



Approved on:

DOJ POLICY STATEMENT

TELEWORK AND REMOTE WORK

PURPOSE: Updates policy, assigns responsibilities, and prescribes procedures for implementing the Department of Justice's (DOJ or Department) telework program.

SCOPE: All DOJ components

ORIGINATOR: Justice Management Division, Human Resources Staff

CATEGORY: (I) Administrative, (II) Human Resources

AUTHORITY: Title 5, United States Code, Sections 6501-06 (Public Law 111-292);
DOJ Order 1200.1, Human Resources

CANCELLATION: None

DISTRIBUTION: Electronically distributed to those referenced in the "SCOPE" section and posted on the DOJ directives electronic repository (SharePoint) at <https://doj365.sharepoint.us/sites/jmd-dm/dm/SitePages/Home.aspx>

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ACTION LOG

Issuing component must review its DOJ directives, at minimum, every 5 years and make revisions as necessary. The action log records dates of approval, recertification, and cancellation, as well as major and minor revisions to this directive, and provides a brief summary of all revisions. In the event this directive is cancelled, superseded, or supersedes another directive, that will also be noted in the action log.

Action	Authorized by	Date	Summary
Initial Approval	Director, Human Resources	July 20, 2012	This document establishes policy, assigns responsibilities, and prescribes procedures for implementing the Department's telework program.
Updates	Acting Director, Human Resources	February 2, 2022	Policy updated based on new guidance issued by the U.S. Office of Personnel Management, November 2021.
Updates	Assistant Attorney General for Administration		Policy updated based on new guidance issued by the Office of Management and Budget (M-23-15) and the Department of Justice Deputy Attorney General, September 26, 2023.

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DEFINITIONS

Term	Definition
Agency Worksite	An official federal agency location where work activities are based and considered a centralized location of an employee's assigned organization.
Alternative Worksite	A location where individuals perform official duties away from the primary agency worksite. Examples include an employee's residence, a telework center, or another component's workspace.
Component	All Offices, Divisions, Bureaus, and Boards identified in 28 C.F.R. § 0.1.
Continuity of Operations (COOP) Plan	A documented plan that details how an individual organization will ensure it can continue to perform its essential functions during a wide range of events that impact normal operations.
Domestic Employee Teleworking Overseas (DETO)	An overseas remote work arrangement wherein the Federal Executive Branch employee temporarily performs the work requirements and duties of his/her domestic civil service position from an approved overseas location via a formal DETO agreement.
Maximum Telework	Telework authorized by agency or component head where employees are required to work from home or at an alternate work location during an emergency regardless of whether they have an approved telework agreement in place.
Meaningful In-Person Work	Work that is purposeful, well-planned and optimized for in-person collaboration. Generally, in-office meetings and events which provide employees with the best opportunities for collaboration, team cohesion, problem solving, and professional development.
Mobile Work	Work that is characterized by routine and regular travel to conduct work in customer or other worksites, as opposed to a single authorized alternative worksite (e.g., site audits, site inspections, investigations, and property management).
Official Discipline	A disciplinary action that results in the placement of a document in an employee's electronic official personnel file, such as a written reprimand a suspension, reduction in grade or pay, or removal.
Official Worksite	The location where the employee regularly performs their duties, and where their work primary activities are based, as determined by the component (including employees who perform mobile work) and is documented on the Standard Form 50, Notification of Personnel Action. Generally, the official worksite is the agency worksite for most telework-approved employees. For a remote worker, the official worksite is the alternative worksite to which the component and the employee agree (reference Remote Work definition).
Pandemic	A disease occurring over a wide geographic area, affecting an exceptionally high proportion of the population, and spreading to more than one continent.

Personally Identifiable Information	Information that can be used to distinguish or trace an individual's identity, such as name, Social Security Number, or biometric records, alone, or when combined with other personal or identifying information that is linked or linkable to a specific individual, such as date and place of birth or mother's maiden name.
Remote Work	An arrangement in which an employee, under a written remote work agreement, is scheduled to perform official duties at an approved alternative worksite. A remote worker's official worksite may be within or outside the local commuting area of an agency worksite.
Routine Telework	A type of telework that occurs on a regular and recurring basis as part of an ongoing, regular schedule at an approved telework location away from an employee's agency worksite.
Situational or Ad Hoc Telework	A type of telework that is approved on a case-by-case basis and the hours worked were not part of a previously approved, ongoing, and regular telework schedule.
Telework	A work flexibility arrangement under which an employee, under a written Telework Agreement, performs the duties and responsibilities of the employee's position, and other authorized activities, from an approved alternative worksite other than the location from which the employee would otherwise work. Telework does not include any part of work done while on official travel or mobile work.
Telework or Remote Work Agreement	A written agreement, completed and signed by the participating employee and authorized official(s) in the employee's organization that outlines the terms and conditions of the telework or remote work arrangement.
Telework Locations	Approved Alternative Worksites other than the employee's regular agency worksite. Examples include an employee's residence, a telework center, or another component's workspace.
Telework Managing Officer	Senior employee, appointed by the Department's Chief Human Capital Officer and serves as the Department's point-of-contact to provide overall strategic direction on telework issues.
Telework Program Coordinator	Appointed by the component's Human Resources Officer, who serves as a point-of-contact for providing guidance to employees and managers in their respective components, collects telework data for reports, and oversees implementation of their telework program.
Telework Program Manager	Appointed by the Department's Human Capital Officer, and reports to the Telework Managing Officer, and serves as the Department's point of contact for component Telework Coordinators. They provide leadership, guidance and interpretation, data analysis, training, and evaluation of the Department's telework program and policy.
Telework-Ready	The employee meets all eligibility criteria, has an established Telework Agreement in place, and has all authorized equipment necessary to telework.
Unscheduled Telework	A form of situational telework that provides the opportunity for employees to work from approved telework locations on non-scheduled telework days.

ACRONYMS

C.F.R.	Code of Federal Regulations
COOP	Continuity of Operations Plan
DOJ	Department of Justice
DETO	Domestic Employee Teleworking Overseas
GFE	Government Furnished Equipment
JMD	Justice Management Division
OPM	U.S. Office of Personnel Management
P.L.	Public Law
USAO	United States Attorney Offices
U.S.C.	United States Code

I. Policy

The Department of Justice (DOJ or Department) is fully committed to using in-person work, telework, and remote work to support the strategic management of human capital and facilitate the accomplishment of the Department's mission. The Department's policy requires employees who have been placed on approved telework agreements as described in this policy to work in person at least six days per two-week pay period, unless the employee is covered by an exception approved in accordance with this policy.

DOJ components determine which positions among their workforce are telework or remote work eligible. In doing so, components should consider position duties and responsibilities, budget, overall impact of telework or remote work on their mission, and other workplace variables (e.g., location and availability of office space or shared space), as appropriate. Participation in telework or remote work is voluntary and not an employee right or entitlement.

A. General Guidelines

1. Telework or remote work must be:

- a. Actively encouraged and implemented throughout the Department in support of the DOJ commitment to workforce efficiency, emergency, inclement weather preparedness, and quality of life.
- b. Authorized to the extent that the mission of the office is not jeopardized. When identifying positions for remote work, components must adhere to any residency restrictions that apply to certain positions, as appropriate.
- c. Accomplished on a routine or situational basis at an approved alternative worksite.
- d. Used to serve as an effective recruitment and retention strategy and enhance efforts to employ and accommodate people with disabilities.
- e. Used to create cost savings by decreasing the need for office space and parking facilities, and by reducing transportation costs, including costs associated with payment of transit subsidies.
- f. Used to serve as a critical workplace flexibility that enables components to meet mission-critical needs of the organization, while also helping employees balance work and personal responsibilities, thereby enhancing employee satisfaction and well-being, aiding retention, and serving as an incentive to potential applicants.
- g. Used to enhance Department or component Continuity of Operations (COOP) Plans to ensure essential federal functions continue during emergency situations (e.g., pandemic).

B. Types of Telework

1. **Routine.** A type of telework that occurs on a regular and recurring basis on an agreed-upon number of days during a bi-weekly pay period at an approved telework location away from an employee's agency worksite. The telework agreement must be reviewed annually by the employee's supervisor.
2. **Situational.** Situational telework can include episodic, intermittent, unscheduled, *ad hoc*, or maximum telework. Situational telework is approved on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing, and regular telework schedule. Examples of situational telework include, but are not limited to, telework necessitated by inclement weather, national emergency (e.g., pandemic), or special work assignments. Employees may also request situational telework to allow them to be closer to the polls to vote on election days, including early voting days.

