



NATIONAL GUARD BUREAU

1636 DEFENSE PENTAGON
WASHINGTON, DC 20301-1636

CNGB DTM 1101.01
NGB-SL
18 May 2023

MEMORANDUM FOR ALL NATIONAL GUARD BUREAU PERSONNEL

Subject: National Guard Bureau Telework and Remote Work Program

References: See Attachment E.

1. Purpose. This Chief of the National Guard (CNGB) Directive-Type Memorandum (DTM) establishes interim guidance for the National Guard Bureau (NGB) Telework and Remote Work Program in accordance with reference a.
2. Cancellation. This CNGB DTM cancels and replaces CNGB Instruction 1101.01, 20 October 2017, "National Guard Bureau Telework Program."
3. Applicability. In this CNGB DTM, "employee" refers to civilian personnel and Service members assigned to the NGB including Service members serving on Active Duty Operational Support orders; this CNGB DTM applies to all NGB Title 5 civilian employees and military service members performing duty within the National Capital Region and at geographically separated entities of the NGB. "Telework" refers to agreements where the employee is required to report to work both at an agency worksite and alternative worksite on a regular and recurring basis each pay period. "Remote work" refers to agreements where the employee has an approved alternate worksite on a permanent basis, with no frequent, regular or recurring requirement to physically report to the regular worksite.
4. Policy. It is NGB policy to provide telework and remote work within the NGB to enhance productivity, recruiting and retention, mission assurance, emergency preparedness, continuity of operations, quality-of-life, and cost-savings, in accordance with references a, b, and c. It is important to note that the ability to telework or remote work still depends on position eligibility, which is determined by the nature of work performed and whether or not telework or remote work would negatively impact the mission.
 - a. Management Options. Telework is not an entitlement and when used, it must be consistent with mission requirements and effective employee management. Civilian employee participation in the NGB Telework and Remote Work Program is ultimately voluntary; however, in emergency circumstances, the agency may direct civilian employees to perform duty at an alternate work location. Examples include a public health emergency or the invocation of a Continuity of Operations Plan (COOP). In such circumstances, civilian employees not previously participating in the telework program will complete required telework training as soon as practical. Commanders and

supervisors retain the authority to direct a service member to telework and are not limited to the circumstances that apply to directing civilian employees to do so.

(1) Management may require remote employees to report to the agency worksite for official business reasons. If the official worksite of the remote worker is outside the local commuting area of the agency worksite, the employee may be entitled to official travel benefits. Any travel pay entitlements must be approved by management (including Defense Travel System approval) before traveling. Management should use discretion in determining work status when requiring a teleworking employee to commute to the agency worksite on short notice when the telework day has already begun. Travel time may be considered work hours.

(2) Management has the discretion to limit, expand, or terminate Remote and Telework Agreements, as telework and remote work are not entitlements. If a supervisor denies a request or terminates an agreement, the supervisor should document the reasons for doing so in writing and provide a copy to the employee. When terminating a telework and remote work arrangement, appropriate notice should be given, taking into consideration such factors as mission needs, employee/Service Member personal circumstances, as well as any required collective bargaining requirements.

b. NGB Telework Profiles. The frequency of authorized telework to best meet mission and personnel requirements and to maximize organizational effectiveness must align with the NGB Telework Profiles below, which assume a standard work schedule of 10 workdays per pay period. See Table 1. Telework agreements for non-standard work schedules (for example, 5/4/9 or 4/10) must be reviewed and approved case-by-case to ensure proper pay and entitlements. Situational telework that is not part of a previously approved, ongoing, or regular telework schedule, will be approved case-by-case (for example, situations including an employee with a short-term need for uninterrupted time to complete work on a complex project, an employee recovering from illness or injury who is temporarily unable to physically report to the agency worksite, an employee with dependent care responsibilities, an employee who opts for unscheduled telework when the Federal Government operating status in the area of the employee's agency worksite is "Open with Option for Unscheduled Leave or Unscheduled Telework").

(1) Situational Telework. (Default profile for NGB service members) Situational Telework (also referred to as episodic, intermittent, unscheduled, or ad hoc telework) is approved on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing and regular telework schedule (as a result of inclement weather, medical appointment, special work assignments, or to accommodate other special circumstances). Telework is also considered situational even though it may occur continuously for a specific period.

(2) Telework Balanced. (Default profile for NGB civilian members) An approved work schedule where eligible employees work at an alternative worksite on a regular, recurring, and ongoing basis (2 to 8 days telework per pay period). Telework Balanced is sometimes referred to as Regular or Routine Telework.

(3) **Telework MIN.** An approved work schedule where eligible employees work at an alternative worksite on a regular, recurring, and ongoing basis (less than 2 days telework per pay period).

(4) **Telework MAX.** An approved work schedule where eligible employees work at an alternative worksite on a regular, recurring, and ongoing basis (more than 8 days telework per pay period). Because Telework MAX arrangements do not have a requirement for the employee to report at least twice per pay period on a regular and recurring basis to the agency worksite, the designated official worksite for Telework MAX arrangements will typically be the location where the telework is physically performed (the alternative worksite or alternative duty location) and not the agency worksite. Correctly designating the official worksite for Telework MAX employees is essential for ensuring proper calculation and accountability of housing allowances and locality pay.

