U.S. DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Telework Implementation Plan

June 2018

Approved By: [Signature] Date: 6/29/18
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Telework Implementation Plan

I. INTRODUCTION

Telework is a flexible work arrangement under which an employee performs the duties and responsibilities of his/her position and other authorized activities from an approved alternate worksite other than the employee’s designated traditional Federal workplace.

The NOAA Telework Implementation Plan is consistent with the provisions of the Telework Enhancement Act (Act) of 2010 (Public Law 111-292, October 9, 2010), section 6329c of the Administrative Leave Act, the Department of Commerce Telework Policy (May 2018), and the Office of Personnel Management’s (OPM) policies contained in their Guide to Telework in the Federal Government and Washington, DC Area Dismissal and Closure Procedures (December 2014).

The law and policies are intended to promote:

- recruiting and retaining the best possible workforce;
- continuing operations during emergency conditions;
- management effectiveness; and
- enhancing work-life balance by allowing employees to better manage their work and personal obligations.

Telework is a workplace flexibility management option to facilitate the timely and effective accomplishment of the work of the office. An employee’s decision to elect to telework is entirely voluntary (unless the employee is designated an “emergency” employee or is designated as a member of the Emergency Response Group).

Although participation in the Telework Program is voluntary and subject to the discretion of the supervisor, participation is encouraged at a rate of at least 2 days per pay period for non-supervisory employees, and 1 day per pay period for supervisory employees.

II. REFERENCES

- 5 U.S.C. § 6329c (Administrative Leave Act
- OPM, Washington, DC, Area Dismissal and Closure Procedures (December 2014)
- Department of Commerce, Teleworking Policy, May 2018

III. DEFINITIONS
**Ad Hoc Telework** – A subset of Situational Telework. It is approved telework performed on an ad hoc occasional, one-time, or irregular basis. Ad hoc telework must be requested and approved by the supervisor in advance.

**Alternate Worksite** – The employee’s residence, or a location other than the traditional worksite which, has been approved by the manager/supervisor for the performance of the employee’s official duties. For purposes of telework, the alternate worksite is considered an official Government worksite.

**Approving Official** – The director (or her/his designee(s)) of the employee’s office. For example, the director could designate the employee’s supervisor as the approving official.

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

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

**Emergency Response Group (ERG) Member** – A person assigned responsibility to report to an alternate site, be on call, or serve as backup, as required, performing agency-essential functions or other continuity-related operations.

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

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

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

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1 Length of this exclusion is at the office director’s discretion.
**Mobile Workers** – Employees who, by the nature of their duties, do not have a designated traditional worksite, and they typically use their home as their ‘home base.’ Due to the nature of their work, they are not considered telework-ready employees. **Note:** This is different from ‘hoteling’ arrangements, in which frequent telework-ready employees’ use shared space when they are working at their designated traditional worksite.

**Routine or Regular/Reoccurring Telework** – Telework that is performed on the same day(s) of the week/pay period on the employee’s regularly scheduled tour of duty.

**Remote Worker** – The employee is teleworking full-time from an alternate work site. The alternate work site becomes the employee’s official duty station for pay purposes. **Note:** Remote teleworking outside the United States requires approval from the Office of the Chief Information Officer, the Office of Security, and the Office of Human Resources Management. See Appendix E.

**Situational Telework** – Includes ad-hoc telework as well as unscheduled telework. It does not include regular/recurring telework.

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

**Telework-Ready Employee** – An employee who has:
- Completed the required telework training for employees via the Commerce Learning Center (CLC);
- Has a signed individual telework agreement;
- Has the required technological necessities to telework (i.e. Computer, internet access, electricity, telephone, etc.);
- Has a safe and appropriate approved alternate work site.
- Has sufficient work that can be completed at the alternate work site.

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

**Unscheduled Telework** – Situational Telework in response to an office closure, weather or safety event. This type of telework is authorized by OPM or an appropriate agency official in response to an appropriate event or condition effecting an employee’s duty station. This type of telework does not require advanced authorization by an employee’s supervisor.

**IV. TELEWORK STRATEGIES**

A. **Agreeing to Telework.** An employee’s decision to telework is voluntary unless telework is a condition of employment (i.e., the employee is designated an “emergency employee”) or is required to continue Government operations in times of emergency (i.e. as a member of the Emergency Response Group). In these instances, an employee may be required to work at home, or at another approved alternate worksite.
B. **Types of Telework.** It is the policy of the National Oceanic and Atmospheric Administration (NOAA) to allow eligible employees to work at alternate work sites away from their official duty stations, consistent with the needs of their office, during their regular tour of duty. There are two (2) types of telework:

1. **Routine or Regular/Recurring Telework** occurs as part of a preapproved ongoing, regular schedule. Once the schedule is established, the employee may not change the assigned telework day(s) without the prior approval of the approving official. An employee’s use of telework should have no impact on their use of alternative (flexible or compressed) work schedules;

2. **Situational:**
   a. **Unscheduled Telework** occurs under an announcement by the Office of Personnel Management (OPM) or other appropriate authority. When OPM makes an announcement of “Unscheduled Telework” and it is not the employee’s regularly scheduled telework day, the employee may choose to perform unscheduled telework. The employee’s decision is not subject to prior approval by the supervisor. However, the employee must notify his/her supervisor in accordance with the applicable policy of the office. 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 administrative 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; and
   b. **Ad Hoc Telework** performed on an ad hoc occasional, one-time, or irregular basis. Ad hoc telework must be requested and approved by the supervisor in advance.

C. **Telework May Not be Used as a Substitute for Dependent Care.** If alternative caregivers are available (i.e. spouse, babysitter, etc.) and the employee is capable of accomplishing work without distraction, telework may be performed while dependents are in the telework location. If elders, children, or other dependents are able to care for themselves, and their self-care is not prohibited by local or state law(s), then their presence at the telework location would not interfere with the employee performing telework.

In the event of an office closure that results from a weather or safety emergency that also impacts the availability of dependent care (i.e. schools and/or care facilities are closed or inaccessible), supervisors may determine that, under certain conditions, employees are capable of teleworking even if they have children or elderly parents in the home. However, if these circumstances diminish an employees' ability to perform agency work, they will not be eligible to telework under these conditions (5 U.S.C. 6502(b)(1)). If a
supervisor, or Line or Staff Office Policy, bars telework at home in the given child/elder care situation, then the home is not an approved telework location during the weather or safety emergency. Thus, if the employee is not permitted to telework under these circumstances, and cannot safely travel to or perform work at the regular office location, the supervisor must grant weather/safety leave to the employee.

D. Teleworkers and Non-Teleworkers Shall be Treated the Same for Certain Purposes:

1. Periodic appraisals of job performance of employees;
2. Training, rewarding, reassigning, promoting, reduction in grade, retaining, and removing employees;
3. Work requirements; and
4. Other acts involving managerial discretion.

Note: While managers may require that teleworking employees be available for telephonic or video meetings and respond within reasonable periods of time to impromptu meeting requests (as they would expect of employees in the office), managers may NOT require employees to keep their video or telephone conferencing channels open for prolonged periods of time to facilitate spot checking of work.

E. Training Requirements. It is the policy of NOAA that all eligible employees must successfully complete the required telework training for employees via the Commerce Learning Center (CLC) before they can request to telework. The approving official for individual telework agreements is the applicable office director, or designee, and he/she must have completed the required telework training for manager via CLC before they can approve any individual telework agreements.

F. Maximum Amount of Teleworking. The maximum number of days an employee (including part-time employees) may telework during a pay period is left to the discretion of the approving official or designee (i.e., employee’s supervisor). This includes regular/recurring telework and ad hoc telework.

V. ELIGIBILITY CRITERIA

A. Employee Eligibility. This document covers all NOAA civilian non-bargaining unit employees. Participation in telework is open to all eligible employees without regard to race, color, religion, sex (including pregnancy and gender identity), national origin, political affiliation, sexual orientation, marital status, disability, genetic information, age, membership in an employee organization, retaliation, parental status, military service, or other non-merit factors. Unless sited as one of the exceptions identified below and in the Title 5 reference. 5 U.S.C. § 6502(a)(2).

1. Employee Exceptions. NOAA employees who meet any of the following exceptions are ineligible to telework:
   a. The employee has been officially disciplined for being absent without leave (AWOL) for more than five (5) days in any calendar year; or
b. The employee has been officially disciplined\(^2\) for violations of 5 CFR Part 2635 (Standards of Ethical Conduct for Employees of the Executive Branch) for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties\(^3\).

c. the employee’s performance does not comply with the terms of the written agreement between the approving official and the employee.

2. **All NOAA employees are initially considered eligible to telework.** If an employee is determined to be ineligible to work due to 5 U.S.C. § 6502(a)(2), the employee will receive a written determination from the office director or designee (i.e., employee’s supervisor) within 10 working days of the employee’s request to telework.

