



Chemical Safety and Hazard Investigation Board

SUBJECT: Telework Program

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Quick-Reference Guide to the CSB Telework Program

- This program permits situational telework, meaning you work at an alternate worksite on an irregular basis, when situations arise that make it beneficial to do so. See Section 10 of this Order for examples of such situations. You may telework two days per pay period. Working at a temporary duty location (e.g., incident scene) is not considered telework and is not covered by this program.
- To be eligible to telework, your supervisor must determine that your work is suitable for performance at an alternate worksite and you must maintain a “Fully Successful” or higher rating on all critical elements in your performance plan. If you have been at the CSB for less than six months, are in a period of on-the-job training, or are on a part-time schedule you are not eligible to telework. See Section 11 of this Order for details.
- If you wish to telework, you must submit a request for pre-qualification (Appendix A) to your supervisor, who must approve your request and your proposed alternate worksite (either your residence or a telework center). If your supervisor approves your request, you must complete a CSB Telework Agreement (Appendix B) and an Employee Self-Certification Safety Checklist (Appendix C) and have your supervisor sign them before you actually begin to telework. If you fail to do this, you will be prohibited from telework for six months. See Section 12 of this Order for details.
- Once you have been pre-qualified to telework, you may request to do so when situations arise in which it would be beneficial. You should submit requests to telework on a particular day to your supervisor as far in advance as possible. See Section 12 of this Order for details.
- All CSB personnel policies, including those on work schedules and leave, apply to you while teleworking.
- Your telework agreement may be cancelled because of declining performance, misconduct, or any other business reason. You may cancel your agreement, upon written notice to your supervisor. Your telework arrangements may be temporarily suspended if your presence is required in the office on the planned telework day. See Section 13 of this Order for details.
- See Section 21 of this Order for important details on the effect of a change in the government’s operating status (e.g., closed, delayed arrival, early dismissal, unscheduled leave) on telework arrangements.
- Telework may be available as a reasonable accommodation or as an alternative to Family and Medical Leave. See Section 22 of this Order for important details on these special situations.
- While teleworking, you remain responsible for complying with the CSB IT Security Program (Order 034) and the CSB policy on Use of Government Office Equipment (Order 035). See Sections 23 and 25 of this Order for details.
- You are responsible for ensuring the safety of your alternate worksite. You must immediately report to your supervisor and the Designated Agency Safety and Health Official (DASHO) any potentially work-related injury or illness that occurs at an alternate worksite. The CSB reserves the right to have the DASHO inspect your alternate worksite, with 48 hours advance written notice. See Sections 26 and 27 of this Order for details.
- The CSB cannot reimburse you for personal expenses – such as increased home utility bills, personal telephone bills, or internet service provider charges – that may result from telework. You should use your government calling card when your official duties require you to make toll calls. See Section 28 of this Order for details.

1. **PURPOSE.** This Order establishes policies and procedures for telework (also known as telecommuting) by employees of the Chemical Safety and Hazard Investigation Board (CSB).
2. **EFFECTIVE DATE.** This Order is effective upon passage by the Board.
3. **REVIEW.** This Order will be formally reviewed on a biennial basis by the Human Resources Director (HRD) to assess the effectiveness and impact of the CSB telework program, and to determine whether expansion or reduction of telework opportunities is warranted.
4. **SCOPE.** This Order applies to all CSB employees. This Order does not apply when employees are conducting official agency business at a temporary duty location (e.g., investigators working at an incident scene).
5. **REFERENCES.** This Order is based upon Section 359 of Public Law 106-346.
6. **POLICY.** Interested and eligible CSB employees should have an opportunity to telework. However, telework should not result in diminished individual or organizational performance. Because of the small size of the CSB and because telework is still relatively new at the CSB, the Board believes it is prudent to conduct a biennial review of this program to assess the impact of telework on CSB mission accomplishment and provide a rational basis for the development of future telework policies and procedures.
7. **DEFINITIONS.**
 - a. **Alternate worksite** – a location, other than the CSB office, which has been approved in advance in accordance with the provisions of this Order as a place from which CSB employees may telework. This does not include a temporary duty location to which an employee has traveled to conduct official agency business (e.g., an incident scene).
 - b. **Eligible employee** – a CSB employee who meets all of the eligibility requirements for telework set forth in section 11 of this Order.
 - c. **Principal CSB office** – the CSB headquarters office, located at 2175 K Street, N.W. in Washington, D.C.
 - d. **CSB office** – the CSB principal office and CSB field offices.
 - e. **Telework** – an arrangement in which a CSB employee performs officially assigned duties, on a day and during hours when the employee is regularly scheduled to work, at an approved alternate worksite instead of at a CSB office. Telework is also known as telecommuting.