Duty Location	NGB Telework Profile	OPM Telework nomenclature	Telework percentage	Routine requirement to report to the agency worksite	Is the telework location in the local commuting area of the agency worksite?	Designated "Official Worksite" (for BAH/locality pay purposes)
Agency Worksite or "Regular Worksite"	Non-Local Remote Worker	"Routine" Telework	100% Telework	None	No	Varies
	Local Remote Worker				Yes	Will be codified in each individual's telework arrangement
	Telework MAX		>8 days telework per pay period	<2 days in-person per pay period		Agency or Regular Worksite
	Telework Balanced		2 to 8 days telework per pay period	≥2 days in-person per pay period		
	Telework MIN		<2 days telework per pay period			
	Situational Telework only	"Situational" Telework	Telework authorized only as approved case-by-case	All workdays, unless specifically approved for situational telework		

Table 1. Telework Profiles

c. **Approval Authorities.** See Table 2 for all approval authorities. General Officer Review Panel (GORP) representatives approve or disapprove telework and remote work requests in accordance with Table 2. GORP members include the Vice Chief of the National Guard Bureau as Chair; NGB Director of Staff as the representative for NGB Joint Staff, Office of the Chief of the National Guard Bureau, and Joint Operating Agencies; the Deputy Director of the Air National Guard for Air National Guard Staff; the Deputy Director of the Army National Guard for Army National Guard Staff; and the Director of Space Operations for NGB Space Operations Staff.

(1) Air National Guard Human Resources or Army National Guard Human Capital Management notifications are required to ensure the Service member's and

Civilian member's permanent duty station should be evidenced by appropriate documentation (military order, civilian SF50, Memorandum for Record). This will ensure proper execution and compliance with multiple administrative requirements, such as basic allowance for housing; permanent change of station costs; personnel, manpower, or pay databases; and travel or temporary duty reimbursement. In addition, NGB Joint Human Resources will be notified for Office of the CNGB, NGB Joint Staff, and Joint Operating Agencies positions. Non-local-area remote workers will have an approved Memorandum of Agreement that contains administrative support information such as fitness, drug, or medical testing. The responsibility for accomplishing the Memorandum of Agreement lies with the Service member, supervisor, and Staff Director.

(2) Staff Directors are Directorate-level Directors or Office Chiefs, typically at the general officer or Senior Executive Service level (for example, A1, NGB-J2, G3, NGB-J6, Office of the CNGB). All Service members will have, at a minimum, a Situational Telework Agreement. Unless identified as a condition of employment at the time of hiring, civilian participation in the telework program is ultimately voluntary. Civilians participating in the telework program will execute within the Telework Balanced profile unless approved for another profile (for example, Telework MIN, Telework MAX) by the appropriate GORP representative in accordance with Table 2.

Duty Location	NGB Telework Profile	Telework Approval Authorities			
		Telework Profile Approval (i.e. authority to execute a position within a specified profile)		Telework Agreement Specifics (i.e. specific scheduled hours/days/etc. within approved profile)	Temporary Profile Changes (i.e. temporary execution of telework/remote work in a profile other than formally approved)
		For Service Members (SMs)	For Civilian Employees		
Agency Worksite or "Regular Worksite"	Non-Local Remote Worker	GORP representative with HR/HCM notification		Staff Director with HR/HCM notification	<31 days: O-6/GS-15 supervisor 31-90 days: Staff Director >90 days: GORP representative with HR/HCM notification
	Local Remote Worker				
	Telework MAX				
	Telework BALANCED	Per GORP rep guidance	Default profile for Civilian employees participating in the telework program. No further approval required.	Staff Director (may be delegated to any level supervisor)	
	Telework MIN		GORP representative		
	Situational Telework only	Default profile and mandatory minimum profile for all SMs. No further approval required.			

Table 2. Approval Authorities

d. Eligibility. Employees in positions determined not typically suitable for telework may become eligible in an emergency if assigned functions are designated as mission-critical or essential. If any employee is ineligible for telework due to disciplinary or performance reasons, their direct supervisor must perform on-site work to provide direct supervision to the employee and in the case of civilian employees, enforce active Performance Improvement Plans. An employee who has been determined ineligible to telework and remote work may become eligible, at the supervisor's discretion, if a change in circumstances warrant a new eligibility determination.

(1) In accordance with references a and b, employees, will not be authorized to telework or remote work if the employee has been officially disciplined for being absent without permission for more than five days in any calendar year or has been officially disciplined for violations of reference g and reference h for viewing, downloading, or

exchanging pornography, including child pornography, on a Federal Government computer or while performing Federal Government duties.

(2) Civilian employees are not authorized to telework or remote work when performing representational duties unless otherwise allowed pursuant to an applicable collective bargaining agreement. All premium pay provisions that apply to work at the agency worksite, such as approved overtime, also apply to civilian employees who telework.

e. Performance Management. Effective performance management is important to the success of the telework program. Teleworkers and non-teleworkers will be treated the same for the purpose of work requirements, periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade, retaining, removal, and other acts requiring management discretion. Performance standards for teleworking employees should be the same as performance standards for non-teleworking employees.

