

U.S. Department of Transportation

# **DEPARTMENTAL PERSONNEL MANUAL**

## **Chapter 650 Telework Policy**

**June 2013**

**This DPM cancels and replaces all previously issued bulletins, letters and orders related to telework**

**DEPARTMENTAL PERSONNEL MANUAL**  
**Telework**

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**1. PURPOSE**

- a. This Departmental Personnel Manual (DPM) sets forth the policy, authority, criteria, and responsibilities for managing telework in the U.S. Department of Transportation (DOT).
- b. This DPM addresses managing telework in all situations, including regular telework, ad hoc telework, unscheduled telework and telework in emergency situations. The goal is to promote telework by DOT employees with appropriate controls for performance accountability, safety, and information security.

**2. CANCELLATIONS**

DOT Order 1501.1A, DOT Telework Policy, dated July 31, 2007.

**3. SCOPE**

This order is applicable to all DOT components and employees.

**4. AUTHORITIES**

- a. U.S. Office of Personnel Management (OPM) Washington, DC, Area Dismissal and Closure Procedures (November 2012), available at <https://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/dcdismisssal.pdf>.
- a. OPM's Guide to Telework in the Federal Government (April 2011), available at [http://www.telework.gov/guidance\\_and\\_legislation/telework\\_guide/telework\\_guide.pdf](http://www.telework.gov/guidance_and_legislation/telework_guide/telework_guide.pdf).
- b. The Telework Enhancement Act of 2010 (Public Law 111-292), dated December 9, 2010, 5 U.S.C. Chapter 65.
- c. Locality-Based Comparability Payments, 5 C.F.R. Part 531, Subpart F.
- d. DOT Information Technology and Information Assurance Policy Number 2006-22: Implementation of DOT's Protection of Personally Identifiable Information (September 21, 2006).
- e. DOT Continuity of Operations Plans (COOP) (May 2012), and DOT draft Pandemic Influenza Plan (March 31, 2006).

- f. General Services Administration (GSA) Federal Management Regulation; Bulletin 2006-B3, Guidelines for Alternative Workplace Arrangements (March 17, 2006).
- g. OPM Memorandum to Heads of Executive Departments and Agencies (February 9, 2001). This guidance advised agencies to review existing telecommuting policies and procedures, identify and remove barriers that inhibit participation, and establish objective eligibility criteria to identify jobs suitable for telecommuting.
- h. The FY 2001 DOT Appropriations Act, P.L. 106-346 § 359, 5 U.S.C. § 6501 note, which requires each Executive agency to establish policies under which eligible employees may participate in telecommuting to the maximum extent possible without diminished employee performance.
- i. OPM Guide to Processing Personnel Actions, Chapter 23.
- j. Federal Preparedness Circular 65, dated July 26, 1999, and FPC 67 (dated April 30, 2001).
- k. Treasury, Postal Service and General Government Appropriations Act of 1996, P.L. 104-52, § 620, 31 U.S.C. § 1348, note, which authorizes the use of appropriated funds to install necessary equipment in private residences of an employee for telework.

## 5. **DEFINITIONS**

### a. **Alternate Work Arrangement**

An alternate work arrangement provides flexibility in work locations, work schedules, work hours, and other work arrangements. This may include the use of flexible and compressed work schedules, telework, virtual offices, job sharing, and/or other distributed work arrangements.

### b. **Alternate Worksite**

Classified National Security Information or Classified Information. Information that has been determined pursuant to the provisions of Executive Order 12958, as amended, Classified National Security Information, to require protection against unauthorized disclosure.

### c. **DOT Components**

DOT Operating Administrations (OA), the Office of the Inspector General, and the Office of the Secretary.

### d. **Emergency Functions.**

Functions that must be maintained for the continuity of critical agency operations in dismissal or closure situations.

e. **Emergency Situation**

A situation when normal facilities are not available or when public health situation guidance requires social distancing to avoid the spread of disease.

f. **Emergency Teleworker**

An employee, who performs emergency functions and because of those functions may be directed by management to continue to work at his or her alternative worksite during emergency situations when normal facilities are not available.

g. **Excess personal property/equipment**

Any personal property that is no longer required by the holding agency for the discharge of its responsibilities.

h. **Excused Absence**

An absence from duty without charge to leave or loss of pay.

i. **For Official Use Only (FOUO) Information**

Unclassified information and materials that may be exempt from mandatory release to the public under the Freedom of Information Act and/or the Privacy Act.

j. **Hoteling**

Shared office space used by teleworkers and other personnel, as appropriate, on a drop-in, as needed basis. These non-dedicated, non-permanent workspaces are reserved in advance and are distributed on a first-come, first-serve basis. The space is equipped with standard office technology, such as phones, computers or laptop docking stations, faxes, printers, copiers, computer network connection, internet access, etc.

k. **Mission Essential Functions**

Functions that must be maintained for continuity of essential services during extended emergencies or other unique situations.

l. **Mission Essential Teleworker**

A teleworker who is expected to remain in contact with his or her agency at all times during any closure situation and who may be called upon to work at his other alternative worksite during extended emergencies or other unique situations.

m. **Official Duty Station**

The city or town, county, and State identified as the official location of the employee's position of record. For a teleworker, the official duty station must be determined on a case-by-case basis.

n. **Personally Identifiable Information (PII)**

Information which can be used to distinguish or trace an individual's identity, such as their 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.

o. **Secure Remote Access (SRA).**

The ability of an authorized user to access a DOT network from outside the traditional network security boundary and to maintain that remote access link in a secure fashion.

p. **Sensitive Information**

Public Law 100-235, the Computer Security Act of 1987, defines sensitive information as any information which, if subject to unauthorized access, modification, loss, or misuse, could adversely affect the national interest, the conduct of Federal programs, or the privacy to which individuals are entitled under Section 552a of Title 5, United States Code (the Privacy Act), but which has not been specifically authorized under criteria established by an Executive Order or an Act of Congress to be kept secret in the interest of national defense or foreign policy. Sensitive data at DOT also include proprietary data.

