

International Trade Administration (ITA)



Telework (TW) Policy

ITA Work Anywhere

POLICY SECTIONS

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TW Tool Kit
<i>4 Steps to Teleworking (TW) in order</i>
1. If deemed eligible to TW, complete the required Telework 101 – Employee via the Commerce Learning Center (CLC) and print the certificate of completion.
2. Read and understand ITA's Telework Policy.
3. Two forms to complete 1) the ITA Telework Application and Agreement and 2) the Telework Safety Checklist .
4. Meet with your first-line supervisor to discuss expectations of a teleworker and to sign your Telework Application. Provide your supervisor with your TW Safety Checklist and TW 101 training certificate. Once your TW application is approved and signed, your first-line supervisor retains the original and provides you a copy. Upon approved and agreed upon telework schedule, you can begin TW.
More Tools
Frequently Asked Questions (FAQs) - Regarding the Department's revised Telework Policy - About Unscheduled Telework
Telework During Emergency Situations
Who is ITA's Telework Manager? Ruben Pedroza (Ruben.Pedroza@trade.gov)
For Reference: DOC TW Policy

ABOUT TELEWORK (TW):

- it is voluntary;
- it is at management discretion and a privilege, not a right;
- it requires a signed TW agreement by **all** employees approved to TW; and
- it has the support of ITA leadership for all employees deemed eligible to TW.

1. BACKGROUND

The term “telework” or “teleworking” (TW) refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of their position from an approved worksite other than the location from which the employee would otherwise work. Telework is also known as telecommuting, flexiplace, and work-at-home. These terms are used interchangeably in this document.

Telework is voluntary and is a management option; it is not a right, but rather a privilege and is strongly encouraged, as appropriate. TW does not change the terms and conditions of employment. Rather, it provides a way of responding to rapidly changing factors affecting today's workforce. Telework also increases an agency's ability to attract and retain employees in critical occupations and to recruit a more diverse workforce. Telework can reduce the number of commuter trips and reduce traffic congestion. It can result in reduced air pollution, noise, and consumption of transportation fuels. Telework can help put injured, recuperating, and physically challenged employees back to work. In short, managers, employees, and society can benefit from a successful telework program.

2. PURPOSE

This document provides the ITA policies and procedures that are in compliance with the [Department of Commerce's \(Department\) 2014 Telework Policy](#), the [Telework Enhancement Act of 2010 \(Act\)](#), (5 U.S.C. Chapter 65), and the Office of Personnel Management's (OPM) Washington, DC, Area Dismissal and Closure Procedures (2014). The act outlines three preconditions for participation: the employee (1) is deemed eligible, (2) has successfully completed the required training, and (3) has a written agreement with his/her supervisor. The Act expands opportunities for federal workers to telecommute for at least part of their week.

Telework has the support of ITA leadership for all employees deemed eligible to TW. ITA wants to ensure that all employees deemed eligible are offered the opportunity to TW. All ITA employees, including newly appointed employees and employees serving their probationary period, who are deemed eligible to telework, and are approved to telework, are required to have a telework agreement in place.

The law advances multiple goals simultaneously. It advances the greening of Government. It allows Federal workers to benefit from flexible 21st-century workplace practices prevalent in the private sector. And, it can reduce costs while improving worker productivity and work life balance.

Commerce policy mandates the bureau plan require written individual TW agreements provide that an employee may not be authorized to telework if the performance of the employee does not comply with the terms of the written TW agreement.

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The TW implementation plan must also provide for:

- identification of the types of positions or duties within positions that are suitable for telework;
- advising the telework-ready employee whether he/she is required to telework then his/her traditional worksite is closed for any reason (e.g., hazardous weather, damage to the normal worksite, etc.) even if it is not the employee's normal telework day;
- promoting participation among eligible members of their workforces;
- approving individual telework arrangements;
- establishing a communications process to notify those employees designated as emergency relocation group (ERG) members or essential personnel for COOP about telework flexibilities;
- orienting new teleworkers and their supervisors regarding the program and their responsibilities; and
- administering and evaluating the telework program in their organizations.

3. SCOPE

The policies and procedures in this document apply to all units of ITA. This policy covers all eligible ITA employees including employees serving a probationary period or trial period and student interns.

