable labor agreements.

3. POLICY. It is DoD policy in accordance with Reference (c) that telework will be:

a. Actively promoted and implemented throughout the DoD in support of the DoD commitment to workforce efficiency, emergency preparedness, and quality of life. Telework facilitates the accomplishment of work; can serve as an effective recruitment and retention strategy; enhances DoD efforts to employ and accommodate people with disabilities; and creates

cost savings by decreasing the need for office space and parking facilities and by reducing transportation costs, including costs associated with payment of transit subsidies.

b. Authorized for the maximum number of positions to the extent that mission readiness is not jeopardized.

c. Used to the broadest extent possible by eligible employees on a routine basis, up to and including full-time telework, or a situational basis at an approved alternative worksite. Telework, however, is not an entitlement.

d. Periodically exercised to ensure its effectiveness in continuing operations in the event of a crisis or national emergency (e.g., pandemic influenza).

e. Used to help create employment and return-to-work opportunities for veterans, people with disabilities, spouses of Service members, and employees being relocated.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

6. RELEASABILITY. **Cleared for public release.** This AI is available on the DoD Issuances Website at <https://www.esd.whs.mil/DD/>.

7. SUMMARY OF CHANGE 2. This change is administrative and, in accordance with the March 21, 2022 WHS Memorandum (Reference (f)):

a. Reassigns the Director of Administration, Office of the Deputy Chief Management Officer of the Department of Defense responsibilities and duties to the Director of Administration and Management in accordance with Section 901 of Public Law 116-283 (Reference (g)), which eliminated the position of the Deputy Chief Management Officer of the Department of Defense effective January 1, 2021, and Reference (b) and the January 11, 2021 Deputy Secretary of Defense Memorandum (Reference (h)), which implemented Reference (g) and reestablished the Director of Administration and Management.

b. Updates organizational titles and references for accuracy.

8. EFFECTIVE DATE. This AI is effective March 31, 2015.



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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5105.53, “Director of Administration and Management (DA&M),” February 26, 2008
- (b) Deputy Secretary of Defense Memorandum, “Re-establishment of the Assistant to the Secretary of Defense for Intelligence Oversight and the Director of Administration and Management,” January 11, 2021
- (c) DoD Instruction 1035.01, “Telework Policy,” April 4, 2012, as amended
- (d) Title 5, United States Code
- (e) Title 29, United States Code (sections 791 and 794a, also known as “The Rehabilitation Act of 1973, as amended”)
- (f) Washington Headquarters Services Memorandum, “Approval of Administrative Changes to Office of the Director of Administration and Management (ODA&M) DoD Issuances, Phase 2,” March 21, 2022
- (g) Public Law 116-283, “William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021,” January 1, 2021
- (h) Deputy Secretary of Defense Memorandum, “Disestablishment of the Chief Management Officer of the DoD and Realignment of Functions and Responsibilities,” January 11, 2021
- (i) Section 6502(c) of Title 5, United States Code
- (j) DoD Directive 8000.01, “Management of the Department of Defense Information Enterprise (DoD IE),” March 17, 2016, as amended
- (k) DoD Directive 8100.02, “Use of Commercial Wireless Devices, Services, and Technologies in the Department of Defense (DoD) Global Information Grid (GIG),” April 14, 2004
- (l) DoD Instruction 8500.01, “Cybersecurity,” March 14, 2014, as amended
- (m) DoD Directive 5400.11, “DoD Privacy and Civil Liberties Programs,” January 29, 2019, as amended
- (n) DoD 5400.11-R, “Department of Defense Privacy Program,” May 14, 2007
- (o) DoD Manual 8400.01, “Accessibility of Information and Communications Technology (ICT),” November 14, 2017
- (p) Administrative Instruction 37, “Employee Grievances,” October 27, 2006
- (q) DoD Manual 5200.01, “DoD Information Security Program.” February 24, 2012, as amended
- (r) Title 5, Code of Federal Regulations
- (s) DoD Directive 8140.01, “Cyberspace Workforce Management,” October 5, 2020
- (t) Page 13845 of Volume 71, Federal Register, March 17, 2006
- (u) Title 28, United States Code
- (v) Section 3721 of Title 31, United States Code (also known as “The Military Personnel and Civilian Employees Claims Act”)
- (w) DoD Manual 5400.07, “DoD Freedom of Information Act (FOIA) Program,” January 25, 2017
- (x) Section 2102 of Title 41, United States Code
- (y) Federal Acquisition Regulation, current edition

- (z) Defense Federal Acquisition Regulation Supplement, current edition
- (aa) Administrative Instruction 67, "Leave Administration," December 30, 2011, as amended
- (ab) Chapter 18 of Title 33, United States Code

ENCLOSURE 2

RESPONSIBILITIES

1. DIRECTOR, WHS. Under the authority, direction, and control of the Director of Administration and Management, the Director, WHS, oversees implementation of this AI.
  
2. CHIEF HUMAN RESOURCES OFFICER. Under the authority, direction, and control of the Director, WHS, the Chief Human Resources Officer of the WHS Human Resources Directorate:
  - a. Provides overall advice and guidance regarding the administration of the Telework Program.
  
  - b. Develops procedures and assigns responsibilities for the administration of telework in those WHS-serviced Components receiving operational support from WHS Human Resources Directorate's Labor and Management Employee Relations.
  
3. ASSISTANT DIRECTOR (AD), BENEFITS AND WORK-LIFE DIVISION (BWD). Under the authority, direction, and control of the Director, WHS, through the Chief Human Resources Officer, the AD, BWD:
  - a. Approves or disapproves WHS-serviced Component telework program policies and procedures for compliance with this AI and DoD-wide policy.
  
