



**Headquarters Air Force
Civilian Force Policy Division
AF/A1CP
March 2020**

TELEWORK FACT SHEET

This fact sheet provides information for civilian employees, supervisors, and managers concerning the Air Force Telework Program, including recent clarifications and flexibilities resulting from the COVID-19 outbreak response.

References:

- Public Law 111-292, Telework Enhancement Act of 2010
- Public Law 106-346, 23 October 2000
- United States Office of Personnel Management's *Guide to Telework in the Federal Government*, April 2011
- Department of Defense Instruction (DoDI) Number 1035.01, 4 April 2012, Telework Policy
- DoDI1035.01_AFI36-816, Civilian Telework Program, 29 October 2018

DEFINITIONS

- Telework eligible – A job position and employee with characteristics that identify suitability for teleworking as determined by the supervisor or other appropriate management official in the employee's chain of command.
- Telework ready – When an employee and their supervisor have completed the required training, completed the DD Form 2946 (DoD Telework Agreement), and possess the necessary equipment and infrastructure (e.g., laptop, internet access, etc) in order to perform work at home or another alternative worksite.
- Routine telework – An approved work arrangement where eligible employees work at an alternative worksite as part of an ongoing, regular, and recurring schedule, typically on an approved day or days during a bi-weekly pay period.
- Situational telework – Telework that is approved on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing and regular telework schedule (e.g., telework as a result of inclement weather, medical appointment, special work assignments, or to accommodate special circumstances). Telework is also considered situational even though it may occur continuously for a specific period and is also referred to as episodic, intermittent, unscheduled, or ad hoc telework.

- Emergency Situation Telework – Telework performed in an employee’s home or alternative worksite during a crisis situation or emergency event by those employees who perform duties in support of mission requirements during crisis situations or contingencies.
- Unscheduled telework – A specific form of situational telework where an employee on an approved telework agreement performs assigned official duties at home or another approved worksite when Government offices are closed due to an emergency event or open, but severe weather conditions or other circumstances disrupt commuting and compromise employee safety.

GENERAL TELEWORK GUIDELINES

TELEWORK ELIGIBILITY

- Position eligibility is determined by the supervisor. Supervisors should consider nature of work to be performed, and assess whether permitting telework would diminish employee performance or the mission. However, when an employee’s position is ineligible for telework, there may be circumstances (such as emergencies or crises), or portions of employees’ work (some portable duties), when the employees in these positions may be considered for telework on an emergency or situational basis.
- Examples of portable work suitable for telework are reading reports; analyzing documents and studies; preparing written letters, memorandums, reports and other correspondence; setting up conference calls, and similar tasks that do not necessarily require that an employee be physically present at the regular worksite.
- Some positions are not typically suitable for telework. For example, those that require, on a daily basis, direct handling of secure materials; positions that require, on a daily basis, an on-site activity that cannot be handled remotely or at an alternative workplace (e.g. hands-on contact with machinery, equipment, or vehicles); and positions that require, on a daily basis, face-to-face personal contacts (e.g. direct patient care, counseling, teaching). Employees in positions determined not typically suitable for telework may become eligible to telework in an emergency situation if assigned functions are designated as mission-critical.
- Some employees are not typically eligible to participate in telework. For example, employees whose performance or conduct warrants closer supervision than telework may provide; employees whose last performance rating of record is below fully successful (or its equivalent); employees whose conduct resulted in disciplinary action within the past 12 months; and employees recently assigned or newly appointed to trainee or entry level positions.
- Telework is a discretionary workplace flexibility. Employees are not entitled to telework. Conversely, typically employees cannot be ordered to participate in a telework program, unless the employee’s duties are designated as mission-critical, and the employee is

required to report to an alternative worksite or the employee's telework agreement addresses this requirement.

