



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 6, 2023

The Honorable Shelley Moore Capito
Ranking Member, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

Dear Senator Capito:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your January 24, 2023, letter requesting information regarding the NRC's telework policies, Telework Policy and Implementation Working Group Recommendations, and efforts to manage the NRC's office footprint.

In order to successfully carry out our mission to protect people and the environment, the NRC is focused on fostering a healthy organization in a hybrid work environment and considers stakeholder engagement and transparency to be cornerstones for effective regulation. We continue to conduct business in a transparent, open, independent manner that supports data driven and evidence-based decisions, builds stakeholder confidence and fosters engagement, and have found success achieving these goals using virtual and in-person interactions.

Responses to your questions are enclosed. Also enclosed are the Telework Policy and Implementation Working Group recommendations and the NRC's current telework policy, provided in Management Directive 10.166, "Telework," and associated internal NRC telework webpages and the Collective Bargaining Agreement article on telework. If you have any questions or need additional information, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

Christopher T. Hanson

Enclosures:
As stated

**U.S. Nuclear Regulatory Commission
Responses to Questions in the January 24, 2023, Letter**

The information below is provided in response to the questions asked in a letter dated January 24, 2023, from Senator Shelley Moore Capito to NRC Chair Christopher T. Hanson.

1. Please provide the current total number of NRC staff, the total number of NRC staff working the standard 5-day, 40-hour workweek in the office; the total number of NRC staff that are in the office at least 3 days a week; the number of staff that are in the office fewer than 3 days a week, and the number of staff authorized for full-time telework for each of the following categories:
 - a. NRC staff located at NRC headquarters;
 - b. NRC staff located at the four regional offices; and
 - c. NRC staff located at the sites of nuclear facilities, such as Resident Inspectors.

RESPONSE:

Total number of Permanent NRC Staff: 2,624¹

	Total number of full-time permanent NRC staff	Total number of NRC staff working in the office ² the standard 5-day, 40-hour workweek ³	Total number of full-time NRC staff that are in the office at least 6 days per pay period ⁴	Total number of full-time staff that are in the office fewer than 6 days per pay period	Total number of full-time staff authorized for full-time telework
Total	2,581	516	395	1,502	168
NRC staff assigned to NRC headquarters ⁵	1,836	279	285	1,144	128
NRC staff assigned to the four regional offices	621	117	109	355	40
NRC staff located at the sites of nuclear facilities, such as Resident Inspectors	124	120	1	3	0

¹ The NRC has 2,624 permanent employees. 2,581 are full-time employees. Forty-three are part-time employees. There are three part-time employees with full time telework agreements in place.

² The NRC understands "in the office" to mean weekdays not scheduled for telework and may include days not actually scheduled for work because of flexible work schedules (see 5 U.S.C. § 6121 and § 6122).

³ The NRC understands "the standard 5-day, 40-hour workweek" to mean employees working in the office 80 hours per pay period. This includes individuals who may be on a compressed or flexible work schedule, and resident inspectors whose telework schedules are not fixed but are required to spend at least 64 hours in person at the facility per pay period. The licensee-site-based staff who are in the office 6 days or fewer per pay period are site administrative assistants.

⁴ The numbers in this column do not include the staff counted in the column containing the "Total number of NRC staff working in the office the standard 5-day, 40-hour workweek."

⁵ The Office of the Chief Human Capital Officer staff located at the Technical Training Center (TTC) in Chattanooga, Tenn. are headquarters employees and are included in this number. There are 27 full-time permanent NRC staff at the TTC. Of those staff, 5 work the standard 5-day, 40-hour workweek; 4 are in the office at least 6 days per pay period; 18 are in the office fewer than 6 days per pay period; and none are authorized for full-time telework.

2. What was the Commission's role in developing and approving the Commission's telework policy?

RESPONSE: As directed by the Reorganization Plan No. 1 of 1980, administrative functions of the Commission have been delegated to the Executive Director for Operations (EDO), subject to the Chair's direction and supervision. Therefore, pursuant to this delegated authority and consistent with the Federal Service Labor-Management Relations Statute, the EDO and his staff negotiated with the agency's union to implement a revised telework plan during 2021. The EDO signed the collective bargaining agreement in November 2021. The NRC also generally applies this telework program to the employees who are not in the bargaining unit as they consist of a minority of the overall agency staff. The Commission was periodically informed about the staff's efforts to update the agency's telework program.

- a. Did the Commission vote on any telework policies?

RESPONSE: No

- b. If so, please provide the relevant Commission Voting Records, Staff Requirement Memorandum, and any other relevant documentation.

RESPONSE: NA

- c. If not, why not?

RESPONSE: The Commission did not vote on telework policies. The authority over the agency's administrative functions has been delegated to the EDO, as required by the Reorganization Plan No. 1 of 1980.

3. What was your role, as Chairman, in developing and approving the Commission's telework policy?

RESPONSE: As the principal executive officer of the Commission, I was continually informed of the revisions to the agency's telework policy. Although I did not have a direct role in the revisions to and approval of the agency's current telework policy, the EDO has had ongoing communications with me about the agency's telework program. These communications have included the EDO's recent efforts to obtain staff input and recommendations through the Telework Policy and Implementation Working Group and the Hybrid Environment Assessment and Review Team.

4. Will you commit that the Commission will vote on major telework and related personnel policies going forward?

RESPONSE: The Reorganization Plan No. 1 of 1980 directed the Chair to delegate the administrative functions of the NRC to the EDO, subject to the Chair's direction and supervision. Although delegated, I retain the responsibility for these functions. In light of my continual communications with the EDO, I am confident the EDO and his staff are working

thoughtfully to establish telework and related policies that best serve the agency now and into the future. I am poised to provide specific direction should it be necessary in discharging my responsibility.

5. What specific decisions have the Commission or the NRC staff made regarding the Agency's office space needs since the development and implementation of its telework policies, including the most recent Telework Working Group report?

RESPONSE: The NRC staff has implemented new office design concepts that take into consideration the change in the way the NRC employees work, including the increase in telework. The NRC staff has made decisions to procure less office space through new leases with General Services Administration (GSA) as existing leases expire or termination rights become actionable at NRC's regional locations.

For the NRC's Region I staff in King of Prussia, Pa., the agency procured new space through GSA and decided to implement a workspace design that used hoteling for employees who telework frequently. This approach allowed the staff to design the space with fewer individual offices while maintaining robust and innovative collaboration and multi-use spaces of varying sizes. As a result, in August 2022, the Region's footprint was reduced by more than half, at a savings of \$1.8M per year. The staff decided to repeat this model of hoteling for employees who frequently telework at the Region III location in Lisle, Ill. under a recently executed lease, which may yield similar results in terms of the reduction of space and related costs. To the extent required by law, the NRC is currently negotiating that new office space design with the National Treasury Employees Union. The NRC is evaluating repeating this model in the remaining two regions as their lease terms permit.

The NRC's headquarters main campus is comprised of three buildings, One White Flint North (OWFN), which is owned by GSA; Two White Flint North (TWFN), which is leased by GSA until November 2033; and Three White Flint North (3WFN), which is leased by GSA until November 2027. Prior to 2020, the agency was in the process of reducing space at its headquarters location. The NRC released one floor of TWFN in November 2020, and the NRC will release two additional floors of TWFN in March 2023. Each floor released reduces NRC's rent budget by approximately \$1M per year over the term of the lease. The agency is evaluating the potential to release additional floors in TWFN as a result of increased telework.

6. At a December 2021 EPW hearing, you committed to me that the Commission would examine how to address the NRC's payment to subsidize FDA's office space. You also committed that you would engage with my staff to address that cost. How does the Agency propose to reduce or eliminate that subsidy?

RESPONSE: Pursuant to the U.S. House of Representatives Committee on Transportation and Infrastructure resolution PMD-04-WA11, the NRC is required to pay a subsidy through the term of the lease for 3WFN, which expires November 2027. Based on market research, the current market rate for renting space in 3WFN is believed to be in line with the lease rate paid by the two other 3WFN tenants, the U.S. Food and Drug Administration (FDA) and the National Institutes of Health (NIH). Under resolution PMD-04-WA11, the NRC is required to pay a subsidy through the term of the lease for 3WFN equal to the difference between the rate paid by the NRC and the rate paid by NIH and FDA. Absent Congressional intervention, the NRC does not have the ability to reduce or eliminate the subsidy.

7. I understand the NRC is in the midst of a multiyear renovation process of the NRC's headquarters office space.

- a. How does the Commission's telework policy impact those actions and planned renovation activities?

RESPONSE: The NRC's telework policy impacts the planned and funded renovations to the extent that where and how employees accomplish work is a consideration for the layout and amount of space needed. Much of the NRC's office space has not been renovated for 20 years or more, and the unrenovated workspaces do not reflect the way that NRC staff currently work. Consequently, the NRC assesses current working conditions, including telework, each time it plans renovations for a floor.

- b. How much funding has the NRC spent to date to renovate existing office space?

RESPONSE: Between Fiscal Years (FY) 2020 and 2022, the NRC has spent approximately \$23M to renovate existing office space at the headquarters location.

- c. How much funding is the NRC planning to spend for future office space renovation?

RESPONSE: Funding has not been included in the FY 2023 enacted budget for renovations. The agency will consider funding future renovations as part of the agency budget formulation process.

- d. How much office space is the NRC using out of the total amount of renovated space?

RESPONSE: The NRC completed renovations in TWFN in 2018 and plans to continue renovating space in OWFN. As noted in the response to question 5, the NRC released one floor in TWFN in 2020, and will release two additional floors in TWFN in March 2023, to be occupied by another Federal agency. These floors were previously renovated in the 2015-2018 timeframe. The agency occupies all the renovated space in OWFN and all but those three floors in TWFN. The staff is evaluating the potential to release additional floors in TWFN as a result of increased telework.