  - b. In coordination with WHS-serviced Components, prepares reports on employee telework participation rates and other related metrics, as required by the DoD Telework Managing Officer (TMO) and the Office of Personnel Management (OPM).
  
  - c. Designates a WHS Telework Coordinator to implement and evaluate the Telework Program.
  
  - d. Helps WHS-serviced Component heads review and coordinate employee requests for permanent reassignment from the official worksite to the telework site.
  
4. WHS-SERVICED COMPONENT HEADS. The WHS-serviced Component heads:
  - a. Implement telework programs in accordance with Reference (c) and this AI for application within subordinate organizations.
  
  - b. Establish internal guidance and procedures to maximize appropriate use of telework as a work flexibility arrangement, to include integrating telework into continuity of operations



(COOP) plans and reducing management costs, while also improving employees' abilities to balance their work and life commitments.

c. Set internal telework goals annually and participate in WHS-serviced Components-wide initiatives to increase the use of telework, monitor progress, and identify and eliminate barriers to productive telework consistent with the responsibilities.

d. Delegate authority for telework implementation to subordinate authorities as deemed appropriate.

e. Designate a WHS-serviced Component telework administrator to:

(1) Implement and oversee the WHS-serviced Component telework program for compliance with Reference (c) and this AI.

(2) Serve as an advisor for WHS-serviced Component leadership.

(3) Serve as a resource for supervisors and employees for WHS-serviced Component-specific policies and procedures.

(a) Actively promote telework within the WHS-serviced Components, consistent with accomplishing assigned missions. Make every effort to overcome artificial barriers to program implementation.

(b) In collaboration with the WHS Telework Coordinator, develop annual WHS-serviced Components' telework participation goals, track employee participation, and provide employee telework eligibility and participation data to AD, BWD, in accordance with Reference (c).

(c) Ensure that all position eligibility codes are correctly reflected in the Defense Civilian Personnel Data System.

(d) Monitor and assess telework implementation to ensure compliance with this AI, WHS-serviced Component specific guidance, and collective bargaining agreements, as applicable.

(e) Coordinate with AD, BWD, before approving requests for permanent reassignment from the regular work site to an alternative telework site, or requests for temporary reassignment exceptions because of medically necessitated reasonable accommodation pursuant to sections 791 and 794 of Reference (e).

(f) Require telework when on investigative leave. Subsequent to placing an employee in investigative leave status in accordance with Section 6502(c) of Title 5, U.S.C. (Reference (i)), the Director, WHS, for WHS employees or a WHS-serviced Component head, may require an employee to perform duties similar to the duties that the employee performs on-site, through telework, if the:

1. Director, WHS, or director of the WHS-serviced Component head, determines that such a requirement:
  - a. Poses no threat to the employee or others;
  - b. Will not result in the destruction of evidence relevant to an investigation;
  - c. Will not result in the loss of or damage to government property; or
  - d. Otherwise jeopardize legitimate government interests.
2. Employee is eligible to telework in accordance with Reference (i); and
3. Director, WHS, or WHS-serviced Component head determines that it would be appropriate for the employee to perform their duties through telework. The requirements of Enclosure 3 will be complied with to create a telework agreement and administer the agreement.

ENCLOSURE 3

PROCEDURES

1. TELEWORK PROGRAM COORDINATION

a. WHS Telework Coordinator

(1) Implements, operates, and evaluates the Telework Program in accordance with Reference (c) and this AI.

(2) Serves as the primary WHS-serviced Component telework point of contact for the DoD TMO in the Defense Civilian Personnel Advisory Services.

(3) Serves as an advisor and resource to WHS-serviced Component telework administrators, management, supervisors, and employees.

(4) Actively promotes telework within WHS-serviced Components and makes every effort to overcome barriers to program implementation through education and training on telework benefits, performance in a telework environment, and integration with emergency planning activities.

(5) Helps prepare reports on WHS-serviced Components' telework participation data rates and other related metrics, as required by the AD, Labor and Management Employee Relations BWD, and the DoD TMO.

b. WHS-serviced Component Telework Administrators

(1) Serve as the primary point of contact for the WHS Telework Coordinator, when necessary, to convey programmatic updates or request WHS-serviced Component-specific information.

(2) Advocate telework within the WHS-serviced Component and address barriers that may inhibit active participation.

(3) Serve as primary advisors for managers and employees for implementation of WHS-serviced Component-specific telework policies and related procedures.

(4) Distribute information to WHS-serviced Component managers and employees in support of the Telework Program.

(5) Support and contribute to program evaluation by providing aggregated participation information as requested by the WHS Telework Coordinator.

c. Managers and Supervisors of WHS and WHS-serviced Components

(1) Identify positions as telework-eligible or telework-ineligible when establishing new positions or filling vacant positions that were not previously designated for telework eligibility.

(2) For applicants or employees requesting telework as a reasonable accommodation pursuant to sections 791 and 794 of Reference (e), consult with the WHS Reasonable Accommodation Coordinator in a timely and efficient manner based on reasonable accommodation procedures.

(3) Require all employees who are authorized and willing to telework to complete a DD Form 2946, "Department of Defense Telework Agreement," (available on the DoD Forms Management Program Website at <https://www.dodea.edu/Offices/ExecutiveServices/upload/DD-2946.pdf>) before initiating a telework arrangement.

(4) Require employees who are eligible to telework to be fully trained on telework procedures including information technology and data security and safety requirements, in accordance with DoDDs 8000.01 and 8100.02, DoD Instruction 8500.01, DoDD 5400.11, DoD 5400.11-R, and DoD Manual 8400.01 (References (j) through (o)).

