



**National Oceanic and Atmospheric Administration
Telework Implementation Plan
October 2021**

Approved by: _____

**Director
Office of Human Capital Services**

**National Oceanic and Atmospheric Administration (NOAA)
Telework Implementation Plan
September 2021**

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I. INTRODUCTION

Telework is a flexible work arrangement under which an employee performs the duties and responsibilities of their position and other authorized activities from an approved alternative worksite other than the employee's designated traditional Federal workplace.

Telework is a workplace flexibility management option to facilitate the timely and effective accomplishment of the work of the office. An employee's decision to elect to telework is entirely voluntary (unless the employee is designated an "emergency" employee or is designated as a member of the Emergency Response Group).

The NOAA Telework Implementation Plan is consistent with the provisions of the [Telework Enhancement Act \(Act\) of 2010 \(Public Law 111-292, October 9, 2010\)](#), the [Department of Commerce Telework Plan \(August 2021\)](#), and the Office of Personnel Management's (OPM's) policies contained in their [Guide to Telework in the Federal Government, Governmentwide Dismissal and Closure Procedures \(November 2018\)](#), and OPM's [Additional Guidance on Post-Reentry Personnel Policies and Work Environment](#).

The law and policies are intended to promote:

- Recruiting and retaining the best possible workforce;
- Continuing operations during emergency conditions (including pandemic health crises);
- Reducing costs related to employee turnover and absenteeism;
- Reducing real estate and transit costs; and
- Enhancing work-life balance by allowing employees to better manage their work and personal obligations.

NOAA and the Department of Commerce (DOC) recognize that a well-managed, widely used telework program has the potential to lead to benefits such as: (1) improved marketability (as a more competitive and inclusive employer); (2) reduced commuting time (that can contribute to an improved quality of work/life balance); (3) cost savings (in areas such as recruitment and retention of employees); and (4) an improved Continuity of Operations Plan (COOP). NOAA supports and encourages telework as a major element in its efforts to reduce its facility space requirements, thereby reducing its energy consumption, greenhouse gas emissions, surface ozone, rent, and other operating costs.

The operational needs of NOAA supersede an employee's desire to telework. In addressing any application for telework, including an application to continue teleworking, or in making a decision to modify or terminate an employee telework arrangement, management will first consider the operational needs and work requirements of the organizational unit, the duties of the position, and, through the NOAA Telework Eligibility and Readiness Assessment, the employee's conduct, performance, and capacity or demonstrated ability to telework. While approval is at the sole discretion of the supervisor, it may not be based on mere managerial

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preference. Employees do not have an entitlement to telework. Nor do employees who currently telework have an automatic right to continue teleworking. DOC encourages participation at a rate of at least four (4) days per pay period for all supervisory and non-supervisory employees with sufficient amounts of portable work. Where a position is not suitable for significant amounts of telework, supervisors are encouraged to use telework as a means for greater flexibility to the extent possible.

II. REFERENCES

Telework Enhancement Act of 2010, Public Law 111-292, December 9, 2010
OPM, Guide to Telework in the Federal Government (2010)
OPM, Governmentwide Dismissal and Closure Procedures (November 2018)
OPM, Additional Guidance on Post-Reentry Personnel Policies and Work Environment
DOC Teleworking Plan, August 2021
5 CFR § 531.605 - Determining an employee's official worksite
5 U.S.C. § 6329c - Administrative Leave Act

III. DEFINITIONS

Agency Worksite – The location from which work would have been performed had the employee not entered into a telework or remote work arrangement. For teleworkers, this is the same as the traditional worksite.

Alternative Worksite – The employee's residence, or a location other than the traditional worksite which has been approved by the manager/supervisor for the performance of the employee's official duties. For purposes of telework, the alternative worksite is considered an official Government worksite.

Approving Official – The immediate supervisor, unless an office has issued a policy requiring approval at a high level.

Domestic Employee Teleworking Overseas (DETO) – Overseas work arrangement where a Federal Executive branch employee performs the work requirements and duties of their domestic Civil Service or Foreign Service (FS) position from an approved overseas location via a DETO Agreement. Employees have no authorization to telework from a foreign location without an approved DETO Agreement. DETO agreements are not needed for U.S. territories or possessions. (See Appendix E for guidance.).

Eligible Employee – All employees are considered eligible to telework unless:

- 1.) the employee has been officially disciplined for being absent without permission for more than five (5) days in any calendar year (there are no exceptions); *or*
- 2.) the employee has been officially disciplined for violations of 5 CFR Part 2635 (Standards of Ethical Conduct for Employees of the Executive Branch) for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties (there are no exceptions), *or*

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- 3.) the employee's performance does not comply with the terms of the written agreement between the approving official and the employee (see **Telework Agreement**).

Eligible Position – See **Position Suitability**.

Emergency Response Group (ERG) Member – A person assigned responsibility to report to an alternate site, be on call, or serve as backup, as required, performing agency-essential functions or other continuity of operations-related duties.

Essential Functions – Functions that enable the Federal Government to provide vital services, exercise civil authority, maintain the safety and well-being of the general populace, and sustain the industrial/economic base in an emergency.

Evacuation Pay and Special Allowances – Consistent with NOAA Administrative Order (NAO) 202-1110, during a pandemic health crisis or other emergency situation, the NOAA Administrator may:

- 1) order one or more employees to evacuate their worksite and provide them with evacuation pay and special allowances; or
- 2) Approve evacuation pay and special allowances to an employee or employees in receipt of an evacuation order from a State, Local, or Federal authority.

An employee in receipt of evacuation pay may be required to work from a “safe haven” (usually their homes or an alternative location mutually agreeable to the agency and employee) without regard to whether the agency and employee have a telework agreement in place when the order to evacuate is issued. An evacuated employee at a safe haven may be assigned to perform any work considered necessary or required to be performed during the evacuation period without regard to the employee's grade/band, level, or title. The employee must have the necessary knowledge and skills to perform the assigned work. Failure or refusal to perform assigned work within the employee's knowledge, and skill level, except when the failure is due to circumstances beyond the employee's control related to the evacuation, can be a basis for disciplinary action and termination of evacuation pay.

Hoteling – Telework arrangement in which employees are not assigned permanent space in their designated traditional worksite, but share offices and conference space as necessary when working at the traditional worksite. Such space is assigned by reservation, much like a hotel. NOAA encourages Line and Staff Offices to establish hoteling and space sharing arrangements for all employees who telework three (3) or more days per week.

Mobile Workers – Employees who, by the nature of their duties, do not have a designated traditional agency worksite, and they typically use their home as their duty station. Due to the nature of their work, they **are not** considered telework-ready employees. **Note:** This is different from ‘hoteling’ arrangements, in which frequent telework-ready employees use shared space when they are working at their designated traditional worksite.

Official Duty Station – Location of an employee's position of record where the employee regularly performs their duties (i.e., normally this means the location at which the employee

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works for the majority of their working time). If the employee's work involves recurring travel or their work location varies on a recurring basis, the duty station is the location where the work activities of the employee's position of record are based, as determined by the manager/supervisor. An employee's official duty station determines the appropriate locality area for pay purposes for General Schedule or equivalent employees as well as entitlement to travel and relocation expenses under the Federal Travel Regulations (FTR).

