

Headquarters, U.S. Army Aviation Center of Excellence

Workplace Flexibilities Guide

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Chapter 1

Telework

1-1. Telework eligibility

Provides clarifying guidance and information concerning the use of telework in conjunction with Department of Defense Instruction 1035.01 and TRADOC Regulation 600-18.

a. Telework is available for employees whose positions have been determined eligible. Position eligibility for telework depends on job content, rather than job title, type of appointment, or work schedule. In general, an employee's participation in telework is voluntary and subject to approval by the chain of command.

b. Eligibility begins with ensuring the employee's assigned position is coded to accommodate telework. Furthermore, supervisors must ensure telework does not diminish employee performance or agency operations.

c. A position may be determined eligible for either regular and recurring or situational telework. Specific requirements for a position that are not consistent with telework such as regular face-to-face customer service are factors in that determination.

d. An employee may be determined ineligible if performance is not fully successful or declines when teleworking, if the employee does not comply with the terms of the telework agreement, or if the employee has current or previous conduct issues which indicate that telework is not appropriate. Additional factors may also be considered.

1-2. Telework readiness

a. A culture that supports and facilitates effective telework arrangements requires deliberate effort creating an environment that values transparency, communication, trust, use of technology, and results-oriented performance management for teleworkers to successfully meet mission and operational requirements.

b. Prior to participating in the telework program, employees must complete the designated telework training and their supervisors must complete the supervisor-designated training. Training certificates should be kept in the civilian employee's folder. Training is located at <https://www.telework.gov/>. Employees and their supervisors will complete the Department of Defense (DD) Form 2946 (DoD Telework Agreement), prior to participation in the telework program. The DD Form 2946 will be revalidated and signed by the supervisor and employee at least every two years and reviewed annually (recommend review occur in conjunction with annual performance assessment). Agreements may be reviewed/revalidated more frequently if changes in position duties or other circumstances necessitate. Supervisors will ensure employees complete a new worksheet if substantive changes are needed, including any change in the alternative

worksite or the assignment of a new supervisor. Supervisors and teleworkers will recomplete telework training as a refresher when revalidating telework agreements every two years.

c. Certain emergency situations may require telework. During any period, an organization is operating under a continuity of operations (COOP) plan, that plan shall supersede the telework policy and the provisions of the DD Form 2946. In the event of a pandemic health crisis or other declared emergency, civilian employees with COOP responsibilities as well as employees who do not have COOP responsibilities, but who are trained and equipped to telework may be required to telework. While they may volunteer to telework, employees who are not trained or equipped to telework may not be required to telework except as part of a COOP or in the event of evacuation.

1-3. Telework categories

a. Routine telework. Under this option, telework occurs as part of an ongoing regular schedule such that employees typically telework on some days and work at their regular worksite on other days during each pay period. They must obtain managerial approval for the schedule (and any modifications to it), but do not need to obtain additional separate approval for each day they telework.

b. Situational telework. Under this option, employees telework occasionally (for example, it is not part of an ongoing and regular telework schedule) and may require managerial approval each time they telework.

1-4. Official worksite

The official worksite for a civilian employee covered by a telework agreement is the location of the regular worksite indicated on the position description (i.e., the place where the employee would normally work absent a telework agreement). The employee must work at the official worksite at least six days (no less than three days per week) each biweekly pay period if in a duty status.

1-5. Work schedules and compensation

a. Employees who telework must be at their alternative worksite (or other locations with supervisor's approval) during their scheduled tours of duty or approved work hours.

b. Employees may not telework as a substitute for dependent care, for example, child or elder care. To clarify, this means that telework should not be approved solely for the purpose of enabling dependent care; however, telework can be an important component in establishing a quality work/life balance. If dependents are expected to be present in the home, the telework agreement should clearly outline expectations regarding work hours, breaks, time and attendance documentation, work schedules, leave requests, etc.

c. An in-home dependent care arrangement may pose unique challenges that must be appropriately managed. Supervisors will monitor whether employees are able to successfully telework without jeopardizing work performance. While the mere presence of dependents in the household should not be an absolute bar to teleworking, employees should not engage in dependent care activities when performing official duties. While an occasional, brief interruption may occur when a dependent is present in the home, teleworkers must be careful to minimize interruptions to avoid disruptions in work accomplishment.

d. When the approved alternative workplace is in the local commuting area/vicinity of the permanent duty station, employees may, with supervisor coordination and approval, work part of the day at their approved alternative worksite and part of the day at the official worksite to accommodate work schedules and personal commitments (for example, to attend a training course or a medical appointment located near employee prior to reporting to the regular worksite).

e. All premium pay provisions that apply to work at the regular worksite also apply to civilian employees who perform telework (for example, civilian employees may work overtime only when specifically ordered and approved in advance by the supervisor).

