

OFFICE OF TRAINING AND COMMUNICATIONS

Flexible Workplace Arrangements Program (FWAP)
for the Office of Training and Communications

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PURPOSE

- This MAPP describes the policies and procedures governing the Flexible Workplace Arrangements Program (FWAP) for all components of the Office of Training and Communications (OTCOM).
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BACKGROUND

- The Flexiplace and Work-at-Home programs have been combined to create the Flexible Workplace Arrangements Program (FWAP). FWAP permits an employee to perform work away from his/her official duty station on a short- or long-term basis.
- Implementing FWAP within OTCOM requires balancing the need to work as a team with the individual needs of employees. The implementation of FWAP should not undermine the effectiveness and efficiency of this team effort. Many of the job responsibilities of OTCOM, as a service organization, do not lend themselves to working routinely away from the primary worksite. At the same time, extended periods of uninterrupted time may be valuable for allowing some staff to devote concerted efforts to specific large projects, especially those with short deadlines. Also, working away from the official duty station can provide other benefits, such as eliminating long commutes, allowing employees to work more productively, or simply improving their quality of life. Employees may also need to work at home for limited periods of time because of temporary physical limitations. While there are different reasons for participation in FWAP, employees, supervisors, and managers should ensure that implementing this program is not detrimental to the work of their organization or the Center.

REFERENCES

- FDA's Master Plan — Flexible Workplace Arrangements Program (1994)
 - CDER MAPP 4657.2, Flexible Workplace Arrangements Program (FWAP)
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DEFINITIONS

- **Long-term basis:** Employee works on an ongoing plan that provides for working away from his or her official duty station for more than 2 consecutive workweeks (1 or more days each week).
 - **Short-term basis:** Employee works away from his or her official duty station for 2 consecutive workweeks or less. This applies to an employee who needs to work at home on a special assignment or project because of compelling reasons (e.g., illness, injury).
 - **Telecommuting (satellite) work centers:** Alternative work sites for employees who travel long distances between their homes and their official duty stations. See FDA's Master Plan for the specific locations of the centers and the facilities available at these locations.
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POLICY

1. Participation in a long-term FWAP agreement is open to employees whose position descriptions include significant work that can reasonably be performed away from the official duty station. It is expected that participants on long-term FWAP agreements will have previously demonstrated their ability to perform work independently and have adequate knowledge of applicable regulations and expectations regarding their work to perform that work independently. Supervisors and approving officials will be expected to certify that the above conditions have been met when they approve long-term agreements, and they will be held accountable for ensuring that such conditions remain valid during the term of the long-term FWAP agreement.
2. A supervisor or manager can elect for his or her organization not to participate in FWAP.
3. Division and staff directors have the option of implementing division- or staff-specific supplemental plans outlining limitations or restrictions, and submitting the supplemental plans to the Director, OTCOM, for concurrence. These plans may be more restrictive, but may not be less restrictive than the OTCOM plan.
4. Employee participation in FWAP is voluntary and may be terminated at any time, either at the request of the employee or at the decision of management.
5. All periods of participation in the FWAP, on a long-term and short-term basis, must be approved in advance. Long-term participation must be approved in advance using a FWAP Agreement.
6. Managers, supervisors, and team leaders may participate in a long-term FWAP agreement but only

up to 1 day per week.

7. Only employees performing at the fully successful level or higher (average of level C for Commissioned officers) may participate in the FWAP.
8. A FWAP agreement (Attachments B and C of MAPP 4657.2) is always required before an employee may participate in the FWAP on a long-term basis. FWAP agreements may cover a period of no longer than 1 year, and must be renewed at least annually.
9. An employee participating in the FWAP on a short-term basis is not required to complete a FWAP agreement. However, if the approving official requires it, the immediate supervisor must certify in writing that it is necessary for the work to be performed away from the official duty station. The supervisor may require the employee to submit medical documentation, such as a health care practitioner's statement, if the short-term arrangement is based on a medical condition. The approving official for participation in the FWAP on a short-term basis is the Office Director.
10. Employees participating in the FWAP are expected to attend meetings at the official duty station even when such meetings are scheduled on the employee's day to work at an alternative work site. **Failure to do so may result in the termination of the employee's participation in the program.** In the case of such meetings, the employee may not claim local travel expenses, unless the meeting is being held in a location other than the official duty station.
11. Employees participating in the FWAP on a long-term basis must provide assurance that they can report to their official duty station within 3 hours upon request (under normal commuting conditions).
12. Employees participating in the FWAP on a long-term basis may include Mondays or Fridays as off-site days, but not both days.
13. An OTCOM employee in the long-term FWAP may participate only 1 day per week, unless specifically approved, on a case-by-case basis, to work more days by the Director, OTCOM. An off-site day that falls on a holiday cannot be substituted for another day that week without written advance permission of the supervisor.
14. The work schedule approved under a FWAP agreement must be observed by the employee. Duty time may not be used for purposes other than official work. Although participation in the FWAP may provide employees more time to accomplish family responsibilities, **the FWAP is not to be used by employees to care for young children or other dependents during the agreed upon scheduled hours of work.**
15. Employees participating in the FWAP may work a maxiflex schedule in accordance with the OTCOM Alternate Work Schedules plan (see CDER MAPP 4501.2). The schedule must be consistent with the nature of the work being performed and the frequency of communication necessary with those at the official work site or with work contacts in other locations. However, employees on a maxiflex schedule may **not** earn credit time, overtime, or compensatory time while working away from the official duty station. In very exceptional cases, credit time, overtime, or compensatory time for special projects or deadlines may be approved in advance by the official authorized to approve overtime.

