

Standard Operating Procedure (SOP)

TEXAS MILITARY DEPARTMENT (TMD) TELEWORK

Number 1035.01

Texas Military Department (TMD)
2200 W. 35th St
Austin, TX 78703

OPR: Human Resource Office (HRO)



Summary. Supports TMD Telework directive, assigns responsibility and prescribes procedures for implementation.

Applicability. This SOP applies to all full-time TMD employees.

Management Control Process.

Proponent and Exception Authority.

Supplementation. Supplementation of this SOP or establishment of command and local forms on telework is prohibited without prior approval from the Adjutant General (TAG), ATTN: NGTX-JHR, P.O. Box 5218, Austin, TX 78763-5218.

Suggested Improvements. Users are invited to send comments and suggested improvements concerning this SOP directly to the Adjutant General (TAG), ATTN: NGTX-JHR, P.O. Box 5218, Austin, TX 78763-5218.

Distribution. A

Table of Contents

CHAPTER 1. GENERAL

- A. Purpose.....
- B. References.....
- C. Definitions.....
- D. Acronyms.....
- E. Applicability.....
- F. General.....
- G. Responsibilities.....

CHAPTER 2. THE TELEWORK AGREEMENT

- A. Types of Telework.....
- B. The Telework Agreement.....
- C. Implementing the Telework Agreement.....
- D. Denying/Terminating the Telework Agreement.....

CHAPTER 3. TELEWORK ELIGIBILITY

- A. Determining Eligibility for Telework.....
- B. Positions Suitable for Telework.....
- C. Tasks and Functions Generally Suited for Telework.....
- D. Positions Not Generally Suited for Telework.....
- E. Probationary Status Employees.....

CHAPTER 4. PERSONNEL POLICIES AND PROCEDURES

- A. Official Worksite.....
- B. Hours of Duty.....
- C. Pay and Leave.....
- D. Overtime and Compensatory Time.....
- E. Certification and Control of Time and Attendance.....
- F. Teleworking for Medical Reasons.....
- G. Position Descriptions and Job Objectives.....
- H. Special Consideration for Home-Based Telework.....
- I. Workers' Compensation.....
- J. Emergency Dismissal or Closing.....
- K. Continuity of Operations Program.....
- L. Employee Redress.....

CHAPTER 5. TELEWORK INFORMATION SECURITY AND EQUIPMENT

- A. Telework Information Security Policy.....
- B. Telework Equipment Policy

CHAPTER 6. ALTERNATIVE WORKSITE

- A. Home-Based.....
- B. Texas Military Department Facilities.....

APPENDICES

- A. References
- B. Definitions.....
- C. Acronyms
- D. DD Form 2946 Department of Defense Telework Agreement
- E. Checklist for Determining Eligibility for Telework.....
- F. Safety and Security Checklist for Home-Based Telework
- G. Telework Checklist

CHAPTER 1 GENERAL

A. Purpose. This SOP assigns responsibilities and prescribes procedures for the Texas Military Department (TMD) Telework Program in accordance with (IAW) TMDD 1035.01 Telework.

B. References. See Appendix A.

C. Definitions. See Appendix B.

D. Acronyms. See Appendix C.

E. Applicability. This SOP applies to TMD full-time employees, hereafter referred to collectively as TMD. This SOP does not apply to the traditional National Guard service members or contractors.

F. General.

1. The telework program is a flexible management tool for accomplishing the agency's work. It is not an employee right.

2. Participation in the program is voluntary and subject to management approval.

3. Identification of eligible positions for telework are based on a review of the characteristics of the position, the work style and performance level of the employee.

4. Positions will not be excluded as eligible for telework on the basis of pay band or supervisory status.

5. Teleworking may be made available as an accommodation for employees with disabilities and/or transitory impairments.

6. Matters regarding security and information technology will be handled IAW guidance by the Designated Approving Authority (DAA) and this SOP.

7. The telework program will be utilized to support TMD's Continuity of Operations Program (COOP) to ensure TMD functions efficiently in times of emergency, disasters, or inclement weather.

8. Employees who perform duties in support of COOP from an alternative worksite will have a current telework agreement on file.

9. Telework may be appropriate for supervisory approved web-based distance and continuous learning.

10. Telework will not be used as a substitute for direct dependent care (e.g., childcare, elderly care). Teleworkers will maintain appropriate dependent care arrangements when the home is the alternative worksite. Management may request documentation from the teleworker to substantiate a caregiver is providing on-site or off-site care during the teleworker's scheduled workday.

