



UNITED STATES MARINE CORPS
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POSTAL SERVICE CENTER BOX 8003
CHERRY POINT, NORTH CAROLINA 28533-0003

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AIR STATION ORDER 12271

From: Commanding Officer, Marine Corps Air Station Cherry Point
To: Distribution List

Subj: TELEWORK FOR CIVILIAN MARINES

Ref: (a) MCO 12271.1
(b) MCICOM Policy Letter 01-18
(c) Public Law 111-292, Telework Enhancement Act of 2010
(d) ASO 3030.1C, Chapter 15
(e) ASO 3140.1C
(f) SECNAV M-5210-.1
(g) SECNAVINST 5211.5E
(h) 5 USC 552a
(i) SECNAV Notice 5210
(j) MCO 5210.11F
(k) Public Law 111-292, Telework Enhancement Act of 2010

Encl: (1) Telework Policies and Procedures

1. Situation. In accordance with references (a) thru (e), this Order establishes policy and procedures for the Marine Corps Air Station Cherry Point (MCAS CHERPT) Telework Program. In the event of a conflict between this Order and the negotiated agreement(s) applicable to MCAS CHERPT, the negotiated agreement take precedence for bargaining unit positions and employees.

2. Mission. Promulgate policy and instructions governing telework for civilian Marines for Headquarters & Headquarters Squadron (HQHQRON) Commander, Directors, and Special Staff under the cognizance of MCAS CHERPT.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) This Command is committed to promoting and implementing telework consistent with mission capability and readiness. This Telework program supports workforce efficiency, emergency preparedness, and continuity of operations (COOP) per references (a) thru (e).

(b) Telework is not an entitlement. It may provide an alternative means to help employees return to work more quickly following an injury or may serve as a reasonable accommodation.

(c) Maximum amount of telework for this Command is approved for one or two days per pay period. This includes regular and recurring and/or for situational/ad-hoc basis.

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(2) Concept of Operations

(a) Consistent with references (a) thru (e), telework may be authorized for the maximum number of positions to the extent that individual performance, mission readiness, and organizational effectiveness are not jeopardized.

(b) Occupying a position that is telework eligible does not automatically confer authorization/approval for a given employee. Employee authorization/approval is driven by many factors including conduct and performance issues, trainee status, staffing levels within the employee's assigned office, and the availability of equipment. At a minimum, an employee must be able to effectively perform his or her official duties completely, or in part, at the fully successful level at the alternative worksite without impairment to the mission.

(c) Participation in the Telework Program is offered with the understanding that it is the responsibility of the employee to ensure a proper work environment is maintained. For example, arrangements must be made for safety, for dependent care so as not to interfere with work, and for avoiding disruptions such as personal telephone calls and visitors.

(d) Telework is a voluntary program, not an employee right. It is an opportunity to work in a more flexible environment; however, once a voluntary telework arrangement has been entered into, it also carries the obligation to support mission continuity in emergency situations such as inclement weather, pandemic, or crisis.

b. Tasks

(1) Director of Manpower

(a) The Civilian Manpower Officer is designated as the telework coordinator in writing to oversee and coordinate implementation and day to day administration of the Telework Program.

(b) The telework coordinator will serve as an advisor for command leadership and serve as a resource for supervisors and employees. The telework coordinator will also gather telework data for required reports.

(c) Ensure telework arrangements are incorporated into COOP planning so that employees will be able to telework during emergency situations.

(d) Ensure positions descriptions (PD) and the employee personnel records are updated with correct telework eligibility.

(e) Upon request, submit all reports required by references (a) and (c) to CMC (MPC-40).

(2) Directorates and Special Staff

(a) Identify positions that are suitable for telework and determine position/employee eligibility to telework in accordance with this Order and command guidance. Information to assist in determining position and employee eligibility for telework is in the enclosure at paragraph 2.

(b) Communicate telework eligibility positions to supervisors and manager.

(3) Supervisors and Managers Shall:

(a) Review and approve all telework request submitted by an employee via Total Workforce Management Services (TWMS).

(b) Questions concerning any telework request must be coordinated with the Telework Coordinator to ensure compliances with references (c) and (d) and for records management requirements.