Officially Disciplined – A disciplinary action that results in the placement of a document in an employee's official personnel file (OPF); the bar on telework participation remains in effect as long as the document stays in an employee's OPF. A suspension or termination related to the items mentioned in the Telework Enhancement Act of 2010, Public Law 111-292 that results in a document (Standard Form (SF)50) that permanently remains in the OPF would result in permanent prohibition in telework participation.

Position Suitability – A position is suitable for telework unless the official duties require *on a daily basis* (every workday) the direct handling of secure materials determined to be inappropriate for telework by the head of the bureau/operating unit; or the performance of on-site activities that cannot be performed at an alternative worksite.

Routine Telework – Telework that occurs as part of an ongoing regular/recurring schedule such that the employee typically teleworks on the same day(s) during each biweekly pay period or a series of pay periods.

Remote Worker (Within the USA) – An alternative work arrangement by which an employee is scheduled to perform the duties and responsibilities of their position, and other authorized activities, from an approved alternative worksite (e.g., home, other alternative location) other than the employee's traditional worksite, either within or outside of the locality pay area of the traditional worksite and is *not* scheduled to report to the traditional worksite *at least twice* on a regular/recurring basis each pay period. The duty station must be changed to the alternative worksite for pay purposes, relocation expenses, travel expenses, etc., and must be documented on the employee's SF-50, *Notification of Personnel Action*, even if the alternative worksite is within the same locality pay area as the traditional worksite. Remote work is not considered to be Telework under the Telework Enhancement Act. **Remote work guidance based on OPM guidance (including already provided OPM guidance that may form the basis of pilot programs) will be provided in a separate policy.** Note: For Remote Work outside of the USA, see Domestic Employee Teleworking Overseas (DETO).

Situational Telework – Telework performed on an ad hoc, occasional, episodic, one-time, or irregular basis, including **Unscheduled Telework**, and modifications to an employee's **Routine Telework** schedule.

Telework – Telework, known as “telecommuting,” refers to a paid, flexible workplace arrangement under which an employee performs the duties and responsibilities of their position, and other authorized activities, from an approved alternative worksite, and is scheduled to report to the traditional worksite at least twice each pay period on a regular/recurring basis. The official duty station remains the traditional worksite.

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Telework Agreement – A signed written agreement between the employee and their supervisor/manager which provides the terms of the telework arrangement and contain the requirements under Section XII of this policy. NOAA considers all telework agreements to encompass both the written application/agreement form, any addendums and additions to the form, as well as the employee’s Performance Plan.

Telework-Ready Employee – An employee who occupies a position suitable to telework and has:

- Completed the required one-time telework training for employees via the Commerce Learning Center (CLC);
- A signed individual telework agreement;
- The required technological necessities to telework (i.e., Computer, internet access, electricity, telephone, etc.);
 - Note: the Telework Agreement should specify the necessary equipment and whether it will be provided by the government or the employee.
- A safe and appropriate approved alternative work site.
- Has sufficient work that can be completed at the alternative work site.

Temporary Duty (TDY) Location – A place, away from an employees’ official duty station, where the employee is authorized to travel. Employees on TDY may be permitted to telework consistent with their agreements. Note: Employees on TDY in foreign locations are not considered to be DETOs, but must receive permission from their manager/supervisor before engaging in telework activities; consideration should be given to potential security issues associated with remotely accessing government systems in the foreign location.

Traditional Worksite – See **Agency Worksite**.

Unscheduled Telework – A subset of Situational Telework that is available in response to an office closure, weather, or safety event. This type of telework is authorized by OPM or an appropriate agency official in response to an appropriate event or condition effecting an employee’s duty station.

IV. TELEWORK STRATEGIES

- A. **Agreeing to Telework.** An employee’s decision to telework is voluntary unless telework is a condition of employment (i.e., the employee is designated an “emergency employee”) or is required to continue Government operations in times of emergency (i.e., while in receipt of Evacuation Pay, as a member of the ERG, or as part of the COOP). In these instances, an employee may be required to work at home, or at another approved alternative worksite.
- B. **Types of Telework.** It is NOAA’s policy to allow eligible employees to work at alternative work sites away from their official duty stations, consistent with the needs of their office, during their regular tour of duty. Employees may be approved for Routine and/or Situational Telework.

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C. Telework Conditions

1. Routine Telework schedules and use of Situational Telework must be approved by an approving official (i.e., supervisor) and may not be changed without prior approval.
2. Employees approved for Routine Telework may be granted Situational Telework when business or personal needs require a short-term change to the telework arrangement, such as switching a scheduled telework day with a day the employee would otherwise report to the agency worksite or adding additional telework days. See “Temporary Telework Arrangements” below for additional details.
3. An employee’s use of telework should not adversely affect their use of alternative (flexible or compressed) work schedules.
4. Unscheduled Telework does not require advance approval. When OPM makes an announcement of “Unscheduled Telework” and it is not the employee’s regularly scheduled telework day, the employee may choose to perform unscheduled telework in lieu of reporting to the agency worksite. The employee’s decision is not subject to prior approval by the supervisor. However, the employee must notify their supervisor in accordance with the applicable policy of the office.
5. In rare circumstances, management may find it necessary to require a teleworking employee to report for an assignment that requires presence at the worksite (e.g., providing a presentation or performing administrative duties at a pre-scheduled conference) on their scheduled telework day. This should not be a last-minute request, but a special work circumstance that both the supervisor and employee know about, discuss, and plan in advance as the special work requires.
6. Communications systems and procedures to conduct telework are to be in place to support telework in an emergency, including a communication process to notify ERG personnel, emergency, and non-emergency employees of the activation of the agency’s emergency plan, and the agency’s operating status during the emergency.
7. All employees designated as “emergency,” as members of the ERG, or have responsibility during activation of the COOP, must have an approved individual telework agreement. Note: Employees required to telework only as a result of emergency or ERG responsibility are not required to telework on a regular, unscheduled, or ad hoc basis and will not be subject to telework requirements during office closures. Their individual telework agreement should specify whether they elect to telework outside of their emergency

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requirements (and are therefore subject to the normal telework requirements therein).

8. Time and Travel Conditions:
 - a. An employee who is required to travel between their traditional worksite and alternative worksite after the beginning of their work day is considered to be working during the travel, unless Weather and Safety Leave is warranted (See OPM's Governmentwide dismissal and closure procedures for guidance.).
 - b. To reduce government liability and maximize productivity, managers should avoid requiring or permitting employees to travel from their alternative worksite to an agency worksite during the work day. If the requirement to report to the worksite is known prior to the day that the employee is required to report to the worksite, employees should instead be directed to report for a full day of work at the agency worksite. At an employee's request, managers may permit employees to travel from their traditional worksite to their telework location to complete their work day; this travel must be accomplished on personal time (e.g., lunch or during flexible bands) or on approved personal leave.
 - c. Telework-ready employees scheduled to telework during their regular tour of duty on a day when their office is closed (or when other employees are dismissed early) are not entitled to receive overtime pay, credit hours, or compensatory time off in lieu of overtime payment for performing work during their regularly scheduled hours.
 - d. Employees voluntarily participating in the telework program are required to telework when offices are closed as a result of a weather or safety incident. Employees may be granted personal leave in lieu of teleworking or may be excused from teleworking consistent with the guidance provided in Section VII below.
 - e. All time teleworked in a pay period will be recorded per instructions in the appropriate time and attendance system.