11. Employees serving a probationary period are not eligible to participate in the Telework Program.

12. Employees who have not completed the TMD mandatory security awareness and information assurance training are not eligible to telework until all such training is current.

13. Employees whose demonstrated performance is less than "Fully Successful" will not be approved for telework.

14. Employees whose conduct has resulted in formal disciplinary action are not eligible to telework within 12 months from the date of the disciplinary action taken.

15. The authority to identify positions and employees eligible for telework will be vested in the lowest practicable supervisory level.

16. Telework will not commence until after a DD FORM 2946, *Department of Defense (DoD) Telework Agreement*, is approved by the Telework Program Coordinator and all necessary arrangements completed by the employee and his/her supervisor. State employees will complete the DoD Telework Agreement and provide it to the State Human Resource Office for approval/disapproval prior to the commencement of telework.

17. A telework agreement need not be in place before an employee is directed to work from home or an alternative worksite when it is declared a "safe haven" during a pandemic health crisis.

18. A teleworker may elect to work an alternative work schedule with prior supervisory approval.

19. Time spent in a teleworking status will be accounted for in the same manner as if the teleworker reported for duty at their traditional worksite.

20. Overtime provisions that apply to employees working at a traditional worksite apply to teleworkers.

21. The teleworker's official worksite will be used for such purposes as determining special salary rates, locality pay adjustments, travel and leave entitlements.

22. Teleworkers continue to be bound by TMD standards of conduct and are responsible for carrying out TMD missions while working at an alternative worksite.

23. A telework agreement may be terminated by the teleworker, the supervisor, management official or the agency.

24. A telework agreement or arrangement will be terminated by management, if a teleworker's performance does not meet the prescribed expectations, teleworker's conduct results in a formal disciplinary action, or the telework agreement fails to meet organizational needs.

25. Management may require teleworkers to report to the traditional worksite on scheduled telework days when necessary to meet operational requirements.

26. TMD assumes no responsibility for any operating costs, maintenance, or any other cost whatsoever associated with a teleworker using his/her personal equipment while performing official duties or using his/her personal residence as an alternative worksite.

27. The government is not liable for damages to the teleworker's personal or real property while the teleworker is working at an approved alternative worksite.

28. 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 for by statute and implementing regulations.

29. Where it is determined by the DAA that government equipment will be provided to a teleworker, excess property will be the first source of supply before consideration of the purchase of new equipment. Government furnished equipment will be issued and accounted for properly.

G. Responsibilities

1. *The Human Resources Officer:*

- a. Oversee the Telework Program.
- b. Develop TMD Telework SOP providing guidance on implementing TMD Telework Directive.
- c. Ensure fair and consistent application of the directive and compliance.
- d. Designate the TMD Telework Program Coordinator to oversee the telework program.

2. *TMD Directors:*

- a. Ensure the telework program is administered IAW this SOP.

b. Provide data and information concerning telework to the Program Coordinator as required.

3. *Telework Program Coordinator:*

a. Administer the telework program.

b. Provide telework guidance and training to employees.

c. Review all Telework Agreements for compliance with this SOP, and approve/disapprove agreements.

d. Consolidate and submit data and information on the telework program IAW reporting requirements.

e. Serve as liaison between TMD and other agencies on teleworking matters.

4. *Supervisors:*

a. Determine eligibility for telework.

b. Maintain records of determinations of eligibility for telework, requests for telework agreements, safety and security checklists for home-based telework, telework checklist, and notices terminating telework arrangements.

c. Maintain a sound working knowledge of policies, regulations, and procedures governing telework.

d. Establish clear performance management expectations that are results oriented. Monitor teleworker performance generally in the same way traditional worksite performance is monitored.

e. Include teleworkers in office activities (e.g., staff meetings, office celebrations).

f. Consider teleworkers equally with non-teleworkers in selection for assignments performance reviews, awards, training, or any other employee/employer matters.

g. Ensure employee adherence to this SOP.

h. Conduct reviews of approved telework agreements at least once every six months to ensure they are current. Document certification of the review on DD Form 2946 and forward to the Telework Program Coordinator.

5. *Employees approved to telework:*

a. Adhere to the terms and conditions of approved telework agreement.

- b. Contribute to the identification of performance management expectations with the supervisor.
- c. Plan telework days to be as productive as possible.

CHAPTER 2 THE TELEWORK AGREEMENT

A. Types of Telework. There are two types of telework, "Regular" and "Situational", based on the recognition that organizational and employee needs may vary considerably, and should be considered on a case-by-case basis. Some situations require occasional or infrequent arrangements while others are more conducive to longer periods or regularly scheduled arrangements. The intent in offering two types of arrangements is to provide supervisors, managers, and employee's maximum flexibility to establish an arrangement that is responsive to their particular situation.

