

This policy, CDC-HR-2022-01, “CDC Workplace Flexibilities,” is being reviewed for compliance with recent executive actions, Office Personnel Management policies and guidance, and Department of Health and Human Services (HHS) policies and guidance. Recent guidance as of February 7, 2025, is included as Appendix A and applies to all CDC employees with the exception of certain bargaining unit employees (BUEs). Content within Appendix A, and any subsequent HHS or CDC guidance, supersedes any conflicting guidance in other parts of CDC-HR-2022-01. CDC may modify specific requirements in Appendix A, as permitted by HHS (e.g., facilities or space management). Any updated guidance will be provided through CDC Today Announcements, the CDC Intranet, emails to staff, and communications from supervisors to their staff.

Employees with questions about the applicability of the requirements in Appendix A should contact their supervisors. Supervisors with questions concerning BUE status should submit a HRSD ticket to [labor relations](#) for consultation and assistance.



## CDC Updated Operational Policy

### CDC has updated the Operational Policy: Workplace Flexibilities

#### 1. Summary of Policy:

This policy prescribes and outlines general requirements and procedures for CDC's Workplace Flexibilities Program. Currently, the policy is approved for CDC Non-Bargaining Unit Employees and CDC Bargaining Unit Employees that are covered by a signed Memorandum of Agreement.

#### 2. Reasons for Revision:

Revised to incorporate feedback from the Office of Financial Resources (OFR), the Office of General Counsel (OGC), the Office of Human Resources (OHR), and the Office of the Chief Operating Officer (OCOO). Changes include clarifications to requirements and information regarding travel mileage claims and per diem, space considerations, and CDC's Continuity of Operations Plan (COOP).

#### 3. Related Issuances:

The policy is based on the new HHS Workplace policy and Office of Personnel Management (OPM) guidance.

#### 4. Responsible Organization:

Office of Human Resources (OHR)

#### 5. Material Superseded:

None

#### 6. Recertification:

The policy is due for recertification on or before the last working day of March 2027.

#### 7. Points of Contact:

Submit a HRSD ticket to [labor relations](#) for consultation and assistance.

#### 8. To go directly to the Policy, enter the following URL into the location line of your browser:

<https://sbi.cdc.gov/policy/doc/policy663.pdf>

/s/ Robin D. Bailey Jr., MA  
Chief Operating Officer

**NOTE:** References to CDC also apply to the Agency for Toxic Substances and Disease Registry (ATSDR)



**Category:** Human Resources, General Administration

**Policy #:** CDC-HR-2022-01

**Date of Issue:** 03/14/2022; Updated 04/11/2022, 03/12/2025<sup>3</sup>

**Proponent:** Office of Human Resources (OHR), Workforce Relations Office

**Application:** All Locations, Domestic and International

**Applicable Staff:** All Federal Employees

## CDC WORKPLACE FLEXIBILITIES POLICY

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### 1. PURPOSE AND SCOPE

This policy outlines requirements and establishes standard guidelines for the Centers of Disease Control and Prevention (CDC)<sup>1</sup> Workplace Flexibilities Program (WFP). The policy applies to CDC Communities of Practice; Centers, Institute, and Offices; Staff Offices, and Business Services Offices, hereafter referred to as “CDC Components.”<sup>2</sup> The policy set forth in this document replaces and includes the current CDC telework guidance as well as remote work. The policy aligns with the requirements, recommendations, and procedures as outlined in the Department of Health and Human Services ([HHS](#)) [Instruction 990-1, Workplace Flexibilities](#), and the Office of Personnel Management (OPM).

CDC Components are strongly encouraged to consider WFP opportunities as a tool to help attract, hire, and retain the best talent. Participation in the WFP is determined by assessing several key elements involving the position, business needs of the CDC Components, and the employee’s eligibility. Given the complexity of CDC Components and varying programmatic goals and requirements, flexibilities available to employees will vary.

This policy also establishes a structure for managing specific remote work flexibilities and addresses the necessary personnel to oversee WFP, as well as the training and documentation required to participate.

### Applicability

This policy applies to all CDC federal [employees](#) without regard to duty location either in the United States or overseas, including employees under the Intergovernmental Personnel Act

<sup>1</sup> References to CDC also include the Agency for Toxic Substances and Disease Registry.

<sup>2</sup> More information on CDC organizational nomenclature is available at: <https://sbi.cdc.gov/DOA/pdf/orgnom.pdf>.

<sup>3</sup> Policy updated to comply with recent executive orders (January-February 2025).

(IPA) and Federal employees on detail to CDC. This policy does not cover United States Public Health Service (USPHS) Commissioned Corps Officers. However, USPHS Commissioned Corps Officers who supervise Federal employees are required to execute the supervisory authorities outlined in this policy.

Any CDC employee may use the applicable negotiated grievance procedures, CDC Administrative Grievances Procedure or contact the CDC Office of Equal Employment Opportunity (OEEO) if there are disagreements regarding these matters or allegations of unfairness.

## **Exclusions**

This policy does not address telework and remote work arrangements for contractors and non-full-time equivalent (FTE) employees, e.g., Oak Ridge Institute for Science and Education (ORISE) and non-FTE Fellows. The contractor's employer determines telework and remote work options for a contractor in accordance with the terms and conditions of the contract.

## **2. BACKGROUND**

HHS issued its most current Workplace Flexibilities Instruction on March 22, 2022. The policy provides requirements and establishes standard guidelines and criteria to allow the use of broad workplace flexibilities across HHS.

### **Delegation of Authority**

The authority to approve, develop, and implement an Operating Division/Staff Division (OpDiv/StaffDiv) level WFP in alignment with HHS Instruction 990-1 is delegated to the OpDiv/StaffDiv Heads. The OpDiv/StaffDiv Head may delegate the authority to develop and implement WFP Managers to Human Resources (HR) Directors or Executive Officers, as appropriate.

## **3. POLICY**

### **Workplace Flexibilities**

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## **A. General Requirements**

CDC supports and encourages telework, and remote work, as workplace flexibilities when CDC Components determine it is in their best interest to offer these options. While this is a complex decision, such arrangements improve staff morale, help retain high performing and skilled employees and promote work efficiency. It also can help provide improved access to skilled employees not found in a particular geographic location. Finally, this arrangement could be used to reduce the costs for leased space, costs associated with building new facilities and reduce greenhouse gas emissions.

CDC Employees, whether working at an agency worksite, teleworking, remote working, and/or on an alternative work schedule are accountable for their performance and conduct. Employees must remember that workplace policies and performance expectations are the same regardless of where the work is performed.

CDC will designate a Workplace Flexibilities Program Manager (WFPM), who will manage the specific operations of CDC's WFP including telework, remote work, and AWS. They will also develop, implement, and document required training for these workplace flexibilities both for supervisors and employees. Employees that have been accepted into the WFP and their supervisors are required to complete the mandatory training for workplace flexibilities, including telework and, if applicable, remote work training, within 30 days of participation in the program. Remote workers and teleworkers are also responsible for completing the Workplace Flexibilities Agreement (WFA) form located in CDC's designated Workplace Flexibilities Management System (WFMS) before participation in the program.

The flexibilities in the WFP may not be utilized to substitute for dependent care responsibilities. Employees must not engage in dependent care activities [when performing official duties](#). Employees must have adequate dependent care and must not telework nor pursue remote work for the sole purpose of dependent care. Moreover, employees should approach dependent care just as they would if working at the agency's worksite.

As part of CDC's Continuity of Operations Plan (COOP), telework and remote work must be incorporated into each CDC Component's Plan. Employees designated as mission critical may be required to report to the agency worksite in the event of the activation of a COOP.

## **B. Workplace Flexibilities Options**

Telework is a workplace flexibility arrangement under which an employee performs the duties and responsibilities of their position, and other authorized activities, from an approved worksite other than the location from which they would otherwise work. A position may be eligible for telework when duties require 16 - 64 hours per bi-weekly pay period at the agency worksite.