Employees who are approved for routine telework also are eligible for situational telework. An approved telework agreement for the situational event is required for if the situational event is going to last more than one month. Extensions of situational telework agreements should be reviewed monthly and generally not approved for more than a total of six consecutive months.

C. Remote Work.

An arrangement in which an employee, under a written remote work agreement, is scheduled to perform official duties at an approved alternative worksite within or outside the local commuting area of an agency worksite, without regularly reporting to the agency worksite during each pay period to perform work.

1. **Remote Work Considerations.** Components are not required to permit remote arrangements (except when required as a reasonable accommodation), and they may be selective about who is permitted to do remote work, may impose additional conditions on granting it, and may approach approvals on a case-by-case basis, taking into account the needs of the office and other considerations to maximize equity. When determining whether to approve a request for remote work, managers must take into consideration the nature and demands of the work; whether it is feasible for an employee to perform effectively all or most of the job functions at the remote worksite while still delivering on mission objectives; maintaining agency/component operations; and meeting customer needs. Components should refer to U.S. Office of Personnel Management (OPM)'s 2021 Guide to Telework and Remote Work in the Federal Government or subsequent guidance issued by OPM, to assist them in determining if remote work is appropriate.

2. **Official Worksite.** Supervisors will designate the remote work location as the official worksite for an employee who is not scheduled to report to the component worksite at least two times each pay period on a regular and recurring basis. If an employee's official worksite is located outside of the local commuting area, this change may affect the employee's pay and the component's budget, among other things.

D. In-Person Work Requirement

1. **Baseline Requirement.** Department employees performing routine telework pursuant to an approved telework agreement are generally required to work in person at least six days per two-week pay period, unless the employee is covered by an exception approved in accordance with paragraph 3 below. This baseline serves as a floor, with the understanding that some organizational units – including those with law enforcement, national security, and public-facing functions, among others – may set higher requirements for in-person work. Components and USAOs have the discretion to further define what qualifies as “in-person work,” although components are expected to define “in-person work” reasonably to include work in court or in the field as the job requires.
2. **In-Person Work Experience.** Components and United States Attorney Offices (USAOs) should ensure that the in-person work experience is meaningful and creates a productive working environment for employees. Specifically:
 - a. **Core In-Person Workdays.** Components and USAOs should establish at least one core workday per week when all non-remote personnel in a work team or at an office location are expected to work in person. Head of Components, and U.S. Attorneys, or their designees, have discretion to determine what constitutes a work team for this purpose, and the authority to approve exceptions as they do for the in-person requirement (Section I.D.3).
 - b. **Employee Engagement.** Components and USAOs should make reasonable efforts to increase meaningful in-person engagement in the workplace (e.g., town halls, one-on-one meetings between supervisors and staff, employee recognition events, group onboarding activities for new employees).
 - c. **Work Environment.** Components and USAOs should work with building managers to make the in-office experience more positive and productive.
3. **Exceptions.** The in-person work baseline of six days per pay period might not be appropriate for every office, employee, or group of employees. Heads of Components and U.S. Attorneys may authorize an exception for a group of employees (e.g., all members of a job series or a job title at an office location)

after consultation with the Department's Chief Human Capital Officer. The Head of Component, U.S. Attorney, or their designees may grant an exception for an individual employee based on the employee's unique circumstances without such consultation.

The component's determination should be based on criteria including, but not limited to, the following:

1. Retention of specialized workers;
2. Recruitment of specialized or hard-to-fill positions; and
3. Office-space limitations.

E. Domestic Employee Teleworking Overseas (DETO) Arrangement. Domestic Employee Teleworking Overseas (DETO) are generally defined as remote work arrangements wherein an employee performs the work requirements and duties of their domestic federal position from an approved overseas location. DETO arrangements fall under the statutory authority of the Department of State and apply to all federal employees. The State Department has implemented specific requirements that must be met in order to obtain approval for a domestic employee to telework in an overseas country, under the authority of the Department of State's Chief of Mission, which reviews and evaluates each request on a case-by-case basis (reference "[Overseas Telework](#)" at [telework.gov](#)). Requirements are in addition to any OPM government-wide or Department remote work policies.

1. Employees have no authorization to work remotely from a foreign location without an approved DETO Agreement and required documents. DETO arrangements are rare, not a form of routine telework, and do not include work done while on official travel (TDY) or mobile work. Components should be aware that agreeing to a DETO may result in additional costs and increased security risks. As such, Department employees seeking to telework from an alternative location based in another country must have prior official approval from their component, the Department, and the Department of State.
2. Because the Department of State has outlined specific requirements that must be met to obtain approval for a domestic employee to telework in a foreign country, components wishing to pursue a DETO agreement should contact the Justice Management Division (JMD), Budget Staff, and/or the JMD, Human Resources (HR) Staff, for specific Departmental guidance.

F. Telework and Remote Work Compatibility and Eligibility. Components will identify which positions are compatible for telework or remote work. Employees must occupy a position that is compatible with telework or remote work and meet other criteria to be eligible.

1. **Position Compatibility.** Telework compatible positions are those for which employees can effectively accomplish job functions outside the component's worksite. Positions requiring employees to perform daily, on-site activities at the agency worksite, or to handle classified materials, are not compatible with routine or regularly scheduled telework.
2. **Employee Eligibility Criteria.** Except for telework established as a reasonable accommodation under the Rehabilitation Act of 1973 (reference Section O of this policy statement), DOJ employees must meet the following minimum criteria to be considered eligible for telework or remote work participation. The agency or component head may suspend the eligibility criteria in certain circumstances (e.g., pandemic or another emergency).
 - a. New DOJ employees may be approved for telework or remote work upon entry; however, the employee's supervisor must reevaluate the agreement within 90 days of the appointment.
 - b. The employee must not have been officially disciplined for being absent without permission for more than 5 days in any calendar year.
 - c. The employee must not have been officially disciplined for violations of Subpart G, of the 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.
3. **Completing Telework Training.** Telework training is required for all telework and remote work participants, including supervisors. The responsibility for the training is delegated to the components. Suggested training can be found at the Department's LearnDOJ website at <https://www.justice.gov/jmd/learndoj> or at www.telework.gov (reference Telework 101 for Employees and Telework 101 for Managers).

G. Telework and Remote Work Agreements. Eligible employees must sign a written telework or remote work agreement, have the agreement approved by the employee's supervisor and/or other designated management officials, and successfully complete telework training. A DOJ Telework Agreement and DOJ Remote Work Agreement are found within the Appendices to this Policy Statement. Components may create their own Telework Agreement or Remote Work Agreement but must ensure that any component-

specific agreements align with this policy and any applicable collective bargaining agreements.

1. Developing Telework and Remote Work Agreements. The telework or remote work agreement must include the type of telework approved, self-certified safety checklist, supervisor telework or remote work checklist, work schedule, established working hours, core business hours, worksite location, and list of Government Furnished Equipment (GFE) (reference Appendices).
 - a. Work schedules must adhere to the provisions of existing regulations, government-wide, Department, and component policies, and any applicable collective bargaining agreements.
 - b. Each telework agreement should provide for the employee to work at the official component worksite a minimum of six days each pay period unless there is an approved exception. Components and/or supervisors may require an employee to report to the official component worksite more than the Department's minimum in-person work requirement during each pay period.
 - c. Agreements should expressly state that telework-ready employees are expected to continue to work in a case of a continuity event, such as a national or local emergency, during an emergency event involving inclement weather, or another situation that may result in a disruption to normal office operations. Refer to OPM's 2021 Guide to Telework and Remote Work in the Federal Government for additional information on Pay, Leave, and Work Schedule Flexibilities.
2. Employee Initiated Agreements. When remote work is initiated at the employee's request to accommodate an employee's personal circumstances, components, in consultation with counsel and HR Staff, should consider including provisions in the remote work agreement that will apply if the remote work arrangement does not succeed. For example, components may wish to consider having language in the remote work agreement that states the employee agrees not to seek relocation expenses to move to the commuting area of the Agency worksite if the arrangement fails because of a deterioration in the employee's performance. Additionally, HR Staff, in consultation with counsel, should consider revising any position descriptions that may apply to a remote work arrangement to provide for reassignment in the event of a diminishment of performance. Such a revision or agreement could state that any such reassignment shall not be considered involuntary and, thus, will preclude a severance payment should the employee separate instead of accepting the reassignment.

