



April 24, 2024

[REDACTED]  
Email: [tonya@ishareknowledge.com](mailto:tonya@ishareknowledge.com)

Re: FOIA File No.: **FOIA24-059**

Dear Ms. Mead:

By this letter, we grant the Freedom of Information Act (FOIA request you submitted to the U.S. Agency for Global Media (USAGM) seeking various data related to the agency's telework program. We release these records in full and without redaction.

**I. Your FOIA Request**

You submitted your request via email on April 3, 2024.

Specifically, you requested:

- The total number of employees employed full time and part time
- The number of employees eligible to participate in telework (5 U.S.C.6502(a)(1)(B))
- The number of employees who are participating in telework (5 U.S.C.6502(a)(1)(B))
- The number of employees who list their primary residence as their alternate worksite and report to the agency worksite on a regular and recurring basis
- The number of employees who are participating in a flexible work arrangement where their alternate worksite may be within or outside the local commuting area and they are not required to report to the agency worksite on a regular and recurring basis

- The number of eligible employees authorized to telework who have entered into a written telework agreement with their supervisor as a pre-condition to participation (5 U.S.C. 6502(b)(2))
- The number of eligible employee authorized to telework who have not entered into a written telework agreement with their supervisor as a pre-condition to participation (5 U.S.C. 6502(b)(2)) but are still allowed to telework
- The number of eligible employee authorized to telework who have maintained their acceptable levels of employee performance or agency operations, in accordance with OPM performance management guidelines (5 U.S.C. 6502(b)(1))
- The number of eligible employee authorized to telework who have not maintained their acceptable levels of employee performance or agency operation
- To list the appropriate steps management has taken if it has had to deny or revoke telework for employees who have been disciplined for specified misconduct (5 U.S.C. 6502(a)(2)) (5 U.S.C. 6502(b)(1),6503(a)(4))
- The number of eligible employee authorized to telework who have been denied or revoked telework agreements when these employees have been disciplined for specified misconduct (5 U.S.C. 6502(a)(2))
- The number of employees who have been denied telework agreements because their jobs require the handling of secure materials inappropriate for telework or whose work requires on-site activity (except in an emergency as determined by the head of the agency) (5 U.S.C. 6502(b)(4))
- The number of newly staffed employees hired to manage teleworkers to maintain compliance with their telework agreements, as required by 5 U.S.C. 6502(b)(3)
- The number of re-assigned employees required to manage teleworkers to maintain compliance with their telework agreements, as required by 5 U.S.C. 6502(b)(3)
- The number of employees assigned new duties required to manage teleworkers to maintain compliance with their telework agreements, as required by 5 U.S.C. 6502(b)(3)
- The number of (a) employees and number of (b) incidents per employee where appropriate steps to terminate the arrangement if non-compliance is not promptly corrected.

The agency acknowledged your request via email on April 5, 2024 and assigned it tracking number FOIA24-059.

## II. Search for and Release of Responsive Agency Records

Congress enacted the Freedom of Information Act to “ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed.” *Nat’l Labor Relations Bd. v. Robbins Tire & Rubber Co.*, 437 U.S. 214, 242 (1978). The law provides the public with the right to receive records and information from the government in order to further democratic principles and allow for independent evaluation of government action.

In furtherance of those interests, we conducted a search that we reasonably calculated to identify the records you sought. This office contacted the agency’s Office of Human Resources (OHR), which administers the agency’s telework program. Although the agency did not possess records that contained the data you sought, OHR collected the various data you sought, insofar as doing so was possible. Although the FOIA requires agencies to “provide the record in any form or format requested,” such requirement is limited to where the record is “readily producible by the agency in that form or format.” 5 U.S.C. §552(a)(3)(B). In this case, because the agency does not ordinarily maintain the information you seek in any format, it is not able to reproduce those records in xls or csv format, as you request.

Regarding the data you requested, OHR provided the following information. In some circumstances, OHR did not track data for all of the requested years. In others, OHR reported that it does not track the data at all. The below data encompasses as much information as the agency was able to gather related to your request.