1-6. Time and attendance

a. Time spent working by civilian employees, whether at the regular worksite or in telework status, will be accounted for and reported appropriately (for example, in the Automated Time and Attendance Production System (ATAAPS)). Any time not spent working during the employee's duty day must also be accounted for and reported appropriately.

b. Supervisors will ensure that hours spent teleworking are appropriately coded in the timekeeping system. In ATAAPS, telework hours are coded as "RG", with the subcode of either: "TS" for situational/ad hoc, "TM" for medical, or "TW" for regular/scheduled.

1-7. Performance management

Effective performance management is a key component of a successful telework program. In the vast majority of situations, performance standards should not change based on approval to telework. Ongoing performance feedback is critical to ensuring no mission degradation.

1-8. General business rules

a. Each delegate may approve the parameters of their specific program.

b. All participants in the telework program will work at their official worksite a minimum of six days per pay period (no less than three days per week).

- c. Telework participants may be required to report to the regular worksite on scheduled telework days based on mission requirements.
 - d. Normal physical staffing of organizations will not be below 50% of those on duty. This may be affected by personal leave, TDY, or days off.
 - e. The telework site will normally be within two hours of the official duty site. The delegate may approve exceptions to this provision.
 - f. Personnel participation in AWS does not affect eligibility to telework either on a regular schedule or situationally.
 - g. Telework participants are expected to comply with their approved work schedule which must be outlined in the telework agreement. Approvals to deviate from the schedules do not change from the normal process established at the regular duty station.
 - h. Standard issue of government furnished equipment to support a telework agreement will be a laptop and VPN access. Teleworking personnel will not be provided with, nor authorized to transport, additional IT equipment and peripherals.
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Chapter 2

Alternative Work Schedules

AWS programs enable supervisors and managers to meet mission goals while concurrently allowing employees the flexibility to balance work/life responsibilities. The employee benefits provided by AWS programs are also useful recruitment and retention tools.

2-1. Alternative work schedule options

AWS encompasses any schedule other than the traditional fixed work schedule (8 hours per day, 5 days per week). When implemented, AWS must be in accordance with the 5 CFR Part 610. See table 1, for work schedule information. There are two AWS categories:

- a. Flexible work schedule (FWS) includes designated hours (core hours) and days when an employee must be present for work. FWS for a full-time employee is an 80-hour biweekly work requirement that allows the supervisor and employee to determine a schedule within limits set by the supervisor and/or organization. Flexitour, gliding, and variable day work schedules are authorized. Employees on a FWS are authorized to earn credit hours. FWS definitions:

- (1) Flexitour. A type of flexible work schedule in which an employee is allowed to select starting and stopping times within the flexible hours. Once selected, the hours are fixed until the agency provides an opportunity to select different starting and

stopping times.

(2) Gliding schedule. A type of flexible work schedule in which a full-time employee has a basic work requirement of 8 hours in each day and 40 hours in each week, may select a starting and stopping time each day, and may change starting and stopping times daily within the established flexible hours.

(3) Variable day schedule. A type of flexible work schedule containing core hours on each workday in the week and in which a full-time employee has a basic work requirement of 40 hours in each week of the biweekly pay period, but in which an employee may vary the number of hours worked on a given workday within the week within the limits established for the organization.

b. Compressed work schedule (CWS) are fixed work schedules that have no flexibility. They enable full-time employees to complete the basic 80-hour biweekly work requirement in less than 10 workdays. 5-4/9 and 4-10 work schedules are authorized. Employees on a CWS are not authorized to earn credit hours. CWS definitions:

(1) 5-4/9 schedule. Employee must work 80-hours each biweekly period. May vary the number of scheduled hours worked each week, but the number of regular hours each workday must be scheduled. Have set arrival and departure times each workday. Employee works eight 9-hour days and one 8-hour day biweekly with one day off.

