



National Oceanic and Atmospheric Administration
U.S. Department of Commerce

TELEWORK POLICY

2003

Original Signed by

/s/ *Deborah A. Jefferson*

Deborah A. Jefferson
Director for Human Resources
Department of Commerce

November 28, 2003

Date

TELEWORK POLICY

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. INTRODUCTION	3
2. BACKGROUND	3
3. STATEMENT OF PURPOSE.....	4
4. SCOPE.....	4
5. OFFICIAL DUTY STATION	4
6. EFFECTIVE DATE	5
7. PROGRAM OVERSIGHT AND RESPONSIBILITIES	5
8. POLICY	7
9. REPORTING REQUIREMENTS.....	9
10. IDENTIFYING JOBS AND DUTIES SUITED FOR TELEWORK	9
11. SELECTING TELEWORK PARTICIPANTS	11
12. AUTHORIZED TELEWORK ARRANGEMENTS.....	12
13. TELEWORK AGREEMENTS	13
14. ESTABLISHING THE WORK SCHEDULE	13
15. HOURS OF DUTY, TIME AND ATTENDANCE AND PAY ISSUES	14
16. FACILITIES AND EQUIPMENT	16
17. SECURE OPERATIONS	19
18. PREPARING FOR THE TELEWORK ARRANGEMENT	20
19. PRIVACY ACT, SENSITIVE OR CLASSIFIED INFORMATION	21
20. TELEWORK ORIENTATION AND TRAINING	22
21. OTHER ISSUES.....	22
NOAA TELEWORK APPLICATION AND AGREEMENT	APPENDIX A-1
NOAA TELEWORK SAFETY CHECKLIST	APPENDIX A-2
NOAA TELEWORK TERMINATION FORM	APPENDIX A-3

1. INTRODUCTION

NOAA recognizes that the 21st Century brings many new challenges in the way the world works and conducts business. Information technology is in the forefront, helping to reshape business practices in the Federal Government, as well as in the private sector. Employees can now work virtually anywhere and anytime with the assistance of information technology. With the evolution of teleconferencing and the virtual web, meetings can take place in any part of the world without requiring travel. This new way of conducting business from remote locations away from the traditional office setting is called "Telework." It is through telework that many businesses, including the Federal Government, have become a geographically dispersed workforce.

2. BACKGROUND

Telework refers to paid employment performed away from the conventional office, either at home or at an alternative office site, for an agreed-upon portion of the workweek. Telework should not be confused with home-based businesses or independent contractor arrangements in the home. It also differs from situations where employees permanently work out of their home, traveling daily to clients or audit and inspection sites on premises not controlled by their employers. Telework is also known as telecommuting, flexiplace, and work-at-home.

Telework, a management tool, can provide a variety of benefits for employers, employees, society, and the environment. Telework benefits employers as a tool to attract and retain a high-quality work force, reduce employee absenteeism, accommodate employees with disabilities or medical problems who are otherwise able to work, and possibly reduce space needs and associated expenses. Employees benefit from reduced commuting time and costs, increased ability to capitalize on their peak productivity periods, and increased flexibility in coordinating work priorities with personal and family responsibilities. Society and the environment benefit from improved employment opportunities for disabled and mobility-restricted persons, reduced productivity problems associated with dependent care, and reduced traffic congestion and its associated health, pollution, and energy problems.

Telework in the Federal Government grew from a project begun in 1990. The President's Council on Management Improvement (PCMI) sponsored the Government-wide Flexible Workplace Project to examine the feasibility of flexible workplace arrangements, on a limited basis, through pilot tests. The Office of Personnel Management (OPM) and the General Services Administration (GSA) were given key roles in coordinating and evaluating telecommuting arrangements on behalf of the PCMI. During this test period, the home was the primary alternative work site. OPM evaluated the two-year pilot of the work-at-home component and found it successful.

In 1994, the Department of Commerce's (DOC) Office of Human Resources Management published guidelines to assist Bureau management in establishing flexible workplace programs. NOAA issued supplemental guidelines in 1995. Many of those guidelines are incorporated in this policy.

Later, GSA established Federal Telecenters in selected communities in the Washington, D.C. area and other locations across the United States. The Federal Telecenters are situated in outlying locations and offer computer and telecommunications equipment as well as administrative support.

The 2001 Department of Transportation Appropriations Act, which became law in October 2000 (Public Law 106-346), requires Federal agencies to establish policies allowing eligible employees to telework "to the maximum extent possible without diminishing employee performance." The law also mandated the Office of Personnel Management to provide guidance to Federal agencies on developing telework policies. Under this guidance, Federal agencies were required to have policies in place in 2001 which ensured that 25 percent of the eligible workforce be given the opportunity to participate in telework, with an additional 25 percent provided the opportunity each year thereafter.

3. STATEMENT OF PURPOSE

This telework policy incorporates any and all requirements stipulated in the Department of Commerce Telework Policy dated January 2003. Each line and staff office, headquarters and field, may develop implementing procedures as an addendum to the provisions of this policy. Any previous NOAA guidelines issued under the flexiplace authority are hereby cancelled, except those necessary due to existing collective bargaining agreements.

4. SCOPE

The provisions of this document apply to all NOAA employees, supervisory and non-supervisory, located in line and staff offices at headquarters and field installations participating in the NOAA Telework Program. It does not apply to employees serving probationary or trial periods, nor for student interns unless an exception has been authorized by DOC's Office of Human Resources Management (OHRM) based on operational need.

5. OFFICIAL DUTY STATION

The official duty station of an employee who teleworks remains unchanged for purposes of pay, leave, benefits, and other entitlements.

6. EFFECTIVE DATE

The NOAA Telework Program is effective upon approval by OHRM, as shown on the cover.

7. PROGRAM OVERSIGHT AND RESPONSIBILITIES

Office of Human Resources Management (OHRM) is responsible for Departmental oversight of the DOC Telework Program and any reporting requirements to OPM. The OHRM shall approve and monitor the various implementation plans to assure consistency across the bureaus and operating units in the implementation of the DOC Telework Program. The OHRM shall periodically review telework approvals and disapprovals to ensure consistency of application, direct changes as necessary, and provide guidance as required.

