Annex A to Policy #42 - Policy Guidance for the Use and Approval of Situational Telework, Military Spouse Telework/Remote Work, and Telework/Remote Work as a Reasonable Accommodation

1. References:

a. Presidential Memorandum, “Return to In-Person Work,” 20 January 2025.

b. Acting Secretary of Defense (SECDEF) Memorandum, “Guidance on Presidential Memorandum, Return to In-Person Work,’” 24 January 2025.

c. Secretary of Defense Memorandum, “Initial Department of Defense Implementation Guidance, Return to In-Person Work,” 31 January 2025.

d. Department of the Army Office of the Assistant Secretary, Manpower and Reserve Affairs Memorandum, “Initial Army Return to In-Person Work implementation Guidance,” 3 February 2025.

e. Department of the Army Office of the Assistant Secretary, Manpower and Reserve Affairs, “Additional Army Return to In-Person Work Implementation Guidance,” 27 February 2025.

f. Office of the Under Secretary of Defense Memorandum, Clarification on Return to In-Person Work Exemption for Military Spouses,” 4 March 2025

g. Defense Civilian Personnel Advisory Service (DCPAS), “Exempting Military Spouses from Agency Return to Office Frequently Asked Questions,” March 2025 v2.

h. Department of Defense Memorandum, “Guidance on the Use of Situational Telework,” 4 March 2025.

i. Office of the Undersecretary of Defense for Personnel Readiness, Memorandum, “Guidance on the Use of Situational Telework,” 19 March 2025.

j. Department of Defense Instruction 1035.01, “Telework & Remote Work,” 8 January 2024.

2. Purpose: To establish clear and concise policy, assign responsibilities, and provide guidance for the use and approval of Situational Telework, Military Spouse Telework/Remote Work, and Telework/Remote Work as a Reasonable Accommodation for civilian employees of United States Army Garrison (USAG) West Point.

3. Applicability. This policy applies to all civilian appropriated and non-appropriated fund employees assigned to USAG West Point.

4. Policy:

a. General. The standard duty location for all USAG West Point employees is their assigned government worksite. This policy is established in accordance with Presidential, Department of War (DoW), and Department of the Army (HQDA), and Installation Management Command (IMCOM) directives to return to in-person work. Telework is not employee entitlement but workplace flexibility to be used judiciously to support mission requirements.

b. Situational Telework. Supervisors may authorize situational telework only when it serves a compelling agency need. It is approved on a case-by-case basis, must be intermittent, and shall not be used as a substitute for routine/regular recurring telework or remote work.

(1) Per DoDI 1035.01situational telework is used as the need arises:

(a) Continuity of Operations (COOP) during an emergency situation.

(b) Weather-related emergencies, office closures, or when commuting is hazardous, as announced by the Senior Mission Commander or Office of Personnel Management (OPM).

(c) Other limited situations such as completing special projects.

(d) Recovering from a minor illness/injury.

(e) Conducting web-based training that cannot be effectively completed at the primary worksite.

(2) The first-line supervisor holds the approval authority for situational telework and must exercise judicious discretion.

c. Military Spouse Telework/Remote Work. In accordance with DoD and OPM guidance, an exception to policy may be requested to permit a military spouse to telework or work remotely to accompany their Service member on Permanent Change of Station (PCS) orders. These requests require higher-level approval and must be supported by official documentation.

d. Reasonable Accommodation. Telework or remote work may be authorized as a reasonable accommodation for a qualified employee with a disability. All such requests will be processed through the Equal Employment Opportunity (EEO) office in accordance with applicable laws and regulations.

e. Eligibility and Performance.

(1) To be eligible for any form of telework, an employee must have a current performance rating of "Fully Successful" or higher.

(2) A commonsense approach based on job functions alone must be applied to determine situational telework eligibility. If an employee’s core duties require their physical presence, the position is not eligible for situational teleworking. Leaders must consider if the employee’s duties be conducted 100% at the alternate site without depending on coworkers or supervisors at the assigned worksite for assistance.

(3) Examples of positions/functions generally considered ineligible for situational telework at USAG West Point include, but are not limited to: Security, Fire Safety, Emergency Management, Childcare, DPW field staff, ID Card/DEERS personnel, postal services, direct Soldier/Family support services, direct Soldier/Family support services, customer-facing service positions, and other key decision-makers. Supervisors of the above listed positions/functions are also considered ineligible for situational telework.

5. Responsibilities.

a. Supervisors will:

(1) Ensure all requirements of this policy and its references are met before approving any telework agreement.

(2) Establish clear, measurable performance standards and productivity metrics for teleworking employees.

(3) Ensure every employee working under a situational telework agreement has a valid DD Form 2946, Telework Agreement, on file, renewed annually (agreements will only be valid for one year).

(4) Retain the authority to cancel a telework agreement at any time if performance declines or the arrangement no longer meets organizational needs.

(5) Complete all mandatory Office of Personnel Management (OPM) Telework Training for Supervisors.

b. Employees will:

(1) Complete all mandatory OPM Telework Training for Employees before entering into an agreement.

(2) Adhere strictly to the terms of their signed DD Form 2946 and maintain established performance standards.

(3) Accurately record all telework hours in the appropriate timekeeping system.

c. Mandatory OPM trainings for employees and supervisors can be found at https://www.opm.gov/telework/telework-training/

6. Questions regarding this memorandum should be directed to the USAG DHR CIVPER Division or your CHRA LMER HR Specialist.

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DD FORM 2946