

For: All RMA Employees

RMA Telework and Remote Work Eligibility

Approved by: Administrator

1 Overview

A Background

Departmental Regulation (DR) 4080-811-002 Telework and Remote Work Programs (issued November 22, 2021) set forth the authority, policy, and responsibilities for managing the telework and remote work programs within USDA. Since this notice only supplements and does not repeat/restate the USDA guidance, all RMA employees are highly encouraged to read [DR 4080-811-002](#).

B Purpose

This notice:

- provides specific guidance on telework and remote work eligibility for RMA employees; and
- does not apply to employees subject to collective bargaining agreements that contain provisions relating to telework, remote work, or other provisions that conflict with this notice.

Note: Bargaining unit employees will continue to follow the telework and remote work provisions as identified in the applicable collective bargaining agreement and/or memorandum(s) of understanding.

2 Telework Eligibility

Each RMA job series is eligible for telework. All RMA employees are eligible for telework in accordance with the eligibility criteria identified in DR 4080-811-002.

Individual RMA employees may be deemed ineligible for telework in accordance with the ineligibility criteria identified in DR 4080-811-002.

Disposal Date	Distribution
February 1, 2023	All RMA Offices

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2 Telework Eligibility (Continued)

Because of fluctuating workload, a supervisor may require an employee to temporarily change or reduce their amount of telework to address the business needs of the Agency. Supervisors shall provide as much notice as possible to employees when altering an employee's telework schedule.

Note: RMA will not be responsible for reimbursing employees for any costs that are associated with the employee using their home residence as a telework site (e.g., home Internet service, office equipment, maintenance, insurance, utilities, etc.).

3 Remote Work

A Determination

As a result of a comprehensive duty station review, which included engagement with the Unions that represent RMA bargaining unit personnel, RMA has determined that each of the following is a remote work eligible job series:

- Series 0110 - Economist
- Series 0150 - Geography
- Series 0301 - Miscellaneous Administration and Program
- Series 0303 - Miscellaneous Clerk and Assistant
- Series 0340 - Program Management
- Series 0343 - Management and Program Analysis
- Series 0401 - General Natural Resources Management and Biological Sciences
- Series 0510 - Accounting
- Series 0901 - General Legal and Kindred Administration
- Series 1101 - General Business and Industry
- Series 1301 - General Physical Science
- Series 1501 - General Mathematics and Statistics
- Series 1510 - Actuarial Science
- Series 1529 - Mathematical Statistics
- Series 1530 - Statistics
- Series 1801 - General Inspection, Investigation, Enforcement, and Compliance
- Series 1805 - Investigative Analysis
- Series 1810 - General Investigation.

B Eligibility

RMA employees in an approved remote work eligible job series are eligible for remote work in accordance with the eligibility conditions and criteria identified in DR 4080-811-002.

Individual RMA employees in an approved remote work eligible job series may be deemed ineligible for remote work in accordance with the ineligible conditions and criteria identified in DR 4080-811-002.

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3 Remote Work (Continued)

B Eligibility (Continued)

Note: RMA will not be responsible for reimbursing employees for any costs that are associated with the employee using their home residence as a remote work site (e.g., home Internet service, office equipment, maintenance, insurance, utilities, etc.).

C Supervisory Notification to Employees

RMA supervisors will notify employees of their eligibility to telework and/or to participate in remote work arrangements. The notification will include providing a copy of the FPAC Supervisors' Notification for Participation in Telework and Remote Work Programs form.

Supervisors must provide their non-bargaining unit employees with the appropriate FPAC Supervisors' Notification for Participation in Telework and Remote Work Programs form by no later than January 28, 2022.

Supervisors will provide their bargaining unit employees with the appropriate FPAC Supervisors' Notification for Participation in Telework and Remote Work Programs form by no later than the date specified in the applicable collective bargaining agreement and/or memorandum(s) of understanding.

D Remote Work Limitations

Since the actual roles and responsibilities assigned to/expected of each duty position can be unique, there may be a need for certain limitations to be placed on duty positions within a given RMA remote work eligible job series. Due to these occupational differences, after a full evaluation of the business and operational needs, supervisors may limit the geographic location of the duty station for certain duty positions due to travel or other mission requirements.

RMA personnel assigned to a Regional Office or Regional Compliance Office are limited to having a remote duty location that is within the respective Regional Office's or Regional Compliance Office's geographic States/Territory Served service area (see the listings below).