q. **Sensitive Personally Identifiable Information (SPII)**

Any personally identifiable information, which if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to the individual to whom such information relates.

r. **Sensitive Security Information (SSI)**

Information obtained or developed in the conduct of security activities, including research and development, the disclosure of which the Secretary of Transportation, or the Secretary of Homeland Security, or the designee of either, has determined would constitute an unwarranted invasion of privacy (including, but not limited to, information contained in any personnel, medical or similar file); reveal trade secrets or privileged or confidential information obtained from any person; or be detrimental to transportation safety, 49 CFR Part 15, Protection of Sensitive Security Information, is the governing regulation for SSI within DOT.

s. **Sensitive Unclassified Information**

Within DOT, sensitive unclassified information is a broad term that describes sensitive information as defined above. It also includes information that may be provided to DOT by private individuals or companies with the understanding that, to the extent permitted by law, DOT will not publicly disclose it. It includes law enforcement, contracting, procurement, proprietary, security, financial, PII, and other information that may be exempt from disclosure under the Freedom of Information Act, 5 U.S.C. Section 552, and information protected from disclosure by the Privacy Act of 1974. DOT currently designates this information as either For Official Use Only or, as applicable, Sensitive Security Information.

t. **Telework Center**

A facility that provides workstations and other office facilities/services that is utilized by employees from several organizations, and is used as a geographically convenient alternative worksite for its users. The facility is typically on a fee-for-use or service basis.

u. **Teleworker**

An employee who performs a portion of or all duties at an alternative worksite under a telework agreement. The employee may be approved as a teleworker on a regular, recurring schedule, on an ad-hoc basis (temporary or situational); or as an emergency or mission essential teleworker.

v. **Telework**

A work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.



w. **Telework Agreement**

A written agreement completed and signed by an employee and appropriate official(s) in his or her agency/staff office or OA that outlines the terms and conditions of the telework arrangement.

x. **Telework-Ready Employee**

A telework eligible employee approved to telework (e.g., on a regular recurring, ad hoc, or emergency basis), who has completed telework training and has an approved telework agreement in place.

y. **Unscheduled Telework**

An Operating Status announcement (made by OPM, Federal Executive Boards, or authorized DOT officials) for weather-related or other emergencies which allows a telework-ready employee to perform telework on a day he or she would normally report to the office. Employees must notify their supervisor of their intention to perform unscheduled telework and must be prepared to telework for the entire workday, or take unscheduled leave, or a combination of both, for the entire workday, in accordance with their agency's policies and procedures, subject to any applicable collective bargaining requirements.

z. **Virtual Office or Virtual Workplace.**

A work environment in which employees work cooperatively from different locations using a computer network (in lieu of a single building or other single physical location). The physical location of the employees in the virtual workplace is generally dispersed.

6. **POLICY**

a. **DOT recognizes the importance of Telework**

DOT recognizes the importance of telework and encourages the use of telework by its components to the maximum extent possible. Establishing a telework program at DOT is consistent with and supports Departmental mission and performance goals and improves the Department's capability to support homeland and national security requirements. Properly administered, telework improves individual and organizational productivity; helps reduce highway congestion and mobile source emissions; serves as a recruitment and retention tool; and improves work life quality. Moreover, it is an effective and efficient means for continuing Government operations when staff cannot travel

to a central office due to geographical incidents, national disasters, extended emergencies, or local incidents such as snowstorms or major traffic problems.

b. **DOT modes must establish and implement their own telework policy**

Each DOT component must establish and implement a telework policy consistent with Departmental policy. The DOT components' policies shall prescribe a means for identifying telework-eligible positions, employee eligibility for telework, and will require approved telework agreements before an employee may participate in telework. The DOT components' policies may allow employees in a probationary status to telework provided adequate measures are established to observe and evaluate their performance.

c. **Employee participation in a telework program is voluntary**

Employee participation in a telework program is voluntary. DOT components may not require an employee to participate in telework, even if the duties of the position make that employee eligible for telework.

d. **Eligible employees may be able to telework once a pay period or month**

Eligible employees, including supervisors and managers, may be provided the option of teleworking at least 1 day per pay period. Eligible employees who are unable to telework once a pay period due to organizational or personal considerations are to be offered the opportunity to practice telework at least 1 day per month.

e. **Alternative work schedules are available for telework eligible employees**

Employees in telework-eligible positions may be given the opportunity to participate in alternative work schedules, as well as telework, subject to supervisory approval and organizational needs.

f. **Injured, recuperating and temporarily disabled telework ready employees**

Employees who are injured, recuperating, and/or temporarily disabled may be permitted to work at home and complete work assignments to minimize the use of sick leave.

g. **Supervisors shall be responsible for applying the eligibility criteria specified in this policy**

Supervisors shall be responsible for applying the eligibility criteria specified in this policy to determine if the job characteristics of a particular position and the incumbent of that position are eligible to telework.

h. **DOT Component supervisors are accountable for approving and monitoring telework performance**

DOT components will hold executives, managers and supervisors accountable for approving and monitoring employee telework performance. To the extent appropriate, telework work objectives with results-oriented measures will be in the performance plans of supervisors and managers.

i. **DOT components may establish additional telework termination criteria**

DOT components may establish additional telework termination criteria, as deemed necessary for continued operations. However, a decision to terminate or modify an employee's telework agreement shall not be arbitrary, and it must be in accordance with collective bargaining agreements, where applicable.

j. **Management may require scheduled teleworking employees to return to the official duty location**

Management reserves the right to require employees to return to the official duty location on scheduled telework days, based on operational requirements.

k. **DOT components may provide government equipment to employees approved for telework.**

DOT components may provide government equipment to employees approved for telework. It is permissible, but not mandatory, for components to authorize reimbursement for all or part of services such as internet and telephone lines if such services are essential to teleworking. If a component chooses to provide such reimbursement, it must specify eligibility criteria and procedures for obtaining the reimbursement in its telework policy and include the specifics of the individual reimbursement arrangement in the employee's telework agreement.

l. **Employees are responsible for operating costs associated with working from home**

