

# Frequently Asked Questions

## **1. Is telework voluntary?**

Yes. There does not appear to be any language in the Act that would lead us to revise our understanding that telework is a voluntary flexibility. In other words, an agency may not compel an employee to telework, even if the duties of the position make that employee "telework eligible." However, although entering into a telework arrangement is voluntary, once the employee is under such an arrangement, he/she may be required to telework outside of his/ her normal telework schedule in the case of a temporary emergency situation if that understanding has been clearly communicated by the agency to the teleworking employee in the written telework agreement.

## **2. What do I do if my manager says no to my request to telework?**

Agency telework policies establish the basic guidelines for telework eligibility and the application process. Within this framework, managers and supervisors generally have discretion to implement telework to fit the business needs of their organizations. You can work with your telework coordinator to fully understand the relevant policies and procedures.

## **4. Does an employee have a right to telework?**

No. Telework is not a universal employee benefit or an employee right. Federal law requires agencies to establish telework programs but does not give individual employees a legal right to telework.

## **5. What do I do if my manager says no to my request to telework?**

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## **6. Do I need a telework agreement before I telework?**

Yes, the Telework Enhancement Act requires every employee who participates in telework to have a written agreement, regardless of the type of telework.

## **7. Is Telework training available?**

Yes, OPM offers a Government wide telework training program for employees on our website, [www.telework.gov](http://www.telework.gov). Additionally, individual agencies have the option of offering their own on-line or classroom based telework training tailored to their organizations.

## **8. Can I use my own computer?**

Employees who telework must utilize government computers. Storage or processing of sensitive and critical information is not authorized on personal or home computers at any time. Personal Identifiable Information (PII) must be saved in encrypted folders only on government computers. Use of personal computers is prohibited for telework.

## **9. Can teleworkers follow an alternative work schedule?**

There is no current prohibition in Federal law or regulation that says an employee who engages in telework is not eligible to participate in an alternative work schedule. Agency telework policies establish the basic guidelines for telework eligibility. Within this framework, managers and supervisors generally have the discretion to implement telework to fit the business needs of the organization.

## **10. How does teleworking affect morale and productivity amongst workers who continue to work in the office?**

When a telework program is implemented properly and the teleworker selection process is clear and objective, any possible negative effects on the morale and productivity of non-teleworkers can be minimized. It is important to clearly communicate to all employees that teleworkers are selected on the basis of their job functions and their work performance characteristics.

## **11. How does a manager ensure the alternate work location for a teleworker is safe, and how is a claim for injury handled?**

It is the employee's responsibility to maintain a clean, safe and productive home office environment. Depending on the requirements of the agency telework policy, a manager may ask the employee to complete a safety checklist self-certifying the home office is free from hazards. The checklist generally provides a description of the agreed upon alternative worksite or designated work area, a self-certifying assessment of its overall safety.

## **12. Does an employee who uses a portion of his/her home for business qualify for any Federal Tax deduction?**

The Governmentwide Telework Office is not qualified to provide tax advice on the question of whether a telework arrangement qualifies for a Federal tax deduction. For more specific information about the tax implications of telework, please consult with a qualified tax preparer.

## **13. Does having a dependent in the home automatically disqualify an employee from being eligible for telework?**

No. While telework is not a substitute for dependent care, it can be a very valuable flexibility to employees with caregiving responsibilities. While the presence of dependents in the home should not be an absolute bar to teleworking, employees should not be engaging in dependent care activities while performing official work duties. Also, teleworkers with in-home dependent care arrangements should remember that all workplace policies remain in place, including telework start/end times.

## **14. What if the telework does not work out?**

Sometimes there may be instances in which both the employee and manager have made a good faith effort to make a telework arrangement work without success. Both the teleworker and the supervisor should understand that if telework does not work out for an individual, it does not in any way reflect on that individual's ability to perform his/her job. Your telework agreement should include a clause stating either the manager or the employee may terminate the telework agreement for operational or performance issues. For more information about your agency's policy for terminating telework agreements.