3. Duration of Agreements. All telework and remote work agreements are active for one year and must be reviewed on an annual basis.
4. Denying, Suspending, or Terminating a Telework or Remote Work Agreement. Supervisors may deny or suspend telework or remote work requests, and both supervisors and employees may terminate agreements.
 - a. Denial, Suspension, or Termination Decisions. Supervisors must base decisions to deny, suspend, or terminate permission to telework or work remotely on statutory or policy requirements and/or work-related reasons, such as:
 - 1) Employee ineligibility;
 - 2) Position incompatibility;
 - 3) Decline in employee performance;
 - 4) Employee misconduct;
 - 5) Employee appointment or position status (e.g., trainees or entry-level employees);
 - 6) Safety issues or suspected hazardous materials in the telework or remote work location;
 - 7) Adverse impact on the operations of the office (e.g., mission continuity), including costs associated with potential change of official worksite; or
 - 8) Failure to adhere to terms of the telework or remote work agreement.
 - b. Denial, Suspension, or Termination Documentation.
 - 1) When an employee's participation in telework or remote work is denied, suspended, or terminated, the supervisor must provide the employee with written notice, including the specific reason(s) for the proposed termination suspension, or denial, providing as much advanced notice as is reasonable under the circumstances and in accordance with any applicable collective bargaining agreement. An employee may voluntarily terminate a telework or remote work agreement upon advanced written notice to the supervisor.
 - 2) The component or supervisor may suspend or terminate a telework or remote work agreement in the event of an emergency or work exigency.
 - 3) If a component decides that the telework or remote work arrangement is negatively impacting the employee's performance, the component may wish

to pursue a performance improvement plan that can be done remotely at the telework or remote work site versus requiring the employee to report to the agency worksite. In the case of a suspension or termination of a telework agreement because of diminution of an employee performance or of the component's ability to conduct its operations, the supervisor should document and demonstrate that the employee's teleworking directly and negatively impacted the employee's performance or the performance of the office and that remediation can best be accomplished by suspending or terminating the telework arrangement.

- 4) Unless specified by the Telework Enhancement Act, termination, or suspension of a telework or remote work agreement by a supervisor does not necessarily prevent an employee from participating in the Telework or Remote Work Program at a later date. Components may establish time periods during which an employee may be barred from participating in telework or remote work (i.e., duration which an official disciplinary action remains in the employee's personnel file). Otherwise, a supervisor or other designated official retains the discretion to approve telework or remote work for an employee whose telework or remote work has been previously suspended or terminated, so long as the employee continues to meet all eligibility criteria and the supervisor or other designated official believes the employee has sufficiently addressed the reasons for the initial suspension or termination.
- 5) Supervisors should also consider the following when terminating an employee's telework or remote work agreement:
 - a. Terminations should be based on the provisions of the Telework Enhancement Act, and, where discretion is possible, sound reasoning;
 - b. Be fair, consistent, and equitable, making sure that decisions are transparent and supported by the Telework Enhancement Act, as well as Department and component policies and rules;
 - c. Terminations should be in writing and timely; and
 - d. Terminations should be made in conjunction with employee and labor relations specialists and agency counsel, and any applicable collective bargaining agreements should be consulted to verify that the component has complied with any requirements the agreement may place on the component regarding the termination of a telework agreement.
- 6) If a telework or remote work agreement is suspended or terminated, supervisors will work with the employee to determine the effective date of the employee's return to the agency worksite, identify office space for the employee, and address any other applicable personnel matters, as appropriate.

- c. Grievances. Employees who believe their request to telework or work remotely has been wrongly denied may file a grievance under the Department or component's administrative grievance procedures, or the provisions of an applicable collective bargaining agreement.

H. Performance of Official Duties at the Telework or Remote Work Location.

The employee will regularly perform assigned duties only at the agency worksite, component approved telework location, or remote work location. This is to ensure worksite conformance with guidelines established in this policy. Failure to comply with this provision may result in termination of the agreement and appropriate disciplinary action.

I. Official Worksite. The official worksite for each employee must be consistent with the guidance set forth in title 5 C.F.R. § 531.605.

1. Designating Remote Location as the Official Worksite. Supervisors will designate the remote work location as the official worksite for an employee who is not scheduled to report to the component worksite at least two days each pay period on a regular and recurring basis.
2. Compensation Based on Official Worksite. Employees are compensated based on the location of their official worksite. When the remote work location becomes the employee's official worksite, locality pay is based on the location of the remote work location.
3. Change in Agency or Official Worksite. When an employee's official worksite designation is changed from the agency worksite to the remote work location, the supervisor must notify the servicing HR Office, which must process a Standard Form 50, Notification of Personnel Action, to record an official change in location.
4. Remote Work Location Outside the Commuting Area of the Agency Worksite. Generally, employees requesting designation of their remote work location as their official worksite may not be entitled to receive relocation expenses. The decision to authorize relocation expenses is a management decision and made on a case-by-case basis.
5. Reimbursement for Official Business Travel. Under applicable travel regulations, employees are entitled to reimbursement for official business travel to the component worksite when the employee works at a location outside of the local commuting area, and the employee's remote work location

has been designated as the official worksite. As a reminder, official business travel must be approved in advance by the employee's supervisor.

6. In situations where employees are on maximum telework, DOJ will continue to treat the component worksite as the employee's official worksite (without having the employee report to the official worksite at least two days per pay period).
7. **Reduction in Force.** Employees working at a remote location may be in a different employment competitive area from the "agency worksite" in the event of a reduction-of-force. In these situations, supervisors should consult with their servicing HR Office.

J. Dependent Care. An employee may not telework for the purpose of fulfilling their full-time dependent care responsibilities while performing official duties; however, telework or remote work can be a valuable flexibility to employees with caregiving responsibilities when combined with other flexible work schedule options (e.g., Maxiflex). Supervisors should make those determinations on a case-by-case basis. A full-time employee must have 80 basic work requirement hours in a biweekly pay period.

K. Leave, Dismissals, or Closures. The ability to conduct work, whether at the agency worksite, telework location, or remote work location determines when an employee may be excused from duty. DOJ teleworkers, remote workers, and supervisors should consult the decision support matrix within the Appendices to determine an employee's duty status during a worksite closure, authorized early dismissal (including administrative leave for voting), authorized delayed arrival, or authorized unscheduled telework, including declaration of COOP status. OPM has instituted a change where the Federal closure operating status announcements will no longer allow non-emergency employees on pre-approved paid leave to receive an excused absence. Employees working outside of the Washington, D.C. locality area must follow the operating status announcements issued by the head of their office (e.g., United States Attorney, Special Agent in Charge, who make workforce status decisions for their employees). Those office heads should report those workforce status decisions to their component headquarters. Employees on pre-approved paid leave will generally be charged leave if the federal offices are closed.

1. **Annual Leave.** Scheduled annual leave may be cancelled if an employee is telework- ready with a telework agreement in place and agrees to perform telework in lieu of the scheduled leave. The general practice should be for employees on pre-approved leave to either telework or remain on leave when federal offices are closed.
2. **Sick Leave.** If an employee is on telework or working remotely and is scheduled to

- use sick leave for a medical appointment and that medical appointment is cancelled, the legal basis for the sick leave has been eliminated and the sick leave must be cancelled.
3. **Dismissals or Closure.** DOJ teleworkers scheduled to telework on a day when delayed arrival, early dismissal, or closure is authorized for the agency worksite will continue to work as scheduled, except as specifically authorized by the teleworker's supervisor. Supervisors may grant exceptions to scheduled telework or remote work requirements if there are power outages or other events that would prevent an employee from working. Teleworkers not scheduled to telework on days for which delayed arrival, early dismissal, or closure is authorized for the agency worksite are required to telework to the extent they have work to do and any necessary, approved equipment. In COOP situations, telework may be required.
 4. **Unscheduled Leave or Unscheduled Telework.** In situations when OPM announces unscheduled leave or unscheduled telework, affected employees who have a current telework agreement or remote work agreement and are telework-ready must be prepared to telework or take unscheduled leave. Employees must notify their supervisor of their intent to take unscheduled leave or perform unscheduled telework, in accordance with established procedures and subject to any bargaining unit requirements. The exception to this would be if the emergency requires the employee to evacuate their telework or remote location (e.g., due to hurricane, flood, or tornado evacuations).
 5. **Employees electing the unscheduled telework option** (e.g., including requesting telework on an official election day or designated early voting days) must have an approved telework agreement, necessary equipment, and an adequate amount of work to perform during the entire workday (employees may be granted administrative time off to go to the polls, in accordance with established Promoting Access to Voting for Employees Policy Memorandum, 2022-06) or account for any time not performing work by requesting leave.
 6. **Weather and Safety Leave.** DOJ may grant weather and safety leave when it is determined that employees cannot safely travel to or from, or perform work at, their agency worksite, a telework or remote work location, or other approved location because of severe weather or another emergency. Weather and safety leave is a form of paid time off authorized under the Administrative Leave Act and will generally be used in conjunction with an operating status announcement issued by OPM. The Department will be unable, in most circumstances, to grant weather and safety leave to an employee who is a telework program participant and able to safely perform telework at the employee's home. Therefore, employees participating in a telework program must telework, take other leave (paid or unpaid) or paid time off

(as approved by the component), or a combination of both, unless an exception applies during an office closure. This provision will apply regardless of what is stated or not stated in the employee's telework agreement and the Department or component's policies.

