

## ADMINISTRATIVE ANNOUNCEMENT

**SUBJECT: Telecommuting Program**

### PURPOSE

This administrative announcement updates the policies and responsibilities for the administration of, and participation in, the U.S. International Trade Commission's (ITC) Telecommuting Program. The Telecommuting Program is issued in accordance with Administrative Order 01-09. As provided in that order, the Commission has adopted two forms of telecommuting: Project-based telecommuting and Special Circumstances Arrangements.

### RESPONSIBILITIES

**The Chairman** will approve or disapprove all Special Circumstance Arrangements.

**The Director of Administration** will manage the planning, implementation, and evaluation of the Telecommuting Program and may appoint a Telecommuting Program Coordinator to accomplish the day-to-day activities of the program.

**The Telecommuting Program Coordinator** will monitor the Telecommuting@AD@AD e-mail box, maintain all relevant files, and develop and distribute all appropriate reports.

**The Director of Human Resources** will advise employees who request a Special Circumstances Arrangement and will determine whether the requirements of the Family-Friendly Act and other regulations are met.

**First-line supervisors** will approve or disapprove employees' requests for project-based telecommuting and e-mail the telecommuting mail box at "Telecommuting@AD@AD" for each instance of project-based telecommuting. First-line supervisors will recommend special circumstances arrangements to the Chairman.

**Employees** will prepare an agreement that includes all required information; certify their participation is in accordance with the policies and procedures set forth in this administrative announcement, including the safety and information security guidelines; provide their timekeeper with all necessary data in a timely manner; and comply with all other ITC internal rules and procedures that govern participation in the telecommuting program.

### DEFINITIONS

**Project:** A project is a specific assignment that results in a tangible, objectively-measurable product or outcome.

**Employee:** An individual employed by the ITC and paid through the Department of Interior.

**First Line Supervisor:** The supervisor who prepares the performance evaluation for the employee in question.

**Telecommuting:** Any arrangement where employees work normal duty hours at a location other than the normal duty station (travel and training excepted). Telecommuting does not require work at home and may be done at a Telecommuting Center or other approved location.

## **POLICY**

The Telecommuting Program is established consistent with Federal laws and policies, specifically section 359 of Public Law No. 106-346 (Oct. 23, 2000). The Commission's program is open to all employees. Participation levels and the frequency of telecommuting will undoubtedly vary from office to office and from position to position depending on the work to be performed and competing requirements for staff time. The key distinctions are the function or project to be performed while telecommuting and the potentially conflicting needs of the office. Guidelines for supervisors to use when reviewing and approving telecommuting requests are found at Enclosure 1.

Telecommuting is a management work option, rather than an employee benefit, and does not change the terms and conditions of employment. Employees' participation in the program is subject to management approval and they must sign an agreement with management. The telecommuting arrangement may be canceled by the employee, his/her supervisor, or a higher-ranking supervisor in the chain of command.

Telecommuting should not adversely affect the performance of the employee who is telecommuting or his or her coworkers.

Telecommuting does not affect hours of duty, schedule, or procedures for requesting leave. They remain the same. The employee must be available during normal hours and must be able to come into the office within a reasonable commuting time, not to exceed two hours, if needed. The employee may not use telecommuting duty time for any purpose other than official duties, including providing dependent care. The employee may not work at night or take extended breaks during the day and "make up for it" later. If the employee needs to work a more flexible work schedule, then a request to change work schedule must also be submitted (see USITC Directive 4400.1, Attendance and Leave). The employee is not authorized to earn credit hours, compensatory time, or overtime while working at the telecommuting duty station. Supervisors must properly certify time and attendance, including telecommuting time.

The employee must have a safe and adequate place to work off-site that is free from interruptions and provides the necessary level of security and protection for data and government property. The employee will apply safeguards to protect Commission and other government records from unauthorized disclosure or damage (e.g., locking such materials in a safe, filing cabinet, or room) in accordance with Commission procedures, including USITC Directive 1340, and will comply with the Privacy Act of 1974, Public Law 93-579, codified at Section 552a, title 5 U.S.C.

Employees and first line supervisors will be subject to disciplinary action for making false statements or misrepresentations regarding their participation in the telecommuting program. An employee found to be telecommuting without official sanction or who deliberately fails to properly record their telecommuting time is no different from any other employee who has misrepresented a material fact in connection with any official document, such as time and attendance. See USITC Directive 4504.0, Personnel Disciplinary and Adverse Action, Attachment 1, Table of Offenses and Penalties, Item 8.

## **APPLICATION AND PROCESSING PROCEDURES**

### **How to Apply**

A standard agreement (found on the Intranet under Career Corner) will be completed by the employee and the first line supervisor prior to any occurrence of telecommuting. A copy of this document will be sent to the Telecommuting Program Coordinator in the Office of Administration.

### **Procedures for Project-Based Telecommuting**

Telecommuting presents opportunities for increased productivity, but also presents unique problems due to the nature of the Commission's work. The greatest chance for a successful program is to apply it to those projects that have promise of increasing productivity. Appropriate projects are those that do not require face-to-face consultation and would benefit from less distraction and interruption common in an office environment.