Telework Policy and Implementation Working Group Recommendations

The information below is provided in response to a letter dated January 24, 2023, from Senator Shelley Moore Capito to NRC Chair Christopher T. Hanson.

The Executive Director for Operations (EDO) directed the Telework Policy and Implementation Working Group (TPIWG) to assess the agency's telework policy and its implementation and provide recommendations for ensuring the telework policy has sufficient flexibility to meet mission needs and is implemented fairly and equitably, consistently, and with transparency. The recommendations listed below are reflective of the deliberations, recommendations, and analyses of the staff members comprising the TPIWG. Additionally, the recommendations are drawn from the views and opinions of staff who contributed to the TPIWG through focus groups, direct feedback, and other methods. The recommendations are under consideration. Senior leaders continue to engage with staff on these recommendations.

Recommendation 1: Adopt and implement Presence with Purpose (PwP). This includes the need for all employees to adjust work schedules as needed to support the PwP guiding principles of in-person interactions to connect, collaborate, create, and celebrate.

Recommendation 2: Modify the current agency hybrid work model to reduce the number of required fixed schedule in-person days from four to two days per pay period if the nature of the work supports it. The authority to approve telework schedules will reside with the Branch Chief. Under this new hybrid work model, supervisors will have the discretion to exceed this two-day minimum, consistent with their responsibility to support necessary in-person PwP activities.

Recommendation 3: Modify the processes related to full remote work by implementing the following items.

Recommendation 4: Delegate approval authority and streamline the full remote work approval process for temporary assignments (i.e., rotations and details) to better enable the agency to fill emergent limited-duration agency needs.

Recommendation 5: Streamline and automate agency telework process and associated forms.

Recommendation 6: Revise and clarify guidance on appropriate use of Project-Based Telework.

Recommendation 7: Replace the term "full-time" telework with the term "full remote" telework.

Recommendation 8: Provide clarification of existing telework flexibilities.

Recommendation 9: Update and consolidate all telework guidance to enable successful implementation of the agency's telework program.

Recommendation 10: Establish the infrastructure to capture agency telework data to enhance transparency and support analysis and information needs to support the pilot and enable the agency to make ongoing decisions related to telework.

Recommendation 11: Update telework guidance to explicitly capture expectations and norms for optimizing hybrid and virtual meetings.

Recommendation 12: Establish an agencywide position on the minimum number of hours in the office for the in-person day to 6 hours.

Recommendation 13: Establish a new telework option, hybrid remote worker, that requires a minimum of 2 days per month in-person and PwP.

Recommendation 14: Modify Management Directive 14.1 "Official Temporary Duty Travel" to provide that the NRC will not reimburse local travel for employees commuting 50 or less miles from their alternate worksite to their assigned agency worksite. The modification does not affect reimbursement for local travel for other purposes.

Recommendation 15: Conduct a thorough assessment of the pilot to inform any new policy changes or potentially determine a need to modify or extend the pilot to better inform the content and implementation of a new policy.

U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)

MD 10.166	TELEWORK	DT-17-219
<i>Volume 10, Part 7:</i>	Personnel Management, General Personnel Management Provisions	
<i>Approved By:</i>	Victor M. McCree, Executive Director for Operations	
<i>Date Approved:</i>	July 13, 2017	
<i>Cert. Date:</i>	N/A, for the latest version of any NRC directive or handbook, see the online MD Catalog .	
<i>Issuing Office:</i>	Office of the Chief Human Capital Officer Human Capital Analysis Branch	
<i>Contact Name:</i>	Richard Stanfield	Servicing Human Resources Specialist (names and phone numbers are listed here)

EXECUTIVE SUMMARY

New Management Directive (MD) 10.166, “Telework,” is being issued to provide the telework policy. This directive incorporates the Telework Enhancement Act of 2010 and ensures that telework is incorporated as part of the agency’s Continuity of Operations Plan (COOP) in the event of an emergency.

There is no handbook for this MD; however, the NRC’s Telework Web site provides detailed guidelines for the NRC Telework program. The NRC’s Telework Web site is available at <http://www.internal.nrc.gov/HR/telework.html>.

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For updates or revisions to policies contained in this MD that were issued after the MD was signed, please see the Yellow Announcement to Management Directive index ([YA-to-MD index](#)).

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I. POLICY

It is the policy of the U.S. Nuclear Regulatory Commission to implement a telework program, whereby approved participants are allowed to work at home or at other approved offsite locations, that is consistent with applicable laws and regulations and that strikes an appropriate balance between agency and employee needs and interests.

II. OBJECTIVES

- Provide guidance for designing, developing, and implementing telework agreements at the NRC.
- Ensure compliance with any applicable law or regulation regarding telework.
- Define the roles and responsibilities of those who approve telework agreements.
- Ensure the agency’s interests are properly addressed in establishing telework agreements.
- Incorporate telework as a component of emergency planning.

III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY

A. Executive Director for Operations (EDO)

Designates a telework managing officer within the Office of the Chief Human Capital Officer (OCHCO) who is a senior official of the agency with direct access to the Chairman, as required by the Telework Enhancement Act of 2010.

B. Office of the General Counsel (OGC)

Provides legal advice and assistance to the offices responsible for establishing procedures to support the telework program.

C. Inspector General (IG)

Establishes and manages the telework program for the Office of the Inspector General.

D. Chief Human Capital Officer (CHCO)

1. Serves as the telework managing officer for the agency; advises agency leadership, and is responsible for policy development and implementation related to the agency's telework program.
2. Serves as the agency's primary point-of-contact for the Office of Personnel Management (OPM) on telework matters.
3. Develops and implements telework policy. Manages the agency telework program and serves as a resource for managers and employees.
4. Ensures telework is incorporated into the agency's Continuity of Operations Plan.
5. Designates a telework coordinator to coordinate the day-to-day activities under the telework program.
6. Ensures that an interactive telework training program is provided to all employees eligible to participate in the telework program and all managers of teleworkers.
7. Submits reports to OPM on telework.

E. Director, Office of Administration (ADM)

Reviews and concurs on all proposed full-time telework agreements and special circumstances agreements, as appropriate, to ensure that each agreement meets the agency's requirements under the Drug Testing Policy. (See MD 12.3, "NRC Personnel Security Program.")

F. Chief Information Officer (CIO)

1. Establishes and maintains information technology systems and related procedures to support the agency's telework program.
2. Reviews and concurs on all proposed full-time telework agreements and special circumstances agreements, as appropriate.
3. Establishes and maintains cybersecurity and computer security requirements and procedures to support the agency's telework program.

G. Office Directors and Regional Administrators

1. Ensure overall office and regional participation is consistent with established telework procedures.

2. Notify the OCHCO telework coordinator of participants in the program.
3. Submit documentation of telework agreement approvals required to be approved at the OD/RA level to OCHCO for employees within their organization. An alternate management contact may be identified.

H. Supervisors and Managers

1. Inform staff of the telework program and ensure completion of telework training.
2. Approve fixed and project-based telework agreements, as appropriate. Submit documentation of approvals at the first or second line supervisory level to OCHCO for employees within their organizations. (For definitions of telework types, see “Types of Telework” available on the NRC’s Telework Web site <http://www.internal.nrc.gov/HR/telework.html>.)
3. Evaluate employee requests for telework participation in a fair and equitable manner ensuring that restrictions or denials are based on mission-related criteria, guidelines and applicable agency policies. Examples include but are not limited to portability of work, office coverage and employee performance.
4. Establish clear expectations and objectives to ensure telework agreements outlining the terms and conditions of the arrangement.
5. Ensure that applicable policies and procedures are followed under a telework agreement, including the removal or accountability of Government property (e.g., laptops and printers), maintenance of telework records and documents, and approval of overtime, leave, and alternative work schedules.
6. Monitor and evaluate the employee’s performance as based on the employee’s performance appraisal plan and the telework agreement.
7. Communicate with employees working at alternative worksites, and ensure that they are informed regarding dismissal or closure procedures during emergencies.

I. Employees

1. Complete telework training.
2. Conduct an assessment of their telework capabilities and submits appropriate telework forms.
3. Adhere to agency, office and region policies, direction, and guidance while teleworking.

IV. APPLICABILITY

The provisions of this directive apply to and must be followed by all NRC employees. To the extent that the provisions of this directive conflict with or are modified by the negotiated agreement with the employees' exclusive representative, the negotiated agreement (Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union) will govern the treatment of personnel for bargaining unit positions.

V. DIRECTIVE HANDBOOK

The NRC's Telework Web site serves as the handbook for this directive. The Web site provides detailed guidance for the NRC's Telework program and is available at <http://www.internal.nrc.gov/HR/telework.html>.

VI. TELEWORK ENHANCEMENT ACT OF 2010

The Telework Enhancement Act of 2010, Public Law 111-292, enacted on December 9, 2010, requires the head of each Executive agency to establish a policy under which eligible employees of the agency may be authorized to telework, determine the eligibility for all employees of the agency to participate in telework, and notify all employees of the agency of their eligibility to telework within 180 days after the date of enactment.

VII. REFERENCES

Nuclear Regulatory Commission Documents

Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union, available at <http://www.internal.nrc.gov/HR/pdf/cba.pdf>.

CSO-CKLT-1003, Cyber Security Checklist, available at: <http://www.internal.nrc.gov/CSO/checklists.html>.

Cybersecurity Incident Response Web Site: <http://www.internal.nrc.gov/CSO/incident-resp.html>.

Management Directive—

- 6.2, "Continuity of Operations Program."
- 10.62, "Leave Administration."
- 12.2, "NRC Classified Information Security Program."
- 12.3, "NRC Personnel Security Program."
- 12.5, "NRC Cybersecurity Program."