1. Regular.

a. Reasons for regular telework arrangements include improvements in access or as a reasonable accommodation for disabled employees, and reductions in office space and associated costs.

b. Regular telework may include "full-time" telework (i.e., performing all official duties at an approved alternative worksite), including telework from geographic locations outside of the commuting area to the traditional worksite.

2. Situational.

a. Situational telework provides an ideal arrangement for employees who, at frequent times, have to work on projects or assignments that require intense concentration. Such work assignments may include a specific project or report, such as drafting a local directive, preparing a brief or arguments, preparing an organization's budget submissions, reviewing grant proposals, or preparing audit or investigation reports. Such situations may occur throughout the year or be a one-time event. Situational telework may also cover short-term assignments, e.g., for employees recovering from injury or illness. Web-based distance and continuous learning are excellent examples of situational telework.

b. Situational telework provides an ideal arrangement during potential emergency situations or as an integral part of the COOP.

c. Approval for situational telework does not convey eligibility for regular telework.

A. Telework Agreement

1. The telework agreement prescribes the alternative worksite and telework schedule, and addresses the terms and conditions. All information in the agreement must be current, complete, and accurate.

2. The employee and their supervisor will complete DD Form 2946, DoD Telework Agreement, and any additionally required documents. Supervisors will submit requests through supervisory chain to Telework Program Coordinator or State Human Resources Office. Telework may not be performed prior to approval.

B. Implementing Telework Agreement

1. Managers, supervisors, and employees must be familiar with the policies procedures, parameters, and requirements of the telework program.

2. The duties, responsibilities, and tasks of telework civilian positions, as well as the work performance and conduct characteristics of the employees will be analyzed to determine eligibility for telework, consistent with the policies and criteria found in this SOP. The *Checklist for Determining Eligibility for Telework*, (Appendix F) is provided for documenting such reviews.

3. The reason(s) for determining an employee ineligible for teleworking on a regular basis will be documented on the *Checklist for Determining Eligibility for Telework*.

4. Employees believing they occupy a position suitable for telework and they possess the characteristics to be a successful candidate for telework, should request the opportunity to participate in the program. The determination on eligibility to participate in the telework program is that of the employee's first level supervisor and is based on the supervisor's review of the characteristics of the position and the employee. Final determination to allow for telework rests with the Human Resources Officer or State Human Resources Office.

5. Guidelines will be established to minimize the adverse impact on non-teleworking staff members. Telework should not place a burden on staff remaining at the traditional worksite. An equitable distribution of workload should be maintained and methods instituted to ensure that office employees are not required to handle the work of teleworkers.

6. Adequate office coverage will be maintained. This may require that teleworkers work at alternative worksites on different days or that teleworkers may be required to work at the traditional worksite on a day scheduled for an alternative worksite if the needs of the office require.

7. A DD Form 2946 will be completed by the employee and their supervisor and approved by the Telework Program Coordinator or State Human Resources Office before the employee begins to telework. The following completed forms must accompany the telework agreement:

- a. *Checklist for Determining Eligibility for Telework (Appendix E)*
- b. *Safety and Security Checklist for Home-Based Telework (Appendix F)*
- c. *Telework Checklist (Appendix G)*

8. The purpose of *Telework Arrangement Checklist* is to ensure that the employee is properly oriented to the policies and procedures of the telework program and to document government equipment provided to the employee for teleworking.

9. Permanent modifications made to the telework agreement will be reflected by execution of the appropriate documents.

a. When only changes or additions in duty requirements are made, *Checklist for Determining Eligibility for Telework*, DD Form 2946, and *Telework Arrangement Checklist* are required.

b. A change in supervision requires a complete, new telework request package.

c. A change only in the alternative worksite requires *Safety and Security Checklist for Home-Based Telework (Appendix G)* if the change is from another government facility to home-based telework.

d. A change only in the telework work schedule requires DD Form 2946.

e. A supervisor initiated change in the type of telework agreement (i.e., “regular” to “situational” or “situational” to “regular”) requires a new telework request package. Teleworker initiated change only to convert from “regular” to “situational” telework requires DD Form 2946 or TMD Telework Agreement.

C. Denying/Terminating the Telework Agreement

1. Management may deny (disapprove) a telework agreement if the position or incumbent are determined to be unsuitable for teleworking.

