



## Texas Military Department

# INSTRUCTION

TMDI 1000.04  
MAY 08 2023

NGTX-JHZ

SUBJECT: Texas Military Department (TMD) Telework Program for Title 5 National Guard Employees and Title 32 Military Technicians

1. PURPOSE. This instruction establishes policy and assigns responsibilities for the Texas Military Department Telework Program in accordance with applicable laws and regulations.
2. REFERENCES. See Enclosure 1.
3. APPLICABILITY AND SCOPE. This instruction applies to all Title 5 National Guard Employees (NGE), and Title 32 Military Technicians (MilTechs). Active Guard and Reserve (AGR) from both components will follow component policy on AGR telework. Telework for state employees is addressed in the State Employee Policies and Procedures Manual (number 1400.01)
4. POLICY. It is TMD policy to provide telework guidance to all full-time support employees. Telework is an option that management may offer but an employee may decline; therefore, it is not a change in conditions of employment unless and until it is implemented. An employee's request for a telework arrangement, including continuation or alteration of an arrangement, shall be granted to the extent the requested arrangement complies with the provisions of this instruction that are consistent with the applicable collective bargaining agreement, if any. An employee may terminate a telework arrangement at any time. Involuntary termination or alteration of a telework arrangement by a supervisor is a change in conditions of employment that must comply with both the collective bargaining agreement, if any, and this instruction, to the extent it is consistent with the collective bargaining agreement. Telework is not the same as mobile work. Mobile work is work performed at the customer worksite or other worksites as opposed to a single authorized alternative worksite. Examples of mobile work include site audits, inspections, investigations, property management, and work performed while commuting, traveling or on temporary duty status (TDY). Director level (O-6) concurrence is required for situational, regular, and reoccurring telework not to exceed two (2) days telework per week on a four (4) day compressed work schedule, or three (3) days per week on a five (5) day work schedule. For good cause, and with Directorate concurrence, the TMD Human Resources Office (HRO) is the approval authority for more than two (2) days per week. The Adjutant General (TAG) is the approval authority for full-time telework.

a. Employees. With an approved telework agreement, T5 NGE and Miltechs may perform assigned official duties and other authorized activities at an approved alternative work location in the local commuting area of the regular worksite, such as at their personal residence or an alternate TMD facility, on a regular/recurring or situational basis, including reasonable accommodation of a disability.

b. Accessibility. Employees during hours of work must be accessible by telephone, voicemail, or email and must respond within a reasonable time to voicemail or email messages. Upon Employer provision of both reasonable advance notice and any appropriate arrangements, an employee must be available on a scheduled telework day to report to the regular worksite for duties that must be performed there on that day to avoid adverse impact on mission accomplishment. Appropriate Employee arrangements on such days include transportation and accommodation of employee dependents whose presence at a home telework site does not interfere with telework but who should not be home alone, such as students in grades K-5.

c. Performance Management. Teleworkers and non-teleworkers will be treated the same for the purposes for work requirements, periodic appraisals of job performance, training, rewards, reassigning, promoting, reducing in grade (civilians), retaining, and other acts requiring management discretion. Performance standards for members who telework will be the same as for those working at the regular worksite.

d. Problems Affecting Work Performance. Employees must promptly advise their supervisors when problems arise at the alternative worksite that adversely affect the employee's ability to perform work. Examples could include power outages, telecommunication difficulties, or installation training exercises. In such cases, the Employer may (a) in accordance with paragraph 4a, require the employee to report to the regular worksite; (b) require the employee to work to the extent the employee reasonably is able to do so under the adverse circumstances, by methods and means that remain available; or (c) for T5 NGE and MilTechs, grant the employee paid excused absence.

e. Position Eligibility. Positions eligible for telework involve tasks and activities that are portable, computer-oriented, telephone-intensive, and require critical thinking and writing. T32 Miltech and T5 NGEs are eligible to the extent telework does not jeopardize mission readiness. The agency should authorize the maximum number of positions eligible for telework to the extent that mission readiness is not jeopardized. No predetermined percentages, minimum, or maximums will influence the determination of a position's telework eligibility status. Neither Position Description (PD) nor pay band will exclude a member from telework. For T5 NGE and MilTechs, the employer will provide the union written notification when it is determined that a position is ineligible for telework and a statement of facts and reasons will be provided on which the determination was based. The determination may be challenged through the negotiated grievance procedure in the collective bargaining agreement. Positions determined to be ineligible for telework may later be eligible in a Continuity Of Operations Plan (COOP) emergency. Depending on the nature of the emergency and scope of the employees responsibilities while teleworking.