- The total number of employees employed full time and part time

2019	1377
2020	1379
2021	1323
2022	1289
2023	1284

- The number of employees eligible to participate in telework (5 U.S.C.6502(a)(1)(B))

2019	1311
2020	1314
2021	1268
2022	1234
2023	1226

- The number of employees who are participating in telework (5 U.S.C.6502(a)(1)(B))

2021	427
2022	773
2023	1252
2024	1306

- The number of employees who list their primary residence as their alternate worksite and report to the agency worksite on a regular and recurring basis

**OHR reported that it does not track this data.**

- The number of employees who are participating in a flexible work arrangement where their alternate worksite may be within or outside the local commuting area and they are not required to report to the agency worksite on a regular and recurring basis

2022	117
2023	148

- The number of eligible employees authorized to telework who have entered into a written telework agreement with their supervisor as a pre-condition to participation (5 U.S.C. 6502(b)(2))

2023	1252
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- The number of eligible employee authorized to telework who have not entered into a written telework agreement with their supervisor as a pre-condition to participation (5 U.S.C. 6502(b)(2)) but are still allowed to telework

0.

- The number of eligible employee authorized to telework who have maintained their acceptable levels of employee performance or agency operations, in accordance with OPM performance management guidelines (5 U.S.C. 6502(b)(1))

Years	# of employees who have maintained acceptable level	# of employees who have not maintained acceptable level
2019	1361	0
2020	1364	2 *Please note that in March 2020, at the beginning of the pandemic, employees were mandated to telework until further notice. Thus, the two employees who received an unsuccessful rating, may not have been allowed to return to the building during such time.
2021	1310	0
2022	1274	0
2023	1267	0

- The number of eligible employee authorized to telework who have not maintained their acceptable levels of employee performance or agency operation

See chart above.

- To list the appropriate steps management has taken if it has had to deny or revoke telework for employees who have been disciplined for specified misconduct (5 U.S.C. 6502(a)(2)) (5 U.S.C. 6502(b)(1),6503(a)(4))

**Management has denied or revoked telework for employees who have been disciplined for specified misconduct.**

- The number of eligible employee authorized to telework who have been denied or revoked telework agreements when these employees have been disciplined for specified misconduct (5 U.S.C. 6502(a)(2))

**0.**

- The number of employees who have been denied telework agreements because their jobs require the handling of secure materials inappropriate for telework or whose work requires on-site activity (except in an emergency as determined by the head of the agency) (5 U.S.C. 6502(b)(4))

2019	50
2020	50
2021	42
2022	40
2023	41

- The number of newly staffed employees hired to manage teleworkers to maintain compliance with their telework agreements, as required by 5 U.S.C. 6502(b)(3)

**0.**

- The number of re-assigned employees required to manage teleworkers to maintain compliance with their telework agreements, as required by 5 U.S.C. 6502(b)(3)

**0.**

- The number of employees assigned new duties required to manage teleworkers to maintain compliance with their telework agreements, as required by 5 U.S.C. 6502(b)(3)

**3.**

- The number of (a) employees and number of (b) incidents per employee where appropriate steps to terminate the arrangement if non-compliance is not promptly corrected.

**2023 – (a) 4 employees; (b) 4 incidents**

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

**III. Administrative Remedies**

This completes the processing of your request. You may administratively appeal any adverse determinations made by the agency to the Access Appeals Committee. You must submit your appeal by email to [foia@usagm.gov](mailto:foia@usagm.gov) within 90 days of the date of this letter. You should include any information you believe indicates an error in this determination. You may also wish to contact USAGM's FOIA Liaison, Stephen McGinley, for additional assistance at [smcginley@usagm.gov](mailto:smcginley@usagm.gov) or 202-920-2366.

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at [ogis@nara.gov](mailto:ogis@nara.gov) or call 1-877-684-6448.

Sincerely,



Matthew Pollack, Assistant General Counsel  
Office of General Counsel  
U.S. Agency for Global Media

Source: TOPIA's Media