TELEWORK READINESS

- Prior to participating in the telework program, employees must complete the employee-designated telework training, and their supervisors must complete the supervisor-designated training. Training certificates should be kept in an employee's Supervisor Employee Brief folder.
- Employees and their supervisors must also complete the DD Form 2946, *DoD Telework Agreement*, prior to participation in the program. Completed DD Form 2946's should be maintained by supervisors. Telework agreements shall be reviewed at least every 2 years and revised when appropriate or necessary.
- In emergency or crisis situations, employees with mission-critical duties and those who may be required to telework in the case of a COOP event, office closure due to adverse weather, or pandemic health crisis shall have a DD Form 2946 in place. When telework eligibility is expanded, or employees who were not participating in telework are directed to do so, the employees shall be required to complete a DD Form 2946 and complete the required training as soon as possible. Supervisors will include a description of emergency duties if those duties are different from the employee's normal duties.
- During any period that an organization is operating under a COOP plan, that plan shall supersede the telework policy and the provisions of the telework agreement. In the event of a pandemic health crisis, employees with COOP responsibilities as well as employees who do NOT have COOP responsibilities, but who are trained and equipped to telework (including on a just-in-time basis), may be asked to telework to prevent the transmission of germs.

OFFICIAL WORKSITE

- Official worksite for an employee covered by a telework agreement is the location of traditional worksite for employee's position (i.e., place where employee would normally work absent a telework agreement), as long as employee is scheduled to report physically at least twice each biweekly pay period on a regular and recurring basis to the traditional worksite.
- When worksite is changed from official worksite to telework location in a permanent arrangement, a Standard Form 50, "Notification of Personnel Action," must be completed by the servicing human resources office. Telework arrangement must be approved by installation commander or equivalent.
- Employees are compensated based on location of their official worksite (i.e., when telework location is employee's official worksite, locality pay would be based on location of telework site, not the traditional worksite).

WORK SCHEDULES AND COMPENSATION

- Employees who telework must be at their alternative worksite (or other locations with supervisor's approval) during their scheduled tours of duty.
- Typically employees may not telework as a substitute for dependent care, e.g., child or elder care.
- Employees who telework may also have alternative work schedules at discretion of supervisor.
- Employees may work part of the day at their approved alternative worksite and part of the day at the traditional worksite to accommodate work schedules and personal commitments (e.g., to attend a training course or a medical appointment located near employee's alternative worksite prior to reporting to traditional worksite).
- Premium pay provisions that apply to work at traditional worksite also apply to employees who telework. Employees may work overtime only when specifically ordered and approved in advance by the supervisor.

TIME AND ATTENDANCE

- Time spent working, whether at the worksite or in telework status, must be accounted for and reported appropriately, (e.g. in ATAAPS or other organizational official timekeeping system.)
- Supervisors must ensure that hours spent teleworking are appropriately coded in the timekeeping system; in ATAAPS, telework hours are coded as "RG", with the subcode of either "TS" for situational/ad hoc, "TM" for medical, or "TW" for regular/scheduled.

PERFORMANCE MANAGEMENT

- Teleworkers and non-teleworkers shall be treated the same for the purpose of work requirements, periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade, retaining and removal, and other acts requiring management discretion.
- Performance standards for employees that telework should be the same as performance standards for on-site employees.
- As with any supervisory relationship, work assignments to be performed or training to be accomplished while on telework should be agreed to, and understood, in advance of telework event.
- Supervisor's expectations of an employee's performance should be clearly addressed in the DD Form 2946. As with on-site personnel, employees shall be held accountable for the results that they produce while teleworking.
- Supervisors shall communicate expectations of telework arrangements, including work assignments, office coverage, and staff communication to teleworking and non-teleworking employees in the workgroup.
- Supervisors must have procedures in place to maintain communication across all members of a workgroup.

- Supervisors are responsible for the effective functioning of the workgroup. However, employees are responsible for their availability and information sharing with the workgroup.
- Supervisors and employees are responsible for ensuring the success of the telework arrangement.

TELEWORK DENIAL AND TERMINATION

- A telework request may be denied by the supervisor. A telework agreement may be terminated at discretion of supervisor or at employee's request.
- When an employee's request to telework is denied or an agreement is terminated by supervisor, reasons for denial or termination should be documented in writing and given to employee.
- Denial of telework agreements should be based on business reasons (e.g., telework agreement fails to meet organization's needs or employee's performance does not meet prescribed standards).
- Supervisors are encouraged to discuss action with servicing Employee Relations Specialist prior to denying or terminating a telework agreement.
- Employees may dispute denial of telework, reasons given for denial, and termination of an existing telework agreement through Air Force Instruction 36-1203, Administrative Grievance System, 1 May 1996; bargaining unit employee may file a grievance through appropriate negotiated grievance procedures.