### **Types of telework**

There are three types of telework:

- 1) **Situational Telework:** Work that occurs on an occasional, situational, or non-routine basis at an approved alternative worksite. Work at the agency worksite may occur less than one day per week; a few hours per week; or one or more days per week on an irregular basis
- 2) **Routine Telework:** Work that occurs at an approved alternative worksite on a routine, regular, and recurring basis away from an employee's principal place of duty one (1) or two (2) days per week
- 3) **Extended Telework:** Work that occurs at an approved alternative worksite on a routine, regular, and recurring basis away from an employee's principal place of duty three (3) days or more per week. Duties require at least two days per bi-weekly pay period at the agency worksite

## **Remote Work**

A position may be eligible for remote work (within or outside of the local commuting area) if the nature of work requires onsite work to be performed less than two days (16 hours) during a typical biweekly pay period.

Remote work is a workplace flexibility allowing an employee to work from a single approved alternative worksite, within or outside the local commuting area of the agency worksite, with no expectation to report to the agency worksite on a regular bi-weekly pay period basis.

Positions should be designated as “**remote within the local commuting area of the agency worksite**” if there is some frequency with which the position requires onsite presence (such as, employee may be required at the agency worksite less than 2 days per bi-weekly pay period, or employee may be required at in-person work activities including, for collaboration, on an irregular basis, or duties require an irregular, but consistent, e.g., twice per month, presence at the agency worksite). For these positions, employees should have an alternative worksite/official worksite within the local commuting area.

Positions should be designated as “**remote outside the local commuting area of the agency worksite**” if the position requires little to no onsite presence (such as once annually). For these positions, employees are not required to have an alternative worksite/official worksite within the local commuting area.

## **Reimbursement for Travel to the Agency Worksite**

Remote employees, as directed by the supervisor or if stated in the WFA, may be required to report to the agency worksite on an infrequent basis.

Remote employees who have an approved alternative or official worksite **within 50 miles** of the agency worksite are not eligible for travel reimbursement when commuting to and from the agency worksite.

Remote employees who have an approved alternative or official worksite **outside of 50 miles** of the agency worksite are eligible for travel reimbursement. After an approved ConcurGov travel authorization is issued, remote employees required to travel to the official worksite who are located outside the 50-mile radius are entitled to mileage claims and may be entitled to per diem

if they are in travel status for more than 12 hours. Refer to the [HHS Travel Policy](#) for specific guidance.

### **Compensatory Time Off for Travel**

Remote employees required to travel away from their official worksite may be afforded compensatory time off for official travel if the approved itinerary requires the employee to be in a travel status when such time is not otherwise compensable.

### **Relocation Expenses and Reimbursements**

Participation in the WFP is voluntary. Employees are responsible for all expenses that may be incurred because of the initial voluntary relocation. Once the WFA is in place, employees whose WFA is modified at the request of the employee are responsible for all expenses that may be incurred associated with the relocation.

### **C. Eligibility Criteria for Workplace Flexibilities Programs**

Participation in telework and remote work is highly encouraged for those positions deemed eligible. Eligibility depends on job functions and the type of work performed rather than job title, grade level, type of appointment, or work schedule.

If a CDC Component authorizes remote work, supervisors must determine workplace flexibility for each employee by reviewing OPM, HHS and CDC policies and guidance, discussing the determination with the employee, and entering the employee's eligibility code in the WFMS. An employee whose job is determined eligible for the WFP and who meets the criteria listed below is eligible to request participation. CDC employees who participate in the WFP are required to renew their WFA on an annual basis.

### **Additional guidelines and limitations**

- 1) Employees in the WFP must be able to work without direct supervisory oversight
- 2) WFP participants must have a job performance rating of "Achieved Expected Results" or better
- 3) WFP participants' job responsibilities must be conducive to telework and remote work
- 4) Limitation. Per Section 6502(a)(2), Title 5, United States Code, [a]n employee may not participate in the WFP under a policy established under this section if:
  - the employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year
  - the employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a federal government computer or while performing official federal government duties." The term "official discipline" should be understood as a disciplinary action that results in the placement of a document in an employee's official personnel file (OPF). CDC considers an employee ineligible for telework once the disciplinary actions have been processed in their OPF
  - there is properly documented misconduct or disciplinary action, and there is a clear connection established between the employee's ability to perform successfully in a telework situation and the misconduct or disciplinary action

## **D. Requests for Participation in the Workplace Flexibilities Program**

All employees must request participation in the WFP using the WFMS to complete the WFA, and Home Safety Checklist. Employees will check the appropriate designation to request either remote work or telework.

Prior to deciding on a request to telework or remote work the immediate supervisor should discuss the arrangement with the employee. To ensure both parties understand their responsibilities, discussions should include the nature of the work, anticipated product(s), applicable confidentiality and security issues, space sharing practices, facilities, proposed work schedule, and equipment at the official worksite and alternative worksite.

The needs of the CDC Component may require adjustments/additions prior to approval of the agreement. The discussion should be documented. Supervisors are strongly encouraged to schedule this meeting for at least 30 minutes to properly communicate and document expectations.

## **E. Types of Telework Agreements**

The Telework Enhancement Act of 2010 requires a written agreement between an agency manager and an employee authorized to telework. The written agreement outlines specific work arrangements.

There are three categories of telework agreements available in the WFMS:

- 1) **Primary Agreement.** This is the base agreement established in the WFMS for teleworking employees, either as a new agreement or renewal of an existing agreement. This agreement covers employees in cases of unscheduled telework, or in the event of epidemics or pandemics such as COVID-19
- 2) **Secondary Agreement.** A Secondary Agreement falls within the framework of an existing Primary Agreement and supersedes that agreement while in force. Secondary Agreements are typically used to accommodate special assignments, short-term personal circumstances, and similar temporary situations
- 3) **Emergency Agreement.** Emergency Agreements do not apply to personal emergencies. When an agency worksite is unavailable for occupancy or when an authorized official with delegated authority announces that unscheduled telework is available due to hazardous conditions, telework eligible employees that have completed telework training but do not have a current primary agreement may request an Emergency Agreement. Examples include but are not limited to hazardous weather or natural disaster (such as ice, flood, tornado, or earthquake); radiological, chemical, or biological hazard; utility outages; and intentional acts that threaten the safety of employees or warrant a facility closure (such as demonstrations, bomb threats, assaults, thefts, or computer security incidents)

## **F. Temporary Full-Time Telework**

For temporary full-time telework the alternative worksite may be the employee's residence or other approved site. The CDC Director/ATSDR Administrator or an official with the delegated authority, approves temporary requests to telework full-time that do not exceed a period of three



months. The temporary exception request must clearly document the government's interest and benefit to CDC in allowing the arrangement.

Temporary exceptions may be appropriate in situations such as:

- 1) When an employee is recovering from an injury or medical condition.  
**Note:** It is important to distinguish between requests to telework during recovery and requests to telework as a reasonable accommodation from qualified employees with disabilities before attempting to analyze the request. Section 501 of the Rehabilitation Act of 1973 governs reasonable accommodations (Rehabilitation Act), as amended, 29 U.S.C. § 791 et seq. and requests for reasonable accommodations are analyzed and evaluated under that statutory framework. For telework and remote work as a Reasonable Accommodation use the link: <http://intranet.cdc.gov/oeeo/reasonable-accommodation/index.html>, or contact the Office of Equal Employment Opportunity (OEEO)
- 2) An employee is affected by an emergency that temporarily prevents the employee from commuting to their regular official worksite
- 3) An employee is in a temporary duty travel status away from the official worksite
- 4) An employee is temporarily detailed to work at a location other than a location covered by a telework agreement

An exception is not appropriate in the following situations:

- 5) An employee is hired under a temporary or time-limited appointment and is authorized to telework but is never scheduled to work at or report at least twice each pay period to the regular worksite
- 6) An employee changes their place of residence to a distant location where commuting at least twice each pay period on a regular and recurring basis to the regular worksite is not possible (for example, the employee no longer has a residence in the commuting area for the regular worksite) and thus cannot reasonably be viewed as being part of the local labor market for the regular worksite.