RMA Regional Offices

- Billings, Montana Regional Office
States Served: Montana, North Dakota, South Dakota, and Wyoming
- Davis, California Regional Office
States Served: Arizona, California, Hawaii, Nevada, and Utah
- Jackson, Mississippi Regional Office
States Served: Arkansas, Kentucky, Louisiana, Mississippi, and Tennessee

3 Remote Work (Continued)

D Remote Work Limitations (Continued)

- Oklahoma City, OK Regional Office
States Served: New Mexico, Oklahoma, and Texas
- Raleigh, North Carolina Regional Office
States Served: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia
- Spokane, Washington Regional Office
States Served: Alaska, Idaho, Oregon, and Washington
- Springfield, Illinois Regional Office
States Served: Illinois, Indiana, Michigan, and Ohio
- St. Paul, Minnesota Regional Office
States Served: Iowa, Minnesota, and Wisconsin
- Topeka, Kansas Regional Office
States Served: Colorado, Kansas, Missouri, and Nebraska
- Valdosta, Georgia Regional Office
States/Territory Served: Alabama, Florida, Georgia, Puerto Rico, and South Carolina

RMA Regional Compliance Offices

- Central Regional Compliance Office
States Served: Colorado, Kansas, Missouri, and Nebraska
- Eastern Regional Compliance Office
States/Territory Served: Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia
- Midwest Region Compliance Office
States Served: Illinois, Indiana, Kentucky, Michigan, and Ohio
- Northern Regional Compliance Office
States Served: Iowa, Minnesota, Montana, North Dakota, South Dakota, Wisconsin, and Wyoming

3 Remote Work (Continued)

D Remote Work Limitations (Continued)

- Southern Regional Compliance Office
States Served: Arkansas, Louisiana, Mississippi, New Mexico, Oklahoma, Tennessee, and Texas
- Western Region Compliance Office
States Served: Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington

Note: Due to the requirement to evaluate the associated costs before approving any remote agreement, employee requests to establish an alternate work location in Alaska, Hawaii, or Puerto Rico will be considered on a case-by-case basis and must be approved by the Associate Administrator.

As appropriate, supervisors will identify these geographic limitations in the proper area of the FPAC Supervisors' Notification for Participation in Telework and Remote Work Programs form.

E Remote Employee Reporting to an Office Worksite

RMA can require a remote employee to report to an office worksite on an occasional basis to carry out the functions of the remote employee's job. For example, when needed the supervisor can occasionally (e.g., 4 to 6 times per year) require the presence of a remote employee at an office worksite to participate in activities such as training, in-person meetings, collaboration on a project, or performing other actions that need to be accomplished in order to facilitate RMA's mission delivery.

A remote employee may be reimbursed for travel to the office worksite in accordance with the applicable travel regulations and policies.

F Employee Return of the Remote Work Selection

Employees who are eligible to participate in a remote work arrangement have 30 calendar days from receipt of the FPAC Supervisors' Notification for Participation in Telework and Remote Work Programs form to decide if they want to participate in a remote work arrangement. If an employee does not return the completed FPAC Supervisors' Notification for Participation in Telework and Remote Work Programs form to their supervisor within 30 calendar days, the employee will be deemed to have declined to participate in a remote work arrangement.

3 Remote Work (Continued)

F Employee Return of the Remote Work Selection (Continued)

If the employee indicates an election not to participate in the Remote Work Program in Section IV, Remote Work Selection of the notification form and identifies an intent to consider participating in the Telework Program, the employee will return the FPAC Supervisors' Notification for Participation in Telework and Remote Work Programs form unsigned/undated to the supervisor. The supervisor will complete Section I. Your Position's Eligibility for Telework is Determined as Follows of the notification and then return the FPAC Supervisors' Notification for Participation in Telework and Remote Work Programs form to the employee for review and response.

G Locality Pay Area

If needed, employees can refer to OPM's [Search by Duty Station Name](#) site to determine the correct locality pay table that would be applicable to a specific approved remote duty station (typically the employee's residence). The 2022 General Schedule Locality Pay Tables can be found on the OPM site at [General Schedule \(opm.gov\)](#).

Supervisors' Notification for Participation in Telework and Remote Work Programs

SUBJECT: Official Notification for Participation in Telework and Remote Work Programs as part of the implementation of FPAC *Return to the Physical Workplace Plan* and consistent with completed negotiations with the appropriate exclusive representative of bargaining unit employees, where applicable.