Human Resources Management Office (HRMO) is responsible for NOAA-wide oversight of the NOAA Telework Program and any reporting requirements to the Department's Office of Human Resources Management. HRMO shall review and approve line and staff offices' telework implementing procedures to assure compliance with these guidelines.

Principal and Servicing Human Resources Managers are responsible for providing advice and assistance to client organizations participating in the telework program.

Line Office Assistant Administrators and Staff Office Directors are responsible for the development, funding, administration, operation and evaluation of their telework implementing procedures. Each line and staff office will designate a Telework Coordinator and provide the individual's name to HRMO. Line and staff offices shall provide a copy of its implementing procedures to HRMO prior to implementation for approval.

NOAA'S Telework Coordinator is appointed by the Director, Human Resources Management Office and is responsible for disseminating telework information to line and staff offices' Telework Coordinators, providing advice and assistance to line and staff offices' Telework Coordinators, preparing NOAA-wide reports as required by the Department, and keeping the Director, HRMO informed of any significant changes in the program.

Line and Staff Offices' Telework Coordinators will serve as the central point of contact between the line and staff offices and NOAA's Telework Coordinator for receiving and distributing telework information, responding to the NOAA's Telework Coordinator request for statistical and program information, assuring telework implementing procedures and amendments thereto are approved by the Director, HRMO prior to implementation, and providing feedback.

Approving Officials are the Office Directors or their designees in the line and staff offices. Approving officials will approve, disapprove, modify, or terminate employees' participation in telework. If the approving official is someone other than an employee's immediate supervisor, the decision by the approving official will be made in consultation with the employee's supervisor.

Approving officials are responsible for:

- Approving the identification of the function, or portion thereof, of a position suitable for telework.
- Documenting approval/disapproval decisions and the rationale for such decisions, for each employee's request to participate in the telework program. Upon request, providing to HRMO documented approvals and disapprovals to allow monitoring of the program for consistency among approving officials.
- Reviewing, modifying, and terminating telework agreements in consultation with the employee's immediate supervisor in accordance with the NOAA Telework Policy.
- Authorizing the expenditure of funds to cover expenses associated with approved telework arrangements, subject to funding availability and managerial discretion.
- Evaluating the impact of the program on the efficiency, effectiveness, and employee satisfaction of work operations within their organizations.
- Notifying and negotiating with Union Officials, when applicable, prior to implementation of the telework program.
- Ensuring that all employees are briefed on the basics of NOAA's Telework Program and that all participating employees and supervisors attend a telework orientation session prior to participating and complete the web-based training exercise.

Supervisors are responsible for:

- The overall management and success of teleworking within their work units, including day-to-day operations, and modifications to individual telework agreements to meet mission needs or changing circumstances.
- Maintaining telework records for use in monitoring the program's effectiveness to include, at a minimum, the total number of employees eligible to telework, total number of eligible employees actually teleworking, and the total number of eligible employees given the opportunity to telework.
- Identifying functions, or portions thereof, of positions suitable to participate in telework and sharing this information with all employees.
- Identifying employees eligible to participate in telework based on position analysis.
- Developing and amending performance work plans, as needed, for work performed away from the official duty station.
- Assigning appropriate work to be performed at the alternative work site.
- Adjusting individual telework arrangements to meet the needs of the units they supervise.

- Being familiar with DOC's Unclassified System Remote Access Security Policy and Minimum Implementation Standards, found at http://ocio.os.doc.gov/ITPolicyandPrograms/Policy_Standards/DEV01_002681 and implement the policy as needed.
- Providing tools and training necessary for employees to be knowledgeable in information technology communications.

Employees are required to:

- Actively participate in the development and completion of the NOAA Telework Application, Agreement, and Safety Check List.
- Observe agreed-upon hours of work in accordance with established policies.
- Observe policies on requesting leave when leave is to be taken.
- Use Government equipment in accordance with regulations governing use.
- Adhere to and operate under the provisions of the telework agreement.
- Inform supervisors promptly of an injury or occupational disease occurring at the alternative work site.
- Pay for all operating costs incurred for set up and maintenance of an alternative work place not covered by the line and staff offices implementing procedures.
- Ensure the security of the information and systems under their control.
- Verify that the alternative work site complies with health and safety requirements, and maintain safety at the alternative work site.

8. POLICY

Telework Implementing Procedures. In accordance with Section 359 of Public Law 106-346, it is NOAA's policy to allow eligible employees to work at sites away from their official workplaces during all or a portion of their regular workweek. To implement this policy to the fullest extent possible, line and staff offices will establish telework implementing procedures that:

- Allow for 100% of **eligible** employees' participation in telework by October 2004.
- Allow employees to work all, or part, of a pay period at the alternative work site.
- Designate directors or their designees as the official to approve, disapprove, modify, and/or terminate telework agreements.
- Provide for an advance notification period to employees when terminating or modifying a telework agreement. When feasible, the notification period will be at least two (2) administrative work weeks but not less than seven (7) calendar days.
- State that telework is not a benefit or an employee entitlement.
- Indicate that employees' participation is voluntary.
- Identify the functions, duties, and tasks of positions suitable for telework and those positions that are not.
- Provide for and authorize appropriate funding, subject to funding availability and managerial discretion, for associated telework implementation costs.
- Authorize the expenditure of funds to cover expenses associated with approved

telework arrangements.

- Provide for telework program briefings for all employees.
- Provide for orientation training for participating supervisors and employees.
- Require participating employees and supervisors to complete the NOAA web-based Telework Certification Program.
- Require the identification of alternative work sites.
- State anticipated benefits for employees and line and staff offices.
- Address security issues involving alternative work stations, computers, telephone lines, and work products, etc.

Voluntary Participation. Employee participation in telework is voluntary and employees may terminate their participation at any time. While telework is a management option, organizations may not direct or coerce employees to participate. Written agreements documenting the terms and conditions of telework arrangements will be drafted and maintained in accordance with this policy.

Modification and Termination. Telework is a management option, rather than an employee benefit, and does not change the terms and conditions of employment. The operational needs of NOAA are paramount. Employees who telework do not have an automatic right to continue to telework. Telework arrangements may be modified, adjusted, or terminated at any time deemed necessary by management or when requested by an employee. Management has the right to end an employee's use of telework, if, for example, the employee's performance declines or if the arrangement no longer meets the organization's needs. Participation in telework will be terminated when the employee no longer meets the eligibility criteria.