(5) Before signing DD Form 2946, discuss with each employee:

(a) Individual office procedures (e.g., reporting to duty, delayed arrivals and closures, measuring and reviewing work, time and attendance, maintaining office communications).

(b) Safety, technology, and equipment requirements.

(c) Performance expectations.

(6) Determine employee eligibility for routine or situational telework consistent with the requirements of this AI, Reference (c), WHS-serviced Component guidance, and collective bargaining agreements, if applicable.

(7) Inform new employees of telework program requirements and eligibility, normally within 30 days of employee hire or reassignment.

(8) Allow maximum flexibility for employees to telework to the extent that mission readiness or accomplishment is not compromised.

(9) Be prepared in case of emergencies. Have telework agreements in place for employees:

(a) With mission-critical duties;

(b) Who are required to telework in the case of a COOP event; or

(c) Who are eligible, authorized, and willing to telework.

(10) Ensure telework-ready employees understand the requirement that they must telework during office closures due to adverse or inclement weather or other crises, including an infectious disease health crisis.

(11) Take proactive measures to identify and notify employees or Service members who perform duties in support of mission requirements during crisis situations or contingencies are telework-ready in the event of a crisis.

(12) At least annually, notify emergency designated employees in writing of the requirement to report for work or remain at work (or work at home or report to an alternative work site) when government operations are disrupted.

(13) Ensure adequate worksite coverage during business hours so that mission operations continue to be carried out efficiently and effectively and teleworkers and onsite employees are treated equitably.

(14) Hold teleworkers accountable for government furnished equipment (GFE).

(15) Consider requests by teleworkers to change their scheduled telework day(s) in a particular week or biweekly pay period and accommodate such requests where practicable, consistent with mission requirements. A temporary change in schedule need not be reflected in a revised DD Form 2946.

(16) Ensure that teleworkers and non-teleworkers are treated the same for the purpose of work requirements, periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade, retaining and removal, and other acts requiring management discretion.

(17) Document hours of work and approved leave for teleworkers to ensure telework hours are appropriately coded as routine, situational, or medical.

(18) Deny or terminate telework agreements based on business reasons (e.g., the telework agreement fails to meet the organization's needs or the employee's performance does not meet the prescribed standard).

(a) When an employee's telework agreement is terminated, managers and supervisors will document the reasons for termination in writing.

(b) Employees may dispute the denial of telework, the reasons given for a denial, and the termination of an existing telework agreement through the WHS administrative grievance process. See AI 37 (Reference (p)) for guidance regarding employee grievances.

(c) Bargaining unit employees may file a grievance through negotiated grievance procedures.

d. Employees of WHS and WHS-serviced Components

(1) Complete telework training before entering into a written telework agreement. See paragraph 4a of this enclosure for training requirements.

(2) Complete DD Form 2946. The DD Form 2946 must:

(a) Detail the location of the alternative worksite consistent with the requirements of section 3b(1) through 3b(2) of this enclosure and WHS-serviced Component guidance.

(b) If teleworking from home, designate one area in the home as the official work station for purposes of telework, ensure that the designated area complies with safety requirements, and complete the self-certification safety checklist.

(3) Report any accident or injury occurring at the alternative worksite to the immediate attention of the supervisors who will investigate all reports as soon as practical following notification. Provide the supervisor with medical documentation related to the accident or injury.

(4) Protect personally identifiable information to ensure it is collected, maintained, disseminated, and used in accordance with References (m) and (n). Protect, store, and mark controlled unclassified information (CUI), For Official Use Only (FOUO), and classified information (where applicable and authorized at a secure alternative work location) consistent with the guidance in DoD Manual 5200.01 (Reference (q)). Comply with all criteria and guidelines for information and electronic security. Teleworkers should take special care to prevent inadvertent disclosure of CUI, FOUO, or classified information at the alternate work site, to include transporting such material to and from the alternate work site.

(5) Comply with the terms of the telework agreement, as well as all related rules, regulations, and policies, including but not limited to part 2635 of Title 5, Code of Federal Regulations, also known as the “Standards of Ethical Conduct for Employees of the Executive Branch” (Reference (r)).

(6) Safeguard and ensure appropriate use of GFE.

(7) Keep supervisors apprised of work progress, including communicating the status of work products.

(8) Adhere to work expectations and requirements as specified by their supervisors in DD Form 2946, the assigned performance plan, and other written or verbal instructions.

(9) Adhere to their scheduled tour of duty at the alternative worksite, and properly account for and report hours worked in the WHS-serviced Component time and attendance system.

(10) Work at the regular worksite on scheduled telework days as called for by mission requirements, or as directed by the immediate supervisors or other designated management officials.

(11) Contact the supervisor to request unscheduled telework when government employees are provided this option, unless the approved telework agreement specifies alternate procedures.

2. TELEWORK APPLICABILITY. Telework is an effective strategy for mission accomplishment, ensuring COOP in a crisis, and recruiting and retaining valued talent. Telework also benefits the environment by reducing traffic congestion and decreasing energy consumption and pollution. Telework can be used:

- a. On a routine basis.
- b. On a situational, non-routine, or ad hoc basis.

(1) To perform large projects or tasks requiring concentration and uninterrupted blocks of time for successful completion, or to accomplish routine job tasks when practicable.

(2) For supervisor-directed Web-based distance and continuous learning, including educational requirements required by law or regulation. Training requested by an employee is subject to the supervisor's approval, as applicable, and must conform to the provisions of applicable regulations.

(3) When OPM announces the official worksite is closed due to an emergency or adverse or inclement weather conditions (e.g., snow emergencies, floods, hurricanes).

(4) With supervisory approval when OPM announces the option for unscheduled telework, provided employees have an approved DD Form 2946 telework agreement in place.

