

## I. BACKGROUND

"Telework" is a workplace arrangement that provides employees the opportunity to perform his/her duties at alternate work sites (e.g., satellite locations, other FEMA locations, and employee's residences) during an agreed-upon portion of his/her workweek. Telework, also known as telecommuting, flexible workplace, flexiplace, and work-at-home, refers to paid employment away from an employee's official duty station.

The flexible workplace environment provides a means of responding to rapidly changing factors that are impacting today's workforce—demographic, societal and technological—and has proven effective in increasing worker productivity, reducing employee turnover and absenteeism, and responding to sociological and environmental issues. Telework programs already exist in both the public and private sectors and show positive results.

In his memorandum on *Expanding Family-Friendly Work Arrangements in the Executive Branch* dated July 11, 1994, President Clinton directed all Federal agencies ". . . to establish a program to encourage and support the expansion of flexible family friendly work arrangements, . . .telecommuting and satellite work conditions including telecommuting . . .". The National Partnership for Reinventing Government encourages greater use of Telework to make the Federal workplace more efficient.

The innovative scheduling of work locations and scheduling of work hours can measurably improve the conduct of the public's business and Agency's mission. Telework leads to improved employee morale, reduced commuting costs, and increased employee productivity. This, in turn, improves recruiting and retention of valued employees while shortening, or even eliminating, commuter trips, and thus traffic congestion and pollution. Remember employers cannot attract, retain, and motivate an effective work force if they are not responsive to quality of life work issues.

This guidance is the foundation for a Telework Program that will benefit FEMA and its employees.

## II. DEFINITIONS

"What is Telework?" Telework is a workplace arrangement that provides employees the opportunity to perform his/her duties at alternate work sites. Telework is not a full-time arrangement and it does not involve sending people home and never seeing them. Teleworkers communicate with supervisors, co-workers, clients, and vendors via phone, fax, or e-mail on days when they are not in the office.

Telework is **not** an employee right or entitlement, but an alternative work arrangement or work option mutually agreed upon by the employee, the supervisor and the Agency for the primary purpose of increasing productivity. The arrangement can be terminated at any time for any reason by any of the parties involved.

A. *Episodic:*

Recognizing that certain projects may be amenable to being performed at alternate work sites rather than in an office setting, the Telework Program is available on an ad hoc or episodic basis for short periods of time to complete all or discrete portions of projects. Episodic work agreements are of a temporary, project-based nature and therefore, should not be in place for extended periods of time. Generally, Episodic work agreements should be for a period of one to two weeks at the most, the time period should be determined at the discretion of the supervisor. The supervisor may also require periodic returns to the regular duty station on a regular basis during the period of this form of Telework.

B. *Medical:*

FEMA has permitted certain employees with a debilitating illness or health condition to work at an alternate work site on a full or part-time basis, where supported by documentation from the employee's physician. FEMA management will continue to provide teleworking options to enable employees to remain active and productive while faced with a medical situation or condition.

This alternative has also been extended to severely disabled employees and employees who for a limited time, may be required to care for an ill child or relative where no other reasonable alternative is available. All requests must be supported by medical documentation.

C. *Regular (The Regular System of Telework will continue to be tested in a pilot format. Any reference to Regular Telework in this document refers to the continuing FEMA Pilot Program.):*

Employees will volunteer to be regularly scheduled to work up to three non-consecutive days per week at an alternate work site, generally at another FEMA facility or at the employee's home. It is at the manager's discretion whether an employee on a Telework schedule may participate in other workplace scheduling alternatives. Managers should consider all scheduling aspects of the respective office (e.g. Flexitour, and compressed work schedule [CWS]). Sufficient staffing of the office is of primary importance. In making a regular Telework decision, supervisors must consider the following:

- Workflow;
- Historical frequency of unanticipated actions and demands in the work unit;
- Impact on non-regular Telework employees at the official duty station; and,

- The most efficient ways to achieve work unit effectiveness.

*D. Teleworker:*

An employee found eligible for participation in one of the forms of Telework; works at an alternate work site; and has developed an approved Telework agreement by the supervisory chain.

*E. Eligible Employees:*

An employee in a job with tasks identified by the employee's supervisor as being suitable for telework. Employees must meet program eligibility requirements.

*F. Official Duty Station:*

The employee's official duty station of record.

*G. Alternate Work Site:*

A work site other than the employee's official duty station. The alternate site may include the employee's home, a satellite office or a Telework center.

*H. Telework Center:*

A facility that offers office-like workstations and electronic equipment that may house Telework employees.

### **III. SCOPE**

This Telework policy applies only to permanent full-time, CORE, and part-time FEMA employees. Other disaster employees are not eligible for Telework. Senior Executive Service (SES) employees, Office and Division Directors, Branch Chiefs, and Team Leaders may be eligible for episodic or medical Telework only.

