

# Marketing and Regulatory Programs

## Telework Program

Two decorative flourishes, resembling stylized calligraphic symbols or small icons, positioned below the word "Program" in the title.

# Topics of Discussion

- ☞ Eligibility
- ☞ Position Ineligibility
- ☞ Employee Ineligibility
- ☞ Participation
- ☞ Participation Types and Required Documentation
- ☞ Telework Agreement
- ☞ Employee Responsibilities
- ☞ Closures and Delayed Arrivals
- ☞ Credit Hours
- ☞ Comp Time and Overtime
- ☞ Telework Week

# Telework

∞ The Telework Program allows agencies to meet the needs of a changing workforce by providing employees with increased workplace flexibilities. These flexibilities may address many needs which include:

- Reducing absenteeism
- Balancing work and family issues
- Alleviating traffic congestion, and
- Accommodating a medical condition
- Other benefits: increased productivity, higher morale, and quality of service.

Effective use of telework enables agencies to realize cost savings in terms of reduced real estate and physical space demands, utilities and transit subsidy costs and enhanced employee recruitment and retention.

# Eligibility

- ⌘ MRP begins with the presumption that all positions are appropriate for telework, unless the supervisor can document otherwise according to official duties not being suitable for work at an alternative worksite. MRP positions that are not suitable for core telework may still be suitable for ad-hoc telework or unscheduled telework on a case-by-case basis or an approved reasonable accommodation.

# Eligibility cont.

Employees must have:

- Approval of their immediate supervisor,
- Received a performance rating of at least fully successful,
- Portable work assignments,
- The technology and access to work materials,
- Completed mandatory telework training, and
- An approved Telework Agreement.

# Position Ineligibility

- ∞ Positions may be identified as ineligible for telework based on the following criteria:
- (1) Position duties require physical presence on a daily basis and do not include any portable or administrative work that can be accomplished from an alternative office or location.
  - (2) Position duties require access to specialized equipment on a daily basis, located at the traditional worksite and do not include and portable or administrative work that can be accomplished from an alternative office or location.
  - (3) Position duties require access to the handling of classified materials on a daily basis and do not include any portable or administrative work that can be accomplished from an alternative office or location.

# Employee Ineligibility

☞ Employees may be identified as ineligible for telework based on the following criteria:

- (1) **Performance.** An employees is ineligible for telework if they received a less than fully successful performance rating within the past 12 months and may remain ineligible for up to 12 months from the date of the documented performance rating.
- (2) **Conduct.** An employee is ineligible for telework due to conduct issues resulting in official, formal disciplinary action, as filed in the employee's OPF as a matter of personnel record, and may remain ineligible for up to 12 months from the date that the discipline became effective.

# Employee Ineligibility cont.

**Permanent Ineligibility:** An employee is permanently ineligible for telework if they have been formally disciplined for the following:

- (1) Violations of subpart G of the Standards for Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official duties; or
- (2) Being absent without permission for 5 or more days in any calendar year.

# Participation

- ☞ The type/category and amount of Telework suitable for eligible employees is a determination reserved for agency management. Supervisory decisions as to type/category and frequency of Telework participation, should be made on an individual, case-by-case basis, and should involve a discussion between the supervisor and employee.
- ☞ A teleworker's Official Duty Station (ODS) will remain unchanged as long as he/she reports to the assigned, traditional office at least 2 days each pay period.

# Participation cont.

- ✎ Approvals for short term, full-time Telework arrangements of 6 consecutive months or less for medical or other personal reasons do not require a change of ODS.
  - For short term medical conditions lasting 1 month or less, employees should consult with their supervisor who can approve a core Telework Agreement for up to 5 days per week.
  - For long term medical conditions lasting longer than 1 month, employees should consult with a Reasonable Accommodations Specialist.

# Participation cont.

- ⌘ No entitlement to regularly scheduled telework days.
- ⌘ May be modified, suspended or terminated by management when an employee no longer meets the eligibility criteria or performance obligation.
- ⌘ Management shall provide sufficient notice to allow employee's to make necessary arrangements.
- ⌘ Employees must notify the Transit Benefit Coordinator of the number of core telework days so his/her transit subsidy reflects the correct amount.

# Participation Types and Required Documentation

## ☞ Participation Types:

- **Core (Regularly Scheduled):** regular, recurring – maximum of 8 days per pay period
- **Ad-hoc (Situational):** irregular, as needed
- **Unscheduled:** Authorized in response to specific duty status issued by OPM or other authorized USDA officials for use during periods of inclement weather or other emergency situations, or with prior supervisor approval.

# Participation Types and Required Documentation cont.

## ☞ Required Documentation:

- MRP Form 3018, Telework Agreement
  - Will be updated to reflect changes made to USDA AD-3018 (still draft)

# Telework Agreement

- ☞ Terms & Conditions between the agency and the employee.
- ☞ Should be reviewed annually, changed as necessary.
- ☞ May be formally changed by either management or employee, with a minimum of two weeks advance written notice, except in emergency situations due to a shortened timeframes.