(a) More information on required and unscheduled telework options can be found in OPM's Washington, D.C. area Dismissal and Closure Procedures at <https://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/dcdismisal.pdf>.

(b) While the OPM instruction is intended to apply to situations affecting federal employees in the Washington, D.C. area, WHS-serviced Components located outside the Washington, D.C. area are authorized to implement this guidance when the local commander or other designated official makes operation status decisions for weather-related conditions for installations or sites outside of the Washington, D.C. area.

c. As a regular or situational reasonable accommodation for employees with disabilities pursuant to sections 791 and 794 of Reference (e). The DoD Computer/Electronic Accommodations Program may provide services and accommodations (e.g., assistive devices

and technology) for employees with disabilities teleworking under an approved telework arrangement. For additional information, see <http://cap.mil/>.

d. Periodically to practice for COOP and an efficient transition to telework in the event of an emergency situation.

e. Telework and alternate work schedule are different work flexibility arrangements, but are not mutually exclusive.

### 3. TELEWORK ELIGIBILITY

a. General. To the extent that mission requirements are not jeopardized, supervisors will permit eligible employees who exhibit suitable work performance and conduct, occupy eligible positions, and have access to a suitable alternative work site to telework to the maximum extent possible. Telework eligibility criteria should be applied impartially and consistently without prohibited factors being considered.

(1) Telework is a discretionary workplace flexibility. Telework is not an entitlement and not all employees are eligible to telework.

(2) Although use of telework is encouraged, employees may be ordered to telework:

(a) If the employee's duties are designated as mission-critical and the employee is required to report to an alternative worksite or the employee's telework agreement addresses this requirement.

(b) When required by the Director, WHS, for WHS employees or by a WHS-serviced Component head in accordance with Enclosure 2, paragraph 4e(3)(f) of this instruction.

b. Position Eligibility. In determining position eligibility, supervisors should consider what duties and functions an employee will perform, and not simply the occupation, pay plan, series, grade, or supervisory status of the position.

(1) Positions eligible for telework may have:

(a) Quantifiable or project-oriented job tasks.

(b) Predictable contact with other employees and serviced clientele.

(c) Limited need for access to classified information.

(d) Off-site access to needed technology.

(2) When an employee's position is determined not normally suitable for telework, there may be circumstances or portions of the employee's work (e.g., reading and analyzing



documents and preparing reports or other types of correspondence) that may be considered for telework on a situational basis if the duties are designated as mission-critical. The following criteria may, in certain situations, result in positions or employees being identified as ineligible for telework:

(a) Positions that require, on a daily basis, direct handling of classified materials. Classified work at an approved alternative secure location may be allowed contingent on individual WHS-serviced Component requirements regarding such work.

(b) Positions that require, on a daily basis, an on-site activity or face-to-face personal contacts that cannot be handled remotely or at an alternative worksite (e.g., hands-on contact with machinery, equipment, or vehicles; direct patient care).

c. Employee Eligibility. After ensuring that the position is eligible, the supervisor must determine the employee's eligibility to telework. In order to qualify for telework, an employee must demonstrate characteristics indicating his or her ability to effectively work away from the official worksite. Employees eligible for telework will usually display:

- (1) Dependability, responsibility, and conscientiousness.
- (2) The ability to work independently and without close supervision.
- (3) Self-motivation and self-discipline.
- (4) The ability to prioritize work and manage time wisely.
- (5) A consistently acceptable level of performance.

d. Employee Ineligibility. Generally, the following types of employees are not eligible for telework (there may be circumstances when these employees may be considered for telework on a situational basis):

(1) Employees whose performance or conduct warrants closer supervisory direction than telework may provide, whose rating of record is below fully successful (or its equivalent); whose conduct has resulted in disciplinary action within the past 12 months; or who have unresolved security issues or a history of security issues that might influence telework eligibility (e.g., based on personal conduct, handling protected information, or use of information technology information systems).

(2) Employees recently assigned or newly appointed to trainee or entry-level positions. The length of time for which the employee is deemed ineligible for telework is at the WHS-serviced Component's discretion and should be based upon criteria identified and addressed in the Component's telework guidance (e.g., the employee's performance within the first 6 months in the position or at mid-term review is at an acceptable level).

(3) In addition to the restrictions cited in paragraphs 3b(2)(a) and (b) of this enclosure, an employee may not telework if the employee has been:

(a) Officially disciplined for being absent without permission for more than 5 days in any calendar year.

(b) Officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer (see [https://www.oge.gov/web/oge.nsf/resources\\_standards-of-conduct](https://www.oge.gov/web/oge.nsf/resources_standards-of-conduct)) or while performing official Federal Government duties, consistent with the guidance in section 2635.704 of Reference (r).

4. ESTABLISHING A TELEWORK ARRANGEMENT. If it is determined that telework is a viable option, the supervisor and the employee must:

a. Complete Telework Training. Employees authorized to telework and their supervisors will complete telework training before signing a DD Form 2946 and initiating a telework arrangement.

(1) Telework Training. Comprehensive OPM telework training courses for supervisors and employees are available via the WHS iCompass Learning Management System (LMS). Employees can access iCompass through Internet Explorer by proceeding to the LMS SharePoint Web page at <https://whsportal.osd.mil/lms>. New employees can request LMS account login information at [https://whs.plateau.com/iconent/CUSTOM\\_fed/whs/WHS\\_Account\\_Request/Account\\_Request.htm](https://whs.plateau.com/iconent/CUSTOM_fed/whs/WHS_Account_Request/Account_Request.htm). The telework training is also available at the OPM Web page at: <https://www.telework.gov/training-resources/telework-training/>. Upon successful completion of telework training, a copy of the employee's certificate of completion should be forwarded to the employee's supervisor.