(c) Approve, disapprove, or terminate an employee's telework request or schedule. Denial of a request to telework and telework termination decisions must be based on mission needs, performance, and this Order but not for personal reasons. Valid reasons for a supervisor to deny a telework request or terminate an existing telework schedule include, but are not limited to, staffing shortage issues and peak workload periods that require the employee's on-site presence. A denial or termination should include information as to when the employee might reapply, and if applicable, what actions the employee should take to improve his or her change of approval. Supervisors and Telework Coordinator should review telework provisions in applicable collective bargaining agreements to ensure decisions are in accordance with such provisions.

(d) Terminate the telework schedule of an employee when the employee no longer meets the eligibility requirements for telework. Paragraph 2.b.(3) of the enclosure identifies the two reasons where disapproval of a telework request, or termination of an existing telework schedule, is mandated by law.

(e) Complete the Telework Training for Department of the Navy (DON) Supervisors course via TWMS prior to authorizing a telework arrangement for any employee. Telework training requirements are discussed in the enclosure at paragraph 3.

(f) Ensure performance standards for employees who telework are commensurate with performance standards for non-teleworkers and hold employees accountable for the results they produce while teleworking.

(g) Treat teleworkers and non-teleworkers the same for the purpose of work requirements, periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade, retaining and removal, and other acts requiring management discretion.

(h) Ensure telework agreements are in place and the teleworker has completed required training prior to starting a telework schedule. All mission essential staff should have telework agreements in place, if the position is eligible to telework.

(i) Review and re-sign telework agreements on an annual basis. New telework agreements will be executed when a new supervisor-employee relationship is established.

(j) Ensure the provisions listed paragraph 3.c. of the enclosure are added to all telework agreements.

(k) On a date when an activity is closed due to emergencies, employees who are scheduled to telework on the date of the closure are expected to telework, unless leave is requested and approved. Telework-ready employees who have been approved to work unscheduled telework are also subject to this provision. If the closure extends beyond one (1) day, teleworkers are expected to continue working for each day of the closures, provided the employee has sufficient work to complete.

(l) When a late arrival policy is announced, employees who are teleworking on a scheduled or unscheduled basis must work their normal telework hours or request leave.

(m) When an early dismissal policy is announced, employees who are teleworking on a scheduled or unscheduled basis are expected to continue working or request leave.

(4) Employees Who Telework Shall:

(a) Safeguard all Marine Corps information, protect government furnished equipment and government property, and perform assigned duties while teleworking.

(b) Not take classified documents (hard copy or electronic) to their homes or alternative worksites. If classified telework is authorized at an approved alternative secure location, teleworkers shall comply with procedures established by this Order regarding such work.

(c) Protect sensitive unclassified data, including Privacy Act or For Official Use Only data.

(d) Telework as required by references (c) and (d) to accomplish the mission, to include attending meetings or briefings.

(e) Ensure customers, supervisor, and co-workers have ready access to telephone contact information. Utilize out of office replies to notify personnel that telework is being conducted.

(f) Complete the telework agreement prior to starting a telework schedule and thoroughly read and abide by the terms of the telework agreement and this Order.

(g) Complete the Telework Training for DON Employees course via TWMS prior to requesting to telework.

4. Administration and Logistics

a. Records Management. Records created as a result of this Order shall be managed according to National Archives and Records Administration (NARA) approved dispositions per references (g) and (i) to ensure proper maintenance, use, accessibility and preservation, regardless of format or medium. Refer to reference (i) for Marine Corps records management policy and procedures.

b. Privacy Act. Any misuse or unauthorized disclosure of Personally Identifiable Information (PII) may result in both civil and criminal penalties. The DON recognizes that the privacy of an individual is a personal and fundamental right that shall be respected and protected. The

DON's need to collect, use, maintain, or disseminate PII about individuals for purposes of discharging its statutory responsibilities will be balanced against the individuals' right to be protected against unwarranted invasion of privacy. All collection, use, maintenance, or dissemination of PII will be in accordance with the Privacy of 1974, as amended (references (h) and implemented per reference (i)).

5. Command and Signal

a. Command. This Order is applicable to the Civilian Marine Corps Appropriated Fund (APF) and Non-Appropriated Fund (NAF) workforce.

b. Signal. This Order is effective the date signed.