COVID-19 FLEXIBILITIES AND SPECIFICS

- The Telework Enhancement Act of 2010 states that "each executive agency shall incorporate telework into the continuity of operations plan (COOP) of that agency." If an agency coop is in operation, that plan "shall supersede any telework policy." Therefore, all commanders should immediately review their current COOP plans to ensure that telework has been fully incorporated and that as many employees as possible have been identified as telework employees in the plan. Updates may be made to the plans as necessary on a just-in-time basis. Commanders should also ensure that a review is conducted of employee position eligibility for telework to ensure they are maximizing the number of employees who can continue mission essential functions.
- During a COOP activation, commanders may expand the pool of telework eligible employees and may direct that employees telework. Those employees who were not previously telework ready should be made telework ready on a "just-in-time basis" and should complete the required training and DD Form 2946 as soon as possible.
- Even though employees typically may not telework as a substitute for dependent care, e.g., child or elder care, the Air Force has granted a limited exception to policy. Air Force civilian personnel performing telework during an emergency (e.g. continuity of operations event, office closure due to adverse or inclement weather, or pandemic health crisis) are authorized to do so with a child or other persons requiring care or supervision present at home. Employees must still account for work and non-work hours during their tour of duty and take appropriate leave (paid or unpaid) to account for time spent away from normal work-related duties (e.g. to care for a child or dependent.)

- Commanders are encouraged to extend telework flexibilities broadly to accommodate state and local responses to the COVID-19 outbreak, including school closures, and particularly to those persons susceptible to COVID-19.
- Commanders are encouraged to maximize telework flexibilities to those populations that the CDC has identified as being at higher risk for serious complications from COVID-19 and to CDC-identified special populations including pregnant women. These CDC-identified populations include older adults and individuals who have chronic health conditions, such as high blood pressure, heart disease, diabetes, lung disease or compromised immune systems. Supervisors do not need to require certification by a medical professional and may accept self-identification by employees what they are in one of these populations.
- Commanders are further encouraged to approve leave for safety reasons (annual leave, LWOP, advanced leave) to employees who are at higher risk as identified by the CDC and are not or cannot be rendered telework eligible and ready. Commanders may also grant weather and safety leave due to a “condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location” (5 U.S.C. § 6329c(b)). Because COVID-19 prevents employees who are at higher risk from safely traveling to or performing work at an approved location, these employees may be granted safety leave at the commander’s discretion (if they cannot be rendered telework eligible/ready). Additionally, to help prevent community transmission, commanders have the discretion to approve weather and safety leave to any of their assigned personnel.
- In determining their telework and leave decisions, commanders should consider the mission-critical nature of their work.

QUESTIONS AND ANSWERS

Q1. How do employees find out if their positions are eligible for telework and if they are eligible to participate?

A1. Supervisors are responsible for informing employees of their position telework eligibility as well as employee participation status.

Q2. Can employees who are teleworking due to COVID-19 be required to return to the traditional worksite?

A2. Yes. A supervisor may determine at any time to recall an employee to the worksite for mission needs and this is not considered a termination of the telework agreement.

Q3. Can employees who participate in telework arrangements use their personal home computers if the organization cannot provide laptops due to the quantity of people teleworking?

A3. Yes, but the personal computers must comply with the criteria and guidelines for using personal equipment established by the DoD CIO and Air Force requirements. The Air Force may provide a CAC reader and software in order to ensure user identification and authentication requirements are met. Employees are responsible for the installation, repair, and maintenance of all personal equipment and other incremental costs associated with the residential workplace. Operating costs associated with employee using his/her personal residence as the alternative worksite including home internet service provider, home maintenance, insurance, or utilities (e.g., heat, electricity) will not be assumed by Air Force.

Q4. Are employees covered by Workers' Compensation when injured or suffering from work-related illnesses while conducting official Air Force business at the telework location?

A4. Yes. Employees are required to report injury to supervisor as soon as possible.

Q5. Who provides office supplies for employees who telework?

A5. Employee's supervisor may provide office supplies, such as paper, toner, printer ink, etc., the same way as the traditional worksite on a situational basis when practicable.

Q6. What time card codes should be used for Teleworking during the COVID-19 outbreak?