(1) As with any supervisory relationship, work assignments to be performed or training to be accomplished while on telework should be discussed, understood, and agreed to in advance of the telework event. Management expectations for performance should be clearly addressed in an employee's performance plan, regardless of whether or not the employee is a teleworker. When an employee participates in telework, expectations related to accountability do not differ by virtue of the telework agreement.

(2) Supervisors will communicate expectations of telework arrangements, including work assignments, office coverage, and staff communication to teleworking and non-teleworking employees in the workgroup. They should also put procedures in place to maintain communication across all members of a workgroup.

(3) Supervisors are responsible for the effective functioning of the workgroup. However, employees are responsible for their availability and information sharing with the workgroup. Both supervisors and employees are responsible for ensuring the success of the telework arrangement.

f. Official Worksite. The official worksite will be the agency worksite for an employee scheduled to physically report to the agency worksite at least twice each biweekly pay period. The official and approved alternative worksite for an employee not required to physically report at least twice each biweekly pay period to the agency worksite is the location where the employee performs most of their work, known as the approved alternative worksite. Any changes to an employee official worksite will be coordinated, processed, and approved in accordance with Table 2. Travel is generally compensated based on the location of the employee's official worksite. If the official worksite is not the agency worksite and the employee is required to report to the agency worksite, any travel pay entitlements must be approved by the supervisor (including Defense Travel System approval) before traveling. Telework and remote work employees must be at locations approved by supervisor during their scheduled

approved work hours. Remote work employees should not have dedicated workspace at the agency worksite.

g. Dependent Care. Telework and remote work may be approved to establish a quality work-life balance, and agreements must clearly outline work hours, breaks, time and attendance, work schedules, and leave requests. Employees must account for working hours and take leave to account for time spent away from work duties. Dependents in the home should not prohibit the approval of a telework or remote work agreement.

h. Equipment and Supplies. Individuals must comply with equipment usage requirements set forth in the telework or remote work agreement. Employees should be provided with the equipment and office supplies necessary to conduct official government business while teleworking or remote working. Equipment and supplies may be furnished for employees who telework or remote work on a situational basis when practicable. This guidance does not require NGB to provide telephone lines, internet service, telecommunications equipment, or other infrastructure, equipment, or financial reimbursements. Such authorization should normally not be used in situations where employees already possess and maintain such items and services, or where the telework or remote work agreement does not significantly benefit the NGB. All government-furnished Information Technology assets will be accounted for. The General Services Administration offers guidelines for equipment and support that Agencies may provide in accordance with reference h. The organization will be responsible for the service and maintenance of government-furnished equipment.

(1) Staff directors may authorize issuing cellphones or the reimbursement for long-distance (domestic or international) telephone expenses if incurred as a result of official business. Employees will be required to provide their own Internet Service Provider for telework and are responsible for ensuring their home network is set up and operational prior to teleworking.

(2) Personnel must store, file, and manage records consistent with organizational requirements and procedures. Where feasible, telework and remote working personnel should create and maintain content electronically and in accordance with applicable records management directives. Directors may authorize the distribution of furniture and other property items such as desks, chairs, and file cabinets if available from current inventory or within budgetary constraints. All such equipment must be accounted for and regularly inventoried by the issuing directorate.

(3) The NGB is not liable for damages to the employee's personal or real property while the employee is working at home, except to the extent the Government is liable under reference j and reference k. Personal home computers may be used if they comply with criteria and guidelines for using personal equipment established by the Department of Defense (DoD) Chief Information Officer and NGB. NGB will provide a common access card reader and software to ensure user identification and authentication requirements are met. Employees are responsible for installing,

repairing, and maintaining all personal equipment and other costs associated with the residential workplace.


i. Telework and Remote Working and Alternative Work Schedules. Telework and remote work and alternative work schedules are different; concurrent use is permissible and is encouraged when compatible with mission requirements and individual performance, and in accordance with this DTM. Teleworkers may also, with supervisor approval, work part of the day at their approved alternate worksite and part of the day at the agency worksite.

j. Workers' Compensation. Teleworking and remote working employees are required to report injuries to their supervisor as soon as possible and civilian employees must file a claim with the Department of Labor if they feel their injury is work-related. The Office of Workers' Compensation Program will ultimately determine if the injury or illness is covered.

k. Job Announcements. Supervisors can work closely with recruitment teams to advertise vacant positions as telework and remote work-eligible to expand the pool of applicants. For remote work, supervisors should coordinate closely with the appropriate human resources or human capital management team to ensure the position has been authorized for remote work by the appropriate GORP representative and the job is announced as remote work eligible. Interviews should be used to screen for candidates who possess characteristics that will make them successful in a telework or remote work environment and ensure any candidate selected who desires to work telework or remote work is willing to enter into a telework or remote work agreement.