### **IV. GUIDELINES**

*A. Employee Participation*

Telework is targeted to eligible employees whose positions have tasks that lend themselves to being performed away from the official duty station for at least a portion of the time. Generally, any occupation/job involving portable work can be considered for inclusion in the program as long as the work does not present a security risk to the agency.

Participation is voluntary and requires supervisor approval. Supervisors and/or employees participating in the program may withdraw from the program after providing sufficient advance notice (24 hours is generally expected; every effort should be made to provide the teleworker with sufficient notice) to afford management and employees adequate time to plan for reversions back to a regular work environment (official duty station) and schedule. Eligible employees, those approved for a Telework arrangement, may be recalled by his/her supervisor to the official duty station when warranted by work requirements, disaster activity, or failure to comply with Telework program requirements. Employees may also be called back due to office staffing needs, such as in times of large-scale absences due to holidays, flu epidemics and office overload. The absence of a Teleworker from their official duty station should not affect the business of that office or the amount of work others are called upon to perform. Employees considering application should seriously consider the program requirements and his/her commitment to make the teleworking arrangement successful.

#### B. *Position Criteria*

The nature of the work must be suitable for teleworking. Whether work is suitable for Telework depends generally on whether all aspects of producing the finished product or outcome can be efficiently and effectively carried out at the alternate work site. Work suitability does not depend on an employee's position, title, type of appointment, or work schedule.

When determining whether a position, function, or project may be suitable for Telework, consideration should be given to the following factors:

1. Work activities should be portable and can be performed effectively outside the office. Examples of this would be thinking, writing, data analysis, and project or case review.
2. Job tasks should be easily quantifiable or primarily project oriented. Examples might be writing decisions or reports.
3. An employee's participation in the Telework Program should not adversely affect the performance of other employees and should not place a burden on the staff remaining in the office.
4. Contact with other employees and customers can be scheduled in advance. If the job requires extensive face-to-face contact with the supervisor, other employees, customers, or the general public, the job may not be suitable for Telework.
5. Materials and data needed to carry out Telework tasks must not present a security risk or breach of confidentiality to the agency (e.g. personnel or national security documents). The integrity and confidentiality of any

document removed from the agency must be assured. If the tasks require frequent access to materials that cannot be removed from the regular office, those tasks are not suitable for Telework.

6. The technology needed to perform the job off-site must be available at the off-site location. The employee's sponsoring organization cannot provide any specific facilities or equipment that are necessary to perform the job. This includes Internet Service Provider (ISP) fees and telephone service costs. The Agency will, however, provide a computer, if one is available, for work-at-home. Expenses for any modifications to FEMA-owned equipment must be borne by the employee or his/her sponsoring organization (e.g. addition of a modem for e-mail/Internet access).

### C. *Eligibility Requirements*

Approval to participate in a Regular Telework Pilot arrangement will (under the pilot guidelines) be granted on a case-by-case basis, using the selection process. Eligible employees must have received his/her supervisor's approval prior to any program participation at any level. Supervisors will accept applications from all interested candidates who meet the basic eligibility requirements listed below:

#### Eligibility Requirements for the Regular Telework Pilot Program

The following criteria must be met before an employee can participate in the Regular Telework Pilot:

1. Employee performance rating of record must be at least proficient at the last rating cycle and at the two most recent quarterly reviews, no element was marked as less than expected.
2. Employee must have at least one year of experience in the position of record.
3. Employee can clearly define specific tasks appropriate for Telework and the supervisor concurs with that definition. Employee and supervisor must clearly define performance expectations.
4. The employee has the ability to work autonomously while still meeting deadlines.
5. The employee has exhibited self-starter characteristics, good organizational skills, and can function independently.
6. The employee must have appropriate and clearly defined job duties that are teleworkable. Appropriate Telework duties have the following characteristics: work is portable and can be performed effectively outside the office; tasks are easily quantifiable or primarily project-oriented; tasks

can be scheduled as single blocks of time; and tasks don't require frequent interaction with a formal/informal work-team or necessitate frequent ad hoc meetings.

7. Employee safety at both the office and alternate work sites is of utmost importance to FEMA (and should be taken into consideration in all three modes of Telework – Episodic, Medical and the Regular Telework Pilot). Employees must have a safe alternate worksite identified, e.g. home or Telework center with adequate space, telephone and without undue interruption. If an employee's home is the alternate work site, then a FEMA Form 14-10, Employee Self-Certification Safety and Health Checklist (Appendix A), must be completed and submitted along with an attached photograph of the office site. The supervisor must sign the Checklist. See the Home-Office Self Inspection Guidelines for additional information.
8. If applicable, appropriate arrangements must be in place for childcare, elder care, other dependent care, home repair or other non-work related activities during Telework hours. Telework is not an alternative for these basic arrangements. Based on experience in both the private and public sector, such activity is likely to disrupt work.

