

# Memorandum of Understanding between the National Weather Service and the National Weather Service Employees Organization

## COVID-19 Reintegration Plan and Telework Policy

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### **1. Introduction**

From the outset of the COVID-19 pandemic, the entire NWS Workforce demonstrated remarkable agility, creativity, tenacity, and perseverance to continue delivering life and property saving data, forecasts, and warnings to the public while ensuring workforce safety through remote operations under the emergency evacuation order. Yet again, NWS employees at all levels together proved their resilience, professionalism and devotion to the mission and the communities we serve. A hearty congratulations and well done to all! Looking ahead to the time when the pandemic-induced emergency evacuation order is lifted, we will all begin transitioning into the ‘new next’ of both our personal and professional lives. Like any major change or transition, it will bring excitement as well as trepidation. To succeed together, we will all need to demonstrate that same agility, creativity, tenacity, and perseverance that we showed at the outset, as well as a great deal of mutual patience, care, and concern for one another. This reintegration plan, jointly negotiated with NWSEO leadership, aims to enable a smoother transition and successful reintegration by providing a ‘one-stop-shop’ of information and guidance, as well as setting expectations for the future state of work across NWS.

Throughout the pandemic, we have learned a lot about the nature of our work in the context of a mandatory evacuation order– both positive things as well as others. Reintegration provides our first opportunity to apply these lessons to increase workplace flexibilities without compromising optimal mission execution. In the pages below, you will find the plan outlining the stages and criterion for a ‘smart-steady-flexible’ reintegration that accounts for a near 100% vaccinated workforce as well as local COVID conditions and office-level work requirements. Telework policies and procedures are also described, and Appendix A contains observations that can be applied to management decisions at the local level when determining how to balance increased workplace flexibilities with mission requirements. Leadership’s expectations are that decisions will be fair and consistent, data-driven, and respect a degree of parity in similar work environments while overall expanding workplace flexibility across the workforce while maintaining mission excellence.

Finally, looking beyond the next step of reintegration, NWS and NWSEO together are committed to a continuum of learning by observing, assessing, and adapting to make meaningful changes to sustain mission excellence while simultaneously improving the overall employee experience of status employees and the next generation team members in the world's best weather service.

## **2. Overview / Background**

1. NWS mission and how it has been affected by COVID-19:
  - a. The National Weather Service (NWS) provides weather, hydrologic, and climate forecasts, impact-based decision support services and warnings for the United States, its territories, adjacent waters, and ocean areas, for the protection of life and property and the enhancement of the national economy.
  - b. NWS has been able to offer continued support to all partners and fulfill all mission goals despite restrictions brought on by the COVID-19 pandemic. However, some mission-critical job duties have required continued onsite presence.
2. The purpose of this document is to provide guidance to NWS managers and employees regarding reintegration and our flexible telework posture going forward post pandemic.
3. NWS principles for reintegration:
  - a. NWS approach is, and will remain: Smart, Steady, Flexible and Science Driven.
  - b. There will not be a switch flipped where people are suddenly all back in the office. NWS personnel and NWSEO leadership will be given a 30-day notice before any change in phase for any office takes effect.
  - c. The ideal future state of the NWS workforce will capture the “best of both worlds” by providing telework flexibility to the greatest extent that is practicable given the functions of the job, needs of operations and in person interactions.
  - d. Solutions will continue to be locality/facility based and can be adapted as needed.
  - e. When applicable, all labor-management obligations will be completed before changes are made.

## **3. Phasing / Reintegration Steps**

The below phases for facilities are outlined in the recently updated [NOAA COVID-19 Reintegration Implementation Plan](#). NOAA uses [Centers for Disease Control \(CDC\) county data](#) to determine when a facility could change phase. If phase definitions are updated based on the evaluation of new scientific data that accounts for our widely vaccinated workforce, the parties may immediately discuss updating this MOU. If there is a spike in the number of COVID 19 cases, the site may move to a lower phase to

ensure employee safety. Note that all phasing guidelines and language included below are intended to be followed under routine conditions. Emergency situations or other circumstances may require deviation from these guidelines.