- D. **Maximum Amount of Telework.** The maximum number of days an employee (including part-time employees) may perform routine or situational telework during a pay period is left to the discretion of the approving official, except that an employee must be regularly scheduled to report to the agency worksite at least twice per pay period on a recurring basis.

The twice per pay period requirement is irrespective of the number of hours spent performing work at the agency worksite; therefore, an employee on an Alternative Work Schedule may spend fewer than 16 hours each pay period at the agency worksite, as long as they have reported on two separate work days.

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The approving official's determination must be based on the employee's readiness to telework, the functions of the position, and the operational needs and work requirements of the organizational unit, not mere managerial preference.

An employee may be permitted to telework in excess of this maximum situationally or temporarily as long as there is a reasonable expectation that such employee will return to their routine telework arrangement in the foreseeable future. While there is no specific time limit on these situations, as durations increase supervisors must ensure the circumstances clearly support the temporary nature of the arrangement. See "Temporary Arrangements" in Section XIII for additional details.

E. Teleworking and Care of Elders, Children, and other Dependents.

If alternative caregivers are available (i.e., spouse, babysitter, etc.), or the dependents are able to care for themselves for part or all of the workday (such as older children), then their presence at the worksite would not interfere with the employee performing their duties; therefore, telework in these circumstances may be performed while dependents are at the telework location. Employees should coordinate with their supervisors to use flexible schedules, appropriate leave, or other arrangements to account for their time spent engaging in dependent care.

The above guidance also applies in the event of an office closure that results from a weather or safety emergency that also impacts the availability of dependent care (i.e., schools and/or care facilities are closed or inaccessible). However, if these circumstances significantly diminish an employees' ability to perform agency work, or if the supervisor or a Line or Staff Office policy bars telework in a given dependent care situation, the employee will not be considered telework-ready and therefore must be granted Weather and Safety Leave.

F. Teleworkers and Non-Teleworkers Shall be Treated the Same for Certain Purposes:

1. Periodic appraisals of job performance of employees;
2. Training, rewarding, reassigning, promoting, reduction in grade, retaining, and removing employees;
3. Work requirements; and
4. Other acts involving managerial discretion.

Note: While managers may require that teleworking employees be available for telephonic or video meetings and respond within reasonable periods of time to impromptu meeting requests (as they would expect of employees in the office), managers may *not* require employees to keep their video or telephone conferencing channels open for prolonged periods of time to facilitate spot checking of work.

G. Training Requirements. All employees interested in teleworking must successfully complete the required telework training for employees via the CLC before they may be approved to telework.

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The approving official for individual telework agreements must have completed the required telework training for managers via the CLC before they can approve any individual telework agreements.

V. ELIGIBILITY CRITERIA

- A. **Non-Discrimination.** Participation in telework is open to all eligible employees without regard to race, color, religion, sex (including pregnancy and gender identity), national origin, political affiliation, sexual orientation, marital status, disability, genetic information, age, membership in an employee organization, retaliation, parental status, military service, or other non-merit factors.
- B. **Employee Eligibility.** All NOAA employees are initially considered eligible to telework subject to the following statutory exclusions:
- a. The employee has been officially disciplined for being absent without leave (AWOL) for more than five (5) days in any calendar year; *or*
 - b. The employee has been officially disciplined for violations of 5 CFR Part 2635 (Standards of Ethical Conduct for Employees of the Executive Branch) for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties; *or*
 - c. The employee's performance at the time they request to telework is at least "Fully Successful" or the equivalent (a rating of 55 under Commerce Alternative Personnel System (CAPS)) and the performance of the employee does not comply with the terms of the telework agreement. Note: The duration of a performance-based exclusion is at the discretion of the employee's supervisor; supervisors need not exclude employees until they receive a formal performance review and may permit an employee to telework when they feel their performance has reached the "Fully Successful" level.

If an employee is determined to be ineligible to telework due to these exclusions, the employee will receive a written determination from the approving official within 10 working days of the employee's request to telework.

- C. **Position Suitability.** If the official duties of the employee's position require the employee to perform, *on a daily basis (every workday)*, direct handling of secure materials determined to be inappropriate for telework by the agency head; on-site activity that cannot be handled remotely or at an alternative worksite; or the employee is a mobile worker (not eligible due to the nature of work) then the employees' position is not suitable for telework and the employee is not eligible. These determinations must be made position-by-position, based on the duties of the position and the needs of the service.

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VI. ACCOMMODATIONS FOR EMPLOYEES WITH DISABILITIES

It is important to distinguish between ordinary requests to telework and requests from persons with disabilities for reasonable accommodation. Approving officials/supervisors should consult Department Administrative Order (DAO) 215-10, "[Reasonable Accommodation Policy](#)," and the Office of Human Capital Services (OHCS) as part of the interactive process established by the Rehabilitation Act, in order to fully understand supervisors' responsibilities under the law.

As governed by Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 791 et. seq., the Rehabilitation Act and [DAO 215-10](#), the determination as to whether an employee may be granted telework as a reasonable accommodation due to a disability should be made through the Reasonable Accommodation Coordinator, the employee's first-line supervisor, and the employee.

VII. EXCUSED FROM TELEWORKING

The supervisor, on a case-by-case basis, should excuse a telework-ready employee from duty without charge to paid personal leave or loss of pay during an emergency situation if the employee is prevented from performing work at an approved location due to: (1) an act of God; (2) a terrorist attack; or (3) another condition that prevents the employee from performing work at an approved location. Examples of the latter situation include:

- A. (1) the emergency situation adversely affects the telework site (e.g., disruption of electricity, or network connection problems that prevent telework); or
(2) the telework-ready employee's duties are such that they cannot continue to work without contact with the regular worksite during an emergency situation, and those individuals are not present.
- B. If the telework-ready employee faces a personal hardship that prevents them from working successfully at the telework site, the employee may request the appropriate leave (annual, sick, compensatory, credit hours, compensatory time for travel, weather/safety leave, administrative leave, etc.). The employee may also switch to an alternative work schedule day off, or use "flexing" consistent with the employee's alternative work schedule, if any.

Note: Under certain circumstances, the employee's personal hardship may be a result of weather or safety conditions that permit the supervisor to grant weather/safety leave, such as the need to prepare the home for severe weather, clear snow or ice from the primary egress, or make repairs to damage that threatens the safety of the employee. Supervisors are encouraged to consult with OHCS in determining whether to grant Weather and Safety Leave under these circumstances.

VIII. PERFORMANCE STANDARDS

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Performance standards for telework-ready employees must be the same as performance standards for non-telework-ready employees. Expectations for performance should be clearly addressed in each employee's performance plan, and the performance plan should be reviewed to ensure the standards do not create inequities or inconsistencies between telework-ready and non-telework-ready employees. Like non-telework-ready employees, telework-ready employees are held accountable for the results they produce. Resources for performance management are available from OPM at <https://www.opm.gov/policy-data-oversight/performance-management/>; and OHCS's performance management resources portal at <https://sites.google.com/noaa.gov/ohcs/policy-procedures/performance-management>.

