

**Economic Development Administration  
U.S. Department of Commerce**

**Telework Program**

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**Supersedes 2011 and 2013 Department Policies**



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## **I. SCOPE**

The provisions of this document apply to all non-bargaining unit employees of the Economic Development Administration (EDA). All participation in telework arrangements is voluntary, except for those employees designated as “emergency,” those employees who are part of Continuity of Operations (COOP), or otherwise required to telework as a condition of employment.

## **II. BACKGROUND**

Telework refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of his/her position, and other authorized activities, from an approved worksite (e.g., home) other than the location from which the employee would otherwise work. This definition includes what is generally referred to as remote work but does not include any part of work done while on official travel or mobile work.

The EDA Telework Policy follows the Department of Commerce Telework Policy (October 2014), and the provisions of the Telework Enhancement Act of 2010 (Public Law 111-292, October 9, 2010).

The purpose of this EDA Telework Program is to promote: (1) recruiting and retaining the best possible workforce; (2) continuing operations during emergency conditions; (3) successful management effectiveness by reducing management costs related to employee turnover and absenteeism; (4) reducing real estate and transit costs; and (5) enhancing work/life balance by allowing employees to better manage their work and family obligations.

EDA recognizes that a well-managed telework program has the potential to lead to such benefits as improved marketability (as a more competitive and inclusive employer); reduced commuting time that can contribute to an improved quality of work/life balance; cost savings in such areas as recruitment and retention of employees; and an improved Continuity of Operations Plan (COOP). In addition to the benefits of reduced commuting time and costs that accrue to employees, and more effective accomplishment of EDA’s mission, EDA supports telework as a major element in its efforts to reduce its facility space requirements, thereby reducing its energy consumption, greenhouse gas emissions, surface ozone, rent, and other operating costs.

This program recognizes and supports the need for improved communication between the employee and his/her management on all aspects of the applicable telework arrangements for the employee and for the organization. In addition, this program recognizes that the employee and management are equally responsible for contributing to the success of telework.

## **III. TYPES OF TELEWORK**

There are three types of telework: (1) routine telework in which telework occurs as part of an ongoing, regular schedule; (2) ad-hoc/episodic telework that is approved on a case-by-case basis, where the hours worked are not part of a previously approved, ongoing, and regular telework schedule; and (3) unscheduled telework in which Federal/Department offices are open but under

an announcement of “Unscheduled Telework” by the Office of Personnel Management (OPM) or other appropriate authority.

#### **IV. DEFINITIONS**

**AD HOC/EPISODIC TELEWORK (AD HOC)** – Approved telework performed on an ad hoc, occasional, one-time, or irregular basis. An employee can be approved to telework on an ad hoc/episodic basis (not a regular and recurring schedule), but must comply with all telework requirements before participating.

**APPROVING OFFICIAL** – The official authorized to approve individual telework agreements. In some cases, the approving official and the supervisor may be the same person.

**ALTERNATE WORKSITE** – The employee’s residence or another location other than the employee’s traditional worksite that has been approved by the approving official for the performance of the employee’s official duties. For purposes of telework, the alternate worksite is considered an official Government worksite.

**CONTINUITY OF OPERATIONS PROGRAM (COOP)** – Initiative that ensures that Federal Government departments and agencies are able to continue operation of their essential functions under a broad range of circumstances including all-hazard emergencies as well as natural, man-made, and technological threats and national security emergencies

**ELIGIBLE TO TELEWORK** – All employees are considered eligible to telework unless: (1) the employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year (5 U.S.C. § 6502(a)(2)(A)) (there are no exceptions); (2) the employee has been officially disciplined for violations of 5 CFR Part 2635 (Standards of Ethical Conduct for Employees of the Executive Branch) for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties (5 U.S.C. § 6502(a)(2)(B)) (there are no exceptions); or (3) the employee’s performance does not comply with the terms of the written agreement between the supervisor and the employee (5 U.S.C. § 6502(b)(3)).

**ELIGIBLE POSITION** – A position is an eligible position unless the official duties require on a daily basis (every workday) the direct handling of secure materials determined to be inappropriate for telework by the head of the bureau/operating unit; *or* the employee performs on-site activities that cannot be handled at an alternate worksite.

**ERG MEMBER** – Emergency Response Group member. A person assigned responsibility to report either, as on call, or as a backup, to an alternate site, as required, in order to perform agency-essential functions or other continuity-related operations.

**ESSENTIAL FUNCTIONS** – Functions that enable the Federal Government to provide vital services, exercise civil authority, maintain the safety and well-being of the general populace, and sustain the industrial/economic base in an emergency.

**HOTELING** – A telework arrangement in which employees are not assigned permanent space in their designated traditional worksite, but share offices and conference space as necessary when working at the traditional worksite. Such space is assigned by reservation, much like a hotel.

**MOBILE WORKERS** – Employees who, by the nature of their duties, do not have a designated traditional worksite, and typically use their home as their “home base.” Due to the nature of their work, they **are not** considered telework-ready employees. Note: This is different from ‘hoteling’ arrangements, in which frequent telework-ready employees use shared space when they are working at their designated traditional worksite.

**OFFICIAL DUTY STATION** – The location of an employee’s position of record where the employee regularly performs his or her duties. If the employee’s work involves recurring travel or their work location varies on a recurring basis, the duty station is the location where the work activities of the employee’s position of record are based, as determined by the approving official. An employee’s official duty station determines the appropriate locality area for pay purposes for General Schedule or equivalent employees.

**REGULAR/RECURRING TELEWORK** – Telework that is performed on the same day(s) of the week on the employee’s regularly scheduled tour of duty.

**REMOTE WORKER** – The employee is teleworking full-time from an alternate work site. The alternate work site becomes the employee’s official duty station for pay purposes.

**TELEWORK** – Telework, known as “telecommuting,” refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of his/her position, and other authorized activities, from an alternate worksite, not the traditional worksite.

**TELEWORK-READY EMPLOYEE** – An employee who has completed the Telework 101 – Employee via the Commerce Learning Center; has a signed individual telework (either regular/recurring or ad hoc) agreement; and has the required necessities to work their planned period of telework. Telework-ready employees may also be required to perform duties outside of their usual or customary duties to ensure continuation of agency-essential missions or activities.

**TRADITIONAL WORKSITE** – The traditional worksite is where the employee would work absent a telework arrangement.

**UNSCHEDULED TELEWORK** – Telework performed when Federal/Department offices are open but under an announcement of “**Unscheduled Telework**” by the Office of Personnel Management (OPM) or other appropriate authority.