M. R. HUBER

DISTRIBUTION: A

TELEWORK POLICIES AND PROCEDURES

1. Types of Telework Schedules. There are two types of telework schedules: regular/recurring and situational.

a. Regular and Recurring Telework: An employee is scheduled to work at an approved alternative worksite in a regular and recurring pattern on one or more days each pay period.

b. Situational Telework: An employee's telework at an approved alternative worksite is unscheduled, project-oriented or irregular in nature. Situational Telework is also referred to as periodic, ad-hoc, or intermittent telework): Examples include telework to:

(1) Continue operations when the traditional worksite is closed to the public, access is limited, or commuting is dangerous. See reference (d).

(2) Practice telework to ensure readiness for continuing operations in the event of a crisis or national emergency. See reference (e).

(3) Perform short-term projects or assignments that require concentration and uninterrupted blocks of time for successful completion.

(4) Allow work by an employee who is temporarily unable to physically report to the traditional office (e.g., when recovering from illness or injury).

2. Telework Eligibility. Both the position and the person must be considered when determining telework eligibility. There may be cases where a position is a telework-eligible position but the employee is not eligible to telework.

a. Position Eligibility. Positions eligible for telework are those involving tasks and work activities that are portable, do not depend on the employee being at the official duty station, and are conducive to supervisory oversight at the alternative worksite. Positions will not be excluded as eligible solely on the basis of occupation, series, grade, or supervisory status.

(1) Tasks and functions generally appropriate for telework include, but are not limited to:

- Thinking and writing
- Policy development
- Research
- Analysis
- Report writing
- Telephone-intensive tasks
- Computer-oriented tasks, e.g., programming, data entry, word processing, web page design

(2) Positions that require daily, on-site contact with other employees or customers, require direct handling of secure materials or systems, or contact with machinery, equipment or vehicles are not suitable for telework. If a position requires an employee to have a physical presence or perform situational dependent activities such as firefighter, forest

ranger, guard, police officer, or air traffic control duties, the position is not suitable for telework.

b. Person Eligibility. Once a position has been determined to be suitable for telework, the following eligibility requirements must be applied to the employee:

(1) Eligible For Telework: The employee's performance must be at the Fully Successful level or above and the employee must have demonstrated appropriate work habits to include the ability to work independently without close supervision.

(2) Not Eligible for Telework: Employees whose performance or conduct warrants close supervision (e.g., whose rating of record is below the Office of Personnel Management's Fully Successful rating, whose conduct resulted in corrective action within the last 12 months, or who have an unresolved security issue) shall not be allowed to telework until such time as the supervisor determines these issues have been satisfactorily resolved. Employees who are newly assigned to a trainee or entry level position shall not be authorized telework until the employee has demonstrated both satisfactory performance and appropriate work habits.

(3) Prohibited by Law from Telework: Employees shall not be authorized telework consistent with section 6502 (a) (2) of reference (c) if:

(a) The employee has been officially disciplined for being absent without permission for more than five (5) days in any calendar year.

(b) The employee has been officially disciplined for violations of subpart G of the Standards of Ethnical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties.

3. Telework Training and Telework Agreement

a. All teleworkers and supervisors of teleworkers are required to complete telework training prior to entering into a telework agreement. Completion of telework training must be entered into TWMS or equivalent system if TWMS is unavailable for use.

b. Commands are required to use the automated Telework Agreement tool available in TWMS or equivalent system if TWMS is not available for use. TWMS provides an electronic repository for all telework agreements and automatic notification prior to the telework agreement expiration date. It provides the Marine Corps with an automated process for ensuring that participants are in compliance with telework policy. DD Form 2946 (Department of Defense Telework Agreement) will be used to record all telework agreements.

c. The following provisions must be added to all telework agreements, including those agreements currently in effect. The provisions will be added in the section titled COMPONENT-SPECIFIC TERMS AND CONDITIONS:

(1) On a day when an activity is closed due to emergencies, employees who are scheduled to telework on the day of the closure are expected to telework, unless leave is requested and approved. Telework-ready employees

who have been approved to work unscheduled telework are also subject to this provision. If the closure extends beyond one day, teleworkers are expected to continue working for each day of the closure, provided the employee has sufficient work to complete.

(2) When a late arrival policy is announced, employees who are teleworking on a scheduled or unscheduled basis must work their normal telework hours, or request leave.

(3) When an early dismissal policy is announced, employees who are teleworking on a scheduled or unscheduled basis are expected to continue working or request leave.