(2) 4/10 schedule. Employee must work 40-hours each week and 80-hours each biweekly period. Scheduled number of hours worked each workday and have a set arrival and departure time. Employee works four 10-hour days per week with two days off biweekly.

Note: There is no authority to establish hybrid work schedules that borrow selectively from the authority for flexible work schedules and the authority for compressed work schedules in an effort to create a hybrid work schedule program providing unauthorized benefits for employees or organizations.

2-2. Time and Attendance

Employees under an AWS shall be charged leave in accordance with their basic work schedule. Overtime and compensatory time will be in accordance with applicable laws and/or regulations.

2-3. Work schedule information table

See table 1, for work schedule codes and descriptions.

Table 1
Work schedule information

ATAAPS code	Work schedules	Credit hours	Less than 10 Days
0	Not on AWS -Employee may have a standard schedule which consistsof 8-hour days, 40- hours a week and 80-hours biweekly or an uncommon Tour of Duty schedule which consists of hours equal to orgreater than 90 hours biweekly	No	No
Flexible Work Schedules			
1	Flexitour - The employee has a basic workweek requirement of five 8-hour days, 40 hours each week, and 80 hours biweekly. A fixed arrival time is established for each employee.	Yes	No
2	Gliding Schedule - The employee has a basic workweek requirement of five 8-hour days, 40 hours each week, and 80 hours biweekly. May vary arrival and departure times.	Yes	No
3	Variable Schedule - The employee has a basic workweek requirementof 40 hours each week and 80 hours biweekly. May vary arrival and departure times and length of the workday.	Yes	No
5	Maxiflex Schedule - The employee has a basic workweek requirement of 80 hours biweekly, but the employee may vary the number of hours worked on a given workday or the number of hours each week.	Yes	Yes
Compressed Work Schedules			
6	5-4/9 Schedule - The employee has a basic work requirement of work 80 hours biweekly. The hours in a week can vary, but the number of regular hours each workday must be scheduled.	No	Yes
8	4-10 Schedule - The employee has a basic workweek requirement of 40 hours each week and 80 hours biweekly. The number of regular hours each workday must be scheduled. Four-day work week - the agency/employee establishes a fixed schedule limited to four 10-hour days.	No	Yes

Chapter 3

Labor Relations

3. Labor relation requirements

Officials will comply with the collective bargaining agreement when considering telework or work schedule requests from bargaining unit employees. Civilian personnel advisory centers can advise on notification to labor organizations.

Appendix A

References

Section I

Required publications

AR 380-5
Department of the Army Information Security Program

AR 380-19
Information Systems Security

AR 690-610
Hours of Duty, Alternative Work Schedules, and Holidays

TR 600-18
U.S. Army Training and Doctrine Command Telework Policy

U.S. Office of Personnel Management Telework Guide
(Available on the joint General Services Administration/ Office of Personnel Management website at <https://www.telework.gov/guidance-legislation/telework-guidance/telework-guide/>.)

Public Law 111-292
Telework Enhancement Act of 2010

Department of Defense Instruction
1035.01 Telework Policy (Available at <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/103501p.pdf>)

Section II

Referenced form

DD Form 2946
Department of Defense Telework Agreement

Section III

Required publications

Title 5, United States Code, Chapter 61, Subchapter II (Flexible and Compressed WorkSchedules).

Office of the Handbook on Alternative Work Schedules,
available at <https://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/alternative-work-schedules/>.

Department of Defense Instruction, 1400.25, Volume 610
Department of Defense Civilian Personnel Management System: Hours of Duty
(Available at
<https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/140025/1400.25-V610.pdf>)

Appendix B

Telework Frequently Asked Questions

B-1. Telework frequently asked questions
See table 2, for telework frequently asked questions.