## **V. POLICY**

- A. An employee may not be authorized to telework if the performance of that employee does not comply with the terms of the written agreement between the agency manager and the employee.

- B. All eligible employees of EDA who meet the definition of “employee” as defined in 5 U.S.C. § 2105 are covered by the policy, in accordance with the Act. Eligible employees may work at alternate work sites in lieu of their traditional worksite during an agreed upon regular/recurring time of their regular workweek, or on an ad hoc basis; the duties of the position are conducive for teleworking; and the employee has an approved individual telework agreement in place.
- C. An employee’s decision to telework is voluntary unless telework is a condition of employment (i.e., the employee is designated an “emergency employee”) or is required to continue Government operations in times of emergency (like for COOP). In these instances, an employee may be required to work at home or at another approved alternate worksite.
- D. The approving official will determine the number of regular/recurring telework days that an employee can work per week. Normally, employees who telework will work the same hours they work in the regular office. 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
- E. Telework may not be used to care for elders, children, or other dependents. If the elders, children, or other dependents are able to care for themselves, then their presence at the telework location would not interfere with the employee performing his/her telework.
- F. Teleworkers and non-teleworkers shall be treated the same for certain purposes:
  - 1) periodic appraisals of job performance of employees;
  - 2) training, rewarding, reassigning, promoting, reducing in grade, retaining, and removing employees;
  - 3) work requirements; and,
  - 4) other acts involving managerial discretion.
- G. EDA recognizes that some employees will decide not to telework at all, while others will choose to telework only on a limited ad hoc basis, and others will telework to the maximum extent possible. To accommodate employees desiring to telework, EDA offers two levels (Plans) of telework.
  - 1. Plan A (for ad hoc/unscheduled telework)
    - a. Includes employees **not** on a regular/recurring telework schedule.
    - b. Includes employees performing ad hoc/unscheduled teleworking of no more than 80 hours during a term of 12 months beginning with the initial Plan agreement.
    - c. Scheduled telework must be performed during core hours as designated by the operating unit.
    - d. No prior supervisory approval required for unscheduled telework. Employees performing unscheduled telework under an OPM or other appropriate authority announcement may do so without prior supervisory permission. However, the employee must notify his/her supervisor in accordance with the terms of the written agreement.

- e. Approval for ad hoc telework. The employee must obtain supervisory approval before performing ad hoc telework.
  - f. Sufficient work. The employee is responsible for ensuring he/she has sufficient work for the period of his/her teleworking.
  - g. Office is closed. The employee is not required to telework when the office is closed for reasons other than Federal law or Executive order.
  - h. Upgrading to Plan B. Employee may switch to Plan B at any time prior to reaching the 80 hour limitation, and the individual agreement will reflect the change.
2. Plan B (for regular/recurring telework, or ad hoc/unscheduled over 80 hours, or combination of regular/ad hoc)
- a. Includes all employees on a regular/recurring telework schedule. Scheduled telework must be performed during core hours as designated by the operating unit.
  - b. Includes employees performing more than 80 hours of ad hoc and/or unscheduled telework. This includes employees who desire the option of doing ad hoc and/or unscheduled telework more than 80 hours during the term of the agreement.
  - c. Employee obtains approval before ad hoc telework. The employee must obtain supervisory approval before performing ad hoc telework.
  - d. No approval needed for unscheduled telework under OPM or other appropriate authority announcement. However, employees must notify his/her supervisor in accordance with the terms of the written agreement. Employees may perform unscheduled telework without prior supervisory approval.
  - e. Sufficient work. The employee is responsible for ensuring that he/she has sufficient work for the period of telework scheduled to be performed.
  - f. Less than 80 hours of ad hoc/unscheduled telework. Performing less than 80 hours of ad hoc/unscheduled telework during term of agreement does not change the employee's election of Plan B.
  - g. Offices are closed. The employee must telework when his/her office is closed for reasons other than Federal law or Executive order.

#### H. Teleworking

1. Written agreements must indicate that telework-ready employees on Plan B are required to telework from home or an alternate worksite when their office is closed for other than Federal law/Executive order. Telework-ready employees must follow their written agreements.
2. On a case-by-case basis, the supervisor may excuse a telework-ready employee from duty without charge to paid personal leave or loss of pay during an emergency situation if: (1) the emergency adversely affects the telework site (e.g., disruption of electricity, or network connection problems that prevent telework); or (2) the telework-ready employee's duties are such that he/she cannot continue to work without contact with the regular worksite.
3. If the telework-ready employee faces a personal reason that prevents him/her from working successfully at the telework site, the employee may request the

- appropriate leave (annual, sick, compensatory, credit hours, compensatory time for travel). The employee may also request to change their alternative work schedule, if applicable.
4. Systems are to be in place to support telework in an emergency, including a communication process to notify COOP personnel, emergency, and non-emergency employees of the activation of the agency's emergency plan, and the agency's operating status during the emergency.
  5. Telework-ready employees scheduled to telework during their regular tour of duty on a day when their office is closed (or when other employees are dismissed early) are not entitled to receive overtime pay, credit hours, or compensatory time off in lieu of overtime payment for performing work during their regularly scheduled hours.
  6. In an emergency requiring the closure of EDA facilities, telework-ready employees required to work when the office is closed must telework from an approved worksite. If the employee does not have access to portable work or an appropriate worksite is not available, the supervisor will have the authority to except an employee from the direction.
  7. All time teleworked in a pay period will be recorded per instructions in the appropriate time and attendance system.
  8. All employees designated as "emergency" or with COOP responsibility must have an approved individual telework agreement.
- I. Performance Standards. Performance standards for telework-ready employees must be the same as performance standards for non-telework-ready employees. Expectations for performance should be clearly addressed in each employee's performance plan, and the performance plan should be reviewed to ensure the standards do not create inequities or inconsistencies between telework-ready and non-telework-ready employees. Like non-telework-ready employees, telework-ready employees are held accountable for the results they produce. Resources for performance management are available from OPM at [www.opm.gov/perform](http://www.opm.gov/perform).

## **VI. ELIGIBILITY CRITERIA**

Participation in telework is open to all eligible employees without regard to race, color, religion, sex (including pregnancy and gender identity), national origin, political affiliation, sexual orientation, marital status, disability, genetic information, age, membership in an employee organization, retaliation, parental status, military service, or other non-merit factors.

- A. Employees Exceptions. Employees who occupy positions for which telework is conducive may telework under this policy as per the Act, unless they fall within the following exceptions:
1. The employee has been officially disciplined<sup>1</sup> for being absent without permission for more than 5 days in any calendar year.