B. **Precluded Due to Nature of Work of Position.** If the official duties of the employee’s position require the employee to perform direct handling of secure materials determined to be inappropriate for telework by the agency head; on-site activity that cannot be handled remotely or at an alternate worksite, or the employee is a mobile worker (not eligible due to the nature of work) then the employees’ position is not eligible for telework.

VI. **ACCOMMODATIONS FOR EMPLOYEES WITH DISABILITIES**

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

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

VII. **TELEWORKING CONDITIONS**

As conditions for teleworking, all of the following must be readily available:

A. Systems are to be in place to support telework in an emergency, including a communication process to notify Emergency Response Group personnel,

\(^2\) Definition of Officially Disciplined – A disciplinary action that results in the placement of a document in an employee’s official personnel file (OPF); the bar on telework participation remains in effect as long as the document stays in an employee’s OPF. A suspension or termination related to the items mentioned in Public Law 111-292 that results in a document (Standard Form 50) that permanently remains in the OPF would result in permanent prohibition in telework participation.

\(^3\) No authority to waive provisions “a” or “b.”
emergency, and non-emergency employees of the activation of the agency’s emergency plan, and the agency’s operating status during the emergency.

B. Telework-ready employees scheduled to telework during their regular tour of duty on a day when their office is closed (or when other employees are dismissed early) are not entitled to receive overtime pay, credit hours, or compensatory time off in lieu of overtime payment for performing work during their regularly scheduled hours.

C. All time teleworked in a pay period will be recorded per instructions in the appropriate time and attendance system.

D. All employees designated as “emergency,” as members of the Emergency Response Group, or have responsibility during activation of the Continuity of Operations Plan, must have an approved individual telework agreement. Note: Employees required to telework ONLY as a result of emergency or Emergency Response Group responsibility are NOT required to telework on a regular, unscheduled, or ad hoc basis and will not be subject to telework requirements during office closures. Their individual telework agreement should specify whether they elect to telework outside of their emergency requirements (and are therefore subject to the normal telework requirements therein).

E. Inspection of the worksite: Employees must make their alternate worksite available to management for safety inspection. Prior to inspection, managers must provide a minimum of 2 work days’ notice to employees. Notice must include a 2 hour window during the employee’s regular work schedule within which inspection will occur. Failure to provide sufficient notice, or failure to arrive during the specified window, will invalidate management’s right to inspection and a new notice must be provided prior to attempting inspection.

VIII. EXCUSED FROM TELEWORKING

The supervisor, on a case-by-case basis, may excuse a telework-ready employee from duty without charge to paid personal leave or loss of pay during an emergency situation only if: the employee is prevented from performing work at an approved location due to— (1) an act of God; (2) a terrorist attack; or (3) another condition that prevents the employee from performing work at an approved location. Examples of the latter situation include:

A. (1) the emergency adversely affects the telework site (e.g., disruption of electricity, or network connection problems that prevent telework); or (2) the telework-ready employee’s duties are such that he/she cannot continue to work without contact with the regular worksite during emergency situation.

B. If the telework-ready employee faces a personal hardship that prevents him/her from working successfully at the telework site, the employee may request the appropriate leave (annual, sick, compensatory, credit hours, compensatory time for travel, weather/safety leave, admin leave, etc.). The employee may also switch
to an alternative work schedule day off, or use “flexing” consistent with the employee’s alternative work schedule, if any.

NOTE: Under certain circumstances, the employee’s personal hardship may be a result of weather or safety conditions that permit the supervisor to grant weather/safety leave. Supervisors are encouraged to consult with WFMO in determining whether to grant weather/safety leave under these circumstances.
IX. PERFORMANCE STANDARDS

Performance standards for telework-ready employees must be the same as performance standards for non-telework-ready employees. Expectations for performance should be clearly addressed in each employee’s performance plan, and the performance plan should be reviewed to ensure the standards do not create inequities or inconsistencies between telework-ready and non-telework-ready employees. Like non-telework-ready employees, telework-ready employees are held accountable for the results they produce. Resources for performance management are available from OPM at www.opm.gov/perform; and NOAA’s performance management resources portal at https://secure.wfm.noaa.gov/noaa_only/perfmgmt/index.html.

X. ROLES AND RESPONSIBILITIES

A. NOAA/WFMO Telework Program Manager (TPM)

1. WFMO TPM will develop, review and update the NOAA telework implementation plan.

2. WFMO TPM will maintain a list of the primary telework coordinators (TCs) for each line and staff office.

3. WFMO TPM establishes procedures for evaluating the telework program.

4. WFMO TPM provides telework reports, with input from line/staff office TCs, as required by the Department of Commerce.

5. WFMO TPM will provide advice and assistance to line and staff office TC’s on the NOAA implementation plan including working with senior-level managers in establishing and obtaining office telework goals, objectives, and reporting requirements.

6. WFMO TPM is responsible for answering telework related questions and providing guidance to the NOAA line/staff office TC’s.

7. WFMO TPM will develop and conduct telework training to approving officials, managers, supervisors and the line/staff office TC’s.

8. WFMO TPM will develop a catalog of best practices and lessons learned.

9. WFMO TPM will develop and maintain an online telework portal of information.

B. Approving Officials. Approving officials are responsible for the overall management and success of teleworking within their offices, including day-to-day operations. Telework-ready employees and their approving officials or designee (i.e., employee’s supervisor) are responsible for reviewing the individual telework agreement annually to ensure that it is current. The date of the review must be documented on the telework agreement by both parties.
C. NOAA Line/Staff Office Telework Coordinators (TCs)

1. In consultation with the WFMO TPM, the TCs will:
   a. Conduct training sessions for their assigned line/staff office to supplement the orientation training provided to all new employees. The training session will provide orientation and training for telework-ready employees and their supervisors regarding the implementation plan and their responsibilities; and
   b. Provide NOAA procedural program guidance to management and telework-ready employees.

2. Maintain a central file of all approved individual telework agreements for the personnel in their line/staff office as well as a record of all written denials or terminations;

3. Answer telework related questions and provide guidance to the employees within their line/staff offices;

4. Develop and implement a reporting system capturing telework participation, hours teleworked (from the WebTA system), terminations, and denials; and

5. Provide the following information to the TPM upon request:
   a. The degree of participation by employees of each line/staff office during the period covered by the report;
   b. The method for gathering telework data in each line/staff office;
   c. The reasons for positive or negative variations in telework participation if the total number of employees teleworking is 10 percent higher or lower than in the previous year of the reporting activity;
   d. The office’s goal for increasing telework participation if applicable;
   e. An explanation of whether or not the office met its established goal(s) for the last reporting period and, if not, what actions are being taken to identify and eliminate barriers;
   f. An assessment of the progress made in meeting the office’s participation rate goal(s) and other goal(s) related to telework, e.g., the impact of telework on recruitment and retention, performance, etc.; and
   g. A description of best practices, if applicable.
XI. PREPARING FOR THE INDIVIDUAL TELEWORK AGREEMENT

The following actions are to be taken when establishing an individual telework agreement:

A. The employee completes the “Telework Application/Agreement and Modification of Telework Agreement” (See Appendix A) and submits it to his/her supervisor along with the certificate showing successful completion of the required telework training for employees via the Commerce Learning Center (CLC).

B. The employee and supervisor discuss the expectations in the proposed telework agreement, including the performance levels required of the employee.

C. If the supervisor is not the approving official, the supervisor will forward the telework agreement to the approving official with his/her recommendations.

XII. TELEWORK AGREEMENTS

A. Length of Telework Agreements

1. Approving Officials should determine the length of the telework agreement. Telework agreements may be considered indefinite and do not require an expiration date. Approving Officials are encouraged to regularly review telework agreements with participants and make adjustments, including terminations, when requested by employees or determined to be necessary by management.

2. An employee may not telework if they do not have a current approved telework agreement in place.

3. In accordance with 5 U.S.C. § 6502(b)(3), an employee is not authorized to continue teleworking if the performance of that employee does not comply with the terms of the written telework agreement between the approving official and the employee (See “B” below).

B. Modification and Termination of Telework Agreement. The operational needs of NOAA supersede an employee’s desire to telework. In addressing any application for telework, or an employee’s desire to continue teleworking, management will first consider the operational needs and work requirements of the organizational unit. Employees do not have an entitlement to telework, nor do employees who currently telework have an automatic right to continue to teleworking.

1. Modification

   a. Management Directed Modification - Management may modify the agreement at any time to address the operational needs of the work unit, employee performance or conduct, or to comply with law and policy. If management is modify an employee’s existing telework agreement, it will provide the employee with five (5) working days advance notice prior to implementing the change.
b. Employee Modification Request
   i. An employee may request to modify the current telework agreement (e.g., change the regular teleworking day) by submitting a new “Telework Application/ Agreement and Modification of Telework Agreement” (check “Modification”) with only the requested changes indicated;
   ii. The supervisor and employee shall discuss the employee’s requested modifications within five (5) working days of submission;
   iii. If the supervisor is not the approving official, the supervisor will forward the request to the approving official with his/her recommendations within five (5) working days;
   iv. The approving official will issue a final, written decision within seven (7) working days.

