

THE DEPARTMENT OF HOUSING & URBAN DEVELOPMENT



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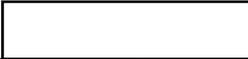


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CHAPTER 1. GENERAL PROVISIONS

1-1 Introduction: In recent years, telework has become increasingly widespread and formalized, with legislative mandates as well as new programmatic and policy supports and structures. Tools, such as e-mail, easy access to information via the internet, teleconferencing, paperless work processes, and other innovations, are now readily available to implement a transparent program that lends itself to performing duties in alternate locations.

Telework can serve multiple purposes and can have multiple benefits for both the Department and employees when implemented effectively. Telework is of particular interest for its benefits in the following areas:

- Recruiting and retaining the best possible workforce – particularly workers who have high expectations of a technologically forward-thinking workplace and any worker who values work/life balance;
- Helping employees manage long commutes and other work/life issues that, if not addressed, can have a negative impact on their effectiveness or lead to employees leaving the Department;
- Reducing traffic congestion, emissions, and infrastructure impact in urban areas, thereby improving the environment; and
- Ensuring continuity of essential functions in the event of national or local emergencies.

Telework is not an employee entitlement, and how work is accomplished in an office is always a management decision. However, the Department encourages and fully supports the use of telework and management's efforts to utilize this flexibility tool in a way that enhances the work of the Department and the work life of its employees. Additionally, as with any policy, not every provision or situation can be addressed in this document.

Managers and supervisors, as well as employees, will have to exercise good judgment in applying this policy.

1-2 Purpose: This policy implements the requirements of Section 359 of Public Law 106-346 that requires each Executive Agency to establish a policy under which eligible employees of the agency may participate in teleworking to the maximum extent possible without diminished employee performance. The law also mandated the Office of Personnel Management to provide guidance to Federal agencies on developing telework policies. Under this guidance, Federal agencies were required to have policies in place in 2001 which ensured that 25 percent of the eligible workforce be given the opportunity to participate in telework, with an additional 25 percent provided the opportunity each year thereafter.

This policy sets forth the authority, policy, and responsibilities for the administration of the Telework Program within the U.S. Department of Housing and Urban Development (HUD) for most full and part-time employees. Additionally, this policy supersedes any other references to telework in any other policies or guidance *dated prior* to this policy.

The Assistant Secretary for Administration or equivalent is responsible for the administration of this policy. Approval to deviate from this policy must be obtained from the Assistant Secretary for Administration.

1-3 Definitions:

Alternative Worksite: An approved worksite other than the official worksite, at which the employee performs his/her official duties. Alternative worksites may include the employee's residence, GSA telework center, and/or another location (within the normal commuting area) where there is connectivity to the primary office site, and there is an office setting conducive to accomplishing work requirements.

Approving Official: The approving official is the lowest level delegated by the Assistant Secretary (or equivalent) for the program office. The Assistant Secretary may retain approval authority for telework, or pass it down to the next lower level. Each office's approving official may be different based on the level of delegated authority. However, all requests must be submitted to the immediate supervisor.

Continuity: An uninterrupted ability to provide services and support, while maintaining organizational viability, before, during and after an event, including but not limited to COOP.

Continuity of Operations (COOP): An effort within individual agencies, including HUD, to ensure HUD is able to continue to perform Mission Essential Functions (MEF) and Primary Mission Essential Functions (PMEF) during a wide range of emergencies, including localized acts of nature, accidents, and technological or attack related emergencies.

Continuity Personnel: Those personnel, both senior and core, who provide the leadership advice, recommendations, and functional support necessary to continue essential operations. This includes pre-designated HUD principals and staff, as well as Subject Matter Experts (SME) who have been designated to support COOP functions in the event the Headquarters building and/or other occupied space(s) is threatened or incapacitated. ***NOTE:** Continuity personnel should review CHAPTER 3 for specific information regarding COOP functions.*

COOP Event Emergency Situation: A national security incident, situation, extended emergency or other unique situation when the Department or an affected office is closed such as, but not limited to hurricanes, earthquakes, terrorist threats/activity, pandemic influenza, etc.

Essential functions: The critical activities performed by organizations after a disruption of normal activities including National Essential Functions (NEFs), Primary Mission Essential Functions (PMEFs), and Mission Essential Functions (MEF).

High-Speed Internet: High-Speed Internet: Is an internet connection via cable, FIOS, DSL or satellite.

Hoteling: An alternative workplace arrangement in which two employees share a workplace.

Hot Desking (also known as free address or touchdown workstations): An alternative workplace arrangement in which employees work in one facility (facility “A”) part of the time and at one or more alternative worksites the rest of the time. When working in facility “A,” these employees use non-dedicated, non-permanent workspaces assigned on a first come, first served basis.

Official Worksite: The “duty station” of an employee’s position of record as documented on the SF-50, “Notification of Personnel Action”, where the employee regularly performs his or her duties.

Remote Access: The ability to work at a location other than the official duty station to perform work or emergency duties. This may include, but is not limited to, using portable computers, personal computers, high-speed telecommunication links, and mobile communication devices.

Personally Identifiable Information: “Personally Identifiable Information” (PII) means any information about an individual maintained by an agency, including but not limited to, education, financial transactions, medical history, and criminal or employment history and information which can be used to distinguish or trace an individual’s identity, such as their name, social security number, date of birth, mother’s maiden name, biometric records, etc., including any other personal information which is linked or linkable to an individual.

