

**U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)**

<b>MD 10.166</b>	<b>TELEWORK</b>	<b>DT-17-219</b>
<i>Volume 10, Part 7:</i>	Personnel Management, General Personnel Management Provisions	
<i>Approved By:</i>	Victor M. McCree, Executive Director for Operations	
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<i>Issuing Office:</i>	Office of the Chief Human Capital Officer Human Capital Analysis Branch	
<i>Contact Name:</i>	Richard Stanfield	Servicing Human Resources Specialist (names and phone numbers are listed <a href="#">here</a> )

**EXECUTIVE SUMMARY**

New Management Directive (MD) 10.166, “Telework,” is being issued to provide the telework policy. This directive incorporates the Telework Enhancement Act of 2010 and ensures that telework is incorporated as part of the agency’s Continuity of Operations Plan (COOP) in the event of an emergency.

There is no handbook for this MD; however, the NRC’s Telework Web site provides detailed guidelines for the NRC Telework program. The NRC’s Telework Web site is available at <http://www.internal.nrc.gov/HR/telework.html>.

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For updates or revisions to policies contained in this MD that were issued after the MD was signed, please see the Yellow Announcement to Management Directive index ([YA-to-MD index](#)).

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## **I. POLICY**

It is the policy of the U.S. Nuclear Regulatory Commission to implement a telework program, whereby approved participants are allowed to work at home or at other approved offsite locations, that is consistent with applicable laws and regulations and that strikes an appropriate balance between agency and employee needs and interests.

## **II. OBJECTIVES**

- Provide guidance for designing, developing, and implementing telework agreements at the NRC.
- Ensure compliance with any applicable law or regulation regarding telework.
- Define the roles and responsibilities of those who approve telework agreements.
- Ensure the agency’s interests are properly addressed in establishing telework agreements.
- Incorporate telework as a component of emergency planning.

## **III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY**

### **A. Executive Director for Operations (EDO)**

Designates a telework managing officer within the Office of the Chief Human Capital Officer (OCHCO) who is a senior official of the agency with direct access to the Chairman, as required by the Telework Enhancement Act of 2010.

### **B. Office of the General Counsel (OGC)**

Provides legal advice and assistance to the offices responsible for establishing procedures to support the telework program.

**C. Inspector General (IG)**

Establishes and manages the telework program for the Office of the Inspector General.

**D. Chief Human Capital Officer (CHCO)**

1. Serves as the telework managing officer for the agency; advises agency leadership, and is responsible for policy development and implementation related to the agency's telework program.
2. Serves as the agency's primary point-of-contact for the Office of Personnel Management (OPM) on telework matters.
3. Develops and implements telework policy. Manages the agency telework program and serves as a resource for managers and employees.
4. Ensures telework is incorporated into the agency's Continuity of Operations Plan.
5. Designates a telework coordinator to coordinate the day-to-day activities under the telework program.
6. Ensures that an interactive telework training program is provided to all employees eligible to participate in the telework program and all managers of teleworkers.
7. Submits reports to OPM on telework.

**E. Director, Office of Administration (ADM)**

Reviews and concurs on all proposed full-time telework agreements and special circumstances agreements, as appropriate, to ensure that each agreement meets the agency's requirements under the Drug Testing Policy. (See MD 12.3, "NRC Personnel Security Program.")

**F. Chief Information Officer (CIO)**

1. Establishes and maintains information technology systems and related procedures to support the agency's telework program.
2. Reviews and concurs on all proposed full-time telework agreements and special circumstances agreements, as appropriate.
3. Establishes and maintains cybersecurity and computer security requirements and procedures to support the agency's telework program.

**G. Office Directors and Regional Administrators**

1. Ensure overall office and regional participation is consistent with established telework procedures.

2. Notify the OCHCO telework coordinator of participants in the program.
3. Submit documentation of telework agreement approvals required to be approved at the OD/RA level to OCHCO for employees within their organization. An alternate management contact may be identified.

#### **H. Supervisors and Managers**

1. Inform staff of the telework program and ensure completion of telework training.
2. Approve fixed and project-based telework agreements, as appropriate. Submit documentation of approvals at the first or second line supervisory level to OCHCO for employees within their organizations. (For definitions of telework types, see “Types of Telework” available on the NRC’s Telework Web site <http://www.internal.nrc.gov/HR/telework.html>.)
3. Evaluate employee requests for telework participation in a fair and equitable manner ensuring that restrictions or denials are based on mission-related criteria, guidelines and applicable agency policies. Examples include but are not limited to portability of work, office coverage and employee performance.
4. Establish clear expectations and objectives to ensure telework agreements outlining the terms and conditions of the arrangement.
5. Ensure that applicable policies and procedures are followed under a telework agreement, including the removal or accountability of Government property (e.g., laptops and printers), maintenance of telework records and documents, and approval of overtime, leave, and alternative work schedules.
6. Monitor and evaluate the employee’s performance as based on the employee’s performance appraisal plan and the telework agreement.
7. Communicate with employees working at alternative worksites, and ensure that they are informed regarding dismissal or closure procedures during emergencies.