l. Remote Work Outside of Permanent Duty Station. Service members may be allowed to remote work outside of their permanent duty station. Supervisors will carefully consider DoD policy, which requires a Permanent Change of Station for temporary duty tours greater than 179 days, when assessing the amount of time necessary for remote work outside the Service member's permanent duty station and approve such an arrangement for no longer than necessary. Similarly, supervisors must apply equitable, function-based criteria to determine appropriate telework or remote eligibility. Temporary non-local remote work should be used in cases where: the employee is expected to return to work at the official worksite soon, or the employee is expected to continue teleworking and able to report to the official worksite at least twice each bi-weekly pay period on a regular and recurring basis. If remote work outside of the permanent duty station is an enduring requirement, the Non-Local Remote Work profile should be used. Remote work at an alternate duty location will not be used in place of normal leave. If remote work has been authorized outside the permanent duty station, a pass may be granted to allow travel to the temporary alternate duty location. Supervisors should consider allowing Service members to travel to the alternate duty location on a non-duty day. Supervisors must always maintain accountability of their Service members and must consider documenting approval of the alternate duty location in a memorandum in the event a Line of Duty Determination is necessary. Travel to and from the alternate duty location is at the Service member's own expense.

5. Responsibilities. See Attachment A.
6. Procedures. See Attachments B and C.
7. Information Collection Requirements. See Attachment D.
8. Definitions. See Attachment F.
9. Releasability. This CNGB DTM is approved for public release; distribution is unlimited. It is available at <<https://www.ngbpmc.ng.mil/>>.
10. Records Management. This CNGB DTM and all records created as a result, regardless of media and format, must be managed in accordance with NGB Records Management.
11. Compliance. Per the CNGB 5000.01 Issuance Series, the proponent will review this CNGB DTM annually on the anniversary of its effective date to confirm the action has been completed, incorporated into an CNGB Issuance, or to update and extend the CNGB DTM's continued applicability, validity, and consistency with Federal, DoD, and NGB policy and provide validation to the NGB Executive Secretariat Issuances Branch.



DANIEL R. HOKANSON
General, USA
Chief, National Guard Bureau

Attachments:
As stated

ATTACHMENT A

RESPONSIBILITIES

1. GORP Representatives. GORP representatives will approve or deny requests for telework and remote work as outlined in Table 2. Additionally, GORP representatives, under the direction of the Vice Chief of the National Guard Bureau, Director of the Air National Guard, Director of the Army National Guard, are highly encouraged to develop a list of military and civilian positions deemed compatible with remote work. This list should be reviewed regularly and forwarded to the appropriate human resources office for incorporation into the appropriate NGB vacancy announcements or advertisements.
2. Staff Directors. Staff Directors will approve or deny the details of telework and remote work agreements as outlined in Table 2. Staff Directors may delegate this authority to a subordinate branch-level supervisor.
3. NGB Senior Leader Management Office. The NGB Senior Leader Management Office will appoint a Telework and Remote Work Program Coordinator within their organization to assist in the execution and oversight of the NGB Telework and Remote Work Program in support of the Office of the CNGB and the NGB Joint Staff.
4. NGB Human Resources (Air National Guard). NGB Human Resources will appoint a Telework and Remote Work Program Coordinator within their organization to assist in the execution and oversight of the NGB Telework and Remote Work Program supporting the NGB A-Staff.
5. NGB Human Capital Management (Army National Guard). NGB Human Capital Management will appoint a Telework and Remote Work Program Coordinator within their organization to assist in the execution and oversight of the NGB Telework and Remote Work Program supporting the NGB G-Staff.
6. Telework and Remote Work Program Coordinators. Telework and Remote Work Program Coordinators will provide a telework and remote work program status brief to the GORP at least twice per year.
7. Supervisors. Supervisors will:
 - a. Review telework and remote work agreements to ensure proper designating, coding, and documenting of official worksites.
 - b. Establish positive connectivity and communication with all employees for whom they are responsible through virtual means, such as email, Microsoft Teams, telephone.
 - c. Ensure that hours spent teleworking or remote working by civilian employees are appropriately coded in the timekeeping system. Remote work is coded as "TW" in the Automated Time and Attendance Production System.

- d. Receive expectations of an employee's performance on DD Form 2946, "Department of Defense Telework Agreement" and the NGB Form 911 "Telework/Remote Work Agreement" (when applicable). Employees will be held accountable for the results they are expected to produce while teleworking or remote working.
- e. Communicate expectations of telework and remote work agreements, including work assignments, office coverage, and staff communication to teleworking or remote working and non-teleworking employees in the workgroup. Supervisors and employees are mutually responsible for ensuring the success of the telework and remote work agreement.
- f. Have procedures in place to maintain communication across all members of a workgroup.
- g. Manage the effective functioning of the workgroup. However, employees are responsible for their availability and information sharing with the workgroup.
- h. Ensure timely completion and documentation of initial/refresher supervisor training for teleworkers and remote workers as outlined in Attachment C.

ATTACHMENT B

PROCEDURES FOR ASSESSING TELEWORK AND REMOTE WORK COMPATABILITY

1. Assessing Telework and Remote Work Compatibility. Effective use of telework and remote work empowers the NGB mission and requires a deliberate effort to create a supportive culture that values transparency, communication, trust, use of technology, and results-oriented performance. Telework and remote work can also present new challenges and require new skills for individuals and their supervisors. Supervisors should review existing policy and this CNGB DTM when reviewing eligibility requirements.
2. Assessing Benefits of Telework and Remote Work. Telework and remote work can be used for a variety of important mission, workforce, and business reasons. Table 3 and Table 4 should be used by supervisors when assessing the overall benefits and impacts of approving or offering employees telework.