4. RESPONSIBILITIES AND REQUIRED TRAINING

4-1. Eligibility: The Department policy states that all employees are deemed eligible unless they fall within one of the exceptions of 5 U.S.C. § 6502(a)(2) (see Section 7-1, Statutory Limitations). Since the exceptions of § 6502(a)(2) are based on the contents of an employee's Official Personnel Folder (OPF), the servicing HR office will review each employee's OPF to determine if there is a record of the employee being officially disciplined. Supervisors should contact their servicing HR office to arrange for a review of an OPF. These exceptions are permanent and there is no statute of limitations on them. If an employee meets the basic eligibility requirements, the first line supervisor will notify employees of their approval status to telework.

4-2. Required Online Training: Employees who want to telework and are approved to telework must complete the required Telework 101 – Employee via the CLC, and then print a copy of the certificate at the end of the training and attach it to the Telework Application before they are authorized and approved to telework. Approving officials must successfully complete Telework 101-Managers via the CLC. It is not required to complete this training on an annual basis, but can serve as a refresher. Employees must also complete the Safety Checklist (see TW Tool Kit above). These documents must be submitted to the first-line supervisor for approval. The first-line supervisor will maintain the original telework agreement on file. Employees are also required to complete IT Security and Awareness Training on an annual basis. An employee who declines to telework is not required to complete the TW 101 training.

4-3. TW Agreements: Employees are responsible for abiding by the terms of their telework agreements. 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 supervisor and the employee, specifically, if the employee's current performance is below a level 3 in any of the critical elements of the performance management record. Employees are also responsible for reporting problems with their telework arrangements, ensuring that information is adequately secured and protected from unauthorized disclosure, and voluntarily terminating their telework agreements when they can no longer abide by the terms of the agreement.

4-4. First-line supervisors will recommend modification of individual telework agreements, maintain records of telework agreements, certify the accuracy of time and attendance reported by teleworkers, as well as track the number of hours teleworked by employees using the webTA electronic system; ensure protection of sensitive, classified, and Privacy Act protected information, and periodically evaluating the efficacy of telework arrangements.

4-5. First-line supervisors will ensure consistency and fairness in treatment of employees in their units with respect to telework and monitor employee participation. First-line supervisors will also be responsible for the overall management of telework in their work units. In addition, first-line supervisors are responsible for ensuring that telework-ready and non-teleworkers are treated the same for purposes of periodic appraisals of job performance; training; recognition; reassignments; promotions; reduction in grade; retention; removals; work requirements; and other acts involving managerial discretion.

4-6. Business units (ExAdmin, GM, I&A, E&C) are responsible for facilitating implementation of the ITA Telework Program and orienting employees and supervisors on expectations of performance during telework.

4-7. Employees are responsible for modifying their transit benefit application to reflect any reduced commuting costs.

5. GENERAL POLICY

5-1. Alternate Worksite Options

An ITA employee who wishes to telecommute has two worksite options:

Private Residence or other alternate worksite location

ITA employees may establish workstations in their private residences or at another approved alternate site provided that a specific work location for telework is identified in advance and approved by their first-line supervisors. Employees working at an approved alternate site must certify that safety requirements are met by completing the Telework Safety Checklist found in the TW Tool Kit above.

5-2. Official Duties

Teleworkers are expected to perform only official duties during duty time while teleworking. While telecommuting is expected to help employees balance the demands of their work and family lives, it cannot be used to conduct personal business or to provide dependent care (child/elder). During the established work schedule, telework-ready employees will ensure

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that appropriate childcare, elder care, and any other dependent care arrangements are made so that their ability to complete work assignments is not impeded.

5-3. Performance Expectations

Telework arrangements will seldom require major changes in position descriptions, but factors such as supervisory controls and work environment should be reviewed for accuracy. Telework-ready employees will be subject to the same performance appraisal process as other employees who do not telework. Performance elements and standards will not differ between teleworkers and other employees performing similar or identical duties, but standards should be results-oriented and should describe the quantity and quality of expected work products and the method of evaluation. The first-line supervisor may request regular reports on the status of work products in order to judge performance. Any decline in performance should be addressed immediately. If the first-line supervisor believes the decline in performance is due in whole or in part to the employee's participation in telework (especially below a Level 3 rating or equivalent in any of the critical elements), the telework agreement will be terminated for such length as determined by the supervisor.

5-4. Program Participation and Terminating Telework

Participation: The ITA Telework Program is voluntary. Supervisors will not direct or coerce employees to participate. Employees may initiate a request to participate in the program at any time; however, in deciding on telework requests and the frequency of telework, supervisors will give priority to the operational needs of the organization and ensure that telework does not diminish employee performance or agency operations. Supervisors are required to discuss performance expectations with each employee that is approved to telework.