12.6, "NRC Sensitive Unclassified Information Security Program."

12.7, "NRC Safeguards Information Security Program."

NRC Forms Library on SharePoint:

<http://fusion.nrc.gov/nrcformsportal/default.aspx>.

NRC Sensitive Unclassified Non-Safeguards Information (SUNSI) Program Web Site:

<http://www.internal.nrc.gov/ois/divisions/irsd/sunsi/index.html>.

NRC Telework Web Site, including the Standard Operating Procedures for Telework:

<http://www.internal.nrc.gov/HR/telework.html>.

OIG-10-A-13, "Audit of NRC's Telework Program," June 9, 2010 ([ML101600394](#)).

OIG-14-A-05, "Audit of NRC's Full-Time Telework Program," December 11, 2013 ([ML13345A194](#)).

Yellow Announcement YA-05-0077, "Policy Revision: NRC Policy and Procedures for Handling, Marking, and Protecting Sensitive Unclassified Non-Safeguards Information (SUNSI)," October 26, 2005 ([ML051220278](#)).

Office of Personnel Management (OPM)

OPM's Telework Web Site:

<http://www.telework.gov>.

National Institute of Standards and Technology (NIST)

NIST Special Publication 800-46, Rev. 2, Guide to Enterprise Telework, Remote Access, and Bring Your Own Device (BYOD) Security, available at

<https://www.nist.gov/publications/guide-enterprise-telework-remote-access-and-bring-your-own-device-byod-security>.

NIST Special Publication 800-114, Rev. 1, User's Guide to Telework and Bring Your Own Device (BYOD), available at

<https://www.nist.gov/publications/users-guide-telework-and-bring-your-own-device-byod-security>.

United States Code

Federal Employees' Compensation Act (FECA) (5 U.S.C. 8101 et seq.).

Inspector General Act of 1978, as amended (5 U.S.C. App. 3).

Telework Enhancement Act of 2010.



OVERVIEW:

Public Law 106-346, § 359 of Oct. 23, 2000 and the Telework Enhancement Act of 2010 require agencies to establish a policy under which eligible employees of the agency may participate in telework to the maximum extent possible without diminished employee performance. Telework enables employees to do productive work away from the traditional office. Teleworking is a practical solution to environmental and other quality of life issues, as well as work life challenges.

For more information about the NRC Telework Program, please refer to Article 7, "Telework" of the Collective Bargaining Agreement.

TABS:

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- [ELIGIBILITY/TERMINATION](#)
- [TYPES OF TELEWORK](#)
- [EMERGENCY/OFFICE CLOSURE](#)
- [OTHER CONSIDERATIONS](#)
- [FAQS](#)
- [RELATED LINKS](#)

RESPONSIBILITIES Tab:**OCHCO Responsibilities**

- Retain a record of all agency teleworkers
- Disseminate information to office managers and staff
- Provide day-to-day guidance for employees about telework policies
- Review draft documents and provide guidance/edits to staff and Branch Chiefs prior to formal concurrence
- Generate statistical reports for a variety of stakeholders (e.g., Labor Management Partnership Council, office management)
- Compile information for OPM annual data call

Office Responsibilities

- Confirm employee eligibility
- Confirm completion of telework training available through iLearn
- Coordinate with corporate offices to obtain concurrence (for special circumstances and full-time telework agreements)
- Obtain appropriate approvals for all telework agreements (see the Types of Telework tab to determine the required approvals)
- Submit all telework agreements to OCHCO via email to Telework.Resource@nrc.gov. This includes both approvals and denials.
- Review full-time agreements annually using NRC Form 709, Annual Evaluation/Extension of Full-Time Telework Agreement

Employee Responsibilities

Employees should submit Telework forms for any of the reasons listed below. Temporary or short-term changes to a telework schedule should be discussed with the supervisor, but may not require new forms to be submitted.

- Prior to an employee beginning to telework
- Prior to a change in assignment or change in duties (e.g., rotation, detail, reassignment, new position)
- Agreement parameters change (e.g., change in the number of days per week/pay period, change to alternate worksite location, etc.)
- Type of telework changes (e.g., Project Based changing to Fixed-Schedule, etc.)



NOTE: An employee may also submit a request for telework as a reasonable accommodation directly to the Agency Reasonable Accommodation Coordinator.

Below are key steps to a successful telework experience:

CONDUCT A SELF-ASSESSMENT

A good telework arrangement starts with a good self-assessment. Employees should consider the following factors in making an honest determination about their telework capabilities:

- Sufficient portable work for the amount of telework being proposed
- Ability to work independently, without close supervision
- Comfort with the technologies, if any, that will be needed to telework
- Good communication with manager, co-workers, customers that will enable a relatively seamless transition from onsite to offsite
- Telework office space that is conducive to getting the work done
- Dependent care (i.e., child care, elder care, or care of any other dependent adults) arrangements are in place
- Ability to be flexible about the telework arrangement to respond to the needs of the manager, the workgroup, and the work

ASSESS ALTERNATE WORKSITE ENVIRONMENT

Employees should consider the following questions when assessing the alternate worksite environment:

- Are the workspace and utilities suitable for work performance?
- Are you willing to document the safety of the offsite work area by completing a safety checklist?
- Are you willing to allow the NRC to conduct scheduled home inspections?

ADHERENCE TO AGENCY POLICIES

Employees must take responsibility for the security of the data and other information that they handle while teleworking. This means they should:

- Be familiar with, understand, and comply with their agency's information security policies
- Participate in agency information security training
- In addition to following security protocols for remote connectivity, maintain security of any relevant materials, including files, correspondence, and equipment. Depending on the sensitivity of the information being handled, the home office may need to include security measures such as locked file cabinets, similar to what may be used in the worksite.



PLAN YOUR WORK

Employees who are teleworking should assess the portability of their work and the level of technology available at the remote site as they prepare to telework. In many cases, employees will need to plan for their telework days in order to be as effective as possible, considering the following questions:

- What files or other documents will I need to take with me when I leave my regular workplace the day before teleworking?
- What equipment will I need to take?
- Who needs to be notified that I will be teleworking?
- What other steps should I take before I leave my office (for example, forwarding the phone)?
- In the case of emergency telework, what should I have available at all times at my home office that would enable me to be functional without coming onsite to retrieve materials?

MANAGE EXPECTATIONS AND COMMUNICATION

Although managers are ultimately responsible for the healthy functioning of the workgroup, teleworkers must help manage the group's expectations and their own communication in order to avoid any negative impact of their arrangement.

Issues that should be addressed include:

- **Backup:** Even with very portable work, there are inevitably instances where physical presence is required, and a co-worker often needs to step in. Co-worker backup should be planned, it should not be onerous, and it should be reciprocal. Resulting cross-training has broad organizational benefits.
- **On-the-spot assistance:** Teleworkers may occasionally need someone who is physically in the main office to assist them, for instance, to fax a document to them, or to look up information. Again, these arrangements should not be onerous and they should be reciprocal; a "buddy system" between teleworkers may be the least disruptive solution.
- **Communication:** The manager and co-workers need to be kept apprised of the teleworker's schedule, how to reach him/her, how to handle telephone calls or other communications that need to go to the teleworker, and how customers are to be handled.

Employees are encouraged to have periodic discussions with their supervisor to review their telework agreement. A good time to review and discuss telework agreements is during mid-year reviews and end-of-year performance appraisals.

SAFETY

Teleworkers must address issues of their own personal safety to be effective while teleworking from a home office or other alternative worksite. Government employees causing or suffering work-related injuries and/or damages at the alternative worksite are covered by the Military Personnel and Civilian Employees Claims Act, the Federal Tort Claims Act, or the Federal

Employees' Compensation Act (workers' compensation), as appropriate.

Employees must:

- Provide appropriate telework space, with ergonomically correct chair, desk, and computer equipment
- Complete NRC Form 625, Telework Program Employee Self-Certification Safety Checklist.
- Immediately report any work-related accident occurring at the telework site and provide the supervisor with all medical documentation related to the accident. It may be necessary for an agency representative to access the home office to investigate the report.

Manager/Supervisor Responsibilities

Below are key steps to maximize the benefit of telework for you and your workgroup, and set the stage for your employees to be successful, whether or not they are teleworking:

ASSESS NEEDS

Telework is often implemented piecemeal, rather than strategically, as individuals request arrangements. This reactive approach carries the risk of raising fairness issues. To the extent possible, telework should be implemented strategically, taking into account the needs and work of the group. Agencies have made this easier by making broader determinations on employee eligibility and notifying employees. However, managers and supervisors may be making decisions with regard to situational telework and groups of newly-hired employees.

COMMUNICATE EXPECTATIONS

The telework agreement provides a framework for the discussion that needs to take place between the manager and the employee about expectations. For both routine and situational telework, this discussion is important to ensure the manager and the employee understand each other's expectations around basic issues such as the following:

- What technologies will be used to maintain contact?
- What equipment is the agency providing? What equipment is the teleworker providing?
- Who provides technical assistance in the event of equipment disruption?
- What will the weekly/monthly telework schedule be? How will the manager and co-workers be kept updated about the schedule? What happens if the schedule needs to be changed by the manager or by the employee?
- What will the daily telework schedule be? Will the hours be the same as in the main office, or will they be different?
- What are the physical attributes of the telework office, and do they conform to basic safety standards? (agencies may wish to recommend the use of a self-certifying safety checklist.)
- What are the expectations for availability by phone, email, etc.?
- What is the expectation regarding the amount of notice (if any) given for reporting to the official worksite, and how will such notice be provided?
- How is a telework agreement terminated by management or an employee?



- Who is expected to telework in an emergency?
- What is expected of a teleworker in the event of an emergency?

Supervisors are encouraged to have periodic discussions with employees to review telework agreements. A good time to review and discuss telework agreements is during mid-year reviews and end-of-year performance appraisals.