## **G. Required Approvals and Response Times**

The following guidance reflects the approval levels for workplace flexibilities in accordance with the existing delegation of authority for CDC's Workplace Flexibilities Program (Check the CDC policy on Work Schedules and Documenting Leave and Pay for information on alternative work schedule designations):

- 1) Arrangements to telework full-time as an exception in Section F for one pay period but not to exceed a period of three months, require immediate supervisor approval, second level supervisor, third level supervisor, and the CDC Director/ATSDR Administrator, or an official with the delegated authority. Timeframe for response: five workdays from date of submission of request
- 2) Arrangements to participate in WFP not to exceed one year, including telework or remote work agreements, require the approval of the immediate supervisor, second level supervisor, and third level supervisor. The timeframe for response is 10 workdays

- 3) If a request is denied or modified, the supervisor must provide the employee a written notice detailing the reason(s) for the decision within five workdays of the disapproval or modification

When approval elevates the request above the Division/Office level, final approval is required by the Component Director or Component Management Officer. In cases where expenses may be incurred for remote work, final approval is required by the Component Director or Component Management Officer, for budgetary purposes.

## **H. Training for Teleworkers and Remote Workers**

Employees must successfully complete CDC Workplace Flexibilities training before entering into such agreements. Employees must renew their training annually to continue in the CDC WFP.

Supervisors must successfully complete the CDC online Workplace Flexibilities training before acting on an employee's request to participate in the WFP and must renew training annually.

Supervisors must ensure employees complete annual workplace flexibilities training prior to approving a WFA request. Supervisors must also complete position designations for their employees before having employees access the system for training.

## **I. Official Worksites and Locality Pay**

An employee's official worksite is the place where their work activities are based, and the employee regularly performs their duties. A teleworker's official worksite is determined in accordance with [5 CFR 531.605\(d\)](#) (Reference D).

Remote workers' official worksite is the approved alternative work location (i.e., the employee's residence) where the work is performed. Applicable locality pay for the teleworker and remote worker is based on their official worksite as determined under [5 CFR 531.605\(d\)](#).

The supervisor, in consultation with OHR, will determine the appropriate locality pay based on the official worksite/alternative worksite location and initiate any necessary changes in accordance with CDC procedures, generally, within one pay period of the change.

## **J. Equipment Required for Telework and Remote Work**

### ***Necessary Equipment, Information, and Services***

The employee agrees to use only government-furnished equipment (GFE) while on remote work or teleworking.

The employee will be responsible for the high-speed internet connection to access the CDC network, and all costs associated with the connection. For best performance with CDC's remote connectivity solutions (e.g., Zscaler, CITGO), and with meeting software such as Teams, and Zoom, Internet connectivity bandwidth of at least 5 Mbps (upload/download) is highly recommended. If high-speed internet connectivity is not available in the requested alternative worksite area, documentation from the applicable local utility provider (cable, telephone, etc.) stating that high speed or digital internet service is not offered must be uploaded with the WFP request in the WFMS. Supervisors should then consider job duties in determining whether work can be performed successfully without a high-speed internet connection. All costs associated

with internet connectivity are the responsibility of the teleworker/remote worker and **not** reimbursed by CDC.

Employees must exercise due care in transporting and storing all non-public information to ensure it is safeguarded. This is applied to all media types. It is required that controlled unclassified information (formerly called sensitive but unclassified [SBU]), including personally identifiable information (PII) and Privacy Act information, is transported and stored in encrypted form only. Non-public government information will **not** be stored on personally owned equipment, devices, or storage media. Additional Information on Security guidelines is located at the Office of the Chief Information Officer (OCIO) [Information and Systems Security](#).

The government will allocate government-owned necessary computer and telecommunications equipment for use in an employee's home or at other alternative worksites for approved remote and teleworkers, but the government retains ownership of and control of all hardware, software, and data. CDC is responsible for the repair and maintenance of this equipment. It is the employee's responsibility to follow instructions from OCIO for routine maintenance, updates, and patches required for the government-owned equipment.

An employee must have written approval from the supervisor and property custodian to [remove government property from CDC facilities](#). They must obtain written approval through the CDC property system (using personal custody procedures) to document the removal and return of government property from CDC facilities. The employee must return all equipment provided by CDC when they separate from CDC.

The employee must protect government issued equipment in accordance with all applicable procedures, and immediately report any damage to or loss of it (along with related information) to their appropriate management official or property custodial officer. Employees shall not disable or change any of the security or configuration controls on the government-provided equipment or software without authorization from OCIO.

CDC is not responsible for operating costs, home maintenance, or any other incidental costs (such as utilities) associated with the use of the telework or remote worksite. CDC will not be liable for damages to an employee's personal or real property during the performance of official duties or while using government equipment in the employee's residence, except to the extent the government may be held liable by the Federal Tort Claims Act or Military Personnel and Civilian Employees Claims Act, if applicable.

CDC will provide remote workers and teleworkers with similar equipment and supplies for home use. CDC will not provide furniture (such as desks and chairs) but may provide computer peripherals (such as docking stations and monitors).

## **K. Space Considerations**

CDC Components are required to collaborate with CDC's Office of Safety, Security, and Asset Management (OSSAM) regarding managing space within their organizations as the result of reduced space needs due to increased workplace flexibilities. CDC Components will designate space points-of-contact who will be trained by OSSAM in using the space management system. CDC Component space points-of-contact will program the space allocated to their CIO in accordance with OSSAM guidance to meet the needs of their Component. All CDC Components must follow the requirements of the [CDC Space Management Policy](#). This includes

processes to share space among workers who are teleworking several days per week and when there is a significant increase in remote work among their staff.

Each CDC Component will implement workspace-sharing techniques to maximize space utilization. When participating in remote work or telework for one (1) or more days per pay period the employee agrees to use structured workspace sharing techniques such as reservable and drop-in spaces. For more information about space sharing techniques, please see the General Services Administration (GSA)/OPM Telework site at [www.telework.gov](http://www.telework.gov).

Each CDC Component has a unique composition of positions and work schedules and must determine how the space will be designated to accommodate the work needs of the team. CDC Components will be allocated space based on the HHS “21st Century Workplace Space Planning Policy” and will determine how that space is coded daily as either assigned, reservable or drop-in. CDC Components may further reduce their overall space allocation through space sharing strategies including increasing their percentage of reservable and drop-in workspaces and implementing additional telework, and remote work. OSSAM will provide technical assistance to CDC Components and help them develop implementation strategies for the efficient use and potential reduction of their space.

Space shared by multiple CDC Components will be charged through a Working Capital Fund (WCF) cost-sharing mechanism among participating CDC Components. For more information, CDC Components may reach out to WCF.

#### **Prioritized workspace assignment for administrative (e.g., non-laboratory) space**

- Employees at all grade levels who are on site 5 days a week will be assigned a dedicated workspace. Employees at GS-14 and above (and equivalent) will have priority for an enclosed office
- Employees at the GS-14 level and above (and equivalents) who are on site fewer than 5 days a week, will have priority for an enclosed office for their use on regularly scheduled days. Their workspace may be reservable by others on the days they are not scheduled to be on site. These individuals will be given priority access in the event they need to be on site on days ordinarily scheduled for telework or remote work.
  - CDC Components will determine if those enclosed offices are reservable only by their CDC Component’s staff or by others, and whether there will be an approval process for reserving the office space
  - Dedicated offices (not reservable by others) will be provided for Division Directors, Center Directors, Center Deputy Directors, Center Associate Directors, Center Management Officials/Officers, Business Service Office Directors, Business Service Office Deputy Directors, BSO Division/Office Directors, BSO Management Officials/Officers, CDC Associate Directors, CDC Deputy Directors, CDC Chief Operating Officer, CDC Chief of Staff, CDC Principal Deputy Director, and the CDC Director. Members of the SES, SL, ST, O-7 and above, and Title 42 Executives in equivalent positions are also to be provided dedicated offices
  - If any of the individuals in the preceding sections are designated as a remote worker, they are not eligible for a dedicated office. They will have priority within their CDC Component space when they are on site
- Requests for a reasonable accommodation involving workspace assignments will be handled in accordance with the CDC Reasonable Accommodation Policy

- Requests for exception should be sent to the OSSAM Director by CDC Component MO, Deputy Director, or Director
- In no case will two or more people be assigned the same workspace at the same time/on the same day of the week.

## **L. Time and Attendance, Leave and Work Schedules**

During telework and remote work and while on an alternative work schedule, CDC employees and supervisors must observe all pertinent time and attendance, leave, and pay regulations. Specific requirements for reporting time and attendance are contained in the policy, Work Schedules and Reporting Time and Attendance.