Modification and Termination of Telework Agreement: Employees who telework do not have a right to continue indefinitely in a telework arrangement. Telework agreements must be reviewed at least annually, and they may be modified or terminated at any time. Either the employee or the first-line supervisor may initiate a modification to an approved telework agreement. The modification must be documented in the original agreement and requires the signature of both parties.

Termination by Employees: Employees may voluntarily terminate their participation in the ITA Telework Program. They are, however, expected to give sufficient notice (at least two weeks) so that arrangements can be made to accommodate their return to work at the conventional office, if necessary. To terminate TW, the employee must meet with the supervisor to retrieve the original TW Application and Agreement maintained by the supervisor and then complete the last page of the original TW Application and Agreement. The supervisor will provide the employee with a copy of the completed last page.

Termination by supervisors: The first-line supervisor must terminate the agreement if the limitations in 5 U.S.C. § 6502(a)(2) or 5 U.S.C. § 6502(b)(4) become applicable to the employee or the employee's performance does not comply with the terms of the written agreement between the agency manager and that employee. The supervisor may initiate action to terminate an employee's teleworking arrangement at any time with a valid reason, When feasible; first-line supervisors will provide employees with at least two weeks of advance notice of their intent to terminate a telecommuting agreement. To terminate TW of an employee, the supervisor must fill out the last page of the employee's original TW Application and Agreement and then provide the employee with a copy.

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5-5. Approval of Telework Agreements

The first-line supervisor will review and approve/disapprove Telework applications. Foreign Service Officers overseas will obtain the approval of the Chief of Mission or his/her designee before authorizing telework arrangements for any employee. The Senior Commercial Officer (SCO) will clear his/her request to telework through the Regional Director prior to requesting approval from the Chief of Mission.

When a request to telework is disapproved, the basis for the decision must be documented on the Telework Application and Voluntary Agreement.

All employees who are determined by their first-line supervisor to be eligible to telework are required to have a telework agreement in place

5-6. Standards of Conduct and Ethics

Employees who telework are expected to comply with the DOC standards of conduct and ethics. Failure to comply may result in termination of the telework agreement and disciplinary action for misconduct.

5-7. Equal Opportunity

Participation in the ITA Telework Program is open to all eligible employees without regard to race, color, gender, religion, national origin, marital status, age, disability, or sexual orientation. In addition, employees who telework will be afforded the same opportunities with respect to performance appraisals, training, rewards and recognition, reassignments, promotions, work requirements, and any other factors that would normally pertain or affect employees in general.

5-8. Disputes/Appeals Process

Disputes over participation in the ITA Telework Program will be resolved informally by the next higher management level. If the informal approach is not successful, an employee may raise the issue under formal procedures. A bargaining unit employee must raise a dispute under the negotiated grievance procedure (NGP). An employee not covered by the NGP may use the administrative grievance procedure prescribed in the Department of Commerce Administrative Order 202-771, "Employee Grievances." If the employee believes management action is due to discrimination, he/she may seek counseling from the Office of Civil Rights.

6. JOBS AND DUTIES SUITABLE FOR TELEWORK

Decisions on whether a position involves work suitable for telework must be based on job content, rather than job series or title, type of appointment, or work schedule.

Many jobs in ITA have duties that are suitable for a regularly scheduled or ad hoc (episodic) telework arrangement. First-line supervisors are responsible for determining whether individual positions have duties that can be performed at an alternate work site. The duties of each position must be examined carefully and discussed with the employee before a decision is made. Supervisors should avoid categorical decisions about telework and use an analytical approach in determining whether a position is suitable for telework by focusing on the specific duties of the position. In some cases, 100 percent of a position will not lend

itself to telework. However, by focusing on discrete job tasks, the supervisor will often identify work that can be performed away from the conventional office, at minimal, on an episodic basis. Employee in positions that require direct handling of secure material on a daily basis are not eligible to participate in the telework program (5 U.S.C. § 6505(b)(4)(A), and employees in positions that require to perform daily on-site activity that cannot be handled remotely or at an alternate work site are not eligible for telework (5 U.S.C. § 6502(B)(4)(B).

7. ELIGIBILITY TO TELEWORK

7-1. Basic Eligibility

First-line supervisors are responsible for contacting the HR servicing office to determine whether or not employees meet the basic eligibility requirements to TW. First-line supervisors will then notify employees of their eligibility and approval status for telework. The following criteria will be used to determine eligibility and approval to telework:

- The employee is willing to sign a telework agreement that documents all of the terms of the telework agreement.
- For American officers overseas, approval is received from the Chief of Mission or his/her designee and is consistent with post policy.
- For LE (Locally Employed) staff overseas, approval is based on local post policy. Implementation of a telework policy is discretionary on the part of each mission. The local compensation plan must be revised (as required) before the option to telework is provided to LE staff.