#### Eligibility Requirements for Episodic Telework

Eligibility requirements are the same as for the Regular Telework Pilot Program above, except that employees on Episodic Telework will be allowed to work consecutive days at a Telework site until project completion or a pre-determined time period, that is suitable to the supervisor. Employees with extensive public or internal client contact will be eligible only for Episodic Telework participation. To be eligible for Episodic Telework, the nature of the work must be:

1. A project, or discrete portion of a project, which is of *short duration*, with *measurable* work products;
2. Of an irregular or occasional nature (as opposed to regular and recurring); and,
3. Agreed upon in advance.

If Episodic Telework is desired by/for an employee, a pre-approved application and safety checklist should be on file. Once work is approved for Telework, a Telework agreement will be established and work schedules updated for each episodic work cycle.

### Eligibility Requirements for Medical Telework

To be eligible for Medical Telework, one of the following must apply:

1. The employee has a debilitating illness or health condition, which limits his/her mobility or prevents him/her from working at his/her official duty station on a regular basis;
2. The employee must be severely disabled and it would be difficult to regularly commute to the official duty station; or,
3. The employee may, for a specific period of time, be required to care for an ill child or relative, where no other reasonable alternative arrangement can be made.
4. Medical documentation will be required to support all Medical Telework requests. At a minimum, the medical documentation will include a written statement from a certified medical practitioner, which includes:
  - A description of the medical condition;
  - The approximate expected duration of the medical condition;
  - Any restrictions which may limit the employee's ability to work at their official duty station on a regular basis; and
  - Any restrictions that may limit the employee's ability to work at an alternate work site.
5. Employees approved for medical Telework may work at their alternate work site full-time. However, there must be a realistic expectation of returning to at least part-time work in the office within a reasonable period of time as supported by medical documentation; and,
6. The employee should have job responsibilities with measurable work tasks, which can be accomplished at the alternative work site.

#### *D. Application Process for Telework*

All employees wishing to participate in any of the Telework Programs must complete a FEMA Form 14-9, Telework Application Form (Appendix B). This is a two part form that is to be completed by the employee and the employee's supervisor. The supervisor will determine if the employee's job tasks are suitable

for Telework. If the decision is no, the employee may appeal to their second-line supervisor. The decision of the second-line supervisor is final. If an employee and his/her supervisor agree to participate in the Regular Telework Pilot Program, the application is then forwarded to the second-line supervisor for final review. Final applications should be directed to the Directorate/Region/Office Telework Coordinator for final processing. Regular Telework Pilot participants are forwarded to the Agency Telework coordinator for approval into the program (this is for the Regular Telework Pilot Program only).

Upon acceptance, all employees must complete a FEMA Form 14-11, Telework Agreement (Appendix C). A signed copy of this agreement must be on file with the Directorate/Region/Office Telework Coordinator. A determination of the alternate work site should be made at this time. Employees choosing to work at home must complete a Self-Certification Safety and Health Checklist. The Telework Application and Self-Certification Safety and Health Checklist can be completed in advance for Episodic Telework assignments.

All participants in the FEMA Telework Program are required to attend a brief training session prior to participation.

#### E. *Responsibilities*

1. *The Director, Associate Directors, Regional Directors, Executive Associate Directors, Office Directors and Administrators* will: (1) support the Telework Program; (2) designate a Telework Coordinator for each Directorate/Office/Region;
2. *Division Directors, Branch Chiefs, Regional Division Directors* will: (1) fairly assess each employee's application for Telework; (2) make the final participant decisions for Regular Teleworker participation in the Regular Telework Pilot in each Region/Division/Office; and, (3) in cases where an employee disputes a disapproval by their first-line supervisor, the second-line supervisor shall review that application, the decision at this level is not appealable, as Telework is not an employee right.
3. *First Line Supervisor* will: (1) complete the appropriate portion of the Telework Agreement; and (2) approve or disapprove the Employee Telework Application (*supervisors must discuss and complete the items listed on the Telework Agreement and provide a signed copy of the Agreement to the Telework Coordinator*); (3) assign or approve appropriate work to be performed at the alternate work site; and, (4) maintain work activity records and information to evaluate employee participation in the program;
4. *Employees* participating will: (1) complete work agreements; (2) adhere to agreed-upon hours of work in accordance with established agency policies;



(3) adhere to agency policies for requesting leave; (4) adhere to Telework program guidance regarding work products; (5) use agency equipment only for official purposes; and, (6) participate in program monitoring activities.