Management shall provide at least two (2) administrative work weeks, when feasible, but not less than seven (7) calendar days before modifying or terminating a telework agreement to allow the affected employee to make necessary arrangements. The reason for termination will be documented in a telework form (See NOAA Telework Termination Form A-3) signed by the approving official in the organization and furnished to the affected employee. This does not preclude management from requiring an employee to report to work on a specific telework day when the needs of the office dictate.

Equal Opportunity. Participation in telework is open to all eligible employees without regard to race, color, gender, religion, national origin, marital status, age, disability, or sexual orientation.

Standards of Ethical Conduct. All employees, including those who telework, are expected to comply with the Department of Commerce Standards of Ethical Conduct, [Departmental Administrative Order \(DAO\) 202-735-A](#). Failure to comply with the standard while working at an alternative work site may result in termination of the telework agreement and disciplinary action for misconduct.

Labor-Management Relations. In line and staff offices where employees are represented by a labor organization accorded exclusive recognition, management is obligated to notify the labor organization of its intent to implement this policy and negotiate in good faith, as appropriate. Line and staff offices are encouraged to involve labor unions at the earliest stages of planning and implementation. Nothing in this policy shall abrogate or override any collective bargaining agreements in effect on the date this policy is issued.

9. REPORTING REQUIREMENTS

Telework Coordinators for respective line and staff offices are the primary contacts for reporting the status and success of their telework programs and preparing required reports, as needed, for inclusion in NOAA-wide reporting requirements mandated by the Department. At a minimum, line and staff offices will be expected to furnish data on the total number of employees eligible to telework, total number of eligible employees actually teleworking, and the total number of eligible employees given the opportunity to telework.

10. IDENTIFYING JOBS AND DUTIES SUITED FOR TELEWORK

Although many positions are suitable for telework, Public Law 106-346 recognizes that not all aspects of all jobs can be performed at alternative work sites. Supervisors with the approving officials' concurrence are responsible for identifying positions, tasks, and functions of a position suitable for telework as well as those positions that, when considered in their entirety, are not suitable for telework. Employees may participate in this exercise but the responsibility remains with the supervisor.

Work suitable for telework depends on job content, rather than job series or title, type of appointment, or work schedule. However, even jobs not entirely suited for telework may contain duties that can be performed at an alternative work site either on a regularly scheduled or intermittent basis.

The functions, duties, and tasks of positions suitable for telework typically include:

- Work activities that are portable and can be performed effectively outside the employee's conventional office with limited additional cost to the organization.
- Job tasks that are measurable or project-oriented.
- Client or customer contacts that are predictable or may be satisfied by frequently checking voice mail for messages.

Work contacts that can be adjusted to allow for telephone communications or conducted when the teleworking employee is at the conventional office.

In addition:

- The technology needed to perform the work at the alternative work site is available.
- The security of accessing office files/servers and data can be adequately assured.
- Access to specialized equipment or materials not present at the alternative work site location may be scheduled for days when the employee is in the conventional office.

The functions, duties, and tasks of positions suitable for telework typically include:

- Reading
- Thinking
- Writing
- Reviewing
- Researching
- Analyzing
- Editing
- Scheduling
- Planning
- Communicating by telephone, fax, personal computer
- Computer programming, data base development, data entry, word processing
- Remote System Administration and Monitoring

Possible likely activities, with specialized equipment, include:

- Video-Sound Editing

The types of duties and tasks that normally would not be performed at an alternative work site location include:

- Custodian Duties
- Mainframe Operations/Maintenance
- Health Services
- Maintenance (electrical/mechanical/telecom)
- Equipment/Furniture Moving
- Shipping/Receiving
- Mail/Message Delivery
- Archive Maintenance
- Motor Vehicle Operation
- Video/Sound Studio Production
- Carpentry
- Locksmithing

11. SELECTING TELEWORK PARTICIPANTS

Basic Eligibility Requirements. Although the approving official has decision authority, an employee and supervisor should work together to determine if telework is appropriate. An employee may be authorized to telework if:

- a) The immediate supervisor certifies that there are sufficient duties or work activities that can suitably be performed at an alternative work site;
- b) For a five-level performance management system, the employee's most recent performance appraisal is "Commendable" or "Outstanding," his/her record of attendance shows no pattern of leave abuse or excessive absence, as determined by the organizational unit, and the immediate supervisor certifies that no additional factors, as described below, preclude the employee from entering into a telework agreement.
- c) For a pass/fail performance management system, the employee's most recent performance appraisal is "Meets or Exceeds Expectations" or "Eligible" depending upon the system, and in the performance of his/her duties, the employee consistently meets performance plan objectives in terms of quality and quantity of work, demonstrates a high level of proficiency in solving problems as they arise, and produces high quality written products which are unambiguous and convincing. The employee also must demonstrate a high level of reliability in following supervisory and organizational policies and procedures in the performance of assigned duties. As for the five-level performance management system, the employee's record of attendance shows no pattern of leave abuse or excessive absence, as determined by the organizational unit, and the immediate supervisor certifies that no additional factors, as described below, preclude the employee from entering into a telework agreement.
- d) The employee signs a written telework agreement.

Additional Factors for Consideration. In determining if telework is appropriate, line and staff offices may establish additional factors to augment the basic eligibility requirements. These factors must be identified in the telework implementing procedures under the selection factors. Line and staff offices that do not develop telework implementing procedures will not be allowed to augment the basic eligibility requirements. Examples of additional factors are:

- a) Conduct. Is the employee's conduct considered acceptable? A record of misconduct does not necessarily prevent an employee from teleworking, but it can be considered when the nature of the misconduct may cast doubt on the employee's ability to successfully work at an alternative work site. For example, an employee who has been disciplined for unauthorized absences from the work site may not be a suitable candidate for telework.

b) Supervision. Is the employee capable of working without close supervision? Telework may not be suitable for employees in developmental or on-the-job training assignments which require close monitoring.

c) Organization and Time Management Skills. Is the employee effective in setting work priorities and meeting deadlines?

d) Contact with Others. Does the employee need to have face-to-face contact with the supervisor, other employees, clients, or the general public?

e) Immovable Material. Does the employee need access to material that cannot be moved from the conventional office?

f) Facilities and Equipment. Is the organization capable of providing special equipment or facilities necessary for the employee to telework? Would it be costly for the organization to duplicate the same level of security at the alternative work site?

g) Other. Does the employee need to be in the office to learn the organization? Will telework adversely affect the performance of the employee who teleworks or his or her coworkers?