The existing rules on overtime under Title 5, U.S.C., and the Fair Labor Standards Act ([FLSA](#)) apply to remote and teleworking employees. Overtime, compensatory time, and credit hours may be earned while working remotely and teleworking with the advance approval of the supervisor.

All work schedules available to employees at the agency worksite will also be available to teleworkers and remote workers. Teleworkers and remote workers will be allowed to continue to work their current tour of duty while teleworking or request approval to work a different schedule, subject to the provisions of the CDC Work Schedules and Reporting Time and Attendance policy.

Telework is an option for any workday, including Mondays and Fridays. Employees may request a change of their tour of duty while teleworking or remote working. Requests and determinations must be made in advance and transmitted through email. If disapproved, an explanation must be cited in the response. Employees must notify their timekeeper of the new tour. This may be done via email.

Employees may request a telework arrangement for part of the workday. Time spent commuting will be considered unpaid time. The remote worker's and teleworker's time and attendance is recorded as if performing official duties at the agency worksite.

Telework or remote work are not substitutes for routine sick leave (for example, having a stomach virus or a cold), maternity leave, or other medical conditions. If an employee bases their request for participation on a specific, non-routine medical condition (such as recuperating from surgery or a car accident), they are required to provide supporting medical documentation.

Duty time is for conducting official business only. CDC personnel must be able to contact (by phone and/or email) the employee during work hours. Teleworkers and remote workers are expected to be accessible to co-workers, immediate supervisor, and clients during established core hours, excluding lunch periods, like working at the agency worksite.

When the teleworker is scheduled for a tour of duty at the alternative worksite and is required to report to the official worksite after their normal duty hours, they are compensated in accordance with applicable overtime regulations.

## **M. Telework and Remote Work During Facility Closure and Group Dismissal**

The management official with delegated authority directing a facility closure will also determine telework and remote work requirements, unscheduled leave authorization, and excused absence authorization in effect during the closure.

CDC telework and remote work agreements will include the following understanding: Unless otherwise determined by a manager or specified by an applicable collective bargaining agreement, the employee understands that they are expected and may be required to work at an alternative worksite during facility closure without regard to their normal remote or telework work schedule.

An excused absence is normally granted to a teleworker or remote worker only when they cannot work due to an agency worksite closure, or the effects of a widespread emergency preclude telework or remote work. This could include situations when facilities are open, but conditions exist at the telework or remote work site that preclude both telework and remote work, as well as safe travel to the agency worksite.

When managers can anticipate a possible closure (such as approaching severe weather), they should instruct available telework or remote workers to be prepared to telework in the event closure occurs. However, managers cannot require employees that do not have a WFA to establish an agreement or to telework or remote work without an agreement.

During periods of facility closure or dismissal directed by an authorized management official, employees with a WFA that do not have access to government-owned equipment (GOE) may use their privately owned equipment (POE) with a CDC two-factor authentication such as PIV Smart Card or Microsoft Authenticator to telework through CITGO. Employees using POE under this exception must comply with CDC's prohibition against conducting official government business or storing non-public government information on email accounts, storage devices, or online storage accounts not provided by or authorized by CDC (See Reference Section J). Supervisors will attempt, through email or phone, to notify remote workers and teleworkers of an emergency affecting an agency worksite that impacts the employee's ability to telework.

Employees in remote status are expected to work on days that they are regularly scheduled to work. If an unexpected circumstance or emergency occurs that impacts the remote workers' ability to perform official duties at their official duty station (such as loss of internet connection or severe weather) the employee will notify the supervisor within 30 minutes. The supervisor may grant excused absence up to 59 minutes, seek management approval for a longer excused absence, or allow the employee to request appropriate leave (such as annual leave or LWOP), or delayed arrival and early departures when logging on and off.

An employee whose residence is considered the employee's official worksite is generally not granted weather and safety leave when the agency worksite (the office where the employee would work but for the remote work arrangement) is closed, since the employee is able to safely perform work at an approved location. Weather and safety leave may be appropriate if the employee is unable to safely perform work at their home. Remote employees must follow CDC policies, procedures, and any applicable collective bargaining requirements or contact their supervisors for further information and instructions.

## **N. Behavior, Conduct, and Performance**

The [Standards of Conduct](#) continue to apply at the telework and remote site. Work performed at the telework and remote site is evaluated by the same performance standard and procedures that apply at the agency worksite.

Employees on a remote work or telework agreement may lose this privilege due to a violation of the Standards of Conduct. Employees who do not maintain at least an acceptable performance rating are no longer eligible for remote work and telework.

Employees are required to meet prescribed performance standards regarding work requirements, roles, and responsibilities in accordance with HHS, CDC, and OPM policies and procedures and the applicable collective bargaining agreements.

Policies and regulations that govern conduct also apply to employees at alternative worksites. Employees are required to maintain the appropriate behavior at the alternative worksite as they would at the official duty station.

During the hours the employee is on duty at the alternative worksite, they must be accessible by telephone, email, or instant messaging system, or other appropriate communication technology or software, as determined by management.

## **O. Home Safety and Liability**

Employees are solely responsible for maintaining a safe official worksite within their workspace if the home is being used as the remote and telework site. Employees who are in a WFP must certify a safe home workspace by completing the Home Safety Checklist as part of the WFA in the WFMS.

Teleworking and remote workers are covered under the Department of Labor policies and regulations that govern Worker's Compensation and [Federal Employees Compensation Act](#) if injured during the performance of official duties at the alternative work site. Any accident or injury occurring at the alternative work site while performing official duties must be brought to the immediate attention of the supervisor. The supervisor and safety office representative must investigate all such accident reports immediately following notification.

Should this investigation require an inspection of the alternative work site, the employee will be given a minimum of 24-hour advance notice. The inspection will take place during the employee's tour of duty. If the employee is a member of the bargaining unit, a union representative will be allowed to accompany the inspection team at the employee's request. The Office of Human Resources / Labor Relations Office or the collective bargaining official makes the necessary arrangements to enable the union representative to participate in the inspection.

## **P. Overseas Telework and Remote Work**

### ***International Telework When Accompanying an Overseas-Assignee***

The CDC overseas-assignees who are accompanied by their spouse or partner, domestic partner, or family members and on orders at the US government expense, may be approved for telework abroad without the requirement to report to their normal duty location for the duration of the sponsored employee's tour of duty. The nature of their position must be amenable to a full-time telework schedule performed in a different time zone. Such employees are paid at the base rate for the telework location and will not be eligible for overseas allowances and differentials.



## **Q. Overseas Remote Work**

Federal employees are prohibited Remote work outside of the US without official approval from the Director of CDC and the Department of State. Working for a Federal agency overseas is defined by the Department of State as *Domestic Employees Teleworking Overseas*<sup>3</sup>, (DETO)<sup>4</sup>. The application for international remote work will be made on a case-by-case basis.

## **R. Telework Terminations and Modifications**

The employee may terminate their telework agreement with at least two weeks' notice and with management's concurrence, since such concerns regarding space availability may impact the decision. Agreements may need to be modified during the agreement period due to work environment changes at the official worksite.

Management may terminate a telework agreement with a minimum of a full bi-weekly pay-period advance written notification, except in emergencies, for misconduct or other such circumstances. Reasons for termination include a decline in performance or productivity or the arrangement no longer benefits CDC's needs based upon the supervisor's observation and judgment. CDC Components may establish specific termination provisions for their operations as they deem necessary, subject to union notification and bargaining prior to implementation.

The employer may terminate the employee's participation in the telework program for causes such as:

- 1) Failure to continue to meet the eligibility criteria.
- 2) Performance-related issues.
- 3) Failure to adhere to the provisions of the agreement.
- 4) Organizational exigencies that impact the mission of the employer and require the employee to perform work at the official worksite.
- 5) Misconduct in connection with the employee's obligations under the WFP.

If an approved telework arrangement is rescheduled, canceled, or terminated at the decision of the CDC, the supervisor must provide the employee advance written notice including reasons for such action.