Statutory Limitations:

Employees are *ineligible* to telework if:

- An employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year.
- The employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2465) for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties.

The term "official discipline" is defined as a disciplinary action that results in the placement of a permanent document in an employee's official personnel folder (OPF). In these two types of situations above, a discipline action becomes a permanent record in the OPF and an employee would be deemed permanently *ineligible* to telework.

Other Limitations include:

- Employees whose performance does not comply with the terms of the individual telework agreement may not be authorized to telework (5 U.S.C. 6502(b)(3)).
- An employee is not currently performing at least at a level 3 (or equivalent) if an employee is already teleworking, the employee's telework agreement will be

suspended until the employee's performance improves up to at least a level 3;

7-2. Additional Factors for Consideration

First-line supervisors should and can consider factors other than the basic eligibility criteria when evaluating an employee's request to participate in telework, but these factors cannot be used to arbitrarily restrict participation. Factors appropriate for consideration include:

Conduct: Is the employee's conduct considered acceptable? A record of misconduct does not automatically exclude an employee from telework, but documented misconduct (e.g., a recent disciplinary action), may be the deciding factor when the nature of the misconduct casts doubt on the employee's ability to successfully work at an alternate work site.

Attendance: Is the employee's record of attendance problematic? An employee with a documented history of unexcused absences (e.g., documented leave restriction) or a large number of unscheduled leave requests, or leaving the work site without permission may not be a suitable candidate for telework.

Supervision: Is the employee capable of working without close supervision? Telework may not be suitable for employees who have not demonstrated the ability to work independently, or for employees in developmental or trainee positions.

Organization and time management skills: Is the employee effective in setting work priorities and meeting deadlines?

The [Telework Screening Guidelines](#) provides a complete range of factors the first-line supervisor should consider when reviewing an employee's request to participate in the ITA Telework Program.

7.3. New Employees

First-line supervisors will determine when to notify new ITA employees (new employees to the Federal Government and current Federal employees coming onboard to ITA, even if they teleworked in their previous job) of approval to telework. Since the intent of the Telework Enhancement Act of 2010 is to expand telework, it is expected that supervisors will make timely decisions.

8. TYPES OF TELEWORK

Some employees may desire or need only occasional periods of workplace flexibility, while others may wish to telework under regularly scheduled arrangements. First-line supervisors and employees have the flexibility to establish arrangements that are responsive to unique work and personal situations. There are three types of telework spanned across two Telework Plan levels. ITA employees can choose to elect either Plan A or Plan B, both of which must be approved using the ITA TW Application and Voluntary Agreement. Below are the types of telework followed by the descriptions of Plan A and Plan B.

Types of Voluntary Telework:

1. Regularly/recurring: This is telework performed on an approved schedule and does not vary from one pay period to the next. This is a continuing arrangement under an approved telework agreement. Regular/recurring scheduled arrangements may be continuing (with no anticipated end date) or short-term, e.g., to accommodate a medical

situation or physical condition which makes work-at-home a viable alternative to working in the traditional office. Employees who TW on a regular/recurring basis are also eligible for unscheduled and ad hoc TW. (See below for more information on unscheduled TW.) Employees who perform regular/recurring telework must telework when their office is closed due to emergency, weather, or other conditions.

2. Ad Hoc: This is an arrangement under which an employee may periodically work at an alternate work site to complete one-time or unique assignments or research that can be performed away from the traditional office. Episodic telework should be planned ahead of time of the day of telework and pre-approved by the first-line supervisor.

3. Unscheduled. This type of telework is permitted under an announcement by the Office of Personnel Management (OPM) or other appropriate authority. Under an announcement of "unscheduled telework," the employee does not require prior supervisory approval, but must notify the supervisor in accordance with the terms of the TW agreement. In rare circumstances, management may find it necessary to require a non-emergency telework-ready employee to report for an assignment that requires presence at the worksite (e.g., providing a presentation or performing duties at a pre-scheduled conference.) This should not be a last minute surprise, but a special work circumstance that both the supervisor and employee know about, discuss, and plan in advance as the special work requires.

[Click here](#) to read more about "Telework During Emergency Situations."

Non-voluntary telework.

1. Continuity of Operations (COOP). ITA employees that are designated as COOP Emergency Relocation Group (ERG) members, play a vital role in the planning and execution of the ITA COOP plan in order to facilitate the performance of department/ITA essential functions during any emergency or situation that may disrupt normal operations. COOP members are required to check the "COOP" Telework category box on the TW Application and Agreement and they do not have the option to decline teleworking.