**Employees must complete the FEMA Form 14-12 Employee Self-Certification Time and Attendance Report (Appendix D) and return it to their supervisor on a biweekly basis.** Employees must also complete the Employee Self-Certification Safety and Health Checklist, which identifies significant safety standards that must be met and return it to their supervisor prior to entering into a Telework Agreement if the alternate work site is at home.

5. Organizations participating in the FEMA Telework Program: Employees and supervisors and all co-workers of participating employees should attend the FEMA Telework training program. Co-workers/non-participants are encouraged to attend. This will enable all staff members to understand the program and know what is expected of the participating Telework employees in areas of communication, scheduling, and performance.
6. Directorate/Office/Regional Telework Coordinators will: (1) conduct the training program; (2) monitor the selection process; (3) act as a focal point within each Region/Directorate/Office for all telework related matters and will coordinate with the Telework Program Manager in Human Resources; and, (4) maintain copies of all Telework Agreements.
7. Telework Program Manager will be the clearinghouse and contact person for all Telework issues/matters. This includes: (1) leading the Telework Project Team and Telework coordinators; (2) ensuring that all participating supervisors and employees have been notified of their responsibilities; (3) overseeing training for all participating employees; (4) providing advice and assistance on Telework issues; and, (5) monitoring and evaluating the program.

## V. PROGRAM IMPLEMENTATION

### A. Training

A training program has been specifically developed for the FEMA Telework Program. All employees selected for the FEMA Telework Program, and their immediate supervisors must attend training prior to their initial Telework participation; co-workers are encouraged to attend. Training will cover Telework policies and guidelines; program elements and requirements; personal and occupational aspects of Telework agreements; and, computers and telephones. It is recommended that employees and their supervisors and co-workers attend training together, if possible.

The training program will address some of the following topics:

1. Employee topics include – expectations about personal responsibility, accountability, time management and self-discipline; forms to be completed, communicating with supervisors and co-workers; progress reporting; deadlines; ways to avoid isolation; and, family issues.
2. Supervisor topics include – managing for results/managing by objectives; planning; scheduling and tracking assignments and milestones; administration of work schedules; time and attendance and leave; supervisory expectations; and, communicating with the Telework employees and their co-workers.
3. Organization topics include – Telework Program background focusing on communication between the Teleworkers and office personnel; performance expectations; and, Telework scheduling and contact information.

#### B. *Work Agreements*

Each employee must sign a Telework Agreement that covers the terms and conditions of the Telework Program. The work agreement constitutes an agreement by the employee and his/her supervisor to adhere to the applicable guidelines and policies. The work agreement covers items such as: the voluntary nature of the arrangement; length of Telework assignment; responsibilities for timekeeping and leave approval; performance requirements; arrangements for child and elder care; proper use and safeguards of government property and records; standards of conduct, etc. Employees participating in any form of Telework (Episodic, Medical, or the Regular Telework Pilot) must sign a work agreement prior to him/her teleworking. In addition to completing the Telework agreement, employees approved for Episodic Telework must complete the FEMA Form 14-11A, Telework Agreement Continuation Form (Appendix E), for each additional episodic Telework period. If a work agreement is not signed, the Telework arrangement is not authorized under the FEMA Telework Program.

#### C. *Work Schedules*

Please note that the Telework employee is responsible for communicating their Telework schedule – when they are absent from the official duty station – to their Supervisor and all co-workers. Thus, the Telework employee should communicate a ready means for contact when on the Telework schedule (phone numbers, pager numbers, etc.). This can be accomplished by doing the following: (1) creating a concise “out of office” voicemail message with the Telework phone number noted; (2) utilizing the “Out of Office Assistant” in the Microsoft Outlook e-mail system to note their phone number, e-mail address, and/or location during Telework rotation; and, (3) prominently posting a written schedule at the normal work station at their official duty station. Employees may also wish to use the

Electronic Calendar System in Microsoft Outlook, especially if the system is used and understood throughout their office.

Work scheduled away from the office will vary depending upon the individual arrangements between employees and his/her supervisors. Regular Telework Pilot Program participants will be limited to non-consecutive days per week at the alternate work site. This will ensure the employee is available in the office during the week for face-to-face meetings, access to resources, and facilities etc. Telework employees should make contact with their supervisor, or a designee, at the beginning of each Telework day. Employees should prearrange any and all changes to their schedule with their supervisor in advance. Failure to do so may result in the termination of the Telework Agreement. In the event of an emergency, contact your supervisor as soon as possible following your notice of that emergency.

Telework schedules must identify the days and times the employee will work in each work setting. Work schedules can parallel those in the office or may be structured to meet the needs of the participating employee and his/her supervisor. Flexitour and Compressed Work Schedules (5-4-9) may be available to Telework employees within established FEMA policy. However, whether an employee may participate in both the Compressed Work Schedule (CWS) and the FEMA Telework Program at the same time is at the discretion of the supervisor. Supervisors are encouraged to consider retaining an adequate staffing contingent, vacations, travel schedules, etc.