Telework and Remote Work Benefits to NGB Mission
<ul style="list-style-type: none"> ✓ Recruiting employees with specialized skills who may not want or be able to relocate for personal reasons ✓ Achieving NGB real estate or other business cost reductions ✓ Reducing costs and time-loss associated with filling vacancies ✓ Increased productivity due to employee work-life balance and reduced commuting times ✓ Optimizing facility space by arranging desk sharing, hoteling, and hot desking (See definitions) ✓ Focus on goals and outcomes rather than physical presence ✓ Reducing costs associated with locality pay or basic housing allowance ✓ Improved quality of work or ability to focus outside of a traditional office setting

Table 3. Telework and Remote Work Benefits to NGB Mission

Telework and Remote Work Risks to NGB Mission
<ul style="list-style-type: none"> ✓ Loss of valuable social interaction when employees are not in traditional office setting ✓ Impact to quality of customer service, including any required physical office coverage ✓ Reorganization of work for on-site staff and perceptions of fairness ✓ Obstacles in supervisor's ability to monitor performance ✓ Hidden costs associated with shipping of work materials or equipment ✓ Management's ability to fulfill statutory labor relations obligations ✓ Inability to provide logistical support to employee ✓ Impact to communication about tasks or projects

Table 4. Telework and Remote Work Risks to NGB Mission

3. Work Activities Suitable for Telework and Remote Work. Some positions are typically more compatible with telework and remote work based on the regular duties performed by the employee. See Table 5 and Table 6 for work activity suitable for teleworking and remote working.

Daily Work Activity Suitable for Telework and Remote Work
<ul style="list-style-type: none"> ➤ Reading reports ➤ Conducting or completing virtual meetings or training ➤ Analyzing documents and studies ➤ Preparing written correspondence and reports ➤ Providing customer service that does not require face-to-face interaction ➤ Setting up and participating in conference calls ➤ Similar tasks not requiring on-site presence

Table 5. Daily Work Activity Suitable for Telework and Remote Work

Daily Work Activity Less Suitable for Telework and Remote Work
<ul style="list-style-type: none"> ➤ Directly handling secure materials ➤ Use of equipment or systems that are only located on-site ➤ Required in-person contact

Table 6. Daily Work Activity Less Suitable for Telework and Remote Work

4. Work Characteristics and Performance History. Table 7 and Table 8 may be used by supervisors to determine whether an employee or applicant would make a good telework or remote work candidate based on their work characteristics and performance history.

Employees More Suitable for Telework and Remote Work
<ul style="list-style-type: none"> ✓ Self-directed employees requiring minimal face-to-face supervision ✓ Responsive to the organization, team, and customers ✓ Initiative to inform supervisors and co-workers on status of work ✓ Seeks out work assignments when workload permits ✓ Comfortable not having face-to-face contact with colleagues ✓ Adept at using technology to communicate and share work with organization, team, and customers

Table 7. Employees More Suitable for Telework and Remote Work

Employees Less Suitable for Telework and Remote Work
<ul style="list-style-type: none"> ✓ Performance or conduct warrants closer supervision ✓ Most recent performance rating of record is below fully successful (or equivalent) ✓ Disciplinary actions within previous 12 months ✓ Newly appointed or recently assigned to trainee or entry-level position

Table 8. Employees Less Suitable for Telework and Remote Work

ATTACHMENT C

PROCEDURES FOR TRAINING AND READINESS

1. Telework Training and Readiness. Training is a key component of successful telework operations. Before participating in a telework or remote work program, supervisors and employees must complete, at a minimum, the employee-designated telework training, and their supervisors must complete the supervisor-designated training provided at <telework.gov>. If newly hired, civilian employees must complete the required training within 30 days of appointment. Training certificates should be kept in the civilian employee's Supervisor Employee Work folder. Service members and their supervisors are responsible for maintaining training documentation.

a. Employees and their supervisors must complete DD Form 2946, and NGB Form 911 (when applicable) before participating in telework or remote work. Telework and remote work agreements will be revalidated and signed by the supervisor and employee at least every year (recommend review occur in conjunction with annual performance assessment). Agreements may be reviewed and revalidated more frequently if changes in position duties or other circumstances necessitate. When substantive changes are needed, including any change in the alternative worksite or the assignment of a new supervisor, a new form must be completed.

b. In addition to the forms, remote work agreements will include a memorandum addressing specific considerations. See the sample remote work agreement in Attachment D. In emergency or crisis situations, civilian employees with mission-critical or essential duties and those who may be required to telework or remote work in the case of a (COOP event, office closure due to adverse weather, or pandemic health crisis, will have a DD Form 2946 in place. When telework or remote work eligibility is expanded, or civilian employees who were not participating in telework or remote work are directed to do so, they will be required to complete a DD Form 2946 and the required training as soon as practicable. Supervisors should include a description of emergency duties if those duties are different from the employee's normal duties.

c. During any period that an organization is operating under a COOP plan, that plan will supersede the telework and remote work policy and the provisions of the DD Form 2946. In the event of a pandemic health crisis, civilian employees with COOP responsibilities, as well as employees who do not have COOP responsibilities but who are trained and equipped to telework or remote work (including on a just-in-time basis), may be required to telework or remote work to meet organizational or Centers for Disease Control and Prevention requirements.