### **Phase 0 / Reintegration Step 0**

- Mandatory telework is in effect.
- Onsite facility presence is limited to only Mission-Critical Personnel.
- Community is identified as a “Sustained Hotspot,” meaning an area of substantial or high risk for COVID-19 transmission, based on the [CDC’s Area of Concern Continuum](#).
- The facility may proceed to Phase 1 if the community is no longer considered a “Sustained Hotspot” in the [CDC’s Area of Concern Continuum](#).
- For initial advancement onto Phase 2 or Phase 3, employees will receive a 30 day notice before moving forward.

### **Phase 1 / Reintegration Step 1**

- CDC color category is Red/Orange, meaning Community Transmission Levels and [CDC Area of Concern Continuum](#) reports have been “High or Substantial” for at least four consecutive weeks.
- Up to 25% occupancy in an office.
- If more than 25% of employees are interested in coming on-site, the office will need to work an “in-person” schedule to not exceed the acceptable occupancy.
- The facility may proceed to Phase 2 if Community Transmission Levels are “Moderate” for four consecutive weeks and community is not an “Emerging Hotspot” per the [CDC’s Area of Concern Continuum](#).
- The facility may move back to Phase 0 if the community is a “Sustained Hotspot” per the [CDC’s Area of Concern Continuum](#).
- Employees will receive a 30-day notice when the phase will move forward to Phase 2.

### **Phase 2 / Reintegration Step 2**

- CDC color category is Yellow, meaning Community Transmission Levels and [CDC Area of Concern Continuum](#) reports are “Moderate” for at least four consecutive weeks.
- Up to 50% occupancy in an office.
- If more than 50% of employees are interested in coming on-site, the office will need to work an “in-person” schedule to not exceed the acceptable occupancy.
- The facility may proceed to Phase 3 if Community Transmission Levels are “Low” for four consecutive weeks and community is not an “Emerging Hotspot” per the [CDC’s Area of Concern Continuum](#).
- The facility may move back to Phase 1 if the Community Transmission Levels are “High/Substantial” for two of four prior weeks.
- Employees will receive a 30-day notice when the phase will move forward to Phase 3.

### **Phase 3 / Reintegration Step 3**

- CDC color category is blue, meaning Community Transmission Levels and [CDC Area of Concern Continuum](#) reports are “Low” for at least four consecutive weeks.
- Up to 100% occupancy in an office.
- The facility may move back in phase if Community Transmission Levels warrant based on the [CDC Area of Concern Continuum](#). If a facility regresses to a lower phase due to local health concerns, then an office will follow the NOAA protocols for moving back.

#### **4. Telework**

The COVID-19 pandemic forced changes to the workplace including a mandatory evacuation order to increase workforce safety. Many employees learned how to perform the functions of their job in a new way during a difficult time, meeting the challenges head-on. NWS demonstrated that we have been able to carry out our mission effectively.

We now have an opportunity to revisit how we were operating prior to the pandemic and leverage lessons learned during the pandemic to integrate telework and remote work into our strategic workforce efforts.

As we look to the future and build upon the Office of Personnel Management’s (OPM’s) encouragement, we intend to strategically leverage more workplace flexibilities such as telework, remote work alternatives, and alternative/flexible work schedules as tools to help attract, recruit, and retain the best possible workforce.