1. Employee request to telecommute. Each specific instance of telecommuting will be requested by the employee. The employee will send an e-mail to their first line supervisor which will include the following:
  - a. Specify the date (e.g., November 10, 2003) and period of time for telecommuting (not to exceed four days)
  - b. Describe the nature of the project(s)
  - c. Describe the tangible product or outcome that will be achieved
2. Supervisor approval to telecommute. The first line supervisor will respond to the employee by e-mail, stating his or her approval or disapproval. If disapproved, reasons will be articulated. The first line supervisor will send a copy of his or her response to "Telecommuting@AD@AD."

### **Special Circumstances Arrangements (SCA)**

An SCA is an extended ad hoc telecommuting arrangement approved by the Chairman. The nature and scope of an SCA are not otherwise limited. An SCA typically would be a work-at-home agreement combining leave and part-time telecommuting to allow the employee to care for a family member who is ill or recovering from surgery or adjusting to a new child (birth or adoption). SCAs are typically for limited periods of time for employees with special needs and are not anticipated to exceed three months in duration. It benefits employees with short term emergencies without exhausting leave, and benefits the agency by keeping employees in the loop and retaining their expertise. While these are the norms, in unusual or unique circumstances, SCAs may be used without limitation. In essence, an SCA encompasses any telecommuting request that is not based on a project request.

1. Identify work to be performed. The employee will first consult with their first-line supervisor to identify the type and work available to be performed and the number of hours per week that work is available to be performed.
2. Consult with HR Director. The employee and their first-line supervisor will seek the advice and counsel of the Director, Office of Personnel prior to the preparation of this agreement to ensure that the circumstances meet the requirement of applicable statutes and regulations.

3. Prepare an agreement. In addition to the information required in the standard agreement, the agreement will also:

- a. Describe the special circumstances necessitating the request
- b. Establish a specific time period, generally not to exceed three months
- c. Establish the number of hours of leave and the number of hours of work which will occur each workday
- d. Define the assignments to be accomplished and their end products

4. Approval of the agreement. The agreement will be signed by the employee and the first-line supervisor, and forwarded to the Telecommuting Program Coordinator in the Office of Administration for his/her action. The program coordinator will forward the document to the Office of the Chairman for approval. The program coordinator will retain a copy of the approved agreement and return the original to the first-line supervisor.

5. Extensions. Extensions of time for any SCA require compliance with the same procedures as establishing an SCA, i.e., consultation with the Office of Personnel and approval from the Chairman.

6. Change in Chairmanship. Upon a change in the chairmanship, all existing SCAs must be renewed and approved by the new Chairman.

## **QUESTIONS**

If you have any questions or need additional information on the Telecommuting Program, please send an e-mail to [Telecommuting@AD@AD](mailto:Telecommuting@AD@AD).

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Stephen A. McLaughlin  
Director, Office of Administration

DISTRIBUTION: All Employees

## **ENCLOSURE 1**

### **Guidelines for Supervisors for Approval of Telecommuting Requests**

Participation in the Commission's Telecommuting Program is not restricted to classes of employees. All employees are potentially eligible for participation, regardless of their job title or position description. In order to participate, an employee must execute a written agreement with the first-line supervisor.

Employees who are experiencing significant performance problems, are new to the agency, or require significant daily supervision are not good candidates for telecommuting. Employees who are well-organized, high performers, who require little daily supervision are good candidates for telecommuting.

### **Threshold Requirements for Participation in the Program**

The following factors will be considered by the first-line supervisor when an employee requests approval to participate in the Telecommuting Program:

1. Employee performs at the fully successful level or higher
2. Employee is organized, self-starter who meets deadlines regularly
3. Employee requires minimal supervision
4. Employee does not need to be in the office to learn the organization
5. Employee does not require on the job training
6. Employee would not suffer from isolation
7. Employee does not need to interact with others every day
8. Employee is not a trainee or entry-level position

### **Discretionary Factors for the First-Line Supervisor to Consider When Approving Projects and Assignments**

Once the employee has executed and filed a telecommuting agreement, the burden is on the employee to identify projects that would be good candidates for telecommuting and to request approval of a project(s) by their first-line supervisor. A project is appropriate for telecommuting if it results in tangible, objectively measurable product or outcome. Since the employee has already been determined eligible for telecommuting when the agreement was executed, the only question is whether or not the project is appropriate for telecommuting and whether other factors suggest that the telecommuting request should be denied.

The discretionary factors that relate to approval or denial of a request regarding an appropriate project, include the following:

1. Recent employee performance
2. Office coverage problems
3. Employee has other duties to perform
4. Need for face-to-face communication with employees on this or other matters
5. Employee needs access to classified material or large amounts of data that cannot be moved from the office or accessed remotely
6. Lack of adequate security at alternative workplace for CBI
7. Office, team, or other meetings are likely
8. Equitable distribution of opportunities to telecommute among the staff

If the project proposal is disapproved by the first-line supervisor, the e-mail response should cite one of these reasons or some other specific reason that led to the disapproval.