7. **Compensatory Time Off for Travel.** Employees who are officially ordered to travel away from their official worksite may be afforded compensatory time off for travel, in certain circumstances, based upon the approved travel itinerary. Compensatory time off for travel is not considered premium pay. It is earned by an employee for time spent in a travel status away from the employee's official worksite when such time is not otherwise compensable. Compensable refers to periods of time creditable as hours of work for the purpose of determining a specific pay entitlement. For example, certain travel time may be creditable as hours of work under the overtime pay provisions in title 5 C.F.R. § 550.112(g), or under the Fair Labor Standards Act (5 C.F.R. § 551.422).

L. Security. Employees are responsible for protecting and safeguarding all DOJ information, Government Furnished Equipment (GFE), and government property while teleworking.

1. **Classified Documents.** Employees must comply with Department and government-wide regulations regarding safeguarding classified documents. Employees who need to access classified information or systems must go into an authorized DOJ component location/office where such access is available or warranted. Employees must work with their component Security Office to address access to classified information.
2. **Component Security Requirements.** Employees must comply with any criteria and guidelines established by their respective component for keeping government property and information safe and secure.
3. **Information Technology Security.** All Department work conducted from alternative worksite locations must comply with DOJ Order 0904, Cybersecurity Program.
4. **Unclassified Information.** Teleworkers and remote workers must protect sensitive unclassified data or documents, including that which may be protected-from disclosure to others because of a legal privilege, the Privacy Act, or because they are designated Sensitive but Unclassified, or For Official Use Only, consistent with guidance and other applicable Department and component policies and guidance.
5. **Competition Sensitive, Source Selection, or Contractor Proprietary Information, and Personally Identifiable Information (PII).** Teleworkers and remote workers must

protect competition sensitive, source selection information, or contractor proprietary data restricted by 41 U.S.C. § 423 (also known as Section 27 of the Office of Federal Procurement Policy Act, as amended) or data otherwise restricted by the Federal Acquisition Regulation, other acquisition policies, and employee information (e.g., PII) in accordance with the Privacy Act of 1974, as amended in 5 U.S.C. § 552a, DOJ Order 0601, Privacy and Civil Liberties, and other Department or component guidance.

M. Equipment.

1. Government Furnished Equipment (GFE). Within budgetary constraints and based on the nature and type of work performed, components should determine the propriety of providing and installing GFE and software for employees who are on telework or remote work agreements. Components should provide necessary and approved equipment and office supplies for official use. The component is responsible for service and maintenance of GFE and should account for any GFE provided to the employee.
2. Authorized Use. Employees must use GFE for official and authorized purposes only. Family members and friends of employees are not authorized to use GFE and materials. Employees must return GFE to the component at the conclusion of teleworking arrangements or at the component's request.
3. Use of Personally-Owned Computers. Use of personally owned computers to access unclassified DOJ systems or networks remotely must comply with the criteria and guidelines for using personal equipment established by the DOJ Chief Information Officer and the employee's component.
4. Incremental Costs. Employees are responsible for the installation, repair, and maintenance of all personally-owned equipment and other incidental or incremental costs associated with performing work from their personal residence. The government will not be responsible for any operating costs that are associated with the employee using their personal residence as a telework or remote work location (e.g., home maintenance, insurance, or utilities). However, the employee does not relinquish any entitlement to reimbursement for authorized expenses incurred while conducting business for the government, as provided for by statute and regulations.
5. Use of Appropriated Funds. Components may, but are not required, to use appropriated funds to provide telecommunications equipment in a private residence for employees who telework on a routine basis or perform remote work when the purpose is for official Government business consistent with the guidance set forth in section 620 of Public Law (P.L.) 104-52.

6. **Liability for Damage.** DOJ is not liable for damages to any employee's personal or real property while the employee is working at a telework or remote work location, except to the extent the Government is liable under 28 U.S.C. §§ 1346(b), 1402(b), 2401(b), and 2671 et seq., (also known as "The Federal Tort Claims Act").
- N. **Workers' Compensation.** Employees are covered by 5 U.S.C. Chapter 81 (also known as "The Federal Employees' Compensation Act") when injured or suffering from work-related illnesses while conducting official government business at the approved telework or remote work location.
- O. **Reasonable Accommodations.** Reasonable accommodations for disabilities are governed by Section 501 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, under 29 U.S.C. § 791 et seq. Depending on the facts of a particular accommodation request, an employee who has been deemed ineligible to participate in telework or remote work under either this policy statement or a component's policy may still be entitled to telework or remote work as a form of reasonable accommodation for a qualifying disability. Supervisors should consult with their Reasonable Accommodations Coordinator and legal office for guidance when receiving such a request. If telework or remote work is approved as a reasonable accommodation, supervisors should memorialize the terms of such approval as a reasonable accommodation in a telework agreement or remote work agreement.
- P. **Component Telework Policies and Telework Agreements.** A component may choose to use this policy statement in lieu of developing its own component-specific policy or may design its own component specific policy with additional criteria and standards for telework or remote work eligibility. In such cases, the component must inform its workforce in writing of this decision. Component-specific policies must comply with the minimum requirements set forth in this directive. A component also may opt to design a telework agreement that coincides with the requirements of this policy statement.

II. Roles and Responsibilities

A. Heads of Components

1. Establish, administer, and evaluate component telework programs in accordance with the requirements of OPM's [2021 Guide to Telework and Remote Work in the Federal Government](#), or subsequent guidance, and the provisions of this policy statement.
2. Designate a Component Telework Coordinator to provide guidance, manage and

track telework and remote work, and who serves as a liaison to the Department on telework and remote work matters.

3. Incorporate telework and remote work into COOP plans, as appropriate.
4. Ensure that appropriate collective bargaining obligations on telework and remote work policies, including telework agreements, are fulfilled.

B. Department Telework Managing Officer

1. Advise agency leadership and serves as a resource for management and employees.
2. Serve as the primary point of contact for OPM on telework matters.

C. Department Telework Coordinator

1. Serve as the Department's coordinator for telework initiatives.
2. Periodically review the DOJ Telework and Remote Policy Statement to ensure consistency with changes to authorizing statutes and regulatory requirements.
3. Issue an annual call for component telework reports as required in this policy statement.

D. Component Telework Coordinators

1. Serve as the component's coordinator for Department and component-specific telework and remote work initiatives.
2. Periodically review component telework and remote work policy and procedures to ensure consistency with future changes to authorizing statutes, regulatory requirements, and this policy statement.
3. Compile and submit component telework and remote work reports as required by this policy statement.
4. Monitor progress on annual component telework participation goals established by the heads of component in accordance with the Telework Enhancement Act of 2010; establish procedures to capture and track employee participation, denials, and terminations; and provide telework data to the Director, HR, JMD, or their designee for the annual Status of Telework in the Federal Government Report to the U.S. Congress and other reports and data as requested.

5. Provide guidance and/or training to supervisors responsible for making decisions related to program participation and provide additional assistance as needed.

E. Supervisors.

1. Determine position compatibility for telework in accordance with guidelines set forth in Section I.F.1 of this policy statement.
2. Determine employee eligibility in accordance with Section I.F.2 of this policy statement.
3. Notify employees of their ability to participate in telework based on determinations of position compatibility and employee eligibility.
4. Complete an interactive telework training course prior to acting on any telework request.
5. Review and sign all types of telework and remote agreements.
6. Document any decisions related to disapproval or termination of telework or remote work. Disapproval of telework or remote work must be documented.
7. Require employees who request permission to telework or work remotely to certify that the proposed telework or remote work location has adequate physical and environmental security measures in place to protect equipment, documents, and data from being accessed by unauthorized individuals.
8. Verify that the employee has the information and equipment necessary to perform assigned work independently.
9. Assign work, monitor, and evaluate performance, reward/recognize, train, and develop teleworkers or remote workers in the same manner as employees at the agency worksite.
10. Review and as needed update the written telework or remote work agreement.
11. Review and certify time and attendance reports to ensure employee absences and scheduled tours of duty are accurately recorded, to include applicable telework and remote work codes.
12. Approve or deny requested changes in work schedules in advance.

