

Approved: 2-11-2013

SUBJECT: DOE-FLEX: DOE'S TELEWORK PROGRAM

1. PURPOSE. This is to establish the requirements and responsibilities for the Department's telework program. The goals are to reduce energy consumption and emissions by avoiding commuting to work, improve balancing an employee's worklife needs, and ensure continuity of operations during emergency situations without sacrificing productivity.
2. CANCELLATION. DOE N 314.1, *DOE-FLEX: DOE'S Telework Program*, dated 7-5-11.
3. APPLICABILITY.

- a. Departmental Applicability. Except for exemptions provided for in paragraph 3.c., this directive applies to all Departmental elements and employees in all pay plans.

The Administrator of National Nuclear Security Administration (NNSA) must assure that NNSA employees comply with their respective responsibilities under this directive. Nothing in this Order will be construed to interfere with the NNSA Administrator's authority under section 3212(d) of Public Law (P.L.) 106-65 to establish Administration-specific policies, unless disapproved by the Secretary.

In accordance with the responsibilities and authorities assigned by Executive Order 12344, codified at 50 USC sections 2406 and 2511 and to ensure consistency through the joint Navy/DOE Naval Nuclear Propulsion Program, the Deputy Administrator for Naval Reactors (Director) will implement and oversee requirements and practices pertaining to this directive for activities under the Director's cognizance, as deemed appropriate.

- b. DOE Contractors. This program does not apply to contractors.
- c. Equivalencies/Exemptions for DOE O 314.1.
 - (1) Requests for exemption to this Order must be submitted in memorandum form to the Director, Office of Human Capital Management, Office of the Chief Human Capital Officer for non-NNSA elements. For NNSA elements, requests for exemption to this order should be submitted to the Director, Office of Human Capital Management. The memorandum must include the basis for the exemption, identify the requirement for which the exemption is sought, and request a timeframe, as applicable.
 - (2) Bonneville Power Administration is exempt.

4. REQUIREMENTS.a. General.

- (1) Telework is not an employee right, rather it is intended to support the Department in accomplishing its mission and balancing employee needs. If eligible, participation is subject to an authorized manager's determination as to the type of arrangement(s), situation(s), and frequency that an employee or group of employees may telework, and management ensuring that participation does not diminish the employee's performance or Departmental element's operations.
- (2) All supervisors and employees must have an appropriate telework agreement in place in order to telework.
- (3) Certifying officials must ensure that any time that is reported for pay purposes, including regular tours of duty or overtime, compensatory time, or credit hours earned, in which an employee teleworks, includes the proper telework reason code in the DOE time and attendance system.
- (4) Telework will be an integral part of the Department's Continuity of Operations (COOP) Plans at all levels. When activated, COOP Plans supersede this directive.
- (5) The Department will, at a minimum, establish an annual participation goal. Other goals may be established periodically in support of related Departmental programs.
- (6) The Office of the Chief Human Capital Officer will coordinate with other applicable program offices to periodically evaluate how well the Department is achieving its goals; the impact that telework is having on emergency readiness, energy use, recruitment and retention, employee performance, productivity, and employee attitudes and opinions on teleworking; and identify best practices.
- (7) Servicing human resources staffs, in conjunction with their serviced organizations, will provide the information needed to be responsive to Departmental reporting requirements.

- b. Eligibility. All federal positions in the Department will be carefully evaluated for eligibility to telework. Consistent with their responsibility to ensure that organizational performance goals are achieved in support of mission accomplishment, the possibility of telework will be determined by supervisors and managers on a case-by-case basis. In addition, certain positions shall not be considered for telework if any one of the following conditions apply

- (1) Their capability to access their Departmental element's network does not meet the network security requirements and no other work of equal or higher priority that is acceptable to the supervisor can be performed at an alternative worksite.
- (2) Their position involves only work that is performed at off-site locations and/or while traveling between worksites, such as the transport of nuclear materials.
- (3) Their position involves work that is normally required to be performed on-site every day; e.g., work involving the handling of classified information or regular and recurring face-to-face contact; however, if an employee is approved to perform work off-site during emergency situations, then the employee must be on a situational telework agreement that is limited to emergency situations in order to perform the work.
- (4) The employee is designated as a person who must be on site during emergency situations in order to perform his/her duties; this exclusion does not include an employee who may telework on a nonemergency basis, but is designated as an emergency employee who may be required to perform work on-site during emergency situations.
- (5) The employee has not been in an organization long enough to know his/her duties and/or organizational relationships sufficiently well enough to perform independently or successfully unless in his/her office.
- (6) The employee's performance is evaluated at less than the Meets Expectations (ME) level or equivalent Fully Successful level; if the employee is improving while subject to a Performance Assistance or Improvement Plan, an employee may be approved to telework during an emergency situation.
- (7) The employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year or for violation 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.

c. Training.

- (1) All supervisors and managers of employees who telework must complete available telework training for supervisors and managers.
- (2) All employees must complete available training on teleworking before they can telework.