8. **RESPONSIBILITIES.**

- a. **The Board** – sets overall CSB policy on telework.
- b. **Human Resources Director (HRD)** – manages the overall implementation of this Order and ensures compliance with its provisions; gathers data on the impact of telework; and ensures compliance with OPM telework reporting requirements. The HRD also serves as the CSB Telework Coordinator.
- c. **Supervisors** – determine which of their employees are eligible for telework; approve employee requests to telework; manage teleworking employees to ensure the effectiveness and efficiency of their work; monitor individual employee and team performance to ensure continued mission accomplishment and to determine whether employees may continue to telework; ensure that teleworking employees comply with all applicable CSB policies.
- d. **Employees** – familiarize themselves with and follow the provisions of this Order; seek advance approval from their supervisor before beginning telework; continue to follow all CSB policies and meet existing performance standards while teleworking.

9. **GENERAL RULES.**

- a. Telework does not change any of the existing terms and conditions of an employee's appointment. All CSB policies – and government-wide statutes, rules, and regulations – apply fully to teleworking employees.
- b. Employee participation in telework is voluntary. Employees who wish to participate must obtain approval from their immediate supervisor in advance, sign a formal CSB telework agreement, and comply with all other provisions of this Order.
- c. Telework must not adversely affect the performance of the participating employee, his/her coworkers, a particular office, or the CSB as a whole. Telework arrangements may be cancelled, in accordance with section 13 of this Order, if adverse effects occur.
- d. Alternate worksites must be safe, productive, free from excessive interruptions, and provide adequate workspace and protection for Government information and other property.
- e. Alternate worksites must be located either in an employee's primary personal residence or at an official telework center (see section 14 of this Order).
- f. To avoid further reducing their presence in the office and creating office coverage problems, teleworking employees are encouraged to coordinate planned absences

(e.g., routine medical appointments, parent-teacher conferences, etc.) with the days they telework. As is the case when employees are absent from a CSB office, planned time away from duty on a telework day must be accounted for by working extra hours under the Flexible Work Schedule Program (see Board Order 015) or with leave approved in advance. Supervisors may deny or require the rescheduling of non-emergency leave if such leave, combined with employee telework, leaves their offices inadequately staffed.

- g. Employees may only perform official duties during their time on duty while teleworking. It is the responsibility of the employee to ensure that a proper work environment is maintained (some examples include: dependent care arrangements are made so as not to interfere with work, personal disruptions such as non-business telephone calls and visitors are kept to a minimum, etc.). The employee and his/her family should understand that the home office is just that, a space set aside for the employee to work. Teleworking employees need to arrange their family responsibilities so as to minimize interference with work time at home.

10. **DESIGNATED TELEWORK METHOD.** For this program, the CSB will permit situational telework. Situational telework means that employees work at an alternate worksite on an irregular basis, when situations arise that make it beneficial to do so. Examples of such situations include projects that require an employee to focus without typical office interruptions, days when an employee has a personal appointment scheduled near his/her residence, severe weather, and office inaccessibility (e.g., mass demonstrations in D.C.). Employees may telework 16 hours per pay period. Telework may be performed on any business day (Monday through Friday). The limit on the number of telework hours per pay period does not apply to telework in emergency or special situations, as defined in sections 21 and 22 of this Order.

11. **ELIGIBILITY CRITERIA.** To be eligible to telework, an employee must satisfy all of the eligibility criteria outlined in this section. Immediate supervisors have sole authority to make eligibility determinations.

- a. **Suitability of Work.** The threshold for an employee's eligibility to telework is a determination that his/her work, as described in the position description, is suitable for performance at an alternate worksite. That determination is to be made by an employee's immediate supervisor, according to the criteria listed below. For each position description that covers a supervisor's employees, the supervisor should prepare a brief statement explaining, with reference to the criteria listed below, why the position's work is or is not suitable for telework. For existing positions under their supervision, immediate supervisors must make a determination of suitability for telework within 90 days after the effective date of this Order. Supervisors may not begin to telework themselves until the determinations for their existing positions are completed. For newly created

positions, a determination of suitability for telework must be made at the time of position classification.

(1) Criteria for suitable telework. The work of a particular position is suitable for telework if the work requires tasks such as:

- (a) Critical, analytical, or creative thinking and writing;
- (b) Telephone-oriented tasks that can be performed anywhere there is a telephone; or
- (c) Computer-oriented tasks that can be performed anywhere there is a suitable computer.

(2) Criteria for unsuitable telework. The work of a particular position is not suitable for telework if the work requires tasks such as:

- (a) Extensive face-to-face contact with the supervisor, other CSB employees, or members of the public;
- (b) Performance of duties which are specific to a CSB office;
- (c) Frequent access to materials (such as Privacy Act records, confidential business information, or voluminous files) that cannot be moved from a CSB office;
- (d) Special facilities or equipment that cannot be provided or duplicated cost-effectively outside a CSB office; or
- (e) A level of security that cannot be duplicated cost-effectively at an alternate worksite.