2. Performance Management. Teleworkers and remote workers and non-teleworkers and non-remote workers will be treated the same for the purposes of work requirements, periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade (civilians), retaining, and other acts requiring management discretion.

- a. Performance standards for civilian employees, and performance expectations for Service members, who telework or remote work should be the same as for employees working at the agency worksite.
- b. Work assignments to be performed or training to be accomplished while on telework or remote work should be mutually understood in advance of telework or remote work events.
- c. Supervisor's expectations of an employee's performance should be clearly addressed in the DD Form 2946. As with on-site personnel, employees will be held accountable for the results they are expected to produce while telework or remote working.
- d. Supervisors must communicate expectations of telework and remote work arrangements, including work assignments, office coverage, and staff communication to all employees in the workgroup.
- e. Supervisors must have procedures in place to maintain communication across all members of a workgroup.
- f. Supervisors are responsible for the effective functioning of the workgroup. Employees are responsible for their availability and information sharing with the workgroup.
- g. Supervisors and employees are mutually responsible for ensuring the success of the telework or remote work arrangement.

2. Telework and Remote Work Disapproval and Termination. When an employee's request for telework or remote work is disapproved, or a telework or remote agreement is terminated, the reasons for disapproval or termination will be documented in writing and provided to the employee. Disapproval of telework agreements or remote work agreements must be based on business reasons (for example, telework agreement fails to meet organization's needs or employee performance does not meet prescribed standards or expectations). Supervisors of civilian employees are encouraged to discuss telework and remote disapproval or telework and remote work termination actions with servicing Civilian Personnel Section Employee Relations Specialists. Bargaining unit civilian employees may file a grievance for denied or terminated telework or remote work through the negotiated grievance procedures in reference b.

ATTACHMENT D

SAMPLE NGB FORM 911, TELEWORK/REMOTE WORK AGREEMENT

NATIONAL GUARD TELEWORK/REMOTE WORK AGREEMENT <small>Proponent of this form is NGB-SL. Prescribing Directive is NGB-DTM 1101.01</small>	
1. EMPLOYEE/SERVICE MEMBER NAME	2. EMPLOYEE/SERVICE MEMBER POSITION TITLE
3. ORGANIZATION/OFFICE SYMBOL	
4. AGENCY/REGULAR WORKSITE	
5. OFFICIAL WORKSITE (i.e. city/state of remote work location)	
6. Is the Official worksite/Remote work location within the local commuting area of the Agency/Regular worksite? <input type="checkbox"/> Yes (local remote worker) (check one) <input type="checkbox"/> No (non - local remote workers)	
7. The Parties to this Remote Work Agreement ("Agreement") are:	
and the <input type="text"/>	
8. You have voluntarily accepted a position identified for remote work. This Agreement is therefore voluntarily entered into and is essential to establish and approve a remote work arrangement and its associated terms. Remote work is governed by Department of Defense Instruction (DoDI) 1035.01 and DTM 1101.01. In return for NGB approving the employee to work from a remote location, the Employee/Service Member agrees to the following terms (Initial each item):	
a. I understand that upon acceptance of this Agreement, my ability to work remotely becomes a condition of employment for this position.	INITIAL
b. I understand that failing to maintain any condition of employment, including the ability to work remotely, could result in removal from Federal service in accordance with appropriate due process.	INITIAL
c. I understand that my Official worksite and Agency/Regular worksite are as listed above.	INITIAL
d. I understand that my pay, benefits, and entitlements will be determined based on my Official worksite, and not the Agency/Regular worksite, and that this may result in an adjustment of monetary benefit in some cases.	INITIAL
e. I understand that in the event of a civilian Reduction in Force, my reduction in force area of consideration would be determined based on my Official worksite, not the Agency/Regular worksite. (Civilian Only)	INITIAL
f. I understand I may be required to travel to the Agency/Regular worksite for official business, and such requirement will be determined by the Agency. Travel entitlements will be in accordance with agency travel policy and the Joint Travel Regulations (if applicable).	INITIAL
g. I understand that I am responsible for ensuring that my approved Official worksite meets the requirements necessary to support full-time remote work, including but not limited to electricity, Internet access, and a dedicated area conducive for performing work, holding meetings and teleconferences.	INITIAL
h. I understand and agree that my remote environment will allow me to work safely and is secure for the protection of government owned equipment and information required for my duties.	INITIAL
i. I understand that any change to my Official worksite must be approved by the Agency and the updated agreement must be signed by all parties, prior to moving. In addition, I understand that I am required to provide no less than two weeks' notice to the Agency before any change to the Official worksite may take place.	INITIAL
j. I understand that if I request, and am approved, to change my Official worksite location, any expenses associated with the change (such as moving costs, etc.) will be at my expense and will not be funded by the agency.	INITIAL
k. I understand that I must complete a DD Form 2946, "DoD Telework Agreement," and am obligated by the terms outlined in the completed form.	INITIAL
l. I understand that remote work is not an entitlement and that the agency has the authority to terminate this agreement for legitimate business reasons.	INITIAL
m. I understand that if the Agency decides to terminate this Agreement, I will be given a minimum of 60 days advance notice of the requirement to begin reporting to the Agency/Regular worksite. In such case, permanent change of station costs (if applicable) will be the responsibility of the Agency in accordance with the Joint Travel Regulations and applicable agency policies.	INITIAL
n. I understand that I am solely responsible for all tax implications attributable to this Agreement and I acknowledge that the Agency is making no representations concerning any tax consequences of this Agreement.	INITIAL
o. I understand that telework and remote work are not authorized per Title 5 USC § 6502, "Executive agencies telework requirement" if:	INITIAL
(1) I have been officially disciplined for being absent without permission for more than five days in any calendar year; or (2) I have been officially disciplined for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing Federal Government duties consistent with the guidance set forth in reference f.	
p. I understand as a member of the T10 AGR program I continue to serve in accordance with service policies as they apply to changes in assignment/duty location/position requirements. As such this agreement applies only to my current position as listed in block 2 of the NGB FM 911. A change in position could be cause for termination of this agreement. (Military Only)	INITIAL

