

U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250

<b>DEPARTMENTAL REGULATION</b>		Number: 4080-811-002
SUBJECT:  Telework Program	DATE: January 30, 2014	
	OPI: Office of Human Resources Management	

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1. PURPOSE

This regulation sets forth the authority, policy, and responsibilities for managing the Telework Program within the United States Department of Agriculture (USDA). Effective use of telework enables the USDA to realize tangible savings in terms of reduced real estate and physical space demands, utilities and transit subsidy costs and enhanced employee recruitment and retention. This policy applies to all Mission Areas, Agencies, and Staff Offices. All USDA organizations must ensure compliance with the provisions of this regulation and applicable labor relations obligations.

2. REFERENCES

- a. Presidential Memorandum, "Expanding Family-Friendly Work Arrangements in the Executive Branch," July 11, 1994.
- b. Presidential Memorandum "Implementing Federal Family Friendly Work Arrangements," June 21, 1996.
- c. Presidential Directive, National Security Presidential Directive 51 and Homeland Security Presidential Directive 20, "National Continuity Policy," May 9, 2007.

- d. Public Law (P.L.) Number 104-52, "Treasury, Postal Service, and General Government Appropriations Act of 1996."
- e. P.L. Number 106-346, Section 359, "Department of Transportation Appropriations Act of 2001."
- f. P.L. Number 111-292, "Telework Enhancement Act of 2010."
- g. Office of Personnel Management (OPM), "Guide to Processing Personnel Actions," Chapter 23, April 2013.
- h. OPM, "Guide to Telework in the Federal Government," April 2011.
- i. OPM Memorandum to Executive Heads of Agencies, "Establishing Telecommuting Policy," February 9, 2001.
- j. OPM Memorandum to Executive Heads of Agencies, "Washington, D.C., Area Dismissal or Closure Procedures," November 2012.
- k. Departmental Regulation (DR) 3440-002, "Control and Protection of Sensitive Security Information," January 30, 2003.
- l. DR 4300-008, "Reasonable Accommodations for Employees and Applicants with Disabilities," March 9, 2000.
- m. Departmental Manual (DM) 3525-003, Chapter 5, Part 3 – "Telework and Remote Access Security," February 17, 2005.
- n. DM 3550-002, Chapter 10, Part 2 – "Sensitive But Unclassified Information Protection," February 17, 2005.
- o. Federal Continuity Directive 1, "Federal Executive Branch National Continuity Program and Requirements," February 2008.

### 3. SPECIAL INSTRUCTIONS

This regulation supersedes DR 4080-811-02, "USDA Telework Program," dated January 25, 2011.

Supplemental Guidance: Agencies and Staff Offices may not supplement this directive without prior approval of the Director, Office of Human Resources Management (OHRM). Supplemental regulations or internal guidance issued by agencies or staff offices may not conflict with the contents of this directive. Agencies and Staff Offices must make this directive, and any approved supplemental regulations or guidance, available to all employees.

#### 4. POLICY

- a. The USDA fully supports and promotes the use of telework, up to the maximum extent appropriate, for and by eligible employees. The USDA Telework Program is designed to fully implement the Telework Enhancement Act of 2010 and enhance work/life balance for employees.
- b. All USDA employees, regardless of tenure, grade, job series, title or supervisory designation are presumed eligible for telework.
- c. Positions may be identified as ineligible for telework, based only on the following criteria:
  - (1) Position duties require physical presence on a daily basis and do not include any portable or administrative work that can be accomplished from an alternative office or location.
  - (2) Position duties require access to specialized equipment on a daily basis, located at the traditional worksite and do not include any portable or administrative work that can be accomplished from an alternative office or location.
  - (3) Position duties require access to the handling of classified materials on a daily basis and do not include any portable or administrative work that can be accomplished from an alternative office or location.
- d. Employees may be identified as ineligible for telework based on the following criteria:
  - (1) Performance. An employee is ineligible for telework if they received a less than fully successful performance rating within the past 12 months and may remain ineligible for up to 12 months from the date of the documented performance rating.
  - (2) Conduct. An employee is ineligible for telework due to conduct issues resulting in official, formal disciplinary action, as filed in the employee's Official Personnel File (OPF) as a matter of personnel record, and may remain ineligible for up to 12 months from the date that the discipline was effectuated.
- e. **Permanent Ineligibility:** An employee is permanently ineligible for telework if they have been formally disciplined for the following:
  - (1) Violations of subpart G of the Standards for Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties; or
  - (2) Being absent without permission for 5 or more days in any calendar year.
- f. Participation in telework is voluntary. Eligible employees must either:
  - (1) Complete and submit a Telework Agreement Form, AD-3018; or