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<sup>1</sup> Definition of Officially Disciplined – A disciplinary action that results in the placement of a document in an employee's official personnel file (OPF); the bar on telework participation remains in effect as long as the document stays in an employee's OPF. A suspension or termination related to the items mentioned in Public Law 111-292 that results in a document (Standard Form 50) that permanently remains in the OPF would result in permanent prohibition in telework participation.

2. The employee has been officially disciplined<sup>2</sup> for violations of 5 CFR Part 2635 (Standards of Ethical Conduct for Employees of the Executive Branch) for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties.<sup>3</sup>
3. The performance of the employee does not comply with the terms of the written agreement between the supervisor and that employee.<sup>4</sup> ([5 U.S.C. § 6502\(b\)\(3\)](#))

B. Precluded Due to Nature of Work of Position. While an employee may be eligible because they are not excluded based on the above, they may be precluded from teleworking if the official duties of the position require on a daily basis (every workday) require:

1. Direct handling of secure materials determined to be inappropriate for telework by the agency head;
2. On-site activity that cannot be handled remotely or at an alternate worksite; or
3. Being a mobile worker (not eligible for telework due to the nature of their work).

## **VII. ACCOMMODATIONS FOR EMPLOYEES WITH DISABILITIES**

It is important to distinguish between ordinary requests to telework and requests from persons with disabilities for reasonable accommodation. Approving officials/supervisors should consult Department Administrative Order (DAO) 215-10, "[Reasonable Accommodation Policy](#)," and the Disability Program Manager as part of the interactive process established by the Rehabilitation Act, in order to fully understand supervisors' responsibilities under the law.

As governed by Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 791 et. seq., the Rehabilitation Act and [DAO 215-10](#), the determination as to whether an employee may be granted telework as a reasonable accommodation due to a disability should be made through the Reasonable Accommodation Coordinator, the employee's first-line supervisor, and the employee.

## **VIII. ESTABLISHING THE WORK SCHEDULE**

Work schedules identify the days and times an employee will work while teleworking. Normally, telework schedules parallel those at the traditional worksite; however, they can differ to meet the needs of the organization and participating employees' needs. Work schedules may also include fixed times during the day for supervisor/employee telephone conversations, which may be helpful to ensure ongoing communication. For additional information on hours of duty, please visit [http://hr.commerce.gov/Practitioners/CompensationAndLeave/DEV01\\_006627](http://hr.commerce.gov/Practitioners/CompensationAndLeave/DEV01_006627).

## **IX. PROGRAM OVERSIGHT AND RESPONSIBILITIES**

Telework refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of his/her position, and other authorized activities, from an approved worksite (e.g., home) other than the employee's traditional worksite. This definition includes

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<sup>2</sup> See above.

<sup>3</sup> There are no exceptions for A1 or A2

<sup>4</sup> The length of this prohibition is up to the approving official.

what is generally referred to as remote work but does not include any part of work done while on official travel or mobile work.

- A. The OHRM is responsible for oversight of the Department Telework Program and for any reporting requirements to OPM. OHRM will review and monitor the various plans to ensure consistency across the bureaus/operating units with implementing the program.
- B. EDA is responsible for the development, funding, administration (including providing a designated telework coordinator), operation, and the evaluation of its policy and telework implementation plan.
- C. Supervisors are responsible for the overall management and success of teleworking within their work units, including day-to-day operations. Supervisors are encouraged to endorse regular telework taking into account the needs of the organization when requested by eligible employees (for exceptions see V.D). Telework-ready employees and their approving officials are responsible for annually reviewing the written agreement to ensure that it is current. The date of the review must be documented.
- D. Telework Coordinator (TC) conducts oversight over the EDA telework program, provides bureau policy and procedural program guidance, and ensures that all employees have access to telework information. The TC will: 1) provide advice and assistance to EDA personnel tasked with policy and implementation plan development, including working with senior-level managers in establishing and obtaining bureau telework goals, objectives, and reporting requirements; 2) in partnership with the approving official, establish a procedure for notifying each employee of a change in his/her eligibility or ineligibility to telework, and coordinate a process for approving and tracking telework arrangements; 3) ensure that employees are treated fairly in all aspects of the performance management system, including evaluations, promotions, awards and assignments; 4) answer questions and provide guidance to employees and supervisors as well as an orientation for new teleworkers; 5) develop and implement a reporting system capturing telework participation, hours teleworked, terminations, and denials; 6) maintain a central file of all approved agreements for the bureau; and, 7) investigate any allegations of impropriety in regard to teleworking employees and report findings to the EDA Assistant Secretary or the Department as appropriate.

EDA's TC is required to respond to requests from the DOC Telework Program Manager (TPM) for a variety of reporting requirements/initiatives. Below is information that may be requested, although it is not all-inclusive.

- The degree of participation by employees of the bureau/operating unit teleworking during the period covered by the report;
- The method for gathering telework data in the bureau/operating units;
- The reasons for positive or negative variations in telework participation if the total number of employees teleworking is 10 percent higher or lower than the previous year in the bureau/operating units;

- The bureau goal for increasing telework participation to the extent practicable or necessary;
- An explanation of whether or not the bureau met its goals for the last reporting period and, if not, what actions are being taken to identify and eliminate barriers;
- An assessment of the progress made in meeting bureau's participation rate goals and other goals related to telework, such as the impact of telework on emergency readiness, energy use, recruitment and retention, performance, productivity, and employee attitudes and opinions regarding telework; and,
- Best practices in the bureau.

The TC for EDA is the Deputy Chief Administrative Officer in the Office of Finance and Management Services.

## **X. MANDATORY TELEWORK TRAINING**

- All approving officials must successfully complete the required [Telework 101 for Managers](#) course via the [Commerce Learning Center \(CLC\)](#) and print a certificate of training completion prior to approving a written agreement.
- All employees who desire to telework must successfully complete the required [Telework 101 for Employees](#) course via the [CLC](#) before submission of their request to telework. Upon successful completion of the course, the employee must print a certificate of training completion and provide a copy to his/her approving official. Training is not required for renewal of a written agreement.
- All employees are also required to complete IT Security and Awareness Training on an annual basis.

## **XI. TELEWORK AGREEMENT PROCESS**

The "Telework Assessment Tool" is a tool for use by the appropriate management official and the employee in helping to determine the appropriateness of the employee teleworking. The tool should be provided to employees prior to their submission of a request to telework. The employee and appropriate management official may choose to discuss results of the tool prior to the actual submission of a request by the employee. The initial discussion between the requesting employee and his/her supervisor should take place within 10 days of receipt of the assessment tool.