IX. ROLES AND RESPONSIBILITIES

A. NOAA/OHCS Telework Program Manager (TPM)

1. Develop, review and update the NOAA Telework Implementation Plan.
2. Maintain a list of the primary telework coordinators (TCs) for each line and staff office.
3. Establish procedures for evaluating the telework program.
4. Provide telework reports, with input from line/staff office TCs, as required by the DOC.
5. Provide advice and assistance to line and staff office TCs on the NOAA Telework Implementation Plan, including working with senior-level managers in establishing and obtaining office telework goals, objectives, and reporting requirements.
6. Answer telework-related questions and providing guidance to the NOAA line/staff office TCs.
7. Develop and conduct telework training to approving officials, managers, supervisors and the Line/Staff Office TCs.
8. Develop a catalog of best practices and lessons learned.
9. Develop and maintain an online telework portal of information.

B. Approving Officials. Approving officials are responsible for the overall management and success of teleworking within their offices, including day-to-day operations. Telework-ready employees and their approving officials are responsible for reviewing the individual telework agreement at least annually to ensure that it is current. The date of the review must be documented.

C. NOAA Line/Staff Office Telework Coordinators (TCs)

1. In consultation with the OHCS TPM:
 - a. Conduct training sessions for their assigned line/staff office to supplement the orientation training provided to all new employees. The training session will provide orientation and training for telework-ready employees and their supervisors regarding the implementation plan and their responsibilities; and
 - b. Provide NOAA procedural program guidance to management and telework-ready employees.

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2. Maintain a central file of all approved individual telework agreements for the personnel in their line/staff office as well as a record of all written denials or terminations;
3. Answer telework-related questions and provide guidance to the employees within their line/staff offices;
4. Develop and implement a reporting system capturing telework participation, hours teleworked (from the time and attendance (WebTA) system), terminations, and denials; and
5. Response to requests for reports consistent with Section XV below.

X. PREPARING FOR THE INDIVIDUAL TELEWORK AGREEMENT

The following actions should be taken when establishing an individual telework agreement:

- A. The employee completes the NOAA Supervisor's/Manager's Telework Eligibility and Readiness Assessment Tool (See Appendix B).
- B. The employee completes the "Telework Application/Agreement and Modification of Telework Agreement" (See Appendix A) and submits it to their supervisor along with the certificate showing successful completion of the required telework training for employees via the CLC.
- C. The employee completes the Telework Safety Checklist (See Appendix C).
- D. The employee and supervisor discuss the expectations in the proposed telework agreement, including the performance levels required of the employee and the results of the NOAA Telework Eligibility and Readiness Assessment Tool.
- E. If the supervisor is not the approving official, the supervisor will forward the telework agreement to the approving official with their recommendations.

XI. TELEWORK AGREEMENTS

A. Duration of Telework Agreements

1. Approving Officials should determine the duration of the telework agreement. Telework agreements may be considered indefinite and do not require an expiration date. Approving Officials are encouraged to regularly review telework agreements with participants and make adjustments, including terminations, when requested by employees or determined to be necessary by management. All agreements must be reviewed at least annually. NOAA suggests these reviews be completed during the employee's annual or semi-annual performance management reviews.
2. An employee may *not* telework if they do not have a current approved telework agreement in place.
3. In accordance with [5 U.S.C. § 6502\(b\)\(3\)](#), an employee is not authorized to continue teleworking if the performance of that employee does not comply with the terms of the written telework agreement between the approving official and the employee (see "B" below).

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B. Modification and Termination of Telework Agreement. The operational needs of NOAA supersede an employee’s desire to telework. In addressing any application for telework, including an application to continue teleworking, or in making a decision to modify or terminate an employee telework arrangement, management will first consider the operational needs and work requirements of the organizational unit, the duties of the position, and, through the NOAA Telework Eligibility and Readiness Assessment, the employee’s conduct, performance, and capacity or demonstrated ability to telework. While approval is at the sole discretion of the supervisor, it may not be based on mere managerial preference. Employees do not have an entitlement to telework. Nor do employees who currently telework have an automatic right to continue teleworking.

1. Modification

i. Management Directed Modification

1. Management may modify the agreement at any time to address the operational needs of the work unit, employee performance or conduct, or to comply with law and policy.
2. The approving official must provide written documentation supporting the modification, including the reason for modification, to the affected employee. Consent or acknowledgement via signature by the affected employee is not required for the termination of telework to take effect.
3. Management must provide the employee with at least ten (10) working days’ advance notice prior to implementing the modification to allow the employee to make necessary arrangements. In establishing the implementation date, management should consider the nature of the arrangements the employee must make, particularly in situations where the employee had been performing significant amounts of routine telework.

ii. Employee Modification Request

1. An employee may request to modify the current telework agreement (e.g., change the regular teleworking day) by submitting a new “Telework Application / Agreement and Modification of Telework Agreement” (check “Modification”) to the employee’s supervisor with the requested changes highlighted;
2. The supervisor and employee shall discuss the employee’s requested modifications within five (5) working days of submission;
3. If the supervisor is not the approving official, the supervisor will forward the request to the approving official with their recommendations within five (5) working days;

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4. The approving official will issue a final, written decision to the employee and supervisor within seven (7) working days of receiving the supervisor's recommendation.

2. Termination

- i. There is no mandatory waiting period following termination prior to submitting a new request to telework.
- ii. **Employee Termination**
An employee may terminate the telework agreement at any time, for any reason, without the need to provide advanced notice, by providing the approving official with written notice of a decision to terminate their written telework agreement. While employees are not required to provide advanced notice, they should notify their managers promptly and prior to executing their termination.
- iii. **Management Directed Termination**
 1. Management may terminate the agreement at any time to address the operational needs of the work unit, employee performance or conduct, or to comply with law and policy.
 2. The approving official must provide written documentation supporting the termination, including the reason for termination, to the affected employee. Consent or acknowledgement via signature by the affected employee is not required for the termination of telework to take effect
 3. Management must provide the employee with at least ten (10) working days advance notice prior to implementing the termination to allow the employee to make necessary arrangements. In establishing the implementation date, management should consider the nature of the arrangements the employee must make, particularly in situations where the employee had been performing significant amounts of routine telework.

C. Appeals

Non-bargaining unit employees must use the procedures in [DAO 202-771](#), "*Administrative Grievance Procedure*" to appeal issues relating to their request to telework, modification to an existing telework agreement, and management directed terminations of telework agreements.

Bargaining unit employees should use the negotiated grievance procedure and/or follow the process outlined in their collective bargaining agreement unless telework related issues have been excluded from their agreement.

In following the administrative grievance process, the official making the final decision on appeals will issue a written decision on an employee's appeal of the denial

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of their request within 10 working days of the request being received by the deciding official. If the deciding official disapproves the request, they must provide written justification to the employee indicating when or if the employee would be eligible to reapply, and if applicable, what actions the employee should take to improve their chance of future approval. Deciding officials are to provide employees copies of signed written denials or terminations of telework agreements.

- D. **Discrimination.** Employees who believe they are the victims of prohibited discrimination must use the procedures in [DAO 215-9](#), “*Filing Discrimination Complaints*,” to appeal the alleged discrimination, or may use the negotiated grievance procedure.

