

**FISH AND WILDLIFE SERVICE
PERSONNEL**

Personnel

Part 226 Attendance and Leave

Chapter 4 Telework Program

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4.1 What is the purpose of this chapter? This chapter supplements the Department of the Interior's telework policy and provides guidance on the U.S. Fish and Wildlife Service's (Service) telework program.

4.2 What are the objectives of the Service's telework program? The objectives of our telework program are to:

- A. Improve quality of life for employees;
- B. Enhance the recruitment and retention of employees;
- C. Reduce Federal operating costs associated with office space and transportation;
- D. Employ and accommodate individuals with disabilities, including employees who have temporary or continuing health conditions or who may otherwise have to retire on disability;
- E. Help employees who are injured, recuperating, or physically limited to complete work assignments and minimize time away from the job;
- F. Reduce traffic congestion and preserve the environment;
- G. Support continuity of operations plans; and
- H. Increase employee productivity by allowing them to work in a quiet environment with minimal interruptions.

4.3 What is the Service's telework policy? Our policy is to:

- A. Use the Department's policy (see the *Telework Handbook*, October 2011) as our primary guidance for the telework program, and
- B. Provide eligible employees the maximum opportunity to telework in an alternate workplace when doing so is consistent with our mission.

4.4 What are the authorities for this policy?

- A. The Department's *Telework Handbook*, October 2011.
- B. The Department of Transportation Appropriations Act of 2001 (Public Law 106-346).
- C. The Telework Enhancement Act of 2010 (Public Law 111-292).
- D. Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR 2635, Subpart G).

4.5 What is telework? Telework is:

- A. An agreement between an employee and his/her supervisor that allows the employee to work at an alternative worksite (e.g., the employee's home) on an established or intermittent schedule,
- B. A management option rather than an employee entitlement,
- C. Voluntary, and

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D. Not a substitute for child care, elder care, or personal leave.

4.6 Who is responsible for implementing the telework program in the Service?

A. Members of the **Service Directorate** are responsible for implementing the telework program according to the Department's policy and this chapter.

B. The **Regional and Headquarters (HQ) Human Resources Officers**:

(1) Provide overall Departmental and Service policy guidance for the program, and

(2) Designate a Regional/HQ Telework Coordinator.

C. **Telework Coordinators** are located in the servicing Human Resources offices and:

(1) Provide advice and information about the telework program to employees, supervisors, and senior level officials;

(2) Ensure that teleworkers and their supervisors review and sign Telework Agreements; and

(3) Maintain files of agreements, checklists, and other telework-related documents for the teleworkers under their areas of responsibility.

D. **Second-level supervisors** must concur on all decisions to deny or cancel telework agreements.

E. **First-level supervisors**:

(1) Evaluate employee requests for telework participation in a fair and equitable manner and according to office needs and qualification requirements.

(2) Approve or disapprove employees' requests to telework. First-level supervisors must seek concurrence from their supervisors (see section 4.6D above) before denying an employee's request to telework.

(3) Review the Telework Agreement ([DI-3457](#)), which describes the terms and conditions of the telework arrangement, with the employee. Sign the agreement and ensure the employee signs the agreement before allowing telework to begin.

(4) Coordinate with any other officials who must approve or disapprove the telework arrangement.

(5) Ensure that employees follow policies and procedures about:

(a) Safeguarding records;

(b) Accountability for Government property, records, and documents; and

(c) Work-related injury or illness.

(6) Discuss with the teleworker what Government-furnished equipment and employee-furnished equipment the teleworker will be using and document that information in the Telework Agreement.

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- (7) Reconsider an employee's participation whenever:
- (a) Performance falls below a "Fully Successful" performance level,
 - (b) Customer service is adversely affected,
 - (c) Leave restrictions become necessary, or
 - (d) Conduct issues arise.
- (8) Notify employees about whether they are eligible to telework when they enter a position.
- (9) Complete supervisory telework training before an employee starts telework.
- (10) Maintain a copy of the completed Telework Agreement ([DI-3457](#)) for each employee who teleworks.