If work is deemed to be portable and an arrangement is reached, the employee is required to complete the online telework training before submitting the agreement for approval and the employee begins to work from an alternate work location. A final decision by the supervisor must be made within 30 days of receipt of the telework application packet (Appendix A, B, C and training completion certificate).

- The telework agreement will include the following mandatory requirements
  - 1) Term of the agreement: An annual telework agreement will be one year unless a shorter term agreement is deemed appropriate by management due to business concerns or the employee enters into a telework agreement mid-cycle. A telework

- request may be made at any time in the calendar year, but all existing agreements will terminate on December 31. A new agreement must be signed by both parties to renew the agreement for the following year upon a submitted request by the employee unless the supervisor determines termination of the agreement is necessary.
- 2) Type of telework and plan: The agreement will specify whether the agreement is for regular, ad hoc or for continuity of operations/emergencies purposes. The agreement will indicate the employee selection of Plan A or Plan B. Employees on Plan A may elect to change to Plan B any time during the term of agreement; Plan B employees may not change to Plan A during the term of the agreement.
  - 3) Schedule: Ad hoc and/or regular/recurring days may be specified or flexible due to business necessity. Hours to be worked will be annotated and will comport with regular worksite reporting times.
  - 4) Requirements: The agreement will outline any requirements that support the arrangement (e.g., technology, software, data security).
  - 5) Expectations: The agreement will clarify work and productivity expectations, and any assumptions which could impact the arrangement, including location site, communication mode and frequency, and expected response times.
  - 6) Compressed work schedule: Telework agreements will have no impact on an employee's choice to participate in a compressed work week schedule; however, an employee's absence from the office for a compressed work schedule day off may be considered by a supervisor in determining how many telework days are permitted and on which days of the week.
  - 7) Expectations for emergency telework: Layout any special conditions or requirements that would be associated with the COOP and other emergency function or when weather emergencies require the closure of an EDA facility.
  - 8) Office Suitability: Employee safety and protection from hazards continue to be a high priority, even in an alternative workplace. The employee must complete the self-certification safety checklist for the proposed space and submit the checklist with the telework agreement application. If the employee's checklist indicates unsafe condition(s) exist at the telework site, the employee must take the necessary corrective actions and resubmit the checklist in order for telework to be approved. The employee must agree to make the office space available to the supervisor for visual inspection upon request during the hours the space is used as the alternative work space.
  - 9) The written agreement must provide that an employee may not be authorized to telework if the performance of that employee does not comply with the terms of the written agreement between the approving official and the employee.
- B) Approved telework packet. A copy of the complete approved application packet (Appendix A, B, and C), including the training completion certificate, must be provided to: a) employee for their records; and, b) TC for review, tracking and recordkeeping purposes.
- C. Modification and Termination
- 1) Telework is a workplace flexibility (unless it is actually designated as a condition of employment), not a legal right, and does not change the terms and conditions of

- employment. The operational needs of the bureau are paramount and employees who telework do not have an automatic right to continue to telework. In accordance with the Act, an employee may not be authorized to continue teleworking if the performance of that employee does not comply with the terms of the written agreement between the approving official and the employee.
- 2) Management shall provide sufficient notice, when feasible, before modifying or terminating a written agreement to allow the affected employee to make necessary arrangements. The reason for termination **must** be documented, signed by the approving official, and provided to the affected employee. Consent or acknowledgement via signature by the affected employee is not required for the termination of telework to take effect.
  - 3) The employee may request to modify the current agreement (e.g., change the regular teleworking day) by submitting a new “Telework Application/Agreement and Modification of Telework Agreement” (check “Modification”) with only the requested change indicated.
  - 4) An employee on Plan A may switch to Plan B at any time prior to reaching the 80-hours limitation during the term of the individual telework agreement.

## **XII. TERMINATION OF AGREEMENTS AND APPEALS PROCESS**

- A. Telework requests and agreements may be terminated or denied by management as long as the denial or termination decision is based on operational needs, conduct, or performance in accordance with the law, not personal reasons.
- B. The approving official must deny or immediately terminate the agreement, as applicable, if the employee fails to be eligible to telework due to [5 U.S.C. §§ 6502 \(a\)\(2\) or 6502\(b\)\(3\)](#).
- C. Approving officials must provide written justification to the affected employee to include information about when or if the employee would be eligible to reapply, and if applicable, what actions the employee should take to improve his/her chance of future approval. Supervisors are to provide employees, and maintain copies of, signed written denials or terminations of telework agreements. In addition, a copy must be provided to the central file.
- D. An employee may terminate his/her written agreement by written notice to the approving official. A copy of the written notice must be added to the central file.
- E. Telework-ready employees must use the administrative grievance procedure in [DAO 202-771](#), “Administrative Grievance Procedure,” to appeal issues relating to their request to telework, modification to an existing telework agreement, and termination of a telework agreement.
- F. Employees who believe they are the victims of prohibited discrimination may use the procedures in [DAO 215-9](#), ‘Filing Discrimination Complaints,’ to appeal the alleged discrimination.

### XIII. THE OFFICIAL DUTY STATION

- A. The location of an employee's position of record where the employee regularly performs his or her duties, or if the employee's work involves recurring travel or their work location varies on a recurring basis, the duty station is the location where the work activities of the employee's position of record are based, as determined by their approving official. An employee's official duty station determines the appropriate locality area for pay purposes (5 CFR 531.605).
- B. The official duty station must be documented on the employee's Notification of Personnel Action (SF-50) or equivalent.
- C. For employees temporarily detailed to a position in a different location without a change in the position of record, the official duty station and associated pay entitlements are not affected. For additional information on official duty stations, please see [http://www.opm.gov/oca/pay/html/Official\\_Duty\\_Station.asp](http://www.opm.gov/oca/pay/html/Official_Duty_Station.asp).

### XIV. DETERMINING THE OFFICIAL DUTY STATION

- A. Pay During Telework Agreements
  - 1) When traditional worksite and telework site are within the same locality pay area, the official duty station is the location of the traditional worksite.
  - 2) When traditional worksite and the telework site are NOT within the same locality pay area:
    - a. The official duty station is the location of the traditional worksite as long as the employee physically reports to the traditional work site at least twice each biweekly pay period on a regular and recurring basis.
    - b. The official duty station is the telework location (i.e., home or other alternate worksite) if the employee does NOT report at least twice each biweekly pay period on a regular and recurring basis to the traditional worksite.
  - 3) If a telework employee with a varying work location works at least twice each biweekly pay period on a regular and recurring basis in the same locality pay area in which the traditional worksite is located, the employee **does not** have to report twice each pay period to the official worksite to maintain the locality payment for that area.