12. AUTHORIZED TELEWORK ARRANGEMENTS

NOAA's Telework Policy authorizes two types of telework arrangements, intermittent and regular, based on a realization that organizational and employee needs vary considerably and should be addressed on a case-by case basis. Some employees may desire or need only occasional periods of work place flexibility, while others may wish to telework for longer periods under regularly scheduled arrangements. The intent is to provide individual supervisors and employees with flexibility in establishing arrangements that are responsive to unique work and personal situations. NOAA employees may request one of the following arrangements:

Intermittent or Episodic - Defined as infrequent periods of time when projects/assignments have short turn-around times and/or require intense concentration. Under such circumstances, the employee typically works at an alternative work site for short periods, away from typical office distractions. This enables the employee to focus more effectively on completion of the assignment.

Regularly Scheduled - An arrangement based on other than a temporary accommodation or condition, in which an employee works at an alternative work site

for some portion of the workweek or pay period on a continuing basis. This arrangement may be used to:

- ◆ Reduce office space and associated costs;
- ◆ Attract and retain high-quality employees in key occupations and positions;
- ◆ Improve productivity;
- ◆ Improve job satisfaction;
- ◆ Improve service to clients;
- ◆ Reduce commuting time and expenses;
- ◆ Improve access for and reasonably accommodate employees with disabilities;
- ◆ Accommodate an employee experiencing an incapacitating medical circumstance.

13. TELEWORK AGREEMENTS

Line and staff offices' telework implementing procedures must allow for the use of the forms provided in the appendices. These forms are:

- A-1..... NOAA'S Telework Application and Agreement
- A-2..... NOAA'S Telework Safety Checklist
- A-3 NOAA'S Telework Termination Form

Prior to participating in a telework program, the employee must complete the appropriate forms to commence teleworking. Copies of approved forms will be maintained by the approving official, or designee, for any reporting requirements. Approved telework participants must sign a telework agreement before participating in telework. For employees who telework on an intermittent basis, a separate agreement for each telework episode is not necessary if the employee has signed an agreement to telework on an intermittent basis. However, each incident of telework must have advance supervisory approval. Individual telework agreements must be reviewed and renewed at least annually to remain in effect.

The telework agreement covers the terms and conditions of the telework arrangement. It also constitutes an agreement by the employee to adhere to applicable guidelines and policies. The telework agreement covers items such as the voluntary nature of the arrangement; duration of the telework agreement; hours and days of duty at each work site; responsibilities for timekeeping; leave approval; requests for overtime and compensatory time; performance requirements; proper use and safeguards of Government property and records; and standards of ethical conduct.

14. ESTABLISHING THE WORK SCHEDULE

Work performed away from the conventional office will vary depending upon the individual arrangements between the employee and the supervisor. Telework

arrangements may be established on either a regularly scheduled or intermittent (episodic) basis. The process of establishing work schedules permits periodic adjustments to achieve an optimal schedule suiting organizational and employee requirements.

Line and staff offices' implementing procedures may allow for the teleworker to work all, or a specified number of days, of the pay period at the alternative work site. Successful telework programs demonstrate that employees should spend at least part of the work week in the conventional office for several reasons: (1) to minimize isolation and communication problems, (2) to facilitate integration of the teleworking employee with co-workers in the conventional office, and (3) to attend required meetings. Employees participating in an intermittent or episodic telework arrangement should not be required to work a minimum number of days in the conventional office.

Work schedules identify the days and times the employee will work in each work setting. Line and staff offices' telework implementing procedures may allow for establishing work schedules at the alternative work site that do not parallel regular work schedules for the traditional office environment. The process of establishing work schedules permits periodic adjustments and encourages flexibility to achieve an optimal schedule which can meet organizational requirements and suit employee needs. Work schedules may also include fixed times during the day for supervisor/employee telephone conversations. Establishing such times may be helpful to ensure ongoing communication. Electronic mail and voice mail offer additional supervisor/employee communication options.

15. HOURS OF DUTY, TIME AND ATTENDANCE, PAY AND OTHER MISCELLANEOUS ISSUES

Hours of Duty. Normally, employees who telework will work the same schedules that they work in the regular office. However, line and staff offices' telework implementing procedures may allow for establishing work schedules at the alternative work site that do not parallel regular work schedules for the traditional office environment. Employees may work standard, flexible, or compressed schedules depending upon the agreement between the employee and the supervisor. Work schedules may be changed with supervisor approval and in accordance with established procedures. Completely unstructured arrangements where employees work at the alternative work site are not permitted. For additional information on hours of duty, consult the DOC Leave Handbook at <http://ohrm.os.doc.gov/Leave/index.htm>.

Certification and Control of Time and Attendance. Proper monitoring and certification of employee work time is critical to the success of the program. The General Accounting Office guidelines regarding employees at remote sites require that agencies establish a time accounting method that provides the supervisor with reasonable assurance that employees at remote sites are working when scheduled.

Line and staff offices' telework implementing procedures shall allow for the proper monitoring and certification of teleworkers' time working to ensure that teleworkers are only paid for work performed and absences are properly accounted for. This will provide for reasonable assurance that the employee's time and attendance can be properly certified. Some approved techniques mentioned, which could be applicable to telework arrangements, include: determining reasonableness of work output for time spent, occasional supervisory telephone calls or e-mails to an employee during times the employee is scheduled to be on duty; and occasional visits by the supervisor to the employee's alternative work site.

Overtime Work. In accordance with DOC pay policy, overtime must be approved in advance (memo, e-mail, CD-81) to preclude any unintended liability for premium pay. Employees who telework must have prior supervisory approval to work overtime. Failure to obtain supervisory approval prior to working overtime may result in the termination of the telework arrangement, and the time worked may not be compensated. For additional information on overtime, consult the DOC Premium Pay Manual at http://ohrm.os.doc.gov/Premium_Pay/index.htm.