- (2) Complete and submit a voluntary opt-out agreement, choosing not to participate.
- g. The appropriateness of the type/category and amount of Telework suitable for eligible employees is a determination reserved for agency management. Supervisory decisions as to type/category and frequency of Telework participation, should be made on an individual, case-by-case basis, determined by the nature of the position, job requirements, and mission criteria, and should involve a discussion between the supervisor and employee. All approved Telework Arrangements must be documented on a USDA Telework Agreement Form (AD-3018). Supervisors always have flexibility to approve additional or in lieu of telework days.
  - h. Telework may be authorized up to and including full-time Telework, and should be used as a strategic tool for attracting a diverse pool of potential applicants, qualified candidates, and for retaining valued employees.
  - i. Telework may be appropriate and should be considered in instances of requests for Reasonable Accommodations by employees with disabilities. The determination as to whether an employee may be granted the accommodation requested should be made through a flexible “interactive process” between the employer and the employee. It is important to consult with the agency’s Reasonable Accommodation manager and/or the agency’s counsel as part of the interactive Reasonable Accommodation process. Telework as a Reasonable Accommodation follows a different set of rules and procedures than that of a normal telework approval request.
  - j. A teleworker’s official duty station will remain unchanged as long as he/she reports to the assigned, traditional office at least two (2) days each biweekly pay period. Supervisors must ensure that employee personnel records reflect the correct official duty station for all teleworkers who reside outside of a 50-mile local commuting radius of the official duty station, and who are not required to report to the traditional office at least two (2) days times per biweekly pay period. Approvals for short term, full-time Telework Arrangements of 6 consecutive months or less for medical or other personal reasons do not require a change of official duty station.
  - k. Agencies should initiate steps to incorporate telework into the Continuity of Operation Plan (COOP).
  - l. Use of telework is an important component of USDA’s ability to operate in situations when working from the traditional office is not safe or available. Unscheduled telework will be considered and may be authorized during inclement weather, emergency situations that involve national security, extended emergencies, or other unique situations as determined by OPM or USDA.
  - m. When OPM or other authorized USDA designee determines that use of telework is authorized for eligible employees, teleworkers must notify their supervisor of their intent to participate.
  - n. Telework, including hoteling and shared office space, should be considered as a key strategy when planning for any building renovation or office space/lease reductions in

any USDA location. Agencies and Staff Offices reviewing space utilization should consult with their Telework Program Coordinator (TPC) to ensure alignment with Department-wide initiatives and models for best practices.

- o. Excess government property (e.g., computers, printers, etc.) should be earmarked for the Telework Program prior to being reported as excess and coordinated with each Agency TPC for use and distribution.
- p. All USDA vacancy announcements must indicate whether the respective position is telework eligible (i.e., “This position is eligible for telework and other flexible work arrangements.”)
- q. Teleworkers and non-teleworkers will be evaluated under the same employee performance management system and be afforded the same professional opportunities, assignments, and treatment with regards to work projects assigned, periodic appraisal of job performance, awards, recognition, training and developmental opportunities, promotions, and retention incentives.
- r. Agencies/Staff Offices must complete all telework reporting requirements and conduct an annual assessment of their Telework Program when notified by the Agency telework coordinator or their designee.

## 5. DEFINITIONS

- a. Ad hoc Telework. Telework that occurs on an irregular, non-scheduled basis that is not suitable for a regular recurring Core Telework agreement. For reporting purposes, Ad hoc telework is considered Category III.
- b. Alternative Worksite. A worksite location, other than the traditional office that satisfies all requisite federal health and safety laws, rules and regulations pertaining to the workplace, where an employee performs their official duties while teleworking. Supervisors may authorize telework from a number of alternative worksites. Temporary authorizations or changes in the location of designated alternative worksites do not require a new Telework Agreement.
- c. Core Telework. Regularly scheduled telework that occurs at least one (1) scheduled day per biweekly pay period, on a recurring basis, and is part of an approved work schedule. For reporting purposes, Core telework is broken into two (2) categories:
  - (1) Category I – At least three (3) scheduled work days of telework each biweekly pay period; or
  - (2) Category II – One (1) to two (2) scheduled work days of telework each biweekly pay period.
- d. Emergency Situation. An event, incident, or circumstance that interrupts or may compromise normal daily operations at, or travel to/from, an official or alternative worksite. This may include issues of national security, extended emergencies, inclement

weather, travel conditions, civil disruptions, public health emergencies, power outages, or other unique situations which result in an official announcement of an operating status authorizing unscheduled telework.