(2) DoD Annual Training Requirements. In addition, employees authorized to telework must also meet DoD annual training requirements (e.g., Privacy Act, cybersecurity) and be trained on accessing the unclassified DoD information technology network remotely, in accordance with References (k) and (l) and DoDD 8140.01 (Reference (s)).

b. DD Form 2946. An approved DD Form 2946 must be in place before an employee is permitted to telework. The completed DD Form 2946 will be signed and dated by the employee and the supervisor and will be maintained by the supervisor. Telework agreements will be reviewed by the supervisor and teleworker and revalidated, revised, or terminated at least every 2 years. A new DD Form 2946 will be completed when a new supervisor is responsible for the employee. All telework agreements will address the following:

(1) The employee's telework location (e.g., the employee's home or other approved alternative worksite such as a telework center, when appropriate).

(2) Any requirement that an employee already scheduled to telework continue to telework during an office closure or early dismissal.

(3) Any telework requirements associated with the closure of the regular worksite (e.g., emergency dismissal due to adverse weather conditions such as snow emergencies, floods, hurricanes, or any other type of emergency).

(4) Reporting instructions and requirements associated with an OPM announcement that government offices in the Washington, D.C. area are open with the option for unscheduled telework.

(5) Instructions identifying if classified (where applicable and authorized at a secure alternative location) and CUI data is authorized for use at the telework location. If so, criteria for the proper encryption, storage, safeguarding, and return of such information and data will be consistent with paragraphs 3f(2)(a) through (c) of Reference (c).

(6) Supervisor expectations of an employee's performance. As with on-site personnel, employees will be held accountable for the results that they produce while teleworking. The employee may not be authorized to telework if the employee's performance does not comply with the terms of the telework agreement.

(7) Requirement that if an employee has mission-critical duties, he or she is required to telework in the case of a COOP event or required to work during office closures due to adverse or inclement weather, or infectious disease health crisis, if applicable.

5. EQUIPPING FOR TELEWORK. WHS-serviced Components should provide the necessary equipment and office supplies (e.g., paper, toner, and printer ink) for use with GFE for employees who telework on a routine basis within budgetary constraints, based on the nature and type of work performed. This includes facsimile machines, internet services, broadband access, e-mail services, voice over IP equipment and services, desktop videoconference equipment and services, and, in general, any other telecommunications equipment and services the component deems needed by individuals teleworking. Equipment and supplies may be furnished for employees who telework on a situational basis when practicable. Employees must comply with equipment usage requirements set forth in the telework agreement. General Services Administration offers guidelines for equipment and support that agencies may provide to teleworkers in page 13845 of Volume 71, Federal Register (Reference (t)).

a. GFE. GFE should be approved for employees who telework on a routine basis and for situational teleworkers, when practicable and within budget constraints. The supervisor or other designated management official should determine the feasibility of furnishing and installing GFE and software.

(1) GFE will be used for official and authorized purposes only. Family members and friends of teleworkers are not authorized to use GFE and materials. GFE must be returned to the

WHS-serviced Component at the conclusion of teleworking arrangements or at the Component's request.

(2) The WHS-serviced Component will be responsible for the service and maintenance of GFE.

(3) Employees are responsible for protecting GFE and information from theft, damage, and improper use.

b. Personally Owned Equipment. Use of personally owned computers to access unclassified DoD systems or networks remotely must comply with the criteria and guidelines for using personal equipment established by the DoD Chief Information Officer and the employee's respective WHS-serviced Component requirements.

(1) The teleworker is responsible for the installation, repair, and maintenance of all personally owned equipment (e.g., printers, routers, modems) and other incremental costs associated with the residential worksite. Operating costs associated with the teleworker using the teleworker's personal residence as the alternative worksite including home maintenance, insurance, or utilities (e.g., heat, electricity) will not be assumed by the DoD.

(2) The DoD is not liable for damages to the teleworker's personal or real property while the employee is working at home, except to the extent the government is liable under sections 1346(b), 1402(b), 2401(b), and 2761-1680 of Title 28, U.S.C. (Reference (u)) or section 3721 of Title 31, U.S.C. (Reference (v)).

c. Installation of Telecommunication Equipment and Services. As a matter of practice, WHS-serviced Components typically will not install or pay for monthly service charges for telephone or internet access. Payment for these may be granted in uncommon circumstances (e.g., access to high-speed connectivity is cost prohibitive at the alternative worksite) provided that the approving official certifies that adequate safeguards against private misuse exist, and that the service is necessary for direct support of the mission.

d. Security Considerations. Teleworkers are responsible for safeguarding all DoD information and protecting GFE and government property and performing assigned duties while teleworking in support of WHS-serviced Component mission requirements.

(1) Employees in telework arrangements will not take classified documents (hard copy or electronic) to their homes or alternative worksites. However, the WHS-serviced Component head may authorize classified telework at an approved alternative secure location. If approved, teleworkers will comply with the procedures established by their respective Component regarding such work.

(2) Employees must protect:

(a) Personally identifiable information to ensure it is collected, maintained, disseminated, and used in accordance with References (m) and (n).

(b) Special access program, sensitive compartmented information, classified, CUI, and FOUO in accordance with the guidance in Reference (o), Reference (q), DoD Manual 5400.07 (Reference (w)), as well as WHS-serviced Component procedures.

(3) Employees must protect competition sensitive, source selection information or contractor proprietary data restricted by section 2102 of Title 41, U.S.C. (Reference (x)), or data otherwise restricted by the Federal Acquisition Regulation (Reference (y)), the Defense Federal Acquisition Regulation Supplement (Reference (z)), or other WHS-serviced Component acquisition policies.

