

SUMMARY of CHANGE

ER 690-1-1215

United States Army Corps of Engineers (USACE)

Human Resources: TELEWORK PROGRAM

This administrative revision, dated 10 May 2021—

- o Updates the references
- o Updates the definitions

CEHR

Regulation
No. 690-1-1215

13 May 2021

Human Resources
TELEWORK PROGRAM

Supplementation to this regulation is required in regulation format. U.S. Army Corps of Engineers (USACE) Commanders will provide a copy of their local command regulation to CEHR, 441 G Street NW, Washington, DC 20314-1000, through chain of Command channels.

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* This regulation supersedes ER 690-1-1215, dated 10 March 2021

1. Purpose. This regulation prescribes policies, assigns responsibilities, and outlines procedures for participation in the USACE Telework Program.
2. Applicability. This regulation applies to all USACE elements, including Headquarters USACE, Major Subordinate Commands (MSCs), Districts, Laboratories, Centers, and Field Operating Activities (FOAs). In the event of a conflict between a Collective Bargaining Agreement (CBA) and this regulation, the provision(s) of the negotiated CBA will prevail until and unless changes to that CBA are negotiated or the CBA is no longer in force. MSCs and District Commanders have authority to maintain local established policy that does not conflict with this regulation.
3. Distribution Statement. Approved for public release; distribution is unlimited.
4. References.
 - a. The ADA Amendments Act of 2008 (Public Law 110-325, ADAAA). (<https://www.eeoc.gov/laws/statutes/adaaa.cfm>)
 - b. Executive Order 15871 (Planning for Federal Sustainability in the Next Decade). (<https://obamawhitehouse.archives.gov/the-press-office/2015/03/19/executive-order-planning-federal-sustainability-next-decade>)
 - c. Office of Personnel Management, Apr 11, Guide to Telework in the Federal Government. (<https://www.telework.gov/guidance-legislation/telework-guidance/telework-guide/guide-to-telework-in-the-federal-government.pdf>)
 - d. Office of Personnel Management, Nov 18, Governmentwide Dismissal and Closure Procedures. (<https://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/dcdismisal.pdf>)
 - e. Department of Defense Instruction 1035.01 (Telework Policy) (<https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/103501p.pdf>)
 - f. Memorandum, U.S. Army Corps of Engineers, 11 Sep 18, subject: Safe Haven Evacuation Orders for Civilian Employees CONUS and Non-foreign OCONUS Locations Due to a Disaster or Emergency.
 - h. Memorandum, U.S. Army Corps of Engineers, 30 Nov 09, subject: Civilian Personnel Time and Attendance Policy.
 - i. DCPAS Message 2020112, Department of State's Domestic Employees Teleworking Overseas Policy Guidance, October 16, 2020 (APPENDIX D).

j. 3 FAM 2370 Domestic Employees Teleworking Overseas, dated 14 May 2020 (<https://fam.state.gov/fam/03fam/03fam2370.html>).

5. Records Management (Recordkeeping) Requirements. Records management requirements for all record numbers, associated forms, and reports required by this regulation are included in the Army's Records Retention Schedule – Army (RRS-A). Detailed information for all record numbers, forms, and reports associated with this regulation are located in the RRS-A at <https://www.arims.army.mil>.

6. Policy

a. USACE leadership actively supports and encourages the telework program to the maximum extent possible for Service Members and USACE Civilian employees (hereafter referred to as employees) referenced in section 8 of this regulation to affirm our commitment to the work/life balance of our USACE workforce and to ensure continuity of operations to our stakeholders during an emergency.

b. USACE leadership and workforce must both ensure that the performance of telework occurs without degradation of performance and without jeopardizing mission operations and readiness.

7. Telework Applicability. Telework can be used as:

a. Regular and recurring. 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.

b. Situational, non-routine, or ad hoc. An approved, limited arrangement under which eligible employees work at an alternative worksite:

(1) To perform specific assignments, projects, or to accomplish job tasks that require concentration and uninterrupted blocks of time for successful completion.

(2) To complete web-based distance and continuous learning, including educational requirements required by law or regulation.

(3) When severe weather conditions or other circumstances that disrupt employees commute or compromise employee safety and the official duty station is closed, including when the Office of Personnel Management (OPM) announces that Government offices in the employees' location are open with the option for unscheduled telework.