Management may suspend a telework agreement for a period to meet an urgent or emergency need of the agency. Examples may include, but are not limited to, a national emergency, a mission critical-related emergency, a new mission or program establishment. In these rare

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<sup>3</sup> The term "telework" is used by the State Department used to describe working from an alternative location outside of the United States.

<sup>4</sup> DETO arrangements fall under the statutory authority of the Department of State and apply to all Federal employees. In June 2016 OPM issued guidance in a Memorandum to Executive Branch Agencies dated June 6, 2016, outlining specific requirements that must be met to obtain approval for a domestic employee to telework in a foreign country, which falls under Chief of Mission (COM) authority. These requirements are in addition to OPM-issued governmentwide remote work policy, and the requirements of the agency remote work policy by which overseas remote work requests are evaluated and approved/disapproved on a case-by-case basis. They may result in additional costs and increased security risk to agencies. CDC Organizations that are contemplating such arrangements, are strongly encouraged to establish an internal DETO (Domestic Employee Teleworking Overseas) policy governing these arrangements and to familiarize themselves with the requirements for gaining approval from the Department of State through the NSDD 38 approval process, if one year or more, or the Country Clearance process, if less than one year.



instances, management will provide written notice and attempt to provide the employee(s) with as much advance notice as possible.

## **S. Remote Work Terminations, Modifications, and Suspensions**

CDC or its Components may, at any time, determine that a remote work arrangement no longer meets the business needs of the organization. Participation in the WFP is voluntary and extended to provide the flexibility required of a changing workforce.

A WFA for remote work may be terminated by the supervisor or the employee at any time. Reasons for termination may include circumstances wherein the arrangement is no longer conducive to the business needs of the organization, the employee's performance diminishes, or the employee no longer wants to work from a remote worksite.

If the WFA for remote work is terminated by the supervisor because the arrangement no longer meets the business needs of the organization, and the supervisor reassigns the employee to the agency worksite or other official worksite, the employee is entitled to relocation reimbursement. If a WFA for remote work is terminated due to diminished performance or conduct violations and the supervisor elects to reassign the employee to the agency worksite, the employee is not entitled to relocation reimbursement.

If a WFA is being terminated, the employee will receive a reasonable amount of time to report to the agency worksite daily. In general, this is at a minimum a full bi-weekly pay period for telework and remote within the local commuting area, and two full bi-weekly pay periods for employees designated remote-outside the local commuting area.

If an employee requests to terminate a WFA, the CDC may consider relocating the employee to the Agency worksite if space is available. The employee may request, in writing, any options available to be reassigned or relocated to another CDC official worksite. The employee understands the CDC Organization is under no obligation to approve a request for reassignment or relocation to another CDC official worksite.

A remote worker may request a change of duty location because of a move or for personal reasons. This may result in significant cost increases for the agency which is under no obligation to approve the request or pay for related relocation expenses<sup>5</sup>.

Management may suspend a remote work agreement for a period to meet an urgent or emergency need of the agency. Examples may include, but are not limited to, a national emergency, a mission critical-related emergency, a new mission or program establishment. In these rare instances, management will provide written notice and attempt to provide the employee(s) with as much advance notice as possible.

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<sup>5</sup> Certain location-based pay entitlements (such as title 5 locality payments, special rate supplements, and non-foreign area cost-of-living allowances) are based on the location of the employee's Official Worksite associated with the employee's position of record. The official worksite generally is the location where the employee regularly performs their duties and is generally documented as the employee's duty station on the employee's Notification of Personnel Action (Standard Form 50).

## **T. Changes to the Alternative Worksite/Official Worksite**

Employees must submit a new WFA in the WFMS to request a change to the location of the remote worksite. Employees may not begin working at the newly requested worksite until the request has been approved by their Component Director. An employee's failure to report a change to the remote work location may result in the suspension, termination of the employee's WFA, and may result in a debt owed to the agency as a result of overpayment due to incorrect locality pay calculations.

Supervisors are encouraged to be flexible with a remote employee's official worksite/alternative worksite, provided it continues to meet the agency's needs and does not negatively impact the mission including, increase expenses for the agency.

Employees may not begin working at a new official worksite/alternative worksite until it has been approved. Upon approval of a new official worksite/alternative worksite for a remote employee, the employee must submit a new WFA with the new location.

Employees, whose WFA is modified at the request of the employee, are responsible for all expenses that may be incurred associated with the relocation.

The supervisor, in consultation with HR, will determine the appropriate locality-pay based on the new approved official worksite/alternative worksite location and initiate any necessary changes in accordance with CDC procedures, generally, within one pay period of the change.

## **U. Continuity of Operations Plan (COOP)**

CDC's WFP provides the flexibility for situational telework, remote work, and flexible work schedules in support of continuity of operations and emergency response. The Federal Emergency Management Agency in its [Federal Continuity Directive 1](#) states that effective continuity planning and programs facilitate the performance of essential functions during all-hazards emergencies or other situations that may disrupt normal operations. The primary goal is the continuation of essential functions. Telework, remote work, and flexible work schedules are an important capability for CDC continuity of operations as discussed in the CDC COOP.

Telework and remote work can help create a more resilient workforce that ensures that essential federal functions can continue regardless of any disruption that may occur. Intentional planning to make use of telework and remote work addresses the requirements of the [Federal Mission Resilience Strategy \(FMRS\)](#) issued in December of 2020 and [E.O. 13962](#). These new guidance documents are intended to guide federal departments and agencies to see continuity planning as more proactive and less reactive. Creating workplace flexibilities and distributing staff so that functions are being performed from multiple locations creates a more resilient agency and ensures the ongoing continuation of CDC's functions.

To facilitate the use of telework and remote work during emergencies, certain steps are necessary. Work must be organized to facilitate electronic communication and eliminate paper-based processes whenever possible (such as automating reports and procedures). Employees should experience functioning in a "virtual office," and be linked to computer and telephone from home or alternative worksites. Managers need to be comfortable supervising people they do not see regularly.

CDC Components must:

- 1) Develop a cadre of regularly scheduled “core” teleworkers or remote workers.
- 2) Permit teleworkers and remote workers to experience working offsite and learn to communicate electronically with colleagues and clients by doing it regularly.
- 3) Permit supervisors and managers to experience managing employees without face-to-face contact.

## **V. Data Collection and Reporting**

CDC is required to report agency WFP participation data quarterly to HHS. WFP Program Managers are required to submit a telework report to ASA/OHR at [telework@hhs.gov](mailto:telework@hhs.gov). Reporting elements may include:

- 1) The number of employees participating in the WFP.
- 2) An assessment of progress in optimizing the WFP and other goals relating to:
  - Emergency readiness
  - Energy use
  - Recruitment and retention
  - Performance productivity
  - Employee attitudes and opinions regarding remote work
  - Best practices in CDC’s remote work program

## **4. RESPONSIBILITIES**

### **CDC Director<sup>6</sup>**

- Ensures CDC provides adequate oversight of the WFP<sup>7</sup> activities
- Ensures required data is provided to HHS for submission to Congress
- Ensure CDC compliance with this CDC policy, HHS Policy and Instructions, and applicable Federal laws and regulations related to workplace flexibilities
- Ensures fair, equitable implementation and use of workplace flexibilities (remote and tele- work) across CDC
- Ensures CDC collaboration with the HHS WFO to address CDC’s specific needs  
Designate a WFPM or delegate authority to designate the WFPM as appropriate; and  
Approve remote work for overseas employees

### **CDC Component Directors**

- Determine, in consultation with their management, supervisors, and applicable union representatives the extent and applicability of the WFP
- Conduct regular analysis of the WFP and provides data required for the annual Congressional data report on remote work to CDC OHR for submission to HHS

<sup>6</sup> The CDC Director (or their designee) is responsible for the overall management of the WFP.

<sup>7</sup> Under current law, remote work is left to the discretion of agency heads, pursuant to their inherent authority to direct the affairs of their agency. See 5 U.S.C. 301, 302.