(4) Employees must comply with criteria and guidelines established by the DoD Chief Information Officer and their respective WHS-serviced Component for using both GFE and non-GFE and for access to DoD information systems and networks to perform telework.

(5) Employees who telework from home must comply with criteria and guidelines established by their respective WHS-serviced Components for keeping GFE and information safe and secure.

## 6. DETERMINATION OF OFFICIAL WORKSITE

a. Designation of the official worksite will be established for an employee on an approved regular telework schedule on a case-by-case basis consistent with the guidance in section 531.605 of Reference (r). The official worksite for an employee covered by a telework agreement:

(1) Is the location of the regular worksite for the employee's position (i.e., the place where the employee would normally work absent a telework agreement), as long as the employee is scheduled to report physically at least twice each biweekly pay period on a routine basis to the official worksite.

(2) May involve an arrangement where the employee has no dedicated space at the worksite, but uses alternative arrangements when working at the official worksite location (e.g., desk sharing, hoteling, or hot desking). In the case of a telework employee whose work location varies on a recurring basis, the employee does not need to report at least twice each biweekly pay period to the regular worksite established by the agency as long as the employee is performing work within the same geographic area (established for the purpose of a given pay entitlement) as the employee's regular worksite.

b. In rare situations, the WHS-serviced Component head may approve an employee request for reassignment of the employee from the official work site to the telework site location in a temporary arrangement in accordance with section 531.605 of Reference (r). Referred to as remote telework, this is typically a work arrangement in which the employee resides and works at a location beyond the local commuting area of the employing organization's worksite and generally includes full-time telework. Specific terms and conditions must be identified in the DD Form 2946. Approval of such arrangement will be coordinated with the BWD. When an

employee's worksite is changed from the official worksite to the telework location as defined in the telework agreement, a Standard Form 50, "Notification of Personnel Action," must be completed to reflect the new duty location and associated locality pay. Supervisors and employees should be aware of the implications of this arrangement.

(1) Employees are compensated based on the location of their official worksite (i.e., when the telework location is the employee's official worksite, locality pay is based on the location of the telework site, not the regular worksite).

(2) Employees are entitled to reimbursement for official business travel to the regular worksite when the employee teleworks full-time from a location outside of the local commuting area, and his or her alternative worksite has been determined as his or her official duty station.

(3) Reassignment of the employee from the official worksite to the telework site may also have implications for a reduction in force (e.g., the telework site may be a different competitive area than the traditional worksite).

7. PERFORMING AND MANAGING TELEWORK. Telework is beneficial for both employees and the organization and must be properly managed in order to be effective.

a. Establish Clear Work Requirements. Supervisors and employees should discuss the work to be performed and establish clear goals, job objectives, and work products to be accomplished through telework. Once clear job objectives are established, teleworkers will be held accountable for the results they produce.

b. Plan and Prepare. To be telework-ready in an emergency, an employee must have a current telework arrangement in place, have needed equipment and connectivity available, have practiced telework regularly in order to ensure proficiency and capability, and have sufficient work available to remain productive for the duration of the event. Supervisors and employees should carefully prepare for each telework period, identifying the tasks to be completed while teleworking.

c. Maintain Communications. Employees should maintain open communication with their supervisor, co-workers, and clients during telework. During work hours, the employee is expected to respond to e-mail and phone calls promptly, with the same regularity that is expected in the traditional work site. Management of daily communication requirements (e.g., requirement to log-on and out (or e-mail supervisor) at start of tour of duty, lunch, breaks, and end of tour of duty) will be left to the supervisor's discretion. Failure to maintain appropriate communications at the alternative worksite may result in the termination of the telework arrangement.

d. Equipment Failure. Teleworkers must immediately report equipment failure at the alternative worksite to their local technical support organization or service provider. If resolution is not possible in a reasonable period of time, the teleworker should contact the supervisor. An employee who is unable to work at the alternative site due to equipment failure,

power outage, or other similar circumstances will contact the supervisor who, based on the situation, will determine the appropriate duty or leave status and whether or not the employee should report to the official duty station.

e. Evaluation and Feedback. Supervisors will regularly evaluate a teleworker's work products and provide feedback to the employee. Supervisors and employees should regularly discuss the telework arrangement and make adjustments as necessary.

(1) Teleworkers and non-teleworkers will be treated the same for the purpose of work requirements, periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade, retaining and removal, and other acts requiring management discretion. Performance standards for teleworkers should be the same as performance standards for on-site personnel.

(2) As with on-site personnel, any decline in performance will be addressed immediately. If the supervisor believes the decline in performance is due in whole or in part to the employee's participation in the program, the telework arrangement should be modified or terminated as appropriate to correct the deficiency.

f. Changes to Telework Schedule. Requests by teleworkers to change their scheduled telework day(s) in a particular week or biweekly pay period should be accommodated by the supervisor where practicable, consistent with mission requirements. A permanent change of the telework agreement must be reflected by approval of a new DD Form 2946.

g. Re-Certification of Telework Arrangement. Telework agreements will be reviewed by the supervisor and teleworker, re-validated at least every 2 years, and revised as appropriate. A new DD Form 2946 should be completed when a new supervisor is assigned to the employee.