If the work of a particular position is covered by criteria from both the suitable and unsuitable categories, the supervisor must determine whether enough of the work is suitable for telework to allow employees in that position to perform meaningful work during a full tour of duty on a telework day. Supervisors may not assign work outside of an employee's normal duties, solely to enable an otherwise ineligible employee to telework.

- b. **Performance.** An employee must be performing at the "Fully Successful" level or better on all critical elements to be eligible to telework. For the purpose of determining eligibility to telework, the performance rating must be documented as either a rating of record or a formal mid-term review (see Board Order 010 for instructions and policies on performance appraisal). If an employee who is already approved to telework receives a rating of record or formal mid-term review documenting his/her performance at a level below "Fully Successful" on

any critical element, the employee's telework agreement must be cancelled immediately, in accordance with section 13 of this Order.

c. Newly hired, developmental employees, and returning employees

(1) Newly-hired employees. Because it is important for newly-hired employees to become acclimated to the CSB, learn office policies and procedures, and develop working relationships with co-workers and supervisors, newly-hired employees may not begin to telework until six months have elapsed from their date of appointment. Newly-hired employees must also meet the performance requirement described in subsection b., above.

(2) Developmental employees. Employees, whether they are newly-hired or not, who are in a period of on-the-job training are not eligible to telework while they are in training. Employees appointed to "trainee" positions are not eligible to telework at any time.

(3) Returning Employees. If an employee who has previously worked for the CSB is reappointed to the CSB after a break in service from the CSB or transfers back to the CSB from another agency, the employee does not need to work an initial period of six months in order to qualify for telework, provided their final rating from the CSB was Fully Successful or better and the employee meets other eligibility requirements.

d. Part-time employees. Because they already spend only a limited amount of time in the CSB office, employees with less than full-time (40 hours weekly/80 hours bi-weekly) work schedules are not eligible to telework.

12. PROCEDURES

a. Employees who wish to engage in situational telework, and believe they are eligible to do so, must first be pre-qualified by submitting a request to their immediate supervisor using the form at Appendix A. All requests for pre-qualification to telework, and all proposed alternate worksites, must be approved by an employee's immediate supervisor.

b. Upon receipt of a request for pre-qualification to telecommute, supervisors should review the request and use the criteria listed in section 11 of this Order to determine the employee's eligibility. The determination of suitability of the employee's work may have been made in advance of receiving the request. If the employee meets all applicable eligibility criteria, he/she must be deemed eligible to telework. The supervisor should record the eligibility determination in the appropriate area on the request form (Appendix A). If the employee is determined to be eligible, the supervisor should also review the employee's proposed alternate worksite. The supervisor may either accept the site, or reject it and indicate an acceptable alternative.

- c. If the supervisor determines that the requesting employee is eligible to telework, the supervisor should retain the original request form, provide a copy to the employee and the HRD, and ask the employee to complete the steps outlined in subsection d., below, to finalize the telework arrangement.
- d. After an employee's request for pre-qualification to telework has been approved, he/she must complete a CSB Telework Agreement (Appendix B) and an Employee Self-Certification Safety Checklist (Appendix C). Supervisors are responsible for reviewing the safety checklist before approving the telework agreement. All checklist questions must be answered "yes" for an employee to be approved to telework. If one or more questions are answered "no," an employee may not telework from that alternate worksite until the problem is corrected. The immediate supervisor must maintain the originals of both the agreement and the checklist, and provide copies of each to the employee and the HRD. The supervisor must also provide a copy of the safety checklist to the CSB Designated Agency Safety and Health Official (DASHO). An employee may not telework until the documents at Appendix A, B, and C are completed. If an employee is found to be teleworking without having these documents properly completed and approved, that employee is prohibited from telework for six months.
- e. Employees whose alternate worksite is a telework center must also complete the appropriate telework center reservation and authorization forms, which may be obtained with the assistance of the HRD. Employees are responsible for forwarding the original to the Office of Financial Operations and providing a copy to their immediate supervisor and the telework center. Employees who begin working from a telework center without first obtaining approval from their supervisor and the Office of Financial Operations will be barred from telework for six months and may be personally liable for any reservation fees incurred.
- f. Once an employee has been pre-qualified to telework, he/she may then request to telework when situations arise in which working at an alternate worksite is beneficial. Employees must submit requests to telework on a particular day to their immediate supervisors as far in advance as possible. Requests to telework on the same day the request is made will not be accepted, except in emergencies (as defined in section 21 of this Order). Telework is not a substitute for unscheduled sick leave. Supervisors have full discretion and sole authority to approve or disapprove requests to telework in specific situations.