Date of Notification: _____

Employee Name: _____

Title: _____

Series/Grade: _____

Duty Station: _____

Organization: _____

Current Supervisor: _____

The Purpose of this Notification is to:

1. Notify you of management's determination of your eligibility to participate in USDA's Telework or Remote Work Program as part of USDA's *Return to the Physical Workplace Plan*, and
2. Offer you the opportunity to make decisions regarding your participation in the USDA Telework and Remote Work Programs. Your decision can be changed in the future.

I. Your Position's Eligibility for Telework is Determined as Follows:

- _____ 1. Your position is eligible for telework up to 8 days per pay period.
- _____ 2. Your position is eligible for telework up to _____ days per pay period.
- _____ 3. Your position is eligible for situational or *ad hoc* telework.
- _____ 4. Your position is not eligible for telework for the following reason(s):
 - a. Duties require your physical presence at the worksite on a daily basis.

- b. Duties require daily use of specialized equipment located only at the traditional worksite.
- c. Duties require daily handling of classified materials.
- d. Other (specify): _____

II. Your Position’s Eligibility for Remote Work is Determined as Follows:

- _____ 1. Your position is eligible for remote work.
- _____ 2. Your position is eligible for remote work with the following limitations:

- _____ 3. Your position is ineligible for remote work for the following reason(s):
 - a. Duties require your physical presence at the agency worksite.
 - b. Duties require use of specialized equipment located only at the agency worksite.
 - c. Duties require handling of classified materials.
 - d. Other (specify): _____

III. Notification of Grievance Procedures

You may grieve a decision to deny a telework or a remote work arrangement (as opposed to management’s eligibility determinations) either through DR 4070-771-001, *Administrative Grievance System*, November 27, 2020, or a negotiated grievance procedure available to covered bargaining unit employees.

IV. Remote Work Selection (for employees in positions that are determined to be eligible for a remote work arrangement or remote work arrangement with exceptions)

You have 30 days* from receipt of this notification to decide if you wish you to participate in the Remote Work Program at this time. If you have questions about how a remote work arrangement may impact your pay or other aspects of your employment, please contact Elizabeth Petrus, Section Chief, Workforce Policy, HRD, at Elizabeth.petrus@usda.gov. *[If a bargaining unit employee, labor agreement controls.]

If you elect to participate in the Remote Work Program, your duty station will be changed to reflect where you will be performing your official duties (for most remote workers this is the home residence).

If you elect not to participate in the Remote Work Program, you will be expected to return to the workplace. Your supervisor will notify you when you are expected to return to the workplace, which will be consistent with the *USDA Return to the Physical Workplace Plan and Workplace Safety Plan*.

_____ 1. I elect to participate in the Remote Work Program. I understand my duty station will be changed to reflect the location where I will perform the duties of my position and that the change in my official duty station may impact the amount of locality pay added to my base pay. I attest that I have the requisite internet connectivity to successfully perform my duties at this remote location and that it is a safe working environment. The duty station where I will perform my work is listed below:

_____ 2. I elect not to participate in the Remote Work Program at this time and will consider participating in the Telework Program. I understand that I will be expected to return to the workplace no less than 45 days from the date this notification was received, consistent with the *USDA Return to the Physical Workplace Plan and Workplace Safety Plan*.

_____ 3. I elect not to participate in either the Telework Program or the Remote Work Program at this time. I understand that I will be expected to return to the workplace no less than 45 days from the date this notification was received, consistent with the *USDA Return to the Physical Workplace Plan and Workplace Safety Plan*.

Supervisor Signature and Date

Employee Signature and Date

ATTACHMENT 1

BASES FOR INELIGIBILITY FOR TELEWORK AND/OR REMOTE WORK

- _____ 1. You are not eligible for telework this time. The date of your telework eligibility will be reviewed on: [insert date 12 months from disqualifying event].
- a. Your most recent performance rating, dated x, is below an acceptable level of competence and your telework directly and negatively affects your performance. Continuation of your telework arrangement will interfere with your ability to improve to and maintain an acceptable level of competence.
- b. You received formal disciplinary or adverse action or leave restriction within the past 12 months.
- _____ 2. You are permanently ineligible to participate either in the **Telework Program under the Telework Enhancement Act** or the **Remote WorkProgram** under FPAC policy due to:
- a. You have received formal discipline or adverse action for violations of subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch [PL 111-292, December 9, 2010](#) for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties; or
- b. You have been officially disciplined for Absence Without Leave (AWOL) for 5 days or more in any calendar year.
- c. Your essential functions require you to have a physical presence at the agency worksite.