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MEMORANDUM FOR HUMAN RESOURCES DIRECTORS; RESOURCE MANAGERS, AND  
HQS ADMINISTRATIVE OFFICERS

FROM: SARAH J. BONILLA, DIRECTOR  
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SUBJECT: POLICY GUIDANCE MEMORANDUM #26  
OFFICIAL WORKSITE DETERMINATIONS

The following information is provided to assist in determinations of official worksites\* for remote workers. This guidance applies to Federal employees and employees hired under the Intergovernmental Personnel Act (IPA) since non-Federal employees may be eligible for certain travel and per diem allowances under the Federal Travel Regulation and applicable DOE Orders (see sections 16 and 18 of Chapter I of DOE M 321.1, Intergovernmental Personnel Act Assignments).

5 CFR 531.605(d)(1) states that:

"(i) if the employee is scheduled to work at least twice each biweekly pay period on a regular and recurring basis at the regular worksite for the employee's position of record, the regular worksite (where the employee's work activities are based) is the employee's official worksite. However, in the case of such an employee whose work location varies on a recurring basis, the employee need not work at least twice each biweekly pay period (where the employee's work activities are based) as long as the employee is regularly performing work within the locality pay area for that worksite."

In seeking clarification as to what "twice each biweekly pay period" means, OPM has advised that agencies have discretion to interpret the duration of a reporting requirement. It is DOE's position that this phrase should be interpreted to mean "at least two consecutive or nonconsecutive workdays during a biweekly pay period." The following are examples of situations to assist with this clarification.

1. An employee who works a 5/4/9 alternative work schedule and whose regular worksite is in Washington, DC, desires to relocate outside the DC locality pay area, and work at their parents' residence to care for them indefinitely. The employee's manager will authorize the change provided the employee works in the DC office every other week. The employee's official worksite will remain as Washington, DC, for pay purposes because the employee will be required to work at least 2 days (either the 5-day or 4-day week) during the biweekly pay period at the regular worksite on a regular, recurring basis. Travel expenses, including housing costs in DC, will be at the employee's expense because the employee is not eligible since the official



worksite is DC. (Note: This scenario is a qualified medical arrangement, even though it's for an indefinite period, as a remote work situation. It is recommended that the employee's telework agreement be for 1-year periods to establish definite periods in accordance with the definition and application of a medical arrangement in the DOE-Flex Desk Reference. Those days that the employee works at the parents' home is reported as Medical Telework in ATAAPS.)

2. In example #1, the employee's manager will approve the relocation providing that there is no cost to the organization. The manager proposes that the employee will be required to report to the DC office approximately once a month as follows: the last 2 work days of a pay period through the first 2 workdays of the following pay period. This would mean that the employee would travel to DC 1 time during the 2 pay periods. This schedule would keep the employee's official worksite in DC for pay purposes and ensure that the employee's travel and housing expenses while in DC are at the employee's expense.
3. A Golden Field Office (GFO) new hire who has been selected for a permanent position in the GFO desires to work out of his home outside the Denver, CO, locality pay area. Travel to the states that he will service and to the GFO could be done on an as-needed/irregular schedule. If approved, his residence will be his official worksite because that is where the employee will primarily work on a recurring basis. If the locality pay area for his residence is the Rest of the United States (RUS), then the employee should understand that his pay is reduced for this convenience. All travel expenses to and from the employee's residence are at DOE expense. (Note: This is a remote work situation in which a routine telework agreement is needed. Travel to a serviced state or to the main office is regarded as a mobile work situation. All work time at the employee's residence is reported as Routine Telework in ATAAPS. Travel time would not have a telework reason code.)
4. In example #3, should the selectee's manager want the employee to come to the GFO at least every Wednesday for a staff meeting and to ensure adequate interaction with the staff for the first 2-3 months, then the official worksite would be Golden, CO, for that period of time since the employee would be required to be in the regular worksite on a regular, recurring basis at least 2 days during each pay period. Any travel to and from the employee's residence and GFO or for temporary housing in the Denver area would be at the employee's expense. The employee is also not eligible for relocation expenses when the official worksite is changed.
5. An intern in EM's Career Development Program is assigned to the Consolidated Business Center (CBC) in Cincinnati, OH, but her primary office that she will work out of for 2 years is the Savannah River Operations Office (SR). As a part of her training plan, she will be TDY to DC for 6 months. Since her primary office is SR, that will be her official worksite for the 2-year period for pay and travel purposes. (Note: Although the employee's position of record is at the CBC, the SR supervisor to which assigned is regarded as the supervisor of record, the employee is not regarded as a remote worker, and a routine telework agreement is not required. The TDY assignment is a mobile work situation, so no agreement is needed for that period either.

However, if the employee is allowed to telework at home while working at SR, then an appropriate telework agreement is needed and an appropriate reason code entered in ATAAPS.)

6. A CH employee on an IPA assignment to the Sandia Laboratory is extended for 3 months for a total of 15 months. The original IPA agreement shows that the employee is on a detail (TDY). The employee's official worksite would be CH for the entire period per paragraph 6b(1) of Chapter II of DOE M 321.1 because the employee is receiving per diem while on TDY. (No telework agreement is needed by CH because this is a mobile work situation while on TDY.)
7. A DOE contractor at Los Alamos Laboratory is appointed to a DOE Federal position in Washington, DC in accordance with an IPA agreement for 1 year. As a part of the agreement, the employee is allowed to return home 1 weekend per month after 30 days in the assignment. DC is the employee's official worksite for pay and travel purposes. If the employee was making more than the Federal position, then the employee's pay remains unchanged. If the Federal position results in a higher pay, then DOE will pay the difference as supplemental pay. Travel home after the employee begins the DOE assignment is at the employee's expense.
8. In example #7, if the DOE contractor is detailed, rather than appointed, to the Federal position in DC, then the contractor would get travel and per diem while on TDY. Per diem is reduced after the first 30 days of the assignment per paragraph 18b of Chapter I of DOE M 321.1-1. Any travel to and from the employee's home may be paid if there is a cost savings to DOE (see Part 301-11 of DOE M 552.1), but the IPA agreement must state that it is authorized.
9. A non-Federal employee making \$235,000 per year as a consultant is being appointed to a DOE EJ-V position in Washington, DC, in accordance with an IPA assignment for approximately 9 months and wants to work from her residence every other week. The employee's official worksite will be DC for travel purposes (there are no pay issues since the employee will be paid at her current rate which is more than the maximum allowable for the DOE position). All travel to and from her home after beginning the assignment will be at her expense. (Note: A routine telework should be used for her work at home and reported in ATAATPS accordingly.)

This information will be added as a Q&A in the Desk Reference on DOE-Flex and the planned supplemental guidance on IPAs when DOE M 321.1-1 is updated and incorporated in an order next year.

\* Note: "Official worksite" is the same as "official duty station" for travel purposes.

Cc: HQs Telework Coordinators  
HQs Travel Staff  
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