(4) Other suitable situations, such as, in conjunction with a partial workday and leave.

c. An approved reasonable accommodation for employees with disabilities. The Department of Defense (DoD) Computer/Electronic Accommodations Program may provide services and

accommodations (e.g., assistive devices and technology) for employees with impairments teleworking under an approved telework arrangement. In the case of covered employees, telework arrangements may be a form of reasonable accommodation. Requests for reasonable accommodation are outside the scope of this regulation and should be addressed consistent with applicable regulations, policies, and procedures.

d. Periodic conduct of/participation in an approved exercise to ensure telework effectiveness as it relates to continuing operations in the event of a crisis or national emergency.

8. Telework Eligibility.

a. Supervisors will determine the eligibility of all positions and employees to participate in telework. Eligible employees may be permitted to telework to the maximum extent possible without diminished individual or organization performance. All employees will be notified of their eligibility to telework.

b. Eligibility is discretionary and determined by the relevant commander's or supervisor's assessment of mission requirements.

c. Telework eligibility criteria should be applied impartially and consistently without prohibited factors being considered, such as race, color, gender, age, marital status, national origin, religion, reprisal, disability, or genetic information.

d. Supervisors should allow maximum flexibility for employees to telework to the extent that mission readiness or accomplishment is not compromised. Regular, routine use of telework programs will allow supervisors and employees to identify and resolve technology, equipment, communications, workflow, and associated issues that could impact the efficiency of mission accomplishment and inhibit the transparency of telework work.

e. Telework is a discretionary workplace flexibility. Telework is encouraged and may even be ordered where 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 contains this requirement. Employees may also be required to telework in temporary emergency situations. In certain situations, based on the following criteria, positions or employees may be identified as ineligible for telework. However, when an employees' position is ineligible for telework, there may be circumstances or portions of employees' work (e.g., reading and analyzing documents, and preparing reports or other types of correspondence) when the employees in these positions may be considered for telework on a situational basis. The following are situations where the position or employee may not be eligible for telework:

(1) The position requires access to classified material on a regular basis.

(2) The position requires on-site activity or face-to-face contacts on a regular basis.

(3) Employees whose performance or conduct warrants closer supervisory direction than telework may permit, including employees (i) whose rating of record is below fully successful

(or its equivalent); (ii) whose conduct has resulted in disciplinary action within the past 12 months; or (iii) who have unresolved security issues that might influence telework eligibility (e.g., based on personal conduct, handling protected information, or use of information technology information systems).

(4) Employees who are pending ongoing disciplinary actions.

f. Employees in positions determined not ordinarily suitable for telework, as cited in subparagraphs 8.e.(1) through (4), may become eligible to telework in an emergency situation if their functions are designated as mission critical.

g. Supervisors will review the criteria at subparagraphs 8.e.(1) through (4) of this policy to determine employee eligibility to participate in telework on either a regular or situational basis.

h. Employees will not be authorized to telework if:

(1) The employee has been officially disciplined for being absent without permission for more than five days in any calendar year.

(2) The employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing Federal Government duties consistent with the guidance set forth in section 2635.704 of title 5, Code of Federal Regulations (per reference a).

9. Telework Requirements

a. Supervisor Functions.

(1) Determine position and employee eligibility for regular and recurring or situational telework consistent with the requirements of paragraphs 8.a. through 8.h.

(2) Notify employees of their eligibility to telework.

(3) Complete telework training prior to approving employees telework agreements and allow them to telework consistent with the requirements of this guidance.

(4) Approve or deny requests for telework based upon mission requirements, employee performance, current disciplinary actions, inappropriate work habits, and the needs of the workgroup. Complete, sign, and maintain a DD Form 2946, consistent with the requirements of subparagraphs 9.c. (1) through (6) when an employee's request to telework is approved. Base denial of telework requests on mission requirements, performance, conduct, or the needs of the workgroup (e.g., office coverage). Justify, in writing, the basis for the denial or termination of telework on the DD Form 2946. Include information about when the employee may reapply or actions that the employee should take to improve his or her chance of approval, when practicable.

(5) Ensure adequate worksite coverage during business hours so that mission operations continue to be carried out efficiently and effectively, and teleworkers and onsite employees are treated equitably.

(6) Ensure teleworkers are held accountable for Government Furnished Equipment (GFE).