2. Termination.
   a. An employee may terminate his/her written telework agreement by providing the approving official with written notice of a decision to terminate his/her written telework agreement;
   b. If management is proposing to terminate the telework agreement, he/she shall provide five (5) working days advance written notice before terminating the telework agreement to allow the affected employee to make necessary arrangements;
   c. The approving official must provide documentation for the termination to the affected employee. Consent or acknowledgement via signature by the affected employee is not required for the termination of telework to take effect;
   d. The approving official must deny or immediately terminate the individual telework agreement, as applicable, if the employee fails to be eligible to telework due to 5 U.S.C. §§ 6502(a)(2) or (b)(3); and
   e. Management may terminate or deny telework requests as long as the denial or termination decision is based on operational needs, conduct, or performance in accordance with the law.

C. Appeals. The official making the final decision on appeals will issue a written decision on an employee’s appeal of the denial of their request to telework within 10 working days of the request being received by the deciding official. If the deciding official disapproves the request, he/she must provide written justification to the employee indicating when or if the employee would be eligible to reapply, and if applicable, what actions the employee should take to improve his/her chance of future approval. Deciding officials are to provide employees copies of signed written denials or terminations of telework agreements.

D. Administrative Grievance Procedure. NOAA employees must use the procedures in the DAO 202-771, “Administrative Grievance Procedure” to appeal issues relating to
their request to telework, modification to an existing telework agreement, and terminations of telework agreements.

E. **Discrimination.** Employees who believe they are the victims of prohibited discrimination must use the procedures in DAO 215-9, “Filing Discrimination Complaints,” to appeal the alleged discrimination.

**XIII. ESTABLISHING THE WORK SCHEDULE**

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

**XIV. DETERMINING THE OFFICIAL DUTY STATION (5 CFR 531.605)**

A. **Pay during Telework Agreements.**

1. If the traditional worksite and telework site are within the same locality pay area, the official duty station is the location of the traditional worksite;

2. If the traditional worksite and the telework site are NOT within the same locality pay area:
   a. The official duty station is the location of the traditional worksite as long as the employee physically reports to the traditional work site at least twice each biweekly pay period on a regular and recurring basis;
   
   b. The official duty station is the telework location (i.e., home or other alternate worksite) if the employee does **NOT** report at least twice each biweekly pay period on a regular and recurring basis to the traditional worksite;

3. If a telework employee with a varying work location works at least twice each biweekly pay period on a regular and recurring basis in the same locality pay area in which the traditional worksite is located, the employee **does not** have to report twice each pay period to the official worksite to maintain the locality payment for that area.

B. **Pay during Temporary Telework Arrangements.**

1. In certain temporary situations, NOAA may designate the location of the traditional worksite as the official duty station of an employee who teleworks on a regular basis in a different locality pay area even though the employee is not able to report at least twice each biweekly pay period on a regular and recurring basis to the traditional
worksite. The intent of this exception is to address certain situations where the employee is retaining a residence in the commuting area for the traditional worksite but is temporarily unable to report to the worksite for reasons beyond the employee’s control (e.g., on a special assignment or working while recuperating from an operation);

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

XV. PAY AND LEAVE

A. Pay. An employee’s locality rate of pay is based on the employee’s official duty station, and is determined in accordance with 5 CFR 531.604. The line/staff office must determine and designate the official duty station for an employee covered by a telework agreement using the criteria above.

B. Premium Pay. The same premium pay rules apply to employees when they telework as when they are working at the traditional worksite.

C. Leave and Work Scheduling Flexibilities. Telework-ready employees are governed by the same procedures as non-telework-ready employees for requesting and obtaining leave approval.

See the Department’s Web site, Leave Policies, or the terms of an applicable Collective Bargaining Agreement (CBA). For additional information on leave administration, please visit: http://www.opm.gov/oca/leave/index.asp. For additional information on pay administration, premium pay, and work scheduling, please visit http://www.opm.gov/oca/pay/HTML/factindx.asp.

XVI. REPORTING REQUIREMENTS

The line/staff offices, via their Telework Coordinator, are required to respond to requests from the WFMO Telework Program Manager for a variety of reporting requirements/initiatives. Below is information that may be requested, although it is not all-inclusive.

1. The degree of participation by employees of each line/staff office teleworking during the period covered by the report;

2. The method for gathering telework data in each line/staff office;

3. The reasons for positive or negative variations in telework participation if the total number of employees’ teleworking is 10 percent higher or lower than the previous year in the line/staff office;
4. The line/staff office goal for increasing telework participation to the extent practicable or necessary;

5. An explanation of whether or not a line/staff office met its goals for the last reporting period and, if not, what actions are being taken to identify and eliminate barriers;

6. An assessment of the progress made in meeting line/staff office participation-rate goals and other goals related to telework, such as the impact of telework on emergency readiness, energy use, recruitment and retention, performance, productivity, and employee attitudes and opinions regarding telework; and

7. Best practices in the line/staff office.

XVII. IT SECURITY REQUIREMENTS FOR TELEWORK-READY EMPLOYEES

Telework-ready employees must abide by the IT security requirements conveyed in the DOC Information Technology Security Program Policy (ITSP), Commerce Information Technology Requirements (CITRs), Frequently Asked Questions (FAQs) and IT Security Policy memos. A complete list of DOC IT security documentation can be accessed at: https://connection.commerce.gov/collection/it-security-policy-and-fisma-reporting-program.

In addition to the requirements above, telework-ready employees must abide by the IT security requirements conveyed in the NOAA Information Technology Security Policy (ITSP), NOAA’s Computer Incident Response Team Requirements (N-CITR), and IT Security Policies. The Telework Agreement signed by the telework-ready employee and his/her supervisor may describe additional security requirements. A complete list of NOAA IT security documentation can be accessed at: https://www.csp.noaa.gov/policies.

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

XVIII. THE PRIVACY ACT OF 1974, SENSITIVE PERSONALLY IDENTIFIABLE INFORMATION (PII), AND BUSINESS IDENTIFIABLE INFORMATION (BII) REQUIREMENTS FOR TELEWORK-READY EMPLOYEES

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

   1. Telework-ready employees are responsible for ensuring that their disclosure of a record [information] from any agency system of record complies with the Privacy Act of 1974.
2. The Privacy Act of 1974 defines a ‘system of records’ as a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. Department of Commerce system of record notices (SORNs) are posted at: http://www.gpo.gov/fdsys/browse/collection.action

3. The Privacy Act of 1974 prohibits the disclosure of a record [information] from an agency system of records that is not identified as a routine use in that system’s SORN, does not comply with an exemption identified in the SORN, or does not comply with 1 of the 12 exceptions to the non-disclosure-(to third parties)-without-consent rule.

4. A Privacy Act incident occurs when an officer or employee of the agency, who by virtue of his/her employment or official position, has possession of or access to agency records that contain individually identifiable information the disclosure of which is prohibited by 5 U.S.C. § 552a (or regulations established thereunder) and discloses the material in any manner to any person or agency not entitled to receive it. Knowing misuse or release of information protected by the Privacy Act of 1974 can subject an employee to fines and/or criminal sanctions.

5. Telework-ready employees must immediately report a suspected or confirmed Privacy Act incident to his/her bureau/operating unit privacy officer or Computer Incident Response Team (CIRT) and immediate supervisor.

B. Proper Handling of PII and BII.

1. Telework-ready employees are responsible for the safeguarding of PII and BII.

2. Personally identifiable information (PII) is information that can be used to distinguish or trace an individual’s identity, such as name, social security number, biometric records, etc., alone, or when combined with other personal or identifying information, which is linked or linkable to a specific individual, such as date and place of birth, mother’s maiden name, etc. Sensitive PII, if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual.

3. Types of PII considered sensitive when associated with an individual are: social security number (including truncated form), place of birth, date of birth, mother’s maiden name, biometric information, medical information (except brief references to absences from work), personal financial information, credit card or purchase card account numbers, passport numbers, potentially sensitive employment information (e.g., performance ratings, disciplinary actions, and results of background investigations), criminal history, and any information that may stigmatize or adversely affect an individual. The Department IT Privacy Policy provides that breaches of sensitive PII are subject to notification/reporting requirements.
4. When deciding whether PII is sensitive or non-sensitive, it is important to consider the type of information, obligations, or expectations regarding the protection of information, risk (probability and consequences) of loss or compromise of information, and context of information. Context is particularly important. The same types of information can be sensitive or non-sensitive depending upon the context. For example, a list of names and phone numbers for the Department softball roster is very different from a list of names and phone numbers for individuals being treated for an infectious disease. It is important to use good judgment when deciding whether PII is sensitive or non-sensitive. When in doubt, treat PII as sensitive.