Leave. Line and staff offices' telework implementing procedures shall require telework participants to adhere to all established leave procedures. The procedures for requesting leave remain unchanged for telework participants, i.e., teleworkers are still required to request and obtain approval of leave in advance of its use. For additional information on leave, consult the DOC Leave Handbook at <http://ohrm.os.doc.gov/Leave/index.htm>.

Emergency Conditions. Although a variety of circumstances may affect individual situations, the principles governing administrative leave, dismissals, and closings remain unchanged. If the activity announces an early dismissal due to inclement weather to allow employees to return home safely and the employee is working at a Federal Interagency Telecommuting Center, the employee will follow the dismissal procedures of the Telecenter. If the employee is working at home when an early dismissal due to inclement weather is announced, the employee shall exercise discretion as to whether (s)he is capable of continuing work for the rest of the regularly scheduled shift. When the office closes for an emergency due to inclement weather, e.g. a "snow closing day," employees who telework will be excused if the regular office is excused. When the activity 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 affects only the alternative work site for a major portion of the workday, the employee is expected to report to the regular office or request supervisory approval of annual leave, compensatory time off, credit hours off if on a flexible work schedule, or leave without pay. When an employee knows in advance of a situation that would preclude working at the alternative work site, the employee must either come to the conventional office or request leave. For additional information, see the DOC Leave Handbook, <http://ohrm.os.doc.gov/Leave/index.htm>.

Workers' Compensation. Employees who telework are covered by the Federal Tort Claims Act and the Federal Employees Compensation Act and qualify for workers' compensation for injuries or illnesses sustained while performing their official duties at an alternative work site. This is one reason that it is vital that a specific authorized work location and work schedules must be identified in advance and adhered to by the employee. (See further discussion below in "Facilities and Equipment Issues.")

A reference should be made to the NOAA Human Resources website at <http://www.wfm.noaa.gov/> A-Z Index, Workers' Compensation, for the Department's policy and applicable claim forms. Employees, in all situations, bear responsibility for informing their immediate supervisor of an injury at the earliest time possible. The supervisor's signature on the request for compensation attests only to what the supervisor can reasonably know, whether the event occurred at the conventional work site or at an alternative work site during official duty.

Workplace Environment. Any employee participating in telework is expected to perform his/her duties and responsibilities at the telework location at a proficiency level equal to or greater than when performed at the conventional office and work for the entire time period scheduled. Consequently, it is critical that the alternative work-site be free from distractions and the employee free from obligations which would impair his/her ability to provide the same time and level of attention to the work product as when in the conventional office.

Dependent Care. No telework arrangement is authorized which entails the employee providing day care to any individual.

Official Duty Station. Line and staff offices' telework implementing procedures shall establish the employees' "official duty station" for pay purposes as the conventional office. (See Section 5. Official Duty Station.)

16. FACILITIES AND EQUIPMENT

Alternative Office Space. Line and Staff offices' telework implementing procedures shall adhere to the minimum standards established below for work stations at the alternative work site.

Alternative Office. A specific work location for performance of telework duties must be identified and authorized in advance. Requirements will vary depending on the nature of the work and the equipment needed to perform the work. At a minimum, employees should be able to easily communicate by telephone with the supervisor, serviced clients, and coworkers during the telework day. In addition, employees are responsible for verifying and ensuring that their alternative work areas comply with health and safety requirements (See the self-certification Safety Checklist on page A-2). Work areas must be clean and free of obstructions, in compliance with all building codes, and free of hazardous materials. A supervisor may inspect the

alternative work site for compliance with health and safety requirements when deemed appropriate and with advance notice. An employee's request to telework may be disapproved or rescinded based on safety problems or the presence of hazardous materials.

Government-owned Equipment. Line and staff offices' telework implementing procedures shall establish its own procedures regarding the purchase, transfer, and installation of Government-owned equipment for the use of such equipment by the employee at the alternative work site. Line and staff offices are under no obligation to provide Government-owned equipment to its employees solely for the purpose of teleworking. Where funding limitations may constrain employee participation in telework, organizations should explore alternative arrangements to permit employees to telework. Consultation with appropriate approving and subject matter officials, i.e., the Chief Financial Office and Information Technology Office, shall occur to ensure that the parameters of governing laws, rules, regulations, and budgetary constraints are considered. Government-owned equipment is to be used only for authorized purposes and the Government retains ownership and control of the hardware, software, and data. In these situations, the Government is responsible for the maintenance, repair, and replacement of such equipment. Teleworking employees must notify their supervisors immediately of any malfunction of Government-owned equipment and return the equipment to the office for service.

Government-owned Computer Security Issues. Line and staff offices' telework implementing procedures shall stipulate that only hardware/software configuration procured by the Federal government and authorized by an approving official for the alternative work site should be installed. Under no circumstances should employees be allowed to add non-government owned or unauthorized hardware or software to government equipment.

Computer Software Copyrights. Where individual license agreements allow for computer software to be installed on multiple computers, as long as only one is in use at any given time, employees may install Government-licensed computer software on the alternative work site computer to perform official work. Each software manufacturer's license agreements terms must be examined on a case-by-case basis to determine whether or not this is permissible by the operating unit Chief Information Officer who will consult with the Office of General Counsel on the interpretation of any license. This will reduce telework expenses for the employee, while expanding the nature of work that may be performed at the alternative office.

Commercial Computer Software. Line and staff offices' telework implementing procedures shall identify the official having authority to approve or disapprove an employee's request to use software purchased by the Government at the alternative work site. The approving official in this instance should ensure that employee's use of government owned software is not prohibited by a license agreement. Where license agreements allow government-owned computer software to be installed on

an employee's personally owned equipment at no additional charge, the government may provide software for installation and use on the teleworker's personally owned equipment. Examples of this software may include anti-virus software, internet browser software, or general purpose software such as word processing or spreadsheet.

Personal Computer Equipment. If the teleworking employee elects to use his or her personal computer equipment at the alternative work site, the employee is responsible for the purchasing, servicing, and maintenance costs associated with that equipment. The Government will not reimburse employees for such costs. The computer must have antivirus software and all files transferred to the government computer, electronically or by disk, must be scanned.