XII. ESTABLISHING THE WORK SCHEDULE

Work schedules identify the days and times an employee will telework. Normally, telework schedules parallel those at the traditional worksite; however, they can differ to meet the needs of the organization and participating employees’ needs. Work schedules may also include fixed times during the day for manager/supervisor/employee telephone conversations, which may be helpful to ensure ongoing communication. For additional information on hours of duty, please visit:

- <https://www.commerce.gov/hr/practitioners/leave-policies/hours-of-duty-and-work-schedules>.
- <https://sites.google.com/noaa.gov/ohcs/employee-resources/manager-resources/manager-resource-guide/hours-of-duty-and-work-schedules>.

XIII. DETERMINING THE OFFICIAL DUTY STATION

The official duty station is the location of the traditional worksite as long as the employee is scheduled to physically reports to the traditional work site at least **twice** each biweekly pay period on a regular and recurring basis. If management were to approve an arrangement through which this criterion is not met, the telework location becomes the official duty station (and the employee is considered a Remote Worker).

Note: If a teleworking employee with a varying work location works at least twice each biweekly pay period on a regular and recurring basis in the same locality pay area in which the traditional worksite is located, the employee **does not** have to report twice each pay period to the official worksite to maintain the locality payment for that area. For example, an employee who is required to perform duties at two or more separate agency worksites within a given locality pay area may meet the twice per pay period reporting requirement by visiting any two agency worksites each pay period.

A. Temporary Telework Arrangements

1. There is no change in official duty station for employees on Detail or TDY.
2. In certain temporary situations, NOAA may continue to designate the location of the traditional worksite as the official duty station, even though the

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employee is not able to report to the traditional worksite at least twice each biweekly pay period on a regular/ recurring basis. The intent of this exception is to address temporary situations in which an employee is expected to return to their regular worksite when the temporary situation or agreed upon time period has concluded. Such situations may include, but are not limited to:

- a. Recovery from an injury or illness;
 - b. Emergencies, including severe weather and pandemic health crises;
 - c. Extended periods of approved absence mixed with telework;
 - d. TDY and Details.
3. Supervisors must approve these arrangements in writing, such as by email, and the approval must include:
- a. The location from which the employee will be teleworking (if different from their normal telework location);
 - b. When the temporary arrangement will begin;
 - c. The expected duration of the temporary arrangement;

XIV. PREMIUM PAY AND LEAVE

- A. **Pay.** An employee's locality rate of pay is based on the employee's official duty station, and is determined in accordance with [5 CFR 531.604](#). The line/staff office must determine and designate the official duty station for an employee covered by a telework agreement using the criteria above.
- B. **Premium Pay.** The same premium pay rules apply to employees when they telework as when they are working at the traditional worksite.
- C. **Leave and Work Scheduling Flexibilities.** Telework-ready employees are governed by the same procedures as non-telework-ready employees for requesting and obtaining leave approval. Telework arrangements should have no impact on alternative work schedules and vice versa.

XV. REPORTING REQUIREMENTS

The line/staff offices, via their Telework Coordinator, are required to respond to requests from the OHCS Telework Program Manager for a variety of reporting requirements/initiatives. Below is information that may be requested, although it is not all-inclusive.

1. The degree of participation by employees of each line/staff office teleworking during the period covered by the report;
2. The method for gathering telework data in each line/staff office;
3. The reasons for positive or negative variations in telework participation if the total number of employees' teleworking is 10 percent higher or lower than the previous year in the line/staff office;
4. The line/staff office goal for increasing telework participation to the extent practicable or necessary;

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5. An explanation of whether or not a line/staff office met its goals for the last reporting period and, if not, what actions are being taken to identify and eliminate barriers;
6. An assessment of the progress made in meeting line/staff office participation-rate goals and other goals related to telework, such as the impact of telework on emergency readiness, energy use, recruitment and retention, performance, productivity, and employee attitudes and opinions regarding telework; and
7. Best practices in the line/staff office.

XVI. INFORMATION TECHNOLOGY (IT) SECURITY REQUIREMENTS FOR TELEWORK-READY EMPLOYEES

Telework-ready employees must abide by the IT security requirements conveyed in the DOC [IT Security Program Policy \(ITSP\)](#), Commerce IT Requirements (CITRs), Frequently Asked Questions (FAQs) and IT Security Policy memos. A complete list of DOC IT security documentation can be accessed at:

http://home.commerce.gov/CIO/ITSITnew/IT_Security_Program_Documentation.html.

In addition to the requirements above, telework-ready employees must abide by the IT security requirements conveyed in the NOAA IT Security Policy (ITSP), NOAA's Computer Incident Response Team Requirements (N-CITR), and IT Security Policies. The Telework Agreement signed by the telework-ready employee and their supervisor may describe additional security requirements. A complete list of NOAA IT security documentation can be accessed at: <https://sites.google.com/noaa.gov/csd>.

Supervisors are responsible for ensuring that telework-ready employees agree to comply with all existing IT security requirements and to ensure employees are held accountable to them.

XVII. PROTECTING THE SECURITY AND CONFIDENTIALITY OF RECORDS

All telework-ready employees must ensure that records subject to the Privacy Act of 1974, or which have sensitive Personally Identifiable Information (PII) or Business Identifiable Information (BII), are not disclosed to anyone except those who have been authorized access to such information to perform their duties. Bureaus/Operating Units (OUs) must ensure that appropriate physical, administrative, and technical safeguards are used to protect the security and confidentiality of such records.

A. Disclosure of Records from an Agency System of Records

1. Telework-ready employees are responsible for ensuring that their disclosure of a record (information) from any agency system of record complies with the Privacy Act of 1974.
2. The Privacy Act of 1974 defines a 'system of records' as a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. DOC system of record notices (SORNs) are posted at:

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<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=PAI&browsePath=2005&isCollapsed=false&leafLevelBrowse=false&ycord=0>.

3. The Privacy Act of 1974 prohibits the disclosure of a record (information) from an agency system of record that is not identified as a routine use in that system's SORN, does not comply with an exemption identified in the SORN, or does not comply with one of the 12 exceptions to the non-disclosure-(to third parties)-without-consent rule.
4. A Privacy Act incident occurs when an officer or employee of the agency, who by virtue of their employment or official position, has possession of or access to agency records that contain individually identifiable information, the disclosure of which is prohibited by [5 U.S.C. § 552a](#) (or regulations established thereunder), and discloses the material in any manner to any person or agency not entitled to receive it. Knowing misuse or release of information protected by the Privacy Act of 1974 can subject an employee to fines and/or criminal sanctions.
5. Telework-ready employees must immediately report a suspected or confirmed Privacy Act incident to their bureau/OU privacy officer or the Computer Incident Response Team (CIRT) and immediate supervisor.

B. Proper Handling of PII and BII

1. Telework-ready employees are responsible for the safeguarding of PII and BII.
2. PII is information that can be used to distinguish or trace an individual's identity, such as name, social security number, biometric records, etc., alone, or when combined with other personal or identifying information, which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc. Sensitive PII, if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual.
3. Types of PII considered sensitive when associated with an individual are: social security number (including truncated form), place of birth, date of birth, mother's maiden name, biometric information, medical information (except brief references to absences from work), personal financial information, credit card or purchase card account numbers, passport numbers, potentially sensitive employment information (e.g., personnel ratings, disciplinary actions, and results of background investigations), criminal history, and any information that may stigmatize or adversely affect an individual. The DOC's IT Privacy Policy provides that breaches of sensitive PII are subject to notification/reporting requirements.