2. Both management and the teleworker can terminate a telework agreement upon advance written notice to the other as prescribed in this SOP. However, cancellation of the teleworker’s participation for cause may be immediate and does not require advance written notice. Normally, a telework agreement should not be terminated sooner than 90 days after it begins. The 90-day time period provides teleworkers and supervisors a reasonable period to determine the impact of the telework agreement.

3. When an employee initiated telework agreement request is denied or an agreement is terminated by management, the reasons will be documented in memorandum format and given to the employee. The written notice will include information about why the agreement was denied or terminated. Denial or termination

decisions will be based on business needs, performance or conduct. A copy of the written notice will be forwarded to the Telework Program Coordinator or the State Human Resources Office (as applicable).

4. The denial or termination will include information about when the employee might reapply, and what actions the employee should take to improve their chance of approval.

5. When a teleworker terminates the telework agreement, he/she will document the reason(s) in writing in memorandum format and give a copy to his/her supervisor. The supervisor will forward a copy of the written notice to the Telework Program Coordinator or the State Human Resources Office (as applicable).

CHAPTER 3

TELEWORK ELIGIBILITY

A. Determining Eligibility for Telework

1. The eligible employee consists of those encumbered civilian positions, which, based on the characteristics of the position and the incumbent, are suitable for teleworking.

a. It is essential to review job content, rather than job title, in determining a position's suitability for telework. The duties of the position will be such that they can be effectively and efficiently performed at an alternative worksite. Supervisors should consider the characteristics of the work to be performed, the arrangement's impact on other staff, impact on internal and external customer service, the employee's work history, and the supervisor's level of effectiveness in managing by results rather than by day-to-day observation of the employee.

b. An employee suitable for telework is an employee whose demonstrated personal characteristics are well-suited to telework, as determined by the supervisor, including as a minimum:

- (1) Demonstrated dependability and the ability to handle responsibility.
- (2) A proven record of high personal motivation.
- (3) The ability to establish priorities and manage time.
- (4) A proven or expected minimum performance rating of level.

c. Telework is not suitable for employees who need to be in the office to learn the organization, who requires extensive on-the-job training, or who need close supervision. A past record of discipline or leave abuse does not in itself disqualify someone from participation in the telework program, but it can and should be considered in determining employee eligibility for the program.

2. An employee whose job includes working with unclassified, sensitive data may be able to telecommute. However, there will be some limitations on the types of work an employee can perform at the alternative worksite or when an employee may be allowed to telework.

3. An employee who would otherwise be ineligible to telework due to his/her duty position requirements and/or work performance characteristics may be selected to telework only in support of COOP.

B. Positions Suitable for Telework. Positions involving tasks and work activities that are portable, do not depend on the employee being at the traditional worksite, and are conducive to supervisory oversight at the alternative worksite. Positions will not be excluded as eligible on the basis of occupation, pay schedule, pay band, or supervisory status.

C. Tasks and Functions Generally Suited for Telework. These tasks and functions include, but are not limited to: thinking and writing; policy development; research; analysis (e.g., investigating, program analysis, policy analysis, financial analysis); report writing; telephone intensive tasks; computer oriented tasks (e.g., programming, data entry, word processing, web page design); or data processing. Some jobs/tasks are more easily teleworked than others. However, with some advance planning and re-scheduling many jobs can be adapted to teleworking.

D. Positions Not Generally Suited for Telework. Those positions involving tasks that are not suitable to be performed away from the traditional worksite, including the following:

1. Tasks requiring the employee to have daily face-to-face contact with the supervisor, colleagues, clients, or the general public to perform his/her job effectively, that cannot otherwise be achieved via e-mail, telephone, telefax, or similar electronic means.

2. Tasks requiring daily access to classified information.

3. Are part of trainee or entry level positions.

E. Probationary Status Employees. Employees in this status are not suitable for telework because probationary periods are established to allow supervisors an opportunity to personally observe and evaluate employee performance and determine suitability for continued employment.

CHAPTER 4 PERSONNEL POLICIES AND PROCEDURES

A. Official Worksite. Entitlements to locality-based comparability payment, special salary rates, travel allowances, and relocation expenses is based on the employee's official worksite associated with the employee's position of record.

B. Hours of Duty. The existing rules on hours of duty apply to teleworkers. A teleworker may work an alternative work schedule with prior supervisory approval. A teleworker who teleworks on a regular basis must have his/her work schedule documented on his/her DD Form 2946. The teleworker is required to be available to traditional worksite personnel, customers, and his/her supervisor during the established telework schedule, unless he/she is on approved leave, compensatory time off, or time off as an award.