Sensitive Information: Information required to be protected on the basis of its need for protection against loss, disclosure, or alteration because of the risk and magnitude of harm that could result.

Telework: Refers to paid employment performed away from the conventional office, either at home or an alternative office site for an agreed upon period of time.

Telework Centers: A facility that 1) provides workstations and other office facilities/services that are utilized (typically on a fee for use/service basis) by employees from several organizations, and 2) is used as a geographically convenient alternative worksite for its users. GSA telework centers can be found on <http://www.telework.gov>.

Subject Matter Experts (SME): Personnel notified to remain on-call and in most cases, be able to remotely access HUD mission critical systems during COOP implementation and operations. SMEs may be called upon as necessary to perform or support MEF and PMEF or internal essential functions primarily through remote access.

1-4 Eligibility Criteria:

Employees: All employees in positions conducive to telework, including managers and supervisors that are in non-training positions, if the position meets the position requirements specified below under “Position Requirements”.

1. Employees in training-driven positions, such as Presidential Management Fellows (PMFs), Federal Career Interns (FCIs), Upward Mobility Program participants, etc., must adhere to the following conditions:
 - a. The lowest level of approval for participation is the Assistant Secretary (or equivalent) for the program area the employee is actually working in, i.e., not necessarily the target program office.
 - b. During rotations, telework may be suspended.
 - c. During periods of training, telework may be suspended.
 - d. The telework program must not impede the progression or the ability for the employee to complete all of the requirements of his/her training program.
 - e. Participation in the telework program is limited to 1 day a week, i.e., employees must report to their official duty station a minimum of 4 days a week.
2. Summer Interns under the “Student Educational Employment Program” are *ineligible* to participate in this program.
3. Employees working under an OIP, PIP or on leave restriction are *ineligible* to participate in this program.

Position Requirements:

1. Employees eligible for telework are persons engaged in tasks and work activities that are portable, do not depend on the employee being at the traditional worksite, and are conducive to supervisory oversight at the alternative worksite. Employees shall not be excluded as eligible on the basis of their occupation, series, or grade.

Tasks and work activities generally eligible for telework include, but are not limited to, work that requires:

- a) Reviewing grants, reports, and cases.
- b) Writing decisions or reports.
- c) Participating in conference calls.
- d) Researching and analyzing regulatory or other documentation.
- e) Conducting computer-oriented tasks such as programming, data entry, and word processing.
- f) Researching legislation.
- g) Editing and proofreading reports.
- h) Data analysis.
- i) COOP related task and work activities.

Note: The above are examples only and do not represent all types of work suitable for telework.

2. Ineligible positions **may** include positions which:

- a. Require the employee to have daily face-to-face contact with the supervisor, colleagues, clients, or the general public in order to perform his or her job effectively.
 - b. Require routine access to national security classified information or other sensitive information/material that cannot be secured from, or transported to a remote location.
3. Additional Factors for Consideration: Supervisors should consider factors in addition to the basic eligibility criteria when evaluating an employee's request to participate in telework, but these factors cannot be used to arbitrarily restrict participation. Factors appropriate for consideration include:
- a. Conduct: Although an official record of misconduct does not automatically exclude an employee from telework, a record of disciplinary or other corrective action may be considered as it relates to the employee's ability to successfully work at an alternative worksite.
 - b. Attendance: An employee with a documented history of unsubstantiated excessive absences or leaving the worksite without permission may not be a suitable candidate for telework.
 - c. Office Coverage: The organization should be sufficiently staffed to prevent a hardship when one or more employees are permitted to work at an alternative worksite.
 - d. Supervision: Telework may not be suitable for employees who have not demonstrated the ability to work independently, or for employees in developmental or trainee positions.
 - e. Budget Constraints: Appropriate equipment may not be available to accommodate the employee's telework within allocated resources.
 - f. Technology: The employee must have appropriate access to high-speed internet service that will accommodate Remote Access to HUD programs, if required to perform the duties of the position.

CHAPTER 2. ROLES AND RESPONSIBILITIES

2-1 Approving Official: The approving official is the lowest level designated by the Assistant Secretary (or equivalent) for the program office. The Assistant Secretary may retain approval authority for telework, or pass it down to the next lower level. Each office's approving official may be different based on the level of delegated authority. However, all requests must be submitted to immediate supervisors.

The approving official will:

1. Review each Telework Application, on a case-by-case basis, to determine if the employee and the employee's position is "telework eligible," based on the eligibility criteria outlined in Chapter 1-4.
2. Approve or disapprove the employee's participation in the program in writing, within 15 business days upon receipt of a complete application, unless extenuating circumstances preclude processing within this time period. An employee will be notified in writing of any delay in processing because of extenuating circumstances. An example of an extenuating circumstance is when a supervisor is on leave, travel, and/or higher management level approval of the request is required.
3. Provide written explanation to the employee, if the request to participate is denied.
4. Clearly document in the telework agreement his/her expectations of the employee's work assignments while teleworking.
5. Enforce the terms of the telework policy and agreement and take appropriate corrective action to ensure conformance.
6. Provide written notice to the employee of termination of telework and justification.
7. Either complete the required Telework training or ensure subordinate personnel, serving as immediate supervisors complete the training found at the <http://hudatwork.hud.gov/po/arh/eap/telework.cfm> website and maintain copy of certificate of completion.