Note: Senior Executive Service (SES) employees do not receive locality pay. Therefore, there are no pay implications if the SES employee works the entire 80 hours of the pay period in a different pay locality area than his/her official duty station. That employee would continue to receive the same pay.

- B. Pay During Temporary Telework Arrangements
  - 1) The intent of this exception is to address certain situations where the employee is retaining a residence in the commuting area for the traditional worksite but is temporarily unable to report to the worksite for reasons beyond the employee's

control (e.g., on a special assignment or working while recuperating from an operation).

- 2) One key consideration is the need to preserve equity between telework-ready and non-telework-ready employees.. Also, the temporary exception should generally be used only in cases where: (1) the employee is expected to stop teleworking and return to work at the traditional worksite in the near future, or (2) the employee is expected to continue teleworking but will be able to report in the near future to the traditional worksite at least twice each biweekly pay period on a regular and recurring basis.

## **XV. PAY AND LEAVE**

- A. An employee's locality rate of pay is based on the employee's official duty station, and is determined in accordance with 5 CFR 531.604(b). The bureau/operating unit must determine and designate the official duty station for an employee covered by a telework agreement using the criteria above.
- B. The same premium pay rules apply to employees when they telework as when they are working at the traditional worksite.
- C. Telework-ready employees are governed by the same procedures as non-telework-ready employees for requesting and obtaining leave approval. See the Department's website at [Leave Policies](http://www.opm.gov/oca/leave/index.asp). For additional information on leave administration, please visit <http://www.opm.gov/oca/leave/index.asp>.

For additional information on pay administration, premium pay, and work scheduling, please visit <http://www.opm.gov/oca/pay/HTML/factindx.asp>.

## **XVI. IT SECURITY REQUIREMENTS FOR TELEWORK-READY EMPLOYEES**

Telework-ready employees must abide by the IT security requirements conveyed in the Commerce Information Technology Security Program Policy (ITSPP), Commerce Information Technology Requirements (CITRs), Frequently Asked Questions (FAQs), and IT Security Policy memos. The Telework Agreement signed by the telework-ready employee and his/her supervisor may describe additional security requirements.

Supervisors are responsible for ensuring that telework-ready employees agree to comply with all existing IT security requirements and to ensure employees are accountable.

## **XVII. GOVERNMENT FURNISHED EQUIPMENT (GFE)**

Under the DOC policy, EDA is allowed but not required to furnish equipment in support of telework, including computers and other electronic tools. EDA has limited resources to support telework and will review requests for supporting equipment on a case-by-case basis. The bureau will not provide phone lines, internet access or monthly payments for either on behalf of employees

EDA supports a more mobile workforce by using laptop computers supported by docking stations. The laptops may be transported from the worksite to an alternate location with relative ease. EDA will provide limited desktop support through the Office Secretary, IT Service Desk to teleworking employees in regard connections into the centralized system via remote access tools.

Teleworkers who need access to EDA's centralized IT business systems must be able to access systems remotely.

Antivirus software must be loaded and maintained on the alternate worksite computer. EDA may deny requests for special equipment or fob-based encryption devices that enable authentication if insufficient workload of a sensitive nature does not justify the cost. However, EDA encourages supervisors to work with staff to identify alternative access options or structure assignments for the telework days that do not require access to the centralized computer system.

## **XVIII. THE PRIVACY ACT OF 1974, SENSITIVE PII AND BII – REQUIREMENTS FOR TELEWORK-READY EMPLOYEES**

All telework-ready employees are responsible for ensuring that records subject to the Privacy Act of 1974 or have sensitive Personally Identifiable Information (PII), and Business Identifiable Information (BII) are not disclosed to anyone except those who have been authorized access to such information in order to perform their duties. Bureaus/operating units must ensure that appropriate physical, administrative, and technical safeguards are used to protect the security and confidentiality of such records.

### **A. Disclosure of Records from an Agency System of Records**

1. Telework-ready employees are responsible for ensuring that their disclosure of a record (information) from any agency system of record complies with the Privacy Act of 1974.
2. The Privacy Act of 1974 defines a 'system of records' as a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. Department of Commerce system of record notices (SORNs) are posted at:  
<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=PAI&browsePath=2005&isCollapsed=false&leafLevelBrowse=false&ycord=0>.
3. The Privacy Act of 1974 prohibits the disclosure of a record (information) from an agency system of record that is not identified as a routine use in that system's SORN, does not comply with an exemption identified in the SORN, or does not comply with 1 of the 12 exceptions to the non-disclosure-(to third parties)-without-consent rule.
4. A Privacy Act incident occurs when an officer or employee of the agency, who by virtue of his/her employment or official position, has possession of or access to agency records that contain individually identifiable information the disclosure of which is prohibited by 5 U.S.C. § 552a (or regulations established thereunder) and discloses the material in any manner to any person or agency not entitled to receive it. Knowing misuse or release of information protected by the Privacy Act of 1974 can subject an employee to fines and/or criminal sanctions.

5. Telework-ready employees must immediately report a suspected or confirmed Privacy Act incident to EDA's privacy officer and immediate supervisor.

#### B. Proper Handling of PII and BII

1. Telework-ready employees are responsible for the safeguarding of PII and BII.
2. Personally identifiable information (PII) is information that can be used to distinguish or trace an individual's identity, such as name, social security number, biometric records, etc., alone, or when combined with other personal or identifying information, which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc. Sensitive PII, if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual.
3. Types of PII considered sensitive when associated with an individual are: social security number (including truncated form), place of birth, date of birth, mother's maiden name, biometric information, medical information (except brief references to absences from work), personal financial information, credit card or purchase card account numbers, passport numbers, potentially sensitive employment information (e.g., personnel ratings, disciplinary actions, and results of background investigations), criminal history, and any information that may stigmatize or adversely affect an individual. The Department IT Privacy Policy provides that breaches of sensitive PII are subject to notification/reporting requirements.
4. When deciding whether PII is sensitive or non-sensitive, it is important to consider the type of information, obligations, or expectations regarding the protection of information, risk (probability and consequences) of loss or compromise of information, and context of information. Context is particularly important. The same types of information can be sensitive or non-sensitive depending upon the context. For example, a list of names and phone numbers for the Department softball roster is very different from a list of names and phone numbers for individuals being treated for an infectious disease. It is important to use good judgment when deciding whether PII is sensitive or non-sensitive. When in doubt, treat PII as sensitive.
5. The Department's policy states that if sensitive PII must be electronically transmitted, then it must be protected by secure methodologies such as encryption, Public Key Infrastructure (PKI), or secure socket layers (SSL). Federal Information Processing Standards (FIPS) Publication 140-2, "Security Requirements for Cryptographic Modules" provides the standard to which encryption methodologies must conform. The transmission of sensitive PII, even if it is protected by secure means, must be kept to a minimum. Check with the OS, IT Service Desk to determine methods or services used to support the electronic transmission of sensitive PII.
6. In addition to sensitive PII, telework-ready employees must ensure the safeguarding of BII. BII is information that is defined in the Freedom of Information Act (FOIA) as "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." Commercial is not confined to records that reveal "basic commercial operations" but includes any records (information) in which the submitter has a "commercial interest" and can include information submitted by a non-profit entity. Terms for BII that must be protected from disclosure include "confidential business information," "confidential commercial information," and "proprietary information."