4. Accounting for Time in a Telework Status. Teleworking employees are required to satisfactorily complete duties as assigned and their time spent in a telework status must be accounted for and reported on timecards.

a. Timecards for APF employees must be coded to reflect time worked in a telework status with the type hour code being RG and the Environmental Hazard (Ehz) code that distinguishes the type of telework, from the options below:

(1) Use code TW to show regular and recurring telework days;

(2) Use code TS to show situational telework days;

b. For APF employees on flexible work schedules that permit the earning of credit hours, consult local policy to determine whether credit hours may be earned while in a telework status. If credit hours are permitted to be earned while teleworking, the type hour code will be CD. For telework that is performed while in an overtime status, normal rules apply for approval to work overtime. The type hour code will be the normal codes for overtime. In both cases, the EHZ codes will be the same as in paragraph 4.a. above.

c. Time spent in telework status by a NAF employee must be accounted for and reported in the same manner as if the employee reported for duty at the traditional worksite. It is required that "TW" be annotated in the comment section of the timesheet.

5. Continuity of Operations (COOP), Pandemic Outbreak, Weather, and Other Emergency Situations

a. Federal agencies are expected to continue essential operations during emergency events. This expectation is a primary reason for expanding the use of telework in the Federal sector. Situations may include, for example, inclement weather or other natural event, a national or local crisis, or a pandemic outbreak. Maximizing telework capability helps the Marine Corps continue to meet mission requirements and in the case of pandemic, to achieve social distancing.

b. When an emergency occurs, telework-ready employees in the affected area are expected to telework as scheduled for the duration of the emergency. To be telework-ready in an emergency, an employee must have a current telework agreement in place; have needed equipment and connectivity available; have practiced telework regularly in order to ensure proficiency and capability; and have sufficient work available to remain productive for the duration of the event.

c. An employee who is scheduled to telework and a telework-ready employee who is approved for unscheduled telework on a day when an unscheduled telework policy is announced are considered teleworkers for that day and are expected to telework during their normal tour of duty.

d. If a compelling reasons prevents fulfilling the obligation to telework, an employee should contact his or her supervisor to request appropriate leave or, if applicable, administrative excusal. Compelling reasons include power outages at the telework site; inability to access material necessary to perform work; and evacuation by the local authorities.

e. If the regular worksite is open and circumstances prevent the employee from teleworking, the employee may report to the worksite or request leave.

6. Other Provisions

a. An employee in a Testing Designated Position working at a telework site who is identified for a drug test must report to the regular worksite to be tested if so directed.

b. If there is reason to suspect safety standards are not being met at a home telework site, or when an accident or injury has occurred at a home worksite, a supervisor (or other authorized agency official) has the right to inspect the teleworker's home worksite. In these cases, an appointment will be made to inspect the home worksite.

c. If a teleworker is required to report to the regular worksite after the start of the duty day on a day the employee is teleworking, travel from the telework site to the regular worksite is considered hours of work. In these cases, the employee will complete the duty day at the regular worksite.

d. The Marine Corps is not liable for damage to an employee's personal or real property while the employee is working at an approved alternative worksite, except to the extent the Marine Corps is held liable by the Federal Tort Claims act or the Military Personnel and Civilian Employees Claims Act.

e. Telework arrangements do not automatically follow an employee who is temporary duty assignment, temporarily detailed, or assigned to a different position or supervisor. The new supervisor may continue or modify the employee's telework arrangement but is not obligated to do so.

f. Telework is an option that may be recommended to the employee as a Reasonable Accommodation. Supervisors will ensure the employee follows the procedures outlined in reference (d) regarding Reasonable Accommodation. Supervisors will immediately contact the Equal Employment Opportunity Office for all Reasonable Accommodation coordination and guidance.

g. Issues involving a serious medical condition of the employee or their dependent should be referred to the requirements outlined in the Family Medical Leave Act (FMLA). The Civilian Human Resources Office-East, Labor and Employee Relations can assist in providing information regarding FMLA.

h. In the case of a temporary health issue (i.e., recovery of recent operation but the employee is still able to perform work requirements), telework will be considered on a case-by-case basis.

(1) Temporary health problems that would be considered for telework may include recovery from illness or injury that requires a convalescence period, providing the condition does not diminish the ability to perform the basic job functions. For example, if the employee is required to be on bed rest, this would not meet the requirements for telework.

(2) If the condition requires the employee to be away from the assigned duty station for an extended period, the supervisor must bring this to the directorate's head attention before approving telework.