

# TELEWORK

## FREQUENTLY ASKED QUESTIONS AND ANSWERS

**Q1. How do employees/Service members find out if their positions are eligible for telework and if they are eligible to participate?**

**A1.** Employee/Service member eligibility to telework is not an entitlement. Eligibility is determined by the employee or Service member's respective commander or supervisor consistent with DoDI1035.01\_AFI36-816 and applicable labor agreements. AFMC Service members are only authorized situational telework. Commanders and supervisors should ordinarily permit employees to telework when they are eligible to do so provided use of telework in a particular situation does not negatively impact mission readiness or accomplishment. Commanders and supervisors must consider both the duties of the position an employee occupies and the employee's particular circumstances when making determinations of eligibility.

**Q2. Can employees/Service members who participate in telework arrangements use their personal home computers if the organization cannot provide laptops due to the quantity of people teleworking?**

**A2.** Yes, but the personal computers must comply with the criteria and guidelines for using personal equipment established by the DoD CIO and DAF requirements. The DAF may provide a CAC reader and software in order to ensure user identification and authentication requirements are met. Employees/Service members are responsible for the installation, repair, and maintenance of all personal equipment and other incremental costs associated with the residential workplace. Operating costs associated with the employee/Service member using his/her personal residence as the alternative worksite/ADL, including home maintenance, insurance, internet, phone or utilities (e.g., heat, electricity) will not be assumed by DAF.

**Q3. Are civilian employees covered by Workers' Compensation when injured or suffering from work-related illnesses while conducting official DAF business at the telework location?**

**A3.** Teleworking employees are covered by workers' compensation for job-related injuries that occur in the course and scope of employment. When the telework location is in the home, workers' compensation does not cover injuries that are not job-related. 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 (OWCP) will ultimately determine if the injury/illness is covered.

**Q4. Can a Service member telework outside the local commuting area?**

**A4.** Within AFMC, only particular levels of command have the authority to approve a Service member to telework outside the area of the permanent duty station (as identified in Section IV of the AFMC Telework Guide). Commanders and supervisors retain the authority to direct Service members to telework from an alternate place of duty (typically, but not limited to, the member's residence located within the area of the permanent duty station). While teleworking, the telework location is the member's duty location for the duration of the approved telework period. During this time, the member is present for duty and required to comply with all rules and regulations as

if performing duty at the assigned place of duty. For purposes of military leave and pass days, the approved telework location is treated the same as the assigned duty location.

**Q5. What duty status should a Service member be placed in if they are teleworking outside the local commuting area?**

**A5.** Commanders should annotate duty status 14 “Other” for this situation.

**Q6. Are commanders authorized to permit Air Guardsmen or Reservists to telework?**

**A6.** Yes. Active duty Air National guardsmen and Air Force reservists will follow guidance contained herein as part of the total force. However, Air National Guard Technicians administered under Title 32 are not eligible to telework.

**Q7. I am a civilian employee and fulltime teleworking from my home in Colorado Springs, CO. I am assigned to a unit Wright Patterson, OH but my official duty location is at Peterson AFB. Which location are my allowances and entitlements based on?**

**A7.** Because you are a full-time civilian teleworker for whom an alternate worksite was approved, pay and other entitlements are based on your official duty location at Peterson AFB.

**Q8. Who provides office supplies for employees/Service members who telework?**

**A8.** Employee/Service member’s supervisor may provide office supplies the same way as the traditional worksite, or any other method determined appropriate by the supervisor.

**Q9. Can the DAF continue to drug test their civilian employees while they are on telework status if drug testing is a condition of their employment?**

**A9.** Telework does not eliminate the requirement for drug testing. Please consult your drug testing coordinator for additional information. It will likely require coordination to establish a process for your employee’s specific situation.

**Q10. Can a commander or supervisor mandate an employee to telework who is not on a telework agreement?**

**A10.** Though telework is generally voluntary for civilians, DoDI1035.01\_AFI36-816, Enclosure 3, paragraph 2.f. recognizes two circumstances where civilian employees may be directed to telework: (1) when the employee’s duties are designated as mission-critical and the employee is required to report to an alternative worksite, or when employee has a telework agreement that includes terms which address circumstances under which the employee may be ordered to telework. Supervisors must contact their Civilian Personnel Section for guidance before directing a civilian employee to telework.

Commanders and supervisors retain the authority to direct a service member to telework, and are not limited to the circumstances that apply to directing civilian employees to do so. Supervisors must contact their local JAG office if they have a question regarding ordering a service member to telework.