f. **Employee Eligibility.** Except as provided in subparagraph e, employees or service members in eligible positions who are willing to execute-and have the workspace, utilities, Employer-provided equipment, and reference materials to comply with-an appropriate telework agreement are eligible for telework, irrespective of tenure or trial/probationary status, unless (a) their work properly has been determined to be unsatisfactory or (b) their supervisor has had inadequate opportunity to determine whether their work is satisfactory and this determination cannot reasonably be made during telework.

g. **Employees Not Eligible for Telework.** Employees in the following categories are not eligible for telework except in a matter of COOP:

(1) **Classified Materials.** Employees in positions that require daily direct handling of classified materials are typically not eligible for telework. Classified work at an approved alternative location may be allowed, contingent on organization requirements regarding such work, and when situations warrant.

(2) **Direct Contact with Customers and other Employees.** Employees in positions that require, daily, on-site activity or face-to-face personal contact that cannot be handled remotely (for example, hands-on contact with equipment).

(3) **Performance and Conduct.** Employees who have been officially disciplined for being Absent Without Leave (AWOL) for more than 5 days in any calendar year, are ineligible for telework. TMD Employees who have been officially disciplined for violations of Subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing Federal Government duties are ineligible for telework. If telework continues to diminish employee or agency performance, even after attempts to mitigate such diminishment have been attempted and the employee does not comply with the terms of the written agreement, the telework agreement will be terminated.

(4) **Temporary Employees.** Employees who have been hired in a temporary Not To Exceed (NTE) capacity (MilTechs, T5 NGE or T32 Active Duty for Operational Support (ADOS)) are ineligible for telework as the job profile does not usually lend time to assess the employees work and work ethic, additionally, the employment period is often a time limited appointment. Note: T32 Miltech and T5 NGE indefinite employees, who meet the criteria outlined in this policy, are telework eligible.

h. **Disputing denials and terminations.** An employee may dispute the reasons given for disapproving a telework request or terminating or altering a telework agreement through their respective Human Resources Office. Collective bargaining unit employees may challenge denial, alteration, or termination of telework through the negotiated grievance procedure. Non-bargaining unit employees will use the administrative grievance procedures outlined in DoDI 1400.25 volume 771. For employees denied telework as a reasonable accommodation, refer to TMD SOP 1350.02, Reasonable Accommodations.

i. Forms. All employees who telework on a regular, recurring, situational basis, must complete the Telework Agreement (Enclosure 3) annually based on the anniversary of the initial agreement. Forms must be filled out in entirety, signed and dated by the employee and the appropriate management official before submission to the TMD HRO for final approval. A copy will be maintained by the TMD Telework Coordinator. All telework agreements will address:

(1) Employee telework location.

(2) Supervisor's expectations of performance to include communication.

(3) Telework options in the event of closure of the traditional worksite due to adverse weather conditions or any other type of emergency.

(4) Instructions on whether sensitive, unclassified or sensitive source selection data is authorized for use at the telework location. Annotate the description of the proper encryption, storage, safeguarding and return of such information and data on Telework Agreement.

(5) Location of designated section of personal residence where telework will take place. Employees must complete the Telework Eligibility Checklist and Telework Safety Checklist and provide it to their supervisor as part of the Telework Agreement.

j. Training. T5 NGE, MilTechs and their supervisors must complete telework training prior to teleworking. Both the employee and supervisor must print out the certificate of training and attach copies to the completed Telework Agreement for submission to the TMD HRO. Supervisors and employees must use the training site in Enclosure 2 (reference b) to complete required training listed below that may be found on the Telework.gov website. Supervisors will maintain copies of training on file for the duration of the telework agreement.