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4. When deciding whether PII is sensitive or non-sensitive, it is important to consider the type of information, obligations, or expectations regarding the protection of information, risk (probability and consequences) of loss or compromise of information, and context of information. Context is particularly important. The same types of information can be sensitive or non-sensitive depending upon the context. For example, a list of names and phone numbers for the Department softball roster is very different from a list of names and phone numbers for individuals being treated for an infectious disease. It is important to use good judgment when deciding whether PII is sensitive or non-sensitive. When in doubt, treat PII as sensitive.
5. The Department's policy states that if sensitive PII must be electronically transmitted, it must be protected by secure methodologies such as encryption, Public Key Infrastructure, or secure socket layers. Federal Information Processing Standards (FIPS) Publication 140-2, "*Security Requirements for Cryptographic Modules*" provides the standard to which encryption methodologies must conform. The transmission of sensitive PII, even if protected by secure means, must be kept to a minimum. Check with your bureau/OU's Office of the Chief Information Officer to determine methods or services they are using to support the electronic transmission of sensitive PII.
6. In addition to sensitive PII, telework-ready employees must ensure the safeguarding of BII. BII is information that is defined in the Freedom of Information Act as "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." "Commercial" is not confined to records that reveal "basic commercial operations" but includes any records (information) in which the submitter has a "commercial interest" and can include information submitted by a non-profit entity. Terms for BII that must be protected from disclosure include "confidential business information," "confidential commercial information," and "proprietary information."
7. Sensitive PII and BII can be stored on Government systems only, and saved, stored, or hosted only on DOC-authorized equipment (including contractor-owned equipment or a system that is approved to be used as a Government system). Computers that are personally-owned may not be used to save, store, or host sensitive PII and BII that is collected or maintained by the Department.
8. Sensitive PII and BII must be sent encrypted as an email attachment and encrypted on mobile computers, media (e.g., CDs, DVDs, USB drives), and devices (e.g., laptops, hard drives). When faxing sensitive PII and BII, an advisory statement about the contents must be included on the cover sheet, and the recipient must be notified immediately before and after transmission.
Exception: According to the Commerce Acquisition Manual (CAM) 1313.301, cardholders shall not transmit credit card information over a facsimile machine. When mailing sensitive PII and BII, it must be physically secured when in

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transit. Do not mail or send by courier sensitive PII and BII on CDs, DVDs, hard drives, flash drives, USB drives, floppy disks, or other removable media unless the data is encrypted. Sensitive PII and BII must be sealed in an opaque envelop or container and mailed using First Class or Priority Mail, or a commercial delivery service (e.g., Federal Express or DHL). Appropriate methods must be used to destroy sensitive paper PII and BII (e.g., shredding, using a burn bag) and securely delete sensitive electronic PII and BII (e.g., empty the Windows recycle bin).

9. Telework-ready employees and supervisors are responsible for complying with all Bureau/OU guidelines on reporting PII and BII incidents. The Office of Management and Budget Memorandum M-07-16 defines a PII incident as the loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations where persons other than authorized users, and for other than authorized purpose(s), have access or potential access to PII, whether physical or electronic. Telework-ready employees must immediately report a suspected or confirmed PII and BII incident to their bureau/OU privacy officer or CIRT and immediate supervisor.

XVIII. PRIVACY ACT, SENSITIVE, AND HIGHLY SENSITIVE INFORMATION

A. Decisions on Proper Use and Handling of Sensitive Information

These decisions will be made by the approving official who permits the employee to work at home or another alternative worksite. A telework agreement will be signed by the employee and their approving official that contains the specific data types allowed to be accessed. Information is generally categorized into the following groups: Non-Sensitive Information; Sensitive Information; and Classified National Security Information.

B. Physical Security Standards

The physical security standard for PII and other Sensitive and Administratively Controlled Information must be addressed prior to allowing telework. Chapter 35 of the Office of Security's (OSY's) Security Manual provides minimum physical security standards for the office environment that are also applicable during telework. At a minimum, Controlled Unclassified Information (CUI), including PII, should be afforded protection to prevent unauthorized access of the information.

C. Controlled Unclassified Information (CUI) Registry

The National Archives and Records Administration's CUI Office developed the CUI Registry, which allows anyone to access the Safeguarding and Dissemination requirements for CUI that must be afforded to information like PII (privacy) and other unclassified information. The registry may not be all inclusive, as only those categories of unclassified information that have a law, regulation, or Government-wide policy governing dissemination and/or safeguarding are provided. Therefore, any Sensitive and Administratively Controlled Information in hard-copy form that does not

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fall within the parameters of the manual, or the registry, should be brought to the attention of the Information and Personnel Security Division of the OSY.

Teleworkers and supervisors should visit <http://www.archives.gov/cui/registry/category-list.html> prior to allowing hard copy PII and other administratively controlled information outside the workplace for telework purposes.

CUI, established by Executive Order 13556, is legally protected and covered under the Sensitive Information category.

D. Highly Sensitive Information

This information is subject to the most stringent security and access control rules, such as courier authorization, hand-to-hand transmission, or agency-specific rules not included in the DOC telework policy. Classified information that requires Secret or Top Secret security clearances for protecting national security information is included in this category. Classified information (Confidential, Secret, or Top Secret) may only be transmitted or removed from official worksites by classified networks or authorized official couriers. This type of information may not be used or accessed in any manner by teleworkers.

XIX. TELEWORK IT SECURITY POLICY

The Department's Chief Information Officer (CIO) is responsible for issuing and maintaining IT and eGov policies and minimum implementation standards, including remote access and safeguarding sensitive information. These policies and minimum implementation standards outline responsibilities of bureau/operating unit CIOs/ACIOs and teleworkers to enable an effective working environment for the teleworker and the protection of Department systems from undue risk. Operating unit CIOs/ACIOs, with the support of their IT security officers, are responsible for establishing teleworking IT security procedures specific to their operating unit and providing secure telecommuting resources and operational controls commensurate with the sensitivity of the data processed and with policies and minimum implementation standards provided by the Department's CIO. The Department's policy on remote access is accessible via intranet at:

https://connection.commerce.gov/sites/connection.commerce.gov/files/media/files/2014/citr-008_remote_access.pdf.

Managers/supervisors are responsible for ensuring that telework-ready employees agree to comply with all existing security policies and procedures, including IT security. Telework-ready employees also agree that their responsibilities, described in Section 3.3.9 of the Department's "*IT Security Policy and Minimum Implementation Standards*," remain in effect while on telework status. Other pertinent bureau or operating unit policies on IT security may also exist; managers/supervisors are responsible for ensuring that telework-ready employees agree to follow all applicable policies.

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The workplace and workstation must be set up to accomplish secure information processing, including the proper storage of Sensitive Information in both electronic and paper form. The telework-ready employee, following bureau/operating unit policies, must minimize security vulnerabilities to the workstation and the Departmental network.

XX. TELEWORKING DURING EMERGENCY SITUATIONS/INCLEMENT WEATHER

- A. **Unscheduled Telework.** This type of telework option allows telework-ready employees to work from home or at an approved alternative location upon notification to their supervisor in accordance with the office policies.