The supervisor may establish 'core' hours that the employee is to be available during the Telework day(s). Typically, the core time is from 9:30 a.m. to 3:30 p.m. (with a half-hour for a non-paid lunch period). Within this schedule the employee, with the supervisor's approval, could vary both starting and ending times, as long as the employee is available during the core hours. Please note that regularly scheduled work arrangements cannot go past 6:00 p.m. or begin before 7:00 a.m. Employees may not accumulate credit hours while working at an alternate work site.

Telework assignments do not eliminate office/job participation. In the event of specific attendance needs, the employee should be prepared to conference in to meetings at Headquarters and other locales. If telephone conferencing is not available, not possible or will not have the appropriate effect, the employee should report to their official duty station or other location on those days when their presence is necessary.

Management reserves the right to alter the employee's established work schedule to accommodate peak workload office demands, holiday staffing needs, or for any other official purpose with advance notification of at least 24 hours (24 hours is generally expected, every effort should be made to provide the

teleworker with sufficient notice). This may include requiring a teleworking employee to come to the official duty station on a Telework day.

In the event of disaster or other emergency operations, all employees with disaster responsibility or on emergency team assignment, must return to his/her official duty station and/or act in accordance with plans, procedures, and guidance currently in place (e.g. FEMA Headquarters, Regional Office, and Disaster Field Offices (DFO)). If the Agency is involved in an emergency response any employee may be suspended from Telework at the discretion of the supervisor. Telework employees may return to an approved Telework schedule only upon approval of his/her supervisor.

As always, a supervisor is responsible for ensuring a quality core staff at the office site at all times, including holidays, disaster and other times.

#### D. *Time and Attendance*

All time and attendance actions should comply with established Agency and government policies. Specific items are summarized below:

1. Hours of Duty. Employees may work standard schedules (e.g. 8 hours per day, 5 days a week) or follow alternative work schedules (e.g. the 5-4-9 Compressed Schedule) depending upon the agreement between the employee and the supervisor. See Section V., C. Work Schedules, for a discussion of supervisory considerations in this decision.

Please note that for the Regular Telework Pilot Program, only non-consecutive Telework days can be approved per week. All employees taking advantage of the FEMA Telework Program are expected to report all scheduling needs to his/her supervisor in advance, and to cooperate with his/her supervisor in all circumstances.

*Fair Labor Standards Act (FLSA)*. The existing rules in Title 5, United States Code and in the Fair Labor Standards Act governing overtime also apply to Telework arrangements. Overtime is time worked at official duties in excess of the scheduled tour of duty that is ordered and approved. It is the responsibility of the supervisor to regulate and control the use of overtime. Employees are not authorized to work overtime without prior supervisory approval. Employees are responsible for requesting, in advance, approval to work in excess of his/her normal hours of duty. An employee who works overtime without advance supervisory approval may be removed from the Telework Program and is not entitled to compensation for any unauthorized overtime worked.

2. Leave. The policies for requesting annual leave, sick leave, or other absences from duty remain unchanged. Employees are responsible for

obtaining approval for leave in advance from the supervisor. The supervisor must inform the timekeeper of the employee's leave usage.

3. Certification and Control of Time and Attendance (T&A). Proper monitoring and certification of employee work time is critical to the success of the program. Supervisors must report time and attendance to ensure that employees are paid only for work performed and to ensure that absences from scheduled tours of duty are accounted for. GAO guidelines governing certification of time and attendance require agencies with employees working at remote sites to provide reasonable assurance that they are working when scheduled. Reasonable assurance may include occasional supervisor telephone calls, and determining reasonableness of work output versus the time spent. Telework participants and supervisors are encouraged to develop regular times to contact each other on Telework days. Telework employees must complete the Employee Self-Certification Time and Attendance Report and return it to his/her supervisor by 9:00 a.m. on the Monday after the close of the pay period. Agency policies and regulations regarding compensatory time apply.
4. Administrative Leave, Dismissals, Emergency Closings. Although a variety of circumstances may affect individual situations, the principles governing administrative leave, dismissals, and agency closing remain unchanged. The ability to conduct work (and the nature of the impediments), whether at home, at a Telework center, or at the office, determines when an employee may be placed on excused absence. For example, if a Regular Telework Pilot employee is working at home on a day where the office location (e.g. Federal FEMA Headquarters or responsible Regional office), is dismissed early due to unforeseen circumstances, the Telework employee is not excused since they are not prevented from performing his/her duties. On the other hand, if a teleworker is working at the alternate work site and there is an unforeseen event (e.g., a power outage in the neighborhood), the Telework employee may be impeded from performing his/her duties and may possibly be excused for the period of the event. The Telework employee should contact the first level supervisor immediately. When an employee knows in advance of a situation that would preclude working at the alternate work site, either time in the office or leave should be scheduled.