(1) Employees. Telework Fundamentals – Employee Training

(2) Supervisors/Managers. Telework Fundamentals – Manager Training

k. Telework and Dependent Care. Telework and Dependent Care. Employees may work at home when dependents are present if (a) the dependents, such as children in grades K and above, do not require care inconsistent with uninterrupted performance of work during duty hours; or (b) the time devoted to dependent care is by the employee's determination properly excluded from duty hours and the employee on the same day works additional time comprising a full day of duty, which additional time shall not be eligible for any special pay, night differential, overtime pay or compensatory time.

l. Telework and Dependent Care During Emergency Situations. During emergency situations, such as COOP, employees may telework at home even if they have a young child or other person who requires the presence of a caregiver in the home. During the emergency, the time devoted to dependent care is by the employee's determination

properly excluded from duty hours and the employee on the same day works additional time comprising a full day of duty, which additional time shall not be eligible for any special pay, night differential, overtime pay or compensatory time.

m. Timecard Submission. The policies for requesting annual leave, sick leave, or leave without pay remain unchanged for all employees. T5 NGE and MilTechs will report all time spent in a telework status on the employee's timecard. The timekeeping code of "TW" will be used for an approved work schedule for eligible employees who regularly work at least one day per biweekly pay period at an alternative worksite. Use the "TS" code for approved telework performed on an occasional, one-time, or irregular basis. Use the "TM" code for telework that has been approved for a particular employee as deemed necessary by the command for medical reasons.

n. Telework Location. Authorized employees may work from their personal residences or other approved alternative locations. Employees must address issues of their own personal safety to be effective while teleworking from a personal residence or other alternative worksite. Employees may work part of the day at their approved alternative worksite and part of the day at the traditional worksite to accommodate work schedules and personal commitments (for example, to attend a training course or a medical appointment located near the employee's alternative worksite prior to reporting to the traditional worksite). The government is not liable for damages to the teleworker's personal or real property while the teleworker is working at an approved alternate worksite. By participating in the telework program, a teleworker does not relinquish any entitlement to reimbursement for authorized expenses incurred while conducting business for the government, as provided by statute and implementing regulations.

o. Official Worksite for Location-Based Pay T5 NGE and T32 MilTechs. In accordance with 5 Code of Federal Regulations (C.F.R.) Section 531.605, "Determining an Employee's Official Worksite," an employee's locality pay rate is based on the employee's official worksite. The official worksite is usually the location of the employee's position of record where the employee would, when not teleworking, regularly perform his/her duties, and is referred to as the regular worksite (physical place to which the employee regularly reports to work). If an employee is covered by any of the following three rules, then the employee's official worksite remains the geographic location where the employee's organization is located:

(1) The twice a pay period standard: If an employee is scheduled to work at least twice per biweekly pay period on a regular and recurring basis at the employee's organization's regular worksite, then the employee's organization's regular worksite is the employee's official worksite.

(2) The same locality pay area exception: If an employee occasionally reports to his/her regular worksite but not on a regular and recurring basis or if the employee regularly performs telework at an alternate worksite within the same geographic area as his/her regular worksite, then the employee's regular worksite remains his/her official worksite.

(3) The appropriate situations of a temporary nature exception: An employee's

supervisor may make an exception to the twice-a-pay period standard in appropriate situations of a temporary nature, such as when an employee:

(a) Can still perform duties by telework for reasons of a reasonable accommodation.

(b) Is affected by an emergency which temporarily prevents commuting to the employee's organizational regular worksite.

(c) Is on some form of extended approved absence (i.e., any form of paid leave).

(d) Is in a temporary duty travel (TDY) status.

(e) Is temporarily detailed to work at a location not covered by the approved telework agreement.

p. Medical Coverage Guidance. In general, teleworking employees are covered by Federal Worker's Compensation rules and may qualify for payment for on-the-job related injury or occupational illness. Teleworkers are responsible for maintaining an appropriate and safe workspace. Teleworkers must report work related injuries to their supervisors as soon as practicable. Supervisors will coordinate with the TMD HRO Benefits section regarding the follow-on actions and reporting requirements as soon as practicable after receiving notification.

q. Termination of Telework. The Employer, for written reasons that are consistent with both the applicable collective bargaining agreement, if any, and this Instruction, to the extent it is consistent with the agreement, may terminate or alter a telework agreement. The termination or alteration may be challenged through the applicable grievance procedure. Telework agreements may be cancelled by either party. The employee may terminate a telework agreement at any time. Supervisors of Federal employees must consult with the HRO prior to terminating a telework agreement. Management may terminate a telework agreement due to one or more of the following:

(1) The employee no longer meets the eligibility criteria.