7. Sensitive PII and BII can be stored on Government systems only and saved, stored, or hosted only on Department-authorized equipment (including contractor-owned equipment or a system that is approved to be used as a Government system). Personally-owned computers may not be used to save, store, or host sensitive PII and BII that is collected or maintained by EDA.
8. Sensitive PII and BII must be sent encrypted as an e-mail attachment and encrypted on mobile computers, media (e.g., CDs, DVDs, USB drives), and devices (e.g., laptops, hard drives). When faxing sensitive PII and BII, an advisory statement about the contents must be included on the cover sheet and the recipient must be notified immediately before and after transmission. When mailing sensitive PII and BII, it must be physically secured when in transit. Do not mail or send by courier sensitive PII and BII on CDs, DVDs, hard drives, flash drives, USB drives, floppy disks, or other removable media unless the data is encrypted. Sensitive PII and BII must be sealed in an opaque envelop or container and mailed using First Class or Priority Mail, or a commercial delivery service (e.g., FedEx or DHL). Appropriate methods must be used to destroy sensitive paper PII and BII (e.g., shredding, using a burn bag) and securely delete sensitive electronic PII and BII (e.g., empty the Windows “recycle bin”).
9. Telework-ready employees and supervisors are responsible for complying with all EDA guidelines on reporting PII and BII incidents. The OMB Memorandum M-07-16 defines a PII incident as the loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations where persons other than authorized users, and for an other than authorized purpose, have access or potential access to PII, whether physical or electronic. Telework-ready employees must immediately report a suspected or confirmed PII and BII incident to EDA’s privacy officer and immediate supervisor. Additional information regarding the PII and BII incident reporting process can be found at: [http://home.commerce.gov/CIO/ITSITnew/DOC\\_Breach\\_Response\\_Plan\\_v2\\_final.pdf](http://home.commerce.gov/CIO/ITSITnew/DOC_Breach_Response_Plan_v2_final.pdf).

## **XIX. PRIVACY ACT, SENSITIVE, AND HIGHLY SENSITIVE INFORMATION REQUIREMENTS FOR TELEWORK-READY EMPLOYEES**

- A. Decisions on the proper use and handling of Sensitive Information will be made by the approving official who permits the employee to work at home or at an alternate worksite. A telework agreement will be signed by the telework-ready employee and his/her approving official that contains the specific data types allowed to be accessed. Information is generally categorized into the following groups: Non-Sensitive Information; Sensitive Information; and Classified National Security Information.
- B. The physical security standards for PII and other Sensitive and Administratively Controlled Information must be addressed prior to allowing telework. Chapter 35 of the OSY Security Manual provides minimum physical security standards for the office environment that are also applicable during telework. At a minimum, Controlled Unclassified Information (CUI), including PII, should be afforded protection to prevent unauthorized access to the information.

- C. Controlled Unclassified Information (CIU) Registry. The National Archives and Records Administration's (NARA) CUI Office developed the CUI Registry that allows anyone to access the Safeguarding and Dissemination requirements for CUI that must be afforded to information like PII (Privacy) and other unclassified information. The registry may not be all inclusive, as only those categories of unclassified information that have a law, regulation, or government-wide policy governing dissemination and/or safeguarding are provided. Therefore, any Sensitive and Administratively Controlled Information in hard-copy form that does not fall within the parameters of the manual or the registry should be brought to the attention of the Information and Personnel Security Division of OSY.

Teleworkers and Supervisors should visit <http://www.archives.gov/cui/registry/category-list.html> prior to allowing hard copy PII and other administratively controlled information outside the workplace for telework purposes.

Controlled Unclassified Information, Title 13, Title 26, and Title 35, U.S.C. Information, which are legally protected, are covered under the Sensitive Information category.

- D. Highly Sensitive Information. This information is subject to the most stringent security and access control rules, such as courier authorization, hand-to-hand transmission, or agency-specific rules not included in the Department telework policy/handbook. Classified information that requires Secret or Top Secret security clearances for protecting national security information is included in this category. Classified information (Confidential, Secret, or Top Secret) may only be transmitted or removed from official worksites by classified networks or authorized official couriers. This type of information may not be used or accessed in any manner by teleworkers.

## **XX. TELEWORK INFORMATION TECHNOLOGY SECURITY POLICY**

The Department's CIO is responsible for issuing and maintaining information technology (IT) and eGov policies and minimum implementation standards, including remote access and safeguarding sensitive information. These policies and minimum implementation standards outline responsibilities of bureau/operating unit CIOs as well as teleworkers to enable an effective working environment for the teleworker and the protection of Department systems from undue risk. The Department's policy on remote access is accessible via intranet at [http://home.commerce.gov/CIO/ITSITnew/CITR\\_008\\_Remote\\_Access.pdf](http://home.commerce.gov/CIO/ITSITnew/CITR_008_Remote_Access.pdf)

Supervisors are responsible for ensuring that telework-ready employees agree to comply with all existing security policies and procedures, including IT security. Telework-ready employees also agree that their responsibilities, described in Section 3.3.9 of the Department's "IT Security Policy and Minimum Implementation Standards," remain in effect while on telework status. Other pertinent bureau or operating unit policies on IT security may also exist; supervisors are responsible for ensuring that telework-ready employees agree to follow all applicable IT policies.

The workplace and workstation must be set up to accomplish secure information processing, including the proper storage of Sensitive Information in both electronic and paper form. The

telework-ready employee, following IT policies, must minimize security vulnerabilities to the workstation and the Departmental network.