5. RESPONSIBILITIES.

- a. Secretary. Designate the Department's Telework Managing Officer.
- b. Office of the Chief Human Capital Officer.
 - (1) Issue implementing guidance.
 - (2) Determine the Department's telework goals.
 - (3) Periodically evaluate the effectiveness of the Department's telework program.
 - (4) Coordinate the collection and reporting of data that is responsive to Departmental reporting requirements.
- c. Continuity of Operations (COOP) Manager. Work collaboratively with the Office of the Chief Human Capital Officer to ensure that telework is an integrated part of the Department's COOP Plan.
- d. Heads of Departmental Elements.
 - (1) Establish a telework plan for the Departmental element.
 - (2) Establish a Telework Coordinator who will assist in the administration of the Departmental element's telework plan and with the Departmental reporting requirements.
 - (3) Identify barriers to a successful telework program and take action to eliminate or mitigate those barriers.
- e. Supervisors and Managers.
 - (1) For each position or group of similarly situated positions, determine whether any portion of work can be performed at an alternative worksite and, if so, the type of telework arrangement(s), situation(s), and frequency that an eligible employee may telework.
 - (2) Notify all employees of their eligibility or ineligibility to telework in writing; if ineligible, provide the business reason(s) based on the exclusions in this policy (note: even though an employee is eligible to telework, when that may be done is subject to management discretion based on mission requirements, office coverage, etc.).
 - (3) Determine if and what resources will be provided eligible employees who can telework under normal and/or emergency work situations.
 - (4) Treat teleworkers the same as non-teleworkers.

- (5) Ensure employees have work assignments appropriate for telework and the amount of time authorized.
- (6) Ensure appropriate management controls and employee accountability are in place.
- (7) Ensure that participation does not diminish an employee's performance or DOE operations; take prompt corrective action, including suspending or canceling a telework arrangement, when a performance, availability, office coverage, conduct, or security problem is apparent.
- (8) Ensure that program information, Official Use Only (OUO; including personally identifiable information), Unclassified Controlled Nuclear Information (UCNI), and information and communications systems are adequately protected, and ensure that documents with the potential to contain classified information are not transmitted electronically until they have been reviewed by a Derivative Classifier in accordance with DOE O 475.2, Identifying Classified Information.
- (9) When a subordinate will telework, complete the required training available for supervisors and managers and the subordinate's application and telework agreement on a timely basis.

f. Employees.

- (1) To prepare to telework, an eligible employee will
 - (a) Complete the required training available.
 - (b) Initiate and complete his/her Departmental element's application and associated forms based on his/her notice of eligibility to telework; for a medical arrangement, provide the supporting medical documentation.
 - (c) If approved to telework, complete his/her Departmental element's telework agreement for the type of arrangement(s) for which approved using the Departmental element's submission procedures.
- (2) While teleworking, the employee will
 - (a) Perform those work assignments agreed to with his/her supervisor.
 - (b) Ensure that the appropriate resources are available or accessible to perform those assignments at the telework site.
 - (c) Notify his/her supervisor and co-workers via email that s/he is teleworking and provide a work schedule and phone number for

the day; if power is out, notify his/her supervisor as soon as possible of the problem.

- (d) Forward the office telephone to the telework site or provide a voice-mail greeting message that informs callers how (and when) to contact the employee.
- (e) Notify his/her supervisor when starting and ending work, of any change in availability (e.g., departure for and return from an appointment or a conference call that will tie up the telephone for a while), and of any change in contact information.
- (f) Be reasonably accessible (e.g., either responding promptly to management's attempts to contact him/her or responding within the time expected if the employee were at the office) during agreed-upon hours of work.
- (g) Safeguard DOE equipment, work products containing OUO (including personal identifiable information) and UNCI information, and records, and use such equipment and records for official business only.
- (h) Protect any DOE-issued equipment used to perform work at a telework site.
- (i) If the telework site is the employee's home, maintain a reasonably safe working environment, keeping it hazard-free and normally free from distractions.
- (j) Ensure that unclassified work products are safely conveyed between a telework site and any other location; classified work products may not be taken to an employee's telework site.

6. REFERENCES.

- a. [Telework Enhancement Act of 2010, Public Law \(P.L.\) 111-292.](#)
- b. [Section 359 of P.L. 106-346.](#)
- c. [10 CFR Part 1017.](#)
- d. [DOE O 206.1, Department of Energy Privacy Program,](#) dated 1-16-09.
- e. [DOE O 471.1B, Identification and Protection of Unclassified Controlled Nuclear Information,](#) dated 3-1-10.
- f. [DOE O 471.3 Chg 1, Identifying and Protecting Official Use Only Information,](#) dated 4-9-03.

- g. [DOE M 471.3-1 Chg 1, Manual for Identifying and Protecting Official Use Only Information](#), dated 4-9-03.
 - h. [DOE O 471.6, Information Security](#), dated 6-20-11.
 - i. [DOE O 475.2A, Identifying Classified Information](#), dated 2-1-11.
 - j. [DOE Desk Reference on DOE-Flex](#) (note: this web site is in the process of migrating to the updated DOE web site).
 - k. [The Office of Personnel Management Guide to Telework in the Federal Government](#).
7. CONTACT. Office of Strategic Planning and Policy, Office of the Chief Human Capital Officer, 202-586-3372.

BY ORDER OF THE SECRETARY OF ENERGY:



DANIEL B. PONEMAN
Deputy Secretary