- B. **Federal/Departmental Offices Are Closed.** Employees must telework consistent with law and their telework agreements when Federal/Departmental offices in their local commuting area are closed. Excused absences (utilizing Weather and Safety Leave or administrative leave) may be granted on a case-by-case basis for telework-ready employees in the above situations that may include but are not limited to: power outages, damaged/un-inhabitable alternative work sites, dependent care issues, or state/local laws. (See section VII, “Excused from Teleworking”, for more details.).

- C. **Early Dismissal/Delayed Arrival.** When an early dismissal/delayed arrival is announced or provided *as a result of an emergency situation or inclement weather*, those who are teleworking are not dismissed from duty for any part of the workday. However, managers/supervisors may grant Weather and Safety Leave on a case-by-case basis, if the employee is unable to begin or continue teleworking. Teleworking employees are permitted to take advantage of early dismissals granted by management or the President in relation to a holiday, recognition of a special circumstance, and similar occasions.

- D. **Emergency at the Alternative Worksite.** When an emergency affects only the alternative worksite for a major portion of the workday, the employee is expected to report to the traditional worksite, an approved alternative telework site, or request supervisory approval of applicable paid personal leave (i.e., annual, compensatory time, compensatory time off for travel, credit hours, etc.). Note: Consistent with OPM guidance, an employee required to travel between an alternate worksite and a traditional worksite as a result of a weather or safety issue must be granted Weather and Safety Leave for the duration of their commute between duty stations.

However, on a case-by-case basis, the manager/supervisor may excuse, without charge to paid personal leave or loss of pay, a telework employee from duty during an emergency if: (1) the emergency adversely affects the telework site; (2) the telework-ready employee is unable to access another alternative telework site; (3) the telework-ready employee is unable to access the traditional worksite within a reasonable period of time; and (4) the telework-ready employee’s duties are such that they cannot continue to work without contact with the traditional worksite. (See section VII, “Excused from Teleworking”, for more details.).

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XXI. TELEWORK AND THE CONTINUITY OF OPERATIONS PLAN (COOP)

If an employee occupies a position deemed essential or serves as an ERG member (these designations may vary based on the nature of the emergency) for inclement weather or natural or man-made emergencies, they may be required to report to work.

If an employee is an ERG member for COOP purposes, management, along with the employee and supervisor, should make advance and/or situational decisions as to whether the employee must physically report for duty or may work from home or an alternative worksite. For example, if the purpose of the employee reporting for duty at the traditional worksite is to provide policy guidance or to notify specific individuals of emergency requirements, this may be able to be accomplished from home, provided the employee has access to the resources necessary to perform the required services. However, in some cases, the only way to obtain the services of the employee may be through telework from an alternative worksite. For example, if inclement weather or other emergency situation results in a transportation shutdown, but phone lines remain working, the employee may be able to work from home rather than reporting to the traditional worksite or COOP site.

Employees designated as COOP Team Members may be required to telework during emergency closures or other emergencies, including pandemics and for COOP exercises, on any day, even if that day is not a regular telework day or a day with specific approval for situational/episodic telework. Telework-ready employees may also be required to perform duties outside of their usual or customary duties to ensure continuation of agency-essential mission or activities.

During any period that the Department is operating under COOP, that plan shall supersede any telework policy (Public Law 111-292 Section 6504(d)(2)).

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**XXII. APPENDIX A: NOAA TELEWORK APPLICATION/AGREEMENT AND
MODIFICATION FORM**

Initial Application

Modification

NOAA
Telework Application/Agreement and Modification Form

SECTION I – TO BE COMPLETED BY THE EMPLOYEE

Date of Request:

Organization:

Employee Name:

Official Title:

Pay Plan, Series, Grade/Band:

Supervisor's Name:

Supervisor's Official Title:

Supervisor's Telephone:

Desired Telework Start Date:

Type of Alternate Worksite: Home NOAA Facility Other (Explain below)

Address(es) of Alternate Worksite(s):

Telephone at Alternate Worksite: _____

Description of Location(s) within Home/Alternate Worksite (floor, room, etc.): (Examples: Desk in First Floor Home Office, Table and Couch in Basement Den):

Equipment Supplied By NOAA to Perform Work at Alternate Worksite:

Identification of specific data types NOT to be accessed at alternative worksite (if any):

Identification of records which can or cannot (specify) be transported to the alternate worksite:

Type of Telework (Select one or more).

Note: Employees completing this agreement ONLY for the purposes of COOP/Emergency operations will not be required to telework during normal office closures such as weather events when COOP/Emergency operations have not been initiated:

Routine Scheduled Situational For COOP/Emergency

For Routine Schedule Telework Only:

Work Schedule (including AWS day(s) off and rotating shifts, if applicable):

Week 1							Week 2						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Telework Days at Alternate Worksite:

Week 1							Week 2						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Telework Days Per Pay Period: _____

(Note: employees **must** be scheduled to report to the traditional worksite **at least twice** per pay period to use this application.)

NOAA Telework Eligibility and Readiness Assessment Tool

In considering whether and how much telework an employee should perform, the supervisor and employee should complete and discuss the ***NOAA Telework Eligibility and Readiness Assessment Tool***.

The Employee and Supervisor Have Discussed the Results of the ***NOAA Telework Eligibility and Readiness Assessment Tool***.

NOAA Telework Safety Checklist

In order to minimize threats to the safety of its employees and properly address liability and injury compensation issues, the telework application must clearly describe the specific location within the alternative worksite from which the employee will telework. Additionally, the NOAA Telework Safety Checklist must be completed and reviewed by the supervisor.

The ***NOAA Telework Safety Checklist*** has been completed and all action necessary to address safety concerns have been completed.

Additional Agreement Details:

Use this space to add additional requirements, metrics, or details that will become part of the agreement.

Employee Acknowledgements

I acknowledge that I will not be authorized to telework if my performance does not comply with the terms of my telework agreement. Failure to comply may also result in disciplinary action.

I understand that I must perform at the Fully Successful or higher (or equivalent) level in order to telework.

I certify that I have completed an approved interactive telework training program authorized by my bureau, the Telework Safety Checklist, and the Telework Eligibility and Readiness Assessment Tool, if applicable.

I understand that, unless this agreement is for COOP/Emergency purposes *only*, I am required to telework during office closures for weather and safety events unless granted Weather and Safety or Administrative leave by my supervisor, or electing to take unscheduled leave (if offered).

I understand that that I may be required to report for an assignment that requires presence at the worksite (e.g., providing a presentation or performing administrative duties at a pre-scheduled conference) on my scheduled telework day.

When unscheduled leave or telework is announced by the appropriate authorities, I understand that the election is mine but I must notify my supervisor. I am aware that, in rare situations, management may require me (a “non-emergency” employee) to report for an assignment that requires my presence, and management has discussed this with me in advance of the situation giving rise to unscheduled leave/telework.

I understand that I may not care for children, elders, or other dependents while I am in a *duty status* and teleworking. As described in the NOAA Telework Implementation Plan, in these situations, I must request the appropriate leave (paid or unpaid) from my supervisor, utilize the flexibility available under my Flexible Work Schedule to stop working (if applicable), or request a change in my Work Schedule.

I understand that I must abide by the IT Security requirements conveyed in the Commerce Information Technology Security Program Policy (ITSP), Commerce Information Technology Requirements (CITRs), Frequently Asked Questions (FAQs), and IT Security Policy memos.