(2) The employee has demonstrated an inability to adhere to the provisions of the telework agreement, to include reduced work production, non-responsiveness to communication attempts, non-availability, or working at the alternative worksite has proven to place an undue documented burden on other office staff.

(3) Upon termination of the telework agreement, there will be no exit costs (for example, Permanent Change of Duty Station). The supervisor must be able to document and demonstrate the reasons for the termination.

r. Remote Access, Equipment, and Information Technology (IT) Requirements.

(1) Eligible employees must have high-speed broadband internet capability at their telework location with consistent access.

(2) Eligible employees must have the ability to access the TMD/shared drives as well as any other routine work system if required.

(3) Eligible employees must have a phone number at which they can be reached while teleworking. Employees must leave an extended absence voice mail message (if the employee has voice mail capability) stating they are teleworking (and for what period) and provide the phone number where they can be reached during the workday unless their landline is forwarded.

(4) TMD assumes no responsibility for operating costs associated with an employee using his or her personal residence as an alternative worksite. This includes home maintenance, insurance, utilities (to include internet costs), printers, fax machines, or increased telecommunication costs. Any financial burden resulting from the telework agreement is solely the responsibility of the teleworker.

s. Hours of Duty. Existing rules on hours of duty based on the Agency hours of operation and the employees scheduled work hours apply to teleworkers. Teleworkers are eligible to have an alternate work schedule and telework at the same time. Alternate work schedule eligibility and approval are a distinctly different process than telework eligibility and approval.

t. Emergency Dismissal or Closing. TMD Mission Essential (ME) employees who are not in an approved leave status on the day(s) of an emergency agency closure are required to continue working from their alternative worksite until the end of the regularly scheduled workday unless otherwise stated. If a similar occurrence (not covered by official emergency dismissal procedures) causes employees at the traditional worksite to be unable to continue working (e.g., part of a large organization is dismissed due to a lack of heat or cooling), employees who are teleworking and who are not affected, would not be excused from duty. In the event of an emergency dismissal or closing, the affected supervisor must notify the TMD immediately after a decision is rendered to dismiss or close the facility. The supervisor must request telework for AGRs at that time.

u. Overtime. T5 NGE and MilTechs. The existing rules on overtime apply to teleworkers. Supervisors should ensure that teleworkers work overtime only when ordered and advanced approval is given. Telework privileges should be cancelled, after warning, for those teleworkers who continue to work overtime without prior supervisory approval.

v. Teleworkers are responsible for the security of all official information, protection of any government furnished equipment and property and carrying out TMD missions at the alternative worksite.

(1) No classified information will be generated or processed during telework. No classified documents (hard copy or electronic) may be taken by teleworkers to alternative worksites.

(2) No contractor proprietary information may be taken by teleworkers to

alternative worksites without the prior consent of the contractor.

(3) Records subject to the privacy act may not be disclosed to anyone except those authorized access as a requirement of their official responsibilities. Appropriate physical, administrative, and technical safeguards will be used to protect the security and confidentiality of such records.

(4) Any teleworker who will be working with privacy act information will be briefed on the proper handling of privacy act materials.

(5) Government equipment that is furnished to teleworkers will be issued and properly accounted for.

w. Alternative Worksite Options.

(1) Home Based. An employee performs his/her official duties from a specified work or office area in his/her personal residence that is suitable for the performance of official government business.

(2) Alternate Worksite. An employee performs his/her official duties from another TMD facility or Agency approved work site.

x. Emergency Telework. A critical component of the TMD COOP is the use of telework. Telework in this capacity enables the TMD to continue functioning through hazardous weather, pandemics, physical attacks, or other events which would result in the closure of government buildings. Refer to the TMD COOP for specific guidance on executing telework in an emergency situation. When authorized, notification will be sent from TMD HRO to all employees.

y. Reasonable Accommodations. For requests to telework for the reason of a reasonable accommodation, refer to TMD SOP 1350.02, Reasonable Accommodations (RA).