REVIEW OF FULL-TIME TELEWORK AGREEMENTS

Full-time telework agreements are generally approved for one year periods. They must be reviewed annually using NRC Form 709, Annual Evaluation/Extension of Full-Time Telework Agreement. The supervisor should begin the review process approximately 60 days prior to the end of the approved period. This should allow for completion of the review prior to the end of the approved period thereby preventing any lapse of the agreement.

Management has the discretion to terminate or not approve an extension of the full-time agreement if the work is no longer 100% portable or for any other appropriate reason. In the event the agreement is terminated or not extended, the supervisor will provide written notice of termination or non-extension. The employee will normally have at least 30 but not less than 15 days to report to the original official duty station. An employee may request in writing additional time to report to the official duty station. The supervisor will consider any such request on a case-by-case basis. The employee is responsible for all costs associated with returning to the official duty station.

ELIGIBILITY/TERMINATION Tab:

Telework is subject to approval by management and is not an employee entitlement. Approval or denial of an employee's request to telework will be based on applicable law, regulation, and the provisions of Article 7 of the Collective Bargaining Agreement. Management has the discretion in deciding whether a particular position or class of positions is appropriate for the Telework Program based on the content of the work. Although an employee may request a particular day(s) and/or time to telework, NRC management has final approval.

For information regarding application for, and approval of, telework agreements, please refer to the Types of Telework tab.

ELIGIBILITY

Any employee, on any work schedule, including a part-time employee, may request a telework arrangement. An employee will be eligible for a telework arrangement if:

1. The employee has sufficient duties that are portable and that can be effectively performed outside of the traditional office setting (e.g., face to face contact with others that is predictable or can be managed through other means of communications; access to necessary materials is readily available through alternative means that will not violate any law, regulation, or policy). While an employee's position may not have sufficient portable duties to provide eligibility to telework regularly on a fixed schedule, the employee may still have portable duties associated with a particular assignment that would be eligible for project-based telework (e.g., on-line mandatory training).

An employee who routinely or regularly deals with classified, confidential, or sensitive documents or data or information that is not available from home (e.g., personnel and/or payroll records, non-public (NRC restricted) information, or information protected from unauthorized disclosure by the Privacy Act of 1974 and its implementing regulations), must be authorized to remove such documents from an NRC facility or have sufficient other work to justify the requested telework schedule.

2. The employee's absence from the work site does not unduly interfere with the efficient operation of the organization, or the employee does not require frequent face-to-face interaction with supervisors, co-workers and/or others, or use of specialized equipment.
3. The employee's latest rating of record in all critical elements is "fully successful" or better, and the employee has demonstrated and maintained acceptable work habits, conduct, and adherence to agency policies. Failure in any of these areas must have been documented in writing prior to the date of the employee's telework request to justify denial.

An employee is not eligible to telework under any circumstances if he or she has been officially disciplined (i.e., a warning, reprimand, or suspension):



1. For being absent without leave (AWOL) for more than 5 days in any calendar year; or
2. For violation 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 government duties.

Telework may not be used for dependent or child care. A teleworker must continue to make arrangements for child or dependent care to the same extent as if he or she was working at the traditional office. If a situation arises where the employee must attend to a dependent at the alternative worksite during scheduled duty hours, the employee shall immediately notify the supervisor and arrange to take leave, credit hours, or make other arrangements. If an employee uses telework to provide for dependent or child care, he or she will be ineligible for telework until such time as arrangements for care are made.

TERMINATION

Participation in the Telework Program is not an employee right and may be terminated by the participant or his or her supervisor at any time based on eligibility. To terminate a telework agreement, the employee must notify their supervisor. Notifications of all terminations should be sent to the agency Telework Coordinator by sending an email to the [Telework.Resource](#) mailbox. The request for termination of the agreement should include a reason for the termination.

TYPES OF TELEWORK Tab:

Telework is 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 alternative worksite other than the location from which the employee would otherwise work. Employees on any work schedule, including part-time employees, phased retirement participants, and satellite workers, may be approved for telework.

The following telework schedules are available: Fixed, Project-Based, and Special Circumstances.

Click on each type of telework to find out the requirements and information on how to apply.

NOTE: An employee may also submit a request for telework as a reasonable accommodation directly to the Agency Reasonable Accommodation Coordinator.

FIXED SCHEDULE (INCLUDING FULL-TIME AND OVERSEAS TELEWORK)

Fixed telework is a recurring telework arrangement with a fixed schedule that designates the day(s) and hours each pay period in which work will be performed at the employee's home or approved offsite location.

Required Forms

The forms below must be completed for a fixed telework agreement.

Form Number	Form Title	Completed By
NRC Form 621	Employee Request to Participate in the Telework Program	Employee
NRC Form 622	Evaluation of Employee Request to Participate in the Telework Program	Supervisor
NRC Form 624	Telework Program Participation Agreement	Employee
NRC Form 625	Telework Program Employee Self-Certification Safety Checklist	Employee

How to Apply

1. Employee discusses their desire to telework with his/her supervisor and submits the forms listed above for approval.
2. Office obtains appropriate approval(s). The approval(s) needed is determined by the request (see below):

Requested Schedule	Forms/Documentation	Required Approvals
Up to 6 telework days per pay period (requires 4 in	Required Forms (listed above)	First-line supervisor

person days per pay period)		
6-8 telework days per pay period (requires 2 in person days per pay period)	Required Forms (listed above) Request Memo	First-line supervisor and Office Director or Regional Administrator
Any telework schedule that includes less than 2 in person days per pay period	Required Forms (listed above) Request Memo	First-line supervisor and Office Director or Regional Administrator and Chief Human Capital Officer
Full-time work schedule/Domestic Employee Teleworking Overseas (DETO)	Required Forms (listed above) Full Time Telework Plan	Office Director or Regional Administrator, Office of Administration, Office of the Chief Information Officer, and Chief Human Capital Officer

3. Office submits approved forms to the Telework.Resource mailbox (forms should be submitted electronically or forms may be mailed). OCHCO retains a record of all forms.
4. OCHCO advises Office point of contact, supervisor, and responsible HR Specialist of approval or denial decision via e-mail (for requests of less than 2 in person days and full-time telework requests).

Additional Requirements for Full-Time Telework

- Employee must have duties that are 100% portable. Management has the sole discretion to determine whether duties are 100% portable and to approve or deny such request.
- The alternative worksite will be the official duty station for any employee working fulltime at the alternative location who is not scheduled to report to the NRC facility at least twice per pay period. The official duty station will be used to determine employee pay, locality pay, and travel funding responsibilities and will be documented in the employee's Official Personnel Folder. Any relocation costs associated with moving are the sole responsibility of the employee.
- If the NRC office and the alternative worksite are within a reasonable commuting distance, then travel between the NRC office and the alternative worksite is considered local travel, and there is no travel reimbursement for travel expenses.
- A request for full-time telework at a location outside of the United States is subject to U.S. Department of State approval and such approval may take several months to procure. An employee requesting such a telework arrangement will not be able to begin to telework internationally until the State Department approval has been procured. See section below for additional information and requirements.

Additional Information and Requirements for Domestic Employee Teleworking Overseas (DETO)

Overview

A DETO is a U.S. Government (USG) direct-hire employee assigned to a domestic position, teleworking from an overseas location. A NRC employee may request authorization to telework full-time from an overseas location. Final approval rests with the Department of State Chief of Mission responsible for the country being requested. The process first requires approval of a full-time telework request by the Chief Human Capital Officer and can require the employee's Office or Region to provide funding. Submitting the request and gaining approval from the Department of State can take as long as six months. An employee approved as a DETO will be required to change his/her duty station to reflect the overseas alternate worksite for the duration of the DETO arrangement. The pay rate for a NRC employee under a DETO agreement will be the base rate of his/her grade.

There are two types of DETO:

Sponsored DETO: A U.S. Government direct hire employee who is on the USG orders of a spouse or domestic partner and teleworks from an overseas location.

Independent DETO (less common) is an employee **not** included on the USG orders of a spouse or partner.

Eligibility Requirements:

- At least Fully Successful on most recent performance appraisal.
- Must meet all eligibility requirements for a full-time telework agreement.
- May not be in a position that requires access to and/or handling of classified material.

Before beginning the application process, the employee should first consult with the NRC Telework Coordinator.

Gaining approval for a DETO arrangement is a complex and lengthy process. Employees whose DETO requests are approved will forfeit locality pay for the duration of their DETO arrangement. They must complete the Foreign Area Counter Threat (FACT) Training Course prior to proceeding overseas. They may also be required to obtain a work visa and could be subject to local labor and/or tax laws that apply.

The employee's Office may be required to establish, fund, and manage an International Cooperative Administrative Support Services (ICASS) agreement with the Department of State which will include mandatory minimum annual services. The costs of these services vary by country. Mandatory services include basic services and security services as outlined in [6 FAH-5 H352.12](#).

PROJECT-BASED

Project-based telework is short term telework arrangement, when an employee's work assignments, or a portion thereof, can be performed remotely for a short period of time. The duration of an approved

project-based telework arrangement can be measured in terms of hours or a few days.

A project-based telework agreement provides approval for an employee to telework on an occasional, project-basis (e.g., inclement weather, etc.) and may be submitted in advance of a need to use project-based telework. **Subsequent to obtaining approval via the telework agreement form, the employee must obtain supervisory approval for each occurrence of project-based telework.** Supervisor concurrence may be via email or verbal approval.