5. The Department’s policy states that if sensitive PII must be electronically transmitted, then it must be protected by secure methodologies such as encryption, Public Key Infrastructure (PKI), or secure sockets layer (SSL). Federal Information Processing Standards (FIPS) Publication 140-2, “Security Requirements for Cryptographic Modules” provides the standard to which encryption methodologies must conform. The transmission of sensitive PII, even if it is protected by secure means, must be kept to a minimum. Check with your operating unit’s (OUs) Office of the Chief Information Officer to determine methods or services your OU is using to support the electronic transmission of sensitive PII.

6. In addition to sensitive PII, telework-ready employees must ensure the safeguarding of BII. BII is information that is defined in the Freedom of Information Act (FOIA) as “trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential.” Commercial information is not confined to records that reveal “basic commercial operations” but includes any records [information] in which the submitter has a “commercial interest” and can include information submitted by a non-profit entity. Terms for BII that must be protected from disclosure include “confidential business information,” “confidential commercial information,” and “proprietary information.”

7. Sensitive PII and BII can be stored on Government systems only and saved, stored, or hosted only on Department-authorized equipment (including contractor-owned equipment or a system that is approved to be used as a Government system). Personally-owned computers may not be used to save, store, or host sensitive PII and BII that is collected or maintained by the Department.

8. Sensitive PII and BII must be sent encrypted as an e-mail attachment and encrypted on mobile computers, media (e.g., CDs, DVDs, USB drives), and devices (e.g., laptops, hard drives). When faxing sensitive PII and BII, an advisory statement about the contents must be included on the cover sheet and the recipient must be notified immediately before and after transmission. When mailing sensitive PII and BII, it must be physically secured when in transit. Do not mail or send by courier sensitive PII and BII on CDs, DVDs, hard drives, flash drives, USB drives, floppy disks, or other removable media unless the data is encrypted. Sensitive PII and BII must be sealed in an opaque envelope or container and mailed using First Class or Priority Mail, or a commercial delivery service (e.g., FedEx or DHL). Appropriate methods
must be used to destroy sensitive paper PII and BII (e.g., shredding and/or using a burn bag) and securely delete sensitive electronic PII and BII (e.g., empty the Windows “recycle bin”).

9. Telework-ready employees and supervisors are responsible for complying with all bureau/operating unit guidelines on reporting PII and BII incidents. The OMB Memorandum M-07-16 defines a PII incident as the loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations where persons other than authorized users, and for an other than authorized purpose, have access or potential access to PII, whether physical or electronic. Telework-ready employees must immediately report a suspected or confirmed PII and BII incident to his/her bureau privacy officer or CIRT and immediate supervisor. Additional information regarding the PII and BII incident reporting process can be found at: http://home.commerce.gov/CIO/ITSITnew/DOC_Breach_Response_Plan_v2_final.pdf.

XIX. SENSITIVE AND HIGHLY SENSITIVE INFORMATION REQUIREMENTS FOR TELEWORK-READY EMPLOYEES

A. Decisions on the proper use and handling of Sensitive Information will be made by the approving official who permits the employee to work at home or at an alternate worksite. A telework agreement will be signed by the telework-ready employee and his/her approving official that contains the specific data types allowed to be accessed. Information is generally categorized into the following groups: Non-Sensitive Information; Sensitive Information; and Classified National Security Information.

B. The physical security standards for PII and other Sensitive and Administratively Controlled Information must be addressed prior to allowing telework. Chapter 35 of the OSY Security Manual provides minimum physical security standards for the office environment that are also applicable during telework. At a minimum, Controlled Unclassified Information (CUI), including PII, should be afforded protection to prevent unauthorized access to the information.

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

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

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

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

XX. **TELEWORK INFORMATION TECHNOLOGY SECURITY POLICY**

The Department’s Chief Information Officer (CIO) is responsible for issuing and maintaining information technology (IT) and eGov policies and minimum implementation standards, including remote access and safeguarding sensitive information. These policies and minimum implementation standards outline responsibilities of bureau/operating unit CIOs as well as teleworkers to enable an effective working environment for the teleworker and the protection of Department systems from undue risk. Operating unit CIOs, with the support of their IT 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 and with policies and minimum implementation standards provided by the Department's CIO. The Department’s policy on remote access is accessible via intranet at:


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

The workplace and workstation must be set up to accomplish secure information processing, including the proper storage of Sensitive Information in both electronic and paper form. The telework-ready employee, following bureau/operating unit policies, must minimize security vulnerabilities to the workstation and the Departmental network.
XXI. TELEWORKING DURING EMERGENCY SITUATIONS/INCLEMENT WEATHER

A. Unscheduled Telework. This type of telework option allows telework-ready employees to work from home or at an approved alternate location upon notification to their supervisor in accordance with the office policies.

B. Federal/Departmental Offices Are Closed. Employees must telework consistent with law and their telework agreements when Federal/Departmental offices in their local commuting area are closed. Excused absences (utilizing weather/safety leave or administrative leave) may be granted on a case-by-case basis for telework-ready employees in the above situations that may include but are not limited to: power outages, damaged/un-inhabitable alternative work sites, dependent care issues, or state/local laws.

C. Early Dismissal/Delayed Arrival. When an early dismissal/delayed arrival is announced or provided, those who are teleworking are not dismissed from duty for any part of the workday. However, managers/supervisors may grant excused absence on a case-by-case basis, if the employee is unable to continue teleworking.

D. Emergency at the Alternative Worksite. When an emergency affects only the alternative worksite for a major portion of the workday, the employee is expected to report to the traditional worksite, an approved alternative telework site, or request supervisory approval of applicable paid personal leave (i.e., annual, compensatory time, compensatory time off for travel, credit hours, etc.).

However, on a case-by-case basis, the manager/supervisor may excuse, without charge to paid personal leave or loss of pay, a telework employee from duty during an emergency if: (1) the emergency adversely affects the telework site; (2) the telework-ready employee is unable to access another alternative telework site; (3) the telework-ready employee is unable to access the traditional worksite within a reasonable period of time; and (4) the telework-ready employee’s duties are such that he/she cannot continue to work without contact with the traditional worksite.

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

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

If an employee is an ERG member for COOP purposes, management, along with the employee and supervisor, should make advance and/or situational decisions as to whether the employee must physically report for duty or may work from home or an alternative worksite. For example, if the purpose of the employee reporting for duty at the traditional worksite is to provide policy
guidance or to notify specific individuals of emergency requirements, this may be able to be accomplished from home, provided the employee has access to the resources necessary to perform the required services. However, in some cases, the only way to obtain the services of the employee may be through telework from an alternative worksite. For example, if inclement weather or other emergency situation results in a transportation shutdown, but phone lines remain working, the employee may be able to work from home rather than reporting to the traditional worksite or COOP site.

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

During any period that the Department is operating under COOP, that plan shall supersede any telework policy (Public Law 111-292 Section 6504(d)(2)).
APPENDIX A: NOAA TELEWORK APPLICATION/AGREEMENT AND MODIFICATION OF TELEWORK AGREEMENT

SECTION I – TO BE COMPLETED BY THE EMPLOYEE

Date of Request: __________________
Start Date: _______________________
Organization: ______________________________________________________
Employee Name: ___________________________________________________
Official Title: _____________________________
Pay Plan, Series, and Grade / Pay Band: _________________________________
Employee’s Telephone: __________________
Supervisor’s Name: ________________________________________________
Supervisor’s Official Title: __________________________________________
Supervisor’s Telephone: ________________
Address, Telephone, and Description of Alternate Worksite: ____________________________
____________________________________________________________________________
____________________________________________________________________________

(Initial or N/A) The alternate worksite is at a remote location. The applicant must review and complete the NOAA Remote Telework Assessment Questionnaire (see Appendix E), DETO CORE Telework Agreement (see Appendix F – only if remote location is overseas), Remote Telework Guidelines (see Appendix G), and schedule the optional WFMO Compensation Policy Briefing on the aforementioned guidelines.

Equipment Needed to Perform Work at Alternate Worksite: _____________________________
____________________________________________________________________________
____________________________________________________________________________

Type of Telework:
[  ] Regularly Scheduled  [  ] Situational [  ] For COOP/Emergency  [  ] Remote Purposes

Termination Date of Agreement: ________________________________

Work Schedule Including AWS Day Off (If Applicable): _______________________________

Telework Days at Alternate Worksite: ______________________________________________

Identification of specific data types allowed to be accessed: ___________________________
____________________________________________________________________________
____________________________________________________________________________

[  ] I acknowledge that I will not be authorized to telework if my performance does not comply with the terms of the agreement between management and me.

1 The written agreement must outline the specific work arrangement that is agreed to in 5 U.S.C. § 6502(b)(2)(a)
[ ] I understand that I must perform at the Fully Successful or higher (or equivalent) level in order to telework.

[ ] I certify that I have completed an approved interactive telework training program authorized by my bureau, the Telework Safety Checklist, and the Telework Assessment Tool.