- e. Hoteling. Shared office space in an agency location designed for use by Teleworkers.
- f. Mobile work. Work which is characterized by routine and regular travel to conduct work in customer or other worksites as opposed to a single authorized alternative worksite. Examples include site audits, site inspections, investigations, property management, and work performed while commuting, traveling between worksites, or on Temporary Duty (TDY). Mobile work is not considered Telework; however, mobile workers may be eligible to participate in Telework as applicable.
- g. Official Duty Station/Worksite. The official worksite generally is the location where the employee regularly performs his or her duties. If the employee's work involves recurring travel or the employee's work location varies on a recurring basis, the official worksite is the location where the work activities of the employee's position of record are based, as determined by the employing agency, subject to the requirement that the official worksite must be in a locality pay area in which the employee regularly performs work. An agency must document an employee's official worksite on the employee's Notification of Personnel Action (Standard Form 50 or equivalent).
- h. Opt-Out. A telework-eligible employee who voluntarily declines to participate in the USDA Telework Program. Employees who opt-out must sign and check the voluntary opt-out box on the AD-3018.
- i. Remote Telework: A telework arrangement in which the employee resides and works at an alternative worksite location full-time. The arrangement may result in a change in duty location to the alternative worksite (e.g., home).
- j. Telework. A flexible work arrangement where an employee performs and completes official duties and responsibilities from an alternative worksite. Telework may be authorized for an entire duty day or a portion of one. Telework does not include the following:
  - (1) Work performed while on official travel status;
  - (2) Work performed while commuting to/from work; or
  - (3) Mobile work.
- k. Telework Agreement (AD-3018). A written agreement that outlines the terms and conditions, in addition to the category type and frequency of the telework arrangement, as approved by the supervisor (see Appendix A).
- l. Teleworker. An eligible employee with an approved Telework Agreement, who performs his/her official duties at an alternative worksite location.

- (1) Telework-Ready. Refers to all eligible employees with an approved Telework Agreement and who are prepared and equipped to telework. If unable to Telework when required, use of paid or unpaid leave may be requested.
- (2) Unscheduled Telework. Telework that is authorized in response to specific duty status announcements issued by OPM or other authorized USDA officials for use during period of inclement weather or other emergency situations, or with prior supervisory approval, telework used to maintain productivity during short-term situations.

## 6. RESPONSIBILITIES

- a. Director, Office of Human Resources Management, or his/her designee, shall serve as the Telework Management Official (TMO). The TMO shall:
  - (1) Advise the Secretary of Agriculture, Mission Area/Agency Heads, and Staff Office Directors in the development and implementation of policies, programs, and oversight of the USDA Telework Program;
  - (2) Develop and interpret USDA policies and standards for the Telework Program, and serve as the Department's point of contact on all telework matters;
  - (3) Provide agency officials with technical assistance and consultative services for telework issues; and
  - (4) Report teleworking statistics and data from all TPCs as required.
- b. The Director, Departmental Management, Office of Operations shall:
  - (1) Incorporate telework as a potential alternative to securing temporary space during renovations and facilities projects; and
  - (2) Encourage the use of telework and/or hoteling in the assignment of office space to Mission Areas, Agencies, and Staff Offices.
- c. The Director, Office of Procurement and Property Management shall:
  - (1) Ensure Mission Areas, Agencies, and Staff Offices earmark and make available inventory lists of all surplus computers and, printers for use by USDA Teleworkers, prior to being identified as excess property.
  - (2) Employees may access more information about the Central Excess Property Organization at the following Web site: <https://www.bsc.usda.gov>.
- d. The Director, Office of Homeland Security and Emergency Coordination shall:

- (1) Incorporate telework into the USDA headquarter's COOP and Occupant Emergency Plan (OEP) as an alternative for relocating employees to carry out the Department's mission during an emergency situation; and
  - (2) Ensure Mission Areas, Agencies, and Staff Offices incorporate telework drills and plans into their internal COOP and OEP.
- e. The Mission Area/Agency Heads/Staff Office Directors shall:
- (1) Promote the USDA Telework Program and give all eligible employees the opportunity to participate in telework;
  - (2) Determine the eligibility for all employees of the agency to participate in telework. This responsibility may be delegated.
  - (3) Hold supervisors and managers accountable for implementing the USDA Telework Program in accordance with this Departmental Regulation (DR);
  - (4) Incorporate information about the availability of telework and related policies into agency new employee orientation and other training programs;
  - (5) Ensure that supervisors and managers are held accountable for evaluating all teleworkers and non-teleworkers under the same employee performance management system and affording the same professional opportunities, assignments, and treatment with regards to work projects assigned, periodic appraisal of job performance, awards, recognition, training and developmental opportunities, promotions, and retention incentives; and
  - (6) Designate a Telework Program Coordinator to manage the program.
- f. Telework Program Coordinators (TPC) shall administer the USDA Telework Program in accordance with applicable law, rule, and regulation. The TPC shall:
- (1) Ensure all employees are notified annually of their eligibility to telework and require new or updated Telework Agreements or Opt-Out statements from eligible, new employees within 90 days of the publication of this policy, or arrival of a new employee;
  - (2) Provide written notification and explanation to ineligible employees who are not authorized to participate in the USDA Telework Program.
  - (3) Require and account for Telework Agreements or Opt-Out Statements from all eligible employees (Appendix A);
  - (4) Ensure that Teleworkers who are designated as emergency employees and/or mission critical emergency employees are identified as such in their Telework Agreement;