2-2 Employee: The employee will:

1. Complete required Telework training on the <http://hudatwork.hud.gov/po/arh/eap/telework.cfm> website and provide copy of certificate of completion to supervisor.
2. Complete the annual "Security Awareness" training on the [HUD@work](#) website and provide copy of certificate of completion to supervisor.
3. Complete the Telework Application package and submit to immediate supervisor for approval.

4. Submit a copy of the approved signed Telework Application to the Program Office Telework Coordinator. The list is available at <http://hudatwork.hud.gov/po/arh/eap/telework.cfm> website.
5. Observe and comply with OPM regulations and Department policies for requesting leave approval.
6. Ensure protection of sensitive data by:
 - a. Properly disposing of media (both hardcopy and electronic) using approved means of destruction;
 - b. Receiving permission, from the ISSO, the supervisor and the designated management official(s) within the employee's program office, to use or access sensitive data outside of HUD facilities;
 - c. Utilizing and storing sensitive data only on network drives;
 - d. Encrypting stored data;
 - e. Physically securing laptops at all times;
 - f. Immediately reporting incidents in which sensitive information has been potentially lost or compromised to the HUD HITS Help Desk. For example, if a teleworker loses a blackberry, laptop, removable or external hard drive, flash drive or hardcopy documentation, that contains HUD information, it should be reported without delay. Refer to the HUD IT Security Policy for additional guidance on protecting sensitive data.
7. Adhere to the Government-wide Standards of Conduct regarding the use and misuse of government services, resources and equipment (5 C.F.R. § 2635.101 (B) (9)).
8. Demonstrate the ability to work independently and ensure the quality and quantity of work does not suffer while teleworking.
9. Ensure that appropriate dependent care (i.e., children, elders, and/or loved ones) is obtained and utilized during work hours while teleworking.
10. Adhere to terms and conditions of the telework agreement including any reporting requirements as outlined in the telework agreement (i.e., work plan, time and attendance, etc) and the requirements specified in the "Rules of Behavior for Remote Access User Agreement".
11. Protect Personally Identifiable Information to ensure that it is not disclosed to unauthorized persons, either intentionally or unintentionally.
12. Provide a phone number (home, cell, etc.) where he/she may be reached by the supervisor and/or other management official, and HUD staff as appropriate.
13. Provide a signed copy of the telework package to the Information Technology Director (ITD) or Headquarter Office Technology Coordinator (HQOTC) for signature.

14. Contact the HITS Help Desk to acquire appropriate remote access after ITD or HQOTC approval of the telework package.

2-3 Program Office Telework Coordinator:

The Program Office Coordinator will:

1. Review approved Telework Applications for completeness and notifies employees and supervisors of any deficiencies.
2. Maintain copies of all Telework Applications and telework agreements for record keeping purposes.
3. Maintain copies of all denied applications and supporting documentation.
4. Maintain documentation of all telework program participants as required by the Telework Managing Officer and the Department Telework Officer for reporting purposes.

2-4 Department Telework Administrator:

At the direction of the Telework Managing Officer, the Administrator will:

1. Administer the Telework Program in accordance with applicable public laws, guidelines, and this policy.
2. Provide policy guidance to employees and supervisors on the Telework Program.
3. Provide agency officials with technical assistance to help resolve telework issues.
4. Conduct annual telework training/briefings for all staff.
5. Report telework participant data to management, OPM, Congress, and/or any other entities that require and are entitled to the information.

2-5 Telework Managing Officer (TMO):

The TMO will oversee the Telework program for the Department. In this capacity, the TMO will serve as an advisor for the Department leadership including the Chief Human Capital Officer. Additionally, the TMO will provide guidance and supervision to the Department Telework Administrator to ensure the Department's Telework Program is administered in accordance with applicable public laws, guidelines, and this policy.

2-6 Local Information Technology Director (ITD) or Headquarters Office Technology Coordinator (HQOTC):

The designated ITD or HQOTC will:

1. Discuss the applicant's information technology needs to determine what the employee requires to successfully perform the duties of his/her position from an alternate worksite. This could include connection capability to the internet, software, and/or hardware. If the employee does not have a home computer, a laptop may be issued if available. However, the Department maintains a limited number of laptop computers therefore; employees may have to wait for an undetermined amount of time to receive a laptop.
2. Sign the employee's approved telework package. Based on the discussions with the ITD or HQOTC, the employee will be provided connectivity to HUD systems after the employee submits a request for the appropriate access through the HITS Helpdesk.
 - a. The employee will receive the "Rules of Behavior for Remote Access User Agreement" and technical instructions on how to access the HUD system from an Office of Information Technology, Telecom Processing Division (TPD) representative.
 - b. The Telecom Processing Division grants remote access upon receipt of the signed "Rules of Behavior for Remote Access User Agreement".

2-7 Information Systems Security Officer (ISSO):

The organization's ISSO will:

1. Educate employees about the specific security requirements for remote access and their responsibilities for the protection of HUD data.
2. Sign and approve the employee's "Rules of Behavior for Remote Access User Agreement" and any IT system specific rules of behavior.
3. Return a signed copy of the "Rules of Behavior for Remote Access User Agreement" any IT system specific rules of behavior to the employee.
4. Provide a signed copy of the "Rules of Behavior for Remote Access User Agreement" to the Telecom Processing Division (TPD).

CHAPTER 3. TYPES OF TELEWORK

3-1 **Telework:** Refers to paid employment performed away from the conventional office, either at home or an alternative office site for an agreed upon period of time. The official worksite, as reflected on the SF-50 remains the same.