5. DEFINITIONS. See Enclosure 2.

6. RESPONSIBILITIES.

a. The TMD HRO:

(1) Ensure that this instruction remains in compliance with any changes in law, Department of Defense policy.

(2) Designate a Telework Coordinator for TMD.

(3) Review and decide on all requests to telework or obtain required approval if an exception to policy is required. For requests of a medical nature, TMD HRO will



ensure the TMD State Equal Employment Manager is made aware of the reasonable accommodation.

b. Commanders, Directors or their Designee:

(1) Ensure compliance within their respective organizations concerning telework agreements.

(2) Maintain accountability of assigned employees including duty status (time cards/leave log), and associated records are kept to accurately report telework activities to the TMD HRO.

(3) Manage the appropriate authorizations for the use of Government-owned equipment in support of telework and ensure proper documentation is maintained.

(4) Ensure employees designated to telework have a signed agreement in their local personnel file.

(5) Maintain workforce capabilities to mitigate the impact on normal operations, when preparing to support TMD state and federal response operations.

(6) Ensure employees assigned to new supervisors or undergo significant changes to their work status update their telework approval paperwork.

(7) Ensure members maintain compliance with TMD Form 1402.02-2 Telework Eligibility Checklist and TMD Form 1402.02-3 Telework Safety Checklist

(8) Ensure employees/service members with mission-critical or essential duties and those who may be required to telework in the case of a COOP event, office closure due to adverse weather, or pandemic health crisis, have a Telework Agreement in place. When telework is expanded or employees/service members who were not participating in telework are directed to do so, they shall be required to fill out a Telework Agreement and complete the required training as soon as practicable. Supervisors should include a description of emergency duties if those duties differ from the employees' duties in their Telework Agreement in the component-specific terms and conditions section.

c. Employees. Follow the procedures of the telework program and keep their supervisor informed to accurately account for changes to present for duty, leave and non-chargeable leave status.

7. INFORMATION REQUIREMENTS. NA

8. RELEASABILITY. Unlimited.

9. EFFECTIVE DATE. This instruction is effective immediately and will expire two years from the date of publication unless sooner rescinded or superseded.

10. POINT OF CONTACT, TMD HRO at 512-782-6725.



THOMAS M. SUELZER  
Major General, TXANG  
Adjutant General

5 Encls

1. References
2. Definitions
3. TMD Form 1402.02-1 Telework Agreement
4. TMD Form 1402.02-2 Telework Eligibility Checklist
5. TMD Form 1402.02-3 Telework Safety Checklist

DISTRIBUTION:

A

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Issuance Office



## Enclosure 1

## References

- a. Title 5 United States Code (U.S.C.), Section 2105, "Employee"
- b. [www.telework.gov/training-resources/telework-training](http://www.telework.gov/training-resources/telework-training) NIPRNET-accessed 07 October 2021
- c. 31 U.S.C., § 3721, "Military Personnel and Civilian Employees Claims Act"
- d. 28 U.S.C., Chapter 171 - "Federal Tort Claims Act"
- e. 5 U.S.C., Chapter 81 - "Federal Employees' Compensation Act"
- f. Public Law 106-346, § 359, 23 October 2000, "Department of Transportation and Related Agencies Appropriations Act, 2001"
- g. Public Law 111-292, 09 December 2010, "Telework Enhancement Act of 2010"
- h. 5 U.S.C., Chapter 65, "Telework"
- i. Office of Personnel Management (OPM) Memo, 09 February 2001, "Establishing Telecommuting Policies"
- j. United States Office of Personnel Management's *Guide to Telework in the Federal Government*, April 2011
- k. DoD Instruction 1035.1, 04 April 2012, *Telework Policy*, Incorporating Change 1 Effective 7 April 2020
- l. DoD Instruction 1035.01\_DAFI36-816, *Telework Program*, 29 October 2018
- m. 5 U.S.C. § 7106, "Management Rights"
- n. Texas Government Code, Section 659.018
- o. Texas Labor Code, Workers Compensation Act
- p. ACT contract
- q. AFGE contract
- r. CNGBI 1400.25 Vol 752, *National Guard Technician and Civilian Personnel Discipline And Adverse Action Program*, 08 November 2021
- s. CNGBI 1400.25 431, *National Guard Technician and Civilian Personnel Performance Management and Appraisal Program*, 20 January 2022

t. TMD SOP 1350.02, Reasonable Accommodations (RA)

u. TMD State Employee Policies & Procedures Handbook Number 1400.01

## Enclosure 2

## Definitions

**Alternative Worksite:** a place away from the traditional worksite that is approved for the performance of officially assigned duties.