C. Pay and Leave. Existing rules on pay and leave administration apply to teleworkers.

D. Overtime and Compensatory Time. The existing rules on overtime and compensatory time apply to teleworkers. Supervisors should ensure that teleworkers work overtime only when ordered and advanced approval is given. Supervisors should also ensure that teleworkers work compensatory time only with advance approval. Telework privileges should be cancelled for those teleworkers who continue to work unapproved overtime and/or compensatory time.

E. Certification and Control of Time and Attendance

1. Supervisors will report time and attendance to ensure that teleworkers are paid only for work performed and that absences from scheduled tours of duty are accounted for. Supervisors may make occasional telephone calls or visits during the teleworker's scheduled work time at an alternative worksite to determine the reasonableness of the work output for the time spent at an alternative worksite or to verify a teleworker's time spent working at an alternative worksite.

2. The teleworker, following standard TMD practice and procedures, will record time and attendance daily. The time in a duty status at the alternative worksite during the teleworker's scheduled duty hours will be recorded on his/her time and attendance as follows: "TW" ("Regular telework"), "TS" ("Situational" telework), and "TM" ("Medical" telework). The "TM" designation may only be used for telework approved to assist employees with transitory impairments or approved reasonable accommodations. State employees and time keepers should contact the State Human Resources Office in regards to proper time and attendance codes.

3. The normal time and attendance codes (e.g., annual leave, compensatory time, overtime) will be recorded on the teleworker's time and attendance when:

a. Teleworker does not perform work at his/her alternative worksite during his/her tour of duty hours.

b. Teleworker performs work at his/her alternative worksite during other than his/her tour of duty hours (with the required advance approval).

F. Teleworking for Medical Reasons

1. Employees recovering from transitory impairments and are medically unable to return to work at the traditional worksite may request to use telework arrangements to aid his/her return to work at the traditional worksite as soon as possible.

2. If an employee requests to work from an alternative worksite due to a temporary health problem, which renders him/her unable to commute to or perform work from the traditional worksite, he/she will provide medical documentation from an appropriate health care provider. The medical certification will include the reason(s) why the employee is unable to work from the traditional worksite, anticipated duration of the recovery period and prognosis for return to the traditional worksite. It will also specify the type of duties the employee is able to perform and list any/all limitations (e.g., whether rest breaks are needed, maximum number of consecutive work hours, special equipment needed, etc.).

3. In all circumstances it is management's decision as to whether the employee's proposed telework arrangement is acceptable in meeting the needs of the organization.

4. All requests for telework due to a medical reason will be requested in conjunction with a request for a reasonable accommodation through the TMD Office of Equal Employment Opportunity or the State Human Resources Office (as applicable).

G. Position Descriptions and Job Objectives. Telework will seldom require major changes in position descriptions, but may affect factors such as supervisory controls or work environment. Job objectives for teleworkers should be results oriented and describe the quantity and/or quality of expected work products and the method of evaluation. Generally, supervisors will use the same measures for evaluating the performance of teleworkers and employees who perform similar tasks at the traditional worksite.

H. Special Considerations for Home-Based Telework. Employees considered for home-based telework will identify a specific work or office area in the home and complete a *Safety and Security Checklist* as to that area's suitability for the performance of official TMD business. The employee will agree to site visits during official duty hours, with advance notice from TMD management, and maintain the home work area in a safe and secure manner or risk having his/her telework arrangement terminated. Use of an employee's home and personally owned computer and other equipment for telework is voluntary on the employee's part.

I. Workers' Compensation. Teleworkers are covered by Worker's Compensation and may qualify for payment for on-the-job injury or occupational illness. Teleworkers must report work related injuries to their supervisors as soon as practicable.

J. Emergency Dismissal or Closing

1. In recognition of the growing importance of maintaining the continuity of government operations, both the Office of Personnel Management (OPM) and DoD encourage the use of teleworking if federal agencies close. Understanding the need to remain operational, TMD employees who are teleworking on the day of an emergency agency closure are required to continue working from their alternative worksite if the closure occurs on their telework day. In addition, teleworkers may be designated as either "emergency" or "mission critical emergency" employees.

2. Employees teleworking on the day a delayed arrival and/or early dismissal policy is announced will begin and end their work shift as regularly scheduled. Management may approve changes in the telework schedule due to individual circumstances.

3. If a situation arises at the teleworker's alternative worksite that results in the teleworker being unable to continue working (e.g., power failure, teleworker facing a personal hardship, duties are such that he/she cannot continue to work without contact with traditional worksite), the supervisor should determine action on a case-by-case basis. Depending on the particular circumstances, supervisors may offer the teleworker the option to take leave or use compensatory time off or compensatory travel time (if applicable), or require the teleworker to report for work at the traditional worksite. 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 who are not affected would not be excused from duty.