- (5) Ensure eligible teleworkers and managers have completed the required “Telework 101” training prior to implementing a Telework Agreement;
  - (6) Disseminate inventory lists of available computers, laptops, printers, and other office equipment for use in the telework program prior to reporting the property as excess;
  - (7) Promote the appeals process as defined in paragraph 7.g. of this regulation;
  - (8) Report the required, reportable, Telework program information as requested by the TMO;
  - (9) Maintain all documentation in accordance with General Record Schedule 1, Section 42a, which requires an employee’s Telework Agreement be retained for one (1) year after the end of the employee’s participation in the program;
  - (10) Ensure every agency employee is provided information on the USDA Telework Program and opportunities, including eligibility criteria and application procedures;
  - (11) Ensure that employees and supervisors/managers are knowledgeable about how to code official time spent in telework status in their Time and Attendance systems;
  - (12) Establish a system for receiving feedback from agency employees about the implementation effectiveness and impact of the USDA Telework Program policy;
  - (13) Ensure that approved Telework Agreements (AD-3018) be reviewed annually; and
  - (14) Market, promote and disseminate training opportunities and Telework Program information endorsed by the USDA Telework Program Manager and TMO.
- g. The Office of the Chief Information Officer (OCIO) for Agriculture Security Operations Center (ASOC) shall:
- (1) Assist agencies and staff offices in the secure implementation of telework and mobility, remote access tools, and technology;
  - (2) Provide information technology, security policy, and guidance to educate USDA Teleworkers on how to use technology in a safe and secure manner;
  - (3) Develop checklists to assist agencies with secure telework and remote access environments;
  - (4) Create and implement access control policy to include technical guidance for telework and other remote access requirements and processes; and
  - (5) Review telework and remote access provisioning in system security plans for agency general support systems and security budgets for sufficiency.
- h. USDA Supervisors and Managers shall:

- (1) Assist the TPC in administering the Telework Program including providing copies of approved Telework Agreements and notices of Agreement terminations;
- (2) Provide initial timely and annual written notifications to all assigned employees of their telework eligibility;
- (3) Complete the required “Telework 101 - for Managers” training;
- (4) Within 10 business days of receipt of a proposed Telework Agreement, meet with the eligible employee and approve, modify or deny the request based on the Telework Enhancement Act of 2010 and this DR. In the event of a denial or termination of telework, provide written justification to the employee and the Agency TPC;
- (5) Ensure consistent and fair administration of the telework policy and procedures in their areas of responsibility;
- (6) Upon approval of a Telework Agreement, establish and communicate clear expectations with employees regarding methods of communication, (i.e., customer service, time frame for returning phone calls, voicemail messages, and email communication), staff meeting attendance, duty hours, and the accurate coding of telework for time and attendance purposes;
- (7) Coordinate with agency official responsible for making telework eligibility determinations;
- (8) Be responsible for evaluating all teleworkers and non-teleworkers under the same employee performance management system and affording the same professional opportunities, assignments, and treatment with regards to work projects assigned, periodic appraisal of job performance, awards, recognition, training and developmental opportunities, promotions, and retention incentives;
- (9) Ensure that a personnel action is effectuated to reflect the correct official duty station location, for all employees who are approved for remote work or full-time Telework arrangements;
- (10) Resolve telework appeals or grievances in a timely and expeditious manner;
- (11) Ensure compliance with approved telework agreements in their areas of responsibility; and
- (12) Ensure official time spent teleworking is properly documented and coded within the Time and Attendance systems in their areas of responsibility.

i. Teleworkers shall:

- (1) Comply with their approved Telework Agreement;

- (2) Comply with USDA safety requirements and ensure proper security of USDA equipment, information, and materials;
- (3) Provide the same level of support, availability, and accessibility to customers, coworkers, and their supervisor(s) as if working at their official duty location;
- (4) Meet all organizational and individual work requirements as established (e.g., customer service, time frame for returning phone calls, voicemail messages, and email communication), staff meeting attendance, duty hours, and the accurate coding of telework for time and attendance purposes;
- (5) Complete the mandatory “Telework 101” training course;
- (6) Document and code all official time spent teleworking within their Time and Attendance systems (see paragraph 7.c.);
- (7) Ensure appropriate arrangements for the care of dependents while teleworking. Employees may not use telework to personally care for a dependent during their tour of duty. However, this does not preclude a teleworker from having a caregiver in the home who provides care to the dependent(s) while the employee teleworks. Also, a dependent may be permitted in the home, provided they do not require constant supervision or care (i.e., older child or adolescent) and their presence does not disrupt the ability to telework effectively;
- (8) Ensure the alternative worksite provides an adequate work environment with regards to connectivity and technology. Employees are expected to provide internet service and other general utility costs at their own expense;
- (9) The employee acknowledges that they continue to be bound by the Standards of Ethical Conduct for Employees of the Executive Branch while teleworking and using government-issued equipment;
- (10) The travel provisions that apply to employees working at an official duty station also apply to Teleworkers. A Teleworker who is directed to travel to another worksite (e.g., official duty station) during his/her regularly scheduled basic tour of duty would have the travel hours credited as hours of work. Similarly, as for all employees, Teleworkers who are required to travel back to the official duty location after their regularly scheduled telework basic tour of duty to perform irregular or occasional overtime work are entitled to at least 2 hours of overtime pay or compensatory time off [5 CFR 550.112 (h) and 551.401 (e)]; and
- (11) Adhere to agency policies and negotiated agreements consistent with the performance of union activities, if applicable.