## **XXI. TELEWORKING DURING EMERGENCY SITUATIONS**

- A. **Unscheduled Telework.** This type of telework allows telework-ready employees to work from home or at an approved alternate location upon notification to their supervisor in accordance with the terms of the written agreement.
- B. **Offices Are Closed.** Employees on Plan B **must** telework consistent with their written agreements when Federal/Departmental offices in their local commuting area are closed due to reasons other than Federal law or Executive Order. Excused absences may be granted on a case-by-case basis for telework-ready employees in the above situation. (Also see Section V.H.2)
- C. **Early Dismissal/Delayed Arrival.** When an early dismissal/delayed arrival is provided, those who are teleworking from their home are not dismissed from duty for any part of the workday. However, supervisors may grant excused absence on a case-by-case basis, if the employee is unable to continue teleworking.
- D. **Emergency at the Alternate Worksite.** When an emergency affects only the alternate worksite for a major portion of the workday, the employee is expected to report to the traditional worksite, an approved alternate telework site, or request supervisory approval of paid personal leave as applicable (i.e., annual, compensatory time, compensatory time off for travel, credit hours, etc.).

However, on a case-by-case basis, the supervisor may excuse, without charge to paid personal leave or loss of pay, a telework employee from duty during an emergency if: (1) the emergency adversely affects the telework site; (2) the telework-ready employee is unable to access another alternate telework site; or (3) the telework-ready employee's duties are such that he/she cannot continue to work without contact with the traditional worksite.

## **XXII. TELEWORK AND THE CONTINUITY OF OPERATIONS PLAN (COOP)**

If an employee occupies a position deemed an "emergency employee" or serves as an ERG member (these designations may vary based on the nature of the emergency) for inclement weather or natural or man-made emergencies, he/she may be required to report to work.

If an employee is an ERG member for COOP purposes, management, along with the employee and supervisor, should make advance and/or situational decisions as to whether the employee must physically report for duty or may work from home or an alternate worksite. For example, if the purpose of the employee reporting for duty at the traditional worksite is to provide policy guidance or to notify specific individuals of emergency requirements, this may be able to be accomplished from home, provided the employee has access to the resources necessary to perform the required services. However, in some cases, the only way to obtain the services of

the employee may be through telework from an alternate worksite. For example, if inclement weather or other emergency situation results in a transportation shutdown, but phone lines remain working, the employee may be able to work from home rather than reporting to the traditional worksite or COOP site.

Employees designated as COOP Team Members may be required to telework during emergency closures or other emergencies, including pandemics, and for COOP exercises, on any day, even if that day is not a regular telework day or a day with specific approval for ad hoc/episodic telework. Telework-ready COOP employees may also be required to perform duties outside of their usual or customary duties to ensure continuation of agency-essential missions or activities.

In accordance with Public Law 111-292 Section 6504(d)(2) “Continuity of Operations Plans Supersede Telework Policy – During any period that an executive agency is operating under a continuity of operations plan, that plan shall supersede any telework policy.”

### **XXIII. RECORDS MANAGEMENT**

Teleworkers must maintain official records and files at home worksites in the same manner they do when working at their conventional worksites (see XVIII). Records maintained by employees who telework are subject to the Freedom of Information Act (FOIA), the Privacy Act, and EDA records retention requirements. Supervisors of teleworking employees are responsible for ensuring that the files and records used by those employees are subject to search for documents responsive to FOIA and Privacy Act requests. Once projects/assignments are completed, associated files should be returned to the conventional worksite.

### **XXIV. TELEWORK PROGRAM EVALUATION**

The TC will conduct an assessment of the telework program on an annual basis and provide a report to the Assistant Secretary. The report will include information on the number of and percentage of teleworking employees in each EDA business units and an overall assessment on how well EDA is meeting its telework goals. The report will also identify specific challenges for expanding telework within EDA and layout strategies for addressing them prior to the next annual report.

# APPENDIX A: EDA TELEWORK APPLICATION/AGREEMENT AND MODIFICATION OF TELEWORK AGREEMENT

New Application       Modification

## Section I – To be completed by the Employee

**Date of Request:** \_\_\_\_\_ **Proposed Start Date:** \_\_\_\_\_ **Expiration Date:** \_\_\_\_\_  
(Dec. 31/15 or earlier)

**Employee Name:** \_\_\_\_\_ **Grade or Pay Band:** \_\_\_\_\_

**Office:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

**Supervisor's Name and Title:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

Alternate Worksite    Home    Other

**Address:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

### Telework Level Requested:

Plan A (for ad hoc/unscheduled telework)

Plan B

### Type of Telework:

Regularly Scheduled

Ad Hoc/Unscheduled

Medical/Reasonable Accommodations

For COOP or Emergency Purposes (for COOP or ERG Members)

Work Schedule (time/days) Including AWS Day Off (If Applicable): \_\_\_\_\_

Telework Days at Alternate Worksite: \_\_\_\_\_

Equipment Needed to Perform Work at Alternate Worksite: \_\_\_\_\_

Specific data types access allowed: ( ) Non-Sensitive ( ) Sensitive

Description of work to be performed at alternate worksite (attach separate sheet if needed), include frequency and modes of communication (e.g., email vs. telephone, core hours for contact, speed for returning calls, etc.) \_\_\_\_\_

**The employee certifies and agrees with the following statements and to abide by all of the requirements of the EDA Telework Policy and procedures:**

I acknowledge that I may not be authorized to telework if my performance does not comply with the terms of the individual written telework agreement between management and me.

I am required to perform the duties and responsibilities of my position.

- I have requested Plan A. I understand that I am limited to no more than 80 hours of ad hoc/unscheduled telework during the 12 months period beginning with the initial Plan A. I will not be required to telework when my office is closed due to unforeseen circumstances.
- I have requested Plan B. I understand that I must telework when my office is closed due to unforeseen circumstances, unless otherwise excused by my supervisor. I have the option of performing regular/recurring and/or ad hoc/unscheduled telework for more than 80 hours. Working less than 80 hours of ad hoc/unscheduled telework does not change my election of Plan B.
- I understand that I must perform at the Fully Successful or higher (or equivalent) level in order to telework.
- I certify that I have completed *Telework 101 for Employees* via the Commerce Learning Center (CLC), the Telework Safety Checklist, and the Telework Assessment Tool. Training completion date:\_\_\_\_\_.
- I understand that I may not care for children, elders, or other dependents while I am in a duty status and teleworking. In these situations, I may request the appropriate leave from my supervisor or request a change in my Alternative Work Schedule, if applicable.
- I understand that I must abide by the IT Security requirements conveyed in the EDA Information Technology Security Programs and Policies, and DOC IT security requirements.
- When unscheduled leave or telework is announced by the appropriate authorities, I understand that the election is mine but I must notify my supervisor in accordance with the established policy of the office. However, in rare situations, that management may deny my unscheduled leave/telework and require me (a non-emergency" employee) to report for an assignment that requires my presence at the worksite.
- I certify that I will correctly and accurately report all time teleworked in the appropriate T&A system.