1. There are 3 types of telework, listed below. The telework program is designed to be beneficial to both the Department and the employee. Employees are encouraged to apply for “Situational” and “Emergency” telework, even if they do not plan on working on a “Regular” telework schedule. If the forms and clearances are obtained, the ability to utilize the “Situational” and “Emergency” telework is simplified. While it is not a requirement to apply to participate in the telework program, employees may not work from an alternate work site without an approved telework agreement in place.
 - a. **Regular Telework** is the performance of work on a recurring basis for an agreed upon portion of a pay period on a regular basis. In order to be considered regular telework, an employee must work off-site a minimum of one day per pay period. Managers and supervisors should use their discretion to determine not only the amount of time an employee can work outside of the office, but the type and amount of communication necessary to ensure the work of the office is completed. Employees **MUST** report to the office a minimum of 2 days per week under this type of telework.
 - b. **Situational Telework** is project-oriented, non-recurring, and/or irregular telework. Situational telework is ideal for employees who encounter infrequent periods of time when projects/assignments have short turnaround times and/or require intense concentration. If operational demands can be met, other circumstances may be considered as a reason for situational telework. Under such arrangements, the employee may work for a day or more at an alternative worksite. The supervisor will approve the exact number of days the employee will work from the alternative worksite. Examples for initiating a situational telework arrangement may include the following:
 - i. An employee has a short-term work assignment that could be performed at an alternative worksite free from interruptions.
 - ii. The official worksite is not usable, e.g., during office renovation projects, etc.
 - iii. To accommodate the needs of the employee, if justified, and the employee has the ability to work from an alternative worksite. Managers are encouraged to consider these types of requests as soon as possible.
 - iv. Since this is a temporary situation, the duration of telework is at the supervisor’s discretion and does not have to meet the minimum requirement of regular telework, i.e., reporting to the office at least twice a week.

- c. **Emergency Telework** is non-recurring work away from the conventional office based on an emergency situation or need such as office closure due to inclement weather, office and/or building repairs, an emergency event that affects office operations, etc. (which may or may not be associated with a COOP event Emergency Situation).
 - i. Since this is a temporary situation, the duration of telework is at the supervisor's discretion and does not have to meet the minimum requirement of regular telework, i.e., reporting to the office at least twice a week.
- 2. If an employee has an approved telework agreement in place, and the office or Federal government is closed, the employee is expected to continue to work from home or alternate work place, if feasible.
- 3. With supervisory approval, an employee may work credit hours, overtime and/or compensatory time from an alternate work place, even if it is not a scheduled telework day if situational or emergency telework has been approved and the telework agreement is in place.
 - a. Employees may also work an extended work day, on a non-telework day, after leaving the office with supervisory approval.
 - i. For example, if the employee is working on a project or has other work to be completed, the supervisor may approve the employee to continue to work from home in the evening.
 - ii. Travel from the work-site to home is not counted as part of the extended work time.

3-2 Hoteling and Hot-Desking: Work space is a management prerogative. While it is not anticipated that either of these arrangements will be utilized, information is provided to accommodate any possible future changes.

- 1. Hoteling is an alternative workplace arrangement in which two employees share a workplace at their official duty station. For example – if an employee teleworks three days a week, another employee could be assigned to work in the teleworking employee's work space.
 - a. Supervisors will attempt to give teleworkers prior notice that their space may be co-inhabited, either temporarily or on a long-term basis.
 - b. Once the employee has been notified, they may choose to put away any personal items that could be of value to the employee or objectionable to others, when they are not working on site.
 - c. High demand or premium space (windows or office space with doors) may be offered first to employees who work in the office on a regular full time basis and are not participating in the telework program.

- i. For example, if an employee occupying an office works from home 3 days a week, an employee working in the office may be assigned that space.
2. Hot Desking is an alternative workplace arrangement in which employees work in one facility (facility “A”) part of the time and at one or more alternative worksites the rest of the time. When working in facility “A,” these employees use non-dedicated, non-permanent workspaces assigned on a first come, first served basis.
 - a. If the employee is not able to work at facility “A”, because it is not available, he/she should report to the official duty station or request leave.

3-3 REMOTE ACCESS AND CONTINUITY OF OPERATIONS (COOP) EVENTS:

1. Background: A government-wide initiative, mandated by the President was created to ensure the ability of the Federal Departments and Agencies to fulfill their essential roles and functions in response to a wide spectrum of threats. Each Department is required to develop and maintain a Continuity of Operations Plan (COOP) to ensure that mission essential functions are operational within 12 hours of any emergency activation with or without warning. Further information can be found in Federal Community Directive 1, located at <http://www.fema.gov/pdf/about/offices/fed1.pdf>.

Some threats might include:

-  Fire in the building.
 -  Natural disasters.
 -  Threat or occurrence of a terrorist attack
 -  Any event that makes it impossible for employees to work in their official duty station.
2. Relationship to Telework: Telework can be an essential part of a COOP. A fully implemented telework program should be a key component of an effective COOP Plan. Telework provides a cost effective reliable COOP capability that is routinely exercised since it is integrated into existing IT infrastructures and normal employee activities. To make telework a viable option during emergencies, work must be organized to facilitate electronic communication and eliminate paper-based processes whenever possible, e.g., automating reports and procedures as much as possible.