NGB FORM 911, FEB 2023

Page 1 of 2
AEM - FORMS v.1.00

Figure 1. Sample NGB Form 911, Telework/Remote Work Agreement

NATIONAL GUARD TELEWORK/REMOTE WORK AGREEMENT (continued)	
9. I understand that if I am unable to work from my remote location (for example, due to a power outage, family emergency, unplanned dependent care responsibilities, or some other situation), I am required to contact my supervisor as soon as possible and explain my circumstances. Supervisors will consider all circumstances, including the nature of the circumstances, any work assignments that can still be performed considering the circumstances, and whether personal leave, excused absence, or another duty status is appropriate.	SIGN NAME
10. I affirm that I have read this entire Agreement and that I have consulted with an attorney, or with a Union Representative (if applicable), or I am aware that I have the right to consult with an attorney or Union Representative and have decided not to do so. (Civilian Only)	SIGN NAME
11. I affirm that I have not been induced to enter into this Agreement by any promises or representations other than those expressly stated in the Agreement, and that I understand the terms of this Agreement, and that I have not been coerced in any manner into entering into this agreement.	SIGN NAME
12. I understand that the terms of this Agreement do not preclude agency officials from taking appropriate administrative action to address substandard performance, misconduct, or any other administrative issue in a manner appropriate to the circumstances and in accordance with applicable agency guidelines.	SIGN NAME
13. ADDITIONAL STIPULATIONS/COMMENTS	
14. The parties agree that this constitutes an Agreement between the Employee/Service Member and the agency, and there are no other terms, conditions, or representations other than those enumerated herein.	
14a. EMPLOYEE/SERVICE MEMBER SIGNATURE	14b. SUPERVISOR SIGNATURE
SIGN NAME	SIGN NAME
14c. DIRECTOR SIGNATURE	14d. COMMANDER/AGENCY REPRESENTATIVE SIGNATURE
SIGN NAME	SIGN NAME

NGB FORM 911, FEB 2023 Page 2 of 2

Figure 1. continued Sample NGB Form 911, Telework/Remote Work Agreement

ATTACHMENT E

REFERENCES

PART I. REQUIRED

- a. Title 5, United States Code, Sections 6501 through 6506, (As added by Public Law 111-292, also known as the “Telework Enhancement Act of 2010”)
- b. United States Office of Personnel Management, * November 2021, “Guide to Telework and Remote Work in the Federal Government: Leveraging Telework and Remote Work in the Federal Government to Better Meet Our Human Capital Needs and Improve Mission Delivery”
- c. Department of Defense (DoD) Instruction 1035.01, “Telework Policy,” 04 April 2012, Incorporating Change 1, 07 April 2020
- d. Title 5 United States Code (U.S.C.) Section 6502, “Executive Agencies Telework Requirement”
- e. DoD Instruction 4515.14, 28 June 2013, “Washington Local Commuting Area,” Incorporating Change 2, 14 April 2022
- f. 5 Code of Federal Regulations (CFR) Section 531.605, 31 May 2005, “Determining an Employee’s Official Worksite,” Amended 27 January 2023
- g. 5 CFR, Part 2635, Subpart G, “Misuse of Position,” Amended 27 January 2023
- h. 5 CFR, § 2635.704, “Use of Government Property,” Amended 27 January 2023
- i. DoD Instruction 1400.25, “DoD Civilian Personnel Management System,” Volume 771, 26 December 2013, “Administrative Grievance System,” Incorporating Change 1, 13 June 2018
- j. Federal Register Volume 71, Number 52, 17 March 2006, Page 13845, “Federal Management Regulation, Guidelines for Alternative Workplace Arrangements”
- k. Title 31 U.S.C., “Money and Finance,” § 1348, 06 December 2022, “Telephone Installation and Charges”
- l. Title 28 U.S.C., §1346, 03 January 2012, “Federal Tort Claims Act”
- m. Title 31 U.S.C., §3721, “Claims of Personnel of Agencies and the District of Columbia Government for Personal Property Damage or Loss”