[ ] I understand that I may not care for children, elders, or other dependents while I am in a duty status and teleworking. In these situations, I must request the appropriate leave from my supervisor or request a change in my Alternative Work Schedule (AWS), if applicable, or obtain approval from my supervisor to go to a non-duty status for the remainder of my telework schedule.

[ ] I understand that I must abide by the IT Security requirements conveyed in the Commerce Information Technology Security Program Policy (ITSPP), Commerce Information Technology Requirements (CITRs), Frequently Asked Questions (FAQs), and IT Security Policy memos.

[ ] When unscheduled leave or telework is announced by the appropriate authorities, I understand that the election is mine but I must notify my supervisor. However, in rare situations, I am aware that management may require me (a “non-emergency” employee) to deny my unscheduled leave/telework and require me to report for an assignment that requires my presence, and management has discussed this with me in advance of the situation giving rise to unscheduled leave/telework.

Employee’s Signature and Date: ________________________________
SECTION II – TO BE COMPLETED BY THE APPROVING OFFICIAL

Approved: [ ]  Disapproved: [ ]  Reason Not Approved: __________________

________________________________________________________________________
________________________________________________________________________

I certify that the employee is eligible and authorized to telework, that I have reviewed the employee’s Safety Checklist as well as the Telework Assessment Tool: __________________

Approving Official’s Signature and Date: ________________________________

Supervisors’ Signature and Date (if Supervisor is not the Approving Official):

________________________________________________________________________

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

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

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

Disclosure – The applicant agrees to protect Government records from unauthorized disclosure or damage and will comply with requirements of the Privacy Act of 1974, 5 U.S.C. § 552(a), and those outlined in XXII, PRIVACY ACT, SENSITIVE INFORMATION, AND HIGHLY SENSITIVE INFORMATION – REQUIREMENT FOR TELEWORK-READY EMPLOYEES of the DOC Telework Policy and Sections XVII – XIX of the NOAA Telework Implementation Plan (June 2018).

Performance Not in Compliance with Terms of Agreement – The employee’s failure to comply with the terms of this agreement will result in the termination of this agreement. Failure to comply may also result in disciplinary action against the employee if just cause exists to warrant such action.
APPENDIX B: NOAA TELEWORK ASSESSMENT TOOL

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

Please rate yourself or your employee, using the following scale:
5 – Always    4 – Usually    3 – Sometimes    2 – Rarely    1 – Never

1. Employee works without regular monitoring/supervision. 
2. Employee is comfortable working alone. 
3. Employee independently identified required work products. 
4. Employee successfully plans work production schedule. 
5. Employee communicates hindrances to successful completion of a task or project in sufficient time to allow for alterations that improve the opportunity for success. 
6. Employee is knowledgeable about your organization’s procedures/policies. 
7. Employee is fully aware of Department information technology security. 
8. Employee meets deadlines. 
9. If telework will be in the employee’s residence, the residence has an appropriate work environment. 
10. Employee is willing to provide his/her own equipment if Government-furnished equipment is not available. 
11. Employee is computer literate. 
12. Employee has successfully completed the appropriate Commerce online teleworking training course.
APPENDIX C: NOAA TELEWORK SAFETY CHECKLIST

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

Applicant Name: _______________________ Date: __________ Telephone: _______________

Address, Telephone, and Location of Alternate Worksite: __________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

Describe the Designated Work Area:

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

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

Applicant’s Signature and Date: ________________________________________
APPENDIX D: NOAA OPTIONAL TELEWORK TERMINATION FORM

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

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

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

- Voluntary Withdrawal [ ]
- Involuntary Withdrawal [ ]

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

- Requirements of the current work assignment [ ]
- Reassignment or change in duties [ ]
- Failure to maintain employee eligibility standards [ ]
- Breach in Information Technology Security policies and/or procedures [ ]
- Other (please specify): [ ]

__________

**Receipt Acknowledged**

Employee’s Signature and Date: ________________________________

Supervisor’s Signature and Date: ________________________________

Approving Officials Signature and Date (If Approving Official is not the Supervisor):

____________________________________________________________
APPENDIX E: NOAA Remote and Overseas Telework Assessment Questionnaire

Instructions: This document is to be completed by the employee and his/her first level supervisor in coordination with the LO/SO executive front office. This questionnaire and its associated documents are to be provided to the WFMO Human Capital Policy Division (HCPD) Compensation Policy Officer within 180 days of the intended start date at the proposed overseas location for further coordination.

Employee’s Name: ____________________________________________________________
Proposed Official Title: ________________________________________________________
Proposed Position Sensitivity Designation Level: ___________________________________
Proposed Position: [Full Time or Part Time]
Proposed Effective Date to Start Remote Telework (SF-50 required): ________________
Pay Plan, Series, Grade/Band: __________________________________________________
Remote Worksite Telephone (provide upon receipt): _________________________________
LO/SO Executive Front Office POC (with funding authority):_________________________
LO/SO Executive Front Office POC Telephone: _________________________________

1. Is the proposed position classified? [Yes or No] If no, STOP. The immediate supervisor of the requesting employee must coordinate with the servicing WFMO BA/BP team to obtain a classified PD before proceeding. If yes, please provide and proceed.
2. Is the employee’s most recent performance rating at fully successful or better? [Yes or No] If No. STOP. The most recent performance rating must be fully successful or better for the employee to be eligible to serve as a remote teleworker.
3. Does the employee have a current and authorized Performance Management Record (PMR)? [Yes or No] If no, STOP. The supervisor must establish a PMR in coordination with the requesting employee before proceeding. If yes, please provide and proceed.
4. Has the employee been with NOAA for a year or more? [Yes or No] If yes, skip #5.
5. When did you start working for NOAA? mm/yyyy
6. What is the intended duration of the remote telework? __________________________
7. How frequently will the employee be required to travel to the traditional worksite? _____
8. Is the remote worksite located within the United States? [Yes or No]
10. If your answer to number 9 is yes, then please contact the associated Department of State (DOS) post Chief of Missions (i.e. Ghana post )Washington DC POC for the most current guidance.
12. Complete and attach the Domestic Employees Teleworking Overseas (DETO) CORE Telework agreement (see Appendix F).
13. Once Department of Commerce (DOC) offices (OSY, OCIO, and OHRM) have approved the request, WFMO will forward the package for further coordination with the associated LO/SO Executive front office POC to complete the official request (if approved) online at http://nsdd38.state.gov (final step in the DETO approval process)
14. Does NOAA have an office at the proposed location? [Yes or No] If no, skip 15 - 17.
15. Is the employee requesting a work space at the remote NOAA office? [Yes or No] If no, skip 16 & 17.
16. Provide an org chart (must include: official title, org title, pay plan, series, grade/band, full time/part-time or contract (and role) status) for the proposed location.

17. NOAA Remote Office POC (with approval authority to allocate space) Name and Telephone:

________________________________________________________________________
________________________________________________________________________

18. Provide a succinct summary of the requested position’s major roles and responsibilities/essential functions:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

19. Is there a specific legislative authorization or presidential directive associated with the function of the proposed position? [Yes or No] If yes, describe below.

________________________________________________________________________
________________________________________________________________________

20. Describe how this position supports the LO/SO’s strategic goals and objectives.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

21. State why this function cannot be accomplished from the United States or through the use of TDY, contract or other personnel.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

22. Is this a regional position? [Yes or No] If no, skip 23.

23. Why should leadership support the selection of the proposed location for a regional position?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

24. How will NOAA perform the function if this request is not approved?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

25. Is this position to be located in the Controlled Access Area (CAA)? [Yes or No]

26. Will the duties of the position be carried out at the remote location residence? [Yes or No]

27. State the administrative support required for the location (e.g. office space, housing, pouch or check cashing services, APO/FPO, or classified equipment).

________________________________________________________________________
________________________________________________________________________
28. Provide a cost benefit analysis (must include: moving expenses (if requested), equipment, supplies, space, travel, etc.) for this request. Is the Analysis attached [Yes or No]

29. What level of funds is the LO/SO willing to commit to this request? $______

30. Do you have any questions regarding the Remote Telework Guidelines or the NOAA DETO CORE Telework Agreement? [Yes or No] If no, skip 31 and proceed to signatures.