While this policy is applicable to almost all employees within the Department, there are variances for those employees that serve as Continuity Personnel which are identified in this chapter. Continuity Personnel are senior and core employees, who provide the leadership advice, recommendations, and functional support necessary to continue essential operations. This includes pre-designated HUD principals and staff, as well as Subject Matter Experts (SME) who have been designated to support COOP functions in the event the Headquarters building and/or other occupied space(s) is threatened or incapacitated.

Variations include:

- a. A Remote Access Arrangement must be in place for all COOP personnel, even if they do not participate in the telework program. This is utilized as a viable option to support the agency in maintaining continuity of operations during emergency situations. This arrangement is not meant to be used during normal work operations except as needed for recurring remote access validation. Remote access approval must be in effect as long as the employee has COOP responsibilities.
- b. Due to the unpredictable nature of emergency situations, this remote access capability must be available for use at any time without additional approvals.
- c. Employees with COOP responsibilities should apply for remote access as soon as they have been identified as being COOP personnel. This COOP remote access capability should be verified on a regular basis, at a minimum once every quarter.
- d. Participating COOP employees must sign and abide by the terms and conditions of the telework arrangement. All other eligibility criteria required in Chapter 1-4 is not applicable for COOP **related** telework. However, it is applicable for any other type of telework, i.e., Regular Telework, Situational Telework and (non-COOP related) Emergency Telework.

CHAPTER 4. APPLICATION REQUIREMENTS AND PROCESS

4-1 Application:

1. The application for the Telework Program consists the following documents:
 - a. Telework Application and Agreement (HUD - 25227).
 - b. Rules of Behavior for Remote Access User Agreement (HUD - 22018).
 - c. Teleworker Self-Certification Safety Checklist (HUD - 25229).
2. Any references to a telework application, in this policy or any other references include all of the documents above.
3. Failure to complete any of the above documents constitutes an incomplete application and will not be considered.
4. The telework application and other related documents can be located at:
<http://hudatwork.hud.gov/po/arh/eap/telework.cfm>.

4-2 Application Process: All eligible employees are encouraged to apply for the Telework Program, even if they do not intend to work a “Regular” telework schedule. Having the Telework Application approved and the remote access, will give the employee the opportunity to utilize “Situational” Telework under some circumstances. Employees should keep a copy of their application.

1. The employee must submit the Telework Application package to the immediate supervisor for review and approval. If additional approval is required, the supervisor will send it forward.
2. The supervisor or approving official will review the Telework Application package and provide a decision, in writing, within 15 business days of receipt of the package.
3. If the request is approved:
 - a. The employee and supervisor must clearly outline the terms and conditions of the telework arrangement in the “Telework Application and Agreement”. Both parties must agree to the terms and conditions of the telework arrangement.
 - b. The employee and the supervisor must complete and sign the “Rules of Behavior for Remote Access User Agreement.”
 - i. Employees may be allowed to Telework without a computer (personal or provided by HUD) as long as the lack of hardware does not impact or impede the employee’s ability to complete their work assignments.
 - c. The employee forwards the “Rules of Behavior for Remote Access User Agreement,” to his/her Program Area ISSO, via facsimile, hand-delivery or mail, for his/her approval and work with the ISSO and the appropriate ITD or HQOTC to determine technology needs.
 - d. The employee must complete the Telework prerequisite training. The training may be accessed at <http://hudatwork.hud.gov/services/webcasts/training.cfm>.

- e. The employee must submit a copy of the approved Telework Application package to the Program Office Telework Coordinator, for record keeping purposes. To obtain a list of the Program Office Telework Coordinators visit <http://hudatwork.hud.gov/po/arh/eap/telework.cfm>.
4. The Program Office Telework Coordinator will send an e-mail to the employee acknowledging receipt of the Telework Application. If any portion of the package is incomplete, the Program Office Telework Coordinator will immediately notify the employee and the supervisor. The employee will not be allowed to begin teleworking until it is confirmed in writing that the entire package has been received and approved.
- 4-3 Telework Agreement: A telework agreement is a written agreement, completed and signed by an employee and his/her supervisor, that outlines the terms and conditions of the telework arrangement. For a telework program to be truly successful, communications between the office and the employee should be completely transparent and not impact the interface between the employee and the Department and its clients and associates. At the minimum, the agreement should stipulate:
1. Any set time, stipulations, and/or frequency to contact the supervisor during his/her tour of duty.
 2. HUD management officials, the immediate supervisor and staff members may contact the employee throughout his/her tour of duty.
 3. The frequency the employee will check their office voice mail and the length of time to return calls.
 4. The employee will conduct work in accordance with his/her position description and critical elements. This means that the employee will conduct work and submit work products consistent with those completed while working in their assigned duty location.
- 4-4 Denial and Appeal Process: While telework is not an employee entitlement, and not all employees and/or positions are conducive to telework, management officials are urged to look at all facets of the request and apply it fairly in your office
1. If the request is denied, the supervisor must notify the employee of his/her decision and provide the employee written justification for the denial. The supervisor must submit a copy of the denied Telework Application package to the Program Office Telework Coordinator for record keeping purposes.
 2. The employee may appeal the denial of the telework request to the level above the approving official. For example, if the application is denied by a Branch Chief, the employee can appeal the decision to the Division Director.
 - a. The employee must appeal the decision within 15 business days of receipt of denial.