Installation of Telephone Lines. Line and staff offices' telework implementing procedures shall address whether appropriated funds will be used to pay for telephone line installation and monthly service charges for telephone, cable, DSL, ISDN lines at the alternative work site. For official government business only and specific to the telework arrangement, appropriated funds may be used to pay for telephone line installation and monthly service charges for telephone, cable, DSL, or ISDN lines in the private residence of teleworking employees. Once an agreement is terminated, the office should make sure that the service is cancelled. However, the Government cannot pay for installation or monthly service charges for a single telephone, cable, DSL, or ISDN line that will be used for both Government and personal purposes. Government calling cards may be used by teleworking employees to make long distance telephone calls to conduct official government business. Employees are required to adhere to the rules governing usage of government telephone lines for personal purposes at the alternative work site.

Personal Expenses. The teleworking employee is expected to pay for costs incurred in operating an alternative office. As a consequence, the following represent cost issues for employees electing to work at an alternative work site:

- The Government will not reimburse employees for additional costs, such as utilities or insurance, associated with working at an alternative work site. Potential savings to the employee resulting from reduced commuting, meals, etc., may offset any incidental increase in costs to teleworkers.
- If the employee elects to furnish his or her own workstation at the alternative work site, the Government will not reimburse the employee for the purchasing costs. In addition, the employee is responsible for the maintenance, repair, and replacement of such equipment. Note: A typical workstation requires the following: 1) a personal computer; 2) a modem; 3) telecommunications software; 4) internet service; 5) internet browser software; 6) anti-virus software; and 7) general purpose software (e.g. word processing, spreadsheet, and presentation graphics software).

Federal Interagency Telecommuting Centers. Authorized telecenters are those established by the General Services Administration. For a fee (per work station, per month, and depending on location), employees will have access to a wide array of up-to-date equipment, including modular work stations, a telephone with local and FTS 2000 service, a high speed computer with a color monitor and modem, laser printer, facsimile machine, multi-function copier, conference and storage space. The Department's Telework Policy requires each bureau to consolidate and manage requests for work stations within the Federal Telecommuting Centers and establish one agreement. In order to carry out this requirement, each line and staff offices' telework implementing procedures shall require that requests for use of a telecommuting center be made to NOAA's Telework Coordinator on a quarterly basis for the succeeding quarter. The cost for the use of a telecommuting center will be absorbed in a charge back to the respective line and staff office.

A listing of Federal Interagency Telecommuting Centers can be found at <http://www.telework.gov/>.

17. SECURE OPERATIONS

The Department's Chief Information Officer (CIO) is responsible for issuing and maintaining policies and minimum implementation standards for remote access security, which includes access to information technology systems required for networks. These policies and minimum implementation standards outline responsibilities of CIOs as well as teleworkers to enable an effective working environment for the teleworker and the protection of Department systems from undue risk.

Operating Unit Chief Information Officers, with the support of their Information Technology Security Officers, are responsible for establishing teleworking IT security procedures specific to their operating unit and providing secure telecommuting resources and operational controls commensurate with the sensitivity of the data processed, consistent with policies and minimum implementation standards provided by the Department's CIO.

- Teleworkers are responsible for following the Department's Information Technology Security Program Policy, Remote Access Security Policy and Minimum Implementation Standards, all applicable policies contained in the Department's Information Technology Management Handbook, and his/her operating unit's teleworking information technology (IT) security policies to maximize the security of the information and systems under their control. Departmental IT policies are available at http://ocio.os.doc.gov/ITPolicyandPrograms/Policy_Standards/index.htm The workplace and workstation must be set up to afford secure information processing, including the proper storage of sensitive DOC, NOAA, and proprietary information in both electronic and paper form. The workstation must not be the source of vulnerabilities to the DOC and NOAA network.

- Supervisors are responsible for ensuring that teleworkers follow the security practices outlined in the operating unit's teleworking IT security policies. Supervisors

must ensure that the designated work space or work station of the employee has adequate physical or environmental security measures in place to protect the equipment from being accessed by unauthorized individuals. This can be accomplished by having the employee specifically identify the proposed work area and certify in writing the security measures that will be used. (A checklist, similar to the one being used to certify the safety of the work area may be useful for this purpose.) Examples of measures that may be acceptable, depending upon the information include denying unauthorized individuals, including family members, access to work area or by securing portions of the work area by locking them when not in use.

- Dial-up telecommunication access to Government computers presents special security concerns. A combination of physical controls, unique user identifiers, passwords, terminal identifiers, access control software, and strict adherence to security procedures is required to protect the information from unauthorized access. Supervisors must ensure that personal ID's, passwords, access codes, etc., that are assigned are accounted for and maintained properly.
- Be aware that telephones represent a security vulnerability because conversations can be easily intercepted. Therefore, discussions of work assignments should not entail any classified information.
- Teleworkers must comply with security procedures to protect Government information stored on magnetic media of the workplace or privately owned computers when the computers are repaired or serviced. Where the hard disk of a workplace computer is inoperable, arrangements must be made to remove sensitive information from the hard disk prior to having the computer serviced. This same procedure must be followed regardless of whether the computer belongs to the employee or the government.
- Line and staff offices must ensure adequate property management procedures for their accountable property (computers), whether owned or leased, to ensure an immediately retrievable inventory and physical location identification of automated data processing equipment (ADPE) and software.

18. PREPARING FOR THE TELEWORK ARRANGEMENT

The following actions are to be taken when establishing a telework arrangement:

- The interested employee submits a completed application and agreement to the immediate supervisor (See A-1 - Telework Application and Agreement.)

- The employee and supervisor discuss the proposed telework arrangement and the type of work to be done by the employee at an alternative work site.
- If a suitable arrangement is reached, the employee and supervisor complete the Telework Application and Agreement and the Self-certification Safety Checklist if the alternative work site is in the employee's home (See A-1 - Application and Agreement and A-2 - Safety Checklist.)
- The telework agreement is signed by the employee, supervisor, and the approving official.
- Verify that the employee has completed the Security Awareness Training.
- Depending on whether the alternative work site is the employee's home or a Federal Interagency Telecommuting Center, one of the following actions will be necessary:
 - To use a Federal Interagency Telecommuting Center, arrangements must first be made to tentatively reserve a work station for the employee at the desired telecenter through the NOAA Telework Coordinator.
 - If the alternative work site is the employee's home:

Obtain information required for accessing the secured operations of the conventional office. Verify that all required IT security requirements have been met, i.e., firewall and virus scan software installed on computer used at the alternative work site.
 - If the employee will use his/her personal equipment, arrangements must be made to:

Borrow software installation disks (or CD's) and installation instructions for installing on the employee's personal computer at the alternative work site (if software package's licensing agreement allows).