DOT components are not responsible for any operating costs associated with an employee's use of his or her personal residence as an alternative worksite. This includes home maintenance, insurance and/or home utilities.

m. **OCIO will provide Remote computing access to the DOT infrastructure supporting telework**

Remote computing access to the DOT infrastructure supporting telework, COOP, and other emergency situations will be provided by the DOT Office of the Chief Information Officer (OCIO) to the Office of the Secretary and the OAs within the Common Operating Environment through the Working Capital Fund. Secure Remote Access technologies including Virtual Private Network (VPN), Virtual Desktop Integration (VDI) and web access provide this capability from most government and non-government computers located outside of traditional DOT facilities. Specific policies and procedures supporting these technologies are provided by the OCIO independently of this telework order.

n. **Appropriate information security measures and procedures will be maintained for all teleworking**

Appropriate information security measures and procedures will be maintained for all teleworking. DOT components shall ensure that classified information, PII, proprietary information and/or other sensitive data are handled and protected in accordance with applicable laws, regulations and policies. Employees who telework are to use the required security protections, such as encryption, for all classified and sensitive information and follow this and all Departmental policies as they pertain to the protection of information and information system resources.

o. **Proper work environment for telework must be maintained by the employee**

Telework is not intended to serve as a mechanism to provide child or elder care services at home, or to perform any other activities unrelated to the employee's official duties. It is the responsibility of the employee to ensure that a proper work environment is maintained.

p. **Telework shall be considered as an alternative work method during building renovation**

Telework, especially hoteling, shall be considered as an alternative work method when planning for any building renovation in the Washington, DC, Metropolitan Area or any other DOT regional or field location.

q. **DOT components are encouraged to market the use of telework**

DOT components are encouraged to market the use of telework in vacancy announcements as a tool for attracting potential applicants, retaining current employees, as well accommodating employees housed in Federal buildings undergoing renovation projects, emergency situations, and for addressing other needs. In appropriate circumstances, telework may be offered as a reasonable

accommodation for employees with disabilities. DOT components shall fulfill their labor relations obligations before implementing telework policies and procedures for bargaining unit employees. Negotiated union/management telework agreements should establish the telework goals and objective.

## 7. **ELIGIBILITY**

The following position and employee criteria described in this section shall apply when determining telework eligibility:

- a. **Position Eligibility Criteria.** Positions that have the following characteristics are eligible for teleworking:
  - (1) Work activities are portable and are not dependent on the employee being at the traditional worksite. Portable work activities and tasks generally suited for telework include, but are not limited to, policy development, research analysis, program analysis, policy analysis, financial analysis, legal analysis, report and brief writing, telephone-intensive tasks (excluding receptionist duties), computer-oriented tasks, data entry, word processing, web page design or data processing.
  - (2) Work activities are conducive to remote supervisory oversight because of clear and measurable performance standards and results.
  - (3) Adequate technology for off-site work is available. Materials and information necessary to perform the duties of the position can readily be moved to and from the Federal office consistent with data and systems security requirements, including Privacy Act Protection requirements.
  - (4) Necessary interaction with co-workers, subordinates, superiors, and customers can be maintained electronically or by telephone without adversely affecting customer service or unit productivity.
  - (5) Other position eligibility criteria that management determines to be appropriate, consistent with the Department's goals and objectives for telework.

- b. **Positions not Generally Eligible for Telework.** Some characteristics, tasks and duties generally are not suitable for telework. These include, but are not limited to the following:
- (1) Positions that require the employee to have daily, in-person contact with co-workers, supervisory officials, customers, or the general public in order to be effective.
  - (2) Positions where operational requirements dictate employee presence at a specific work location.
  - (3) Positions that require routine access to classified information; unless required storage and equipment are readily available and the employee's servicing security organization has approved the telework arrangement in writing in advance.
- c. **Employee Eligibility Criteria.** Supervisors are to assess individual performance characteristics and criteria when considering an employee for a telework arrangement. Employee eligibility criteria, at a minimum, shall include the following:
- (1) A performance rating of record of at least fully successful, or the equivalent, with no documented need to improve performance.
  - (2) Demonstrated dependability and the ability to work independently.
  - (3) The ability to prioritize work effectively and utilize good time management skills.
  - (4) Compliance with Federal Government and agency standards of conduct.
- d. **Employee Ineligibility Criteria.** An employee is prohibited from participating in a telework program if he or she:
- (1) Has been officially disciplined for being absent without permission for more than 5 days in any calendar year; or
  - (2) Has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for reviewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties 5 U.S.C. 6502.
  - (3) Depending on the nature of the disciplinary action, an employee may be permanently prohibited from participating in a telework program.

## 8. **EMPLOYEE EXPECTATIONS**

- a. Supervisors must hold employees accountable for achieving the results established in employee performance appraisal plans. Teleworkers are to be treated no differently than non-teleworkers concerning achieving results. If work assignments are written into telework agreements, supervisors and employees must have a common understanding of work objectives, desired results, and evaluation criteria. Measurement tools, such as status reports, progress reviews, and milestones may be used to measure and evaluate employee performance.
- b. Telework employees are required to satisfactorily complete all assigned work, consistent with the approach adopted for all other employees in the work group and according to standards and objectives in the employee's performance plan.
- c. The performance elements and standards for teleworkers shall remain the same as non-teleworkers performing the same or similar duties.
- d. Employees are bound by Federal Government and agency standards of conduct while working at an alternative worksite. By signing a telework agreement, employees acknowledge they understand and accept the Standards of Ethical Conduct for Employees of the Executive Branch while working at the alternative worksite.
- e. For work-at-home arrangements, the teleworker is generally required to designate one area in the home as the official work or duty area that is suitable for the performance of official government business. The government's potential exposure to liability is restricted to the official work area.

9. **TELEWORK AGREEMENT**

- a. A written telework agreement is required for employees who have been approved to telework on a regular or ad-hoc basis, or for an emergency situation. All telework agreements must be signed by the employee and his or her supervisors and returned to their servicing human resource office.
- b. An employee must complete telework training before entering into a telework agreement.
- c. Telework agreements must be reviewed annually by the employee and his or her supervisor and updated as necessary. A permanent change in the telework agreement requires a new or modified telework agreement.