#### E. *Pay Issues*

Existing Agency regulations and guidance on pay administration apply to individuals participating in Telework.

1. Duty Station. For pay purposes, the official duty station is the employee's regular duty station, not the alternate work site.

2. Special Salary Rates. For pay purposes, the official duty station serves as the basis for determining special salary rates.
3. Overtime. The existing rules on overtime under Title 5, United States Code, and the Fair Labor Standards Act apply to Telework employees. Advance approval from the supervisor is required for overtime for any Telework employee.

#### F. *Facilities*

1. Home Office (Alternate Work Site) Space. Employees participating in Telework must have a designated workspace or workstation for performance of his/her work-at-home duties. Requirements will vary depending upon the nature of the work and the equipment needed to perform the work. At a minimum, an employee and supervisor should be able to easily communicate by telephone with his/her supervisor and organization during the Telework day. Employees are required to maintain this workspace in a safe condition, free from hazards and other dangers and to complete the Self-Certification Checklist as part of the Telework Agreement (See Section IV. C., Eligibility Requirements for Regular Telework (7.); and Section V. J, Worker's Compensation; and the FEMA Telework Safety Brochure). Provided the employee is given 24 hours advance written notice, the employee agrees to permit periodic inspections by the Agency of the alternate work site during the employee's normal working hours to ensure proper maintenance of Agency-owned equipment and/or work site conformance with safety standards. The supervisor and/or the appropriately qualified personnel will conduct these inspections when necessary.
2. Home Utility or Insurance Expense. Incremental costs associated with working at home will not be paid by the Agency. Potential savings to the employee resulting from reduced commuting, meals, etc., may offset any incidental increase in utility expenses. Modifications to personal telephone lines or service will not be provided or paid for by the Agency.
3. Miscellaneous Expenses. Costs associated with copying work-related materials, fax charges, express mail, etc. will *not* be reimbursed by the Agency. Employees participating in Telework should complete duties that require these support activities at the official duty station, using Agency equipment, services, and materials.
4. Other Facilities. There are other work sites available to employees to facilitate Telework, such as, alternate FEMA locations, other government buildings, and GSA approved Telework centers. These facilities may require payments for space. If the alternate work site requested by an employee and agreed to by the supervisor is other than home, any costs become the responsibility of the employee's sponsoring organization.

### G. *Telecommunications, Equipment and Supplies*

Once selected for the FEMA Telework Program, including all Regular Telework Pilot Participants, who will be working from home will be asked to complete an equipment questionnaire. Some participants may already be equipped to perform his/her assignments at home with his/her own equipment or do not require equipment to conduct the tasks (e.g. telephone work). Based on the individual needs of participants, following are guidelines for what the Agency may provide:

1. Telephone Services. To the extent possible, long-distance telephone calls should be placed on scheduled days in the office. If work related long distance calls are necessary on Telework days, FEMA may, on a case-by-case basis, provide telephone credit cards to Telework Pilot participants. However, these must be preapproved in accordance with FEMA procedures. Employees may use "800" numbers to communicate with FEMA Headquarters, Regional Offices, and other FEMA work locations where "800" service has been established for the Agency, Region, and/or Office.
2. Communications. Telephone lines with touch-tone dialing are necessary in order to access voicemail. If an employee's work requires use of the internet or other communications related tasks, then the employee should install a second telephone line for computer use. This will allow the employee to utilize his/her telephone line while using a modem to connect with the Headquarters/Regional LAN. FEMA will *not* install or pay for additional telephone lines or service into an employee's home.

Telework employees working out of their home office should check their e-mail consistently if required by their job duties. They should not keep the FEMA e-mail system open all day, but should enter the system on a periodic basis.

Telework employees requiring access to his/her e-mail will be required to have a Terminal Access Controller Access Control System (TACACS) account. If you are selected to participate, and e-mail is a necessity, your Telework coordinator will provide information regarding telecommunications access. Access to the FEMA network through TACACS is limited and teleworkers may only remain online for the short duration necessary to retrieve e-mail. Abuse of TACACS access could result in a teleworker losing his/her account privileges.

3. Computers, Agency-owned Equipment, etc. Personal ownership of a computer is not a prerequisite for participation in the Telework Program.

If needed, the sponsoring organization may supply the following equipment and software for home use by approved employees as available:

- Stand-alone 486 (minimum level) computers (CPU, monitor, mouse and keyboard). Computers must be compliant with "Y2K" requirements. Printers and modems will not be provided by the Agency for home use.
- Agency standard software packages (Microsoft Windows, Norton Anti-Virus, and Office 97 Professional Suite)

Employees may not remove desk top computer equipment from the official duty station for purposes of Telework . Prior approval must be obtained before any property is removed from the Agency or Telework location and property passes issued for each piece of equipment must be obtained.