Table 2.
Telework frequently asked questions

Q1. How can telework eligibility determinations be made fairly and equitably?
<p>A1. After determining telework eligibility for all current employees, supervisors should make any ongoing determinations of telework eligibility based on job functions, and not managerial preference per se. Organizations should make an appropriate telework eligibility determination for each new employee or position (and re-assess any previous determinations that an employee is ineligible), in accordance with the “Army” policy, taking into account the limitations established in 5 U.S.C. 6502(a) and (b), and otherwise using equitable, function-based criteria. Organizations should similarly apply equitable, function-based criteria to determine the number of days an employee may telework. In making these determinations, supervisors should apply the following factors:</p> <ul style="list-style-type: none">• Determine telework eligibility for all new employees• In general, treat employees performing similar functions similarly <p>Assess workforce data on an ongoing basis to ensure that telework eligibility determinations are being made in accordance with policy and applicable law.</p>

Q2. What telework options can I make available to employees?
<p>A2. In practice, telework falls into these categories -</p> <ul style="list-style-type: none"> • <i>Routine telework.</i> Under this option, telework occurs as part of an ongoing regular schedules such that employees typically telework on some days and work at their regular worksite on other days during each pay period. They must obtain managerial approval for the schedule (and any modifications to it), but do not need to obtain additional separate approval for each day they telework. • <i>Situational telework.</i> Under this option, employees telework occasionally (for example, it is not part of an ongoing and regular telework schedule) and the delegated authority may require managerial approval each time they telework.
Q3. Am I eligible to work regular/recurring telework?
<p>A3. It depends on several things. First, the supervisor must decide that the work of your position can be done on a regular/recurring basis at an alternative location. The work done at the alternative location must be able to be performed without interfering with efficiently and effectively accomplishing the mission. Second, once a position is approved for regular telework, the supervisor will also decide how many days a week the employees working in that position may telework. Finally, supervisors will then take that information and determine whether an individual applying to telework personally meets the criteria.</p>
Q4. What is situational telework?
<p>A4. Telework that is approved on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing, and regular telework schedule (e.g., telework as a result of inclement weather, medical appointment, special work assignments, or to accommodate special circumstances). Telework is also considered situational even though it may occur continuously for a specific period and is also referred to as episodic, intermittent, unscheduled, or ad hoc telework.</p>
Q5. Can I participate in an alternative work schedule and still be able to telework?
<p>A5. There is no prohibition in Federal law or regulation that says an employee who engages in telework is not eligible to participate in an alternative work schedule. In fact, AWS and Telework are separate flexibilities available to organizations. Note that when an employee is teleworking, they are still on duty and performing their assigned duties.</p>
Q6. If I am disapproved for telework, will I be told why?
<p>A6. Yes, supervisors will discuss with an employee to rationale for disapproval and/or determination for ineligibility to telework. The basis for the disapproval to telework or termination of a telework agreement must be provided in writing to the employee in the Component – Specific Terms and Conditions portion of the DD Form 2946.</p>
Q7. Can I terminate my telework arrangement?
<p>A7. Employees may voluntarily terminate their participation in a telework arrangement. Such requests should be submitted in writing and given to the employee's supervisor on DD Form 2946, Section IV, Notice of Telework Arrangement Cancellation.</p>

Q8. Can telework be revoked?
A8. Yes. The Telework Enhancement Act of 2010 allows for termination of a telework agreement if an employee does not comply with the terms of the written agreement, or, if the performance of the employee falls below a certain standard (usually, fully successful). In addition, the Act specifies two categories of employees who may not be deemed eligible for telework under any circumstances: an employee who "has been officially disciplined for being absent without permission for more than five days in any calendar year" and an employee who "has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for reviewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties" (5 U.S.C. 6502(a)(2)(A)(B)). Other conduct or performance issues may also be considered in this determination. Telework can also be revoked if mission requirements/needs change.
Q9. What am I to do if I lose the ability to do work while teleworking, e.g., the power goes out, there is a significant on-going disruption at my house, etc.?
A9. If you lose the ability to telework based on extended power outages, disruptions, etc., you will normally be required to report to regular duty station after consultation with your supervisor. Your supervisor can also approve a request for personal leave if the mission allows.
Q10. Can I take a break in the middle of a telework day to tend to something personal and just work longer hours that day?
A10. Not without advance supervisory approval, which should only be granted rarely. If you need time off during regular duty hours, ask for appropriate leave.
Q11. Are civilian employees covered by Workers' Compensation when injured or suffering from work-related illnesses while conducting official business at the telework location?
A11. Employees are required to report injuries to their supervisor as soon as possible and must file a claim with the Department of Labor if they feel their injury is work-related. The Office of Workers' Compensation Program will ultimately determine if the injury/illness is covered.
Q12. Who provides office supplies for employees who telework?
A12. Employee's organization should provide office supplies, such as paper, toner, printer ink, etc., the same way as the traditional worksite, or any other method determined appropriate by the supervisor.
Q13. Can a commander or supervisor mandate an employee to telework who is not on a telework agreement?
A13. Yes, under the following scenarios an agency may order an employee to telework whether or not the position is telework eligible or the employee voluntarily enters into a telework agreement: <ul style="list-style-type: none"> • The agency includes in their continuity of operations plan (COOP) that employees are required to telework and the agency activates the COOP. COOPs may be amended as necessary on a just-in-time basis.) • A pandemic has been declared by the World Health Organization and the Department of Defense issues an evacuation order to an alternative worksite (such as home).