**Appropriate Arrangements:** a structured arrangement for affected bargaining unit employees when an agency exercises a management right.

**Biweekly:** a period of time occurring every two weeks. The start of the biweekly period coincides with the Entrance On Duty date (EOD) and always occurs on a Sunday, the end of the biweekly period will always occur on a Saturday.

**Continuity of Operations Plan (COOP):** an effort to ensure that the capability exists to continue agency essential functions across a wide range of natural disasters or local or national declared emergencies.

**Eligibility:** characteristics of the job position and the employee that identify suitability for teleworking as determined by the supervisor or other appropriate management official in the employee's chain of command.

**Employer:** the employer is the Texas Military Department. For the purposes of this instruction, "employer" also means the first or second level supervisor or an individual in the supervisory chain that has the authority to direct work and or resolve grievances.

**Management Official:** an individual employed by an agency in a position the duties and responsibilities of which require or authorize the individual to formulate, determine or influence the policies of an agency.

**Reasonable Accommodation:** adjustment of change concerning some aspect of the application process, the job, or a benefit of employment for a reason related to a medical condition.

**Reasonable Advance Notice:** for the purpose of this instructions, reasonable advance notice is as much notice to a teleworker as possible that allows a teleworker enough time to make appropriate arrangements for travel, dependent care or other necessities when required to report to their regular or an alternate worksite on reoccurring telework days.

**Regular and Recurring Telework:** an approved work schedule where eligible employees regularly work at least one day per biweekly pay period at an alternative worksite.

**Regular Worksite:** the location where work activities are based, generally considered a centralized location of an employee's assigned organization.

**Remote Work:** an arrangement in which an employee, under a written remote work agreement, is scheduled to perform their work at an alternative worksite and is not

expected to perform work at an agency worksite on a regular and recurring basis. A remote worker's official worksite may be within or outside the local commuting area of an agency worksite.

**Situational Telework:** telework that occurs on an occasional non-routine or ad-hoc basis. Telework that occurs to complete short-term special assignments or to accommodate special circumstances for a specified time period. Special circumstances include telework during emergency dismissals and closures and must be designated in writing and will be done without regard to duty position or description and other mitigating factors.

**Supervisor/Manager:** An individual employed by an agency having authority in the interest of the agency to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment.

**Telework:** an arrangement in which an employee, under a written telework agreement, is scheduled to perform their work at an agency worksite on a regular and recurring basis.

**Telework Agreement:** a written agreement, completed and signed by an employee and the authorized management official(s), via the Enclosure 3 Telework Agreement that outlines the terms and conditions of the telework agreement.

Enclosure 3

TMD Form 1402.02-1 Telework Agreement

**Employee Information**

Name: \_\_\_\_\_

Job title: \_\_\_\_\_

Department: \_\_\_\_\_

Employee status:             T32 Tech     T5 Civilian

Employee's Business Telephone: \_\_\_\_\_

Employee's Telework Worksite Telephone and FAX number (If applicable): \_\_\_\_\_

Regular and/or Recurring Telework or situational (mark one):    Reg/re-occurring    Situational

This telework agreement will begin and end on the following dates (one year increments):

Start date: \_\_\_\_\_                      End date: \_\_\_\_\_

Telework location: \_\_\_\_\_

Employee telework schedule: \_\_\_\_\_

Weekly mileage saving: \_\_\_\_ miles per week

Assignments and Communication:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**The employee agrees to the following conditions:**

The employee has read, understands, and agrees to comply with all provisions of TMD Telework policy, TMDI 1000.04

The employee will remain accessible and productive during scheduled work hours.

Employees will obtain supervisor approval prior to working unscheduled overtime hours.

The employee will report to the employer's work location as necessary upon directive from his or her supervisor.

The employee will communicate regularly with his or her supervisor and co-workers, which includes a weekly written report of activities.