(7) Terminate telework arrangements if an employee's performance or conduct does not comply with the terms of the telework agreement or if the teleworking arrangement fails to meet organizational needs.

(8) Review and validate telework agreements at least every two years. A new supervisor may re-evaluate telework agreements authorized by a previous supervisor.

b. Employee Functions.

(1) Complete telework training prior to entering into a written telework agreement consistent with the requirements of paragraph 9.l. of this regulation.

(2) Complete DD Form 2946 detailing the location of the alternative worksite consistent with the requirements of subparagraphs 9.c. (1) through (6). If requesting telework at home, designate one area in the home as the official workstation for purposes of telework, ensure that the designated area complies with safety requirements, and complete the self-certification safety checklist. Report any work-related accident or injury occurring at the alternative worksite and provide the supervisor with medical documentation related to the accident or injury.

(3) Protect all controlled unclassified information (CUI, including Privacy Act or For Official Use Only data, and classified (where applicable and authorized at a secure alternative location) data and comply with all criteria and guidelines for information and electronic security consistent with subparagraphs 9.f. (1) through (4).

(4) Safeguard and ensure the appropriate use of GFE consistent with subparagraphs 9.g. (1) through (5).

(5) Work at the regular worksite on scheduled telework days if called for by mission requirements, as determined by the supervisor.

(6) Contact the supervisor to request unscheduled telework when Government employees are provided this option consistent with subparagraph 9.i.(3).

(7) Maintain a required performance level of at least the fully successful level or equivalent.

(8) Code and report approved telework time in the Time and Attendance System. See Appendix C for further guidance.

(9) Ensure all necessary paperwork is approved and signed prior to the start of telework.

c. Telework Agreements.

(1) All employees who are authorized to telework must complete a DD Form 2946. The DD Form 2946 will be signed and dated by the employee and supervisor and maintained by the employee's supervisor.

(2) Employees with mission-critical duties and those who may be required to telework in the case of a Continuity of Operations Plan (COOP) event, office closure due to adverse or inclement weather, or pandemic health crisis must have a DD Form 2946 in place.

(3) Completed DD Forms 2946 should outline the specific work arrangement agreed upon and address the logistics of alternative workplace arrangements such as the employee's work schedule, security requirements for DoD information, safety requirements for the alternative worksite, supplies, and equipment issued, protection of GFE, the supervisor's expectations of a teleworker's performance, and the employee's emergency response telework responsibilities. All telework agreements, regardless of the employee's emergency response status, should address:

(a) The employee's telework location (e.g., the employee's home or other approved alternative worksite such as a telework center, when appropriate).

(b) Telework requirements when the regular worksite is closed (e.g., emergency dismissal due to adverse weather conditions such as snow emergencies, floods, hurricanes, or any other type of emergency situation) or when OPM announces that Government offices are open with the option for unscheduled telework when severe weather conditions or other circumstances disrupt commuting and compromise employee safety.

(c) Instructions on whether classified (where applicable and authorized at a secure alternative location) and CUI data is authorized for use at the telework location. If so, criteria for the proper encryption, storage, safeguarding, and return of such information and data will be consistent with subparagraphs 9.f. (2) (a) through (c).

(d) That the employee may not be authorized to telework if the employee's performance or conduct does not comply with the terms of the telework agreement.

(4) If the employee's home is the telework location, it is the responsibility of the employee to make certain that a safe work environment is maintained while teleworking. Employees should designate one section of the home as the telework workstation for purposes of the telework agreement and complete and sign a self-certification safety checklist as part of the initial submittal of the DD Form 2946 prior to beginning the telework arrangement.

(5) Telework agreements must be reviewed by the supervisor and teleworker, re-validated at least every two years, and revised when appropriate. A new DD Form 2946 should be completed when a new supervisor is responsible for the employee.