- b. The appeal must be submitted in writing, accompanied by the denied application along with the supervisor's justification and the any circumstances the employee believes is relevant to the request for reconsideration of the request.
 - c. A copy of the appeal should also be submitted to the Program Office Telework Coordinator.
3. The deciding official will render a decision in writing within 30 calendar days upon receipt of the appeal to the employee and the Program Office Telework Coordinator.

CHAPTER 5. MODIFICATIONS TO THE TELEWORK AGREEMENT

5-1 Supervisor Initiated Recall:

1. A supervisor reserves the right to require a teleworker to return to the official worksite on his/her scheduled telework day(s), based on operational requirements. A supervisor may require the teleworker to modify his/her telework schedule in order to participate in a mandatory training activity, conference call, meeting, special project, provide office coverage, etc., that cannot be performed at the alternate worksite. Therefore, employees participating in the telework program must be accessible and available for recall to their regular office for work needs that cannot be performed at the alternative worksite.
 - a. The supervisor will give the employee as much notice as possible of the recall.
 - b. A recall will last no longer than is reasonable to complete a work assignment.
 - i. The supervisor may consider allowing the employee to work another day in the same week from the alternate worksite, but is not required to do so.
 - c. Due to time constraints, this type of modification will be communicated orally or via email.
 - d. A recall is not a termination of the telework agreement.
 - e. The supervisor (or designee) will communicate directly with the employee regarding the decision to recall.
 - f. For same day recalls, occurring after the tour of duty begins, the commute time is considered as part of the tour of duty.
 - i. For example, if an employee's tour of duty begins at 8:00 am and the supervisor requires the employee be report to the office to attend a 1:00 pm conference, the time spent commuting by the employee is considered to be working.
 - ii. Management must take into consideration the distance from the alternate worksite and transportation options available to the employee and allow adequate time for the employee to report.
 - g. The tour of duty ends at the same time it would have, if the employee had been working from the alternative worksite.
 - i. Time for travel to his/her home is not considered as part of the tour of duty.
 - ii. Any costs incurred to report to the office, e.g., public transportation is at the employee's expense.
 - h. Failure to report to the official duty station or other designated locations (training center, etc.) may result in the termination of the telework arrangement.

5-2 Employee Initiated Modification:

1. A teleworker may request a temporary modification to the telework arrangement based on his/her personal needs. For example, a teleworker may request to change his/her telework day from Tuesday to Wednesday one week.
 - a. Supervisors are encouraged to accommodate the employee's request if it does not impact or impede the work of the office. However, supervisors may disapprove this request.

- b. If the request involves a change within one pay period, a verbal agreement is acceptable.
 - i. Any change that extends beyond one pay period does require a written request and response, via memorandum or e-mail.
- 2. An employee may request a permanent modification to his/her telework agreement.
 - a. Supervisors are encouraged to accommodate the employee's request if it does not impact or impede the work of the office. However, supervisors may disapprove this request.
 - b. If approved, the telework agreement must be modified in writing.

5-3 Supervisor Initiated Modification:

- 1. Supervisors may require a temporary modification to the telework arrangement based on the needs of the office. For example, a supervisor may request an employee to change his/her telework day from Tuesday to Wednesday.
 - a. This request is not negotiable.
 - b. This request will be communicated via memorandum or e-mail and state the estimated time period of the change, e.g., 3 pay periods, 30 days, etc.
- 2. Supervisors reserve the right to permanently modify an employee's telework agreement, at any time, to address workload or coverage needs, changes in work assignments, etc.
 - a. Supervisors are encouraged to work with the employee to select a telework day mutually agreeable for both, but subsequently, this is the decision of management.
 - i. This constitutes a change in the telework agreement and the changes must be documented in writing.
- 3. Supervisors should give the employee reasonable notice of this change to the telework agreement.

5-4 Termination of the Telework Agreement:

- 1. Employees may terminate participation in the telework program at any time, for any reason. The termination must be in writing and state the effective date of the termination.
- 2. Supervisors may terminate participation in the telework program at any time, for any reason and will notify the employee in writing and provide the reason(s) for termination. As much notice as possible will be given. A supervisor will terminate a telework agreement whenever:
 - a. There is a change in work requirements, office coverage or the arrangement no longer supports the Department/Office mission.
 - b. The employee has demonstrated conduct and performance problems such as:

- i. violating time and attendance policies;
 - 1. An employee does not have to be placed on leave restriction in order to terminate telework.
 - ii. work products are not done in a timely manner and/or the quality of the work significantly decreases in quality and/or quantity, etc.
 - 1. An employee does not have to be placed on a PIP or OIP in order to terminate telework.
- 3. Changes in technology require that work be conducted in the office; such as the employee does not have access to the internet, hardware is not working, etc.
- 4. The employee does not conform to the terms of his/her telework agreement.
- 5. The employee is not performing at the expected level of work and is on a Performance Improvement Plan (PIP) or Opportunity to Improve Plan (OIP).
- 6. Removal from telework does not prevent an employee from reapplying at a later date.