## 7. PROCEDURES

### a. Telework Participation

- (1) Although Telework Agreements must be reviewed annually, they remain in effect until a change occurs. The Telework Agreement may formally be changed by either management or employee, with a minimum of two weeks advance written notification, except in emergency situations where the time frame may be shortened;
  - (a) Any employee participating in telework is expected to perform his/her duties and responsibilities at the telework location at the fully successful performance level or greater. Participation in telework may be modified, suspended or terminated by management when an employee no longer meets the eligibility criteria or performance obligation.
  - (b) Management shall provide sufficient notice, when feasible, before modifying, suspending, or terminating a telework agreement to allow the affected employee to make necessary arrangements. Consent or acknowledgement via signature by the terminating employee is not required for the modification or termination to take effect.
- (2) Management reserves the right, normally with at least one day notice, to require employees who reside in the local commuting radius (i.e., 50 miles or less from the official duty station) to return to the official worksite location for imperative mission related purposes, even on scheduled Telework days. Emergency situations may require a shorter timeframe.
- (3) Employees must notify the Agency Transit Benefit Coordinator of the number of participation days in the core telework agreement so his/her Transit Subsidy reflects the correct amount; and
- (4) Teleworkers may participate in flexible and compressed work schedules, or other flexible work arrangements in combination with a Telework Agreement.

### b. Unscheduled and Emergency Telework

- (1) OPM or USDA authorized officials, may announce emergency operating status guidance allowing for unscheduled or required telework;
- (2) Agencies may announce specific instructions for their agency;
- (3) Employees with Telework Agreements in place may choose to participate in unscheduled telework as indicated by OPM, without supervisory approval. However, employees who make this choice must inform their supervisors of their intent to telework and telework status;

- (4) During an early departure authorization, telework-eligible employees may use a combination of telework and other approved leave to complete their work day. Time spent commuting from the traditional worksite to the alternative worksite for telework is not considered duty time;
- (5) When Federal offices are closed, the following employees may be required to work:
  - (a) Any telework-ready employee whose regularly scheduled telework day occurs on the day of a closure;
  - (b) Any telework-ready employee who is approved for Ad hoc telework, is deemed telework-ready by the supervisor and who has access to the necessary or required equipment needed to perform work.
- (6) If circumstances occur on a day where an otherwise telework-ready employee was required or expected to telework that prevent the employee from teleworking, paid or unpaid leave, or a combination thereof, may be granted by the supervisor, in accordance with the agency's pay and leave policy.

c. Time and Attendance

- (1) Employees who utilize WebTA for time and attendance purposes, must code their telework time according to the following guidelines:

**Transaction Code:**

01-01 Reg Time-Telework

01-01 Telework-Other

**Utilization:**

Core Telework

(Regular/Recurring and full-time, remote Telework)

Adhoc Telework

(Situational or Unscheduled Telework)

- (2) USDA employees who are approved for Core telework but were not already scheduled to telework during instances of unexpected telework (unscheduled or required) must code their time teleworking to 01-01 Telework Other.
- (3) Agencies not currently using WebTA for time and attendance records should adopt similar codes or reporting tools; and
- (4) USDA procedures for requesting and approving overtime, credit hours, and leave will apply to employees who telework.

d. Safety

- (1) USDA encourages teleworkers to adopt a proactive approach to ensuring safe alternative worksites and safe work habits.
- (2) While teleworking and conducting official duties from an alternative worksite, USDA employees may be covered by the following:

- (a) Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680; and
  - (b) Federal Employees' Compensation Act (FECA), 5 U.S.C. Chapter 81.
  - (3) Employees are covered by the Federal Employees Compensation Act at the alternative worksite if the injury occurred while performing their official duties.
  - (4) If an injury occurs, the employee must notify the supervisor immediately, provide details of the incident or injury, and complete Department of Labor Form CA-1, "Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation." (5) The government is not liable for damages to the employee's personal or real property while the employee is teleworking, except to the extent the government is held liable by the Federal Tort Claims Act.
- e. Reasonable Accommodation and Medical Telework
- (1) Employees seeking Telework Arrangements as a Reasonable Accommodation are required to follow procedures outlined in DR 4300-008, "Reasonable Accommodations for Employees and Applicants with Disabilities;" and
  - (2) It is not a requirement to document or track Telework Agreements approved for either Reasonable Accommodation or medical reasons.
- g. Appeals
- (1) Appeals of a telework participation denial will be governed by the respective agency administrative grievance system, or negotiated grievance procedure if an employee is in a certified bargaining unit.
  - (2) Employees may appeal the following denials of telework:
    - (a) A written decision of ineligibility based on the duties of the position and/or the employee's suitability for telework
    - (b) Denial of a Telework Agreement, when an employee has been notified that he/she is eligible to telework;
    - (c) Management termination of an existing Telework Agreement;
    - (d) Frequent denials of individual requests to telework when approved for an Ad hoc Telework Agreement, without valid business reasons.

## 8. INQUIRIES

Direct all inquiries to the OHRM, Room 320-W, Whitten Building, 1400 Independence Avenue, Washington, D.C. 20250.

-END-

U.S. DEPARTMENT OF AGRICULTURE	<b>USDA Telework Agreement</b> <b>AD-3018</b>
<b>Check one of the following:</b> <input type="checkbox"/> New Agreement <input type="checkbox"/> Revision <input type="checkbox"/> Opt Out (see below)	
The following constitutes a Telework agreement between the United States Department of Agriculture (USDA), and _____ <div style="text-align: right; font-size: small;">(Employee Name: First, Last, Middle Initial)</div> _____ detailing the terms and conditions of the Telework Program. <div style="text-align: left; font-size: small;">(Employee Official E-Mail)</div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%; text-align: left; font-size: small;">_____ (Supervisor Name: First, Last, Middle Initial)</div> <div style="width: 45%; text-align: left; font-size: small;">_____ (Supervisor Official E-Mail)</div> </div>	
Agency/Mission Area/Staff Office: _____ Organization/Division: _____	
Tour of Duty/Basic Work Requirement: <input type="checkbox"/> Standard <input type="checkbox"/> Compressed (5-4-9) <input type="checkbox"/> Compressed (4-10) <input type="checkbox"/> Flexible (Maxiflex or Other Variable) <input type="checkbox"/> Other: _____	
Work Schedule: <input type="checkbox"/> Full <input type="checkbox"/> Part-Time <input type="checkbox"/> Intermittent <input type="checkbox"/> Seasonal <input type="checkbox"/> Other: _____	
Type of Appointment: <input type="checkbox"/> Full <input type="checkbox"/> Part-Time <input type="checkbox"/> Intermittent <input type="checkbox"/> Seasonal <input type="checkbox"/> Other: _____	
<b>Indicate whether the employee occupies the following designation(s) during unique situations and predetermined conditions when emergencies dictate as adopted by the Agency Coop Plan:</b> <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> Emergency Essential      <input type="checkbox"/> Mission Critical      <input type="checkbox"/> N/A       </div>	
Telework Category: <input type="checkbox"/> Core Telework (Regular/Recurring) <input type="checkbox"/> Situational/Ad hoc/Unscheduled Primary Telework Location: <input type="checkbox"/> Residence <input type="checkbox"/> Satellite Office <input type="checkbox"/> Telework Center	
<b>The physical location at which the employee is designated to work:</b> (Telework Physical Address): _____ <div style="text-align: center; font-size: small;">(Street Address/ City/ State/ Zip Code)</div>	
<b>Designated Core Telework Schedule:</b> <div style="margin-top: 10px;"> <b>Week 1:</b> <input type="checkbox"/> Monday   <input type="checkbox"/> Tuesday   <input type="checkbox"/> Wednesday   <input type="checkbox"/> Thursday   <input type="checkbox"/> Friday   <input type="checkbox"/> Saturday   <input type="checkbox"/> Sunday       </div> <div style="margin-top: 10px;"> <b>Week 2:</b> <input type="checkbox"/> Monday   <input type="checkbox"/> Tuesday   <input type="checkbox"/> Wednesday   <input type="checkbox"/> Thursday   <input type="checkbox"/> Friday   <input type="checkbox"/> Saturday   <input type="checkbox"/> Sunday       </div>	
Employee has completed required Telework Training: <input type="checkbox"/> Yes   Date Completed: _____	
Supervisor has completed required Telework Training: <input type="checkbox"/> Yes   Date Completed: _____	
Estimated Total Number of Commuting Miles Saved Per Period: _____ Per Year: _____	

### **Notes**

1. This telework agreement shall correspond with the employee's approved transit subsidy benefits. It is the employee's responsibility to adjust and re-certify their transit subsidy authorizations to ensure alignment with this telework agreement.
2. Employee requests participation in the program and will adhere to the applicable guidelines, policies and law. Agency concurs with employee participation and agrees to adhere to the applicable guidelines, policies, and law.
3. Employee understands that unscheduled telework or unscheduled leave may be used with supervisory notification during periods of Unscheduled Telework authorization due to weather or other emergencies. An employee performing unscheduled or regularly scheduled telework: **1)** is expected to work all regularly scheduled hours on days when unscheduled telework is announced or to request unscheduled leave from the supervisor; and **2)** is expected to work all regularly scheduled hours when unscheduled telework is announced and weather-related delayed arrival or early departure is authorized or request unscheduled leave from the supervisor.