Levels of Voluntary Telework:

Employees can choose one of the following two voluntary TW plans as part of their voluntary TW agreement.

Telework Plan A (Employees that do not have a regular/recurring telework schedule and are limited to 80-hours of ad hoc and/or unscheduled telework per term of 12 months). See Section 14-3 of this policy "Monitoring Plan A Telework Hours."

The employee is not required to telework when Federal/Departmental offices in the local commuting area are closed. See "e" below.

a. Employees who are considered telework-ready may perform ad hoc and/or unscheduled telework of no more than 80 hours of telework during a term of 12 months, beginning with the initial signed and approved Telework Agreement. Supervisors must monitor the number of telework hours worked by employees using individual employee webTA accounts;

- b. Unscheduled Telework: If the employee elects to perform unscheduled telework under an announcement by OPM or other appropriate authority, those hours teleworked by the employee will count against the 80 hour limit. No prior supervisory approval is required for unscheduled telework. However, the employee must notify his/her supervisor of the decision to telework, and must properly code their webTA account to indicate telework for that particular day(s);
- c. Ad hoc Telework: The employee must obtain prior supervisory approval before performing ad hoc (episodic) telework (telework planned in advance to perform a task or special project);
- d. Sufficient Work: The employee and manager (shared responsibility) are responsible for ensuring the employee has sufficient work during telework periods;
- e. Government/Agency/Office is closed. Closures are geographic specific, e.g., if the Washington D.C. metropolitan area is closed due to emergency or inclement weather, this closure may not affect other geographical regions. Geographical regions make these determinations. An employee is not required to telework when Federal/Departmental offices in the local commuting area are closed for reasons other than Federal law or Executive order may require. The employee will receive the same leave (administrative paid leave) as those employees who do not have approved individual telework agreements in place, e.g., have opted out of teleworking and/or are not approved to telework;
- f. Changing to Plan B. Employees may switch to Plan B at any time during the term of the telework agreement prior to reaching the 80-hour limitation. Supervisors will ensure that any changes made to agreements are initialed and dated on the agreement by the employee and the supervisor.

Telework Plan B (Employees with an established regular/recurring telework schedule or who wish to telework more than 80-hours per term of 12 months)

The employee is required to telework when Federal/Departmental offices in the local commuting area are closed. See "g" below.

- a. Employees who have a regular/recurring telework schedule;
- b. Includes employees who desire the option of doing ad hoc and/or unscheduled telework on more than 80-hours during the term of 12 months;
- c. Unscheduled Telework. No prior supervisory approval is required if the employee elects to perform unscheduled telework under an OPM or other authorized announcement. However, the employee must notify his/her supervisor of the decision to telework, and must properly code the webTA account to indicate telework for that particular day(s).
- d. Ad hoc Telework. The employee must obtain supervisory approval before performing ad hoc (episodic) telework;
- e. Sufficient work. The employee and manager (shared responsibility) are responsible for ensuring the employee has sufficient work during telework periods;

f. Less than 80-hours of ad hoc (episodic/unscheduled) telework. Performing less than 80 hours of ad hoc telework in 12 month term does not change the employee's election of Plan B to Plan A. The employee's Plan continues as Plan B.

g. Government/Agency/Office is closed. Closures are geographic specific, e.g., if the Washington D.C. metropolitan area is closed due to emergency or inclement weather, this closure may not affect other geographical regions. Geographical regions make these determinations. The employee must telework when Federal/Departmental offices in the local commuting area are closed for reasons other than Federal law or Executive Order, unless the employee chooses to take personal leave, i.e., annual leave. See 'c' above for 'unscheduled telework'.

Special Circumstances when offices are closed: First-line supervisors may excuse a telework employee from duty during emergency related closure if the alternate worksite is experiencing loss of power or internet connectivity, or the nature of the employee's position requires regular contact with his/her office.

9. WORK SCHEDULES, TIME AND ATTENDANCE, AND PAY

9-1. Work Schedules and Hours of Duty

ITA employees who telework will be governed by the same policies that applies to other employees regarding work schedules and hours of duty. The telework agreement must indicate the days and hours the employee will work at the alternate work site. First-line supervisors and employees can mutually agree on the number of TW days an employee can work per week. First-line supervisors make the final decision and approve. Supervisors also have the discretion of adjusting telework schedules based on the needs of the organization.