Required Forms

Employees who wish to telework on a project basis must complete the following forms:

Form Number	Form Title
NRC Form 624	Telework Program Participation Agreement
NRC Form 625	Telework Program Employee Self-Certification Safety Checklist

How to Apply

1. Employee discusses their request to telework with his/her supervisor and submits appropriate forms to supervisor. The approval level is determined by the length of the telework request:
 - Requests for project-based telework **up to** five consecutive full work days shall be submitted to the first-line supervisor.
 - Requests for project-based telework **exceeding** five consecutive full work days shall be submitted to the second line supervisor unless an alternate management contact has been identified.
2. Appropriate level supervisor approves forms.
3. Office submits approved forms to the Telework.Resource mailbox (forms should be submitted electronically or forms may be mailed). OCHCO retains a record of all forms.

SPECIAL CIRCUMSTANCES

Special circumstances telework is a non-permanent telework arrangement for a relatively short period of time due to a personal incapacitation or personal hardship. Special circumstances telework may not be used as a substitute for dependent care or child care.

Requirements

- Medical documentation must include the number of hours and/or days an employee would be capable of working during the workday/pay period and the duration of the situation or circumstance giving rise to the special circumstances telework request.
- Special circumstances telework are non-permanent arrangements for relatively short periods of time. There is no minimum period for which a plan can be approved. Generally, special

circumstances telework will be approved for a period not to exceed six (6) months. Determinations regarding the duration of all special circumstances telework will be made on a case by case basis. In unusual circumstances where the need continues beyond 6 months, an employee may request an extension. Medical or other relevant documentation must be presented to the CHCO upon request.

- All initial special circumstances telework requests and extensions to special circumstances telework requests must be submitted through the Office Director or Regional Administrator to the Office of the Chief Human Capital Officer for approval prior to the start of the arrangement or extension.
- A special circumstances telework request to work at a location outside of the United States is subject to U.S. Department of State approval and such approval may take several months to procure. An employee requesting such a telework arrangement will not be able to begin to telework internationally until the State Department approval has been procured.

Forms/Documentation

Employees who wish to telework during a special circumstance must complete the forms listed below. If an employee already has approval to telework, there is no need to resubmit forms unless their alternate worksite changes.

Form Number	Form Title
NRC Form 624	Telework Program Participation Agreement
NRC Form 625	Telework Program Employee Self-Certification Safety Checklist
N/A	Special Circumstances Request Memo Special Circumstances Extension Request Memo, as needed
N/A	Special Circumstances Plan Special Circumstances Extension Plan, as needed

How to Apply

1. Employee discusses their circumstances with their supervisor and completes appropriate forms/documentation (as noted above).
2. When requesting approval of an alternate office that is outside of the geographic area where your official worksite is located, employee should submit forms/documentation to OCIO and ADM for concurrence.
3. For initial special circumstances telework requests, approved forms/documentation should be submitted to OCHCO for approval or denial.
4. OCHCO will advise the supervisor of approval or denial decision.



For extensions of special circumstances:

1. Employee discusses their circumstances with their supervisor and completes appropriate forms/documentation (as noted above).
2. When requesting approval of an alternate office that is outside of the geographic area where your official worksite is located, employee should submit forms/documentation to OCIO and ADM for concurrence.
3. Request should be submitted through the Office Director or Regional Administrator to the Agency Telework Coordinator for review.
4. The CHCO will approve/deny extension requests for special circumstances telework.
5. OCHCO advises Office/Region points of contact and/or supervisor of approval or denial decision via e-mail.

EMERGENCY/OFFICE CLOSURE Tab:

During emergencies, employees on a telework agreement can be mandated to telework.

Telework is a vital part of the NRC's Continuity of Operations (COOP) plan. When the agency is operating under COOP, the COOP Plan will supersede the telework policy.

Agency closures due to weather, road conditions, or other emergency conditions do not normally affect an employee's ability to telework. Therefore, all employees with an approved telework agreement are expected to work their normal tour of duty by teleworking on those days when the government has unscheduled leave/unscheduled telework, delayed arrival, early dismissal, or Federal offices are closed to the public. Policies and procedures governing the operating status at NRC HQ facilities can be found at the [Emergency Status Policies and Procedures](#) page.

If an emergency occurs at the telework site that impacts an employee's ability to perform official duties, the employee will notify his/her supervisor as soon as practicable. The supervisor may direct the employee to another work site, grant weather and safety leave, or allow the employee to request appropriate leave, e.g., annual leave or LWOP.

Telework is a vital part of the NRC's Continuity of Operations (COOP) plan. When the agency is operating under COOP, the COOP Plan will supersede the telework policy.



OTHER CONSIDERATIONS Tab:

The items below should also be considered when entering into a telework agreement:

ALTERNATIVE WORK SITE

A participant working on a telework schedule agrees to install, service, and maintain any personal equipment used in the employee's home. See the [Equipment, Records, Files, and Documents](#) section of this page for more information on equipment.

BEST PRACTICES

To ensure a successful telework arrangement, employees and supervisors should follow the best practices listed below:

- Understand what is expected and discuss any questions with your supervisor.
- Notify colleagues of your telework schedule
- Think about how you currently accomplish your job and commit to maintain the same outcomes. Consider the following questions:
 - Who do you communicate with and how often?
 - What deadlines do you have?
 - How often do you interact with teammates?
 - How will you continue to meet customer/client needs in your mobile environment?
- Share documents with your team using a shared drive or SharePoint instead of by email to ensure version control and universal access by your team
- Discuss a communications strategy for employees to use during telework days, including how often employees should check in and by what method (e.g., email, phone, meeting, etc.). By establishing these norms up front, teleworking employees will understand the level of transparency that is expected when they are teleworking.
- Use shared calendaring, instant messaging, desk signage, and other communications to inform your community of your presence or work status. Avoid using "out of office" rules as teleworking should be transparent to email recipients
- Review telework agreements (and modify, if necessary) during the annual performance appraisal process.

OPM Performance Management Tips for a "hybrid workplace"

- [Performance Management Hybrid Workplace Tips for Employees](#)
- [Performance Management Hybrid Workplace Tips for Supervisors](#)
- [Performance Management Hybrid Workplace Tips for Leadership](#)
- [Performance Management Hybrid Workplace Tips for Technology](#)

EQUIPMENT, RECORDS, FILES, AND DOCUMENTS

1. An employee must have the necessary equipment available at the alternative work site (i.e., home or other NRC-approved location) to complete his or her work and access necessary records, files, and documents.
2. If an employee needs access to the NRC network to complete his or her work, an employee must enable remote access from an alternative work site, either through an agency laptop or a personal computer. Employees should follow the guidance provided by OCIO.

DUTY STATION

Changes in duty station associated with full-time or special circumstances telework agreements may affect an employee's pay. For more information associated with a change in duty station, please contact your HR servicing representative.

INFORMATION SECURITY

Employees who telework from an alternative work site need to keep Government property and information safe and secure. The Computer Security Office (CSO) provides guidance on the Incident Response site. CSO CKLT-1003, "NRC General User Remote Access Computer Security Checklist," provides the computer security information that must be completed as a component for general user to access NRC computing equipment and networks remotely.

Security Handling Requirements for Sensitive Unclassified Non-Safeguards Information (SUNSI)

Employees are responsible for knowing and following the agency's policy for handling Sensitive Unclassified Non-Safeguards Information (SUNSI), including Personally Identifiable Information (PII). NRC's Sensitive Unclassified Non-Safeguards Information (SUNSI) Program, including PII, is available at /suns. Additional guidance is outlined in MD 12.5, "NRC Cyber Security Program," MD 12.6, "NRC Sensitive Unclassified Information Security Program," and SUNSI Web site for employees processing documents electronics while teleworking.

Telework Restrictions for Safeguards Information or Classified Information

NRC documents or data that contain safeguards information or are classified as National Security Information or Restricted Data may not be taken to a remote work site or transmitted to or from an alternative worksite computer system as part of the agency's Telework Program. See MD 12.2, "NRC Classified Information Security Program," and MD 12.7, "NRC Safeguards Information Security Program."

OTHER COSTS

The agency fully supports the Telework Program. Managers and supervisors are encouraged to consider all costs (e.g., travel) when approving full-time agreements.

TRAINING

Telework training is now mandatory for employees and supervisors. Required training is automatically added to the iLearn learning plan for new employees and supervisors. Employees must complete training before the telework agreement begins. For more information, see [Yellow Announcement No. 142, Telework Training](#), dated 11/17/2014.

WORKERS' COMPENSATION

Employees working a telework schedule are covered under the Federal Employee's Compensation Act (FECA). If an employee is injured while performing official duties at the alternative worksite, the employee should immediately notify their supervisor or another designated NRC official (see Federal Employee's Compensation Act (FECA) (5 U.S.C. 8101 et seq.)). See the [Workplace Injury or Illness](#) page for more information.

FAQS Tab:**NRC-Specific Telework FAQs:****Forms****WHEN SHOULD TELEWORK FORMS BE SUBMITTED?**

Telework forms should be submitted when any of the following occur:

- Prior to an employee beginning to telework
- Prior to a change in assignment or change in duties (e.g., rotation, detail, reassignment, new position)
- Agreement parameters change (e.g., change in the number of days per week/pay period, change to alternate worksite location, etc.)
- Type of telework changes (e.g., Project Based changing to Fixed-Schedule, etc.)

Temporary or short-term changes to a telework schedule should be discussed with the supervisor, but may not require new forms to be submitted.

Eligibility/Training**ARE MANAGERS AND SUPERVISORS ELIGIBLE TO TELEWORK?**

There is no current prohibition in Federal law or regulation that says managers and supervisors cannot telework. OCHCO's viewpoint is that individuals expected or anticipated to telework during an emergency situation, including managers and supervisors, should be encouraged to telework with some frequency under non-emergency situations. However, senior management make the decision in each office.

ARE CONTRACTORS ELIGIBLE TO TELEWORK?

Generally, the decision to allow a contractor to telework would be made by the NRC Program Office and in conjunction with the contracting agency/office.