4. If the employee knows in advance of a situation that would preclude working from the alternative worksite, a change in work schedule, leave, or work at the employee's traditional worksite will be scheduled.

K. Continuity of Operations Program

1. In the event that TMD facilities become uninhabitable or there is a warning of imminent threat that necessitates the evacuation of the TMD offices, TMD personnel will be notified where and when to report for duty.

2. When so advised by management, employees may be expected to telework during a pandemic and/or when the traditional worksite is closed due to emergency situations (e.g., snow, floods, tornadoes, hurricanes, etc). If an employee is unable to work due to illness or dependent care responsibilities, the employee will cover the absence with approved paid or unpaid leave.

L. Employee Redress. If an employee disputes the decision not to approve a telework agreement for him/her or to terminate his/her telework agreement, he/she may submit a grievance under the administrative grievance procedure.

CHAPTER 5 TELEWORK INFORMATION SECURITY AND EQUIPMENT

A. Telework Information Security Policy. Teleworker's 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 documents (hard copy or electronic) may be taken by teleworkers to alternative worksites.

2. No personally identifiable information or contractor proprietary information may be taken by teleworkers to alternative worksites without the prior written consent of the contractor.

3. All files, records, papers, or machine readable materials created while teleworking are the property of TMD. As such, they will be given to TMD upon request or when the telework arrangement terminates.

4. 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.

5. Only copies, not originals, of privacy act documents may be permitted to be taken out of the traditional worksite and then only on a temporary basis and not permanently stored outside of the traditional worksite.

6. Any teleworker who will be working with privacy act materials will be briefed on the proper handling of privacy act material.

7. Personally identifiable information will be encrypted if transmitted via e-mail.

8. All unclassified sensitive information, including "privacy act" and "for official use only (FOUO)" data, and non-sensitive unclassified data will be transported from the traditional worksite to the alternative worksite in a secure container (e.g., briefcase with lock).

9. All unclassified sensitive information will be properly marked and protected from unauthorized viewing. At a minimum, such materials will be placed in a storage location (e.g. a secure file cabinet) during the teleworker's non-work hours.

B. Telework Equipment Policy. These considerations will be read in conjunction with the TMD policy on security for telework as noted in this SOP.

1. Government furnished computer equipment and software with appropriate security measures are required for any telework arrangement of 1 day per biweekly pay period or more that involves sensitive unclassified data, including privacy act or FOUO data.

2. Government property that is furnished to teleworkers will be issued and properly accounted for.

3. Teleworkers may be approved by the DAA to use their personal computers and equipment for work on non-sensitive, unclassified data consistent with DoD policy. Personally owned computers may not access DoD systems or networks remotely and neither will DoD remote access software be installed in personally owned computers. The teleworker is responsible for the installation, repair, and maintenance of all

personal equipment. In addition, teleworkers are responsible to maintain the currency of proprietary anti-virus software on their home computers. The DoD-wide licenses for both Norton and McAfee anti-virus software include free copies for use on home personal computers. Contact the G6/A6 for more information.

4. Providing and/or installing government furnished equipment at alternative worksites is a matter for determination by the DAA. TMD will be responsible for the service and maintenance of government provided equipment. The DoD remote access software may be installed onto government furnished computers to enable access to DoD systems and networks. The teleworker is responsible for notifying his/her supervisor immediately if government furnished equipment fails to operate properly or is damaged.

5. Government furnished equipment will be used only for official duties, and family members and friends of teleworkers are not authorized to use any government furnished equipment. If government furnished equipment is unsecured and consequently damaged by non-employees (e.g., dependents of the teleworker), teleworkers may be held liable for the repair or replacement of the equipment, software, etc., to the same extent they are held liable when government furnished equipment is damaged due to their negligence.

6. The teleworker will return all Government furnished equipment and materials to the traditional worksite at the conclusion of the teleworking arrangement or at the request of a management official.

CHAPTER 6 ALTERNATIVE WORKSITE

A. Home-Based

1. Home-based (work-at-home) telework is an approved arrangement whereby an employee performs his/her official duties in a specified work or office area of his/her home that is suitable for the performance of official government business.

2. In general, an appropriate office or work area for home-based telework should:

- a. Consist of a specific room, or part of one.
- b. Be accessible by telephone during scheduled hours of work, unless the teleworker is on approved leave, compensatory time off, or time off as an award.
- c. Provide reasonable security for any government furnished property, documents, supplies, or other resources.
- d. Comply with applicable local building codes.

