



United States Department of the Interior

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
Washington, D.C. 20240



Date: 5/24/2022

Directive: PER-24

Title: Employee-Initiated Remote Work Policy

Approval: Glenda H. Owens, Deputy Director **Signature:** _____

Transmittal Number: 1008

1. Purpose

This Directive establishes the Office of Surface Mining Reclamation and Enforcement (OSMRE) Employee-Initiated Remote Work Program (Program). The Program establishes a framework of standards and procedures for OSMRE to authorize and allow employees in eligible positions to work from an alternative worksite permanently rather than from the Bureau's or DOI official worksite location. This Directive implements the [Department of the Interior Personnel Bulletin 20-06](#), August 23, 2021.

2. Summary of Changes

This is a new directive.

3. Policy

OSMRE's policy is to consider employee-initiated remote work requests when it is in the best interest of the agency and is cost-effective for the agency. OSMRE intends to afford employees effective flexibilities that can help retain valued talent, as reflected, and implemented in this policy directive. However, a remote work arrangement is not an employee entitlement. Remote work arrangements create certain pay entitlements (e.g., payment of employee travel to the regular "brick and mortar" worksite) and should only be permitted when there is a clear benefit to the agency.

4. Responsibilities

The Office of Human Resources (OHR) is the program owner of OSMRE's remote work policy. In conjunction with OSMRE and DOI stakeholders, OHR will review OSMRE's remote work policy and, as needed, propose updates to ensure the policy remains aligned with applicable statutory and federal regulatory guidelines.

5. Procedures

Establishing a Remote Work Agreement:

- a. Employee initiates a conversation with their first-level supervisor about their desire for remote work and acknowledges the employee's review of the applicable Department and OSMRE requirements for remote work.
- b. Employee submits a request to participate in remote work using Appendix B of this Directive (Remote Work Agreement).
- c. In addition to submitting a remote request, an employee should also provide a justification that must address in detail the following factors:
 - (1) How the remote work arrangement is in the best interest of the agency.
 - (2) Potential impact to the Bureau/Office and/or work unit should the arrangement be approved (or denied).
 - (3) Whether the position requires special or unique competencies.
 - (4) What characteristics/competencies make this employee an ideal remote worker.
 - (5) Whether the duties of the position are suitable for remote work.
 - (6) Whether the remote work arrangement is cost neutral and, if yes, explain in detail how it was determined.
- d. First-level supervisors review the remote work request:
 - (1) Incomplete documents will be returned to the employee.
 - (2) The first-level supervisor may ask the employee in writing for additional information or clarification on the information submitted. If applicable, those supervisors between the first-level supervisor and the RD, must surname the request.
 - (3) If submission is not approved, first-level supervisors must provide the employee with a written explanation why the arrangement cannot be accommodated addressing the mission-related rationale for the decision.
 - (4) If the submission is approved, the first-level supervisor signs corresponding documents and works with the Information Resources Office (IRO) to verify if equipment and technology are available for the requesting employee. The first-level supervisor then obtains an IRO

signature on the Remote Work Agreement before submitting to OHR for review.

Note: For employees who report directly to a Regional Director, Assistant Director, or Staff Office Head, contact OHR for guidance on how to proceed with the approval process.

- e. OHR will review received Remote Work Agreements for completeness and perform the following:
 - (1) Validate performance ratings.
 - (2) Ensure that all documents provided are completed in entirety.
- f. OHR will submit the completed Remote Work Agreement to the Regional Director, Assistant Director, or Staff Office Head for final review and signature. The package is then returned to OHR. OHR completes a final check before the package is provided to the Deputy Director for decision.
- g. Deputy Director reviews and provides final decision before providing package to OHR who will then communicate with the appropriate supervisor, RD/AD, Division Chief on next steps.
- h. Requesting employee's supervisor and OHR will communicate to initiate the Change of Duty Location action for approved remote work requests.
- i. It is recommended that employees contact their benefits specialist to discuss any impact on health insurance programs, tax withholding, salary, etc.
- j. Employee and supervisor ensure that accountable property is managed in accordance with OSMRE property management procedures.
- k. Employee and supervisor ensure that office supplies and expendable property items are purchased, shipped, and managed in accordance with OSMRE financial management procedures.
- l. Employee and supervisor conduct a review of the Remote Work Agreement every six months or upon any changes to the Remote Work Agreement. However, recertification of a Remote Work Agreement must be completed on an annual basis.

Note: Bureaus/Offices should review Remote Work Agreement requests and provide a written decision on the request within a timely manner—generally, within 21 calendar days. Decisions to deny a requested Remote Work Agreement should address the mission-related rationale for the decision.

Terminating a Remote Work Agreement:

- a. A Remote Work Agreement may be terminated at any time:
 - (1) If it no longer meets the needs of the office.
 - (2) For a decline in performance or productivity.
 - (3) For misconduct.
 - (4) For non-compliance with terms of the Remote Work Agreement.
 - (5) Or for other reasons.
- b. For management-initiated terminations, the employee must receive advanced written notification of the decision to terminate the Remote Work Agreement at least 30 days before the effective date of the termination. This allows the remote worker an opportunity to have conversations with management about returning to a different tour of duty.
- c. For employee-initiated terminations, such requests must be made in writing with advance notice of at least 30 days.
- d. Employees may file a grievance of the denial of a Remote Work Agreement or the termination of an existing Remote Work Agreement. Bargaining unit employees may file a grievance through negotiated grievance procedures, if provided for in their applicable collective bargaining agreement. If there is not a collective bargaining agreement and/or negotiated grievance procedures in place, bargaining unit employees may be permitted to file in accordance with the Department's Administrative Grievance Procedures 370 DM 711 where the use of these procedures has been agreed to via a written agreement between the appropriate management and union representatives. Non-bargaining unit employees may file a grievance in accordance with the Department's Administrative Grievance Procedures.

6. Reporting Requirements

None.

7. Effect on Other Documents

None.

8. References

[Department of the Interior Personnel Bulletin 20-06](#), August 23, 2021.

9. Effective Date

Upon Signature.

10. Distribution

By electronic format. All OSMRE directives are publicly available at <https://www.osmre.gov/laws-and-regulations/directives>.

11. Appendices

- a. Definitions.
- b. Remote Work Agreement.
- c. Telework and Employee-Initiated Remote Work Comparison.
- d. General Requirements.
- e. Position and Employee Eligibility Criteria.

12. Contact

OSMRE Office of Human Resources.