Alternate Worksite Costs – The employee understands that the Government will not be responsible for any operating costs associated with the use of the employee’s home as an alternate worksite, for example, home maintenance, insurance, or utilities. The employee also understands that any entitlement to reimbursement for authorized expenses incurred while conducting business for the Government, as provided for by statute or regulation, is not relinquished by this agreement.

Liability – The applicant understands that the Government will not be held liable for damages to their personal or real property while they are working at the approved alternate worksite, except to the extent the Government is held liable under the Military Personnel and Civilian Employees Claims Act and the Federal Tort Claims Act.

Injury Compensation – The applicant understands that they are covered under the Federal Employees Compensation Act if injured in the course of actually performing official duties at the alternate worksite. The applicant agrees to notify his/her supervisor immediately of any accident or injury that occurs at the alternate workplace and to complete any required forms. The supervisor agrees to investigate such a report as soon as possible.

Disclosure – The applicant agrees to protect Government records from unauthorized disclosure or damage and will comply with requirements of the Privacy Act of 1974, 5 U.S.C. § 552(a), and those outlined in sections **XVII - XX** of the DOC Telework Policy and Sections **XVII – XIX** of the NOAA Telework Implementation Plan (October 2021).

Employee’s Signature and Date: _____

SECTION II – TO BE COMPLETED BY THE APPROVING OFFICIAL

Approved: Disapproved: Reason Not Approved:

I certify that the employee is eligible and authorized to telework and that I have reviewed the employee’s Safety Checklist:

Termination Date of Agreement (Note: all agreements must be reviewed *at least annually*):
 Indefinite/Until Terminated or Modified

Supervisors’ Signature and Date (if Supervisor is not the Approving Official):

Approving Official’s Signature and Date:

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**XXIII. APPENDIX B: NOAA TELEWORK ELIGIBILITY AND READINESS
ASSESSMENT TOOL**

NOAA Telework Eligibility and Readiness Assessment Tool

Note: This assessment should focus on the attributes of the employee rather than the suitability of the functions of the position for telework. The amount of telework that is suitable for a position should be established using the telework suitability tool.

The decision to permit an employee to telework, and how much telework to approve, should be based on the ability of an employee to work in a setting away from their customers and coworkers, either in their home or at another Federal facility, without on-site supervision. The following tool is to be used by the supervisor as a basis for discussing whether and how much telework is appropriate for a particular employee. The employee and the supervisor may complete the assessment together or separately and should discuss any discrepancies.

Lower scores in any assessment area are not necessarily disqualifying for telework, but may influence the amount of telework the supervisor approves and/or may require significant discussion, planning, or the addition of specific items/metrics in the telework agreement to ensure success. The supervisor may wish to utilize short-term telework agreements which expire after a few months to gauge the employee's readiness for telework.

Statutory Eligibility:

If any of the below boxes are checked, the employee is *ineligible* for telework and their application must be denied.

The employee has been officially disciplined for being Absent Without Leave (AWOL) for more than 5 days in any calendar year ***and the record of such discipline remains in the eOPF.***

The employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for reviewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties [Public Law 111-292, 6502(a)(2)(A)(B)] ***and the record of such discipline remains in the eOPF.***

The employee's ***current*** performance is below the Fully Successful (or equivalent) level.

Notes:

1. Disciplinary actions that are not reflected in the eOPF are not considered "official."
 2. Disciplinary records such as Letters of Reprimand, which are removed from the eOPF after a period of time, are only disqualifying while they are present in the eOPF.
 3. An employee's performance may change throughout the year. If an employee's performance has previously been less than Fully Successful, but they have since improved, they are no longer ineligible.
-

Telework Readiness Assessment

Please rate yourself or your employee, using the following scale:

5 – Always 4 – Usually 3 – Sometimes 2 – Rarely 1 – Never

1. Employee successfully performs tasks without regular monitoring/supervision.
2. Employee is comfortable working autonomously/independently.
3. Employee independently identifies required work products.
4. Employee successfully establishes priorities and plans/organizes their work accordingly.
5. Employee demonstrates a high level of productivity, efficiency, and effectiveness.
6. Employee keeps management informed of their work progress.
7. Employee meets deadlines.
8. Employee communicates hindrances to successful completion of a task or project in sufficient time to allow for alterations that improve the opportunity for success.
9. Employee communicates clearly and effectively, particularly in email or over the phone.
10. Employee is responsive to emails, calls, instant messages, and meeting requests.
11. Employee demonstrates capability to use technology to achieve work goals and collaborate.
12. Employee understands their role and their supervisor's expectations.
13. Employee demonstrates knowledge of the organization's procedures and policies.
14. Employee complies with organization's time and attendance policies.
15. Employee complies with Department's information technology security protocols.

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XXIV. APPENDIX C: NOAA ALTERNATIVE WORKSITE SAFETY CHECKLIST

APPENDIX C: NOAA TELEWORK SAFETY CHECKLIST

This checklist is to be completed only if the proposed alternate worksite is in a private residence. This checklist is designed to assess the overall safety of the designated work area of the alternate worksite. Each applicant should read and complete the self-certification safety checklist. Upon completion, the checklist should be signed and dated by the applicant and submitted to the immediate supervisor.

Applicant Name: _____ Date: _____ Telephone: _____

Address, Telephone, and Location of Alternate Worksite: _____

Describe the Designated Work Area:

1. Are stairs with four or more steps equipped with handrails? Yes No N/A
2. Are aisles, doorways, and corners free of obstruction? Yes No N/A
3. Are file/storage cabinets arranged so that open doors/drawers do not create obstacles?
 Yes No N/A
4. Is the office space neat, clean, and free of combustibles? Yes No N/A
5. Are phone lines, electrical cords, and surge protectors secured under a desk or alongside a baseboard? Yes No N/A
6. Are circuit breakers/hoses in the electrical panel properly labeled? Yes No N/A
7. Is electrical equipment free of recognized hazards that could cause physical harm (e.g., frayed, loose, and/or exposed wires, bare conductors, etc.)? Yes No N/A
8. Does the building electrical system permit grounding of equipment (i.e., have three-prong receptacles)? Yes No N/A
9. Is there a smoke alarm and clear access to a fire extinguisher? Yes No N/A

By signing this document, the applicant certifies that all of the above applicable questions were answered in the affirmative, or, if answered in the negative, that the applicant will take all necessary corrective actions to eliminate any hazard prior to beginning telework.

Applicant's Signature and Date: _____

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XXV. APPENDIX D: (OPTIONAL) TELEWORK TERMINATION FORM

APPENDIX D: NOAA OPTIONAL TELEWORK TERMINATION FORM

The telework option is a privilege and not an employee right. As such, it falls under the supervisor’s discretion to determine how work should be accomplished with the organization. Termination of the telework agreement can be either voluntary or involuntary.

This is notification that the telework agreement, which was signed on _____ is no longer in effect and is hereby terminated.

Termination is based on (check one):

Voluntary Withdrawal

Involuntary Withdrawal

If telework is involuntarily terminated, the decision is based on:

Requirements of the current work assignment

Reassignment or change in duties

Failure to maintain employee eligibility standards

Breach in Information Technology Security policies and/or procedures

Other (please specify):

Receipt Acknowledged

Employee’s Signature and Date: _____

Supervisor’s Signature and Date: _____

Approving Officials Signature and Date (If Approving Official is not the Supervisor):