19. PRIVACY ACT, SENSITIVE OR CLASSIFIED INFORMATION

Decisions regarding whether to allow the handling or removal of sensitive data, as well as records subject to the Privacy Act, from the conventional office to the alternative work site for telework are delegated to individual supervisors who permit employees to work at an alternative work site. Care must be taken to ensure records subject to the Privacy Act and sensitive non-classified data are not disclosed to anyone except those who are authorized access to perform their duties. Classified or proprietary data may not be removed from employees' official work sites to off-site locations. Line and staff offices allowing employees to access records subject to the Privacy Act from a remote work site

must maintain appropriate administrative, technical, and physical safeguards to ensure the security and confidentiality of the records. When records subject to the Privacy Act are maintained or used by employees working at home or at other remote locations, line and staff offices should revise the appropriate record system notices to indicate that the alternative system location is authorized. In general, privacy act files should not be stored on the home computer regardless of who owns it.

20. TELEWORK ORIENTATION AND TRAINING

Line and staff offices' telework implementing procedures shall provide for briefings for employees on the basics of NOAA's Telework Program. Additionally, supervisors, managers, and employees participating in telework must take NOAA's telework web-based training at <http://www.wfm.noaa.gov/employees/telwk-orientation.htm> prior to participating in telework.

21. OTHER ISSUES

- Dependent Care. Telework is not intended to serve as a substitute for dependent care. Generally, telework will not significantly reduce dependent care costs. However, telework may reduce dependent care costs by reducing the number of hours of care necessary due to commuting time saved. In some cases, it could eliminate the need for before or after school care.

The opportunity to participate in the program is offered only with the understanding that it is the responsibility of the employee to ensure that a proper work environment is maintained (e.g., dependent care arrangements are made so as to not interfere with the work, personal disruptions such as non-business telephone calls and visitors are kept to a minimum, etc.) The employee and his/her family should understand that the home office is just that, a space set aside for the employee to work.

- Tax benefits. Generally, an employee who uses a portion of his or her home does not qualify for any Federal tax deductions. However, employees should consult their tax advisors or the Internal Revenue Service for information on tax laws and interpretations that address their specific circumstances.

NOAA Telework Application *and* Agreement**➤Section I (Completed by Employee)**

Employee's Name:	Telephone #:
Job Title:	Series and Grade:
Division:	Office:
Supervisor's Name and Title:	
Official Duty Station:	

I Request to Telework at:

- GSA Federal Telework Center (Location): _____ Phone: _____
- Alternative Workplace (Location): _____ Phone: _____

➤Section II (Telework Agreement)

The following constitutes an agreement on the terms and conditions of the telework arrangement for working at an authorized alternative workplace between the Employee and the Supervisor.

Description of work to be performed:

A copy of the agreement will be retained by the supervisor and the employee for reference.

Voluntary Participation

The employee voluntarily agrees to work at the approved alternative workplace indicated in Section 1. of the NOAA Telework Application and Agreement. The supervisor concurs with the employee's participation. The employee and supervisor agree to follow all applicable policies and procedures established by the Department of Commerce and NOAA. The employee recognizes that the telework arrangement is not an employee entitlement, but an additional method that the employer may approve to accomplish work.

Performance/Work Assignments

The employee's most recent performance rating of record and current performance must be at least "Meets or Exceeds." The employee understands that a decline in performance may be grounds for canceling or modifying the alternative workplace arrangement. The employee agrees to complete all assigned work according to procedures mutually agreed upon by the employee and the supervisor and according to guidelines and standards in the employee's performance plan.

Approval Period

The employee will participate in the telework program on (check one):

- A *regularly* scheduled (*continuing*) basis beginning _____.
- (date)
- A *non-regularly* scheduled (*intermittent or episodic*) basis beginning _____ for at least _____
- (up to one year). (date)
- This agreement shall expire on _____, unless cancelled or terminated earlier by either the approving official and/or employee, or renewed by agreement of the employee and approving official.

Official Duty Station and Alternative Workplace

The supervisor and employee agree that all pay, leave, and travel entitlement are based on the official duty station as shown in Section 1. of the NOAA Telework Application and Agreement.

Work Schedule and Tour of Duty

The supervisor and employee agree that the employee's official tour of duty is as shown in the table below (insert days and hours).

	<u>Week 1 of pay period</u>	<u>Week 2 of pay period</u>
Official Duty Station		
Alternative Workplace		

(For guidance on flexible work schedules, refer to the Department of Commerce or your unit's Alternative Work Schedule Plan, and specify the flexible band and the limits within which flexible hours may be worked.)

Special Circumstances:

Alternative Workplace 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 alternative workplace, for example, home maintenance, insurance or utilities.

Entitlement to Reimbursements

The supervisor understands that the employee does not relinquish any entitlement to reimbursement for authorized expenses incurred while conducting business for the Government, as provided for by statute and regulations.

Equipment/Supplies

The employee agrees to protect any Government-owned equipment and/or supplies and to use the equipment only for official purposes. Any government-owned equipment issued to the employee will be serviced, maintained, and installed, if applicable, by NOAA. The employee is responsible for maintaining, installing, and the servicing of any personal equipment needed. The supervisor will provide the employee with all necessary office supplies, and will arrange for the employee to make business-related long distance telephone calls at no cost to the employee.

Equipment needed to perform work at alternative workplace:

This section must be completed

NOAA Furnished: _____

Employee Furnished: _____

Alternative Workplace Inspection

The employee agrees to permit the Government to inspect the alternative work site during the employee's scheduled working hours with prior notice. The supervisor and employee agree that the purpose of any such inspection will be to ensure that the designated work area is adequate for performance of employee's official duties, meets required safety and security requirements, and to ensure proper maintenance of Government-owned property.

Salary and Benefits

The supervisor and employee agrees that a telework arrangement is not a basis for changing the employee's salary, benefits, or entitlements.