13. **CANCELLATION AND SUSPENSION.**

- a. **Cancellation by the agency.** An immediate or second-level supervisor may cancel an employee's or group of employees' telework agreement(s) if: the performance of the teleworking employee or group, their co-workers, the office in which they work, or the CSB as a whole begins to decline; the employee(s) commits misconduct, whether or not it is related to teleworking; and/or any other legitimate business reason. Cancellations for reasons of performance or

- misconduct may be immediate and do not require advance notice. However, the supervisor ordering the cancellation should prepare a brief written statement setting forth the reasons for the action, as soon as possible after taking it. The supervisor should retain the original and provide a copy to the employee(s) whose telework agreement(s) was cancelled and to the HRD. A cancellation based on reasons other than performance or misconduct requires advance written notice to the affected employee(s). The supervisor ordering the cancellation should prepare a brief written statement setting forth the reasons for the action, and provide a copy to the affected employee(s) and to the HRD as soon as possible.
- b. **Reinstatement.** Employees whose telework agreements are cancelled for performance reasons may not request a new telework agreement until they have received a rating of record or documented mid-term review of “Fully Successful” or better on all critical elements. Employees whose telework agreements are cancelled because of misconduct must wait at least six months before requesting a new telework agreement.
 - c. **Cancellation by employee.** An employee may cancel his/her telework agreement for any reason. The employee must provide his/her immediate supervisor written notice of his/her intent to cancel the agreement. The employee and supervisor should each retain a copy of the notice. If the employee had been using a telework center as an alternate worksite, the employee is responsible for taking the appropriate steps to cancel his/her telework center reservation. Employees who fail to promptly cancel telework center reservations will not be permitted to resume telework for six months and may be personally liable for any excess fees incurred.
 - d. **Suspension.** An immediate or second-level supervisor may temporarily suspend an employee’s or group of employees’ telework arrangement(s) any time the employee(s)’ presence is required in the office on the planned telework day (e.g., important meeting, special project, emergency situation). A telework arrangement can be suspended without notice, even on the affected telework day. However, supervisors should attempt, when possible, to provide employees with advance notice that they will not be able to telework on a particular day(s).
14. **TELEWORK CENTERS.** Telework centers are shared satellite offices operated to provide an alternate worksite for teleworking employees. Telework centers are located in suburban areas in Maryland, Virginia, and West Virginia. Facilities at the centers include individual open workstations, meeting rooms, kitchens, and copy and fax machines. Computer resources include Pentium PC’s with standard office software, Internet access and dial-out capability, and laser and color printers and scanners. The telework centers are staffed by facility management and technical support personnel.

Telework centers offer several advantages for teleworking employees. The centers allow employees to continue with a routine of going to an office, and to maintain a

boundary between their work and home lives. The centers also provide access to office equipment that employees may not have at home.

There is a fee for using telework centers. Employees who wish to use a telework center must obtain advance approval from their immediate supervisor and the Office of Financial Operations to ensure that funds are available to pay the fees. Employees who use a telework center without obtaining advance approval, or who fail to promptly cancel unneeded center reservations, will be suspended from telework for six months and may be personally liable for any fees they incur.

15. **OFFICIAL DUTY STATION.** For all purposes, a teleworking employee's official duty station shall be the principal CSB office located in Washington, D.C. or, as appropriate, a CSB field office approved by the Chairperson.
16. **HOURS OF DUTY.** All existing CSB policies on work schedules (see Board Order 015) and leave (see Board Order 009) fully apply to teleworking employees. Any time away from duty on a telework day must be accounted for by working extra hours under the Flexible Work Schedule Program or with approved leave. Any failure to observe CSB work schedule and leave rules is, by itself, a basis for cancellation of a telework agreement and possible discipline.
17. **OVERTIME.** Employees may work irregular or occasional overtime or call-back overtime at an alternate worksite only as authorized under sections 17 or 19 of Board Order 18. Supervisors are responsible for ensuring that teleworking employees only work overtime at alternate worksites when they have been properly authorized to do so.
18. **SUPERVISORY CONTROL.** Supervisors are responsible for ensuring that their employees are meeting their work schedule obligations and actually performing work while employees are at an alternate worksite. It is within a supervisor's administrative discretion to choose the most appropriate method for achieving this objective. Nonetheless, supervisors must have reasonable assurance that their employees are working when scheduled. Standard oversight techniques for teleworkers include determining the reasonableness of work output for the time spent or making occasional telephone calls or e-mails to teleworking employees during their scheduled work time. When a supervisor is teleworking, he/she remains fully responsible for exercising this control over employees, both those at a CSB office and those at alternate worksites.
19. **OFFICE STAFFING.** CSB offices must be adequately staffed at all times during regular agency business hours. Offices that have a standard complement of more than one position may not have all of their staff working at alternate worksites on the same day. In the case of offices that consist of only one position, if the employee occupying that position teleworks he/she must provide alternate worksite contact information to his/her immediate supervisor and the administrative assistant who supports his/her office. Such employees must be prepared and able to return to the

office on any telework day if their presence is required. Supervisors are responsible for scheduling their employees' telework so that there will always be adequate office coverage.