16. Supervisors must ensure that employees working away from the official duty station are readily available to management officials, co-workers, and constituents.
 17. No work schedule that includes a break of more than 1 hour may be established for an employee participating in the FWAP.
 18. All pertinent time and attendance, leave, and pay regulations must be observed by employees and managers when an employee participates in the FWAP, including established sign-in/sign-out procedures and documentation.
 19. Suitable training and/or orientation is required, and must be conducted for employees approved for participation in the FWAP and their supervisors before an employee begins long-term participation in the FWAP.
 20. The Director, Division of Commissioned Personnel, must be notified whenever approval is given to a Commissioned Corps Officer to participate in the FWAP on a long-term basis. The Center's FWAP Coordinator must send a copy of the approved work agreement to the Division of Commissioned Personnel to be recorded as a supplement to the existing billet and to be placed in the officer's official personnel file.
 21. Employees may switch their scheduled off-site days with the immediate supervisor's approval. On days where weather conditions are hazardous, approval may be granted after the fact.
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RESPONSIBILITIES

- **The Director, Office of Training and Communications will:**
 1. Approve exceptions to the OTCOM supplemental plan.
 2. Approve or disapprove short- and long-term participation in the FWAP.
 3. Determine when the work requirement of certain positions in the Immediate Office preclude employees in those positions from participating in the FWAP.
 4. Approve modifications to the terms of employee participation in the FWAP or terminate the participation as necessary when it is in the interest of the Agency, Center, or Office.
 5. Forward approved agreements to the Center's FWAP Coordinator for maintenance and record-keeping purposes.
- **Division Directors will:**
 1. Determine when the work of certain positions precludes employees in those positions from participating in the FWAP.

2. Determine the timekeeping mechanism to be used by participants (e.g., employee logs in and out through e-mail (generally accepted mechanism), employee maintains a log of arrival and departure times).
3. Review and sign the FWAP agreement before forwarding to the FWAP Coordinator.
4. Ensure that the Division's overall performance is not negatively affected by this program and that the division is adequately staffed to meet all performance expectations at all times.

● **Supervisors/Division Directors will:**

1. Determine when the work requirement of certain positions precludes employees in those positions from participating in the FWAP.
2. Certify in writing that it is necessary for an employee to perform work at home on a short-term basis (if required by the approving official).
3. Review and sign the FWAP agreement before forwarding to the Division Director, Office Director, and/or FWAP Coordinator.
4. Emphasize that the FWAP is **not** to be used to care for young children or other dependents during the agreed upon scheduled hours of work.
5. Inform timekeeper of employees participating in FWAP and of any official changes made to work agreements.
6. Determine that the work quantity, quality and performance of the employee on a long-term FWAP continues to meet the expectations for fully satisfactory job performance. Such determination shall be made in writing to the approving official on at least a quarterly basis. If such a determination cannot be made, participation by the employee shall be terminated.

● **The Center FWAP Coordinator in the Division of Management Services will:**

1. Advise supervisors and employees concerning the implementation of the FWAP.
2. Disseminate FWAP materials and information.
3. Ensure that employees submit requests to participate in the FWAP (if required).
4. Review agreements for adherence to pertinent laws, regulations, and policies, including hours of work, pay, and leave, before forwarding to approving official.
5. Forward agreements to the approving official.
6. Maintain appropriate documentation concerning program participation (e.g., signed agreements, data for annual reports).

MANUAL OF POLICIES AND PROCEDURES

CENTER FOR DRUG EVALUATION AND RESEARCH

MAPP 4501.2

7. Handle day-to-day responsibility and accountability for the program. This includes ensuring that the agreements are completed in a timely manner and are in conformance with applicable rules and regulations, that appropriate approvals are obtained, and that employees and their supervisors are trained **before** participation in the program.
 8. Provide appropriate training for employees participating in the FWAP and their supervisors.
 9. Arrange, through Division of Compensation, Benefits, and Training (DCBT), employee use of satellite work centers.
 10. Submit required data regarding employee participation to DCBT no later than December 30 each year.
 11. Sign each agreement.
- **Employees will:**
 1. Discuss participation in the FWAP or modifications to a FWAP agreement with their supervisors.
 2. For long-term participation, complete and submit a FWAP agreement to their supervisors.
 3. Accurately and personally record starting time and ending time using the timekeeping mechanism approved by the Office or Division.
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PROCEDURES

- **The employee will** discuss participation in FWAP with his or her supervisor.
- **The employee will** complete and submit the appropriate FWAP agreement (civilian or Commissioned Corps) to his or her supervisor.
- **The supervisor and/or Division Director will** review agreement for completeness, sign the agreement indicating concurrence, and forward to the CDER FWAP Coordinator for review.
- **The CDER FWAP Coordinator will** review the agreement and forward it to the approving official (Office Director).
- **Approving official (Office Director) will** approve/disapprove the agreement and forward it to the CDER FWAP Coordinator.
- **The CDER FWAP Coordinator will** maintain a record of all participants and provide any requested information to the Agency and/or Center management.

REDELEGATION

- The Center Director has redelegated authority to approve FWAP requests to Office Directors with no further redelegation authorized.
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EFFECTIVE DATE

This MAPP is effective upon date of publication