Overtime

The employee agrees to work overtime only when ordered and approved in writing by the supervisor and in advance of working the overtime. The employee understands that overtime work without such approval may not be compensated and may result in termination of the telework arrangement.

Leave

The employee agrees to follow established office procedures for requesting and obtaining approval of leave. The employee understands that if an emergency condition occurs either effecting the alternative workplace or the Federal government, the employee must contact the supervisor and follow appropriate dismissal or leave requesting procedures.

Time and Attendance Reports

The supervisor and employee are responsible for ensuring the accuracy of time and attendance reported for the employee's work at the official duty station and the alternative workplace. The supervisor agrees to certify biweekly the employee's Time and Attendance Daily Report for hours worked. The employee's timekeeper will retain a copy of the employee's work schedule.

Conducting Personal Business

The employee agrees not to conduct personal business at the alternative workplace while in an official duty status for example, caring for dependents or making home repairs.

Liability

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

Worker's Compensation

The employee understands that (s)he is covered by Federal Employee's Compensation Act if injured in the course of performing official duties at authorized work locations. The employee agrees to notify his/her supervisor immediately of any accident or injury that occurs and to complete any required forms. The supervisor agrees to process such a report immediately.

Maintenance of Records

The supervisor is responsible for maintaining all forms and records associated with this agreement.

Standards of Conduct

The employee agrees to abide by the Department of Commerce Standards of Ethical Conduct Standards while working on official duty.

Disclosure

The employee 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. 552a, and all other regulatory guidance controlling the protection and use of government records.

Termination

The supervisor and employee understand that either party may terminate the Telework agreement with reasonable advance notice, generally two (2) administrative work weeks, but not less than seven (7) calendar days and require the employee to resume working at his/her official duty station. Reasons for termination will be documented by the supervisor and/or employee on NOAA's Telework Termination Form and filed with this agreement.

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 with the provisions of this agreement may also result in appropriate disciplinary or adverse action against the employee.

Certification

By signing this agreement, the employee certifies that (s)he has read the terms of this agreement and agrees to follow the policies and procedures outlined in them as well as all other applicable regulations, policies, and procedures:

Employee's Signature: _____ Title: _____ Date: _____

Supervisor's Signature: _____ Title: _____ Date: _____

Approving Official's Signature: _____ Title: _____ Date: _____

>Section III (Approval/Disapproval)

Your request to participate in the telework program is:

Approved as written:

Approved with the following modification(s):

GSA Federal Telework Center (Location): _____ Phone: _____

Alternative Workplace (Location): _____ Phone: _____

Other: _____ Phone: _____

Disapproved for the following reason(s):

The employee does not have sufficient duties or work activities suitable for performance at an alternative work site.

The employee's absence from the work place under a telework arrangement will unacceptably impact the operation of the work unit.

- The extent of supervision required for the employee could not be achieved in conjunction with a telework arrangement.
- The employee's alternative work site does not meet prescribed acceptability standards. (State the specific deficiency issue(s), such as: safety, two-way communications, access to required materials, IT security, or non-work related distractions and/or obligations.)
- The employee does not meet performance eligibility requirements. (State the specific deficiency issue(s) such as: writing, problem-solving, reliability for following prescribed policies and procedures, organization/time management skills, or work quality and/or quantity.)
- The employee does not meet conduct-related eligibility requirements. (State the specific deficiency issue(s), such as: leave abuse, excessive absence, or a record of misconduct which precludes participation at this time. If no additional misconduct in one (1) year, employee may reapply.
- Other (please specify):

Supervisor's Signature: _____ Date: _____

Approving Official's Signature: _____ Date: _____

NOAA TELEWORK SAFETY CHECKLIST - PRIVATE RESIDENCE

Note: Complete this only if the proposed alternative workplace is located in a private residence.

This checklist is designed to assess the overall safety of the designated work area of the alternative workplace. Each applicant should read and complete the self-certification safety checklist. Upon completion, the checklist should be signed and dated by the applicant.

Applicant: _____ Office Telephone: _____

Location of alternative workplace: _____ Alt Workplace telephone: _____

Description of the designated work area:

Within the designated work area:

1. Are all stairs with four or more steps equipped with handrails? Yes No N/A
2. Are all circuit breakers and/or fuses in the electrical panel labeled as to intended service? Yes No N/A
3. Is all electrical equipment free of recognized hazards that would cause physical harm (frayed wires, bare conductors, loose wires, flexible wires running through the walls, exposed wires fixed to the ceiling)? Yes No N/A
4. Will the building's electrical system permit the grounding of electrical equipment? Yes No N/A
5. Are aisles, doorways, and corners free of obstructions to permit visibility and movement? Yes No N/A
6. Are file cabinets and storage closets arranged so drawers and doors do not open into walkways? Yes No N/A
7. Are the chair casters (wheels) secure and the rungs and legs of the chair sturdy? Yes No N/A
8. Are the phone lines, electrical and extension cords secured under a desk or alongside a baseboard? Yes No N/A
9. Is the office space neat, clean, and free of excessive amounts of combustibles? Yes No N/A
10. Are floor surfaces clean, dry, and level? Yes No N/A
11. Are carpets well-secured to the floor and free of frayed or worn seams? Yes No N/A
12. Is there sufficient light for reading? Yes No N/A

I hereby certify that I will take all necessary corrective actions to eliminate any hazard (as revealed by a negative response) before I begin to telework.

Employee's Signature: _____ Date: _____

NOAA TELEWORK TERMINATION FORM

The telework option is not an employee right but rather 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 (Please check one):

- Voluntary Withdrawal
- Involuntary Withdrawal

If involuntary terminated, this decision was based on:

- The employee does not have sufficient duties or work activities suitable for performance at an alternate work site.
- The employee's absence from the work place impacted the operation of the work unit.
- The extent of supervision required for the employee could not be achieved.
- The employee's alternate work site does not meet prescribed acceptable standards. (State the specific deficiency issue(s)).
- The employee does not meet performance-related eligibility requirements. (State the specific deficiency issue(s)).
- The employee does not meet conduct-related eligibility requirements. (State the specific deficiency issue(s)).
- The employee was reassigned or detailed to a new position. A new agreement is required.
- Other (please specify):

Receipt Acknowledged:

Employee's Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

Approving Official's Signature: _____ Date: _____