20. **GROUP DISMISSAL.** Whenever a non-emergency group dismissal is authorized for CSB employees, the management official ordering the dismissal should determine how the group dismissal will be applied to teleworking employees. When appropriate, teleworking employees and employees working in a CSB office should be treated the same way. Immediate supervisors are responsible for notifying their teleworking employees of non-emergency, CSB-specific group dismissals.

21. **EMERGENCIES.**

- a. **Changes in operating status.** If the Office of Personnel Management (OPM) changes the government's operating status (e.g., closed, delayed arrival, early dismissal, unscheduled leave) because of an emergency, teleworking employees must still work their usual schedule for the day, unless they cannot perform work because a CSB office is closed and/or the alternate worksite is also affected by the emergency. In those cases, teleworking employees should follow the OPM announcements as if they were working in the CSB office. When an emergency affects only the alternate worksite, and the CSB office remains open, teleworking employees must report to work at the CSB office. Employees are responsible for staying apprised of the government's operating status during an emergency.
- b. **Unscheduled telework.** On days when OPM changes the government's operating status (e.g., closed, delayed arrival, early dismissal, unscheduled leave) because of an emergency, employees who are pre-qualified to telework may do so, with supervisory permission, even if they were not originally scheduled to telework on that day. Unscheduled telework due to an emergency change in operating status is not subject to the limit on number of days per pay period (see section 10 of this Order).
- c. **Unavailability of CSB office.** If all or a portion of a CSB office is rendered unfit for occupancy, immediate supervisors may authorize any or all of the affected employees to telework until such time as that office is again fit for occupancy. This authorization may be made whether or not the affected employees are currently teleworking, and notwithstanding the eligibility requirements of this Order. Telework should only be authorized if the employees will be reasonably able to perform work despite the unavailability of a CSB office. An authorization to telework under this section is effective only for such time as the CSB office is unavailable. Once the office is again available, all rules and standard procedures of this Order apply. Employees who are authorized to telework because of the unavailability of the CSB office, but who were not authorized to telework prior to that situation, may not continue to telework after the situation has ended, unless they follow the standard approval procedures and meet all eligibility requirements of this Order.

22. SPECIAL SITUATIONS.

- a. **Reasonable accommodation.** In accordance with Board Order 032, telework may be offered by the agency as a reasonable accommodation to qualified employees with disabilities. When the agency grants a reasonable accommodation in the form of telework, all provisions of this Order apply, except the limit on number of days per pay period (see section 10 of this Order).
- b. **Family and medical leave.** Employees who have requested, and been approved, to take a period of leave under the Family and Medical Leave Act (FMLA), may request to telework instead of taking leave for some portion of that period. Supervisors have discretion to approve or decline a telework request during the FMLA period. Supervisors may request administratively acceptable proof that employees will still be able to perform official duties at an alternate worksite, despite the situation requiring the family and medical leave. The FMLA in no way entitles employees to telework. Employees cannot be required to telework instead of taking family and medical leave to which they are entitled. When telework is approved in this situation, all provisions of this Order apply, except the limit on number of days per pay period (see section 10 of this Order).
- c. **Extreme personal hardship waiver.** The Chairperson may waive the eligibility requirements for telework to allow an employee who would otherwise be ineligible for telework to do so, if such a waiver is necessary to avoid extreme personal hardship arising from a personal or family emergency. An employee seeking a waiver should submit a written request, including an explanation of the emergency and potential hardship, and a telework request form (Appendix A), to his or her supervisor. If the supervisor concurs with the request, he or she should submit the request package to the HRD, who will forward the request to the Chairperson. The Chairperson will render a written decision granting or denying the waiver. Supervisors have full discretion and sole authority to concur with or decline a request, and the Chairperson has full discretion and sole authority to grant or deny a waiver. When telework is approved subject to a waiver of eligibility requirements, all other provisions of this Order still apply, except the limit on number of days per pay period (see section 10 of this Order). This provision does not authorize the Chairperson to waive any telework eligibility requirement that is established by statute or regulation.
- d. **Temporary Arrangements to Alleviate Office Space Shortage.** If there is insufficient space at any CSB office to accommodate all CSB employees with their own work space, the Chairman may authorize in writing a temporary plan to authorize up to 5 days per pay period of telecommuting for eligible employees for up to 90 days. Such plan should indicate the nature of the problem and the plan for addressing it. By the end of the 90 day period, the HRD and Chairman shall propose a permanent plan to address the office shortage and provide it to the Board for review and approval.