Overall, the eligibility of a given position for telework should be grounded in a determination whether the position’s duties and responsibilities may be performed at an alternative worksite without diminution of employee performance or agency operations and the process should be as transparent as possible. The Telework Enhancement Act of 2010 (Public Law 111-292) includes language that says that telework should not diminish employee performance. In making these decisions, individual units are in the best position to define what it means to “ensure that telework does not diminish employee performance or agency operations.” NWS will restructure jobs not currently eligible for telework in a way that would allow incumbents (except those who are legally prohibited) to telework at least on a situational basis, as OPM encourages such innovation where it is possible. A workforce that is entirely telework-eligible would be best positioned to withstand emergencies and other disruptions to normal business operations, although such arrangements may not be possible on a day-to-day basis for some operational positions.

Moving forward, the NWS will provide increased opportunities for telework above pre-pandemic levels. Decisions will be data and employee driven. Telework can provide the following benefits:

- increased employee performance, efficiency, morale, job satisfaction;
- help in attracting and retaining skilled workers with diversity from a wider geographic area;
- increasing federal employment for individuals with disability and for veterans per [Executive Order \(EO\) 13548](#) and [EO 13518](#);
- lower absentee rates and attrition;
- reduced greenhouse emissions and support for [Executive Order 13514](#); and
- improved standards of living by allowing employees to:
  - (i) be more productive without the interruptions of an office setting;
  - (ii) gain increased flexibility in managing their time and schedule;
  - (iii) reduce the cost of daily commute;
  - (iv) stay in times of poor weather, mass transit delays, and natural disasters; and
  - (v) enjoy a more rewarding and balanced work-, family-, and personal-life.

As noted above, telework flexibilities should be considered to the greatest extent that is practicable given needs of operations and in person interactions between team members and with our partners. Per the [June 10, 2021 Integrating Planning for A Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment Memo](#), “any such limitations should be based on job functions, documented misconduct, or performance-related challenges specific to telework, and other mission related priorities, however, rather than mere managerial preference.”

As NWS proceeds with reintegration, NWS and NWSEO will convene a monthly review panel consisting of the NWS Chief Operating Officer (COO), NWS Management Representative, the NWSEO President and the Executive Vice President to review any telework concerns and review proposed telework ideas for suitability and consistency.

#### Telework Guidelines:

- NWS non-bargaining employees will follow the [NOAA Telework Implementation Plan, October 2021](#). Bargaining unit employees will also follow the [NOAA Telework Implementation Plan, October 2021](#) and consistent with or as supplemented by this MOU.
- Managers and supervisors should look at functions/suitability of a position, IT resources and security, and employee safety concerns to determine which activities are portable. They should take into consideration the individual’s duties as well as the way the work unit functions as a whole.
- Managers and supervisors should work immediately with all non-bargaining employees, and for BU employees through the LOT to determine which practices identified during the pandemic-related evacuation orders can continue post-

reintegration, taking into account employee flexibility, mission-critical activities and operational requirements. This can include adding additional fixed telework days per pay period, and identifying which activities are suitable for fixed or situational telework. Managers and supervisors when working through the LOT will consider pandemic telework observations listed in Appendix A in determining suitable post-integration telework arrangements which are consistent with operational needs.

- Local schedule changes will be bargained in the Local Office Team (LOT) in accordance with Article 8 of the Parties' Collective Bargaining Agreement (CBA).
- As noted in the NOAA Reintegration Implementation Plan. At locations approved for Phase 2:
  - Employees who have been working on-site on a regular basis may be subject to reasonable adjustments to telework to support additional on-site activities.
  - Employees who have NOT been working on-site on a regular basis and want to voluntarily return to on-site work may do so with supervisor approval for Phase 2 approved activities.
  - Employees who have been teleworking full time who do NOT wish to return to on-site work prior to a requirement to do so will continue to telework full time unless their presence is required on-site for a mission essential or mission critical task.
  - In anticipation of an eventual Phase 3 designation, the LOT will survey the bargaining unit to determine which employees would like to have their telework schedule changed from pandemic operations.

