



Central Office Supplement

OPI: HRM
NUMBER: 3000.02B
DATE: 10/16/2002
SUBJECT: Telecommuting Program

1. **PURPOSE AND SCOPE.** To provide information regarding the Central Office telecommuting program and to specify the eligibility criteria and procedural guidelines for submitting telecommuting requests.

Telecommuting refers to paid employment performed away from the office for an agreed-upon portion of the workweek. It enables employees to perform work from home or an authorized telecenter.

- ◆ Although telecommuting is **not** an employee entitlement, it is the Bureau's goal to consider any telecommuting request that meets Bureau eligibility requirements.

2. **PROGRAM OBJECTIVE.** The expected result of this program is:

Employees who meet certain qualifications may be provided the opportunity to participate in the Central Office Telecommuting Program.

3. **POSITION CONSIDERATIONS.** The supervisor decides if a position is appropriate for off-site work by examining both the content of the work and the performance of the employee.

- ◆ The nature and work composition of a position will not change when the incumbent telecommutes.
- ◆ Supervisors must monitor their employees' work schedules and determine if adequate personnel coverage will be provided to ensure the department/work unit's effective and efficient functioning.

The overall interests of the office take precedence over the employee working at the alternative worksite.

a. **Impact on Staff.** An employee's off-site work must not adversely affect the performance of other employee(s) or place burdens on staff remaining in the office.

- ◆ An equitable distribution of workload must be maintained, and methods should be used to ensure that office employees do not have to handle the telecommuting employee's work.

b. **Employee Performance.** The decision to allow participation in the telecommuting program will depend upon the supervisor's assessment of a number of performance-related factors.

- ◆ The employee has demonstrated self-motivation, independence, and dependability in accomplishing work assignments.
- ◆ The employee can work effectively in an isolated environment and has good time management skills.
- ◆ The employee has a history of reliable and responsible performance of his or her duties in the current organization.

4. **ELIGIBILITY**

a. This program applies to full-time Central Office employees whose duty station is located in the Washington, D.C. metropolitan commuting area.

- ◆ Due to the Bureau's mission, security issues, and the critical need for all law enforcement staff to supervise inmates and/or respond to emergencies, primary law enforcement staff located at the correctional facilities are excluded from the telecommuting program.
- ◆ Central Office staff located in correctional facilities are also excluded for the reasons stated above.
- ◆ Regional Office and Training Center staff (including the NIC at Longmont) are excluded from this program due to the need for immediate and frequent accessibility to the institutions and students.

b. Employees must demonstrate the ability to function independently in all of the duties of their position.

c. Employees must have no less than a "Fully Successful" performance rating. If occurring within the last two years, the following factors may prohibit participation in the program:

- ◆ documented prior disciplinary action,
- ◆ substantiated leave abuse, and/or
- ◆ substantiated performance issues.

d. The duties of some positions do not lend themselves to this type of work schedule.

- ◆ It is unlikely that supervisory or managerial positions would fit into a telecommuting program. These positions require frequent contact with subordinates and other managers necessitating work at the office.
- ◆ Administrative support and clerical positions would rarely be appropriate for telecommuting due to the need to manage and support their offices' operations.

e. Positions with the following characteristics will not be suitable for telecommuting:

- ◆ Those requiring regular "face to face" interaction with co-workers, other employees or agencies, or the public;
- ◆ Those having frequent access to material that cannot be removed from the Central office;
- ◆ Those involving Top Secret or other classified materials and documents;
- ◆ Those considered site specific occupations (e.g. Mail Room staff);
- ◆ Trainee and entry-level positions; and
- ◆ Those assigned work that is not quantifiable or readily monitored for progress and productivity.

5. SCHEDULING REQUIREMENTS AND RESTRICTIONS

a. **Schedule Limitation.** Telecommuting schedules normally allow no more than **three days per week outside of the office.**

- ◆ The days and times the employee will work in each work setting must be scheduled prior to the work.

b. **Temporary Disability.** Employees approved for telecommuting based on a temporary disability may be scheduled for more than three days of telecommuting if appropriate and if the work remains essentially the same as that performed in the office. Telecommuting days may be alternated with days of paid or unpaid leave.

c. **Coordinating Work Schedules.** Work schedules can parallel those in the office or be structured to meet the needs of both participating employees and their supervisors.

- ◆ The supervisor and employee must establish a **fixed** and **pre-set** schedule of off-site work hours prior to the employee working off-site.

Completely unstructured arrangements where employees work at will are not permitted.

d. **Limitation on Staff.** For efficiency and in order to maintain operations, at least 50 percent of the employees *eligible to telecommute* should work in the primary office site on any given day.

e. **Personal Responsibilities.** Working at home **will not** enable employees to provide their own child or elder care services.