**Q11. Can I telework with my children in the home?**

**A11.** Typically, employees/Service members 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).

**Q12. How will teleworking affect my performance evaluation?**

**A12.** Performance standards for civilian employees, and performance expectations for Service members, who telework should be the same as for those working at the regular worksite. Supervisors should 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.

**Q13. I am currently a federal employee and the spouse of an active duty member. My spouse is transferring to Germany and I will be moving also. Can I keep my current job and remote work from Germany?**

**A13.** Due to Department of State requirements and a required change to current Air Force Instructions, AF and AFMC domestic employees are NOT currently authorized to telework from overseas (OCONUS) locations.

**Q14. I supervise several civilian positions that have been designated as *full time telework* eligible, and they are currently encumbered. Can I mandate those employees transition to remote work?**

**A14.** No. You cannot mandate that civilian employees currently encumbering remote work eligible positions transition to working remotely. Remote work may not at this time be designated as a condition of employment for civilian employee positions.

**Q15. I'm a civilian employee and I've been teleworking successfully during the COVID-19 pandemic, but my supervisor has determined that we must all return to the regular worksite when the pandemic subsides. Can I be approved to continue teleworking full-time post-COVID?**

**A15.** Telework is not an entitlement and supervisors/commanders 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 interests of the organization.

**Q16. Management in my organization is clearly supportive of continued expanded telework after the current COVID-19 emergency. I supervise several positions that I believe can continue teleworking on a full-time basis permanently. When should we change those employees' DD Form 2946's/telework agreements? Also, for civilian employees, when should we request their SF50 be changed to reflect their new official worksites?**

**A16.** As soon as management determines that full-time telework will continue, then the telework agreement should be re-accomplished/revise and, for civilian employees, a Request for Personnel Action (RPA) should be processed to reflect the new official duty location/worksites. Supervisors should consult their servicing human resources office for assistance with changing the employee's official duty location.

**Q17. I have a civilian employee who is approved to work *full time*. Can I require them to report to the regular worksite for a conference?**

**A17.** Yes. For civilian employees, a supervisor can require remote employees to report to the regular worksite for business reasons. Requiring the employee to report to the regular worksite would be similar to directing a non-remote employee to go on official travel for mission needs. It's important to remember that if the employee's official worksite is outside the local commuting area of the regular worksite, the employee would likely be entitled to official travel benefits. It is recommended that any recurring need for the civilian employee to report to the regular worksite, (for example for a quarterly meeting, planned conferences, etc.), be discussed as expectations and codified in the tele/remote work agreement (DD Form 2946).

**Q18. I have a civilian employee who is teleworking and I need them to come in to 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?**

**A18.** Employees who are teleworking in the local area are not eligible for reimbursements for coming in to their organization's worksite.

**Q19. I am the supervisor of a civilian employee who is teleworking. May I approve civilian fitness time off for civilian employees who are teleworking?**

**A19.** Yes, permitting employees to utilize duty time to participate in fitness activities is ultimately up to the organization and the supervisor as they are in the best position to balance mission requirements and utilization of duty time for other activities. Air Force Policy does not prevent employees from utilizing duty time to participate in fitness activities.

**Q20. Assume that an employer grants telework to employees for the purpose of slowing or stopping the spread of COVID-19. When an employer reopens the workplace and recalls employees to the worksite, does the employer automatically have to grant telework as a reasonable accommodation to every employee with a disability who requests to continue this arrangement as an ADA/Rehabilitation Act accommodation? (Answer is from the EEOC's website.)**

**A20.** No. Any time an employee requests a reasonable accommodation, the employer is entitled to understand the disability-related limitation that necessitates an accommodation. If there is no disability-related limitation that requires teleworking, then the employer does not have to provide

telework as an accommodation. Or, if there is a disability-related limitation but the employer can effectively address the need with another form of reasonable accommodation at the workplace, then the employer can choose that alternative to telework.

To the extent that an employer is permitting telework to employees because of COVID-19 and is choosing to excuse an employee from performing one or more essential functions, then a request—after the workplace reopens—to continue telework as a reasonable accommodation does not have to be granted if it requires continuing to excuse the employee from performing an essential function. The ADA never requires an employer to eliminate an essential function as an accommodation for an individual with a disability.

The fact that an employer temporarily excused performance of one or more essential functions when it closed the workplace and enabled employees to telework for the purpose of protecting their safety from COVID-19, or otherwise chose to permit telework, does not mean that the employer permanently changed a job's essential functions, that telework is always a feasible accommodation, or that it does not pose an undue hardship. These are fact-specific determinations. The employer has no obligation under the ADA to refrain from restoring all of an employee's essential duties at such time as it chooses to restore the prior work arrangement, and then evaluating any requests for continued or new accommodations under the usual ADA rules.