31. Have you scheduled an appointment with the WFMO Compensation Policy Officer to answer Remote Telework Guidelines questions? [Yes or No]

NOAA Remote Telework Assessment Questionnaire Signatures and Dispositions

Requesting Employee Signature and Date: _________________________________________

Immediate Supervisor Signature and Date: _______________________________________
Immediate Supervisor Endorsement: [Yes or No]

LO/SO POC (with funding authority) _____________________________________________
LO/SO POC Endorsement: [Yes or No]

LO/SO Director or Deputy Director
Signature and Date: __________________________________________________________
LO/SO Executive Front Office Endorsement: [Yes or No]

WFMO Director or Deputy Director
Signature and Date: __________________________________________________________
WFMO Endorsement: [Yes or No]

NOAA OCIO Director or Deputy Director
Signature and Date: __________________________________________________________
NOAA OCIO Endorsement: [Yes or No]

NOAA OSY Director or Deputy Director
Signature and Date: __________________________________________________________
NOAA OSY Endorsement: [Yes or No]

OHRM Director or Deputy Director
Signature and Date: __________________________________________________________
DOC OHRM Endorsement: [Yes or No]

DOC OCIO Director or Deputy Director
Signature and Date: __________________________________________________________
DOC OCIO Endorsement: [Yes or No]

DOC OSY Director or Deputy Director
Signature and Date: __________________________________________________________
DOC OSY Endorsement: [Yes or No]

Upon receipt of all required signatures, please return this document and other required documents to the WFMO HCPD Compensation Policy Officer for further coordination with the LO/SO.
APPENDIX F: NOAA DETO CORE TELEWORK AGREEMENT

Privacy Act Statement


Purpose: The information solicited on this form will be used to ensure eligibility in the Telework program, to validate the employee’s performance of a home safety check and to facilitate timely processing of the request.

Routine Uses: The information on this form may be shared with members of Congress from a record of an individual in response to an inquiry from the Congressional office made at the request of that individual; to auditors in the performance of the duties of the Government Accountability Office; and to an entity under contract to the Department of State and/or Department of Commerce to fulfill an agency function. More information on the Routine Uses for the system can be found in Systems of Records Notice, State-31, Human Resources Records.

Disclosure: The information requested on this form is voluntary but failure to provide the requested information may delay or result in disapproval of your remote overseas Telework request.

NOAA DETO CORE TELEWORK AGREEMENT

Between the Department of State, Department of Commerce, National Oceanic and Atmospheric Administration, (LO/SO) ___________________ and Employee ___________________ for DETO Core Telework

The employee is only to submit this document to the Department of State for approval after the NOAA Remote Telework Assessment Questionnaire has been approved at the DOC level. The supervisor and the employee should each keep a copy of the agreement for reference. In addition, a copy should be sent to the DOS Bureau of Human Resources, Office of Employee Relations, Work Life Division (HR/ER/WLD) (e-mail it to Telework@state.gov); the LO/SO Telework Coordinator; and WFMO HCPD, Compensation Policy Officer.

1. Voluntary Participation

Employee recognizes that the Domestic Employee Teleworking Overseas (DETO) arrangement is not an employee benefit or entitlement, but is rather an additional workplace flexibility option that NOAA LO/SO leaders may approve to allow employees assigned to domestic positions to accomplish duties/work from an overseas location. Employee voluntarily agrees to work at the NOAA LO/SO-approved alternate work site indicated below and to comply with all applicable Department of State, Department of Commerce, NOAA, and applicable LO/SO policies and procedures.
2. Salary and Benefits
NOAA agrees that a DETO arrangement is not a basis for changing the employee's salary or benefits based on the Civil Service grade/band of the position. Approved DETOs are entitled to their base salary. The employee is not eligible for domestic locality pay, pursuant to 5 C.F.R 531.605, while on DETO arrangement. Employee and supervisor agree to notify the servicing HR BA/BP Team or ESO (will coordinate with AFS or other current contracting entity) for purposes of processing a change in duty station (new SF-50 required) to overseas location upon arrival and taking necessary steps to stop domestic locality pay (special rates continue to apply). Travel entitlements may vary based on factors such as the official worksite (consistent with 5 C.F.R 531.605), and whether the employee is on orders as an eligible family member of a U.S. Government (USG) spouse or partner. Travel entitlements are governed by the Foreign Affairs Manual (FAM), the Foreign Affairs Handbook (FAH), and other applicable statutes, regulations, and guidance.

Eligibility for overseas/foreign allowances and differentials is governed by the Department of State Standardized Regulations and Foreign Affairs Manual. The employee is not authorized to receive overseas/foreign allowances or differentials as a DETO in his or her own right. In cases where there is a sponsoring spouse or partner who is assigned overseas, however, the sponsor may be eligible for allowances on the DETO’s behalf based on family size.

The employee will be required to repay the Department for any allowance or differential payments he/she receives to which he/she is not entitled and his/her obligation to repay cannot be waived if he/she knew or should have known that he/she was being erroneously paid and failed to take corrective action.

3. Duty Station and Alternate Work Site
NOAA and employee agree that the employee's official assigned position of record is located at:

________________________________________________________

Employee’s approved alternate worksite is:

(Embassy/post/residential address)________________________________

4. Official Duties
Unless otherwise instructed, employee agrees to perform official duties only at the regular office or agency approved alternate work site.

Employee agrees not to conduct personal business during normal working hours at the alternate work site.

DOS Post management reserves the option to inspect alternate work sites during normal working hours with prior notice of at least 24 hours for purposes of compliance with the Office of Safety and Health Administration (OSHA) rules and regulations.

Position duties include: (these can either be placed within the agreement or as a separate attachment)
5. **Work Schedule and Hours of Duty**

Consistent with NOAA’s policies on alternative work schedules (compressed and flexible), the LO/SO and employee agree upon the following telework schedule:

The employee will receive U.S. Federal holidays and is not entitled to local holidays of the overseas location. The employee is not entitled to premium pay or compensatory time off for working their regular hours on a local holiday. If the alternate worksite is the embassy and it is closed due to a local holiday, the employee must work from another worksite approved by the supervisor (e.g., the employee’s home) or use annual leave or previously earned compensatory time.

Day(s) working at the alternate work site:

Week 1 (first week of each pay period)

<table>
<thead>
<tr>
<th>Day</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>From: __am to __ pm</td>
</tr>
<tr>
<td>Tuesday</td>
<td>From: __am to __ pm</td>
</tr>
<tr>
<td>Wednesday</td>
<td>From: __am to __ pm</td>
</tr>
<tr>
<td>Thursday</td>
<td>From: __am to __ pm</td>
</tr>
<tr>
<td>Friday</td>
<td>From: __am to __ pm</td>
</tr>
</tbody>
</table>

Week 2 (second week of each pay period)

<table>
<thead>
<tr>
<th>Day</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>From: __am to __ pm</td>
</tr>
<tr>
<td>Tuesday</td>
<td>From: __am to __ pm</td>
</tr>
<tr>
<td>Wednesday</td>
<td>From: __am to __ pm</td>
</tr>
<tr>
<td>Thursday</td>
<td>From: __am to __ pm</td>
</tr>
<tr>
<td>Friday</td>
<td>From: __am to __ pm</td>
</tr>
</tbody>
</table>

For full-time employees, each day includes a ____ minute lunch (30 minutes to 1 hour). For full-time employees, the schedule should clearly indicate 40 hours per week, not inclusive of lunch.

6. **Time and Attendance**

Supervisor agrees to ensure the DETO (employee's) timekeeper has a copy of the employee's work schedule. Employee agrees to submit notice of hours worked at the alternate site on a biweekly basis to his/her supervisor, and the supervisor agrees to certify the hours worked, consistent with the _____ LO/SO's policies.

Employee agrees to follow established NOAA and LO/SO policies and procedures for requesting and obtaining approval of leave.

7. **Overtime**

The supervisor may pre-authorize overtime if additional hours of work are necessary. The existing rules governing overtime in Title 5 U.S.C. and the Fair Labor Standards Act apply to telework arrangements.
All overtime must be approved in writing in advance. Officially ordered or pre-approved overtime work performed by an employee who spends all hours of work in a foreign area may be compensable under Title 5.

8. Administrative Support/ Equipment

__________ will be enrolled in the Open Net Everywhere (ONE) program and will continue to use the FOB from IRM that has been configured for access to _____ unclassified e-mail and directories. (contact DOS for details on ONE, FOB, and IRM)

Other support: In cases where there is a sponsoring spouse/partner, for other International Cooperative Administrative Support Services (ICASS) services and the workload is unrelated to this telework agreement, post will provide ____________ the same level of administrative support as provided to spouses of direct-hire American officers. This includes services such as: CLO services, APO privileges, and accreditation. Any additional services required in support of their official duties would require subscription for the relevant cost centers to be funded by the NOAA LO/SO.

9. Security/Medical

Employees who are approved for a DETO arrangement will not work on or have access to classified information at the alternate work site unless the approved alternate worksite is at the embassy/consulate and the required security standards have been met and are in place. DETOs will comply with current standards for remote operations as set forth in 12 FAM 620, Unclassified Information System Security Policies.

Care and judgment must be exercised with regard to records and information that are Sensitive But Unclassified (SBU) and/or subject to the Privacy Act. NOAA LO/SOs are prohibited from allowing teleworkers to access these records to ensure that appropriate administrative, technical, and physical safeguards are maintained to protect the confidentiality and integrity of records (see 12 FAM 540 and the DOC Telework Policy effective May 10, 2018).

__________ will make available any residential alternate worksite for survey by post Regional Security Officer to ensure that information security requirements are observed and official documents are properly handled.