F. Employees seeking telework arrangements must:

- (1) Complete a Telework Agreement ([DI-3457](#)) and give it to the supervisor for approval.
- (2) As part of completing the Telework Agreement ([DI-3457](#)), assess their alternative worksite and complete the safety checklist.
- (3) Follow established procedures for:
 - (a) Requesting leave;
 - (b) Obtaining approval for working overtime, compensatory time, or credit hours;
 - (c) Standards of conduct; and
 - (d) Accountability of Government property.
- (4) Adhere to the Service Information Technology Security and the Acceptable Use policy, including the use of Government-furnished equipment, software, e-mail, and connectivity to the Service network.
- (5) Contract with and make payments to an Internet service provider for broadband-class connectivity, such as cable modem or DSL.
- (6) Complete mandatory employee telework training before starting telework.

4.7 What is the process for employees to get approval to telework? First, the employee's first-level supervisor must support an employee's request to telework. If the supervisor supports the request:

- A. The employee and supervisor must complete a Telework Agreement ([DI-3457](#)).
- B. After completing the agreement, the employee and supervisor must complete telework training before telework can begin.

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C. If the first-level supervisor denies a request to telework, he/she must have the concurrence of the second-level supervisor and explain why to the employee. The denial must be business/mission related and not personal.

4.8 What are the different types of telework schedules? A telework schedule may include core or situational telework.

A. Core telework is an approved work schedule where an employee works at an alternative worksite on a routine or regular basis for one or more days per week.

B. Situational telework is an approved work schedule where an employee works at an alternative worksite on an occasional or intermittent basis. Situational telework may also be used in inclement weather conditions. Even for situational telework, the employee must have an approved Telework Agreement in place before teleworking.

4.9 What are the job characteristics most appropriate to teleworking? The jobs most suitable for teleworking have work activities that are portable and can be performed effectively at the alternative worksite, including jobs that have some of the following characteristics:

A. Writing, reviewing, or editing proposals or reports;

B. Data analysis and computer-oriented tasks such as programming, data entry, and word processing;

C. Telephone-intensive tasks and information research; and

D. Tasks that are easily quantifiable, primarily project-oriented, have clearly defined performance measures, and do not require proprietary data.

4.10 How do supervisors determine who is eligible to telework and who may participate in telework? The Telework Enhancement Act of 2010 makes a clear distinction between eligibility to telework and participation in teleworking.

A. Determining Eligibility: With the exception of three categories of employees, all Federal employees (including supervisors) are eligible to telework. The three exceptions are employees who:

(1) Have been officially disciplined for being absent without permission for more than 5 days in any calendar year;

(2) Have been officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch (for reviewing, downloading, or exchanging pornography, including child pornography, on a Federal computer or while performing Federal Government duties); or

(3) Are performing at less than a "Fully Successful" performance level.

B. Determining Participation:

(1) Just because an employee is eligible, does not mean a supervisor must automatically approve his/her participation in telework. Participation depends on a number of things, including:

(a) Duties of the position (e.g., the need to interact in-person with colleagues);

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(b) Access/use of classified or personally identifiable information; and

(c) Other factors even if the employee is technically able to telework (e.g., office coverage, training needs, customer service needs, etc.).

(2) The first-level supervisor must notify employees of their eligibility to participate in telework within 60 calendar days of starting a new job. This requirement includes employees new to the Service and transfers from other positions within the Service.

4.11 If a supervisor finds an employee ineligible to telework, how long does the period of ineligibility last? The period of ineligibility for telework depends on the type of adverse action taken against the employee.

A. If a non-permanent document is in the employee's official personnel file, the employee is ineligible to telework until the document is removed.