A6. Which code to use will depend on what type of telework is being performed on a given day. Typically, the codes are as follows:

TW – Telework Regular. An approved telework schedule where an employee regularly works at least twice per biweekly pay period at an alternate worksite;

TS – Ad hoc/Situational. An approved telework arrangement performed on an occasional, one-time, or irregular basis; telework of less than one day per pay period is considered as ad hoc. This code would be appropriate for times when an employee would not otherwise have been teleworking, but is doing so due to the COVID-19 outbreak;

TM – Telework Medical. An approved telework arrangement for a particular employee as a reasonable accommodation under the American Disabilities Act. Before using TM code, supervisor should consult with servicing Employee Relations Specialist for additional information.

Q7. My employee just returned from an affected area and I do not want them to come into the office until I know they do not present a safety risk. As a supervisor, what can I do?

A7. Supervisors should identify whether the employee is telework-ready, or can be made telework-ready on a just-in-time basis, and offer the employee the option to telework. If the employee is not telework-ready because, for example, they cannot perform their duties at an alternate location, then the supervisor should consider utilizing Weather and Safety Leave (please review the section below on the appropriate use of Weather and Safety Leave), administrative leave, or other leave flexibilities (paid or unpaid) available. DoD Components may also combine telework and various leave flexibilities when the employee may perform some of his or her duties at an alternate worksite. Additionally, the Office of Management and Budget (OMB) memorandum, "Updated Guidance on Telework Flexibilities in Response to Coronavirus," dated March 12, 2020, encourages supervisors to extend telework flexibilities broadly to accommodate state and local responses to the COVID-19 outbreak, particularly to those persons susceptible to COVID-19. In rare cases, an employee may not have a telework agreement or wish not to telework. See Question #10 below for information on when an agency may order an employee to telework.

Q8. What options are available for civilian personnel if schools are closed?

A8. Civilian personnel may telework even when a child or dependent requiring care or supervision is present at the alternative worksite. Air Force granted a temporary waiver of policy to allow employees to telework in this situation. Where an employee is teleworking

and providing care to a child or dependent during duty hours, the employee must account for this time using appropriate leave as approved by his or her supervisor. For example, an employee who feeds and supervises a young child multiple times during the day will need to take leave or, if on a flexible work schedule, adjust his or her hours. Commanders and supervisors are encouraged to extend telework flexibilities more broadly to accommodate state and local responses to the outbreak, including, but not limited to, school closures. Commanders and supervisors may also authorize alternative work schedules that allow employees to complete their tour of duty in less than 10 days if applicable. For example, a maxiflex schedule would allow an employee to meet his or her basic work requirement for a biweekly pay period on fewer than 10 days and vary the number of hours worked on a given workday. (Note that changes to alternative work schedules is subject to collective bargaining.)

Additional tools available include annual and advanced annual leave, compensatory time, credit hours, and other leave flexibilities. Weather and safety leave would not be appropriate *under these facts alone*.

Q9. Can an Agency continue to drug test their employees while they are on telework status if drug testing is a condition of their employment?

A9. Continued drug testing is at the Agency's discretion. Please consult your drug testing coordinator for additional information.

Q10. Can a commander or supervisor mandate an employee to telework who is not on a telework agreement?

A10. Yes, under the following scenarios an agency may order an employee to telework whether or not the position is telework eligible or the employee voluntarily enters into a telework agreement:

- The agency includes in their COOP that employees are required to telework and the agency activates the COOP. (COOPs may be amended as necessary on a just-in-time basis.)

- A pandemic has been declared by the World Health Organization and the DoD Component issues an evacuation order to an alternative worksite (e.g. home).

Q11. If employees mandated to be on telework do not have enough work, for example because duties also include working with classified information and systems, how should they report time and attendance for the actual telework time as well as the time when there is no work available?

A11. Hours spent actually teleworking would be coded as Situational or Regular Telework for the hours or days worked. When employees who have been mandated to telework are unable to telework due to a lack of available work, Weather and Safety Leave would be appropriate.

Q12. I would like to direct telework for an asymptomatic employee. Do I have the authority to do so?

A12. If the employee's telework agreement does not include an option for the supervisor to direct the employee to telework, then the supervisor may only direct an employee to telework under the two situations identified in Question #10 above.