IS TELEWORK TRAINING MANDATORY FOR EMPLOYEES AND SUPERVISORS?

Telework training is now mandatory for employees and supervisors. Required training is automatically added to the iLearn learning plan for new employees and supervisors. Employees must complete training before the telework agreement begins. For more information, see Yellow Announcement No. 142, Telework Training, dated 11/17/14.

"In Lieu of" Days

IS AN EMPLOYEE ALLOWED TO SWITCH THEIR TELEWORK DAY IF THE TELEWORK DAY FALLS ON A FEDERAL HOLIDAY?

Teleworkers are not entitled to an "in lieu of" telework day. However, the employee's supervisor can grant permission for the employee to switch his/her telework day.

IF AN EMPLOYEE NEEDS TO BE IN THE OFFICE ON THEIR SCHEDULED TELEWORK DAY, ARE THEY ENTITLED TO AN "IN LIEU OF" TELEWORK DAY?

Teleworkers are not entitled to an "in lieu of" telework day. However, the employee's supervisor can grant permission for the employee to switch his/her telework day.

Child Care/Dependent Care

CAN TELEWORK HELP AN EMPLOYEE WITH CHILD OR OTHER DEPENDENT CARE NEEDS?

Telework cannot be used as a substitute for dependent care. However, telework is a valuable tool to individuals with caregiving responsibilities. Time saved commuting can be spent with family members, and the flexibility of being closer to home may enable caregivers to take less time off for activities like doctor's visits, school programs, etc.

Inclement Weather

ARE EMPLOYEES WITH A TELEWORK AGREEMENT REQUIRED TO WORK WHEN THE OFFICE IS CLOSED DUE TO AN EMERGENCY OR INCLEMENT WEATHER SITUATION?

Agency closures due to weather, road conditions, or other emergency conditions do not normally affect an employee's ability to telework. Therefore, all employees with an approved telework agreement are expected to work their normal tour of duty by teleworking on those days when the government has unscheduled leave/unscheduled telework, delayed arrival, early dismissal, or Federal offices are closed to the public. Policies and procedures governing the operating status at NRC HQ facilities can be found at the [Emergency Status Policies and Procedures](#) page.



If an emergency occurs at the telework site that impacts an employee's ability to perform official duties, the employee will notify his/her supervisor as soon as practicable. The supervisor may direct the employee to another work site, grant weather and safety leave, or allow the employee to request appropriate leave, e.g., annual leave or LWOP.

ON EARLY DEPARTURE DAYS, ARE NON-EMERGENCY EMPLOYEES WHO ARE IN THE TELEWORK PROGRAM REQUIRED TO CONTINUE WORKING AFTER THEY RETURN HOME?

Yes. Non-emergency employees who are in the Telework Program may only be granted Weather and Safety Leave (WSL) for the amount of time required to commute home and are expected to resume work after they return home.

ON A DAY WHEN NRC OFFICES ARE OPEN UNDER XX HOUR(S) DELAYED ARRIVAL AND EMPLOYEES HAVE THE OPTION FOR UNSCHEDULED TELEWORK, DO NON-EMERGENCY EMPLOYEES IN THE TELEWORK PROGRAM THAT REQUEST TO TELEWORK ALSO HAVE THE OPTION TO DELAY THE BEGINNING OF THEIR WORK DAY?

No. Non-emergency employees in the Telework Program who are not scheduled to telework this day may request to work unscheduled telework but are expected to begin work on time.

Telework Denial/Manager's Rights

CAN A MANAGER DENY A REQUEST TO TELEWORK?

Yes. If a request to participate in the Telework Program is denied, the supervisor must specify the reason(s) in writing, specifically identifying which of the criteria the employee has failed to meet (i.e., portability of work, office coverage, performance or conduct).

IF A MANAGER DENIES AN EMPLOYEE'S TELEWORK REQUEST, CAN THE EMPLOYEE APPEAL THE DECISION?

A manager's denial of telework is grievable under the negotiated grievance procedure for BU employees or the Administrative Grievance procedure for NBU employees.

Telework Termination/Manager's Rights

CAN A MANAGER SUSPEND OR TERMINATE A TELEWORK AGREEMENT?

A supervisor may modify or temporarily suspend, for a specified period of time, a Telework arrangement. Management retains the right to make decisions to modify or temporarily suspend a Telework arrangement on a case-by-case basis and based on business needs. Where a telework schedule is modified or temporarily suspended, advance written notice will be provided where practicable. Supervisors and employees should work together to find a mutually acceptable alternative telework schedule where possible. Such modifications or temporary suspensions are expected to be short in duration and infrequent.

A supervisor may terminate the employee's telework arrangement if:

- The employee fails to adhere to any of the provisions of the telework agreement;
- The employee's performance in any critical element falls below a rating of Fully Successful;
- Appropriate work is no longer available or a specific project has been completed;
- Office coverage requirements are not being met;
- The employee fails to truthfully report his or her time worked;
- The employee misuses government equipment;
- The employee refuses to use an agency specified electronic means of communication (e.g., email, Microsoft Teams, etc.) while teleworking; or
- The employee fails to meet any of the telework eligibility requirements

Computer/Equipment

WHAT EQUIPMENT MIGHT BE NEEDED FOR PERFORMING WORK AT HOME OR FROM AN ALTERNATE WORKSITE?

Employees may use their home computer for Special Circumstances Work at Home arrangements. If their organization has a laptop available, the employee may be permitted to use the NRC laptop. Employees need to adhere to all applicable agency policies on information technology security and information security.

WHAT KIND OF GUIDANCE CAN BE PROVIDED ON THE AVAILABILITY OF COMPUTER HARDWARE AND SOFTWARE AS WELL AS OTHER ADMINISTRATIVE SUPPORT FOR PARTICIPATING EMPLOYEES?



The agency has not formally budgeted or otherwise made provisions for the use of agency owned computer hardware for telework. However, participants may use available laptops for such purposes. Appropriate agency owned software can be provided. The agency currently uses Azure Virtual Desktop (AVD) to meet telework network remote access needs (AVD is a set of software programs allowing an employee to use the NRC network resources - e-mail, network files, agency programs - from a remote location with a computer and a dial-up or broadband modem.)

There are no provisions to install or pay for additional personal telephone lines to support simultaneous voice, computer, and other equipment needs. Photocopiers, printers, and fax machines will likewise not be purchased or provided. Although the agency will provide appropriate support through the Helpdesk, it will not make service calls to telework sites. Other administrative support needs can be dealt with on a case-by-case basis.

Azure Virtual Desktop (AVD)

WHAT PROCESS IS USED FOR INSTALLING AND ACCESSING AZURE VIRTUAL DESKTOP ON AN EMPLOYEE'S HOME COMPUTER?

Employees should follow the guidance provided by OCIO on the Remote Access page.

WHAT IF I HAVE CONNECTIVITY ISSUES WHILE TELEWORKING?

If an emergency occurs at the telework site that impacts an employee's ability to perform official duties, the employee will notify his/her supervisor as soon as practicable. The supervisor may direct the employee to another work site (e.g., to the office), or allow the employee to request appropriate leave (e.g., annual leave or LWOP).

Classified/Sensitive Information

WHAT SORT OF GUIDANCE CAN YOU PROVIDE CONCERNING TAKING CLASSIFIED OR OTHER SENSITIVE DOCUMENTS TO A REMOTE WORK SITE (A PARTICIPANT'S HOME OR OTHER APPROVED SITE) OR FOR USE OF THE COMPUTER TO TRANSMIT SUCH DOCUMENTS OR DATA?

NRC documents or data that contain safeguards information or are "classified" as National Security Information or Restricted Data may not be taken to a remote work site or transmitted to or from a home or other off-site computer system as part of the agency's telework program.

Employees are responsible for knowing and following the agency's policy for handling Sensitive Unclassified Non-Safeguards Information (SUNSI). Current agency policy can be found at



the SUNSI Web site.

Telework Day Cancelled

IF I AM NOTIFIED THAT I AM NEEDED IN THE OFFICE FOR BUSINESS REASONS ON THE SAME DAY THAT I AM ALREADY TELEWORKING, HOW SHOULD I RECORD THE TIME THAT IT TAKES TO COMMUTE TO THE OFFICE? FOR EXAMPLE, IF MY SUPERVISOR CALLS ME IN THE MORNING TO SAY THAT I AM NEEDED IN THE OFFICE THAT DAY, HOW DO I RECORD MY TIME?

The employee should record the time that it takes to come into the office as general administration time (code ZG0000). The employee would be expected to complete the remainder of the day at the office. However, if the employee wants to return back to the telework site immediately after the work requirement(s) are met (e.g., presence required onsite for a meeting), he/she may request to use annual leave, credit hours, or compensatory time off for the commute time back before completing the remainder of the day. If the employee is on NEWFlex, the employee could also ask to use credit hours for the commute time back and then either use already earned credit hours, or earn credit hours at the end of the work day or another day during that pay period to make up the time spent commuting.

Random Drug Test

I HAVE BEEN NOTIFIED BY MY OFFICE THAT I WAS SELECTED FOR A RANDOM DRUG TEST AND MUST REPORT TO THE OFFICE ON A DAY THAT I AM ALREADY TELEWORKING. HOW SHOULD I RECORD THE TIME IT TAKES TO COMMUTE TO THE OFFICE?

The employee should record the time that it takes to come into the office and complete the drug test as general administration time (code ZG0000). The employee would be expected to complete the remainder of the day at the office. However, if the employee wants to return back to the telework site after completing the drug test, he/she may request to use annual leave, credit hours, or compensatory time off for the commute time back before completing the remainder of the day. If the employee is on NEWFlex, the employee could also ask to use credit hours for the commute time back and then either use already earned credit hours, or earn credit hours at the end of the work day or another day during that pay period to make up the time spent commuting.