8. HOURS OF WORK AND LEAVE. Employees who telework must be at their alternative worksite during their scheduled tour of duty. Work schedules and hours of duty may be changed with the supervisor's approval and in accordance with established procedures. If the employee's telework schedule conflicts with organizational requirements, the needs of the organization will take precedence over a signed telework agreement.

a. Employee Availability. The business needs of the organization, as determined by the supervisor, will determine whether a teleworking employee must report to the traditional worksite on a day that would normally be a telework day. In those situations when the supervisor determines the employee must be present at the traditional worksite, e.g., to attend meetings or mandatory training, the employee must comply. However, every attempt should be made to provide the employee with reasonable notice. A recall to the office for operational reasons is not a termination of the telework agreement.

b. Dependent Care. Employees are prohibited from using telework as a substitute for dependent care, e.g., child or elder care. Employees who fail to adhere to this requirement may have their telework arrangement terminated and may be subject to disciplinary action.

c. Telework and Alternative Work Schedules. Telework is compatible with alternative work schedules. Subject to other eligibility requirements, employees on compressed or flexible work schedules may telework.

d. Premium Pay. Premium pay provisions that apply to work at the traditional worksite also apply to employees who telework. Employees may work overtime (including compensatory time) only when ordered and approved in advance by the supervisor.

e. Leave. A telework arrangement is not intended to be a substitute for leave when an employee is incapacitated or otherwise unable to perform his or her duties. Leave must be requested and approved in advance of its use in accordance with the WHS-serviced Component's procedures for requesting leave and AI 67 (Reference (aa)). A supervisor may deny leave that is not requested properly.

f. Telework During Emergency or Closure Situations. Employees who are telework-ready (i.e., approved and equipped for routine or situational telework) who are not able to report to their assigned office location due to a government closure from a natural or manmade emergency event (e.g., snow emergency, flood, hurricane, earthquake, wild fire, act of terrorism, pandemic) will telework each regularly scheduled work day during the emergency situation. Contingent upon supervisory approval, telework-ready employees may telework when government offices are open with the option for unscheduled telework when weather conditions make commuting hazardous, or similar circumstances compromise employee safety. During any period that a WHS-serviced Component is operating under the COOP plan, that plan will supersede the telework policy and the provisions of the telework agreement.

(1) The requirement that a teleworker continue to work in the event of an office closure is mandated on the DD Form 2946.

(2) Employees who are unable to work due to personal situations (e.g., injury, illness, or dependent care responsibilities) will request annual or sick leave as appropriate in accordance with the WHS-serviced Component's procedures for requesting leave.

(3) In the event of circumstances preventing a teleworker from working at the telework location (e.g., loss of electrical power; evacuation by local authorities; or the employee cannot access materials necessary to continue work during the emergency):

(a) The employee will attempt to contact a supervisor to request administrative leave. Supervisors may administratively excuse the designated teleworker from teleworking on a case-by-case basis.

(b) If the teleworker is unable to communicate with the teleworker's supervisor to be excused from duty and cannot maintain a remote working status, the teleworker should follow the WHS-serviced Component's emergency guidance, orders, and procedures (e.g., outlined in COOP and other applicable emergency management plans). Administrative excusal (i.e., administrative leave) is not an entitlement. Therefore, it should not be assumed that such excusal is approved.



(4) Teleworkers who are required to work during their regular tour of duty on a day when the traditional work site is closed (or when other employees are dismissed early) are not entitled to receive overtime pay or other compensatory time off for performing work during the teleworker's regularly scheduled hours.

g. Unscheduled Telework During Adverse Conditions. In the event that weather conditions or other circumstances disrupt commuting or compromise employee safety, OPM may issue an announcement that government offices are open and employees have the option of unscheduled telework. WHS-serviced Components located outside of the Washington, D.C. area should defer to official guidance provided by their local Component head or the installation commander in response to any weather conditions or other circumstances that disrupt commuting or compromise employee safety.

(1) Employees approved for regular and situational telework who are not able to report to their assigned office location will telework each regularly scheduled workday during the emergency, when the capability to telework is available at the alternative worksite. When government offices are closed to the public, designated employees who are unable to work due to personal situations or other circumstances (e.g., illness, dependent care responsibilities, loss of electrical power, evacuation by local authorities, or the employee cannot access materials necessary to continue work during the emergency) will attempt to contact a supervisor to request leave appropriate for those circumstances or to be excused from duty. Supervisors may administratively excuse designated teleworkers from teleworking on a case-by-case basis.

(2) If the worksite office is open and circumstances prevent the employee from teleworking, the employee may report to the worksite or request leave as practicable. If the teleworker is unable to communicate with his or her supervisor to be excused from duty and cannot maintain remote working status, the teleworker should follow the WHS-serviced Component's emergency guidance, orders, and procedures (e.g., outlined in COOP and other applicable emergency management plans). Any requirement that a teleworker continue to work during an office closure or early dismissal will be included in the employee's DD Form 2946.

(3) In the event of a pandemic health crisis, employees with COOP responsibilities, Service members, and employees who do not have COOP responsibilities but are trained and equipped to telework may be asked to telework to prevent the spread of germs. These employees or Service members should telework on a regular basis to ensure their proficiency and telework's effectiveness in continuing operations. Employees or Service members in positions not typically eligible for telework should telework on a situational basis when feasible. These employees must have a signed DD Form 2946 in place.

(4) When an employee's residence or other approved alternative worksite has been designated as a safe haven during an emergency, such as a pandemic health crisis evacuation, the supervisor may assign any work necessary, as long as the employee has the skills to perform the assigned work, without regard to the employee's grade or pay band level. In cases where a safe haven is designated, a DD Form 2946 does not need to be in place consistent with the guidance in section 550.409 of Reference (r).

h. Employees with Mission-critical Duties. Employees with mission-critical duties should telework on a regular basis to ensure their proficiency and telework effectiveness in continuing operations in the event of an emergency or pandemic. Employees with mission-critical duties in positions not typically eligible for telework should telework on a situational basis, when feasible. Such employees must have a signed DD Form 2946 in place.

i. Work-related Injuries or Illnesses. Employees are covered by chapter 81 of Reference (d) when injured or suffering from work-related illnesses while conducting official government business at the telework location. The DoD's potential exposure to liability is restricted to the designated official alternative worksite. Employees paid from non-appropriated funds are covered under chapter 18 of Title 33, U.S.C. (Reference (ab)). Employees should immediately notify their supervisors if injured while teleworking and provide their supervisors with medical documentation related to the injury.