9-2. Employee Availability

The business needs of the organization, as determined by the first-line supervisor, will determine whether a teleworking employee must report to the conventional office on a day that would normally be a telework day. In those situations when the first-line supervisor determines that the employee must be present at the conventional office, e.g., to attend meetings or mandatory training, the teleworking employee must comply. However, every attempt should be made to provide the employee with reasonable notice that he/she must report to the conventional office. In all cases, the needs of the organization, as determined by the first-line supervisor, will take precedence over a telework arrangement.

9-3. Certification and Control of Time and Attendance

Employees are responsible for providing accurate information on time and attendance to timekeepers and supervisors. First-line supervisors must certify the accuracy of time and attendance to ensure that employees are paid only for work performed and that absence from scheduled duty are accounted for correctly. The teleworking employee is responsible for reviewing and ensuring the accuracy of his/her time and attendance records.

Time and Attendance/WebTA - Employees are required to document the number of hours they telework in their WebTA every pay period. First-line supervisors are required to monitor this requirement prior to certifying an employee's time and attendance each pay period, as well as track telework hours as appropriate. [Click here to read more](#) on

documenting telework hours in Department's official time and attendance on-line system.

9-4. Overtime

The provisions of the Fair Labor Standards Act governing overtime apply to telework arrangements. Overtime for FLSA exempt and non-exempt employees must be requested and approved by management in advance to preclude any unintended liability for premium pay. Failure to obtain approval in advance may result in termination of the telework agreement or other supervisory action. It is the responsibility of the first-line supervisor to regulate and control the use of overtime.

9-5. Leave

Policies and procedures currently in place for requesting the use of leave, compensatory time, or earned credit hours remain unchanged. Employees participating in telework are responsible for requesting leave in advance from first-line supervisors and keeping timekeepers informed of leave usage.

9-6. Emergency Closings and Dismissals

Closures are geographic specific, e.g., if the Washington D.C. metropolitan area is closed due to emergency or inclement weather, this closure may not affect other geographical regions. Geographical regions make these determinations.

Teleworkers are subject to the same OPM and Commerce policies governing administrative leave, dismissals, and closings. Employees previously scheduled to work at home under a telework agreement are required to adhere to their telework schedule or request unscheduled leave on a day of early dismissal or closure. Employees are required to work if the inclement weather has no impact on the alternate work site. Employees should exercise discretion as to whether he or she is capable of working that regularly scheduled telework shift. Employees must notify their first-line supervisor and obtain approval if they choose to take leave instead of working.

When the organization announces an early dismissal of employees for non-emergency conditions (such as on the day prior to a Federal holiday), employees who telework will be excused. When an emergency (e.g., loss of electricity or loss of internet connectivity) affects only the alternate workplace, the employee may request administrative paid leave by contacting his/her first-line supervisor. When an employee knows in advance of a situation that would prevent working at the alternate workplace, the employee will report to the regular office if the office is open or request leave.

9-7. Unscheduled Telework during Inclement Weather or Closures

Employees with telework agreements in place must notify their first-line supervisors of their intent to telework and secure approval prior to beginning to telework if he/she is not scheduled to telework on that day. Employees who elect unscheduled telework are required to record their time as "Telework Home" (if they worked from home or another approved site) or "Telework Alt. Site" on their WebTA.

9-8. Duty Station

Revised, approved and effective July 6, 2015

For purposes of pay, leave, benefits, and travel, the employee's "official duty station" is the location of the conventional office.

10. ALTERNATE WORKSITE

10-1. Safety

Employees who telework are responsible for reviewing and documenting a finding that their alternative work sites comply with health and safety requirements. The Telework Safety Checklist (see TW Tool Kit above), will be used for this purpose. A request to telework may be disapproved based on safety problems or the presence of hazardous materials identified by the employee. Homework areas must be clean and free of obstructions, in compliance with all building codes, and free of hazardous materials. The Government will not be liable for damages to an employee's personal property while performing official duties or while using Government equipment in the employee's residence, except to the extent the Government is held liable by the Federal Tort Claims Act. Safety Escape Hoods are not to be taken to the alternate worksite.

10-2. Expenses and Basic Office Supplies

ITA will not reimburse teleworking employees for operating costs, alternate worksite (when private residence is used) maintenance, or alternate site utility costs associated with working from their private residence or another approved work site.

Teleworkers must obtain basic office supplies, e.g., pens, note pads, paper clips, staplers, etc., from stocked supplies within the ITA office. ITA will not reimburse employees if these items are obtained elsewhere. Employees must receive first-line supervisor verbal clearance for office supply items before the items are taken from the conventional office to the TW alternate site.

