Memorandum

To:        DOI Employees

From:            Raymond A. Limon
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Chief Human Capital Officer

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Subject:        Amplifying Guidance for the Secretary’s Message on Ensuring the Continued
Performance of the Mission of the Department

The safety of our employees is our first and foremost priority. We want to ensure that all DOI employees are aware of the resources available to them as we work together to meet the challenges of the COVID-19 pandemic.

As a follow up to the Secretary’s March 22 all-employee message, attached are Frequently Asked Questions (FAQ) on telework and other HR flexibilities if telework is not an option. Also attached is guidance and FAQs on the Department’s Mission Essential Functions, Essential Supporting Activities, and other mission critical functions to help managers at the local level to ensure adequate staffing. Please reference these when determining the extent of telework that can be utilized in a DOI unit or facility.

The Office of Human Capital and the Office of Emergency Management will continue to update these FAQs as we receive more guidance from the U.S. Office of Personnel Management and the Office of Management and Budget and as we receive questions from our managers and employees. The DOI COVID-19 Information Portal is your best source of the most up-to-date information related to DOI’s ongoing response to the coronavirus pandemic.

Attachments
Does the Secretary’s Memorandum dated March 22, 2020 authorize evacuation pay in accordance with 5 C.F.R. § 550.409?

No, the Secretary’s Memorandum does not authorize evacuation pay under 5 C.F.R. § 550.409. The Secretary’s Memorandum establishes the expectation that employees who do not perform or support mission-essential or mission-critical functions should telework. Employees who are telework-ready (i.e., have an approved telework agreement in place and have the required work necessities (e.g., equipment, materials) to effectively perform his or her duties at an approved telework site) are directed to telework. In addition, there is no prohibition on carrying out essential functions from alternate locations, including telework locations, and employees should coordinate with their supervisors to determine if these functions can be supported via telework as well.

I am eligible to telework, but do not have an approved telework agreement in place. What should I do?

Consistent with the Secretary’s Memorandum, dated March 22, 2020, employees who are eligible to telework but who have not yet entered into a telework agreement are encouraged to initiate a telework agreement as soon as possible to continue the important work of the agency. Employees wishing to initiate a new telework agreement can do so by using the web link here. If a telework-eligible employee is unable to enter into a telework agreement, his or her supervisor shall grant the employee weather and safety leave for a period not to exceed fourteen (14) calendar days from the date of the Secretary’s March 22, 2020 Memorandum. Thereafter, the need for weather and safety leave shall be re-evaluated in light of the conditions at that time.

What if an employee can only telework via internet access but doesn’t have it?

In order to be considered telework-ready, an employee must have the required work necessities (e.g., equipment, materials) to effectively perform his or her duties at the approved telework site. This may or may not require internet access, depending on the nature of the telework to be performed. If an employee does not have access to internet services needed to telework, the bureau/office may in some cases be authorized to purchase wireless equipment and data services (i.e. MiFi Devices and Personal HotSpot services on government cell phones) during this pandemic—subject to the availability of funding and compliance with other laws and policies related to the limited and acceptable use of government funded equipment and services. Employees should work with their supervisors to determine if this is an option. If the bureau/office is unable to purchase the internet services and the employee is otherwise unable to telework, the supervisor shall grant the employee weather and safety leave for a period not to exceed fourteen (14) calendar days from the date of the Secretary’s March 22, 2020 Memorandum. Thereafter, the need for weather and safety leave shall be re-evaluated in light of the conditions at that time.

What if an employee runs out of work to perform while teleworking?

The supervisor is responsible for assigning work and should exhaust all resources to provide the employee sufficient portable work to perform at the approved telework location. If the supervisor has no more work for the employee to safely perform at the approved telework site,
he or she may grant the employee weather and safety leave for a period not to exceed fourteen (14) calendar days from the date of the Secretary’s March 22, 2020 Memorandum. Thereafter, the need for weather and safety leave shall be re-evaluated in light of the conditions at that time.

**I supervise an employee who is telework eligible but is unable to enter into a telework agreement, what are my options?**

Supervisors should encourage telework eligible employees to enter into a telework agreement to support the mission of the Department of the Interior during this challenging and unprecedented time. However, if the employee is unable to enter into a telework agreement, they may be authorized weather and safety leave for a period not to exceed fourteen (14) calendar days from the date of the Secretary’s March 22, 2020 Memorandum. Thereafter, the need for weather and safety leave shall be re-evaluated in light of the conditions at that time.

**If an employee wants to continue reporting to the office and does not perform or support mission-essential or mission-critical functions, can I order them to go home or to the approved telework site?**

Yes. Consistent with the Secretary’s Memorandum dated March 22, 2020, supervisors are directed to instruct employees under their supervision to telework, if telework ready, or encourage telework eligible employees to enter into telework agreements. If the employee is telework-eligible, but unable to enter into a telework agreement, the supervisor shall grant the employee weather and safety leave for a period not to exceed fourteen (14) calendar days from the date of the Secretary’s March 22, 2020 Memorandum. Thereafter, the need for weather and safety leave shall be re-evaluated in light of the conditions at that time.

**What does it mean to be “unable to enter into a telework agreement”?**

An employee who is unable to enter into a telework agreement can include, but is not limited to, anyone who does not have portable work that can be safely performed at an approved telework site; does not have the equipment or telecommunication services required to safely work from an approved telework site; or who cannot safely perform work at an approved telework site.