(6) Teleworkers may be required to return to the regular worksite on scheduled telework days based on operational requirements (e.g., to attend a specific meeting). A recall to the office for operational reasons is not a termination of the telework agreement. Requests by teleworkers to change their scheduled telework day(s) in a particular week or biweekly pay period should be accommodated by the supervisor where practicable and consistent with mission requirements. A permanent change of the telework agreement must be reflected by the approval of a new DD Form 2946.

d. Consistent with References 4.e. and 4.j., employees assigned to domestic positions have no authorization to telework from a foreign location without an approved Domestic Employees Teleworking Overseas (DETO) Agreement. Currently in Department of Army, DETOs are authorized on a case-by-case basis and only considered if the position reports to a Commander in the overseas area. For DETOs where the chain of command is domestically located, DoD must have a policy regarding DETOs and State Department approval is required for an individual to work remotely overseas.

e. Official Worksite. The official worksite for an employee covered by a telework agreement is the location of the regular worksite for the employee's position (i.e., place where the employees would normally work absent a telework agreement), as long as the employee is scheduled to report physically at least twice each biweekly pay period on a regular and recurring basis to the regular worksite. The employee's official worksite may involve an arrangement where the employee has no dedicated space at the worksite but uses alternative arrangements when working at the official worksite location (e.g., desk sharing, hoteling, or hot desking). In the case of a telework employee whose work location varies on a recurring basis, the employee does not need to report at least twice each bi-weekly pay period to the regular worksite established by the agency as long as the employee is performing work within the same geographic area (established for the purpose of a given pay entitlement) as the employee's regular worksite.

(1) When an employee's worksite is changed from the official worksite to the telework location in a permanent arrangement, a Standard Form 50, "Notification of Personnel Action," or equivalent non-appropriated fund form must be completed by the servicing human resources office. Employees who telework full time are known as Remote Workers. Supervisors and employees should be aware of the implications of this arrangement. Such an official change in duty station requires careful consideration of the impact to mission and resourcing and will be documented by completing and attaching Appendix B to the telework agreement.

(a) Employees are compensated based on the location of their official worksite (i.e., when the telework location is the employee's official worksite, locality pay would be based on the location of the telework site, not the regular worksite).

(b) Employees are entitled to reimbursement for official business travel to the regular worksite when the employee teleworks full-time from a location outside of the local commuting area, and his or her alternative worksite has been determined as his or her official duty station.

(2) Reassignment of the employee from the official worksite to the telework site may also have implications for a reduction in force (e.g., the telework site may be a different competitive area than the regular worksite).

f. Security Considerations. Employees are responsible for safeguarding all DoD information, protecting GFE and Government property, and performing assigned duties while teleworking in support of USACE mission requirements. Government-furnished computer equipment, software, and communications, with appropriate security measures, are required for any telework arrangement that involves CUI data.

(1) Employees in telework arrangements must not take classified documents (hard copy or electronic) to their homes or alternative worksites. If classified telework is authorized at an approved alternative secure location, teleworkers must comply with the procedures established by USACE.

(2) Employees must protect CUI, including Privacy Act or For Official Use Only data.

(a) Teleworking employees who access Personally Identifiable Information (PII) may only do so on encrypted GFE requiring two-factor authentication for access.

(b) The use of personal e-mail accounts for PII transmission is strictly prohibited. PII may only be e-mailed between Government e-mail accounts.

(3) Employees must protect CUI or contractor proprietary data restricted by section 423 of title 41, U.S.C. (also known as section 27 of the “Office of Federal Procurement Policy Act, as amended”) or data otherwise restricted by the Federal Acquisition Regulation or the Defense Federal Acquisition Regulation Supplement or other acquisition policies per reference (a).

(4) Employees must comply with criteria and guidelines established by the DoD CIO and USACE for using both GFE and non-GFE and for access to DoD information systems and networks to perform telework.

g. Equipment and Office Supplies. USACE may provide the necessary equipment and office supplies for use with GFE for employees who telework on a regular and recurring basis, within budgetary constraints, based on the nature and type of work performed. Equipment and supplies may be furnished for employees who telework on a situational basis, when practicable. Employees must comply with equipment usage requirements set forth in the telework agreement.

(1) GFE may be approved for employees who telework on a regular and recurring basis and for situational teleworkers, when practicable. Supervisors should determine the propriety of furnishing and installing GFE and software.

(2) GFE will be used for official use and authorized purposes only. Family members and friends of employees are not authorized to use GFE and materials. GFE must be returned to USACE at the conclusion of teleworking arrangements.

(3) The employee is responsible for the installation, repair, and maintenance of all personally owned equipment and other incremental costs associated with the residential worksite. Operating costs associated with the teleworker using their personal residence as the alternative worksite, including home maintenance, insurance, or utilities (e.g., heat, electricity), will not be assumed by USACE.