The opportunity to participate in telework and the associated savings to the employee (resulting from reduced commuting costs and other work-related costs) are expected to offset any incidental increase in expenses.

10-3. Equipment

As a general rule, employees that telework must furnish their own equipment. However, computers and laptops that are occasionally determined to be excess equipment might be available for an employee to use. All Government equipment loaned to the employee must:

- Be physically brought into the office at least annually for the annual property inventory, as well as for any other property inventory requirements as directed by ITA.
- Have an approved release agreement signed by the employee and his or her first-line supervisor, with copy to the office property custodian.

Use of Government Equipment/Property:

The employee must obtain written permission signed by the first-line supervisor and the office property custodian to remove equipment such as loaned computers, laptops, and printers from the office for telework in order to comply with Departmental property accountability requirements. The property custodian should annotate in the Sunflower

Revised, approved and effective July 6, 2015

Personal Property Management System that the property has been loaned to the employee, with a specific expected return date not to exceed one year.

Teleworkers are subject to the same policies and procedures as other employees using Government-owned equipment. Equipment furnished by ITA is to be used only for authorized purposes, and the Government retains ownership and control of the hardware, software, and data. ITA will be responsible for the maintenance, repair, replacement, and technical support of Government-furnished equipment. Teleworking employees must notify their first-line supervisors immediately of any malfunction of Government-furnished equipment and make necessary arrangements to have it repaired. It will be necessary to bring the equipment into the office for repairs and property inventory requirements. When ITA-furnished equipment is no longer being used by a teleworker, the employee must return it to the employee's official duty station within three workdays. Failure to do so may result in termination of the telework agreement and disciplinary action.

Use of Non-Government Equipment:

ITA has no responsibility for non-government equipment. ITA is not obligated to reimburse employees for any costs related to the use of non-government equipment, or provide technical support for any such equipment.

10-4. Software

The basic software used by all employees for word processing, spreadsheets, etc. is available for home use on personal equipment as a benefit of ITA's licensing of Microsoft products. The Microsoft Home Use Program (HUP) permits an ITA employee to acquire the current full commercial version of some Microsoft products for their personal use. Information on how to do so can be found under the [IT Services section on the OCIO page](#) on ITA Central.

10-5. Remote Access to the ITA Network

ITA Network resources (email, files, etc.) are available via the Internet. These resources are available to all teleworkers who: are ITA Network users, have Internet access, and are using computer equipment and Internet browser software that is compatible with ITA Network remote access services. Additionally, access to some of these resources will require the use of an ITA-issued security token (RSA SecurID device). Please contact your business unit Resource Coordinator about obtaining an RSA SecurID device. RSA tokens have expiration dates and employees are responsible for ensuring their RSA tokens are replaced before the expiration date. ITA does not reimburse teleworkers for any costs associated with Internet access.

10-6. Telephone Equipment and Services

Telephones

ITA employees who wish to telework must be accessible by telephone at all times. ITA will not reimburse employees for installation of separate phone lines. To ensure accessibility, teleworkers who work from their homes may choose to install separate telephone lines (at their own expense), or they may use a personally-owned cellular phone. If neither a separate phone line nor a cellular phone is available; employees may use their own personal phone lines for Government business, but ITA will not reimburse employees for installation or monthly service charges when they use their own personal phone lines to conduct

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Government business.

Teleworkers should use Government calling cards to make long distance calls to conduct official Government business. Teleworking employees will comply with established policies and procedures when using Government calling cards. If employees have both a Government issued BlackBerry and Government calling card, they should use whatever is the most cost effective option to the Government when determining how to place calls. Government calling cards should never be used for personal purposes while on telework, even with the intent to later reimburse the Government.

10-7. Emergency at the Alternate Worksite

When an emergency affects only the alternate workplace and it is anticipated that the emergency or connectivity issue into the ITA virtual network will not be resolved timely and could last a major portion of the workday, the employee is expected to commute to the regular office or request the appropriate leave from the first-line supervisor. An employee is required to alert the supervisor of any issues in a timely fashion.

11. INFORMATION SECURITY

Teleworkers are subject to all Commerce and ITA information (and information technology) security policies and procedures and must appropriately protect the information they handle while teleworking. However, it may limit the nature of the work that can be performed while teleworking.

11-1 Telework-ready employees are not permitted to work on material classified as CONFIDENTIAL, SECRET, or TOP SECRET at the alternate work location. Those found to be working on classified material, will be in violation of Executive Order 13526, Classified National Security Information and may be subject to administrative sanctions.

11-2 Sensitive and Administratively Controlled Information

The responsibility for ensuring proper use and handling of sensitive and administratively controlled information is a dual responsibility of the employee and the first-line supervisor in the context of determining the specific types of assignments that can be completed under telework.