- Ensure the Component uses the WFP in a fair and unbiased manner, and that decisions regarding remote work are based upon a position's ability to be carried out effectively and efficiently in a remote work environment by:
  - Finalizing approval for requests as stated in Section G. Required Approvals and Response Times
  - Ensuring the efficient use of office space in conjunction with an extensive use of remote work
  - Ensuring the budgets reflect increased costs for travel to the agency worksite and increases in location pay associated with remote work, as appropriate
  - Ensuring employees meet applicable training requirements
  - Ensuring standard operating procedures (SOP) are developed within the Component to meet equipment, supplies, safety, and security needs
  - Ensuring fair, equitable implementation and use of workplace flexibilities (remote and telework) within the Component

#### **CDC Office of Human Resources (OHR)**

- Provides guidance and implementation of the CDC WFP
- Complies with CDC policy; HHS Policy and Instructions; and applicable Federal laws and regulations related to workplace flexibilities
- Ensures the employee's locality pay and benefits align with the employee's Official Worksite in accordance with HHS requirements and the 5 CFR 531,605
- Ensures changes to the official worksite (personnel action requests) are processed in a reasonable period, generally within one pay period of receiving the approved request from the supervisor
- Ensures compliance with and implementation of Workers' Compensation benefits and processes
- Ensures appropriate collective bargaining obligations are satisfied
- Maintains and reports data on remote work and telework to HHS for the Annual Report to Congress
- Provides consultation and support to CDC Components as they determine if remote work for certain positions meets their programmatic, administrative, and budget needs by:
  - Providing consultation on determinations regarding whether advertised positions should be announced as remote work opportunities
  - Providing technical support to determine official duty pay for remote positions; and
  - Maintaining and reporting data on remote work and telework to HHS for the Annual Report to Congress

#### **CDC Workplace Flexibilities Program Manager (WFPM)**

- Provides information and data to the HHS Workplace Flexibilities Managing Officer (WFPMO) annually, and when requested

- Complies with this policy; HHS Policy and Instructions; and applicable Federal laws and regulations related to workplace flexibilities
- Develops CDC workplace flexibilities guidance in accordance with this policy, HHS Instructions; and applicable Federal laws and regulations and ensure proper implementation
- Coordinates, as necessary, with the hiring manager and the WFPMO to ensure proper implementation and oversight of the CDC WFP
- Serves as the CDC primary Subject Matter Expert and point of contact for the WFP and addresses employee and supervisor inquiries
- Ensures all mandatory training requirements have been met in accordance with the employee's WFA
- Ensures workplace agreement forms remain current, accurate and fully documented; and maintaining such in accordance with CDC Records Management Requirements
- Works with various CDC Components to develop and document required training for remote and teleworkers including their supervisors

## Supervisors

- Review, and in some cases complete, the requests for WFP participation (remote and telework options) and forward them to the appropriate reviewing official
- Ensure the WFA is completed and forwarded to the HR Processing Center for processing  
**NOTE:** The one pay period processing timeline starts when the processing center has the signed, accurate, and complete request.
- Perform an annual review of the WFA and make revisions as required
- Contact the remote worker regarding terminations of remote work agreements
- Ensure management is apprised of any remote work difficulties or issues, or successes
- Comply with this CDC policy, HHS Policy and Instructions, and applicable federal laws and regulations related to workplace flexibilities
- Complete and ensure employees complete, mandatory training related to workplace flexibilities
- Ensure compliance with current travel policies and guidance as it pertains to travel
- Review and maintains positions to ensure the appropriate workplace flexibility options are identified
- Approve, disapprove, or terminate workplace flexibilities in accordance with this policy, any implementing CDC guidance, and collective bargaining agreement requirements  
**NOTE:** Civil Service appeal rights for these decisions may apply.
- Ensure the incumbent's performance management plan includes elements and standards optimized appropriately to the workplace designation and can be effectively evaluated against Component and departmental goals and objectives
- Ensure employees in remote status receive the same treatment and opportunities (such as work assignments, awards and recognition, and development opportunities) as employees teleworking or who work onsite
- Ensure the fair and equitable use of alternative work schedules (AWS) in tandem with any workplace flexibilities
- Ensure transit subsidy application(s) align with the employee workplace and work schedule
- Read, certify, and sign such safety checklists as they may be required

- Notify employees as soon as possible when meetings, conferences, agency worksite training seminars, or other in-person events are being scheduled and require the employee's attendance

### **Employees Participating in the WFP<sup>8</sup>**

- Comply with this CDC policy, HHS Policy and Instructions, and applicable federal laws and regulations related to workplace flexibilities
- Ensure the safety and security of CDC data and records and ensure that records are maintained in accordance with Federal Records Management Laws and Regulations
- Ensure the purchase of equipment and supplies is conducted in accordance with CDC Components SOP's and purchase requirements and address unanticipated supply needs with the custodial officer for appropriate resolution
- Conduct themselves in a professional manner when conducting CDC business and when they attend meetings
- Obtain supervisor's approval if they decide to end participation in the WFP or request a change in their alternative worksite and/or schedule
- Update their address in myPay when the agreement is changed
- Work their regular and complete tour of duty, and if a situation arises which requires them to stop working in the middle of their work schedule, they must follow established leave policies as though they were at the agency worksite
- Promptly inform their supervisor whenever problems arise that may adversely affect their ability to perform work at the alternative worksite (such as power outages, sick family members who require substantial attention, or their own illness)
- Ensure that all government-owned equipment is used in compliance with OPM, HHS, and CDC policies
- Ensure they use CDC's Zscaler or equivalent account to access all government systems
- Immediately comply with OPM, HHS, CDC and the Department of Homeland Security Agency protocols and requirements for reporting computer security incidents or suspected incidents
- Read, certify, and sign such safety checklists as may be required
- Understand that the employee is responsible for incidental costs (such as broadband internet and utilities) associated with the use of the home for business purposes
- Exercise flexibility and willingness to perform all duties assigned by management even if they are outside their usual or customary duties

## **5. REFERENCES**

- A. Telework Enhancement Act of 2010, P.L. 111-292, 124 STAT. 3165 (2010), <https://www.govinfo.gov/content/pkg/PLAW-111publ292/pdf/PLAW-111publ292.pdf>
- B. Department of Transportation and Related Appropriations, 2001, P.L. 106-346, 114 STAT. 1356A-1 (2000), <https://www.congress.gov/106/plaws/publ346/PLAW-106publ346.pdf>

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<sup>8</sup> Employees participating in the WFP must ensure that they follow all applicable CDC policies, guidelines, and requirements. They must ensure compliance with all federal laws, regulations, and standard employee rules of behavior. They must notify their supervisor if not available for contact and provide alternative phone numbers to be contacted on. Employees are required to provide their supervisor with updates of work completed and any relevant issues. It is important that, if in a team setting, that WFP participants maintain contact and interaction with other team members.

