

DC DEPARTMENT OF HUMAN RESOURCES

Telework and Compressed Schedule FAQ

Q. How do I find out if my position is eligible for telework?

A. Telework-eligible positions are formally designated as such. Contact your agency telework coordinator, supervisor, or agency HR representative.

Q. Must my manager allow me to telework if I am in a telework-eligible position?

A. No. Telework is a privilege, not a right. Managers may deny employees the privilege of teleworking if it is done in a consistent, non-discriminatory manner and based on the operational needs of the agency/department. If a manager provides telework as an option for an employee, the option must be open to all similarly situated employees. Even then, an employee is not automatically entitled to telework. Managers may consider individual employee circumstances when deciding whether to permit an employee to telework, such as job performance and disciplinary history. For example, if all employees in a unit are permitted to telework, a manager may still deny an employee in that unit telework due to failure to complete work assignments or unresponsiveness while teleworking.

Q. Who needs to approve my telework agreement?

A. Before an employee can telework, the employee must have a telework agreement approved by their immediate supervisor, and the agency head or their designee.

Q. How many days can I regularly telework per week?

A. Employees may routinely telework a maximum of one day per week if approved by their manager in writing through completion of a telework agreement in PeopleSoft. Community-based positions may telework up to 2 days per week at the agency's discretion.

Q. What if I need to use situational telework, and I've already used my routine telework day that week?

A. If approved in writing, managers have the discretion to permit an employee to situationally telework for additional day(s) in the same week for certain temporary circumstances. Any use of situational telework must comply with [Chapter 12 of the District Personnel Manual](#).

Q. Must a manager allow an employee to situationally telework?

A. No. Even for circumstances contemplated under Chapter 12 of the DPM, employees may not situationally telework unless they receive written approval from their manager either in email, Teams message, or other written format. Employees **are not** entitled to situational telework. Managers may refuse to approve situational telework even if the employee has an acceptable reason to request it. Managers may also deny situational telework even if they previously approved it for a similar circumstance.

Q. My manager scheduled an in-person meeting or work function that falls on my telework day. Do I have to come into the office?

A. Yes. Managers may require employees to physically report to the office at any time, regardless of whether it is the employee's routine telework day. Managers and agencies do not have to rearrange or modify agency operations to accommodate an employee's telework day. Employees are not entitled to a "make-up" telework day if they had to report in-person on their routine telework day.

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Q. I want my routine telework day to be on Friday, but my manager says I can only telework on Wednesday. Can my manager do that?

A. Yes. Managers have the discretion to arrange employee telework schedules to maintain coverage and efficient agency operations. Employees are not entitled or guaranteed to have their routine telework day on the day they prefer. Managers are required to maintain adequate in-person coverage (at least 50% of staff physically present) each business day and will need to balance preferences for routine telework days with coverage needs.

Q. Can my manager rescind a telework agreement without my permission?

A. Yes. The agency head, their designee, or an employee's immediate supervisor may rescind a telework agreement for reasons that include, but are not limited to, a determination that the employee has failed to accomplish work as prescribed, or due to the agency's organizational or operational needs. Employees shall be given, where practicable, at least two weeks' notice prior to rescission of their telework agreement.

Q. If I am on a compressed work schedule, am I still eligible for routine telework?

A. No, agencies are prohibited from approving employee requests for both telework and compressed work schedules.

Q. May I routinely telework if I am using a flexible work schedule?

A. Yes, agencies and managers may approve employee requests for routine telework and a flexible work schedule.

Q. May I situationally telework if I am using a compressed work schedule or flexible work schedule?

A. Managers, at their discretion, may approve an employee to situationally telework who is utilizing a compressed work schedule or flexible work schedule.

Q. As a manager, what steps should be taken when an employee has requested to telework as an accommodation under the Americans with Disabilities Act?

A. Managers should take the following steps:

Step 1: You should immediately refer the employee to the agency ADA Coordinator. Telework, like any accommodation under the ADA, requires an interactive process, and each matter is decided on a case-by-case basis. Do not ask the employee for any medical information or the medical basis for why they have requested telework.

Step 2: Once you have referred the employee to the Agency ADA Coordinator, you may schedule a meeting with the ADA Coordinator if you believe you have pertinent information to provide. For example, if the position has duties that cannot be performed via telework, you should advise the ADA Coordinator. Meetings with the ADA Coordinator should not be used to obtain any confidential information about your employee. Following this meeting, if the accommodation is denied, there are no further steps for you to take as a manager.

Step 3: If the accommodation is approved, you may ask your employee to ensure that certain procedures are followed around use of the accommodation. For example, if the accommodation is situational based on flare ups, you may require your employee notify you in writing prior to their shift beginning that they need to telework that day as an accommodation.