(4) USACE is not liable for damages to the employee's personal or real property while the employee is working at home, except to the extent the Government is liable under sections 1346(b), 1402(b), 2401(b), and 2761-1680 of title 28, U.S.C (as per reference (a)).

(5) Employees are covered by chapter 81 of title 5, U.S.C. (also known as "The Federal Employees' Compensation Act" (per reference (a)) when injured or suffering from work-related illnesses while conducting official Government business at the telework location. USACE's potential exposure to liability is restricted to the designated official alternative worksite. Employees paid from non-appropriated funds are covered under chapter 18 of title 33, U.S.C. (also known as "The Longshore and Harbor Workers' Compensation Act") (per reference (a)). Employees should notify their supervisors if injured while teleworking and provide their supervisors with medical documentation related to the injury.

h. Telework Centers

(1) USACE Commands are authorized, consistent with section 630 of Public Law 105-277 (per reference (a)) and per DoDI 2035.1 (reference e), to fund costs associated with renting space, including equipment and utilities, at telework centers as practicable. USACE may provide employees with a cell phone or calling card to cover long-distance telephone charges while working at a telework center.

(2) Security requirements prescribed in this regulation apply to all employees who telework, including those who telework from telework centers.

i. Emergency Situations (Weather and Safety).

(1) Employees who perform mission-critical duties may be required to work from home or an alternative worksite such as a telework center during an emergency situation. Components will require these employees to complete a DD Form 2946. The telework agreement should address the telework location and work expectations. Supervisors will include a description of emergency duties with the telework agreement if emergency duties are different from the employee's regular duties. During any period that a Component is operating under the COOP plan, that plan will supersede the telework policy and the provisions of the telework agreement.

(2) In the event of a pandemic health crisis, employees with COOP responsibilities, Service members, and employees who do not have COOP responsibilities, but are trained and equipped to telework, may be required to telework to protect public health. The employees or Service members should telework on a regular basis to ensure their proficiency and telework effectiveness in continuing operations. Employees in positions not typically eligible for telework

should telework on a situational basis when feasible. These employees must have a signed DD Form 2946 in place.

(3) Employees approved for regular and situational telework who are not able to report to their assigned office location due to office closure or dismissal from a natural or manmade emergency event (e.g., hurricane, earthquake, wildfire, flooding, act of terrorism) or when OPM announces that Government offices are open with the option for unscheduled telework when weather conditions or other circumstances disrupt commuting and compromise employee safety, will telework each regularly scheduled work day during the emergency situation, when the capability to telework is available at the alternative worksite. When Government offices are closed to the public, designated employees who are unable to work due to personal situations or other circumstances (e.g., illness, dependent care responsibilities, loss of electrical power, evacuation by local authorities, or the employee cannot access materials necessary to continue work during the emergency) must attempt to contact a supervisor to request leave appropriate for those circumstances or to be excused from duty. If the worksite office is open and circumstances prevent the employee from teleworking, the employee may report to the worksite or request leave as practicable. If the teleworker is unable to communicate with his or her supervisor to be excused from duty and cannot maintain their teleworking status, the teleworker should follow the USACE's emergency guidance, orders, and procedures (e.g., outlined in COOP and other applicable emergency management plans). When Government offices are closed due to inclement weather, employees participating in a telework program must telework, take leave (paid or unpaid), or a combination of both unless an exception applies. All telework program participants will be ineligible for weather and safety leave when a closure is announced except in rare circumstances when one of the exceptions under 5 CFR 630.1505(a)(2) applies. The following exceptions may be considered:

(a) Weather and safety leave may be provided to a telework-ready employee who could not have reasonably anticipated severe weather or other emergency condition and therefore did not bring home the necessary equipment or work.

(b) Weather and safety leave may be provided to a telework-ready employee who is prevented from safely working at their official telework site (e.g., flooding or a roof collapse) because of severe weather or emergency event.

(c) Circumstances which permit an excused absence for non-teleworking employees, may also result in an excused absence for an employee who is working at their approved telework location (e.g., loss of electrical power, evacuation by local authorities).

(4) When an employee's residence or other approved alternative worksite has been designated as a safe haven during an emergency, such as a pandemic health crisis evacuation, the supervisor may assign any work necessary, as long as the employee has the skills to perform the assigned work, without regard to the employee's grade or pay band level. In cases where a safe haven is designated, a DD Form 2946 does not need to be in place.