- C. 5 USC §6501-6506, [Telework](#)
- D. 5 CFR § 351.203, [Definitions](#)
- E. 5 CFR § 551.422(d), [Time Spent Traveling](#)
- F. 5 CFR § 550.112(j), [Official Duty Station](#)
- G. 5 CFR § 531.605, [Determining an employee's official worksite](#)
- H. CDC. CDC-GA-2005-02: *Use of CDC Information Technology Resources*, February 14, 2022, <https://sbi.cdc.gov/Policy/Doc/policy90.pdf>
- I. CDC. CDC-HR-2018-01: *Work Schedules and Recording Time and Attendance Policy*, dated November 26, 2018, <https://sbi.cdc.gov/policy/doc/policy639.pdf>
- J. CDC. CDC-HR-2002-01: *Administrative Grievance Policy*, dated April 3, 2014, <https://sbi.cdc.gov/policy/doc/policy291.pdf>
- K. CDC. CDC-IR-2005-01: *Telephone Courtesy Policy*, dated July 11, 2016, <https://sbi.cdc.gov/Policy/Doc/policy399.pdf>
- L. CDC. CDC-SM-2007-1: *Employee Accountability During a Pandemic Influenza or Other Public Health Emergency Event*, September 18, 2015, <https://sbi.cdc.gov/policy/doc/policy524.doc>
- M. CDC. CDC-MM-2005-01: *Controls for Government Property and Guidance on Removing Government Property from CDC Facilities*, August 25, 2016, <https://sbi.cdc.gov/Policy/Doc/policy480.pdf>
- N. CDC Continuity of Operations Plan, 2013-2014, September 2013
- O. CDC. [Union Collective Bargaining Agreements | Employee Rights and Grievances | OHR \(cdc.gov\)](#)
- P. DHS. *Federal Continuity Directive 1, Federal Executive Branch National Continuity Program and Requirements*, January 17, 2017, <https://www.fema.gov/sites/default/files/2020-07/January2017FCD1.pdf>
- Q. DOL. Department of Labor Publication, CA-810, [Injury Compensation for Federal Employees](#), Revised 2009
- R. DOS. [Department of State's Memorandum, Requirements for Executive Branch Employees Teleworking in Foreign Locations](#), June 6, 2016 (DETO)
- S. GAO. *Human Capital: Opportunities to Improve Federal Continuity Planning Guidance*. U.S. General Accountability Office, August 2004, <http://www.gao.gov/products/GAO-04-384>  
GSA. *Federal Management Regulation; Guidelines for Alternative Workplace Arrangements*; Notice of a bulletin, 71 Federal Register 52 (17 March 2006), pp. 13845-13848. - <http://www.gpo.gov/fdsys/pkg/FR-2006-03-17/html/E6-3942.htm>
- T. [HHS Rules of Behavior for the Use of HHS Information and IT Resources Policy, HHS-OCIO-OIS-2019-05-004](#)
- U. HHS. Instruction 990-1, *Workplace Flexibilities*, dated February 9, 2022, <https://www.hhs.gov/about/agencies/asa/ohr/hr-library/990-1/index.html>
- V. HHS. Instruction 610-1, *Establishing and Administering Hours of Duty*, dated December 2, 2021, <https://www.hhs.gov/about/agencies/asa/ohr/hr-library/610-1/index.html>
- W. [HHS Travel Policy Manual \(Fiscal Year 2018 – Q4\)](#)
- X. U.S Office of Personnel Management. *2021 OPM Guide for Telework and Remote Work*, <https://www.telework.gov/guidance-legislation/telework-guidance/telework-guide/guide-to-telework-in-the-federal-government.pdf>
- Y. Interagency Telecommuting Site: <http://www.telework.gov/>
- Z. CDC Designation of Workplace Flexibilities Program Manager, [https://sbi.cdc.gov/DOA/docs/doa\\_208.HTM](https://sbi.cdc.gov/DOA/docs/doa_208.HTM)
- AA. CDC Delegation of Authority for the Workplace Flexibilities Program, [https://sbi.cdc.gov/DOA/docs/doa\\_29.HTM](https://sbi.cdc.gov/DOA/docs/doa_29.HTM)

## 6. ACRONYMS or ABBREVIATIONS

**AWS** – Alternative Work Schedules  
**DETO** – Domestic Employees Teleworking Overseas  
**CDC** – Centers for Disease Control and Prevention  
**COOP** – Continuity of Operations Plan  
**HHS** – Department of Health and Human Services  
**OHR** – CDC Office of Human Resources  
**ODS** – Official Duty Station  
**PMAP** – Performance Management Appraisal Program  
**SOPs** – Standard Operating Procedures  
**OSSAM** – Office of Safety, Security, and Asset Management  
**OCIO** – Office of the Chief Information Officer  
**OPM** – Office of Personnel Management  
**WFPM** – Workplace Flexibilities Program Manager  
**WFP** – Workplace Flexibilities Program  
**WFA** – Workplace Flexibilities Agreement

## **7. DEFINITIONS**

**Agency Worksite** – The official Federal agency location where work activities are based, generally considered a centralized location of an employee's assigned Component.

**Alternative Worksite** – Generally considered an employee's approved telework site, or, for a remote worker the approved remote work site (e.g., an employee's residence).

**Official Duty Station (ODS)** – Generally, is the location where the employee regularly performs their duties and is generally documented as the employee's duty station on the employee's Notification of Personnel Action (Standard Form (SF) 50 or equivalent).

**Official Worksite** – The official worksite is generally the agency worksite for most employees, including a teleworker. For a remote worker, the official worksite is the alternative worksite to which the employee is assigned (e.g., the employee's residence). The official worksite is the location of an employee's duty station as documented at item 39 on an employee's Standard Form (SF-50).

**Change in Duty Station** – When an employee's official duty station is moved to a new geographic location, which is at least 50 miles outside of the ODS.

**Commuting Area** – The geographic area that usually constitutes one area for employment purposes. It includes any population center (or two or more neighboring ones) and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to the agency worksite (5 CFR § 351.203).

**Domestic Employees Teleworking Overseas Agreement (DETO)** – DETO arrangements fall under the statutory authority of the Department of State and apply to all Federal employees.

**Directed/Emergency Telework** – Scenarios where employees may be directed to work from a location other than the alternative worksite pursuant to an agency's Continuity of Operations Plan (COOP), or pursuant to OPM regulations at 5 CFR 550.401-408, or 5 CFR 550.409.

**Eligible Positions** – Positions comprised of job duties that can be effectively performed outside the Agency Worksite without diminishing individual or organizational performance.

**Local Commuting Area** – Within a 50-mile radius of the official worksite.



**Remote Work** – is 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.

**Remote Work (outside commuting area)** – A position designation used when there is little to no onsite presence (e.g., expectation is for in-person requirement once or twice annually). For these positions, employees are not required to have an official worksite/alternative worksite within the local commuting area.

**Local Remote Work<sup>9</sup> (within commuting area)** – A position designation used when there is some frequency for an onsite presence (e.g., expectation for in-person collaboration or other in-person work activities on an irregular basis, or duties require an irregular, but consistent, e.g., twice per month, presence at the agency worksite).

**Remote Worker** – An employee who has a remote work arrangement, permanently works from an alternative worksite that is not a CDC owned or leased facility and is usually their home

**Routine Telework** – A workplace flexibility, in which an employee, under a written agreement, is scheduled to perform their work at an approved alternative worksite on a regular and recurring basis.

**Situational/Ad Hoc Telework<sup>10</sup>** – A workplace flexibility allowing an employee with an approved written Workplace Flexibilities Agreement (WFA) to request to telework as the need arises.

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<sup>9</sup> In June 2016 OPM issued guidance in a Memorandum to Executive Branch Agencies dated June 6, 2016, outlining specific requirements that must be met to obtain approval for a domestic employee to telework in a foreign country, which falls under Chief of Mission (COM) authority. These requirements are in addition to OPM-issued government wide remote work policy, and the requirements of the agency remote work policy by which overseas remote work requests are evaluated and approved/disapproved on a case-by-case basis. Approved special arrangements allowing an HHS employee working in a position within the United States to telework from a foreign location for an established period.

<sup>10</sup> Unlike regular telework, situational/ad-hoc telework occurs sporadically on an irregular basis without a regular telework schedule.

**Standards of Conduct** – The Standards of Conduct for Employees of the Executive Branch (5 CFR Part 2635), the employee agrees they are bound by CDC and federal government standards of conduct while working at the telework site.

**Telework** – Is codified at 5 U.S.C. 6501 and refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.

**Teleworker** – An employee who has a telework arrangement, works from home on a regular or ad hoc basis but reports to the agency's official duty station with required set days in accordance with the agency's telework policy.

**Telework Ready** – The capability for an employee to work from an alternative worksite as may be required to continue operations through the efficient and effective use of information technology and telecommunication.

**Workplace Flexibilities Agreement (WFA)** – A written agreement between the employee and the Agency that allows employees and supervisors to establish telework or remote work in accordance with this Instruction.

**Workplace Flexibilities Management System (WFMS)** – A robust, automated system that allows users to enter and update telework and remote work-related information, respond to workplace flexibilities requests, and track workplace flexibilities participation.

**Workplace Flexibilities Program Manager (WFPM)** – Designated program manager charged with overseeing the Workplace Flexibilities Program within CDC.

**Workplace Flexibilities Program (WFP)** – A program that promotes use of telework, and/or remote work to promote a work/life balance for employees.