9. TIME AND ATTENDANCE. Time spent in a telework status must be accounted for and reported in the same manner as if the employee reported for work at the traditional worksite. Employees will use the following codes in accounting for telework: "TW" for routine telework; "TS" for situational telework; or "TM" for telework to accommodate a medical condition.

10. TELEWORK DENIAL AND TERMINATION. A request to telework may be denied by the supervisor. In addition, a telework agreement may be terminated at the discretion of the supervisor or at the employee's request.

a. Denial or Termination of Telework Arrangement by Supervisor. When an employee's request to telework is denied or an agreement is terminated by the supervisor, the reasons for termination will be documented in writing on Section IV, "Notice of Telework Arrangement Cancellation" of the DD Form 2946 and given to the employee. Termination of telework arrangements should be based on business reasons (e.g., telework agreement fails to meet the organization's needs, employee's performance does not meet the prescribed standard, employee or his or her duties no longer meets the eligibility criteria).

b. Termination of Telework Arrangement by Employee. Employees may voluntarily terminate their participation in a telework arrangement. Such requests should be submitted in writing on Section IV, "Notice of Telework Arrangement Cancellation," of the DD Form 2946 and given to the employee's supervisor. Employees will normally provide at least 2 weeks' notice so that arrangements can be made to accommodate their return to work at the regular work site, if necessary. Reactivation of a telework arrangement may involve a waiting period at the discretion of the supervisor (e.g., 12 months). Employees with mission-critical duties may still be required to telework in emergency situations in support of COOP.

c. Employee Appeal of Telework Denial or Termination. Employees may dispute the denial of telework, the reasons given for a denial, and the termination of an existing telework agreement through WHS-serviced Component administrative grievance procedures. Bargaining unit

employees may file a grievance through negotiated grievance procedures, if provided for in their respective collective bargaining agreement.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

AD	assistant director
AI	administrative instruction
BWD	Benefits and Work-Life Division
COOP	continuity of operations
CUI	controlled unclassified information
DD	Department of Defense (forms)
DODD	DoD Directive
e-mail	electronic mail
FOUO	For Official Use Only
GFE	government furnished equipment
HRD	Human Resources Directorate
LMS	Learning Management System
OPM	Office of Personnel Management
TMO	Telework Managing Officer
U.S.C.	United States Code
WHS	Washington Headquarters Services

## PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this AI.

alternative worksite. A place away from the official worksite that has been approved for the performance of assigned official duties. It may be an employee's home or other approved worksite.

COOP planning. Defined in Reference (c).

eligibility. Characteristics of the job position and the employee that identify suitability for teleworking as determined by the supervisor or other appropriate management official in the employee's chain of command.

employee. A DoD civilian employee, to include foreign national employees, paid from appropriated or non-appropriated funds.

medical telework. Used when an employee has a medical condition supported by administratively acceptable medical documentation that prohibits them from reporting to the regular worksite for any extended period of time. Approved on a case-by-case basis, at the discretion of the supervisor.

mission-critical duties. Job position functions that are identified as critical to performance of the mission.

official worksite. Defined in Reference (c).

officially disciplined. Any disciplinary action that results in the placement of a document in an employee's official personnel file, e.g., written reprimand, suspension, absence without permission, in any calendar year. The bar on participation may remain in effect as long as the document stays in the employee's official personnel file. On a case-by-case basis, at the discretion of the supervisor, employees who have been officially disciplined may be authorized to telework based upon sound business or performance requirements.

reasonable accommodation. Any change in the work environment or in the way activities are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities pursuant to sections 791 and 794 of Reference (e).

regular worksite. Defined in Reference (c).

remote telework. A work arrangement in which the employee resides and works at a location beyond the local commuting area of the employing organization's worksite. The arrangement generally includes full-time telework and may result in a change in duty location to the alternative worksite (e.g., home).

routine telework. Telework that occurs as part of a previously approved, ongoing, and regular schedule.

situational telework. Telework that is approved on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing and regular telework schedule. Examples of situational telework include telework as a result of inclement weather, doctor appointment, or special work assignments. Situational telework is sometimes also referred to as episodic, intermittent, unscheduled, or ad-hoc telework.

supervisor. Defined in Reference (c).

telework. Telework is a work arrangement that allows an employee to perform work, during any part of regular, paid hours, at an approved alternative worksite (e.g., home, telework center). This includes what is generally referred to as remote work but does not include any work done while on official travel or mobile work.

telework agreement. Defined in Reference (c).

telework center. Defined in Reference (c).

telework-ready. An employee who has an approved, current telework agreement form (DD Form 2946), access to work assignments that can be completed at the remote location, and equipment necessary to perform work assignments and have practiced telework regularly in order to ensure proficiency and capability. When an emergency occurs, telework-ready employees in the affected area are expected to telework as scheduled for the duration of the emergency. In unscheduled telework situations, a telework-ready employee must also have sufficient work available to remain productive.

telework site. Alternative worksite location where an employee performs assigned official duties.

unscheduled telework. Unscheduled telework allows employees that are telework-ready to participate in telework during emergency situations. Unscheduled telework is available when OPM makes an announcement to the public and media on the status of operations for the Washington, DC area.