PART II. RELATED

n. 29 CFR B, "Claims Under the Military Personnel and Civilian Employees' Claims Act of 1964"

o. DoD Instruction 1400.25, "DoD Civilian Personnel Management System," Volume 610, 28 November 2014, Hours of Duty," Incorporating Change 1, 25 November 2019

ATTACHMENT F

DEFINITIONS

Agency worksite (also known as Regular worksite) -- An official Federal Agency location where work activities are based, generally considered a centralized location of an employee's assigned organization. The terms agency or regular worksite are also used to describe agency worksite (see reference d paragraph (d)). For civilian employees, the agency or regular worksite is normally the location from which the position is based and/or where the hiring authority lies. For Service members, the agency or regular worksite is normally the permanent duty station.

Alternative worksite (civilians only) -- Generally considered an employee's approved telework site, or, for a remote worker, the approved remote site (for example, an employee's residence). The alternative worksite must be codified on the completed Department of Defense DD Form 2946, "Department of Defense Telework Agreement," and any other applicable document deemed necessary by National Guard Bureau. The alternative worksite must be identified with sufficient specificity to allow for analysis of employee workplace injury claims.

Alternative Duty Location (Service members only) -- A location away from the Permanent Duty Station that has been approved for the performance of assigned official duties and other approved activities. It may be a Service member's home, a telework center, or other approved worksite, and for the purposes of telework or remote work, must be codified on the completed Department of Defense DD Form 2946, and any other applicable document deemed necessary by the National Guard Bureau. The alternative duty location must be identified with sufficient specificity to allow for analysis of Service member line-of-duty determinations.

Civilian Telework -- A voluntary work arrangement where an employee performs assigned official duties and other authorized activities during any part of the employee's regular, paid hours, at an approved alternative worksite (for example, home or telework center) on a regular, recurring, or a situational basis.

Civilian Remote Work -- A work arrangement in which the employee performs assigned official duties and other authorized activities at an approved alternative worksite, in or outside the local commuting area of the agency or regular worksite, on a permanent basis; is not required to physically report to the agency or regular worksite on any frequent, regular or recurring basis; and the approved alternative worksite is, for pay and other purposes, the official worksite, as indicated in the employee's Standard Form 50, "Notification of Personnel Action" and in accordance with reference d "determining an employee's official worksite."

Employee -- Appropriated and non-appropriated funded Department of Defense civilian employees or Service members.

Management -- Supervisor and those up to and including anyone in the chain of command through the General Officer Review Panel representative.

Official worksite -- Approved location where an employee or Service member regularly performs his or her duties. If an employee or Service member is required to perform regular duty at the agency or regular worksite at least twice in a bi-weekly pay period, the agency or regular worksite is the official worksite. If the employee is not scheduled to report to the agency worksite at least twice each biweekly pay period on a regular and recurring basis (is a remote worker), the employee's official worksite for location-based pay purposes is the alternative work location under the remote work agreement (for example, the employee or Service member residence).

Pay Period -- For all employees, telework and remote work options will be based on the standard Office of Personnel Management biweekly pay calendar.

Permanent duty station (Service members only) -- The Service member's permanent duty station is their official station or post of duty and is based on permanent change of station or permanent change of assignment orders.

Regular worksite -- See Agency worksite.

Service member telework -- A work arrangement where a Service member performs assigned official duties and other authorized activities at an approved alternative duty location on a regular, recurring, or a situational basis.

Service member remote work -- A work arrangement in which the Service member is assigned to a unit but is not required to physically report to the agency or regular worksite on a frequent, regular, or recurring basis; and the approved additional duty location is, for pay and other purposes, the official worksite as appropriate per Office of Personnel Management and Department of Defense telework or remote work guidance.

Telework agreement -- A written agreement, completed and signed by an employee or Service member and the authorized management official(s) using the Department of Defense DD Form 2946, that outlines the terms and conditions of the telework agreement. This also applies to remote work arrangements, and the agreement outlines the terms, conditions, obligations, and responsibilities of the telework or remote work arrangement.

Temporary Profile Change -- A temporary change in telework location/frequency based on mission requirements and individual Service member or employee circumstances. For example, a requirement to participate in a collaborative classified working group may drive a temporary reduction in telework compatibility. Conversely, a temporary increase in telework might be appropriate in circumstances such as injury recovery or a project that can be accomplished exclusively at an alternate work location. For

purposes of locality pay or basic allowance for housing, if a temporary profile change entails a temporary transition to a telework max or remote work profile (that is, no requirement to regularly report to the agency worksite at least twice per pay period), the agency may continue to treat the agency worksite as the official worksite for the Service member/civilian employee provided that the Service member/civilian employee is expected to return to the agency worksite in the near future or that the employee is expected to continue teleworking and will be able to report to the agency worksite at least twice each bi-weekly pay period on a regular and recurring basis.

Unscheduled telework -- A specific form of situational telework where a civilian employee or Service member on an approved telework agreement performs assigned official duties at an approved alternate worksite when government offices are closed due to an emergency event, or open, but severe weather conditions or other circumstances disrupt commuting and compromise civilian employee or Service member safety.