- e. **Other Unique Circumstances.** Upon the request of a supervisor or employee, the Managing Director, General Counsel or Chairperson may provide written authorization for an employee within his reporting authority to telework more than 2 days in a pay period. Such extended telework should be limited to one additional day per pay period for discrete projects or assignments that can be easily supervised while the employee is teleworking and reviewed upon the employee's return to the office.
23. **INFORMATION SECURITY.** All provisions of the CSB IT Security Program (Board Order 034) apply fully to teleworking employees. Teleworking employees must pay particular attention to those sections of the IT Security Program dealing with mobile computing and protection against the introduction of viruses or other malicious software into CSB systems. Records, files, documents, or other media – in hardcopy or electronic format – which contain Privacy Act information, confidential business information, classified or sensitive information, or are otherwise designated as confidential under the IT Security Program must not be removed from a CSB office or handled at an alternate worksite. Federal law provides criminal penalties for the mishandling or misuse of such information. When using an alternate worksite, employees shall save CSB information on removable media only, not the hard drive of a home or telework center computer.
24. **RECORDS MANAGEMENT.** Materials created or received by employees in the course of performing their official duties while teleworking are Federal records to the same extent they would be if created or received while working in a CSB office. Teleworking employees are responsible for ensuring that any records they create while working at an alternate worksite are incorporated into the CSB's recordkeeping systems. See the CSB Records Management Program (Board Order 019) for more detailed information on the definition of Federal records and employee responsibilities for maintaining them.
25. **GOVERNMENT-ISSUED EQUIPMENT.** Employees who are normally issued government-owned portable computers and telecommunications equipment may, of course, use them while teleworking. Employees who use personally-owned equipment to perform official duties while teleworking do so entirely at their own risk. Neither the CSB nor the United States Government will be liable for any loss, damage, malfunction, or ordinary wear-and-tear to personally-owned equipment resulting from the use of such equipment for the performance of official duties while teleworking. Teleworking employees must comply with all provisions of Board Order 035, *Use of Government Office Equipment*.
26. **SAFETY.** Employees are solely responsible for ensuring the safety of their alternate worksites. Employees must complete the Self-Certification Safety Checklist (Appendix C) before they begin teleworking. The CSB reserves the right to inspect an alternate worksite, with 48 hours advance written notice to the employee. Typically, the inspection would be conducted by the DASHO or a designee. A request to telework may be denied, or an existing agreement cancelled, based on

safety problems or hazardous materials at the alternate worksite. Employees using a telework center as an alternate worksite should immediately notify their supervisor, and telework center staff, if they observe hazardous conditions at the center.

27. **WORKERS' COMPENSATION.** Teleworking employees are covered by the Federal Employees Compensation Act (FECA) and may qualify for payment for on-the-job injury or occupational illness. Any potentially work-related injury or illness that occurs at an alternate worksite should be reported immediately to the DASHO and the employee's immediate supervisor.
28. **EXPENSES.**
- a. All existing Federal laws and regulations, and CSB policies and procedures, controlling the authorization of official expenditures apply to telework situations.
 - b. The CSB is not permitted to reimburse employees for personal expenses, such as increased home utility bills, that may result from telework.
 - c. The CSB is currently unable to pay for the installation of telephone or data lines in the private residences of teleworking employees. The CSB is also unable to pay the charges for personal telephone and data services (including internet service providers) used to perform work while teleworking. Employees should use their government calling cards when their official duties require them to make toll calls.
29. **PROGRAM ASSESSMENT.** The HRD shall biennially review the telework program with the first such review due no later than October 1, 2012. The HRD will conduct a formal assessment of, and prepare a report to the Board on, the impact of this program on the mission accomplishment of the CSB. Such assessment should include survey data from employees and supervisors on their experience with telework under the program. The HRD shall submit a maximum three-page report to the Board by the review deadline which shall outline survey data and summarize information relevant to the Board's assessment of this program.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

September 13, 2004; Amended, September 16, 2005; Amended, October 2, 2006; Amended, October 5, 2007; Amended, October 23, 2008; Amended, October 29, 2010.

REQUEST FOR TELEWORK PRE-QUALIFICATION

Employee: _____

Position: _____

Date of request: _____

Office: _____

Immediate supervisor: _____

Employee Request

Proposed alternate worksite: _____

I, the employee named above, hereby request to be pre-qualified to telework. I have read Order 037 and believe I meet all eligibility requirements for telework.

Employee signature and date: _____

Supervisor's Determinations

The employee named above meets all eligibility requirements for telework: (circle one)

YES

NO

If no, indicate which requirement(s) has not been met: _____

The proposed alternate worksite is: (circle one)

Acceptable

Unacceptable (indicate acceptable alternative): _____

I, the supervisor named above, have reviewed the telework eligibility criteria in Order 037 and have appropriately classified the employee named above.