Special Circumstances Telework FAQs:

HOW LONG CAN THESE ARRANGEMENT BE?

OCHCO can approve such an arrangement for up to six months. However, in unusual circumstances where the need continues beyond six months, a reevaluation and determination to extend or not will be made. Duration of all work-at-home plans will be made strictly on a case-by-case basis.

Full-Time Telework FAQs:

WHICH FORMS ARE NEEDED FOR FULL-TIME TELEWORK?

In addition to the full-time telework agreement/work plan, the forms that must be included with your full-time telework request are NRC Form 621, NRC Form 622, NRC Form 624, and NRC Form 625.

WHO MUST APPROVE MY REQUEST TO TELEWORK FULL-TIME?

Your request for full-time telework must be approved at each level of your Office (i.e., Branch, Division, Office Director/Regional Administrator). You must also provide a copy of your request to the Office of Administration (Drug Program Manager) and the Office of the Chief Information Officer (Infrastructure Operations Branch and Policy, Compliance and Training Team). Concurrence from ADM and OCIO via e-mail is acceptable and should be obtained prior to sending to your Division and Office Director's review and approval. After you have received all concurrences and approvals from your Office, you should forward your request for full-time telework to the Agency Telework Coordinator for OCHCO management's review. If you are requesting to telework from another country, your telework request must also be reviewed and approved by the Department of State before you would be permitted to telework outside of the United States.

HOW LONG WILL IT TAKE FOR OCHCO TO APPROVE MY FULL-TIME TELEWORK REQUEST?

Please allow approximately two weeks (i.e., 10 business days) for OCHCO to complete the review of your full-time telework request.

IF APPROVED, IS MY FULL-TIME AGREEMENT PERMANENT OR MUST IT BE RENEWED?

Full-time telework agreements are generally approved for up to one year, but agreements may be extended. At least annually, the supervisor must perform the Annual Evaluation/Extension Of Full time Telework Agreement (NRC Form 709) and submit to the Agency Telework



Coordinator for OCHCO management's review. The NRC 709 should be submitted at least two weeks prior to the ending date of the agreement. There is no limit to the number of extension requests.

General Telework FAQs:

- [What is the definition of telework?](#)
- [Does an employee have a right to telework?](#)
- [Do I need a telework agreement before I can telework?](#)
- [What are some of the issues teleworkers should be aware of?](#)
- [How will an employee's performance appraisal be different if he or she teleworks?](#)
- [Is telework voluntary?](#)
- [How many Federal employees telework?](#)



RELATED LINKS Tab:

NRC Related Links:

- Emergency Status Policies and Procedures
- Collective Bargaining Agreement
- MD 6.2, "Continuity of Operations Program"
- MD 10.166, "Telework"
- MD 10.62, "Leave Administration"
- Telework Glossary

External Related Links:

- [A Guide to Telework in the Federal Government](#)
- Telework.gov - the official website of the Federal Government's telework program
- [Telework Overview \(GSA\)](#)
- [The Mobile Worker Newsletter](#)

**THE COLLECTIVE BARGAINING
AGREEMENT IS PUBLICLY
AVAILABLE IN ADAMS AT
ML21321A264**

U.S. Nuclear Regulatory Commission and
National Treasury Employees Union

**COLLECTIVE
BARGAINING
AGREEMENT**

November 15, 2021

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PREAMBLE

The Nuclear Regulatory Commission, hereinafter referred to as the “EMPLOYER” and the National Treasury Employees Union hereinafter referred to as the “UNION” or “NTEU,” and Chapter 208, recognize that the right of employees to organize, bargain collectively, and participate through labor organizations of their own choosing in decisions which affect them, safeguards the public interest, contributes to the effective conduct of public business, and facilitates and encourages the amicable settlement of disputes between employees and employers involving conditions of employment; and

The Employer and the Union recognize that the public interest demands the highest standards of employee performance and the continued development and implementation of modern and progressive work practices to facilitate and improve employee performance and the efficient accomplishment of the operations of the government; and

The Employer and the Union recognize every intention to deal with each other in good faith, honesty, and mutual respect. This cooperation promotes both the efficiency of the Employer’s operation and the well-being of its employees; and

The Employer and the Union agree that the dignity of employees will be respected in the implementation and application of this Agreement as well as related personnel policies and practices; and

The Employer and the Union hereby further agree as follows:

Article 7 Telework

7.1 GENERAL

This Article pertains to the implementation of a Telework Program whereby participants are allowed to work at home or at other approved offsite locations, including other NRC facilities not associated with an employee's position of record. For the purposes of this Article the terms "telework" and "telecommuting" can be used interchangeably, and can include "work- at-home."

NRC and NTEU jointly recognize the benefits of the Telework Program which can, among other things, provide the opportunity to enhance workplace efficiency, increase employee morale, and reduce traffic congestion. In recognizing these benefits, both parties acknowledge the need of the Commission to accomplish its mission.

Participants in the Telework Program will receive the same treatment as non-participants for the purposes of performance evaluations, training, rewarding, reassigning, promoting, reducing in grade, retaining, and removing employees, work requirements, and other acts involving managerial discretion. While teleworking, all workplace policies remain in place, including start/end times, rules regarding time and attendance, and employee expectations concerning performance and conduct.

7.2 MANAGEMENT DISCRETION

Telework is subject to approval by management and is not an employee entitlement. Approval or denial of an employee's request to telework will be based on telework not diminishing the employee's performance or agency operations, applicable law, regulation, and the provisions of this Article.

Management has the discretion in deciding whether a particular position or class of positions is appropriate for the Telework Program based on the content of the work, consistent with the criteria set forth in this Article.

Although an employee may request a particular day(s) and/or time to telework, NRC management has final approval.

7.3 TYPES OF TELEWORK

The following telework schedules are available:

- 7.3.1 Fixed – a recurring telework arrangement with a fixed schedule that designates the day(s) and hours each pay period in which work will be performed at the employee's home or approved offsite location, including other NRC facilities not associated with an employee's position of record. A request for approval of a fixed telework schedule shall be submitted to the first line supervisor.
- 7.3.2 Project-based – short-term telework, when an employee's work assignments, or a portion thereof, can be performed remotely for a short period of time. The duration of an approved project-based telework arrangement can be measured in terms of hours or a few days.
 - 7.3.2.1 A request for project-based telework shall be submitted to the first-line supervisor.
 - 7.3.2.2 The employee must request and receive management's approval for each project-based telework occurrence. The supervisor must document each specific project-based telework arrangement.
- 7.3.3 Special Circumstances – a non-permanent telework arrangement for a relatively short period of time due to personal incapacitation or a personal hardship.
- 7.3.4 Continuity of Operations (COOP) – telework performed to ensure that the Agency can continue to perform critical functions during a wide range of emergencies, including but not

limited to, acts of nature, accidents, and technological or attack-related emergencies.

7.4 ELIGIBILITY

- 7.4.1 Any employee, on any work schedule, including a part-time employee and phased retirement participants, may request a telework arrangement under any of the above listed types of telework. Subject to the provisions set forth in Section 7.2, an employee will be eligible for a telework arrangement if:
- 7.4.1.1 They have sufficient duties that are portable that can be effectively performed outside of the traditional office setting (e.g., face-to-face contact with others that is predictable or can be managed through other means of communications and access to necessary materials is readily available through alternative means that will not violate any law, regulation, or policy). While an employee's position may not have sufficient portable duties to provide eligibility to telework regularly on a fixed schedule, the employee may still have portable duties associated with a particular assignment that would be eligible for project-based telework (e.g., on-line mandatory training).
- An employee who routinely or regularly deals with classified, confidential, or sensitive documents or data or information that is not available from home (e.g., personnel and/or payroll records, non-public (NRC restricted) information, or information protected from unauthorized disclosure by the Privacy Act of 1974 and its implementing regulations) must be authorized to remove such documents from an NRC facility or have sufficient other work to justify the requested telework schedule.
- 7.4.1.2 The employee's absence from the work site does not unduly interfere with the efficient operation of the organization, or the employee does not require frequent face-to-face interaction with supervisors, coworkers and/or others, or use of specialized equipment.
- 7.4.1.3 The employee's latest rating of record in all critical elements is "fully successful" or better, and the employee has demonstrated and maintained acceptable work habits, conduct, and adherence to agency policies. Failure in any of these areas must have been documented in writing prior to the date of the employee's telework request to justify denial.
- 7.4.2 In accordance with the provisions of Public Law 111-292 (otherwise known as the Telework Enhancement Act of 2010), an employee is not eligible to telework under any circumstances if they have been officially disciplined (i.e., a warning, reprimand, or suspension):
- 7.4.2.1 For being absent without leave (AWOL) for more than 5 days in any calendar year; or
- 7.4.2.2 For violation 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 government duties.
- 7.4.3 Telework may not be used for dependent or childcare. However, merely having a child or dependent in the home with the teleworker is not a sufficient reason to deny a telework request. A teleworker must continue to make arrangements for child or dependent care to the same extent as if they were working at the traditional office. If a situation arises where the employee must attend to a dependent at the alternative worksite during scheduled duty hours, the employee shall immediately notify the supervisor and arrange to take leave, credit hours, or make

other arrangements. If an employee uses telework to provide for dependent or childcare, they will be ineligible for telework until such time as arrangements for care are made.

7.5 TRAINING

All employees are required to complete training to participate in the Telework Program.

7.6 REQUEST TO PARTICIPATE IN THE TELEWORK PROGRAM

- 7.6.1 An employee requesting a project-based, fixed schedule or special circumstances telework arrangement must submit a signed telework request.
- 7.6.2 The employee may also submit a request for telework as a reasonable accommodation directly to the Agency Reasonable Accommodation Coordinator.
- 7.6.3 The employee must submit a new telework request when either of the following occurs:
 - 7.6.3.1 the employee is promoted, reassigned, detailed to a different position, or goes on a rotation to a different position; or
 - 7.6.3.2 the employee wishes to make any change to the telework agreement, such as the number of days or hours of telework, the location of the alternative worksite, etc.
- 7.6.4 The Agency will review telework agreements for accuracy as needed.