(5) Employees designated as mission-critical should telework on a regular basis to ensure their proficiency and effectiveness in continuing operations in the event of an emergency or

pandemic. Mission-critical employees in positions not typically eligible for telework should telework on a situational basis, when feasible. Such employees must have a signed DD Form 2946 in place.

j. Work Schedules and Compensation.

(1) Employees who telework must be at their alternative worksite during their scheduled tours of duty.

(2) Employees may not use telework as a substitute for dependent care (e.g., child or elder care).

(3) Employees who telework may also have alternative work schedules at the discretion of the supervisor.

(4) 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 the employee's alternative worksite prior to reporting to the regular worksite), at the discretion of the supervisor.

(5) Premium pay provisions that apply to work at the regular worksite also apply to employees who telework. Employees may work overtime only when specifically ordered and approved in advance by the supervisor. Instances in which employees perform overtime work without prior supervisory approval may be cause for administrative or disciplinary action.

k. Time and Attendance. Time spent in a telework status must be accounted for and reported in the same manner as if the employee reported for work at the regular worksite.

(1) USACE employees will ensure telework hours are appropriately coded as regular and recurring, situational, or medical.

(2) Employees must record dates and times of telework accomplished so telework usage can be tracked. See appendix D for further guidance.

l. Telework Training. Employees authorized to telework, and their supervisors must complete telework training prior to signing the telework agreement. Comprehensive OPM telework training courses for supervisors and employees are available at the joint OPM/GSA telework website, <https://www.telework.gov/training-resources/telework-training/virtual-telework-fundamentals-training-courses/employee-course/index.htm>. Employees, supervisors, and leaders will be permitted to participate in telework training during the workday. All employees and Service members who telework must be trained on accessing the unclassified DoD information technology network remotely.

m. Telework and Travel. The provisions in the guidance set forth in sections 550.112 and 551.422 of title 5, Code of Federal Regulations, concerning time spent in a travel status are

applicable to employees who are directed to travel away from the alternative worksite during a period that is scheduled for telework.

n. Performance Management.

(1) To the greatest extent possible, teleworkers and non-teleworkers will 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.

(2) Supervisors should not hold teleworking employees to a higher standard than if they were performing their duties at the worksite.

(3) As with any supervisory relationship, work assignments to be performed or training to be accomplished while on telework should be discussed, understood, and agreed to in advance of the telework event.

(4) Supervisor expectations of an employee's performance should be clearly addressed in the DD Form 2946. As with on-site personnel, employees will be held accountable for the results that they produce while teleworking.

(5) Supervisors will communicate expectations of telework arrangements, including work assignments, office coverage, and staff communication to teleworking and non-teleworking employees in the workgroup.

(a) Supervisors will put procedures in place to maintain communication across all members of a workgroup.

(b) 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.

o. Telework Denial and Telework Agreement Termination. Telework requests may be denied and telework agreements may be terminated. Telework is not an employee right or entitlement, even if the position and/or employee is considered "telework-eligible."

(1) When an employee's request to telework is denied or an agreement is terminated by the supervisor, the reasons for denial or termination should be documented in writing and given to the employee. Denial or termination of telework agreements should be based on business reasons (e.g., the telework agreement fails to meet the organization's needs or the employee's performance does not meet the prescribed standard).

(2) Employees may dispute the denial of telework, the reasons given for a denial, and the termination of an existing telework agreement through USACE administrative grievance procedures. CBA unit employees may file a grievance through negotiated grievance procedures.

If an employee believes denial of telework was due to discrimination, they may file an Equal Employment Opportunity (EEO) complaint with their nearest EEO office.

FOR THE COMMANDER:

4 Appendixes
(See Table of Contents)



JOHN P. LLOYD
COL, EN
Chief of Staff

Appendix A
Telework Agreement

Electronic fillable form:

www.dtic.mil/whs/directives/infomgt/forms/eforms/dd2946.pdf

Appendix B

Cost/Benefit Analysis of Teleworking Outside the Locality Pay Area of the Traditional Worksite

If an employee’s official duty station is changed from the traditional worksite to an alternative worksite in a permanent arrangement, a permanent change in duty station must be documented with a Notification of Personnel Action (SF50) and processed by the servicing Civilian Personnel Advisory Center (CPAC). Such a change requires careful consideration of the impacts to mission and resourcing. Prior to approving a change to an employee’s official duty station, the supervisor will complete a cost/benefit analysis and consider the following:

QUESTIONS	COMMENTS (use additional paper, if needed)
1. Will there be adjustments in special salary rates and locality pay as a result of permanently changing the official duty station to the alternative worksite? If so, please discuss the differences in pay.	
2. Will there be increased travel, transportation and per diem entitlements for the employee to return to the traditional worksite from the alternative worksite? If so, please discuss the projected annual cost to USACE.	
3. Will there be an increase in overtime as a result of required travel to the traditional worksite and return to the alternative worksite? If so, please discuss the projected annual cost to USACE.	
4. Will there be costs associated with installing telephone lines in private residence and to pay monthly phone charges for such lines; long-distance telephone charges; and telephone usage charges (other than long distance)? If so, please detail the projected annual cost to USACE.	
5. Will there be increased costs of a portable seat vs. a stationary desktop seat? Please discuss the projected annual cost to USACE.	
6. Are there any other costs associated with the proposed telework arrangements?	
7. Are there any savings/benefits to USACE associated with the proposed telework arrangements?	
8. For additional charges incurred by USACE as a result of this telework agreement, <i>who</i> will be authorizing the costs (provide name/title/phone number/competency)?	

Authorizing Official Signature/Date

If the first-level supervisor determines that the benefits exceed the costs of the proposed telework arrangement, the above findings will be routed along with the proposed telework agreement to the second-level supervisor for approval/disapproval. The second-level supervisor of the office/organization that will incur or absorb the increased costs of the telework arrangement must also approve of the cost/benefit analysis and telework agreement.

However, if the first-line supervisor determines that the costs exceed the benefits, the proposed telework agreement will be disapproved, unless a determination is made by the second-level supervisor that supports the action. The second-level supervisor of the office/organization that will incur or absorb the increased costs of the telework arrangement must also approve of the cost analysis and telework agreement.

It is recommended that supervisors coordinate with their local HR Specialist/Telework Coordinator when there are interests and/or efforts in having an employee telework outside the locality pay area of the traditional worksite.

Appendix C

Work Schedules/Time and Attendance

A. Employees who telework must be at their alternative worksite during their scheduled tour of duty or obtain approval for leave.

B. Employees who telework may also have alternative work schedules at the discretion of their supervisor.

C. When approved in advance by the 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, such as medical appointments located near the employee's alternative worksite. Travel between locations is non-worktime.

D. Premium pay provisions that apply to work at the traditional worksite also apply to employees who telework. Employees may work overtime only when specifically ordered and approved in advance by the supervisor. Instances in which employees perform overtime work without prior supervisory approval may be cause for administrative or disciplinary action.

E. Telework hours must be properly recorded for annual reporting requirements. Hours of work for teleworking will be recorded by the employee or timekeeper as follows in United States Corps of Engineers Financial Management System (CEFMS) II:

(1) In the Hours/Type Column, annotate RG (Regular)

(2) In the ENV/HAZ Oth Code (use drop down to select) Column, annotate one of the following:

a. TW = Telework Regular – approved schedule where eligible employees work at an alternative worksite on a regular, recurring, and ongoing basis at least twice each bi-weekly pay period.

b. TS = Telework Situational – approved telework performed on an occasional non-routine or adhoc basis and may occur continuously for a specific period.

c. TM = Telework Medical – telework that has been approved for a specific period of time for a particular employee as deemed necessary for medical reasons.

F. In the event an employee is “administratively excused,” the time excused should be coded as “LN = Administrative Leave.”

Appendix D

PDF OF DCPAS MEMO ON DETO w/attachments

[https://www.dcpas.osd.mil/Content/documents/OD/DCPAS%20Message%202020112%20-%20Domestic%20Employees%20Teleworking%20Overseas%20\(DETO\)%20A.pdf](https://www.dcpas.osd.mil/Content/documents/OD/DCPAS%20Message%202020112%20-%20Domestic%20Employees%20Teleworking%20Overseas%20(DETO)%20A.pdf)

Appendix E
Additional Telework Tools

USACE KM Portal:

<https://usace.dps.mil/sites/KMP>

Telework.gov Training & Resources:

<https://www.telework.gov/training-resources/>

Glossary Abbreviations and Terms

Alternative Worksite. A place away from the traditional worksite that has been approved for the performance of officially assigned duties. It may be an employee's residence, a telework center, or another approved worksite.