Supervisor signature and date: _____

CSB Telework Agreement

Employee: _____

Date of Agreement: _____

Supervisor: _____

1. The above-named employee (hereinafter “you” or “your”) voluntarily agrees to telework from the CSB-approved alternate worksite indicated below and to follow the procedures of CSB Order 037 (hereinafter “Order 037”). You acknowledge that this telework agreement is not an entitlement and may be cancelled or suspended as provided in this agreement and Order 037.
2. You understand and agree that you will be engaging in situational telework. This means that you will work at an alternate worksite on an irregular basis, when situations arise that make it beneficial to do so. You acknowledge that you must obtain specific approval from your immediate supervisor for each telework situation. Requests to telework in a particular situation must be submitted to your immediate supervisor as far in advance as possible. Your immediate supervisor has full discretion and sole authority to approve or disapprove requests to telework in specific situations.
3. You and the CSB agree that your official duty station is the principal CSB office located at 2175 K Street, NW in Washington, D.C., or a Chairperson approved field office; and that your approved alternate worksite is [specify facility name, street and number, city, and state]. You may not telework from a different alternate worksite, or change alternate worksites, without approval from your supervisor. All pay, leave, and travel entitlements are based on the official duty station.
4. You agree to perform only official duties at the alternate worksite. You agree not to conduct personal business while in official duty status at the alternate worksite.
5. You understand and acknowledge that telework does not change any of the existing terms and conditions of your appointment, and that all CSB policies – and government-wide statutes, rules, and regulations – apply fully to teleworking employees, regardless of whether those policies, statutes, rules, and regulations are specifically cited in this agreement.
6. You understand that telework does not change established performance expectations, and that you will continue to be evaluated according to the elements and standards in your performance appraisal plan. You understand and acknowledge that a decline in performance is sufficient grounds for canceling the telework agreement.
7. You understand that if you receive a rating of record or formal mid-term review documenting your performance at a level below “Fully Successful” on any critical element, your telework agreement will be cancelled immediately, in accordance with section 13 of Order 037.

8. You and the CSB agree that your usual schedule will be the same as the usual schedule currently in effect for you at a CSB office. You agree to follow all established policies and procedures set forth in CSB Order 015, *Official Workdays, Office Hours and Flexible Work Schedules*.
9. You understand that any time away from duty on a telework day must be accounted for by working extra hours under the Flexible Work Schedule Program (see Order 015) or with approved leave. You agree to follow all established CSB policies and procedures for requesting and using leave, in accordance with CSB Order 009, *Absence and Leave*. You understand that your supervisor may deny or require the rescheduling of non-emergency leave if such leave, combined with employee telework, leaves the office inadequately staffed.
10. You understand and acknowledge that any failure to observe CSB work schedule and leave rules is, by itself, a basis for cancellation of the telework agreement and possible disciplinary action.
11. You agree not to work overtime at the alternate worksite unless specifically authorized in advance in writing by your supervisor to do so. You further agree that if the needs of CSB business require the performance of overtime on a telework day at the CSB office, you will report to a CSB office (official duty station) instead. The supervisor agrees to ensure that you do not work overtime at an alternate worksite except as allowed under the CSB Telework Program.
12. The CSB agrees, and you understand, that a telework agreement is not a basis for changing your salary or benefits.
13. You agree to provide and/or maintain at the alternate worksite, a work area adequate for performance of official duties.
14. You agree to complete a self-certification safety checklist for the alternate worksite before beginning to perform work there. You agree to permit the CSB to inspect the alternate worksite during the hours of your usual schedule to ensure conformance with safety standards, in accordance with section 26 of Order 037.
15. You understand and agree that you are bound by CSB standards of conduct while working at the alternate worksite.
16. You understand and acknowledge that all provisions of the CSB IT Security Program (Board Order 034) apply fully to teleworking employees. You further agree to pay particular attention to those sections of the IT Security Program dealing with mobile computing and protection against the introduction of viruses or other malicious software into CSB systems. You agree not to remove from a CSB office, or handle at an alternate worksite, any records, files, documents, or other media – in hardcopy or electronic format – which contain Privacy Act information, confidential business information, classified or sensitive information, or information otherwise designated as confidential under the IT Security Program.