If ____________ qualifies for eligibility for the Medical Program based on family member status pursuant to 16 FAM 122.2, he/she will obtain a medical clearance for the overseas location of _____ from the Office of Medical Services. Copies of the clearance will be provided to Embassy ________ and (associated NOAA LO/SO) ____

10. Liability

The employee understands that the U.S. government will not be responsible for damages to an employee's personal or real property while the employee is working at the approved alternate worksite, except to the extent the U.S. government is responsible under applicable law.

11. Work Area

The employee agrees to complete DOS Form DS-1963, Safety Checklist for Home Based
Telecommuters (see 3 FAH-1 Exhibit H-2361.2(3)), certifying conformance with safety standards at the alternate site. The employee should provide a copy of this form to the employing NOAA LO/SO immediate supervisor no later than 30 days after commencement of work at the overseas location.

12. Alternate Work Site Costs

The employee understands that the U.S government will not be responsible for any operating costs that are associated with the employee using his or her home as an alternate worksite, for example, home maintenance, insurance, or utilities. Work-related long-distance (domestic and international) phone calls will be reimbursed by the agency in accordance with applicable law, regulations, and policies (See 3 FAM 2367.3).

Any ICASS costs incurred in relation to the DETO are the responsibility of the employing NOAA LO/SO, pursuant to 3 FAM 2368.12.

13. Injury Compensation

Employee understands that the U.S. Department of Labor’s Office of Workers’ Compensation Programs (OWCP) provides eligibility for coverage to federal civilian employees for on-the-job injury, illness, and to eligible survivors in the event of a work-related death. The employee agrees to notify the supervisor immediately of any accident or injury that occurs at the alternate work site and to complete any required workers’ compensation claim forms. The supervisor agrees to take appropriate action immediately.

14. Work Assignments/Performance

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 Performance Management Record or Performance Plan, as applicable. The employee agrees to provide regular reports if required by the supervisor to help judge performance. The employee understands that a decline in performance may be grounds for canceling the alternate worksite arrangement.

15. Records Management

Employee agrees to protect U.S. government/NOAA records from unauthorized disclosure or damage and will comply with requirements of the Privacy Act of 1974, 5 U.S.C. 552a. Sensitive but unclassified (SBU) information will be handled in accordance with 12 FAM 540 and will not be accessible to teleworkers.

16. Standards of Conduct

Employee agrees he or she is bound by Department of Commerce and NOAA standards of conduct while working at the alternate worksite.

Nothing in this agreement precludes the agency from taking any appropriate disciplinary or adverse action against an employee who fails to comply with the provisions of this agreement or regulations contained in 3 FAM 2360.
17. Chief of Mission Authority

As a U.S. government Executive Branch employee, while teleworking overseas the employee is subject to Chief of Mission (COM) authority, although the employee will not be included in Post’s staffing pattern or considered part of Post’s regular staffing compliment. The COM must be notified and agree to the DETO’s employment arrangements prior to the DETO’s arrival at post through the NSDD 38 or country clearance procedures.

18. Duration and Cancellation

In cases where there is a sponsoring spouse or partner, this telework arrangement terminates automatically upon completion of the employee’s spouse or partner’s tour of duty in _________ on __________. In all other cases, the DETO arrangement is limited to two years. Additional time, on a biennial basis, may be requested by presenting an amended DETO agreement and seeking permission from the Chief of Mission through the NSDD 38 approval process. This DETO re-approval process also applies in cases where the USG spouse or partner has had his/her posting extended through an amendment of orders.

The employee may cancel the telework agreement at any time with prior notification of at least two pay periods by providing a written justification to his/her supervisor for consideration. The employee’s supervisor may cancel or adjust the telework arrangement based on the needs of the office at any time with prior written notification of at least two pay periods. Nothing in this agreement precludes the NOAA LO/SO from terminating the telework arrangement and requiring the employee to report to the domestic location of the assigned position of record.

* *This telework arrangement will be reviewed by the employee’s supervisor on a semi-annual basis to ensure that it meets the needs of the office and the employee.** If the employee has questions or concerns regarding any DOS guidance, procedures and/or forms he or she must consult with the relevant State Department Regional Bureau’s Executive Office.

NOAA DETO CORE TELEWORK AGREEMENT Signatures and Dispositions:

_____________________________
Employee's Signature & Date

_____________________________
Immediate Supervisor's Signature & Date
Endorsement: [Yes or No]

_____________________________
NOAA LO/SO Director or Deputy Director Signature & Date
Endorsement: [Yes or No]

_____________________________
DOS Host Executive Office, Executive Director Signature & Date
Endorsement: [Yes or No]

_____________________________
DOS Local (Receiving Post’s) Management Counselor Signature & Date:
Endorsement: [Yes or No]
APPENDIX G: NOAA Remote (Full Time) Telework Guidelines

These guidelines are provided to assist managers, supervisors, and employees in considering whether to establish a remote telework arrangement.

a. What is remote telework?

The U.S. Office of Personnel Management (OPM) defines remote telework as (1) a work arrangement in which the employee resides and works at a location beyond the local commuting area of the employing organization’s worksite. (2) A full-time telework arrangement.

In most circumstances, because of the distance involved, the remote teleworker will not be physically reporting to the official worksite on a regular basis. If a teleworker is not scheduled to report to the official worksite at least two days each biweekly pay period, then the telework site becomes the official worksite (see 5 CFR 531.605(d)(1)). As a result, these situations will involve a change of duty station or official worksite to the telework site. For additional information, please refer to OPM’s guidance on Official Worksite for Location-Based Pay Purposes.

b. What do employees and managers need to consider in whether or not to implement telework from a remote location?

The first consideration is identifying what the essential functions/ major duties and responsibilities of the position are and whether they can be accomplished at a remote worksite. As a basis for discussion with the manager, the employee should provide a list of his or her major job tasks and propose how each will be performed from a remote location. The employee should establish a useful listing of major duties and recurring tasks. Significant work assignments and initiatives that are in the employee’s performance plan for accomplishment over the performance rating cycle must be taken into account, in addition to recurring tasks.

Positions that are more oriented toward research, writing, and analysis and that produce tangible results and work products are generally a good fit for teleworking at a remote location. Employees must be able to accomplish work requirements without close on-site supervision or continual interaction with other staff. The feasibility of how the employee will be able to interact from a remote location with his/her supervisor, coworkers, and internal and external contacts from NOAA LO/SOs, DOC, and external organizations must be considered in determining whether the employee can perform all work requirements effectively.

One of the overarching principles of telework is its potential cost savings for the Federal Government. In reviewing an employee’s Remote Telework Assessment Questionnaire (at Appendix E), management must identify the costs involved and compare these costs to the usual costs incurred at the regular worksite. The costs associated with a remote telework situation will not be funded centrally, and additional funds will not be made available for this purpose. Once the costs have been identified, the LO/SO must determine if there is sufficient funding to cover an employee working from a remote alternative worksite.
NOAA policy generally requires that the remote telework arrangement must be cost neutral, if a cost savings cannot be realized. As a result, NOAA is unlikely to approve telework requests that involve payment of costs related to an employee’s permanent change of station (PCS) travel to a remote telework location, transportation of household effects, and housing or living quarters allowance.

c. What is the impact of remote telework on pay and other conditions of employment?

(1) Duty Station

Remote telework usually involves a change in duty station where the employee is reassigned from his/her official worksite to the telework site. An employee’s change of the official worksite to the alternative worksite location must be documented on a Notification of Personnel Action (Standard Form 50). (See “Duty Station” blocks 38 and 39 of SF-50 showing the city/town, county and state (or overseas location) in which the official worksite is located.) In such cases, the employee’s position remains in Silver Spring, MD (or other NOAA official location), but the duty location will change to reflect the location where the employee is physically working. Guidance on documenting duty station changes on an employee record are found in Chapter 23 of OPM’s Guide to Processing Personnel Actions.

(2) Pay and Holidays

Reassignments of official worksite can affect pay. An employee whose official worksite is reassigned to an alternative worksite receives locality pay for the telework site which may be lower than his or her official worksite. Review OPM’s General Schedule Locality pay tables or the Commerce Alternative Personnel System pay tables whichever applies to the requesting employee. Also see OPM guidance on Pay, Leave, and Work Schedules. If the alternative worksite location is overseas, the pay of a NOAA employee teleworking overseas is determined from the Civil Service pay scale. Locality pay is not applicable to Civil Service employees working overseas. As a result, the General Schedule pay scale for all Civil Service employees is used.

Remote teleworkers working overseas are only entitled to U.S. holidays. They are not entitled to premium pay or compensatory time when working on a local holiday. If work space is being provided by the host office at an overseas post and it is closed due to a local holiday, the employee must work from another worksite approved by the supervisor (for example, his or her living quarters) or use annual leave or previously earned compensatory time.