CHAPTER 6. TIME, ATTENDANCE AND PAY

6-1 Hours of Duty:

1. The existing policies relating to “hours of duty” apply to teleworking employees. Additional requirements contained within the policy pertain only to employees participating in the Telework Program. Telework work schedules must state the days and times an employee will work in his/her regularly assigned work setting, and in the alternative worksite.
 - a. If a situation arises and the employee’s official worksite is closed (due to inclement weather, office repairs, etc.), and the alternate worksite is not affected, the employee is required to complete their tour of duty, if feasible.
 - i. Teleworkers required to work during their regular tour of duty on a day when the agency is closed (or when other employees are dismissed early) are not entitled to receive overtime pay, credit hours, or compensatory time off for performing work during their regularly scheduled hours.
 - ii. All employees participating in the telework program, whose alternate worksite is their home, are required to work from their homes – even if it is not a telework day, if the office is closed. This will be considered regular time.
 1. If an employee chooses not to work from his/her alternate worksite or home, a leave request may be submitted.
 - iii. If the employee is working from home due to an unexpected office closure, it is understood there may be circumstances that may impede or prevent the employee from performing some or all of his/her duties.
 1. With proper justification, the employee may not be penalized for a situation beyond his/her control.
 2. Proper justification could include loss of power, lack of work assignments, lack of child/dependent care, etc.
 - a. Under these circumstances, the employee is to notify the supervisor via email (if available) of the situation, and the supervisor will determine if a leave request is required.
 - b. The email should contain specific reasons that prevent the employee from working all or a part of the day. For example, if the employee is the single mother of 2 very young children AND there is no one else in the home to assist in their care, the employee’s work may be impeded and the supervisor will take this and any other factors under consideration to determine if any, or how much leave must be taken.
 - b. When an emergency or other situation affects only the alternative worksite for a major portion of the workday, HUD shall require the teleworker to report to

the official worksite or the employee may request annual leave or leave-without-pay (LWOP).

- c. If HUD remote access is down, and internet access is required to perform work, the employee shall report to their official duty station.
 - i. If it appears that the system will only be down for a short period, or there is other work that could be done without the access, the supervisor should be consulted to determine if reporting to the official worksite is practical.
- d. If the Federal Government (or HUD) is closed or released early due to a holiday or “good will” gesture, telework employees will receive the same benefit as those employees at the official duty station.

6-2 Work Schedules:

1. Work Schedules are at the discretion of supervisors. However, supervisors are encouraged to exercise as much flexibility as possible.
2. With supervisory approval, employees may work a fixed schedule, or a may be allowed to work under the following alternative work schedules:
 - a. Flexitour Schedule.
 - i. Employees on a flexitour schedule must have a specific scheduled arrival time between 7:00 am and 9:30 am. Employees may vary their arrival time – up to one hour – before or after the scheduled arrival time, but must start work no later than 9:30 am.
 1. Supervisors are cautioned to ensure their employees have started or ended their work-day prior to contacting them via telephone. If an employee is on a flexitour schedule and the reason for contact is not urgent, it is suggested that contact be made via email to ascertain the employee has begun his/her work-day.
 2. If it is an urgent matter, and the employee has not started, or has completed their work-day, they will be entitled to overtime or compensatory time in 15 minute increments.
 - a. For example, if an employee is telephoned at 5:15 pm and his/her work time ended at 4:30 and the conversation lasted 5 minutes, the employee is entitled to 15 minutes of overtime or compensatory time.
 - b. Compressed Work Schedule.
 - i. Employees on a compressed work schedule may complete the 80-hour biweekly pay period in less than the standard 10 workdays.
 1. Employees on a compressed work schedule must report to the office a minimum of 2 days a week.
3. Supervisors will be allowed to work a “Flexitour” schedule and compressed work schedule consistent with Departmental policy established for supervisors.

6-3 Leave: All OPM and Department leave requirements remain the same. If an employee is scheduled to work from an alternate worksite and will not be working due to sickness, or any other reason that would prevent or impede the employee's work, the employee is required to contact his/her supervisor to request the appropriate leave.

6-4 Overtime, Compensatory Time and Credit Hours

Supervisors must approve overtime, compensatory time, and credit hours **in advance**.

The existing provisions in Title 5 U.S.C. and in the Fair Labor Standards Act governing overtime also apply to telework. Supervisors must approve all credit hours, overtime and/or compensatory time in advance and in writing. An employee on telework who works credit hours, overtime or compensatory time without advance supervisory approval will be removed from the telework program, and will not be eligible for compensation.

6-5 Travel, Leave and Holidays: If the employee is on travel, leave, or the scheduled telework is a holiday, the employee may not substitute an alternative day without advance supervisory approval. Whether or not a substitution will be approved is within the discretion of the supervisor and is not negotiable.

6-6 Pay:

1. For pay purposes, the "official worksite" is the employee's duty station.
2. The employee's official duty station serves as the basis for determining special salary rates.
3. The normal rules apply for night differentials, Sunday, and holiday pay whether work is accomplished at the official or alternative worksite. The employee's official work schedule determines his/her entitlement to premium pay. Working at night, on Sundays, or on holidays requires pre-authorization by the supervisor, in writing. An employee on telework who works at night, on Sundays, or on a holiday without authorization will be removed from the Telework Program, and will not be eligible for compensation.

CHAPTER 7. EXPENSES, EQUIPMENT AND FACILITIES

7-1 Expenses:

1. The following expenses may be reimbursed:
 - a. Monthly Long-distance Phone Charges. Employees may be reimbursed for the use of their personal phones for business-related long distance telephone calls from home, using the SF-1164, "Claim for Reimbursement for Expenditures on Official Business".
 - i. Program offices may also issue phone cards, cell phones, and/or blackberries to teleworkers to cover the costs of official telephone calls.
 - b. Employees will be reimbursed for mail charges, facsimile charges, and copies if they are instructed by their supervisor to conduct any of these activities at the alternative work site.
2. The following expenses will not be reimbursed:
 - a. Reimbursement for internet connection, DSL, computer equipment, and/or other related charges.
 - b. Reimbursement for employees for utility costs for heating, air conditioning, lighting, and the operation of government furnished data processing equipment associated with the residential alternative worksite.