- d. The telework agreement should state the telework days and hours the employee will work. Requests by an employee to change his or her scheduled telework day(s) in a particular week or bi-weekly pay period must be submitted in advance and approved by the supervisor before the employee may telework under the new schedule.
- e. The telework agreement must include a requirement that the employee is expected to work on days when an announcement is made that Federal offices are closed because of severe weather or other emergencies to the extent possible.
- f. If a telework agreement has an adverse impact on employee or agency performance, or an employee no longer meets eligibility criteria, a supervisor can terminate and/or modify the employee's agreement as appropriate, by providing notice to the employee.
- g. A telework arrangement does not alter the terms and conditions of the appointment as specified on the employee's Notification of Personnel Action, Standard Form 50. However, an employee's official duty station may change if he or she does not regularly commute into the office. All pay, leave, and travel entitlements must be based on the employee's official duty station. The telework arrangement must not affect other conditions of employment (e.g., hours of duty) unless otherwise specified in the telework agreement.
- h. All DOT employees who access DOT systems as part of their telework arrangement must sign the Rules of Behavior agreement and agree to the conditions of the DOT Employee Security Awareness Guide issued by the DOT OCIO.

10. **TERMINATION OF A TELEWORK AGREEMENT**

- a. Telework arrangements may be terminated by either management or the employee by written notification of termination of the telework agreement, except in emergency situations. Reasons for termination of a telework agreement may include a decline in performance or productivity, or if the telework arrangement no longer benefits the organization or the employee's needs.

11. **TRAINING**



- a. To support an effective telework program, DOT components must ensure that telework eligible employees, and their supervisors, complete an interactive telework training program. The training should include the following:
  - (1) An overview of the telework program including eligibility criteria and standards.
  - (2) Useful tips that help supervisors and employees understand how the program is to function, including: strategies for managing an effective telework arrangement that may include how to manage for results, compatible work projects, perform performance management responsibilities under a telework arrangement, schedule and track work assignments, and ensure effective communication.
  - (3) The security requirements for DOT systems and the protection of Sensitive Security Information, FOUO data, PII, and proprietary information.

## **12. SECURITY AND EQUIPMENT**

- a. Employees who telework are to utilize the required security protections and follow DOT policies as they pertain to the protection of information and information system resources. See DOT Information Technology and Information Assurance Policy Number 2006-22 (or its successor policy). This policy governs employee handling of information and equipment, and applies equally to telework situations. Refer to this policy for a thorough understanding of the applicable requirements. The following is a non-exhaustive list of requirements that may apply in the context of an individual employee's telework:
  - (1) No employee may take classified documents to a telework location unless arrangements have been approved in advance, and in writing, by the component's servicing security organization based upon need and demonstrated compliance with all applicable security requirements.
  - (2) Data on any mobile devices, carrying agency SPII shall be encrypted, unless a waiver is specifically approved by the DOT Chief Information Security Officer. Employees who access information containing SPII remotely shall use SRA, which will be provided by the Office of the CIO.

- (3) Electronic records containing SPII may not be saved to personal equipment or media. Secure Remote Access prevents accessed information from being written to non-government computer storage devices.
- (4) Employees shall not authorize any other person to use any government-furnished equipment.
- (5) The employee is responsible for all installation, service, and maintenance of all personal equipment. The agency shall be responsible for the maintenance of all government furnished equipment. The employee may be required to bring government equipment into the office for maintenance. The employee must return all government furnished equipment and material to the agency at the conclusion of telework arrangements or upon the agency's request.
- (6) The employee must sign appropriate user agreements to install government-furnished software on personal equipment.
- (7) Transfer of sensitive unclassified information, including Sensitive Security Information, FOUO data, PII, and proprietary information to an alternate worksite shall be minimized. An employee should take from the worksite only the sensitive information absolutely necessary for the expected telework. Documents and other information shall be under the continuous direct control of the teleworker whenever it is being transported from the traditional worksite to the alternative worksite. It should be transported only in a closed container (e.g., briefcase or zipped case). At no time should a teleworker openly review sensitive information while using public transportation or in a car or vanpool where unauthorized persons might be able to observe it. Teleworkers are reminded that any files containing sensitive information, including PII, introduced into a computer at an alternative worksite must be permanently deleted before their departure from the site.
- (8) Sensitive unclassified information, including the categories of information mentioned in the above paragraph, shall be stored in a locked desk, briefcase, or file container at the alternative worksite (home, telework center, satellite location, etc.) when not under the employee's direct control. Computer privacy screens which block PC screen visibility to other persons shall be used when sensitive information is displayed on a computer monitor at an alternative worksite where others have access.

- (9) Employees shall minimize transfer of hard copy records containing SPII from the permanent worksite to an alternate worksite. An employee must have a supervisor's specific written approval to take hard copies that contain SPII to an alternate workplace. Employees must transport documents containing SPII in a locked container. Employees may not remove from their worksite documents containing SPII about multiple individuals and may not under any circumstances remove an Official Personnel Folder (OPF) from the government worksite. When teleworking using or accessing an electronic OPF (eOPF), the requirements of paragraph 13b apply. Additionally, the users of eOPF must clear the browser cache and close the browser before leaving the computer.
- (10) Employees must immediately notify their supervisor of any lost or stolen equipment, media, or data. Supervisors are responsible for immediately notifying their servicing security organization and their Operating Administration CIO.
- (11) Some restrictions may be suspended in an emergency situation when more records are needed for continuity of operations. Employees and supervisors shall be notified of any changes.
- (12) Neither family members nor other non-government individuals are authorized to handle and/or view any government sensitive unclassified information.
- (13) Employees shall leave with their supervisor an inventory of sensitive information that they physically take to an alternate worksite so proper notifications may be made regarding the information in the event of its loss or theft.