- ◆ While telecommuting arrangements can provide valuable assistance in managing work/family schedules, telecommuting **is not** a substitute for child/elder care.

f. **Agreement Duration.** Telecommuting schedules may be requested for a maximum of six months.

- ◆ Should the employee wish to request a subsequent period of telecommuting, the supervisor must assess the past experience with telecommuting as well as the prospect of initiating a new schedule in terms of the extent to which the arrangement sustains or enhances the accomplishment of mission requirements.

g. **Temporary Disability Duration.** Telecommuting schedules based on temporary disability may be approved for the duration of the medical disability, as determined by a medical professional(s).

- ◆ In accordance with Section 5.f. above, such schedules may not exceed six months. They may be considered for a subsequent period, if appropriate.

6. **REQUESTS AND APPROVAL.** Requests will be considered on a **case-by-case basis.**

- ◆ The Central Office Human Resource Management (HRM) Office will coordinate the requests and maintain records documenting approvals/disapprovals.

- ◆ They will also be responsible for tracking and providing the Bureau's Worklife Coordinator with statistics needed for the annual worklife report.

a. **Requests.** Employees may initiate requests for telecommuting in a memorandum to their supervisor. This request will include:

- (1) Position title, grade, and step.
- (2) The manner in which the employee's assignments/work will be transferred/communicated between the office and the alternative worksite.
- (3) Any costs, cost savings, or productivity benefits to the government.
- (4) Method for avoiding disruption to the supervisor, co-workers, and the agency or public.
- (5) For requests based on temporary disabilities, medical documentation is required.

The U. S. Department of Justice Worklife Program Telecommuting Agreement Form must be attached to the request. This form may be found at <http://www.usdoj.gov/jmd/ps/flexiplaceform.htm>.

b. **Review and Approval.** If the supervisor approves the request, it will be submitted to the Central Office HRM Office for review. The HRM Office will forward it to the employee's Assistant Director.

- ◆ The employee's Assistant Director will review the requested schedule and determine if the request will be recommended for approval or will be disapproved.
- ◆ If recommended for approval, the Assistant Director will forward the request to the Assistant Director, Human Resource Management Division (HRMD).
- ◆ The Director has delegated final approval authority to the Assistant Director, HRMD.
- ◆ Determinations normally will be completed within 30 calendar days from the date the employee signed the request.

c. **Notification.** When the Assistant Director, HRMD makes a determination, the HRM Office will provide the employee's supervisor with verbal notification of approvals and written notification regarding disapprovals. Any requests denied may be appealed, as appropriate, through:

- ◆ for bargaining unit members:
 - the negotiated grievance procedures, or
 - EEO.
- ◆ for non-bargaining unit members:
 - agency grievance procedures, or
 - EEO.

d. **Agreement Termination.** The employee may terminate the telecommuting agreement at any time.

- ◆ The supervisor may terminate a telecommuting agreement if the arrangement affects the department/unit negatively or the employee's performance declines.
- ◆ There is no automatic right of the employee to participate or continue participation in the program in the event of a change in supervisors.

7. **ADMINISTRATIVE MANAGEMENT**

a. The employee's regular office will remain as the official duty station as it relates to pay, leave, and travel entitlements.

b. Employees must observe normal policies when requesting leave while telecommuting.

c. Telecommuting employees are eligible for overtime pay provided advanced approval has been requested to work in excess of their normal hours of duty.

d. Employees are bound by agency standards of conduct while working at the alternative worksite.

e. Telecommuters are covered by the Federal Tort Claims Act or the Federal Employees Compensation Act (FECA) and qualify for continuation of pay or workers' compensation for on-the-job injury or occupational illness. Employees bear responsibility for informing their immediate supervisor of an injury at the earliest time possible.

f. The employee must ensure a safe and healthy work environment at the alternative worksite. Assessment of the overall safety of the site is addressed in the U. S. Department of Justice Worklife Program Telecommuting Agreement Form, Part 3 - Worksite Safety Checklist.

- ◆ The Government may inspect the alternative worksite at periodic intervals during the employee's normal working hours to ensure proper maintenance of Government-owned property and worksite conformance with safety standards.
- ◆ The employee must be provided at least 24 hours of advanced notice prior to an inspection.

Management may deny or rescind a telecommuting agreement based on safety problems at the alternative site.

8. **TELECOMMUNICATIONS, EQUIPMENT, AND UTILITIES**

a. Telecommuting employees will be provided with Government telephone credit cards, if appropriate to the employee's work.

b. Normally, telecommuters will use their own equipment. Telecommuting staff are responsible for servicing and maintaining their equipment.

c. The Bureau will not pay home utility costs associated with working at home.

- ◆ Potential savings to the employee resulting from reduced commuting, meals, clothing, etc., may offset any incidental increase in utility expenses.

/s/
Kathleen Hawk Sawyer
Director