7-2 Equipment & Software: The ITD or HQOTC will provide more in-depth information regarding equipment and software needs.

1. Employees who have a personal computer at home and have high-speed Internet access will be provided remote access to the HUD system. However, employees shall be eligible to participate in the telework program without high speed internet service as long as their work does not require access to HUD programs.
2. All HUD provided laptop computers will be pre-configured with HUD standard software by local IT staff and provided to the employee. If there is a problem with the hardware and/or software applications, the employee is required to call the HITS Helpdesk at 1-888-297-8689.
 - i. If the problem cannot be resolved over the telephone, the employee is required to bring the equipment on-site so that IT staff can repair the problem. Employees will notify their supervisor when a failure of the technology occurs to determine the need to return to work.
 - ii. Employees, who are issued a HUD laptop computer, are prohibited from installing non-government owned or unauthorized hardware or software, e.g., social networking software, etc.
3. Teleworkers must comply with organizational security procedures and ensure adequate security measures are in place to protect the equipment from being damaged, stolen, or accessed by unauthorized individuals.
4. Teleworkers are responsible for taking reasonable precautions in preventing any loss or damage to equipment that is issued to them. If HUD provided equipment is lost, stolen, or damaged due to negligence, the employee may be held accountable for

replacement. In the event a computer is lost or damaged, the teleworker will immediately (24 hours or less during the week) call the HITS Helpdesk at 1-888-297-8689 to report the incident. Replacement equipment will be provided by HUD as soon as it becomes available. If an employee has personal equipment or other equipment is available, then he/she will be allowed to continue teleworking. If alternative equipment is not available, the employee shall report to the office on the next business day.

7-3 Facilities:

1. If working at home, employees participating in telework should have a designated workspace or work station for the performance of their work duties. Requirements will vary, depending on the nature of the work and the equipment needed to perform the work. In addition, employees must complete and sign the “Work-at-Home Self-Certification Safety Checklist” consistent with OSHA requirements.
2. Teleworkers must provide his/her supervisor and/or management official and other employees a telephone number where he/she may be reached while teleworking.

CHAPTER 8. MISCELLANEOUS INFORMATION

- 8-1 Position Description: Changes to position descriptions are not necessary.
- 8-2 Performance Standards: Critical elements and performance standards must have clearly defined performance requirements that are quantifiable, measurable and results-oriented. Explicit and objective “norms” for work output should be based on experience with those required and sustained in the office, and monitored through scheduled and required progress reports.
- 8-3 Liability Issues: Questions related to claims for personal property damage or loss or personal injury related to the employee’s performance of official duties should be directed to the servicing Human Resources Office. The Department will address issues of employee or Department liability in accordance with the specific facts of each case and under the provisions of the Federal Employees Claims Act, the Federal Tort Claims Act, and the Military Personnel and Civilian Employees Claims Act.
- 8-4 Workers’ Compensation: The Federal Employees Compensation Act (FECA) covers Teleworkers. Employees may receive Workers’ Compensation for an on-the-job traumatic injury sustained while performing official duties at the official or alternative worksite. Employees must inform their supervisor immediately or as soon as practical following an injury. Supervisors must ensure that the appropriate Workers’ Compensation forms are completed within 10 days of the reported traumatic injury. In addition, the supervisor will immediately inform the appropriate servicing Human Resources Office about the injury. Information regarding the process for filing a Workers’ Compensation Claim, as well as the forms may be accessed at <http://hudweb.hud.gov/po/arh/notices/workcomp.cfm>.

Employees must complete the “Work-At-Home Teleworker Self-Certification Safety Checklist” certifying that his/her home office space is in compliance with Occupational Safety and Health Administration (OSHA) guidelines. Any claim for Worker’s Compensation based on a traumatic injury will be investigated by the Department of Labor. For additional information regarding OSHA requirements, visit to www.OSHA.gov.

- 8-5 Transit Subsidy: Approved teleworkers who receive a transit subsidy under HUD’s Transit Subsidy must complete and return the HUD-80-A to the Transit Subsidy Program within two business days of notice of approval to Telework.
1. Upon submitting the HUD-80-A, the employee will receive an email from the transit subsidy office verifying receipt of the form.
 - a. A copy of this transit subsidy email should be attached to the telework application.
 - b. The telework arrangement may not begin until this confirmation is received.
 2. Participation in the telework program may or may not affect the amount of the transit subsidy awarded.

3. Failure to notify the appropriate headquarters or field representative of changes to a telework schedule may result in termination of not only the telework program, but the transit subsidy program as well.

8-6 Recommended Training: In addition to the required training identified in the policy, the following training is recommended:

“Telework 101 for Employees,”
http://www.telework.gov/tools_and_resources/training/employees/index.aspx

“Telework 101 for Managers,”
http://www.telework.gov/tools_and_resources/training/managers/index.aspx

8-7 Policy Questions: Questions about HUD’s Telework Program may be directed to the Department Telework Administrator, as listed on
<http://hudatwork.hud.gov/po/arh/eap/telework.cfm>