For all employees: There are times when an employee must be in the office (e.g., to attend a meeting) or on official travel on a regularly scheduled telework day. In such cases, the employee may request approval from his/her supervisor to reschedule the telework day during that pay period subject to the needs of the office. In addition, some employees' work requirements do not permit them to schedule regular telework days in advance. Therefore, these employees may schedule their telework days with their supervisors' approval on a weekly basis. This requirement must be annotated on the employee's telework agreement. Overall needs of the office must take precedence over working off-site on a regularly scheduled telework day if a conflict arises.

For shift working employees, managers should make efforts to allow these employees the opportunity to exchange this onsite shift for a telework shift at a later time; however, this cannot always be guaranteed.

If called in after a telework shift has started, the commute into the duty location counts as duty time.

Teams should have opportunities to meet together in person and should be scheduled well in advance.

Telework agreements can be individualized, and the number of days of telework authorized per pay period for each employee may vary consistent with the needs of the particular office and duties of the employee. Schedules including up to, but not exceeding, eight days of telework per pay period may be permissible in appropriate circumstances.

**Remote Worker**

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. Requests for remote work are submitted to the NWS Deputy Assistant Administrator for consideration.

**Telework Agreements**

The employee and his/her supervisor shall discuss the expectations in the proposed telework agreement, including the performance levels required of the employee. The employee’s immediate supervisor is the approving official for Telework Agreements entered under this policy.

When there is a modification or termination of a telework agreement, Management is encouraged to provide employees with 30 days of advance notice prior to implementing the modification and not less than ten (10) working days’ advance notice to allow the employee to make necessary arrangements.

This agreement supersedes the guidance in Article 26 of the NWS-NWSEO Negotiated Agreement, March 16, 2021.

This MOU may be reopened by either party after 18 months from the date of execution or if phase definitions are updated based on the evaluation of new scientific data that accounts for our widely vaccinated workforce. Unless mutually agreed, this MOU will have the same term as the March 16, 2021, NWS-NWSEO Negotiated Agreement.

For NWSEO



\_\_\_\_\_  
John Werner  
NWSEO President

02/24/2022  
Date

For NWS



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A.J. Reiss  
(Acting) NWS Deputy  
Assistant Administrator

02/24/2022  
Date

## 5. References

[NOAA Telework Implementation Plan, October 2021](#)

[OMB Memo M-21-25: Integrating Planning for A Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment](#)

[OPM 2021 Guide for Telework and Remote Work in the Federal Government, November 2021](#)

[NOAA HVAC Guidance](#)

[NOAA Portal for Employees](#) - Latest guidance linked on the portal - must be logged into your noaa.gov account to access.



**APPENDIX A: Collected observations on telework during Pandemic-related evacuation orders. There are likely other observations not captured below, and these observations are not representative of the full breadth of innovation and flexibility employees exhibited to ensure continuity of the NWS Mission on short notice.**

During the pandemic, the NWS Workforce demonstrated resilience and creativity to accomplish the mission while pivoting many functions to remote operations. The observations set forth below illustrate some of telework experiences collected during the pandemic. While these experiences are not an exhaustive list, they can serve as context for local discussions between employees, supervisors and stewards, as applicable as we consider what is sustainable over the long term, post-pandemic. Going forward, acceptable levels of risk for long-term post-pandemic operations at all our locations must leverage the ‘best of both worlds,’ that is balancing workforce flexibility and morale with acceptable levels of operational and situational risk.

NWS-Wide:

- Virtual meeting platforms facilitated greater attendance and information flow, especially for broad invitation meetings (e.g. All Hands, Diversity celebrations, etc.).
- Virtual or hybrid hosted conferences enabled wider attendance and more professional development opportunities, especially by shift workers or those with limited personal flexibility for travel; but NWS hosted events where knowledge and experience transfer through in person mentoring was less than optimal.
- Wider professional networks were built, but deeper mentoring connections, especially new ones, were more difficult to establish and then thrive.
- Much professional development and training across the workforce was successfully completed remotely, but some critical hands-on training suffered. The NWS Training Center experimented with leveraging virtual training simulations for some technical work. Moving forward, virtual training may become more commonplace, but must still be balanced with necessary hands-on training where experience and knowledge transfer are important.
- Research, development, and science collaboration activities have all been successfully performed via telework during COVID-19.
- NWS employees successfully accomplished many administrative tasks and parts of operational processes from a remote/telework posture, including controlled correspondence, signature packages, communications and briefings, and significant portions of the product generation process. This has increased resilience, eliminated paper, and improved customer service.