# Telework Agreement cont.

- Addresses several areas, including:
  - Official duty station and location, detailed description of work space,
  - Performance,
  - Pay, leave, and tours of duty,
  - Equipment, property, safety and security, and
  - Instances in which employees are expected/required to work.

# Employee Responsibilities

- Employees must code telework time according to the following guidelines:

## Transaction Code:

01-01 Reg Time Telework

01-01 Telework Other

29-29 Credit Hours Earned

32-32 Comp Time Earned

## Utilization:

Core Telework (Regular)

Ad hoc Telework

Credit Hours

Comp Time

- Notify supervisor if Teleworking when required (office closure) or opting to Telework when Unscheduled Telework is announced. Requesting unscheduled leave is also an option in either of these scenarios.

# Federal Offices are Closed

- ☞ The Office of Personnel Management has announced that Federal agencies in the Washington, DC area are **CLOSED**. This means that:
  - ☞ **Emergency employees** are expected to report for work on time unless otherwise directed by their supervisor.
  - ☞ **Nonemergency employees** with approved telework agreements are required to telework but will receive 2 hours of administrative leave, TC 66.

# Federal Offices are Closed cont.

The 2 hours of administrative leave may be used:

- In part, all or none depending on the employee's needs.
- At any time on the day of the closure.
- Only for weather-related emergencies such as, but not limited to, shoveling snow, burst pipes, elder/child-care issues, etc.

The administrative leave is to be used by those employees who were regularly scheduled to work a full day, e.g., 8, 9, or 10 hours, or regularly scheduled hours for a part-time employee. It is not to be granted to those employees who had previously approved leave for a full or partial workday.

# Federal Offices are Closed cont.

Employees are to notify their supervisor of:

- The amount of administrative leave to be used not to exceed 2 hours;
- The purpose it will be used for,
- The time of day it will be used, e.g., 10 am to 12 noon, 1pm to 2:30 pm., and;
- The need for additional leave in order to attend to the weather-related emergency.

# Federal Office are Closed cont.

- *Nonemergency employees* without telework agreements and those on preapproved leave will be granted administrative leave (TC 66) for the number of hours they were scheduled to work. For example, under maxiflex, if Monday is a regularly scheduled 8-hour day the employee will receive 8 hours of TC 66. A 9-hour day will receive 9 hours of TC 66. This does not apply to employees on leave without pay, leave without pay for military duty, workers' compensation, suspension, or in another nonpay status.
- Employees on alternative work schedules are not entitled to another AWS day off in lieu of the workday on which the agency is closed.

# Federal Offices Open Under a 2-Hour Delayed Arrival

- ☞ The Office of Personnel Management (OPM) has announced that Federal agencies in the Washington DC area will be **OPEN** under a **2-Hour DELAYED ARRIVAL** and employees have the **OPTION** for **UNSCHEDULED LEAVE** or **UNSCHEDULED TELEWORK**. For MRP employees this means:
- ☞ **Emergency employees** are expected to report to their worksite on time unless otherwise directed by their supervisor.

# Federal Offices Open Under a 2-Hour Delayed Arrival cont.

- Non-emergency employees:
- Must arrive to work no more than two (2) hours later than their normal arrival time. For example, with a 2 hour delayed arrival, if your employee normally begins work at 8am, than s/he must arrive by 10 am. If s/he arrives at 9 am, than s/he is entitled to 1 hour administrative leave. If s/he arrives at 9:45 am, than s/he is entitled to 1 hour 45 minutes of administrative leave.
- Must code the delay as TC 66, administrative leave.

# Federal Offices Open Under a 2-Hour Delayed Arrival cont.

## ☞ Non-emergency employees:

- ☞ Arriving later than the permitted 2 hours, must be charged leave, e.g., annual leave, earned credit hours, earned compensatory time off in lieu of overtime pay, earned compensatory time off for travel, leave without pay, for the excess time. For example, with a 2 hour delayed arrival, if the employee's regularly scheduled tour was to start at 7 am, this meant that s/he was to report by 9am. If the employee was unable to report until 9:30 am then the T&A must reflect 2 hours administrative leave (from 7am – 9am) and ½ hour leave. Supervisors may grant administrative leave for the excess time for unusual circumstances or hardships.

# Federal Offices Open Under a 2-Hour Delayed Arrival cont.

## ☞ Non-emergency employees:

☞ May use unscheduled leave or unscheduled telework. Eligible employees must notify their supervisor of their intent to:

- Use annual leave, earned compensatory time off in lieu of overtime pay, earned compensatory time off for travel, earned credit hours or leave without pay. For example, if an employee was regularly scheduled to work a 9-hour day, then s/he must take 9 hours of leave. The employee is not entitled to administrative leave, or

# Federal Offices Open Under a 2-Hour Delayed Arrival cont.

## ☞ Non-emergency employees:

- ☞ May use unscheduled leave or unscheduled telework. Eligible employees must notify their supervisor of their intent to:
  - .....or
  - Telework from home on a non-telework day, if the employee has a telework agreement in place. Employees *scheduled to telework* must begin telework on time or request unscheduled leave. All telework employees must begin telework on time. Supervisors may grant a reasonable amount of administrative leave (TC 66) to such employees to take care of individual hardships or unique circumstances, e.g., child or elder care responsibilities.