### 13. **DISPUTES**

- a. DOT encourages resolution of all workplace disputes at the lowest possible level. DOT supervisors and employees are encouraged to resolve any disagreements or disputes regarding telework on an informal basis.
- b. DOT components shall identify dispute resolution mechanisms for use when informal resolution of telework disputes is not possible.
- c. DOT components will follow the Telework Eligibility Reconsideration Process, outlined below, for disputes concerning employee telework eligibility. This process will not be used to address

disputes over how often a telework-eligible employee may be allowed to telework, performance management issues, or other disputes.

- d. The Telework Eligibility Reconsideration Process does not waive the right of employees, union representatives, managers, or supervisors to use existing alternative dispute resolution, negotiated grievance procedures, or administrative grievance procedure processes. Nor does it waive any other appeal rights that an employee may have including the right to file a complaint of discrimination.
- e. Telework-Eligibility Reconsideration Process. An employee may request reconsideration of telework eligibility from a second-level reviewer if his or her supervisor or manager has determined that the employee, or his or her position, is not telework-eligible. Each OA, OIG, and staff offices within OST shall establish procedures for reconsideration of telework eligibility. Procedures must provide:

- (1) Requests for reconsideration of telework eligibility from a second-level reviewer must be made in writing within 30 calendar days of receiving written notice of a negative determination of telework eligibility. The period for requesting a reconsideration of telework eligibility may be extended only if the employee is prevented from making the request within the established time limits due to circumstances beyond his or her control.
- (2) The second-level reviewer shall be at the SES level or equivalent within the employee's chain of command and in the employee's program office or division.
- (3) Once an employee submits a request for reconsideration to the second-level reviewer, the supervisor/manager who made the negative determination of telework-eligibility shall, within 15 calendar days of the employee's request for reconsideration, construct and provide to the second-level reviewer a telework reconsideration file. The reconsideration file shall contain all pertinent documents related to the negative determination of telework -eligibility. The employee will also provide a copy of the request for reconsideration to his or her manager at the same time the request for reconsideration is submitted to the second-level reviewer.
- (4) The second-level reviewer shall review the reconsideration file and provide the employee with a written response of final decision that includes the reasons for the final decision within 30 calendar days of receipt of the reconsideration file.

- (5) In cases where a negative determination of telework-eligibility has been sustained by the second-level reviewer, the employee may request reconsideration, but no sooner than 180 calendar days after the first-line supervisor's or manager's original telework-eligibility assessment.

#### 14. **TELEWORKING IN EMERGENCY SITUATIONS**

- a. Under an agency's COOP, Concept of Operations (CONOPS), and emergency evacuation plans employees may be designated as performing emergency or mission essential functions. The designation of functions should be identified in an agency's plan to continue necessary operations in an emergency, extended emergency, or evacuation. Employees performing emergency or mission essential functions should be informed, and an agreement to perform such functions should be reflected in an employee's telework agreement.
- b. Telework to perform emergency functions may be initiated when a worker is notified by supervisory, management, or departmental authorities. Because all emergency situations cannot be anticipated, employees performing emergency functions may be provided less than a 1-business day notice that they should report to their telework duty station. Employees should maintain appropriate equipment, supplies, and reference materials for emergency functions at their telework location.
- c. Telework to perform mission essential functions may be initiated for an extended emergency. Under the COOP and CONOPS, supervisors and managers should develop more than one communication mechanism, such as telephone trees or email alerts, to provide adequate and timely notice to employees that emergency telework to perform mission essential functions has been initiated. If possible, the notice should allow time for employees to obtain appropriate equipment, supplies, and material at their telework locations.
- d. Managers and supervisors may waive criteria for position eligibility and employee eligibility to ensure that emergency and mission essential functions are performed and to effectively implement their agency's COOP, CONOPS, and evacuation plans. Managers and supervisors should take appropriate steps to ensure that effective employee performance is maintained.

**15. EARLY DISMISSALS, DELAYED ARRIVALS, OR FEDERAL OFFICES CLOSED.**

- a. **Early Dismissal.** Employees who are teleworking when an early dismissal for severe Weather or other emergency is announced are expected to continue working their scheduled tour of duty from their telework location. Employees who are teleworking at the time of the announcement will not receive excused absence for the remainder of the workday.
- b. **Delayed Arrival.** Employees who are scheduled to telework or request to work unscheduled telework when a delayed arrival for severe weather or other emergency is announced are expected to begin working at their normal start time. Employees who are scheduled to telework or request to perform unscheduled telework will not be granted excused absence for the period of time of the delayed arrival.
- c. **Federal Offices Closed.** Telework-ready employees are required to perform telework on a day that Federal offices are closed to the public for severe weather or other emergencies. To the extent possible, telework-ready employees must be prepared to work the entire workday, or take leave, or a combination of both for the entire workday, subject to any collective bargaining requirements.
- d. In the event that an employee is unable to perform telework at his or her telework site due to circumstances beyond his or her control (e.g. power failure or loss of internet connectivity), the supervisor may grant excused absence on a case-by-case basis. If excused absence is not granted to an employee, he or she may request to use leave or other paid time off (e.g., earned compensatory time off or credit hours). With supervisory approval, an employee may request to make up lost hours at a mutually agreeable time and record it as appropriate on his or her time sheet.

**16. UNSCHEDULED TELEWORK.**

- a. Telework-ready employees may perform telework on a day when an operating status announcement that includes unscheduled leave/unscheduled telework is in effect. OAs are encouraged to allow unscheduled telework, to the extent possible. However, in rare circumstances, an employee may be required to report to the worksite (e.g., planned meetings that cannot be rescheduled or providing a presentation).

- b. Telework-ready employees are required to notify his or her supervisor of their intent to perform unscheduled telework, in accordance with his or her written telework agreement and/or office policies.
- c. A telework-ready employee must have an appropriate amount of work to complete during the workday from home when performing unscheduled telework. If an employee does not have enough work, he or she must either take unscheduled leave for the entire workday or use a combination of unscheduled leave and unscheduled telework to account for hours not worked. Employees are encouraged to prepare telework appropriate work in advance when severe weather is predicted.
- d. Employee telework agreements should clearly state the expectations and procedures to telework-ready employees when requesting to perform unscheduled telework.