The employee will comply with all Texas Military Department rules, policies, practices and instructions that would apply if the employee were working at the employer's work location.

The employee will maintain satisfactory performance standards.

The employee will make arrangements for regular dependent care and understands that telecommuting is not a substitute for dependent care. During COOP situations, exceptions may be made for employees with caregiving responsibilities.

The employee will maintain a safe and secure work environment at all times.

The employee will allow the employer to have access to the telework location for purposes of assessing safety and security, upon reasonable notice by the TMD.

The employee will report work-related injuries to his or her manager as soon as practicable.

TMD will provide the following equipment: \_\_\_\_\_

\_\_\_\_\_

The employee will provide the following equipment: \_\_\_\_\_

\_\_\_\_\_

The employee agrees that TMD equipment will not be used by anyone other than the employee and only for business-related work. The employee will not make any changes to security or administrative settings on TMD equipment. The employee understands that all tools and resources provided by TMD shall remain the property of the company at all times.

The employee agrees to protect company equipment and resources from theft or damage and to report theft or damage to his or her manager immediately.

The employee agrees to comply with TMD's policies and expectations regarding information security. The employee will be expected to ensure the protection of TMD and customer information accessible from their home offices.

The employee understands that all terms and conditions of employment with TMD remain unchanged, except those specifically addressed in this agreement.

The employee understands that management retains the right to modify this agreement on a temporary or permanent basis for any reason at any time.

The employee understands that if they cannot perform their duties they must request leave (paid or unpaid). Weather and safety leave may be provided under limited circumstances.

The employee agrees to return TMD equipment and documents immediately upon termination of employment.

Manager Responsibilities:



Managers are responsible for monitoring employee's performance and compliance with TMD policies and procedures. A manager may determine that the telework arrangement will hinder performance or is not in the best interest of TMD and disapprove participation in the arrangement at any time.

Managers are responsible for proper completion of all required forms and securing required approvals prior to authorizing situational telework.

Managers are responsible for determining the equipment needed, and the adequacy and security of remote access to information.

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

O6 or Director signature: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources signature: \_\_\_\_\_ Date: \_\_\_\_\_

Enclosure 4

TMD Form 1402.02-2 Telework Eligibility Checklist

Employee Name: \_\_\_\_\_  
 (Last Name, First Name, Middle Initial)

Directorate/Division: \_\_\_\_\_ Branch/Section/Unit: \_\_\_\_\_

Pay Plan/Grade: \_\_\_\_\_ Series-Band: \_\_\_\_\_

Position Title: \_\_\_\_\_

Supervisor Name/Title: \_\_\_\_\_

Directorate OIC Name/Title: \_\_\_\_\_

1. Is this employee serving a probationary period? \_\_\_\_\_
2. What is the employee's current performance rating? If no current rating, what is their current level of performance? \_\_\_\_\_
3. Does this employee work with classified information on a daily basis? \_\_\_\_\_
4. Will this employee work with Privacy Act (PA) material? \_\_\_\_\_  
 If yes, was the employ briefed on the proper handling of PA material? \_\_\_\_\_
5. Is the employee current on mandatory annual training pertaining to:  
 (provide date and certificate)  
     Ethics? \_\_\_\_\_  
     Security Awareness? \_\_\_\_\_  
     Information Assurance? \_\_\_\_\_

6. Does the position require direct contact with customers and or other employees? \_\_\_\_\_
7. Is the employee on a temporary not to exceed (NTE) appointment? \_\_\_\_\_
8. Is the employee currently on a performance improvement plan (PIP)? \_\_\_\_\_
9. Has the employee been "officially disciplined" for being absent without leave (AWOL) for more than 5 days during this calendar year? \_\_\_\_\_
10. Has the employee been "officially disciplined" for a violation of Subpart G of the Standards of Ethical Conduct of the Executive Branch? \_\_\_\_\_

11. Evaluate the following work characteristics of this employee's position:			
Work Characteristic	Low	Med	High
Clarity of goal and objectives			
Ability to schedule face-to-face contact on certain days of the week			
Degree to which communications can be accomplished using telephone, e-mail, electronic file transfer, etc.			
Ability to control work flow/schedule			
Reliability of technology to support employee when teleworking			
Amount of face-to-face contact required			