(3) Overseas Allowances

Consistent with the Department of State Standardized Regulations, Section 040m, an employee will only be considered for overseas allowances that are not already paid according to family size or derived from being a dependent or family member of a sponsoring spouse or domestic partner.

In such cases, a package of benefits and allowances from the Government or a private sector employer usually will include permanent change of duty station travel, transportation of household effects, housing, and cost-of-living allowance(s) covering the employee and other family members. The employee will be eligible to receive danger pay, post hardship differential, and post allowance (COLA), if applicable, as long as the employee is not already receiving it as part of the spouse or domestic partner’s compensation package based on family size.
(4) Travel

In accordance with 5 U.S.C. 5702, in a case where the official worksite is reassigned to the alternate worksite location, trips to the official worksite are considered “official business” and the employee is entitled to travel reimbursement. It is the responsibility of the LO/SO to fund and make appropriate arrangements for the remote teleworker if he or she must travel to other locations for the conduct of official duties or must return to the official worksite for periodic consultations or training. The physical distance between the official worksite and the telework site, the frequency of such travel, and other required TDY travel from the location of the alternate worksite must all be factored into the potential costs of the telework arrangement.

The compensation package for the sponsoring spouse or domestic partner may provide additional travel benefits like home leave and rest and recuperation (R&R) travel. Such travel would be granted to the employee based on being a dependent or eligible family member. In such a case, the only leave options available for both home leave and R&R are annual leave and leave without pay.

(5) Office Space and Equipment

If work arrangements involve using office space at an overseas post, the arrangements, including additional costs, if any, must be established between the host overseas post, the executive front office of the assigned NOAA LO/SO official worksite, and employee on a case-by-case basis.

These arrangements must be specified in the telework agreement to include work location (home or post), equipment, funding, phone, fax, copier use, International Cooperative Administrative Support Services (ICASS) costs, Capital Security Cost Sharing (CSCS) costs, etc. The NOAA LO/SO executive front office should work with the Executive Officer or Controller and embassy ICASS staff to arrive at a cost estimate for any potential ICASS or CSCS costs.

(6) Medical Clearance

Employees who are teleworking overseas where their Foreign Affairs Agency spouse or domestic partner is assigned may be required to receive a medical examination and be issued a medical clearance appropriate for a dependent, eligible family member, or domestic partner for the post at which they will be physically residing in accordance with 16 FAM 220.

(7) Chief of Mission (COM) Authority and Employee’s Official Status Overseas

Employees who are teleworking overseas as U.S. Government executive branch employees are subject to chief of mission (COM) authority while teleworking overseas, although the employee will not be included in the Mission’s staffing pattern or considered part of the post’s regular staffing complement. The COM has authority over who is assigned to or resident at post, and the COM must be notified and agree to the employee’s arrangements prior to his or her arrival at post.

Normally the employee will not play any role in policy or administrative issues pertaining to the country or region in which the host office or teleworking post is located but if in unusual circumstances the employee does play such a role, then that will have to be addressed under National Security Decision Directive (NSDD-38) procedures. Employees who are teleworking
overseas and accompanying their Foreign Affairs Agency spouse or domestic partner on an overseas assignment will be included on the spouse’s or domestic partner’s (in accordance with 3 FAM 1610) permanent change of station (PCS) orders, which will authorize U.S. Government funded travel, unaccompanied air baggage (UAB), and household effects (HHE) shipments normally provided to an eligible family member (EFM) spouse or domestic partner.

Employees who are teleworking overseas and accompanying their Foreign Affairs Agency spouse or domestic partner will be so reported to the host government and will derive all applicable privileges and immunities. Assuming they meet the relevant eligibility criteria, employees may receive benefits normally accorded to EFM spouses or domestic partners, except those provided through family member appointment (FMA). These benefits include access to the Medical and Health Program (16 FAM) and evacuation coverage, pouch and mail facilities, R&R, home leave, and emergency visitation travel (EVT).

(8) Security

Employees are not permitted to telework with classified information at the telework site and must comply with all guidelines for remote operations from alternative work locations. Agency security policies do not change and are enforced at the same rigorous level when employees telework as when they are in the office. Employees who telework from an alternate work location must keep U.S. Government property and information safe, secure, and separated from their personal property and information.

(9) Other Requirements and Conditions of Employment

Employees and supervisors must adhere to NOAA’s telework policy, implementation plan, and these supplemental guidelines.

Employees must complete NOAA’s mandatory telework training before entering into a remote telework agreement.

Remote teleworkers must receive required annual performance appraisals from their supervisors in the LO/SO official worksite in accordance with applicable regulations for Civil Service employees.

The telework arrangement must be reviewed by the employee’s immediate supervisor assigned to the NOAA LO/SO official worksite on a semi-annual basis to ensure that it meets the needs of the office and employee.

d. What are the eligibility requirements for remote telework?

NOAA limits consideration for remote telework to employees with a minimum of one year of prior service with DOC (to include Bureaus). Civil Service employees who are serving a probationary period as a new appointee are also not eligible for remote telework.

e. What is the process for establishing a remote telework arrangement?

(1) Employees who may be interested in remote telework should initially discuss the possibility and feasibility of such an arrangement with their immediate supervisors. The first consideration is identifying what the essential functions/major duties and responsibilities of the position are
and whether they can be accomplished at a remote worksite. The employee should provide a list of his or her major job duties and recurring tasks and propose how each will be performed from the alternative worksite.

Significant work assignments and initiatives that are in the employee’s performance plan or performance management record for accomplishment over the performance rating cycle must be considered, in addition to recurring tasks.

Another consideration is how the employee will interact and communicate with supervisors, co-workers, and internal and external offices, taking into account the physical distance between the relevant LO/SO official worksite and remote work location. The cost impact must be considered as part of the telework approval process and the requesting LO/SO will be responsible for covering the cost out of its annual budget allocation.

(2) All remote telework proposals must at a minimum be reviewed and approved by the Immediate supervisor of the requesting employee, relevant LO/SO Director or deputy Director with clearance by the WFMO HCPD Compensation Policy Officer, NOAA OSY and NOAA OCIO. Remote overseas telework requests must also be cleared by the Department of Commerce OHRM, OSY and OCIO with final approval by the Department of State relevant Chief of Mission. Each proposal must include:

a. NOAA Telework Application/Agreement and Modification of Telework Agreement for domestic remote telework requests;

b. NOAA Telework Assessment Tool for all requests;

c. NOAA Telework Safety Checklist for all requests (for remote requests this may be completed within 30 days of arrival to the remote alternate worksite) and DOS Form DS-1963 (scroll to 3 FAH-1 Exhibit H 2361.2(3) for overseas requests only);

d. NOAA Remote Telework Assessment Questionnaire for domestic and overseas remote telework requests;

e. Telework Training Certificate of Completion for all telework requests;

f. NOAA Remote Telework Guidelines Acknowledgement of Understanding (for both domestic and overseas requests);

g. Travel Orders (overseas requests only); and

h. NOAA DETO CORE Telework Agreement for overseas requests only.

(3) If approved, the LO/SO immediate supervisor of the requesting employee must provide the servicing WFMO HR BP/BA Team and AFS (or the current contractor processing personnel actions) to establish a request for personnel action (SF-52) to change the employee’s duty station to the alternate worksite, if required. If the employee is accompanying a Foreign Service spouse or domestic partner, a copy of his or her travel orders must be attached to the applicable telework agreement ensuring their first level supervisor and the servicing WFMO HR BP/BA team are provided copies.

(4) If the alternate worksite is overseas, the official worksite LO/SO executive front office in coordination with the requesting employee is responsible for contacting the relevant DOS Chief of Mission (which must include completion of the NSDD-38) to notify him or her regarding the teleworking arrangement and request his or her concurrence to the employment arrangements.
prior to the employee’s arrival at the alternative worksite. This requirement must be documented on the telework agreement. The DOS final disposition must be provided to the WFMO HCPD Compensation Policy Officer, the requesting employee’s immediate supervisor and the requesting employee.

f. Termination of a NOAA Remote Telework Agreement

The employee or the first or higher level supervisor of the relevant NOAA LO/SO assigned to the official worksite may adjust or terminate the telework arrangement at any time if it no longer meets the needs of the office, for a decline in performance or productivity, for non-compliance with the terms of the agreement, etc. The employee must be notified in writing with the specific reason for the termination of the telework arrangement. Employees must receive 30 days advance notification before the effective date of the termination. An employee may cancel the remote telework agreement at any time with a 30 day prior notification to his/her immediate supervisor. An employee may request an adjustment of his or her telework arrangement by providing a written justification to his or her first level supervisor for consideration. The supervisor will have 30 days to provide his/her disposition to the request.

g. Acknowledgment of Understanding

I have reviewed the guidance provided herein and understand the NOAA specific requirements. I also understand that I must contact the relevant Department of State (DOS) Chief of Mission executive front office to clarify any DOS specific matters.

______________________________
Requesting Employee Signature and Date

______________________________
Witness / Immediate Supervisor Signature and Date