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

**Section II – To be Completed by the Approving Official**

Approved: ( )      Disapproved: ( )      Reason Not Approved: \_\_\_\_\_  
 \_\_\_\_\_

- I certify that the employee is eligible and authorized to telework, that I have reviewed the employee's Safety Checklist as well as the Telework Assessment Tool.
- I have completed *Telework 101 for Managers* via CLC on \_\_\_\_\_.

**Approving Official's Signature and Date:** \_\_\_\_\_

*Please provide original application, along with Appendix B-EDA Telework Assessment Tool, Appendix C-EDA Telework Worksite Safety Checklist, and a copy of the telework training completion certificate to EDA's Telework Coordinator in OPCM. Complete packet will be returned to supervisor once reviewed for completeness.*

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For OPCM Use Only—Telework Program Coordinator  
 I certify I have reviewed this application and all sections are complete, properly signed and all required forms are attached (Appendices A, B, C and training completion certificate).

Name and Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## TERMS AND CONDITIONS

**Alternate Worksite Costs** – The employee understands that the Government will not be responsible for any operating costs that are associated with the use of the employee's home as an alternate worksite, for example, home maintenance, insurance, or utilities. The employee also understands that any entitlement to reimbursement for authorized expenses incurred while conducting business for the Government, as provided for by statute or regulation, is not relinquished by this agreement.

**Liability** – The applicant understands that the Government will not be held liable for damages to his/her personal or real property while he/she is working at the approved alternate worksite, except to the extent the Government is held liable under the Military Personnel and Civilian Employees Claims Act and the Federal Tort Claims Act.

**Injury Compensation** – The applicant understands that he/she is covered under the Federal Employees Compensation Act if injured in the course of actually performing official duties at the alternate worksite. The applicant agrees to notify his/her supervisor immediately of any accident or injury that occurs at the alternate workplace and to complete any required forms. The supervisor agrees to investigate such a report as soon as possible.

**Disclosure** – The applicant agrees to protect Government records from unauthorized disclosure or damage and will comply with requirements of the Privacy Act of 1974, 5 U.S.C. § 552(a), and those outlined in XIX, Privacy Act, Sensitive Information, and Highly Sensitive Information – Requirement for Telework-Ready Employees.

**Performance Not in Compliance with This Agreement** – The employee's failure to comply with the terms of this agreement may result in the termination of this agreement and the telework arrangement. Failure to comply also may result in disciplinary action against the employee if just cause exists to warrant such action.

**Maintenance of Records** – The supervisor is responsible for maintaining all forms and records associated with this agreement. EDA's Telework Coordinator, after reviewing complete application packet for completeness, will keep a copy for tracking and reporting purposes. Supervisor will provide a copy of the agreement to the employee for their reference.

## APPENDIX B: TELEWORK ASSESSMENT TOOL

Employee's Name \_\_\_\_\_

The decision to telework should be based on the ability of an employee to work in a setting that may be in his/her home or a Federal facility other than the regular office, without immediate supervision. The following tool is to be used by the supervisor as a basis for discussing the option and appropriateness of telework for a particular employee. Employees are also required to use the assessment tool to help in determining if telework is suitable for their positions.

**Please rate yourself or your employee, using the following scale:**

**5 – Always 4 – Usually 3 – Sometimes 2 – Rarely 1 – Never**

1. Employee works without regular monitoring/supervision.
2. Employee is comfortable working alone.
3. Employee independently identified required work products.
4. Employee successfully plans work production schedule.
5. Employee communicates hindrances to successful completion of a task or project in sufficient time to allow for alterations that improve the opportunity for success.
6. Employee is knowledgeable about your organization's procedures/policies.
7. Employee is fully aware of Department information technology security.
8. Employee meets deadlines.
9. If telework will be in the employee's residence, the residence has an appropriate work environment.
10. Employee is willing to provide his/her own equipment if Government-furnished equipment is not available.
11. Employee is computer literate.  YES  NO
12. Employee has successfully completed the appropriate Commerce online teleworking training course.  YES  NO

## APPENDIX C: TELEWORK WORKSITE SAFETY CHECKLIST

This checklist is to be completed only if the proposed alternate worksite is in a private residence. This checklist is designed to assess the overall safety of the designated work area of the alternate worksite. Each applicant should read and complete the self-certification safety checklist. Upon completion, the checklist should be signed and dated by the applicant and submitted to the immediate supervisor.

Applicant Name: \_\_\_\_\_ Date: \_\_\_\_\_ Office Telephone: \_\_\_\_\_

Alternate Worksite:  Home  Other

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Describe the Designated Work Area:

1. Are stairs with four or more steps equipped with handrails?  Yes  No  N/A
2. Are aisles, doorways, and corners free of obstruction?  Yes  No  N/A
3. Are file/storage cabinets arranged so that open doors/drawers do not create obstacles?  Yes  No  N/A
4. Is the office space neat, clean, and free of combustibles?  Yes  No  N/A
5. Are phone lines, electrical cords, and surge protectors secured under a desk or alongside a baseboard?  Yes  No  N/A
6. Are circuit breakers/hoses in the electrical panel properly labeled?  Yes  No  N/A
7. Is electrical equipment free of recognized hazards that could cause physical harm (e.g., frayed, loose, and/or exposed wires, bare conductors, etc.)?  Yes  No  N/A
8. Does the building electrical system permit grounding of equipment (i.e., have three-prong receptacles)?  Yes  No  N/A
9. Is there a smoke alarm and clear access to a fire extinguisher?  Yes  No  N/A

By signing this document, the applicant certifies that all of the above applicable questions were answered in the affirmative, or, if answered in the negative, that the applicant will take all necessary corrective actions to eliminate any hazard prior to beginning telework.

**Applicant's Signature and Date** \_\_\_\_\_

## APPENDIX D: OPTIONAL TELEWORK TERMINATION FORM

The telework option is a privilege and not an employee right. As such, it falls under the supervisor's discretion to determine how work should be accomplished with the organization. Termination from the telework agreement can be either voluntary or involuntary.

This is notification that the telework agreement, which was signed on \_\_\_\_\_ is no longer in effect and is hereby terminated.

### Termination is based on (check one):

Voluntary Withdrawal

Involuntary Withdrawal

If telework is involuntarily terminated, the decision is based on:

Requirements of the current work assignment

Reassignment or change in duties

Failure to maintain employee eligibility standards

Breach in Information Technology Security policies and/or procedures

Other (please specify):

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### Receipt Acknowledged

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

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