Amount of in-office reference materials or other resources required			
Impact on work team when employee is teleworking			

12. Evaluate the employee's work style and performance characteristics:			
Employee Characteristic(s)	Low	Med	High
Level of job knowledge			
Experience on current assignment			
Level of organizing and planning skills			
Self-discipline regarding work			
Reliability concerning work hours			
Level of productivity			
Quality of work product			
Computer literacy			
Flexibility			

13. When reviewing the following job characteristics, identify those that would have an adverse impact on the employee's ability to telework on a regular basis.	
Job Characteristic(s)	<i>Select all that apply</i>
Ability to set clear work objectives	
Ability to clearly define tasks for telework days	
Ability to schedule face-to-face interaction for specified days	
Ability to limit the use of on-site resources	
Ability to control work scheduling	
Ability to benefit from quiet or uninterrupted time	
Above job characteristics will not adversely impact the employee's ability to telework on a regular basis	

14. Is this employee eligible to telework on a regular basis?

\_\_\_\_\_

15. If the response to Item 9 is "NO," is the employee eligible to telework on a situational basis? \_\_\_\_\_

16. What would be the telework schedule for this employee?

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
*Supervisor's Signature*  
*Print Name above line*

\_\_\_\_\_  
Date

\_\_\_\_\_  
*Employee Signature*  
*Print Name above line*

## Enclosure 5

## TMD Form 1402.02-3 Telework Safety Checklist

The following checklist is designed to assess the overall safety of the alternative worksite/telework site (for At-home teleworkers). Please read and complete the self-certification safety checklist.

Employee Name: \_\_\_\_\_  
(Last Name, First Name, Middle Initial)

Directorate/Division: \_\_\_\_\_ Branch/Section/Unit: \_\_\_\_\_

Pay Plan/Grade: \_\_\_\_\_ Series-Band: \_\_\_\_\_

Position Title: \_\_\_\_\_

Supervisor Name/Title: \_\_\_\_\_

Directorate OIC Name/Title: \_\_\_\_\_

Item #	General	Yes	No
1	Workspace is away from noise, distractions, and is devoted to your work needs?		
2	Workspace accommodates workstation, equipment, and related material?		
3	Floors are clear and free from hazards?		
4	File drawers are not top-heavy and do not open into walkways?		
5	Phone lines and electrical cords are secured under a desk or along wall, and away from heat sources?		
6	Temperature, ventilation, and lighting are adequate?		
7	All stairs with four or more steps are equipped with handrails?		
8	Carpets are well secured to the floor and free of frayed or worn seams?		
9	Chair casters (wheels) are secure and the rungs and legs of the chair are sturdy?		
10	Chair is adjustable?		
11	Your back is adequately supported by a backrest?		
12	Your feet are on the floor or adequately supported by a footrest?		
13	You have enough leg room at your desk?		
14	There is sufficient light for reading?		
15	The computer screen is free from noticeable glare?		
16	The top of the screen is at eye level?		
17	There is space to rest the arms while not keying?		
<b>Fire Safety</b>			
18	There is a working smoke detector in the workspace area?		
19	A home multi-use fire extinguisher, which you know how to use, is readily available?		
20	Walkways aisles, and doorways are unobstructed?		

21	Workspace is kept free of trash, clutter, and flammable liquids?		
22	All radiators and portable heaters are located away from flammable items?		
23	You have an evacuation plan so you know what to do in the event of a fire?		
<b>Electrical Safety</b>			
24	Sufficient electrical outlets are accessible?		
25	Computer equipment is connected to a surge protector?		
26	Electrical system is adequate for office equipment?		
27	All electrical plugs, cords, outlets, and panels are in good condition? No exposed/damaged wiring?		
28	Equipment is placed close to electrical outlets?		
29	Extension cords and power strips are not daisy chained and no permanent extension cord is in use?		
30	Equipment is turned off when not in use?		
<b>Other Safety/Security Measures</b>			
31	Files and data are secure?		
32	Materials and equipment are in a secure place that can be protected from damage and misuse?		
33	You have an inventory of all equipment in the office including serial numbers?		
34	If applicable, do you use up-to-date anti-virus software, keep virus definitions up-to-date, and run regular scans?		