#### 17. **ORGANIZATIONAL POLICY REQUIREMENTS**

Each OA is responsible for the development of a telework policy or the revision of its current policy in accordance with the guidelines established in this Departmental policy. OA policies shall be provided to the Departmental Office of Human Resource Management within 6 months from the issuance of this policy.

#### 18. **REPORTING REQUIREMENTS**

The head of each DOT component shall submit an annual summary report on telework within their agency or component by March 31 of each calendar year. The report shall be submitted to the Telework Managing Officer through the Departmental Office of Human Resource Management.

To evaluate the overall effectiveness of the DOT Telework Program, DOT components shall collect both qualitative and quantitative information about their internal telework program, including employee perception of the program, concerns from employees and their supervisors, costs, benefits, training programs, and any unanticipated issues that arise.

**19. EFFECTIVE DATE AND IMPLEMENTATION**

This policy is effective immediately upon signature.

X

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Brodi L Fontenot  
Chief Human Capital Officer/ Telework Managi...

Effective Date:

Review Date:

Distribution: Departmental Officers, Heads of Operating Administrations, DOT HR Council, DOT Administrative Management Council and OST Administrative Officers



**Appendix A**

**SAMPLE ANNUAL REPORTING FORM**

DOT Component: \_\_\_\_\_ Contact: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Date: \_\_\_\_\_

<b>Telework Reporting Category</b>	<b>Current Annual Total</b>	<b>Cumulative Total</b>
Number of permanent employees.		
Number of eligible positions.		
Number of employees who telework at least 1 day per week.		
Number of employees who telework at least 1 day per pay period.		
Number of employees who telework or work away from the traditional office on an infrequent basis.		
Temporary telework based on medical issues.		
Number of teleworkers in all categories using telework centers.		
Total number of employees who telework.		
Percentage of eligible employees who telework at least 1 day per week.		
Overall percentage of eligible employees who telework.		

## **Appendix B**

### **SAMPLE TELEWORK AGREEMENT**

Organization \_\_\_\_\_

Employee \_\_\_\_\_

Please read the following carefully.

#### **Voluntary Participation**

The participant voluntarily agrees to work at the approved alternate workplace indicated below and agrees to follow all applicable policies and procedures. The participant recognizes that such an arrangement is not a right, but an additional method that the U.S. Department of Transportation (DOT) may approve for the sole purpose of accomplishing work objectives.

\_\_\_\_ The participant and DOT component agree to a minimum of \_\_\_\_ month(s) unless unforeseeable difficulties require earlier cancellation.

\_\_\_\_ The participant and DOT component agree that the participant is required to telework or take leave, as appropriate, when Federal offices are closed due to severe weather or other emergencies, extended emergency, or evacuation, to the extent possible.

#### **Salary and Benefits**

Salary and benefits will not change as a result of the arrangement.

#### **Duty Station and Alternate Workplace**

Indicate official duty station: \_\_\_\_\_

Indicate approved alternate work place: \_\_\_\_\_

Note: All pay, leave, and travel entitlements are based on the official duty station.

#### **Work Schedule and Tour of Duty as follows**

The official tour of duty will be: (Specify days, hours and location.)

Days	Hours	Location

**Time and Attendance**

The timekeeper, as well as the supervisor and employee, will have copies of the work schedule. The supervisor will certify biweekly the time and attendance for hours worked at the official duty station and the alternate workplace.

Employees will log in, call, or email their supervisor when they begin and end their tour of duty at a telework site.

**EARLY DISMISSALS, DELAYED ARRIVALS, OR FEDERAL OFFICES CLOSED**

**Early Dismissal**

Employees who are teleworking when an early dismissal for severe weather or other emergency is announced are expected to continue working their scheduled tour of duty from their telework location. Employees who are teleworking at the time of the announcement will not receive excused absence for the remainder of the workday.

**Delayed Arrival**

Employees who are scheduled to telework or request to work unscheduled telework when a delayed arrival for severe weather or other emergency is announced are expected to begin working at their normal start time. Employees who are scheduled to telework or request to perform unscheduled telework will not be granted excused absence for the period of time of the delayed arrival.

**Federal Offices Closed**

Telework-ready employees are required to perform telework on a day that Federal offices are closed to the public for severe weather or other emergencies. To the extent possible, telework-ready employees must be prepared to work the entire workday, or take leave, or a combination of both for the entire workday, subject to any collective bargaining requirements.

In the event that an employee is unable to perform telework at his or her telework site due to circumstances beyond his or her control (e.g., power failure or loss of internet connectivity), the supervisor may grant excused absence on a case-by-case basis. If excused absence is not granted to

an employee, he or she may request to use leave or other paid time off (e.g., earned compensatory time off or credit hours).

### **Unscheduled Telework**

To the extent possible, unscheduled telework will be permitted when an unscheduled leave/unscheduled telework operating status is in effect. Telework-ready employees must notify his or her supervisor of their intention to telework on a day when unscheduled telework is announced. In some instances, an employee may be required to report to the worksite when unscheduled telework is announced.

An employee performing unscheduled telework must have an appropriate amount of work to complete during the workday. If an employee does not have enough work, he or she must either take unscheduled leave for the entire workday or use a combination of unscheduled leave and unscheduled telework to account for hours not worked.

### **Leave**

Leave taken during the scheduled work hours must be approved by the supervisor in advance.

### **Overtime**

Overtime will be worked only when ordered or approved by the supervisor in advance.

### **Equipment and Supplies**

The employee will protect any government-furnished equipment and will use the equipment only for official purposes. The DOT Office of the CIO, Information Technology Services Organization (or other designated provider), will conduct training and information to employees on how to install, service, and maintain government-furnished equipment (e.g., Automated Data Processing (ADP), communications equipment). The employee will install, service, and maintain any personal equipment used. The DOT component may reimburse the employee for business related long distance telephone calls and may provide supplies. Government-furnished equipment will need to be brought back by the employee to the designated government maintenance point.