7.7 RESPONSES TO REQUESTS TO PARTICIPATE IN THE TELEWORK PROGRAM

The employee's request will be reviewed and discussed with the employee. In deciding whether to grant or deny a request, the applicable official will consider the factors set forth in Sections 7.2 and 7.4 of this Article.

Requests to participate in the fixed and special circumstances Telework Program will normally be reviewed and responded to within fifteen (15) workdays of the request. Requests for more than three (3) days of fixed telework per week, including full-time telework requests, will normally be reviewed and responded to within thirty (30) workdays, unless the request is to telework from an international location.

7.7.1 Approvals of Requests for Telework

The telework agreement forms document the terms and conditions of participation in the program. The agreement must be signed by both parties and approved in accordance with the provisions of this Article prior to the start of the telework arrangement.

Employees approved for telework must agree to abide by the terms of the telework agreement and agency drug testing policy, complete an offsite safety checklist and complete an information security checklist.

7.7.2 Denials of Requests for Telework

- 7.7.2.1 If a request to participate in the Telework Program is denied, within ten (10) days of the denial, the employee will be provided an explanation in writing for the denial, specifying the reason(s) for the denial, specifically identifying which of the criteria set forth in Section 7.4 the employee has failed to meet.
- 7.7.2.2 The management official's final decision is grievable in accordance with Article 46, Grievance Procedures.
- 7.7.2.3 Upon request submitted to the Chief, Policy and Labor Employee Relations Branch, the Agency will provide the Union a copy of the management official's final decision as described in 7.7.2.2.

- 7.7.2.4 In the event management determines that a class of positions may not participate in the Telework Program, it will first provide NTEU with written notice and upon request, meet to discuss its rationale. Upon request, the Agency will provide a written explanation to the Union for excluding a class of positions from telework eligibility.

7.8 MODIFICATION OR TEMPORARY SUSPENSION OF THE AGREEMENT

A supervisor may modify or temporarily suspend, for a specified period of time, a telework arrangement. Management retains the right to make decisions to modify or temporarily suspend a Telework arrangement on a case-by-case basis and based on business needs. Where a telework schedule is modified or temporarily suspended, advance written notice will be provided where practicable. Supervisors and employees should work together to find a mutually acceptable alternative telework schedule where possible. Such modifications or temporary suspensions are expected to be short in duration and infrequent.

7.9 TERMINATION OF THE AGREEMENT

- 7.9.1 A supervisor may terminate the employee's telework arrangement if:
- 7.9.1.1 the employee fails to adhere to any of the provisions of the telework agreement;
 - 7.9.1.2 the employee's performance in any critical element falls below a rating of Fully Successful;
 - 7.9.1.3 Appropriate work is no longer available, or a specific project has been completed;
 - 7.9.1.4 Office coverage requirements are not being met;
 - 7.9.1.5 The employee fails to truthfully report his or her time worked;
 - 7.9.1.6 The employee misuses government equipment;7.2.2.
 - 7.9.1.7 The employee refuses to use an agency specified electronic means of communication (e.g. email, Microsoft Teams, etc.) while teleworking; or
 - 7.9.1.8 The employee fails to meet any of the telework eligibility requirements outlined in 7.4 above.
- 7.9.2 Participation may be terminated by the employee at any time. In order to terminate their telework agreement, the employee must inform their supervisor of the discontinuation.
- 7.9.3 If an employee's performance falls below Fully Successful in any critical element, the employee's telework will be terminated after the employee is provided the memorandum required under Article 25.9.4 or Article 25.10.
- 7.9.4 If a Telework arrangement is terminated, the management official's final decision is grievable in accordance with Article 46, Grievance Procedures.
- 7.9.5 Employees may reapply for telework 90 days after the decision to terminate participation.

7.10 FULL-TIME TELEWORK

- 7.10.1 Any employee who meets the criteria listed in Section 7.4 may request a full-time telework schedule. To be approved, the employee must have duties that are 100% portable. Management has the sole discretion to determine whether duties are 100% portable and to approve or deny such request. Management also has the discretion to terminate the full-time telework agreement if the work is no longer 100% portable or for any reason described above. Management will not deny such requests in an arbitrary or capricious manner. In the event the agreement is terminated, the employee is responsible for all costs associated with returning to the original official duty station. The supervisor will provide written notice of termination, and the employee will normally have at least 30 but not less than 15 days to report to the original official duty station. An employee may request in writing additional time to report to the official

duty station. The supervisor will consider any such request on a case-by-case basis.

- 7.10.2 The official duty station for an employee with a telework agreement who is not scheduled to report at least twice per pay period to the NRC facility associated with their position of record is the location of the telework site. The official duty station will be used to determine employee pay, locality pay, and official travel funding responsibilities and will be documented in the employee's Official Personnel Folder. Any relocation costs associated with moving are the sole responsibility of the employee.
- 7.10.3 If the NRC office associated with their position of record and the alternative worksite are within a reasonable commuting distance, then travel between the NRC office and the alternative worksite is considered local travel, and there is no travel reimbursement for travel expenses.
- 7.10.4 A request for full-time telework at a location outside of the United States is subject to U.S. Department of State approval and if the Department of State approves, such approval may take several months to procure. An employee requesting such a telework arrangement will not be able to begin to telework internationally until the State Department approval has been procured.

7.11 SPECIAL CIRCUMSTANCES WORK AT HOME

- 7.11.1 All special circumstances work at home arrangements require a telework agreement and well-documented evidence and may be subject to review by an independent expert on behalf of the NRC. 7.11.2. Medical documentation must include the number of hours and/or days an employee would be capable of working during the workday/pay period and the duration of the situation or circumstance giving rise to the work at home request.
- 7.11.2 All special circumstances work at home plans are non-permanent arrangements for relatively short periods of time. There is no minimum period for which a plan can be approved.
- 7.11.3 Generally, work at home arrangements will be approved for the duration of the special circumstance, which should not be a period exceeding six (6) months. Determinations regarding the duration of all work at home plans will be made on a case-by-case basis. In unusual circumstances where the need continues beyond 6 months, an employee may request an extension. The request for an extension must be accompanied by medical or other relevant documentation to support the extension.
- 7.11.4 All special circumstances work at home requests, including extensions, must be submitted to the first-line supervisor and be approved prior to the start of the arrangement or extension. If an employee with a disability requests special circumstances telework to enable him or her to perform the essential functions of his or her position, this is a request for reasonable accommodation that may also be submitted to the Agency Reasonable Accommodation Coordinator.

7.12 PERFORMANCE OF WORK

- 7.12.1 Performance requirements for teleworking employees are the same as those for non-teleworking employees. When an employee participates in telework, expectations related to accountability do not differ by virtue of the telework arrangement. Nothing in this Article shall affect management's right to assign work or make reasonable requests to ascertain the status of work assignments.
- 7.12.2 A teleworking employee must be available at a specified alternative worksite to supervisors, co-workers, and the public by telephone, voicemail, email, other electronic communication or conferencing systems, as specified by the Agency, and other communications mediums during their regularly scheduled hours of work. An employee will not be subject to enhanced electronic tracking or surveillance solely because they are teleworking. This provision does not apply to the OIG or security-related activities of the Agency.

- 7.12.3 Time spent teleworking must be accounted for and reported in the same manner as if the employee reported for duty at the NRC worksite. Normal procedures regarding the requesting and approval of overtime, credit hours, leave, and other paid time off apply when an employee is teleworking.

7.13 TECHNOLOGY, EQUIPMENT, AND SUPPLIES

- 7.13.1 The employee will be responsible for all home maintenance, operating costs, insurance, or any other costs (e.g., utilities, internet service) associated with the use of an alternative worksite. The Agency will provide the IT equipment determined necessary by the Agency for participating employees to perform their assigned duties. An employee is not prevented from supplementing Agency equipment with the employee's personally owned equipment, in accordance with NRC's applicable guidance, policy, and procedure regarding use of personal devices (such as keyboards, headphones, monitors or mice). Employees wishing to utilize basic agency office supplies, such as paper and pens, that would otherwise be provided in the NRC supply room may retrieve such items from the supply room for use while teleworking. The Agency will not deliver to employees or reimburse employees for the cost of office supplies.
- 7.13.2 The teleworking employee must comply with all applicable information technology and information management law, rules, regulations, and NRC policies, guidance and processes concerning information technology and information management.

7.14 TELEWORK IN CONTINUITY OF OPERATIONS AND OTHER WEATHER OR EMERGENCY CONDITIONS

Agency closures due to weather, road conditions, or other emergency conditions do not normally affect an employee's ability to telework. Therefore, all employees with an approved telework agreement are expected to work their normal tour of duty by teleworking on those days when the government has unscheduled leave/unscheduled telework, delayed arrival, early dismissal, or Federal offices are closed to the public. All such employees will not normally be granted weather and safety leave. If an emergency occurs at the telework site that impacts an employee's ability to perform official duties, the employee will notify their supervisor as soon as practicable. The supervisor may direct the employee to another work site, grant weather and safety leave, or allow the employee to request appropriate leave, e.g., annual leave or LWOP.

Telework is a vital part of the NRC's COOP plan. When the agency is operating under COOP, the COOP Plan will supersede the telework policy.

7.15 REPORTS

The Union will be provided with a copy of any OCHCO reports or data regarding telework participation provided to any other government entity (e.g., OPM, OMB, GSA, or Congress). However, internal NRC reports that are management advice and guidance are not covered by this section.