13. Immediately investigate any reported workplace-related injury or illness.

F. Employees.

1. Complete an interactive telework training course prior to signing a telework or remote work agreement.
2. Complete and sign the employee sections of telework or remote work agreements.
3. Comply with the Standards of Ethical Conduct for Employees of the Executive Branch (5 C.F.R., Part 2635) while working at the telework or remote work location.
4. Complete all assigned work according to standards and guidelines in the employee's performance plan.
5. Ensure that work documents and data in both hard copy and electronic forms are adequately secured.
6. Comply with equipment usage requirements set forth in this policy statement.
7. Ensure that care for dependents (e.g., young children, elderly individuals, or individuals with special needs) is provided by someone other than the employee while the employee teleworks. Exceptions (based on emergency situations) must be approved by the employee's supervisor, and the employee must account for work and non-work hours during their tour of duty and take appropriate leave (paid or unpaid) to account for time spent away from normal work-related duties to care for dependents.
8. Notify the supervisor of any work-related injury or illness as soon as possible.
9. Follow established procedures for requesting leave.
10. Ensure supervisors, colleagues, customers, and others know when employee is teleworking and how the employee can be reached. Regularly communicate each telework instance, work schedules on telework days, contact information at telework site, and absences from the telework location, including official meetings. This promotes efficient collaboration and allows supervisors to properly account for the teleworking employee's whereabouts and attendance.
11. Notify the supervisor in advance when voluntarily terminating a telework or remote

work agreement; and complete time and attendance reports to ensure that telework, remote work and absences during scheduled tours of duty are accurately recorded.

III. Reporting and Documentation

A. Annual Reports. In support of the annual Status of Telework in the Federal Government Report to the Congress, and in accordance with the Telework Enhancement Act of 2010, components, upon request, must provide participation level information to the JMD, Director, HR Staff, or their designee, including:

1. Total number of employees in the organization.
2. Number and percentage of employees eligible to telework or work remotely.
3. Number and percentage of employees who are granted an exception to this policy (reference Section I.D).
4. Number and percentage of eligible employees who are teleworking or working remotely. For telework employees provide the following data:
 - a. Employees teleworking 6 or more days per pay period.
 - b. Employees teleworking 3-5 days per pay period;
 - c. Employees teleworking 1-2 days per pay period;
 - d. Employees teleworking once per month; or
 - e. Employees teleworking on a situational, episodic, or short-term basis.
5. Employees' telework or remote work hours must be recorded in the component's time and attendance tracking system.
6. Reasons for variation if the total percentage of employees teleworking and on remote work varies by 10% higher or lower from one year to the next.
7. Explanation on whether the organization has met its goals; if not, actions considered to identify and eliminate barriers to maximize telework or remote work opportunities for next reporting period.
8. Assessment of progress made in meeting participation goals and other organizational goals relating to telework or remote work, such as the impact on:

- a. Emergency readiness;
- b. Energy use;
- c. Recruitment and retention;
- d. Performance;
- e. Productivity;
- f. Employee attitudes and opinions regarding telework and remote work; and
- g. Best practices in the telework or remote work program.

B. Records Retention. Components must maintain telework records for each participating employee in accordance with National Archives and Records Administration approved General Records Schedule 2.3, Item 040, Telework/Alternate Worksite Program Case Files. For questions related to the General Records Schedule, contact your component Records Manager.

APPENDIX A: REFERENCES

References	
Statutes	P.L. 111-292 P.L. 104-52, Section 620 5 U.S.C. § 552a 5 U.S.C. § 2105 5 U.S.C. Chapter 81 28 U.S.C. §§ 1346(b), 1402(b), 2401(b), and 2671 et seq. 22 U.S.C. § 3927 41 U.S.C. § 423 Section 501 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, 29 U.S.C. § 791 et seq. National Archives and Records Administration, General Records Schedule 1, Item 42
Code of Federal Regulations	5 C.F.R. § 531.605 5 C.F.R. § 630.1605 5 C.F.R. Part 2635
DOJ Orders	DOJ 1200.1, Part 6, Chapter 2, Flexible Work Options Program DOJ Order 0904 – Cybersecurity Program DOJ Order 1702 – Justice Continuity Program DOJ Order 0601 – Privacy and Civil Liberties
Guidance	OPM’s <u>2021 Guide to Telework and Remote Work in the Federal Government</u> , Federal Continuity Directive 1 (FCD-1), Federal Executive Branch Continuity Program & Requirements

APPENDIX B: DOJ TELEWORK AGREEMENT

The telework agreement below is a basic template that can be tailored to match a component's needs. Generally, a telework agreement should include the following, but not be limited to:

- A listing of the Department's and component's policies on telework and a signature indicating understanding and agreement to abide by those policies;
- A listing of telework schedule;
- Technology or GFE used to facilitate the telework;
- A self-certified safety checklist (reference Appendix F); and
- Other policy, provisions, or aspects of the agreement that the organization, the manager, or the employee feels should be put in writing.

DOJ TELEWORK AGREEMENT FORM

Part 1: General Information (Please type or print clearly)																											
Action Requested:	New <input type="checkbox"/>	Change <input type="checkbox"/>	Termination <input type="checkbox"/> Date of Request _____																								
Employee Information																											
Employee Name _____		Component/Division _____	Office _____																								
() _____	() _____	() _____	() _____																								
Work Phone _____	Work Mobile Phone _____	Home Phone _____	Cell Phone _____																								
Supervisor's Name _____																											
Part 2: Telework Agreement																											
<i>The following constitutes an agreement on the terms and conditions of the telework arrangement between the employee and the Department of Justice.</i>																											
Approved Telework Option/Days Select one option:																											
<input type="checkbox"/>	Routine Scheduled Telework Days (per Pay Period)	If applicable identify the work schedule for the employee (e.g., Maxiflex).																									
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;"></th> <th style="width: 20%;">Week 1</th> <th style="width: 20%;">Week 2</th> </tr> </thead> <tbody> <tr><td>Monday</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Tuesday</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Wednesday</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Thursday</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Friday</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Saturday</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Sunday</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr> </tbody> </table>				Week 1	Week 2	Monday	<input type="checkbox"/>	<input type="checkbox"/>	Tuesday	<input type="checkbox"/>	<input type="checkbox"/>	Wednesday	<input type="checkbox"/>	<input type="checkbox"/>	Thursday	<input type="checkbox"/>	<input type="checkbox"/>	Friday	<input type="checkbox"/>	<input type="checkbox"/>	Saturday	<input type="checkbox"/>	<input type="checkbox"/>	Sunday	<input type="checkbox"/>	<input type="checkbox"/>
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Saturday	<input type="checkbox"/>	<input type="checkbox"/>																									
Sunday	<input type="checkbox"/>	<input type="checkbox"/>																									
<input type="checkbox"/>	Routine Scheduled Days per month: <i>List Days per month (if not authorized to telework at least one day per pay period, but at least one regularly scheduled and recurring telework day per month):</i> _____																										
<input type="checkbox"/>	Situational (Ad Hoc: short period of time, project based, unscheduled or weather related) <i>Provide examples of approved telework situations</i>																										

Terms of Agreement

1. Telework is not an employee right or entitlement. The employee volunteers to telework and agrees to adhere to all laws, regulations, and policies. The Department concurs with employee participation and agrees to adhere to all laws, regulations, and policies.

2. The employee agrees to participate for a period beginning: _____ and ending: _____. The terms of this agreement should be reviewed and updated annually.

3. The supervisor and employee agree to the work schedule cited above for the telework location.

Start Time		Stop Time	
------------	--	-----------	--

4. Employee's official worksite:

Street Address	City, State	Zip Code
----------------	-------------	----------

5. Employee's agency worksite (if different from the employee's official worksite):

Street Address	City, State	Zip Code
----------------	-------------	----------

6. The approved telework locations are:

Primary telework location:

Street Address	City, State	Zip Code
----------------	-------------	----------

Secondary telework location:

Street Address	City, State	Zip Code
----------------	-------------	----------

Describe in detail the designated work area at the telework locations:

7. Employee has completed the Safety Checklist for Telework Locations. Employee and supervisor have discussed requirements for an adequate and safe work area and the employee certifies that all approved telework locations meet those requirements.

8. Employee completed telework training on _____ (date).

9. **OPTIONAL** The following equipment has been issued to the employee and documented by the agency:

Equipment	Description	Issue Date	Serial Number	DOJ Property Tag #	Return Date
Computer					
Telephone					
Other					
Other					
Other					

10. All timekeeping, leave, performance requirements, and special pay approvals are the same as for the traditional worksite.