While not an explicit step, it is critical to manage the confidentiality of an employee's accommodation. If other staff begin to inquire about an employee who has an accommodation that allows them to telework more than the permitted amount, you should advise them that it is for a "legitimate business reason" or in "compliance with federal law."

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Q: How should employees on telework as an ADA accommodation report their time?

A. Employees should use the “Telework (Situational)—STTW” time reporting code for each day they telework under an ADA accommodation. For example, all employees offered telework receive one routine telework day. Therefore, an employee teleworking on an ADA accommodation where they have five days of telework for three months should use the “Telework (Routine)—RTTW” time reporting code for their routine telework day. The employee should then use the STTW time reporting code for all other days they telework in that pay period.

Q: Most of my work takes place in community (e.g., outreach, home visits, service delivery). How does this policy change affect me? Am I now required to come to the office to complete case notes or other paperwork, even if I am in the field five days a week?

A. Community-based positions which involve duties like outreach will not be expected to be in the office four days per week. Community-based positions, like other positions, may not have more than one routine telework day a week. Employees who work in the field five days per week should confer with their manager as to if and when they are required to come into the office to complete paperwork.

Q: My position is listed as telework eligible, but my agency has a policy requiring new employees to report in person for at least their first 90 days. Is that allowed?

A. Yes, telework is a privilege, not a right. If similarly situated employees are treated consistently, you may be required to report five days per week before becoming eligible for telework if this your agency’s policy.

Q: I have been approved for FMLA, may I use my leave intermittently and telework for more than one day per week for the time that I am not on FMLA?

A. No. An employee’s approval for FMLA has no effect on the restriction of one routine telework day per week. Employees using FMLA leave intermittently may not telework more than one day per week. However, exceptions may be provided if additional telework days are provided by the agency as part of an ADA accommodation. Employees should also not use telework as a substitute for FMLA leave. FMLA leave involves certain qualifying conditions where an employee is unable to work.

Q: I requested a compressed schedule, Monday – Thursday 7 a.m. – 5 p.m., but my manager will only approve my compressed schedule if it includes me being in the office on Mondays and Fridays. Can my manager do that?

A. Managers have final discretion as to what day of the week an employee’s day off may be while on a compressed schedule. Employees are not entitled to have their day off on their preferred day. Managers may also ask employees to switch their regular day off based on operational needs. If a manager wishes to permanently change an employee’s day off in a compressed schedule, a new agreement should be executed.

Q: I am approved for a compressed work schedule Monday – Thursday. On a week where Monday is a holiday, do I have to make up two hours during the remaining three days of the week or can I mark 10 hours of holiday pay on my timesheet?

A. No, the employee would enter 10 hours of holiday pay for that Monday. The employee would then work their schedule as normal for the rest of the week.

Q: If I am on a compressed work schedule and my day off falls on a holiday, do I get a makeup day?

A: Yes. If you are working a compressed work schedule, and your day off falls on a holiday, you are entitled to an in-lieu of day.

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Q: Who is included in an agency's calculation of the 50% in-office requirement?

A. All employees are included in the agency's calculation of the 50% in-office requirement unless they are on extended leave (such as Leave of Absence or Paid Family Medical Leave), an ADA accommodation, or if they occupy a community-based position. Therefore, employees who use annual leave or sick leave must be factored into the 50% in-office requirement. Where feasible, agencies are encouraged to ensure in office staffing levels well above 50% to assist in meeting the 50% in office requirement when employees call out or go on vacation. Agencies should also promote cross-agency collaboration and communication as it is possible certain divisions of an agency will have well over 50% of staff present to compensate for the fact that one unit may not be on a certain day due to leave usage.

Q: Does the telework policy apply to contractors?

A. Contractors are not required to follow the policy unless it is outlined in the original contract that the contractor is working under. Agencies should reach out to their Points of Contact from the Office of Contracting and Procurement for questions about the contract and provisions related to telework.

Q. If an employee on a 10 hour a day compressed work schedule requests sick leave, should they enter 8 hours of sick leave or 10 hours?

A. The employee would use 10 hours of sick leave to cover their absence. Employees on a compressed work schedule should use the same number of leave hours as their typical tour of duty. For example, an employee on a compressed work schedule of eight 9-hour days and one 8 hour-day would use 9 hours for their annual or sick leave hours unless they took leave on their 8 hour day in which case they would use 8 leave hours.

Q. How many days in a row can an employee situationally telework?

A. Situational telework may not be used for more than 3 consecutive days.

Q: Who can I contact with questions about the new policies?

A. You should contact your agency's HR office for questions about the new policies.