Sensitive and administratively controlled information includes, but is not limited to:

- For Official Use Only (FOUO) Information
- Freedom of Information Act (FOIA) Information
- Personally Identifiable Information (PII)
- Other categories of Controlled Unclassified Information (CUI)

Teleworkers will be required to abide as follows when signing the telework agreement:

Security - The applicant agrees to follow all existing security policies and procedures, including IT security. The applicant certifies that he/she has read and agrees to comply with the Department's [Remote Access Technical Requirements](#) and supplemental operating unit remote access implementation guidance (e.g. [use of the ITA Virtual Network](#)). The applicant agrees that his/her responsibilities described in Section 3.3.9.8 of the [Department of Commerce IT Security Program Policy and Minimum Implementation Standards](#) remain in

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effect while on telework status. Decisions regarding the proper use and handling of Classified National Security Information (NSI) and Sensitive Information will be made by the individual first-line supervisors who permit employees to work at home or an alternative worksite. First-line supervisors and teleworkers agree that Classified and Highly Sensitive Information will not be worked on at any off-site location.

Please refer to [Chapter 35](#) of the [U.S. Department of Commerce Manual of Security Policies and Procedures](#) for more information regarding sensitive and administratively controlled information.

12. RECORDS MANAGEMENT AND REPORTING

Teleworkers must maintain official records and files in the same manner they do when working in the traditional office. Records maintained by employees who telework are subject to the Freedom of Information Act (FOIA), the Privacy Act (PA), and ITA records retention requirements. First-line 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 PA requests. Once projects/assignments are completed, associated files should be returned to the conventional office.

12-1 Reporting

The ITA Office of the Chief Financial and Administrative Officer (OCFAO) will coordinate with business units on reporting and evaluation requirements, and provide advice and assistance to employees and supervisors on the ITA Telework Program as necessary. Obtaining reports from WebTA will be one of the mechanisms used to generate telework reports that are required periodically by the Department and OPM. Other ad hoc reporting methods will also be used as appropriate to meet any reporting requirements.

13. TAX ISSUES

It is the sole responsibility of teleworkers to determine the Federal and State tax implications of working at an alternate work site. Teleworkers should consult the Internal Revenue Service for information on Federal tax laws and interpretations that address their specific circumstances.

14. TELEWORK AGREEMENTS

14-1. Application Procedures

Supervisors should contact their servicing HR office to arrange for a review of an employee's Official Personnel Folder (OPF) to determine telework eligibility, with regards to statutory limitations (see Section 7.1 of this policy). If an employee meets the basic eligibility requirements, the first-line supervisor will notify employees of their approval status to telework and if approved, the supervisor's expectations of teleworking. An employee who wishes to participate in the ITA Telework Program must then complete Telework 101 – Employee via the CLC, print a completion certificate, complete the necessary Telework forms (see TW Tool Kit) and request permission from their first-line supervisor via the Telework Application and Voluntary Agreement. The employee must complete the telework agreement and submit it to his/her first-line supervisor, along with a Telework Safety Checklist and a completion certificate that the employee has completed the Telework 101 Training. Only after consideration of all factors will the first-line supervisor approve the

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employee to participate in the ITA Telework Program. Employees who have previously completed a telework application and agreement under a previous ITA version TW policy must complete the current TW agreement and have it approved.

14-2. Approval of Telework Agreements

If no factors or safety conditions preclude the employee's participation in telework and agreement is reached, the first-line supervisor and the employee will sign the Telework Application and Voluntary Agreement. The supervisor must provide a copy of the approved telework agreement to the employee.

14-3. Maintaining Agreements and Monitoring Plan A (limitation of 80 hours of TW)

The first-line supervisor will maintain original Telework Application and Voluntary Agreements, including annual renewed applications (whether approved or not) in the same location as other documents on time and attendance and work schedules.

Monitoring Telework Plan A Telework Hours – Supervisors had a responsibility of ensuring that employees that telework properly code their time and attendance (webTA) accounts to reflect the number of hour teleworked during a pay period. Using the webTA electronic system, supervisors must track the number of hour worked by employees who are on Telework Plan A, and inform employees that they are reaching or have reached the limitation of 80 hours of telework.

14-4. Renewal of Agreements

First-line supervisors are expected to review and renew telework agreements for their employees on an annual basis.

14-5. Preparing to Telework

Once the telework agreement is approved, the employee will take the necessary steps to secure computer and telecommunications equipment in accordance with the agreement.