Agency-owned property such as computers and other telecommunications equipment are to be used by the teleworker in accordance with FEMA policy on limited personal use of government equipment. Strict adherence to regulations concerning the safeguarding and removal of all equipment is essential. All Agency-owned property must be returned to the Agency upon request. Employees are responsible for ensuring the return of that property in the same condition as when it left the Agency property. If Agency-owned property is damaged or destroyed the employee must immediately report this to their supervisor for determination.

In the event Agency-owned equipment or software requires service, the equipment must be returned to the official duty station by the employee for such work.

4. Supplies. If needed, the Agency will provide necessary office supplies (paper, pens, diskettes, etc.). Employees should obtain these items from the official duty station supply room or through the regular procedure at their official duty station. The Agency will not reimburse employees for any supplies purchased independently, nor will the Agency provide office furniture.
5. Termination of Participation. Upon termination of the Telework Agreement all equipment and property must be returned to the agency.
6. Help Desk Services. Telework employees will be allowed to contact his/her respective Help Desk for consultation while at his/her alternate worksite. Help Desk services will be limited to advice. No remote servicing will be provided. When a teleworker calls the Help Desk, he/she must identify him/herself as such so the Help Desk can track the impact of Telework on his/her operations. If the problem cannot be resolved over the telephone, the computer must be returned to the official duty station for servicing.



All equipment, software, data, and supplies furnished by the Agency shall remain the sole property of the Agency. Employees must agree to complete Option Form 7, Property Pass/Equipment Inventory Form and to return these items upon request of the Agency or upon termination of the Telework Agreement. Employees are responsible for the safety and security of all equipment and data provided by or generated for the Agency, including maintaining security and confidentiality. Agency-owned software shall not be duplicated. Employees are responsible for maintaining his/her personally owned equipment.

#### H. *Position and Performance*

1. Position Descriptions. Changes to position descriptions are not required as the Telework arrangement should not change the actual position duties.
2. Performance Standards. Performance standards or workplans must have clearly defined performance requirements. Explicit and objective "norms" for work output should be based on experience with those required and sustained in the office and monitored through scheduled and required progress reports.

#### I. *Monitoring and Evaluation*

As mentioned in the eligibility criteria, all selected Regular Telework Pilot participants must agree to participate in program evaluation activities. These may include, but are not limited to:

- any pre-program baseline survey;
- participation in focus group discussions;
- a mid-year follow-up assessment (survey/interview);
- a full program review; and
- site visits by supervisors and/or a Health and Safety representative.

The final assessment will include a review of the Telework arrangements and any changes that may be needed, due to reorganization or reassignment of teleworker's assigned duties.

After the first year of participation, and each subsequent year, a brief recertification process will be necessary to continue in the Telework Program for the following year. This will consist of the employee and supervisor discussing and reviewing the Telework arrangement to see that it is still effective and desirable, and renewing the Telework Agreement. A copy of the annual

recertification form must be forwarded to the Telework Coordinator for the employee's official duty station.

#### J. *Workers' Compensation*

Teleworking employees are covered by the Federal Employees Compensation Act (FECA) and may qualify for workers' compensation benefits if an on-the-job injury or occupational illness is sustained while the employee is performing official duties at the official or alternate work site. Any accident or injury occurring at the alternate work site must be brought to the immediate attention of the supervisor. Because an employment-related accident sustained by an employee participating in the Telework program would occur outside of the premises of the official duty station, supervisors must ensure that claims of this type are immediately brought to the attention of the FEMA OHRM Employee and Labor Relations Division. (Reminder: employees must complete the Employee Self-Certification Safety Checklist, which identifies significant safety standards that should be met and return it to his/her supervisor prior to entering into a Telework Agreement.)

If there are any changes in the work environment that could affect safety, the employee is required to immediately submit a new "Employee Self-Certification Safety Checklist" and photograph of the office space.

#### K. *Records Management*

All FEMA employees, including those participating in the Telework Program, are required to comply with the following guidelines on record or duplicate record use when working at other locations. Compliance with these policies will protect the agency and the employee in the event of litigation or government investigation. During an investigation, all relevant records must be made available to investigators and auditors. Title 18, USC, Section 1516 makes it a criminal violation punishable by a fine or imprisonment to obstruct an audit.

1. An "official record" is defined by the Federal Records Act as ". . . all books, papers, maps, photographs, machine readable materials or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal Law or in connection with the transaction of public business and preserved or appropriate for preservation by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government...."
2. Employees may not take official records home. If official records are needed for telework, duplicates must be made at the official duty station. Those duplicates remain the property of FEMA. Duplicates should be treated as original records and returned to the office, even in the event

destruction is necessary. The use of duplicate official records will be for a stated period of time and may be noted in the Telework Agreement, such as the project demands.