Chief Information Officer (CIO). The principal staff assistant and senior advisor to the Secretary of Defense and Deputy Secretary of Defense for information technology (IT) (including national security systems and defense business systems), information resources management (IRM), and efficiencies.

Continuity of Operations Plan (COOP). An effort to ensure that the capability exists to continue agency essential functions across a wide range of natural disasters or local or national declared emergencies.

Controlled Unclassified Information (CUI). Information that requires safeguarding or dissemination controls consistent with applicable law, regulations, and government-wide policies but is not

Designated Telework Coordinator. Representative identified at each MSC, District, Lab, Center and FOA, who can provide managers and employees with the information (i.e., websites, POCs, etc.) they need for successful telework. Additionally, serves as POC for various communications and annual reporting requirements.

Eligible Positions. An occupation or position that is eligible for regular and recurring or situational telework, i.e., some or all of the duties can be performed away from the traditional worksite.

Eligible Employees. Requirements that an employee must meet to participate in a telework arrangement (e.g., performance rating of at least fully successful, no history of disciplinary actions, etc.), as determined by the supervisor or other appropriate management official in the employee's chain of command.

Emergency Situation Telework. Telework performed in an employee's residence or alternative worksite during a crisis situation or emergency event by those who perform duties in support of mission requirements during crisis situations or contingencies, and employees approved for telework to maintain continuity of operations during a crisis or emergency.

Employee. A USACE civilian employee paid from appropriated or non-appropriated funds.

Government Furnished Equipment (GFE). Equipment and systems purchased and/or owned by the government. Includes, but is not limited to, information technology equipment, pagers, Internet services, email, library resources, telephones, facsimile machines, photocopiers, and office supplies.

Mission Critical Duties. Job position functions that are identified as critical to performance of the mission include, but are not limited to: support for departmental health; safety and security operations; support for critical facility operations; maintain computer and communications systems and operations; perform critical watch standing duties; coordinate essential interface with other agencies and field activities, or perform emergency response and national response plan operations.

Official Duty Station. Approved location where the employee regularly performs his or her duties. *Typically identified in block #39 of employee's Notification of Personnel Action (SF50). All pay, special salary rates, leave, and travel entitlements are based on the official duty station.*

Position Description. Statement of the major duties and responsibilities of a position.

Remote work: A work arrangement in which the employee regularly works from an approved remote worksite (usually the employee's residence). Remote work is distinct from telework and may result in a change in duty location to the alternative worksite (e.g., home) if the employee does not return to the official worksite at least twice in a biweekly pay period.

Safe Haven. Agency designated location such as an employee's residence or an alternative location mutually agreeable to the agency and the employee when employees are evacuated from their worksites.

Safety Checklist. To assess the overall safety of the residence and must be completed/submitted with the Telework Agreement.

Situational Telework. Occurs on an occasional non-routine or ad hoc basis. Telework that occurs to complete short-term special assignments or to accommodate special circumstances is also considered situational even though the telework may occur continuously for a specific period.

Supervisor. Civilian or Military Management Official who has responsibility for directing and managing employee work and for approving and denying employee telework agreements.

Telework. Work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work. In most cases, telework is a voluntary work arrangement. This definition of telework does not include any part of work done while on official travel or mobile work. This definition is also

distinct from what is generally referred to as remote work.

Telework Agreement. A written agreement completed and signed by an employee and the authorized management official(s) via the DD Form 2946, that outlines the terms and conditions of the telework arrangement.

Telework Center. A facility that provides a geographically convenient office setting with workstations and other office facilities and services that house employees from more than one agency.

Telework Site. Alternative worksite where an employee performs official duties in a specified work or office area that is suitable for the performance of official Government business. *Note that USACE retains the right to inspect the residence worksite, by appointment only, to ensure safety standards are met and GFE is properly maintained.*

Traditional Worksite (or Traditional Duty Station). Location where an employee would work absent an alternative arrangement.

Unscheduled Telework. A specific form of situational telework where an employee on an approved telework agreement performs assigned official duties at residence or other approved worksite when Government offices are closed to an emergency event or open, but severe weather conditions or other circumstances disrupt commuting and compromise employee safety.

Weather and Safety Leave. A form of paid time off authorized under the Administrative Leave Act. It will generally be used in conjunction with an operating status announcement issued by OPM or an agency.