

H.R. 4106 the “Telework Improvements Act of 2007”

Section-By-Section

Section 1. Short Title.

This section provides the short title as the “Telework Improvements Act of 2007”

Section 2. Government-wide Telework Requirement.

This section ensures that all eligible employees have the opportunity to telework. Subsection (a) requires the head of each agency, within 180 days, to establish a policy that allows employees to telework at least 20 % of each pay period.

Subsection (b) provides an exception for employees who handle secure materials on a daily basis or have to be physically present for activities such as working with special equipment. This subsection also provides that an agency may temporarily restrict an employee from participating in telework if the employee requires additional on-the-job training.

Section 3. Implementation

This section requires agencies to provide training on telework to managers and all teleworkers. This section clarifies that agencies may not make a distinction between teleworkers and non-teleworkers for the purposes of performance appraisals.

This section also requires the General Services Administration (GSA) to provide guidance on telework to agencies in a number of areas including, employee eligibility to telework, information security, dependent care, incentive programs for supervisors and managers, employee grievances, and, in coordination with the Federal Emergency Management Agency (FEMA), continuity of operations planning.

Section 4. Telework Managing Officer.

Subsection (a) requires each agency to appoint or designate a senior level employee as the Telework Managing Officer.

Subsection (b) explains the duties of the Telework Managing Officer which include developing and implementing telework policies for the agency, serving as an advisor and point of contact on telework for the agency, and ensuring that the agency’s telework policy is communicated effectively to employees. Under this provision, the Telework Managing Officer is also required to develop and administer a tracking system within the agency to collect information such as how many employees are teleworking, and a reporting requirement.

SEC. 5. ANNUAL TELEWORK AGENCY RATING

Subsection (a) requires the Government Accountability Office (GAO) to establish a system of evaluating telework programs at each agency and an analysis of employee participation in telework programs at each agency.

Subsection (b) requires GAO to report annually to Congress on the status of telework in the executive branch. This provision requires that GAO rate the telework policy of each agency and provide information on each program.

SEC. 6. CONTINUITY OF OPERATIONS

Subsection (a) requires agencies to incorporate telework into the continuity of operations planning of the agency.

Subsection (b) clarifies that if an agency is operating under a continuity of operations plan, the telework provisions in that plan take the place of any competing telework policy while the plan is in effect.

Subsection (c) requires GSA, in coordination with OPM, FEMA, and the Chief Human Capital Officers Council, to report to the Committee on Oversight and Government Reform (in the House) and Committee on Homeland Security & Governmental Affairs (in the Senate) within one year on the extent to which each agency has incorporated telework in its continuity of operations planning and whether the agency has conducted any continuity of operations demonstration exercises. This subsection also requires GSA to report on how agencies have used telework in responding to emergencies such as Hurricane Katrina and any recommendations for improvement.

SEC. 7. DEFINITIONS

This section contains definitions.

The term ‘employee’ has the meaning given that term by section 2105 of title 5, United States Code.

The term “executive agency” means an executive department, a government corporation, and an independent establishment.

The term “senior level employee” means a GS-15, or equivalent level, employee.

The term “telework” means a work arrangement in which an employee regularly performs officially assigned duties at home or other worksite geographically convenient to the residence of the employee.