3. When duplicate copies/records used at Telework locations are no longer needed by the employee, they must be returned to the office to be recycled or destroyed. In the event that any information should be added to or changed in this duplicate record, it must be added to or changed in the official record.
4. Confidential information or national security classified information may **not** be removed from its secure location even in duplicate. Document rules for the teleworker's organization must be followed.
5. Care must be taken to ensure that records subject to the Privacy Act and sensitive non-classified data are not disclosed to anyone except to those who are authorized access to such information in order to perform his/her duties. Organizations allowing employees to access records subject to the Privacy Act from a remote work site must maintain appropriate administrative, technical and administrative safeguards to secure the security and confidentiality of the records. When records subject to the Privacy Act are maintained or used by employees working at home or at alternate work sites, the office in charge of that information should revise the appropriate record system notices to indicate that the off-site systems location is authorized.

#### L. *Other Issues*

1. Liability. Advice and assistance regarding official matters involving legal claims and liability should be referred to the Office of General Counsel, General Law Division, located at FEMA Headquarters in Washington, DC. Generally, teleworking employees are covered and may file claims under the Federal Employees Compensation Act, the Military Personnel and Civilian Employees Claims Act, and the Federal Tort Claims Act for personal injury, property loss/damage, or Federal employee negligence issues.
2. Tax Benefits. Generally, no expenses are allowed for home offices or work space unless used exclusively on a regular basis as a principal place of business. Employees who believe they may be entitled to tax deductions based on home office or work space, depreciation of employee-owned personal computers and related equipment, etc., should consult his/her tax advisor or the Internal Revenue Service for information on tax laws and interpretations.

## VI. TERMINATING OR CHANGING A TELEWORK ARRANGEMENT

The Telework Coordinator must be notified if:

- an issue or concern arises with the Telework arrangement;
- a change in the Telework Agreement is needed; or,
- a Telework Agreement is terminated or suspended.

### A. Termination

1. An employee participating in the program may withdraw from the program after providing sufficient advance notice (24 hours is generally expected, every effort should be made to provide the teleworker with sufficient notice).
2. An annual performance rating below proficient automatically terminates an employee's teleworking arrangement.
3. Management retains the right to suspend or terminate an employee's Telework participation at any time, generally with 24 hours notice (24 hours is generally expected; every effort should be made to provide the teleworker with sufficient notice), if:
  - Emergency operations and/or assignments are activated;
  - The employee's performance declines or the employee receives a less than expected on any critical element during a quarterly performance review;
  - The employee fails to fully comply with the agreed-upon program requirements;
  - If the employee is involved in misconduct which is actionable under FEMA Manual 3310.1, Disciplinary/Adverse Actions Procedures; or,
  - If it no longer benefits the Agency to have the employee work at an alternate work site.
4. A Telework arrangement may be terminated if the employee fails to provide requested information, or fails to participate in requested program monitoring and evaluation activities (including surveys, focus groups, etc.).
5. Upon termination of the Telework Agreement, the employee must return all equipment provided for that employee to assist in Telework by the Agency. Accountability will be maintained. Failure by the employee to return all

Government equipment may result in disciplinary or adverse actions being taken against the employee.

#### B. *Change Issues*

Whenever any element of the Telework Agreement changes (job position, work assignment, home office, or personnel changes, etc.), the Telework arrangement must be reevaluated and/or a new agreement put in place if participation is still approved. Examples of such changes are:

- The Telework employee transfers to a different job and/or organizational unit, or the work of the position changes; or
- The supervisor of a Telework employee changes.

Whenever changes occur, the following actions must be taken:

1. If the change results in a new supervisor for the Telework employee and the employee would like to continue teleworking: (1) the Telework Coordinator must be notified; (2) the new supervisor will be provided orientation/training, given any relevant information/materials associated with progress of the project; and, (3) the employee and supervisor will assess suitability for Telework and if approved, a new Telework Agreement must be put in place.
2. If the job task/assignment changes, the employee and supervisor must reassess the employee's suitability for teleworking and, if appropriate, complete a new Telework Agreement.

Teleworkers may continue his/her teleworking arrangement until the reassessments are complete. Exceptions to this policy may be made on a case-by-case basis. All exception requests and supporting documentation should be submitted to the Telework Program Coordinator for the employee's Region/Office/Division.

#### C. *Suspension of Telework Participation*

It may be necessary, under extenuating circumstances, to temporarily suspend a Telework Agreement (e.g., extensive out-of-town travel or disaster duty). In these cases, the supervisor and/or employee must notify the Telework Coordinator of the duration and reason for the suspension.