11. Provided the employee is given at least 24 hours advance notice, the employee agrees to allow the supervisor or a designee, to inspect the telework location during the employee's normal working hours. This is to ensure worksite conformance with these guidelines.

Terms of Agreement		
12.	The employee agrees to immediately notify the supervisor of any work-related accident, injury, or illness occurring at the telework location and timely submit completed Occupational Injury/Illness Forms, as appropriate.	
13.	The Government will not be liable for damages to an employee's personal or real property during the course of performance of official duties or while using Government equipment in the employee's telework location, except to the extent the Government is held liable by Federal Tort Claims Act.	
14.	The Government will not be responsible for operating costs, home maintenance, or any other incidental costs whatsoever, associated with the use of the employee's residence. While teleworking, the employee is entitled to reimbursement for authorized expenses incurred while conducting business for the Government, as provided for by statute and implementing regulations.	
15.	The employee will apply approved safeguards when teleworking to protect Government/agency records from unauthorized disclosure or damage, and comply with all agency and component policies and regulations regarding classified, unclassified and other sensitive information.	
16.	The employee may voluntarily terminate a telework agreement at any time. Supervisors may remove the employee from a telework agreement in accordance with DOJ telework policies, established administrative procedures, and union negotiated agreements. _____ (initial)	
17.	The employee agrees to limit performance of assigned duties to the approved telework location. Failure to comply with this provision may result in termination of the telework agreement and appropriate disciplinary action.	
18.	The employee agrees that he or she may be required to telework outside of his or her normal telework schedule in the case of a temporary emergency situation (e.g., worksite closure, authorized early dismissal, authorized delayed arrival, declaration of COOP status).	
19.	The employee certifies that adequate dependent care arrangements are in place and will not interfere with the employee's ability to telework.	
Safety Checklist for Telework Locations		
The following checklist is designed to help you assess the overall safety of telework locations. Each participant should read the safety checklist provided below and certify that all telework locations are in compliance with all listed safety criteria.		
Safety Feature	Yes	No
1. Is the space free of indoor air quality hazards such as asbestos and mold?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the work space equipped with fire, smoke, and carbon monoxide detectors?	<input type="checkbox"/>	<input type="checkbox"/>
3. Are stairways and walkways nonslip and free of obstructions and trip hazards?	<input type="checkbox"/>	<input type="checkbox"/>
4. Is all electrical equipment free of recognized hazards that would cause physical harm?	<input type="checkbox"/>	<input type="checkbox"/>
5. Are all areas free of obstructions to permit visibility and movement?	<input type="checkbox"/>	<input type="checkbox"/>
I hereby agree to the telework Terms of Agreement and certify that my telework location is in compliance with all listed safety criteria.		
Employee's signature:		Date:
Part 3: Immediate Supervisor's Review		
<input type="checkbox"/>	Approval	
<input type="checkbox"/>	Approval with modification (please describe):	
<input type="checkbox"/>	Disapproval (state reason):	
Supervisor's signature:		Date:

Distribution of Copies

Original – Approving Official

Copy – Employee

Copy – Human Resources

APPENDIX C: REMOTE WORK AGREEMENT

The remote work agreement below is a basic template that can be tailored to match a component's needs. Generally, a remote work agreement should include the following, but not be limited to:

- A listing of the Department's and component's policies on remote work, including any applicable collective bargaining agreement, and a signature indicating an understanding and agreement to abide by those policies;
- A listing of remote work schedules;
- Technology or GFE used to facilitate the remote work;
- A self-certified safety checklist (reference Appendix F); and
- Any other policy, provision, or aspect of the agreement that the organization, the manager, or the employee feels should be put in writing.

DOJ REMOTE WORK AGREEMENT

Part 1: General Information (Please type or print clearly)			
Action Requested:	New <input type="checkbox"/>	Change <input type="checkbox"/>	Termination <input type="checkbox"/> Date of Request _____
Employee Information			
Employee Name _____		Component/Division _____ Office _____	
() _____	() _____	() _____	() _____
Work Mobile Phone _____	Employee Home/Mobile Phone _____	Alternate Home Phone _____	Alternate Mobile Phone _____
Supervisor's Name and Title _____			
Part 2: Remote Work Agreement			
<i>The following constitutes an agreement on the terms and conditions of the remote work arrangement between the employee and the Department of Justice.</i>			
Approved Remote Work Specifics			
<i>Select one option:</i>			
Employee initiated request (please see attached) <input type="checkbox"/> Management initiated or advertised as remote <input type="checkbox"/> Proposed Start Date: _____ Address and location of Official Worksite (include City, State, and zip code*): _____			
<input type="checkbox"/>	Management (determined by the component - e.g., supervisor/manger) has completed a cost benefit analysis as it pertains to this request.		
*Note: The official worksite location is used to determine pay (e.g., locality pay), RIF competitive area, travel reimbursement, and/or unemployment compensation. Any travel related expenses shall be processed in accordance with agency and Component specific policy and guidance.			

Terms of Agreement

1. Remote work is not an employee right or entitlement. The employee volunteers to telework and agrees to adhere to all laws, regulations, and policies. The Department concurs with employee participation and agrees to adhere to all laws, regulations, and policies.

2. The employee agrees to participate for a period beginning: _____ and ending on (if date is known) : _____ or upon termination of the agreement.

3. The supervisor and employee have agreed to a set a work schedule, including core hours of work for the remote work location.

4. Employee's traditional worksite
(Generally, the Component's home/regional office address)

Street Address

City, State

Zip Code

Supervisor contact information:

Phone Number

For more information, please refer to telework.gov, DOJ Agency, and component specific telework and remote work guidance.

5. If applicable, include/attach documentation related to the request for remote work or termination of this agreement.

6. Employee has completed the self-certified safety checklist for remote locations. Employee and supervisor have discussed requirements for an adequate and safe work area and the employee certifies that approved remote work location meet those requirements.

7. Employee completed telework/remote work training on _____(date).

8. **OPTIONAL** The following equipment has been issued to the employee and documented by the agency:

Equipment	Description	Issue Date	Serial Number	DOJ Property Tag #	Return Date
Computer					
Telephone					
Other					
Other					
Other					

9. Assignments and Communication: The supervisor and the employee have communicated regarding work assignment clarification related to remote worksite, agreements on office communication, checking voice mail and email, and contacting the supervisor.

10. All timekeeping, leave, performance requirements, and special pay approvals have been verified by the supervisor. Employee understands that his or her pay may change based on the location of the remote worksite.

Terms of Agreement	
11.	The employee agrees to immediately notify the supervisor of any work-related accident, injury, or illness occurring at the remote location and timely submit completed Occupational Injury/Illness Forms, as appropriate.
12.	The Government will not be liable for damages to an employee's personal or real property during the course of performance of official duties or while using Government equipment in the employee's remote work location, except to the extent the Government is held liable by Federal Tort Claims Act.
13.	The Government will not be responsible for operating costs, home maintenance, or any other incidental costs whatsoever, associated with the use of the employee's residence. While on remote work, the employee may be entitled to reimbursement for authorized expenses incurred while conducting business for the Government, as provided for by statute and implementing regulations.
14.	The employee will apply approved safeguards when teleworking to protect Government/agency records from unauthorized disclosure or damage, and comply with all agency and component policies and regulations regarding classified, unclassified and other sensitive information.
15.	The employees must follow agency or component guidance when requesting to terminate a remote work agreement. Supervisors may remove the employee from a remote agreement in accordance with DOJ telework and remote work policies, established administrative procedures, and union negotiated agreements. _____(initial)
16.	The employee agrees to limit performance of assigned duties to the approved remote work location. Failure to comply with this provision may result in termination of the remote work agreement and appropriate disciplinary action.
17.	The employee agrees that he or she may be required to work outside of his or her normal remote work schedule in the case of a temporary emergency situation (e.g., worksite closure, authorized early dismissal, authorized delayed arrival, declaration of COOP status).
18.	The employee certifies that adequate dependent care arrangements are in place, and will not interfere with the employee's ability for remote work.

Safety Checklist for Remote Work Locations

The following checklist is designed to help you assess the overall safety of the remote work location. Each participant should read the safety checklist provided below and certify that the remote work location is in compliance with all listed safety criteria.