## APPENDIX A:

Date: February 7, 2025

To: All HHS Personnel

From: Mr. Scott Rowell, Deputy Chief of Staff—Operations

Re: Revision to HHS Instruction 990-1, Workplace Flexibilities

1. Pursuant to President Trump's Presidential Memorandum (PM) dated January 20, 2025 titled "Return to In-Person Work" and the Office of Personnel Management (OPM)'s January 27, 2025 guidance titled "Agency Return to Office Implementation Plan," the Department of Health and Human Services (HHS) is revising its former memorandum of January 24, 2025 titled "Revision to HHS Instruction 990-1, Workplace Flexibilities." This memorandum supersedes the January 24, 2025 memorandum.
2. HHS Instruction 990-1, Workplace Flexibilities, will be revised to comply with the PM. HHS employees will be required to work at an HHS facility unless otherwise excepted consistent with applicable law. Only situational or ad hoc telework agreements may be established.

In accordance with the PM and OPM guidance, HHS is taking the following immediate steps:

- a. By February 24, 2025, the following HHS employees will report to an HHS facility: Political Appointees, Senior Executive Service (SES) employees, Senior Executive Service Equivalent (SES EQV) employees, and Senior-Level (SL) employees. Remote work arrangements are rescinded for managers and supervisors who have an official duty station within 50 miles of an HHS facility.
- b. By March 17, 2025, the following additional HHS employees will report to an HHS facility: non-bargaining unit employees and bargaining unit employees (including those who were hired on remote job announcements), who have an official duty station within 50 miles of an HHS facility.
- c. By April 28, 2025, all managers, non-bargaining unit employees, and bargaining unit employees (including those who were hired on remote job announcements), who have an official duty station outside of 50 miles of an HHS facility, will report to an office. HHS will provide details as real estate efforts develop.
- d. HHS and its Divisions will honor bargaining obligations per the February 3, 2025 OPM memorandum "Guidance on Collective Bargaining Obligations in Connection with Return to In-Person Work".
- e. Operating Division and Staff Division Heads may approve extensions of time necessary to comply with 2a through 2c on a case-by-case basis, for instance, if office space cannot be procured for an employee at an agency worksite.
  - a. Monthly reports will be submitted to the HHS Assistant Secretary for Administration/Office of Human Resources (ASA/OHR) reporting all

extensions of time granted and a justification for any such extensions. The Office for Human Resources will issue additional guidance on the monthly reporting requirement.

- a. All employees eligible for ad hoc telework are strongly encouraged to have a newly approved Telework Agreement when it becomes available in the upcoming week.
- b. This policy does not apply to employees who are approved with a reasonable accommodation due to disability or qualifying medical conditions. Current reasonable accommodations will not be modified unless there is a basis under the Rehabilitation Act for revising the arrangement.
- c. Military spouses with permanent change station orders may continue on current workplace flexibility agreements unless there is a basis for revisiting or revising the agreements.
- d. Starting February 24, 2025, HHS will generate reports to review and confirm that HHS follows the aforementioned Presidential Memorandum and OPM guidance.
- e. Requests for exceptions for special compelling reasons not otherwise covered by this guidance will be submitted to the Secretary (or the Secretary's designee) for a decision.

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**TO:** HHS Employees

**TOHRUGH:** Dorothy A. Fink, M.D., Acting Secretary

**FROM:** Scott W. Rowell, Deputy Chief of Staff- Operations

**DATE:** January 24, 2025

**SUBJECT:** Information: Return to In-Person Work

Enclosed is President Trump's Presidential Memorandum *Return to In-Person Work*. HHS will fully comply with this Presidential Memorandum.

Accompanying this memorandum is a revision to HHS Instruction 990-1, Workplace Flexibilities.

President Trump was elected with the mandate to increase the efficiency and accountability of the federal workforce. Fairness requires that federal office employees show up to the worksite each day like most other American workers. The President's Presidential Memorandum directs agency heads to "take all necessary steps to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis" "as soon as practicable."

Additional guidance will soon be provided.



Scott W. Rowell

Attachments

- Presidential Memorandum *Return to In-Person Work*
- Revision to HHS Instruction 990-1, Workplace Flexibilities



PRESIDENTIAL ACTIONS

# RETURN TO IN- PERSON WORK

January 20, 2025

Appendix 1: President Trump's Presidential Memorandum Return to In-Person Work.

H heads of all departments and agencies in the executive branch of Government shall, as soon as practicable, take all necessary steps to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis, provided that the department and agency heads shall make exemptions they deem necessary.

This memorandum shall be implemented consistent with applicable law.



**Date:** January 24, 2025

**To:** All HHS Personnel

**From:** Mr. Scott Rowell, Deputy Chief of Staff-Operations



**Re:** Revision to HHS Instruction 990-1, Workplace Flexibilities

1. Pursuant to President Trump's Presidential Memorandum (PM) dated January 20, 2025, titled "Return to In-Person Work," the Department of Health and Human Services (HHS) is revising the Agency's telework policy issued under 5 U.S.C. § 6502(a)(1)(A) to state that eligible employees must work full time at their respective agency worksite unless excused due to a disability, qualifying medical condition, or other compelling reason certified by the agency head and the employee's supervisor.
2. HHS Instruction 990-1, Workplace Flexibilities, will be revised to comply with the PM. Only situational or ad hoc telework agreements may be established. HHS employees will be required to work at an agency worksite unless otherwise excepted consistent with applicable law.

In accordance with the PM, HHS is taking the following immediate steps:

- a. Political Appointees, Senior Executive Service (SES) employees, Senior Executive Service Equivalents (SES EQV) employees, and Senior-Level (SL) employees are not eligible for remote work agreements. By February 24, 2025, all SES, SES EQV, and SL Workplace Flexibility Agreements (i.e., telework and remote work agreements) will be terminated, except for ad hoc or situational telework.
- b. By February 24, 2025, Workplace Flexibility Agreements (i.e., remote work and telework agreements) for supervisors with current official duty stations within 50 miles of an agency facility will be terminated, except for ad hoc or situational telework. Remote work agreements for supervisors with current official duty stations outside 50 miles of an agency facility will not be terminated at this time.
- c. By April 28, 2025, Workplace Flexibility Agreements (i.e., remote work and telework agreements) for non-bargaining unit employees with current official duty stations within 50 miles of any agency facility will be terminated, except for ad hoc or situational telework. Remote work agreements for non-bargaining unit employees with current official duty stations outside 50 miles of an agency facility will not be terminated at this time.
- d. Individuals who are subject to 2b and 2c and whose current official duty station is



outside 50 miles of an agency facility will be required to confirm or otherwise attest to their official duty station. The confirmation or attestation will be subject to 18 U.S.C. § 1001. Further instructions will be provided.

- e. Operating Division and Staff Division Heads may approve extensions of time necessary to comply with 2a through 2c on a case-by-case basis for instance, if office space cannot be procured for an employee at an agency worksite. Monthly reports will be submitted to the HHS Assistant Secretary for Administration, Office of Human Resources (ASA/OHR) reporting all extensions of time granted and a justification for any such extensions. Additional guidance will be sent by the Office for Human Resources on the monthly reporting requirement.
  - f. All employees eligible for ad hoc telework must have an approved Workplace Flexibility Agreement in place.
  - g. Workplace Flexibility Agreements (i.e., remote and telework agreements) for bargaining unit employees will not be modified until labor obligations have been met. Supervisors should not begin discussions around the return to in-person work with bargaining unit employees until HHS fulfills its collective bargaining obligations. We will notify you when HHS completes notification and any negotiations around notice to bargaining unit employees.
  - h. This policy does not apply to employees with Workplace Flexibility Agreements (i.e., remote and telework agreements) approved as a reasonable accommodation due to a disability or qualifying medical conditions. Current reasonable accommodations will not be modified unless there is a basis under the Rehabilitation Act for revisiting or revising the arrangement. The employee's supervisor should consult with their Reasonable Accommodation Coordinator or similar point of contact before conducting such review.
  - i. This policy allows for exceptions for military spouses with permanent change station orders. Current Workplace Flexibility Agreements will not be modified unless there is a basis for revisiting or revising the agreements.
  - j. After February 24, 2025, and on a bi-weekly basis, reports will be generated to review and confirm that all data in the personnel system of records follows this guidance.
  - k. Requests for exemptions or exceptions for compelling reasons not otherwise covered by this guidance must be submitted to the Secretary (or the Secretary's designee) for decision.
3. At this time, these policy revisions do not apply to employees who were hired under a remote position vacancy announcement.