17. You agree to comply with Board Order 035 and to protect any Government-owned equipment and to use the equipment only for official purposes. You agree to install, service, and maintain any personal equipment used in the performance of official duties. You understand that the use of personally-owned equipment to perform official duties while teleworking is entirely at your own risk. You understand and acknowledge that neither the CSB nor the United States Government will be liable for any loss, damage, malfunction, or ordinary wear-and-tear to personally-owned equipment resulting from the use of such equipment for the performance of official duties while teleworking.
18. You understand that all existing Federal laws and regulations, and CSB policies and procedures, controlling the authorization of official expenditures apply to telework situations.
19. You understand and acknowledge that the CSB will not be responsible for any operating costs that are associated with the use of your home as an alternate worksite (e.g., maintenance, insurance, or utilities). You understand that you do not relinquish any entitlement to reimbursement for *authorized* expenses incurred while conducting business for the CSB, as provided for by statute and regulation.
20. You understand and acknowledge that neither the CSB nor the United States Government will be liable for damages to your personal or real property occurring while you are performing official duties at the alternate worksite, except to the extent that may be permitted under the Federal Tort Claims Act or the Military Personnel and Civilian Employees Claims Act.
21. You understand that you are covered under the Federal Employee's Compensation Act if injured in the course of actually performing official duties at the alternate worksite. You agree to notify the CSB Designated Agency Safety and Health Official and your supervisor immediately of any accident or injury that occurs at the alternate worksite and to complete any necessary documentation. The supervisor agrees to investigate any such report immediately, in accordance with the CSB Occupational Safety and Health Program.
22. You understand that the CSB may temporarily suspend your telework arrangement any time your presence is required in the office on a telework day (e.g., important meeting, special project, emergency situation). You understand that a telework arrangement can be suspended without notice, even on the affected telework day. The CSB agrees to attempt, when possible, to provide you with advance notice that you will not be able to telework on a particular day(s). The CSB agrees to allow you to suspend your telework arrangement for any reason.
23. The CSB agrees to allow you to permanently cease teleworking after notice to your supervisor as provided by section 13 of Order 037. You understand that the CSB may cancel the telework arrangement. The CSB agrees to follow the applicable procedure set forth in section 13 of Order 037 when ordering cancellations.

24. Nothing in this agreement precludes the CSB from taking any appropriate disciplinary or adverse action against you, in the event you fail to comply with the provisions of this agreement, Order 037, any other CSB order, or Federal statute or regulation.

Employee's signature and date: _____

Supervisor's signature and date: _____

Employee Self-Certification Safety Checklist

Name: _____

Office: _____

Immediate Supervisor: _____

Alternate Worksite Location: _____

Workplace Environment

1. Are temperature, noise, ventilation, and lighting levels adequate for maintaining your normal level of job performance? Yes [] No []

2. Are all stairs with four or more steps equipped with handrails? Yes [] No []

3. 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, overloaded circuit breakers)? Yes [] No []

4. Will the building's electrical system permit the grounding of electrical equipment?
Yes [] No []

5. Are aisles, doorways, and corners free of obstructions to permit visibility and movement?
Yes [] No []

6. Are file cabinets and storage closets arranged so drawers and doors do not open into walkways? Yes [] No []

7. Are chair casters (wheels) secure and/or are the rungs and legs of the chairs sturdy?
Yes [] No []

8. Are the phone lines, electrical cords, and extension wires secured under a desk or alongside a baseboard? Yes [] No []

9. Is the office space neat, clean, and free of excessive amounts of combustibles?
Yes [] No []

10. Are floor surfaces clean, dry, level, and free of worn or frayed seams?
Yes [] No []

11. Are carpets well secured to the floor and free of frayed or worn seams?
Yes [] No []

- 12. Is there enough light for reading? Yes [] No []
- 13. Is the work area free of indoor air quality problems? Yes [] No []
- 14. Is the work area free of excessive noise? Yes [] No []
- 15. Are the exits and exit pathways from the work area clearly marked and unobstructed?
Yes [] No []

Computer Workstation (if applicable)

- 16. Is your chair adjustable? Yes [] No []
- 17. Do you know how to adjust your chair? Yes [] No []
- 18. Is your back adequately supported by a backrest? Yes [] No []
- 19. Are your feet on the floor or fully supported by a footrest? Yes [] No []
- 20. Are you satisfied with the placement of your monitor and keyboard? Yes [] No []
- 21. Is it easy to read the text on your screen? Yes [] No []
- 22. Do you have enough leg room at your desk? Yes [] No []
- 23. Is the screen free from noticeable glare? Yes [] No []
- 24. Is the top of the screen at eye level? Yes [] No []
- 25. Is there space to rest the arms while not keying? Yes [] No []
- 26. When keying, are your forearms close to parallel with the floor? Yes [] No []
- 27. Are your wrists fairly straight when keying? Yes [] No []

I, the undersigned, attest that my answers to the above are true and correct to the best of my knowledge and belief.

Employee's Signature and Date: _____

I, the undersigned, attest that I have reviewed this form and found all questions have been answered in the affirmative.

Immediate Supervisor's Signature and Date: _____

Approved [] **Disapproved** []