Safety Feature	Yes	No
1. Is the space free of indoor air quality hazards such as asbestos and mold?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the work space equipped with fire, smoke, and carbon monoxide detectors?	<input type="checkbox"/>	<input type="checkbox"/>
3. Are stairways and walkways nonslip and free of obstructions and trip hazards?	<input type="checkbox"/>	<input type="checkbox"/>
4. Is all electrical equipment free of recognized hazards that would cause physical harm?	<input type="checkbox"/>	<input type="checkbox"/>
5. Are all areas free of obstructions to permit visibility and movement?	<input type="checkbox"/>	<input type="checkbox"/>

I hereby agree to the remote work Terms of Agreement and certify that my remote work location is in compliance with all listed safety criteria.

Employee's signature:	Date:
------------------------------	--------------

Part 3: Immediate Supervisor's Review

<input type="checkbox"/>	Approval
<input type="checkbox"/>	Approval with modification (please describe):
<input type="checkbox"/>	Disapproval (state reason):

Supervisor's signature:	Date:
-------------------------	-------

Distribution of Copies

Original – Approving Official
Copy – Employee
Copy – Human Resources

Appendix D: Telework Agreement – Supervisor Checklist

Supervisors must use this checklist to ensure that telework requirements are met and that covered employees understand the policies and procedures of the telework program. The Telework Agreement is not final until the check list items are complete. After an item is completed, list the date on the line next to it.

Checklist Item:	Date Completed
1. Telework Guidelines have been explained to the employee and signed by supervisor and employee.	
2. The provisions governing premium pay have been explained to the employee including that he/she must receive the supervisor's approval in advance of working overtime.	
3. Performance expectations have been discussed with the employee. Performance Standards are in place and have been signed.	
4. Policies and procedures covering classified, secure and privacy data including PII have been explained to the employee.	
5. The employee has been given and signed the Safety Checklist, which identifies safety and adequacy issues that employees should consider when working from home (attached).	
6. Equipment issued to the employee has been documented.	
7. Telework training completed.	

Also, identify any Government equipment/property that will be provided for the telework site below, as applicable:

Item	Yes	No
Computer:		
Docking Station:		
Printer:		
Monitor(s):		
Keyboard:		
Mouse:		
Other Item 1:		
Other Item 2:		

Appendix E: Remote Worker Agreement Supervisor Checklist

Supervisors must use this checklist to ensure that telework requirements are met and that covered employees understand the policies and procedures of the telework program. The Telework Agreement is not final until the check list items are complete. After an item is completed, list the date on the line next to it.

Checklist Item:	Date Completed
1. Remote guidelines have been explained to the employee and signed by supervisor and employee.	
2. The provisions governing premium pay have been explained to the employee including that he/she must receive the supervisor's approval in advance of working overtime.	
3. Performance expectations have been discussed with the employee. Performance Standards are in place and have been signed.	
4. Policies and procedures covering classified, secure and privacy data including PII have been explained to the employee.	
5. The provisions governing changes to the terms and conditions of the remote work agreement have been explained to the employee, including that they must receive the supervisor's approval in advance of any changes to the location of the duty station (i.e., remote work site). Failure to obtain management approval may result in termination of the remote work agreement	
6. The employee has been given and signed the Safety Checklist, which identifies safety and adequacy issues that employees should consider when working from home (attached).	
7. Telework training completed.	

Also, identify any Government equipment/property that will be provided for the telework site below, as applicable:

Item	Yes	No
Computer:		
Docking Station:		
Printer:		
Monitor(s):		
Keyboard:		
Mouse:		
Other Item 1:		
Other Item 2:		

APPENDIX F: EMPLOYEE SELF-CERTIFIED SAFETY CHECK LIST

DOJ Telework and Remote Work Safety Self-Certified Home Workspace Checklist

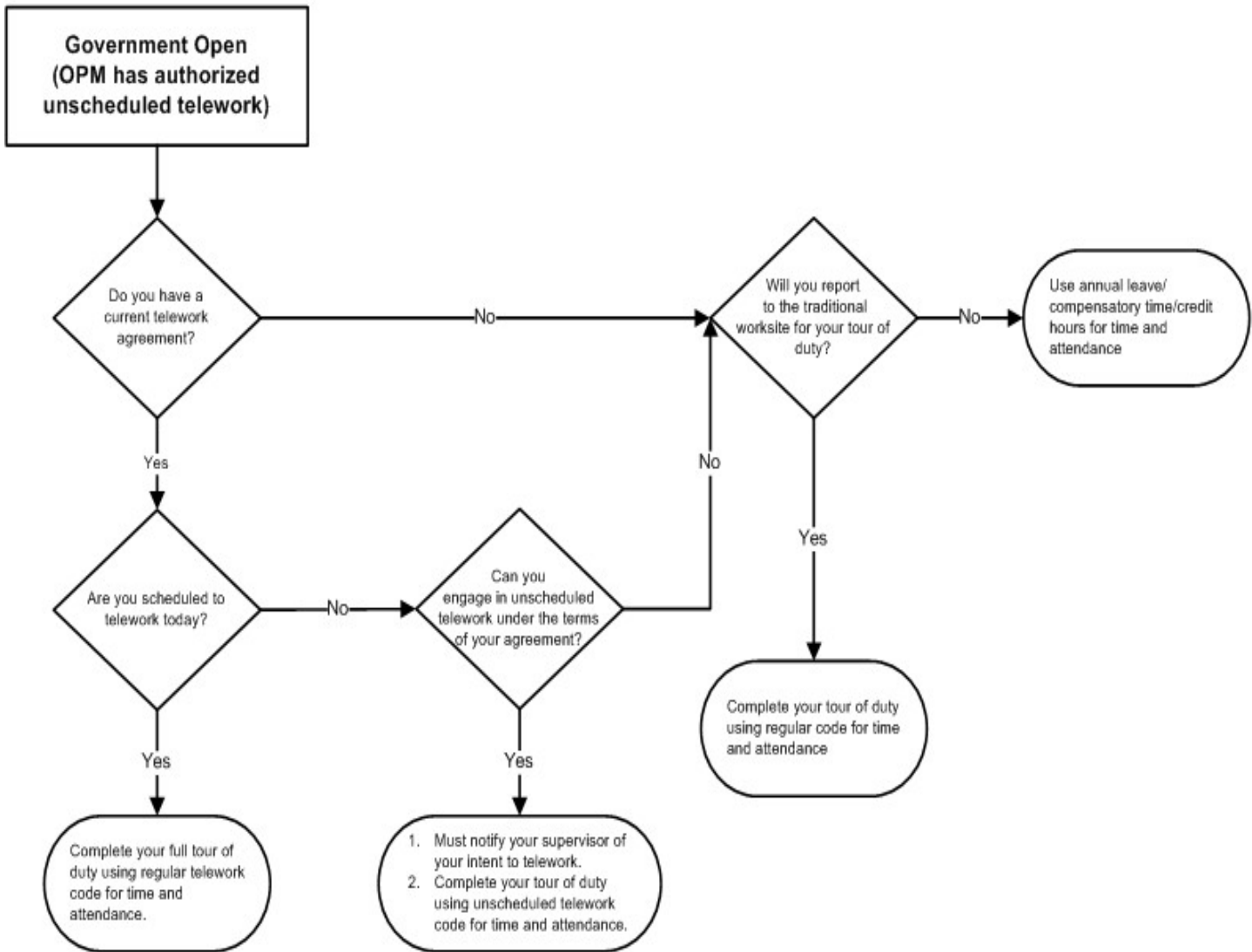
Employees wishing to be approved for telework or remote work must use the following checklist to assist them in a survey of the overall safety and adequacy of their telework site. The following are only recommendations, and do not encompass every situation that may be encountered. Employees are encouraged to obtain professional assistance with issues concerning appropriate electrical service and circuit capacity for residential worksites.

- Practice a fire evacuation plan for use in the event of an emergency.
- Check your smoke detectors regularly and replace batteries once a year.
- Always have a working fire extinguisher conveniently located in your home and check the charge regularly.
- Computers can be heavy. Always place them on sturdy, level, well maintained furniture.
- Use sturdy office chairs that provide good supporting backrests and allow adjustments to fit you comfortably.
- Locate your computer to eliminate noticeable glare from windows and lighting. Place the computer monitor at height that is comfortable and does not require neck or back strain.
- Locate computer keyboards at heights that do not require wrist strain or place the keyboard on an adjustable surface.
- Install sufficient lighting in locations that reduce glare at the work surface.
- Arrange file cabinets so that open drawers do not block aisles or walkways.
- Be sure to leave aisle and clear walkway space where possible to reduce tripping hazards.
- Always make sure electrical equipment is connected to grounded outlets.
- Avoid fire hazards by never overloading electrical circuits.
- Inspect and repair carpeting with frayed edges or loose seams. Avoid using throw rugs that can cause tripping hazards in your workspace.
- Locate computers, phones and other electrical equipment in a manner that keeps power cords out of walkways.
- Always power down computers after the workday is over and always turn off all electrical equipment during thunderstorms.
- Keep your work area clean and avoid clutter, which can cause fire and tripping hazards.
- Do not allow non-government employees to operate or repair government owned equipment.
- Always keep government files and information in a secure place and do not advertise your home office to strangers.
- Always use proper lifting techniques when moving or lifting heavy equipment and furniture.
- Always report accidents and injuries immediately to your supervisor.