Operational Units:

- Many NCEP centers produced operational forecast products and services during order/mandatory telework generally excelling at producing timely and accurate products. Many operational units noted little to no adverse impact to the timeliness of the products issued on telework or remote work. Telework during the pandemic allowed most of NCEP to make innovations in supplementing

existing Continuity of Operations Plan (COOP) as workers are now capable of performing much of the COOP required activities remotely. There will likely be challenges ahead in sustaining the new capabilities developed during the pandemic and risks to consider going forward.

- Situational Telework was widely used at RFCs for both developmental work such as river forecast model improvement and enhancements as well as for augmenting in-person operations. RFCs are rather unique in NWS as a large portion of their duties are focused on developing enhanced hydrologic forecast capabilities which successfully continued via telework during the pandemic using AWIPS VPN. The telework capability enabled employees to continue the critical mission from an off-site location when needed. RFCs successfully augmented and conducted operations via telework during flooding operational postures. Many RFCs used teleworkers to supplement long event flood operations that were not critical but needed extra forecasters to supplement issuing forecasts during the evenings and weekend periods often after already having worked a full shift. This telework capability developed during the pandemic also allowed for improved and more robust IDSS interactions with partners at their facilities. Employees were able to demonstrate in real time what the model was producing and make modifications to the model to meet partner's needs in real time to address potential impacts. Through telework, RFC hydrologists were able to work remotely at a river site with USGS partners to gather real-time critical flow measurements and directly input them into the forecast and work virtually with university and research partners to remotely generate and evaluate model improvements.
- WFOs were able to telework during operational shifts in a limited capacity and for specific reasons which provided operational flexibility and generally improved the employee experience. Employees have been able to provide new forms of mutual support for other offices such as gathering storm data via social and traditional media to support offices under times of extreme duress, such as hurricanes, tornado outbreaks, wildfires, and flooding. In WFOs, virtual teleworkers operating from home gave some offices another option to augment in-office operations during high-impact events with a higher level of flexibility for offices and safety for employees. WFOs performed many non-operational activities virtually, including significant research and development activities, forecast model improvements, science projects, training, and administrative activities. The mandatory telework posture also demonstrated an efficiency in scaled-down continuity of operations capabilities. That is, some backup activities can be successfully accomplished with telework from alternate worksites without requiring en masse re-location of the work unit or additional staff from other centers. When conducive to partner operations and decision making, NWS provided excellent IDSS support to decision-makers in virtual mode. This included providing IDSS to decision-makers for events at their request, including services to support prescribed fires, wildfires, search and rescue efforts, and various events such as parades, college football games, graduation ceremonies, festivals, etc. NWS also learned many of our IDSS core partner meetings can be run or attended virtually, including fire weather training, seasonal assessments,

and partner briefings for fire weather, winter weather, air quality calls, and interactions with Emergency Managers. The key is to ensure any remote worker supporting IDSS meetings is in constant communication with the office to ensure consistency of messaging.

Student outreach and virtual classroom talks to schoolchildren across the country continued in virtual mode. NWS employees were able to teach weather sections to classrooms with students in ages ranging from kindergarten to high school.

- a. In the 2019-2020 school year, there were 169 talks given.
- b. In the 2020-2021 school year, there were 368 given to over 13,000 students.
- c. There was a demand for over 600 talks.
- d. These talks were given to 46 states and 4 countries (including China, Japan, Korea, and Canada).