# Federal Offices Open Under a 2-Hour Delayed Arrival cont.

- ☞ **Non-emergency employees:**
- ☞ May substitute an Alternative Work Schedule (AWS) day off for the unscheduled leave day;
- ☞ May use scheduling flexibilities during the remainder of the pay period to make up time taken as unscheduled leave, or
- ☞ May request sick leave, if appropriate.

# Credit Hours are...

- ☞ Voluntarily earned. Employees may carry up to 24 hours on the books. Anytime over 24 hours is “donated time.”
- ☞ Earned in HQ Mon – Fri, between 6 am & 6 pm once 80 hrs is reached. Field units may adopt these hours or may be expanded further depending on local mission requirements.
- ☞ Earned in HQ on Saturdays between 8 am – 6 pm without regard to the 80 hour rule. Field units may earn credit hrs between 6 am & 6 pm on Saturdays.

# Credit Hours are cont...

## **Monday – Friday:**

APHIS: No prior approval required unless Program or supervisor has issued written internal policy.

AMS/GIPSA: Requires prior approval.

## **Saturdays:**

AMS, APHIS & GIPSA require prior supervisory approval.

# Comp Time and Overtime

- ☞ Comp Time and Overtime can both be earned while teleworking.
- ☞ Overtime hours are those hours in excess of 8 hours in a day or 40 hours in a week that are **officially ordered and approved by management in advance of the work being performed**, but do not include credit hours.
- ☞ Work performed at the **option** of the employee in excess of 8 hours in a day or 40 hours in a week that is not in excess of the 80-hour biweekly work requirement is not overtime work.

# Comp Time and Overtime cont.

It the Employee's Tour of Duty is:	Can the employee earn compensatory time for:		Can the employee be <u>required</u> to take compensatory time if:		
	Regular overtime	Irregular or occasional overtime	Pay is more than GS-10, step 10 (FLSA-exempt)	Pay is GS-10, step 10 or less (FLSA-exempt)	He/She is FLSA-non exempt
A flexible work schedule	Yes	Yes, but only for irregular and occasional OT	Yes	No, employee must request it in writing.	
Other than a flexible work schedule	No	Yes, but only for irregular and occasional OT <sup>17</sup>	Yes	No, employee must request it in writing.	

# Telework Week

- ⌘ A global initiative during which eligible employees are encouraged to “take the pledge” and telework some portion of the week. Anyone with an approved telework agreement, both core/regularly scheduled and ad-hoc/situational, can take the pledge.
- ⌘ Employees on a core/regularly scheduled telework agreement can pledge to telework on their scheduled day(s), or include additional days, with supervisor approval. With supervisor approval, employees on an ad-hoc/situational agreement can pledge to telework sometime during the week, even on a partial-day basis.

# Telework Week cont.

- ☞ Employees and Supervisors should work closely on this to ensure that any participation in this event is coordinated effectively, and that the completion of day to day work and organizational mission remain the primary focus.
- ☞ When you pledge, you will see an estimate of your savings and the environmental impact of your participation.
- ☞ USDA has been a strong supporter of Telework Week for the past 4 years.

# Important Links

- MRP Telework Website:

[http://inside.aphis.usda.gov/mrpbs/hr\\_telework.shtml](http://inside.aphis.usda.gov/mrpbs/hr_telework.shtml)

- MRP HRDG's for Premium Pay, Tours of Duty, and Absence and Leave:

[http://www.aphis.usda.gov/wps/portal/aphis/ourfocus/business-services?1dmy&urile=wcm%3apath%3a%2FAPHIS\\_Content\\_Library%2FSA\\_Our\\_Focus%2FSA\\_Business\\_Services%2FSA\\_Publications%2FSA\\_HR\\_Desk\\_Guide](http://www.aphis.usda.gov/wps/portal/aphis/ourfocus/business-services?1dmy&urile=wcm%3apath%3a%2FAPHIS_Content_Library%2FSA_Our_Focus%2FSA_Business_Services%2FSA_Publications%2FSA_HR_Desk_Guide)

# Questions

## ☞ Telework Policy

- Tara Coker, MRP Telework Coordinator, (301) 851-2883
- Terri Henry, GIPSA Telework Coordinator, (202) 205-8281

## ☞ Leave and Compensation POC's

- Cindy Hadlich, HRO, (612) 336-3310
- Lisa Roach, HRO, (612) 336-3314
- Deb Thilgen, HRO, (612) 336-3316
- Kris Wagner, HRO, (612) 336-3317

## ☞ Pay, Leave & Tours of Duty Policy

- Nella Roberts, HRPB, (301) 851-2910