### **Security**

All DOT employees who engage in the telework program shall sign the rules of behavior and agree to the conditions of the DOT Employee Security Awareness Guide.

Any telework involving access to classified information at an alternate worksite shall be approved in writing and in advance by the employee's servicing security organization.

Employees who telework are to utilize the required security protections and follow DOT policies as they pertain to the protection of information and information system resources. DOT components or the CIO should determine if they are required to have Secure Remote Access in order to telework.

Employees are responsible for immediately notifying their supervisors regarding any lost or stolen equipment, media, or data.

Hard copy records or electronic records stored on removable media that contain Sensitive Personally Identifiable Information may not be transported to an alternative worksite unless approved in advance by the employee's supervisor and only under the circumstances and conditions stated in this policy.

### **Liability**

The government will not be liable for damages to personal or real property while working at the approved alternate workplace except to the extent the government is held liable by the Federal Tort Claims Act of the Military Personnel and Civilian Employees Claims Act. Those employees working at home are subject to all applicable government regulations and DOT orders.

### **Work Area**

The work area should be adequate for the performance of official duties.

### **Worksite Inspection**

The alternative workplace must be inspected by the supervisor, or certified by the employee, that the area is appropriate to conduct assigned work.

In any case where the employee will have access to classified national security information at an alternate worksite, including any residence or other non-government location, the employee agrees to allow his or her servicing security organization to inspect that site for the purpose of ensuring compliance with all regulations governing the protection of classified information. In any case where such an inspection is not permitted, and in any instance where the servicing security organization determines that classified information cannot be or is not being properly protected, the employee may not have access to classified information at that site.

A Safety Checklist should accompany a "work at home" request to ensure that proper safety issues are addressed.

### **Alternative Workplace Costs**

The government will not be responsible for any operating costs that are associated with the employee using his or her home as an alternative work site, for example, home maintenance, insurance, and/or home utilities. However, the employee does not relinquish any entitlement to reimbursement for authorized expenses incurred while conducting business for the government, as provided for by statute and regulations. If approved, telework center use will be billed to and paid for by the participant's organization. A Telework Facility Reimbursement Information Sheet must be completed before a telework arrangement can begin using such a center.

**Injury Compensation**

Federal Employee's Compensation Act provisions apply to persons performing official duties at the official alternate duty station. The supervisor must be notified immediately of any accident or injury that occurs at the alternative workplace. The supervisor will investigate such a report immediately.

**Telework during Emergencies**

If you are performing functions that are essential to your organization during emergencies, and you will need to operate from an alternate worksite, your organization may need to set-up suitable telecommunication capabilities and equipment at the telework site.

**Work Assignments**

Please indicate work assignments that will normally be completed in accordance under this telework agreement which the supervisor and employee agree upon. No personal business, dependent care, home repairs or other activities not related to the specific assignments outlined should be conducted at the alternative site.

Task(s)	Brief Description

**Emergency or Mission Essential Functions**

Please indicate any emergency or mission essential functions that the supervisor and the employee agree that are to be performed by the employee. The employee understands that by performing emergency or mission essential functions, he or she may be directed to telework.

<i>Function(s)</i>	<i>Brief Description</i>

**Hard Copies that Contain SPII**

Please describe the type of hard copies of documents containing SPII that you take to your telework site.

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**Performance**

The supervisor may require regular status reports. A decline in performance may be grounds for canceling the telework agreement.

**Disclosure**

Government records should be protected from unauthorized disclosure or damage and should comply with requirements of the Privacy Act of 1974, 5 U.S.C. 552a.

**Standards of Conduct**

Federal standards of conduct apply to employees working at an alternate worksite.

**Cancellation**

Telework arrangements may be terminated by either management or by the employee with a written notification of termination of the telework agreement, except in emergency situations. Reasons for termination of a telework arrangement may include a decline in performance or productivity or if the arrangement no longer benefits the organization's needs.

**Other Action**

Nothing in this agreement precludes DOT from taking any appropriate disciplinary or adverse action against an employee who fails to comply with the provisions of this agreement.

**Equipment Needed**

Please indicate any equipment needed to facilitate telework. Please note that telework centers have computers, telephones, etc.

<b>Equipment</b>	<b>Brief Description</b>

Signature indicates an understanding and acceptance of the provisions of the telework agreement.

\_\_\_\_\_  
**Employee's Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Supervisor's Signature**

\_\_\_\_\_  
**Date**

Please provide a copy of the signed Telework Agreement and Safety Checklist to your Servicing:  
Human Resource Office, Attention: Telework Coordinator

Retain the original for your records.



## Appendix C

### **SAMPLE SAFETY CHECKLIST FOR HOME-BASED TELEWORKERS**

The following checklist is designed to assess the overall safety of your alternate duty station. Please read and complete the self-certification safety checklist. Upon completion, you and your supervisor should sign and date the checklist in the spaces provided.

**Name:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

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

**City/State:** \_\_\_\_\_

**Business Telephone:** \_\_\_\_\_ **Telework Coordinator:** \_\_\_\_\_

**The alternate duty station is:**

\_\_\_\_\_  
(Home Address)

**Describe the designated work area in the alternate duty station:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### **Workplace Environment**

1. Please answer Yes or No, Are temperature, noise, ventilation, and lighting levels adequate to maintain your normal level of job performance?
2. Please answer Yes or No, Are all stairs with four or more steps equipped with handrails?
3. Please answer Yes or No, Are all circuit breakers and/or fuses in the electrical panel labeled as to intended service?