B. If a permanent document is in the employee's official personnel file, the employee is ineligible to telework for 2 years from the date of the event that caused the document to be created. At the end of that 2-year period, the supervisor, after consultation with the servicing Human Resources Officer, may allow the employee to telework or continue to deny it.

4.12 What does the Service provide to the teleworker?

A. Supervisors may provide teleworkers with a Government computer (e.g., laptop) and other computer equipment (e.g., printer, copier, scanner, and facsimile), telecommunications, and associated technical support necessary for mission accomplishment. Employees do not have to use Government equipment for teleworking.

B. Supervisors determine an employee's needs by considering factors such as the teleworker's job requirements, frequency of telework, budget, and other work-related parameters.

4.13 What basic principles and guidelines should all employees and supervisors understand before considering telework arrangements? Table 4-1 summarizes the principles and guidelines for teleworkers.

Table 4-1: Teleworking Principles and Guidelines	
A. Summary of Principles	
(1) Teleworking is a management option. Employees are not entitled to telework.	
(2) Supervisors determine if an employee may participate in telework.	
(3) Participation is voluntary. We may not require an employee to telework, except in emergencies.	
(4) For bargaining unit employees, labor relations obligations must be fulfilled first.	
(5) A written Telework Agreement is required.	
(6) Employees must complete training before teleworking.	
(7) Supervisors certify time and attendance for teleworkers.	
(8) Teleworking must not adversely affect the organization's mission and functions, and supervisors may terminate or revise teleworking agreements any time this occurs.	
(9) If an employee fails to meet his/her obligations in a Telework Agreement, the supervisor (with concurrence of the second-level supervisor) may suspend or revoke teleworking privileges and may propose disciplinary action.	
B. Summary of Guidelines	
(1) A teleworker's official duty station is the location of the regular worksite for the employee's position	

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Table 4-1: Teleworking Principles and Guidelines

- (i.e., the place where the employee would normally work absent a Telework Agreement), as long as the employee is scheduled to report physically at least twice a pay period on a regular and recurring basis to that regular worksite.
- (2) A teleworker's official duty station is the telework site (i.e., home, telework center, or other alternative worksite) if the employee is not scheduled to report at least twice a pay period to the official duty station.
- (3) A teleworker's location-based pay entitlements (such as locality payments and special rate supplements) do not change as long as the employee works at his or her official duty station at least twice a pay period.
- (4) An employee's official duty station must be documented on the employee's Notification of Personnel Action (SF-50).
- (5) Employees agree to:
- (a) Refrain from conducting personal business during duty hours.
 - (b) Follow established office procedures for getting approval of leave, overtime, etc. and for personal use of office equipment.
 - (c) Protect and secure Government-owned equipment.
 - (d) Avoid removing classified, proprietary, or sensitive material from the official duty station.
 - (e) Permit Service representatives to access the alternative worksite during working hours.
 - (f) Complete all work according to the Telework Agreement.
- (6) If working from home, employees must designate one area for official work to limit the Government's liability to that area.
- (7) Employees are bound by all conflict of interest regulations while working at the alternative worksite.
- (8) The Government is not responsible for operating costs associated with an employee using his or her home as an alternative worksite (such as home maintenance, insurance, or utilities).
- (9) Telework Agreements need to be updated as circumstances change (e.g., if the telework schedule changes). The supervisor and teleworker should work together to periodically evaluate the telework arrangement, make changes to the agreement as necessary, and re-sign the document.

4.14 Who can terminate a Telework Agreement? The employee or the first-level supervisor, with concurrence from the second-level supervisor, may terminate a Telework Agreement at any time. Non-bargaining unit employees may appeal a termination decision to the second-level supervisor when his/her supervisor terminates a telework arrangement. Bargaining unit employees should follow the procedures outlined in their contract. The supervisor must notify the Telework Coordinator when a telework situation ends.

4.15 What happens when a Telework Agreement is terminated?

A. The employee must return all Government files, records, reference materials, and Government-furnished equipment to the official duty station.

B. The employee resumes working at the official duty station.

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