#### **I. Employees**

1. Complete telework training.
2. Conduct an assessment of their telework capabilities and submits appropriate telework forms.
3. Adhere to agency, office and region policies, direction, and guidance while teleworking.

#### **IV. APPLICABILITY**

The provisions of this directive apply to and must be followed by all NRC employees. To the extent that the provisions of this directive conflict with or are modified by the negotiated agreement with the employees' exclusive representative, the negotiated agreement (Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union) will govern the treatment of personnel for bargaining unit positions.

#### **V. DIRECTIVE HANDBOOK**

The NRC's Telework Web site serves as the handbook for this directive. The Web site provides detailed guidance for the NRC's Telework program and is available at <http://www.internal.nrc.gov/HR/telework.html>.

#### **VI. TELEWORK ENHANCEMENT ACT OF 2010**

The Telework Enhancement Act of 2010, Public Law 111-292, enacted on December 9, 2010, requires the head of each Executive agency to establish a policy under which eligible employees of the agency may be authorized to telework, determine the eligibility for all employees of the agency to participate in telework, and notify all employees of the agency of their eligibility to telework within 180 days after the date of enactment.

#### **VII. REFERENCES**

##### ***Nuclear Regulatory Commission Documents***

Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union, available at <http://www.internal.nrc.gov/HR/pdf/cba.pdf>.

CSO-CKLT-1003, Cyber Security Checklist, available at: <http://www.internal.nrc.gov/CSO/checklists.html>.

Cybersecurity Incident Response Web Site: <http://www.internal.nrc.gov/CSO/incident-resp.html>.

Management Directive—

- 6.2, "Continuity of Operations Program."
- 10.62, "Leave Administration."
- 12.2, "NRC Classified Information Security Program."
- 12.3, "NRC Personnel Security Program."
- 12.5, "NRC Cybersecurity Program."

12.6, "NRC Sensitive Unclassified Information Security Program."

12.7, "NRC Safeguards Information Security Program."

NRC Forms Library on SharePoint:

<http://fusion.nrc.gov/nrcformsportal/default.aspx>.

NRC Sensitive Unclassified Non-Safeguards Information (SUNSI) Program Web Site:

<http://www.internal.nrc.gov/ois/divisions/irsd/sunsi/index.html>.

NRC Telework Web Site, including the Standard Operating Procedures for Telework:

<http://www.internal.nrc.gov/HR/telework.html>.

OIG-10-A-13, "Audit of NRC's Telework Program," June 9, 2010 ([ML101600394](#)).

OIG-14-A-05, "Audit of NRC's Full-Time Telework Program," December 11, 2013 ([ML13345A194](#)).

Yellow Announcement YA-05-0077, "Policy Revision: NRC Policy and Procedures for Handling, Marking, and Protecting Sensitive Unclassified Non-Safeguards Information (SUNSI)," October 26, 2005 ([ML051220278](#)).

#### ***Office of Personnel Management (OPM)***

OPM's Telework Web Site:

<http://www.telework.gov>.

#### ***National Institute of Standards and Technology (NIST)***

NIST Special Publication 800-46, Rev. 2, Guide to Enterprise Telework, Remote Access, and Bring Your Own Device (BYOD) Security, available at

<https://www.nist.gov/publications/guide-enterprise-telework-remote-access-and-bring-your-own-device-byod-security>.

NIST Special Publication 800-114, Rev. 1, User's Guide to Telework and Bring Your Own Device (BYOD), available at [https://www.nist.gov/publications/users-guide-](https://www.nist.gov/publications/users-guide-telework-and-bring-your-own-device-byod-security)

[telework-and-bring-your-own-device-byod-security](https://www.nist.gov/publications/users-guide-telework-and-bring-your-own-device-byod-security).

#### ***United States Code***

Federal Employees' Compensation Act (FECA) (5 U.S.C. 8101 et seq.).

Inspector General Act of 1978, as amended (5 U.S.C. App. 3).

Telework Enhancement Act of 2010.