- e. Provide a hazard-free, safe work environment.
3. Advantages of teleworking from home include:
 - a. Savings in time and reduced stress by avoiding the commute to the traditional worksite, resulting in more and higher quality time with family and a healthier lifestyle.
 - b. Savings in commuting costs.
 - c. Convenience.
 - d. Familiar environment.
 - e. Enabling work at peak productivity times during scheduled duty hours.
 4. The opportunity to telework at home is offered with the understanding that it is the teleworker's responsibility to ensure that a proper work environment is maintained. Teleworkers will not use duty time for any purpose other than official duties. Dependent care arrangements will be made so as not to interfere with the work and personal disruptions such as non-business telephone calls and visitors will be kept to a minimum. The teleworker and family should understand that the home office or work area is just that, a space set aside for the teleworker to work.
 5. The teleworker is responsible for the installation, repair, and maintenance of all personal equipment. Therefore, TMD assumes no responsibility for any operating costs associated with a teleworker using his/her personal equipment and residence as an alternative worksite. This includes home maintenance, insurance, installation, repair and maintenance of personal equipment, and utilities (e.g., heat, electricity, water).
 6. The government is not liable for damages to the employee's personal or real property while the employee is working at home.
 7. Before commencing telework at home, an employee will receive approval from the supervisor and the Telework Program Coordinator.

B. General Services Administration Sponsored Telework Centers

1. TMD has facilities spread across the state of Texas. Employees may contact the facility managers and request to telework from the facility which is closer to their home of record than the traditional worksite.
2. Advantages of working at a TMD facility are:
 - a. On-site technical support and full resources.

- b. The supervisor may prefer the structure of a TMD facility for his/her employees.
- c. Some employees' homes are not conducive to home-based telework.
- d. Provides a professional environment.
- e. Maintains a clear delineation between home and work life.

APPENDIX A REFERENCES

- a. Section 359 of Public Law 106-346, *Department of Transportation and Related Agencies Appropriations Act 2001*, October 23, 2000
- b. DoD Instruction 1035.01, *Telework Policy*, April 4, 2012
- c. DoD Telework Policy and Guide, October 22, 2001
- d. National Guard Bureau Memorandum, *National Guard Bureau (NGB) Telework Policy*, October 5, 2011
- e. Title 28 United States Code, *Judiciary and Judicial Procedure*, January 8, 2008
- f. Title 5 CFR, *Administrative Personnel*, Part 531, January 1, 2009
- g. Office of Personnel Management, *The Guide to Processing Personnel Actions*, Update 71, January 2016
- h. 5 USC, Chapter 65, Telework
- i. 5 CFR, Section 550.112
- j. 29 USC Section 791
- k. 5 USC Section 6502
- l. Privacy Act of 1974, Section 501
- m. Texas Military Department Continuity of Operations Plan (COOP)
- n. Texas Military Department Reasonable Accommodation Policy
- o. Federal Property Management Regulation, Section 101-43.001-6
- p. Equal Employment Opportunity Commission (EEOC) Policy Guidance on Executive Order 13164, Establishing Procedures to Facilitate the Provision of Reasonable Accommodation (2000)
- q. Rehabilitation Act of 1973
- r. Telework Enhancement Act of 2010, Public Law 111-292, Section 2 (2010)\

APPENDIX B DEFINITIONS

1. **Alternative Worksite.** A place away from the traditional worksite that has been approved for the performance of officially assigned duties. It may be an employee's home, a telework center, or other approved worksite including a facility established by state, local, or county governments or private sector organizations for use by teleworkers.
2. **Continuity of Operations (COOP) Program.** A plan which permits the continuation of TMD mission-essential functions in the event of natural disasters and/or declared emergencies. It enables TMD to draw upon functional subject matter experts and mission support personnel in time of crisis or displacement.
3. **Day.** Calendar day.
4. **Designated Approving Authority (DAA).** The official appointed by the Adjutant General and has the authority to accept the security safeguards prescribed for an information system. The DAA is the Director, Information Systems Directorate (G-6/A-6).
5. **Emergency Teleworker.** A teleworker who is required to continue to work at his/her alternative worksite during all emergency situations when the agency is closed. The designation of emergency teleworkers may vary according to the particular nature of the exigency.
6. **Home-Based Telework.** An approved arrangement whereby an employee performs his/her official duties in a specified work or office area of his/her home that is suitable for the performance of official government business.
7. **Management/Management Official.** An individual whose position, the duties and responsibilities of which, require or authorize the individual to formulate, determine, or influence the policies of the agency or participates in the formulation of that policy.
8. **Mission Critical Emergency Teleworker.** A teleworker who is expected to remain in contact with the agency at all times during any closure situation and who may be called on to work at his/her alternative worksite during emergencies dealing with national security, extended emergencies or other unique situations.
9. **Official Worksite.** Generally, the official worksite found on the employee's most recent Standard Form 50, *Notification of Personnel Action*. See Title 5 Code of Federal Regulations, Section 531.605, for exceptions.
10. **Regular Telework.** An approved arrangement where eligible employees regularly work at least one day per biweekly pay period at an alternative worksite.