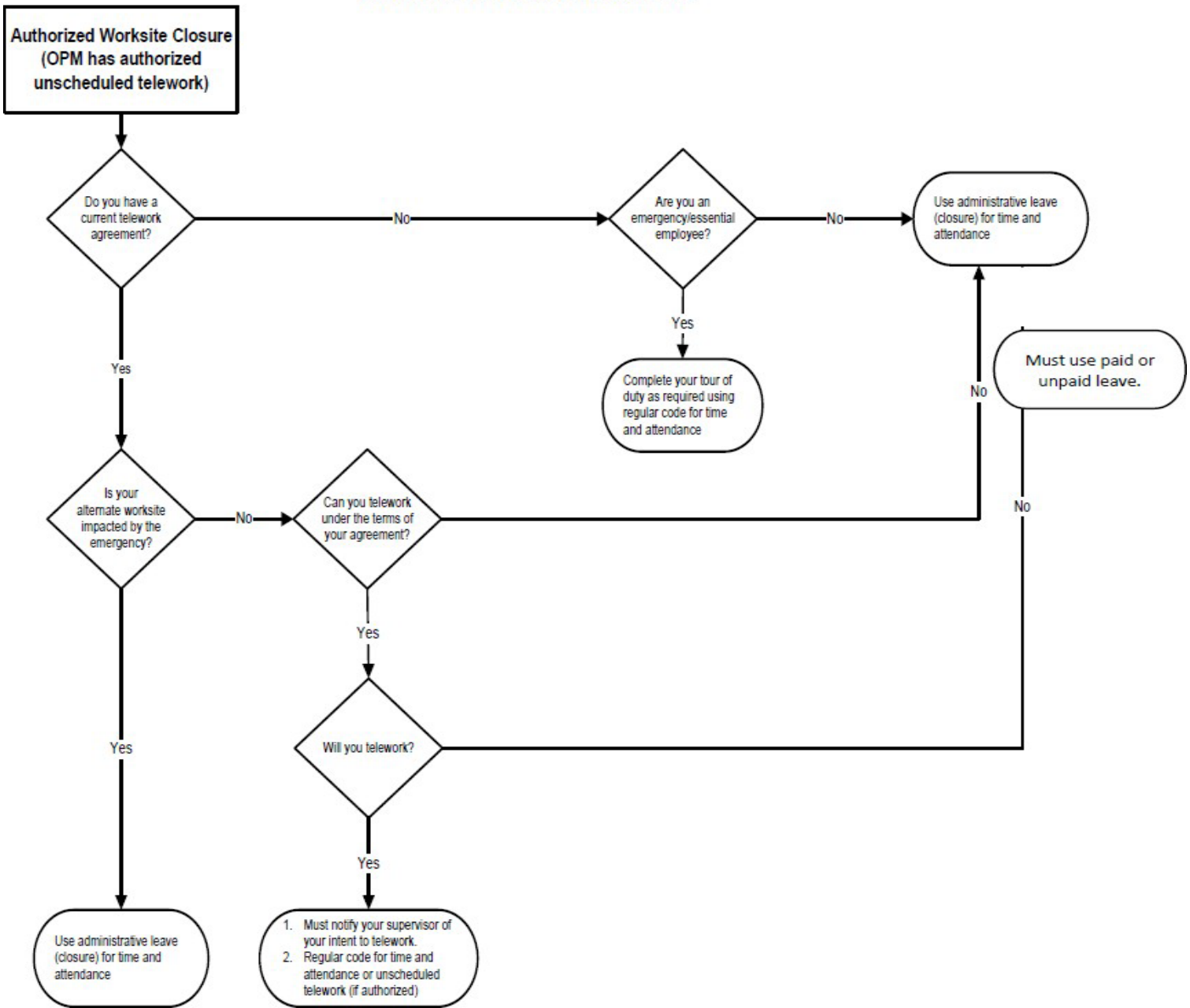
Employee's Signature Date (mm/dd/yyyy)

APPENDIX G: TELEWORK PROCESS FLOWCHARTS

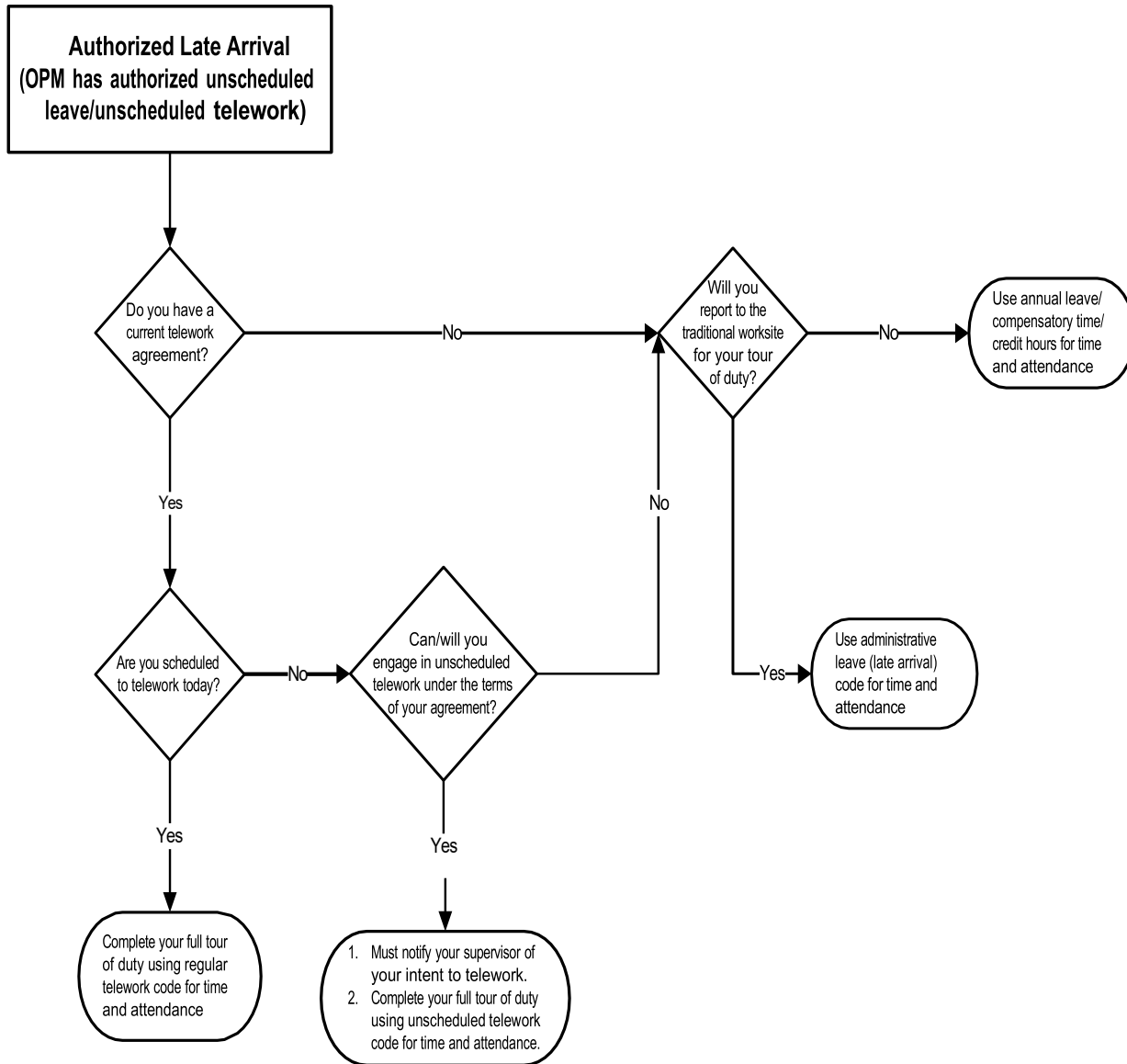
Government Open (Authorized Unscheduled Telework)



Authorized Worksite Closure



Authorized Late Arrival



Authorized Early Dismissal