4. Employee's official tour of duty must include at least a 30-minute uncompensated lunch.
5. Employee understands requirements for an adequate and safe office space and that these requirements must be met.
6. Employee's Time and Attendance (T/A) for all official duty time spent in a Teleworking status will be recorded using the proper Telework time code.
7. Employee agrees to follow policy for requesting and obtaining supervisory approval of leave.
8. Employee is covered under the Federal Employee's Compensation Act in the course of performing official duties at the alternate work location or official duty station. Any accident or injury which occurs at the alternate work location must be brought immediately to the attention of the supervisor.
9. Employee's most recent performance rating must be at least equivalent to "fully successful" (e.g., 'pass').
10. Employee understands that telework is not a substitute for dependent care (child care or elder care) and that appropriate arrangements must be made to accommodate children and adults who cannot care for themselves, while performing official duties in a residential office.
11. Employee will apply approved safeguards to protect Government records from unauthorized disclosure or damage and will comply with the provisions set forth in the Privacy Act of 1974, Public Act of 1974, Public Law 93-579, codified at Title 5, U.S.C., Section 55a.
12. This telework agreement should be reviewed and discussed between the employee and supervisor on an annual basis.
13. Employees must have an approved core or Ad hoc Telework agreement in place, as well as available work, to include professional development activities, appropriate equipment, or other means necessary to be able to perform work and stay connected, in order to be considered Telework ready.

### FOR THOSE EMPLOYEES THAT OPT-OUT:

- ☐ I fully understand that I am eligible to participate in USDA's Telework Program. I acknowledge that I have been notified of my status and at this time, voluntarily decline to participate in Telework in any capacity.
- ☐ I understand that I may re-visit my decision to participate in the Telework Program at any time, provided that I meet the eligibility and suitability requirements and complete a revised Telework Agreement Form.

#### TO BE COMPLETED BY SUPERVISOR:

☐ APPROVED

☐ DISAPPROVED

☐ RETURNED FOR CORRECTION

#### REASON FOR DISAPPROVAL:

- ☐ Eligible employees are not expected to receive a performance rating of at least "fully successful".
- ☐ Position duties require physical presence on a daily, every work day, basis and do not include any portable or administrative work that can be accomplished during any portion of a duty day from an alternate office or location.
- ☐ Position duties require access to and/or use of specialized equipment on a daily, every work day basis, located only at the traditional worksite and do not include any portable or administrative work that can be accomplished during any portion of a duty day from an alternate office or location.
- ☐ Position duties require access to the handling of classified materials on a daily, every work day basis, and do not include any portable or administrative work that can be accomplished during any portion of a duty day from an alternative office or location.
- ☐ Employee has received a less than fully successful performance rating within the past 12 months.
- ☐ **PERMANENT INELIGIBILITY** pursuant to telework statute and Departmental Regulation.

Employee's Signature	Date Signed
Supervisor's Signature	Date Signed
Program Coordinator's Signature	Date Signed

Please return this form to:  
<Agency/Mission Area/Staff Office information here>

Attention: Telework Program Coordinator



## SECURITY CHECKLIST

### Information Sensitivity

Has the employee been trained to recognize and handle sensitive but unclassified/sensitive security information (SBU/SSI) in a telework environment?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Has a locked file cabinet been identified/provided to secure SBU/SSI files, records, papers or electronic media?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>If SBU/SSI. Note: Employee Owned Equipment cannot be used.</b>	
A review of the job duties and responsibilities has been completed.	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, review completed – No issues related to level of sensitivity were noted from the review.	<input type="checkbox"/> Yes <input type="checkbox"/> No

### WorkStation Configuration

<p>Employee has been issued the following equipment specifically for the purpose of Telework:</p> <p><input type="checkbox"/> Computer</p> <p><input type="checkbox"/> Software</p> <p><input type="checkbox"/> Modem</p> <p><input type="checkbox"/> Printer</p> <p><input type="checkbox"/> Other</p> <p><input type="checkbox"/> N/A</p> <p><i>Government – Owned Equipment (GOE), refers to agency owned equipment which is issued specifically for telework purposes – this does not include equipment such as laptops that a telework employee uses at the official duty station and alternate work locations.</i></p>	<p>Telework Connection Requirements</p> <p><input type="checkbox"/> Telephone/modem line</p> <p><input type="checkbox"/> Direct Internet/Wireless Connectivity</p> <p><input type="checkbox"/> Not applicable</p>
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Please return this form to:

<Agency/Mission Area/Staff Office information here>

Attention: Telework Program Coordinator

## **Appendix B**

### **Telework Desk Guide:**

#### ***B1: Tip Sheet for Successful Teleworking at USDA***

#### ***B2: Telework Readiness Tips***

### **B1: Tip Sheet for Successful Teleworking at USDA**

1. Understand the USDA Telework Policy
  - ☐ Complete required Telework Training
  - ☐ Complete a Telework Agreement Form
  - ☐ Code your T&A correctly when Teleworking
2. Set up your workspace
  - ☐ Get control of distractions
  - ☐ Determine how you will access your work documents and email
  - ☐ Plan how to stay connected by transferring your office phone or providing an alternate number
3. Communicate with your colleagues
  - ☐ Be available by phone
  - ☐ Try Microsoft Office Communicator
  - ☐ Make video calls
  - ☐ Set up real-time meetings online
  - ☐ Prompt phone and email response
  - ☐ Regularly connect with team members
4. Communicate with your manager
  - ☐ Check in regularly
  - ☐ Ensure adequate face time when possible
  - ☐ Know what is expected for Unscheduled Telework
5. Set up effective communication strategies
  - ☐ Ground rules
  - ☐ How often
  - ☐ What mode
  - ☐ Response time

6. Stay Connected

- ☐ Share calendars – and keep yours up-to-date
- ☐ Know how to access your office network remotely
- ☐ Hold regular meetings
- ☐ Virtual “Office Cooler”
- ☐ Use collaboration tools

7. Get Organized

- ☐ Plan your Telework day(s)
- ☐ Establish a work routine at your virtual location
- ☐ Take breaks

8. Meetings

- ☐ Schedule regular meetings using electronic calendars
- ☐ Determine appropriate meeting mode – phone, Video Teleconference (VTC), in person, Web
- ☐ Keep virtual meetings to one hour
- ☐ Meet face to face routinely, when possible
- ☐ Learn how to use various meeting modes

9. Embrace technology and use it!

10. Be flexible!

## **B2: Telework Readiness Tips**

Maintaining Telework readiness in emergencies benefits both supervisors and employees. Teleworking during emergencies helps to ensure employee safety and allows employees to continue to get work done. Supervisors benefit because work is able to continue and employees are available when the traditional office or USDA facility is unavailable.

Please keep in mind that employees must have an approved core or Ad hoc Telework agreement in place, as well as available work, to include professional development activities, appropriate equipment, or other means necessary to be able to perform work and stay connected, in order to be considered Telework ready.

<b>Supervisors</b>
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- Review Telework agreements and ensure that all eligible employees have an approved agreement in place (core, Ad hoc, or voluntary opt out).
- Approve Telework agreements for Telework-eligible employees who request an agreement when appropriate. Make sure you have completed Telework 101 for Managers training (available in AgLearn);
- Allow employees who do not Telework regularly to participate in Telework at least once per month so they will know what to do in emergency situations;
- To the extent possible, provide teleworkers with the equipment necessary to Telework;
- If use of non-government furnished equipment is authorized, ensure teleworkers have the means and knowledge to access agency networks securely from an alternative work site;
- Communicate your expectations clearly for how teleworkers should operate and communicate when working remotely;
- Ensure employees know how best to reach you and, where necessary, their colleagues in the event of an emergency;
- Discuss the types of work employees may feasibly do while teleworking. Consider that online professional development or training and reading assignments are also appropriate and permissible duties for Telework; and
- Remember USDA policy permits combinations of paid and unpaid leave along with other work schedule flexibilities, when an employee is not able to Telework for an entire day or the full duration of an emergency.

<b>Employees</b>
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- If you are Telework eligible and do not have an approved Telework agreement in place (core, Ad hoc, or voluntary opt out statement), talk to your supervisor and complete an agreement form. Remember you must complete Telework 101 training (available in AgLearn) in order to Telework;
- Keep in mind that if you decide to opt out of participating in Telework, you will not have the option to use unscheduled Telework when it is authorized by OPM or other appropriate authority. This typically means you will need to take leave or report to the traditional office.
- When there is advance notice of an impending emergency or inclement weather event (snowstorm, hurricane, etc.) plan for the work you wish to accomplish for one or more Telework days. Try to plan for work that may be done both online and offline in case power and/or Internet connectivity is not available.
- Make sure you have the work materials, equipment and means of access you need to perform the work you plan to do;
- Know how to reach your supervisor and ensure your supervisor knows how to reach you;
- If OPM or other appropriate authority declares unscheduled Telework and leave as options, be sure to notify your supervisor of your intent to make use of one or both of those options.