Q14. Can I telework with my children or a dependent in the home?
A14. Typically, employees may not telework as a substitute for dependent care, e.g., child or elder care. To clarify, this means that telework should not be approved SOLELY for the purpose of enabling dependent care; however, telework can be an important component in establishing a quality work/life balance. If dependents are expected to be present in the home, the telework agreement should clearly outline expectations regarding work hours, breaks, time and attendance documentation, work schedules, leave requests, etc. Civilian employees must still account for work and non-work hours during their tour of duty and take appropriate leave (paid or unpaid) to account for time spent away from normal work-related duties (e.g., to care for a child or dependent).
Q15. How will teleworking affect my performance evaluation?
A15. Performance standards for employees who telework should be the same as for those working at the regular worksite. Supervisors shall communicate expectations of telework arrangements, including work assignments, office coverage, and staff communication to teleworking and non-teleworking personnel in the workgroup. As with on-site personnel, teleworkers shall be held accountable for the results they produce while teleworking.
Q16. I'm a civilian employee and I've been teleworking successfully, but my supervisor has determined that we must all return to the regular worksite. Can I be approved to continue teleworking full-time?
A16. Telework is not an entitlement and supervisors are responsible for determining employee/position telework eligibility. There are a variety of factors that must be considered in making such determinations and ultimately, it may be determined that permanent telework is not in the best interest of the organization.
Q17. I have a civilian employee who is teleworking and I need them to come into the regular worksite on one of their scheduled telework days. If I require them to come in, is their travel time to the regular worksite considered duty time or normal commute/personal time?
A17. The supervisor is responsible for determining work status and in this situation, and it could depend on several factors. For example, if the supervisor directs the employee to come in for the entire day, travel should be considered their normal commute. If the supervisor determines the employee will come in first thing in the morning, to attend a meeting for example, then permits the employee to return home to the alternative worksite for the remainder of the workday, the travel should again be considered normal commute time.
Q18. Can I bank telework days and carry unused days over to the next pay period?
A18. No. However, with a supervisor's advance approval, you might be able to switch telework days when in the supervisor's judgment it will not interfere with covering the obligations of the work unit.
Q19: Does my organization have to provide utilities/internet?
A19. No. Responsibility of providing utilities/internet is at the employee expense.
Q20: Am I required to telework in the event of inclement weather or installation status is closed?

A20. Yes. Under OPM's weather and safety leave regulations, all telework program participants will be ineligible for weather and safety leave when a closure is announced except in rare circumstances when one of the exceptions under 5 CFR 630.1605(a)(2) applies:

- Unexpected weather. An agency may provide weather and safety leave to a telework ready employee who, in the agency's judgment, could not have reasonably anticipated thesevere weather or other emergency condition and therefore did not take home needed equipment or work. (For example, an area weather forecast changes dramatically during the weekend so an employee cannot reasonably be expected to telework on Monday.
- Unsafe telework site. An agency may provide weather and safety leave to a telework ready employee who is prevented from safely working at the telework site (such as by flooding or a roof collapse) as a result of the severe weather or other emergency event. In this case, the home or other approved telework site is also impacted in such a way that work cannot be safely performed.

Glossary

AR	Army Regulation
COOP	Continuity of Operations
DCS	Deputy Chief of Staff
DD	Department of Defense
HQ	Headquarters
USAACE	U.S. Army Aviation Center of Excellence
TRADOC	U.S. Army Training and Doctrine Command