4. Please answer Yes or No, Do circuit breakers clearly indicate if they are in the open or closed position?
5. Please answer Yes or No, Is all electrical equipment free of recognized hazards that would cause physical harm (frayed wires, bare conductors, loose wires, flexible wires running through walls, exposed wires to the ceiling)?
6. Please answer Yes or No, Will the building's electrical system permit the grounding of electrical equipment?
7. Please answer Yes or No, Are aisles, doorways, and corners free of obstructions to permit visibility and movement?
8. Please answer Yes or No, Are file cabinets and storage closets arranged so drawers and doors do not open into walkways?
9. Please answer Yes or No, Do chairs have any loose castors (wheels) and are the rungs and legs of the chairs sturdy?
10. Please answer Yes or No, Are the phone lines, electrical cords, and extension wires secured under a desk or alongside a baseboard?
11. Please answer Yes or No, Is the office space neat, clean, and free of excessive amounts of combustibles?
12. Please answer Yes or No, Are floor surfaces clean, dry, level, and free of worn or frayed seams?
13. Please answer Yes or No, Are carpets well secured to the floor and free of frayed or worn seams?
14. Please answer Yes or No, Is there enough light for reading?

**B. Computer Workstation (if applicable)**

1. Please answer Yes or No, Is your chair adjustable?
2. Please answer Yes or No, Do you know how to adjust your chair?
3. Please answer Yes or No, Is your back adequately supported by a backrest?
4. Please answer Yes or No, Are your feet on the floor or fully supported by a footrest?
5. Please answer Yes or No, Are you satisfied with placement of your monitor and keyboard?

6. Please answer Yes or No, Is it easy to read the text on your screen?
7. Please answer Yes or No, Do you need a document holder?
8. Please answer Yes or No, Do you have enough leg room at your desk?
9. Please answer Yes or No, Is the screen free from noticeable glare?
10. Please answer Yes or No, Is the top of the screen eye level?
11. Please answer Yes or No, Is there space to rest the arms while not keying?
12. Please answer Yes or No, when keying, are your forearms close to parallel with the floor?
13. Please answer Yes or No, Are your wrists fairly straight when keying?

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**Employee's Signature**

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**Date**

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**Immediate Supervisor's Signature**

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**Date**

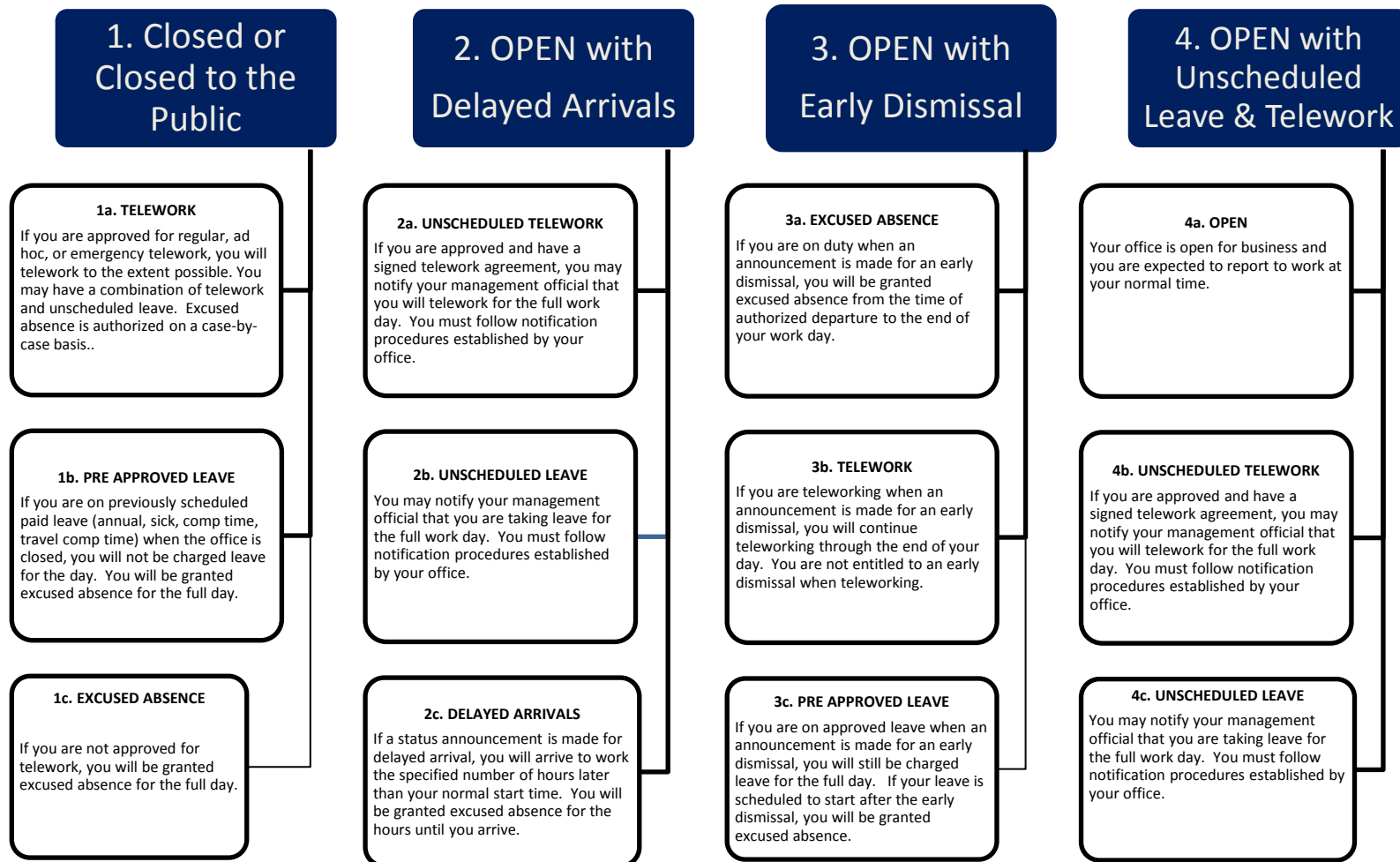
Approved [ ] Disapproved [ ]

Please provide a copy of this form to your servicing: Human Resource Office, Attention:  
Telework Coordinator.

*Retain the original for your records.*

## Appendix D

### Employee Status during Early Dismissals, Late Arrivals, and Federal Office Closures



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And also filed: S: M13\HR Policy\Telework\DPM 650-Telework Policy-June 2013.docx

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