11. **Safe Haven.** An alternative location (mutually agreeable to the agency and employee) designated as a worksite to perform official duties during a pandemic health crisis.
12. **Situational Telework.** An approved arrangement performed on an occasional non-routine basis or where a permanent work schedule cannot be established.
13. **Supervisor.** 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.
14. **Telework.** Any arrangement where an employee performs officially assigned duties at home or at an alternative worksite (not including while on official travel or locations where typical field or headquarters work is performed).
15. **Telework Agreement.** A written agreement, completed and signed by an employee and the authorized management official(s) that outlines the terms and conditions of the telework arrangement.
16. **Traditional Worksite.** The location where an employee would work absent an alternative worksite agreement.
17. **Transitory Impairment.** A medical impairment with an actual or expected duration of six months or less.

APPENDIX C ACRONYMS

CAP	Computer/Electronic Accommodations Program DAA Designated Approving Authority
DoD	Department of Defense
FECA	Federal Employees' Compensation Act FOUO For Official Use Only
IAW	In Accordance With
TMD	Texas Military Department
TM	Telework Medical
TS	Telework Situational
TW	Telework Regular

**APPENDIX D
DD FORM 2946 DEPARTMENT OF DEFENSE TELEWORK AGREEMENT**

**Published at
<https://tmd.texas.gov/texas-military-department-policies-and-regulations>**

APPENDIX E CHECKLIST FOR DETERMINING ELIGIBILITY FOR TELEWORK

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. Evaluate the following work characteristics of this employee's position:

Work Characteristic	Low	Medium	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			

7. Evaluate the employee's work style and performance characteristics:

Employee Characteristic(s)	Low	Medium	High
Need for supervision/frequent feedback			
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			

8. 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)	Select all that apply
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	

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

10. If the response to item 10 is "NO", is the employee eligible to telework on a situational basis? _____

11. What would be/is the telework schedule for this employee?

Date

Supervisor's Signature
Print Name above line

Date

Employee Signature
Print Name above line

APPENDIX F TELEWORK SAFETY CHECKLIST FOR AT HOME TELEWORKERS

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: _____

#	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?		
	Fire Safety		
9	There is a working smoke detector in the workspace area?		
10	A home multi-use fire extinguisher, which you know how to use, is readily available?		
11	Walkways aisles, and doorways are unobstructed?		
12	Workspace is kept free of trash, clutter, and flammable liquids?		
13	All radiators and portable heaters are located away from flammable items?		
14	You have an evacuation plan so you know what to do in the event of a fire?		
	Electrical Safety		
15	Sufficient electrical outlets are accessible?		
16	Computer equipment is connected to a surge protector?		
17	Electrical system is adequate for office equipment?		
18	All electrical plugs, cords, outlets, and panels are in good condition? No exposed/damaged wiring?		
19	Equipment is placed close to electrical outlets?		
20	Extension cords and power strips are not daisy chained and no permanent		

#	General	Yes	No
	extension cord is in use?		
21	Equipment is turned off when not in use?		
22	Chair casters (wheels) are secure and the rungs and legs of the chair are sturdy?		
23	Chair is adjustable?		
24	Your back is adequately supported by a backrest?		
25	Your feet are on the floor or adequately supported by a footrest?		
26	You have enough leg room at your desk?		
27	There is sufficient light for reading?		
28	The computer screen is free from noticeable glare?		
29	The top of the screen is at eye level?		
30	There is space to rest the arms while not keying?		
	Other Safety/Security Measures		
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?		

APPENDIX G TELEWORK 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: _____

Documents

	YES	NO	
1.			Employee has received and read a copy of the TMD Telework Policy and SOP.
2.			If the alternative worksite is not a Texas Military facility, the employee has completed the Safety and Security Checklist for Home-based Telework.
3.			Employee has a hand receipt for all government furnished property.
4.			Employee has completed the online telework training and provided a copy of the completion certificate.
5.			Supervisor has completed the online telework training and provided a copy of the completion certificate.

Government Furnished Property

	YES	NO	
1.			Computer
2.			Phone
Serial Numbers:			