



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
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MARINE CORPS ORDER 12271.1

From: Commandant of the Marine Corps
To: Distribution List

Subj: TELEWORK FOR CIVILIAN MARINES

Ref: (a) Public Law 111-292, Telework Enhancement Act of 2010
(b) DoD Instruction 1035.01 (Telework Policy)
(c) SECNAVINST 12271.1
(d) OPM Guide to Telework in the Federal Government of April, 2011
(e) 5 U.S.C. Chapter 71
(f) 5 U.S.C. Chapter 81
(g) 33 U.S.C. Chapter 18
(h) SECNAV M-5510.36
(i) OMB Memo M-11-20 (Implementing the Telework Enhancement Act of 2010 IT Purchasing Requirements)
(j) OMB Memo M-11-27 (Implementing the Telework Enhancement Act of 2010: Security Guidelines)
(k) DoD Instruction 8582.01 W/CH 1, "Security of Unclassified DoD Information on Non-DoD Information Systems," June 6, 2012
(l) OPM Guidance, Washington, DC Area Dismissal and Closure Procedures of December, 2015
(m) SECNAVINST 5211.5E
(n) SECNAVINST 5239.3B
(o) SECNAV M-5210.1
(p) SECNAVINST 5211.5E
(q) 5 U.S.C. 552a
(r) SECNAV Notice 5210
(s) MCO 5210.11F
(t) 5 CFR, Ethical Conduct for Employees of the Executive Branch, Subpart G - Misuse of Position (§§ 2635.701 - 2635.705)

Encl: (1) Telework Policies and Procedures

1. Situation. This Order is a complete revision of the Marine Corps Telework policy and procedures and should be reviewed in its entirety. This Order applies to all Marine Corps Appropriated Fund (APF) and Non-Appropriated Fund (NAF) civilian employees and shall be administered in accordance with the

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references (a) through (t) and applicable collective bargaining agreements.

2. Cancellation. MCO 12600.1

3. Mission. Commanders or Activity Heads will authorize the use of telework to the fullest extent possible without adversely affecting the mission or diminishing employee performance. Mission requirements shall include consideration of the impact of telework on the United States Marine Corps remote access information technology (IT) network capacity and appropriate information security.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) The Marine Corps is committed to promoting and implementing telework consistent with mission capability and readiness. The Marine Corps Telework program supports workforce efficiency, emergency preparedness, continuity of operations (COOP), and quality of life.

(b) Telework is not an entitlement, but its use can serve as an effective strategy to improve the retention and recruitment of highly-qualified Civilian Marines. Telework enhances the Marine Corps' efforts to employ and accommodate persons with disabilities; creates cost savings by decreasing the need for office space and parking; reduces traffic congestion and pollution; and increases employee morale. It may also provide an alternate means to help employees return to work more quickly following injury or may serve as a reasonable accommodation.

(2) Concept of Operations

(a) Consistent with references (a) through (d), telework will be authorized for the maximum number of positions to the extent that individual performance, mission readiness, and organizational effectiveness are not jeopardized.

(b) Occupying a position that is telework eligible does not automatically confer authorization/approval for a given employee. Employee authorization/approval is driven by many factors including conduct and performance issues, trainee

status, staffing levels within the employee's assigned office, and the availability of equipment. At a minimum, an employee must be able to effectively perform his or her official duties, either completely or in part, at the fully successful level at the alternative worksite without impairment to the mission.

(c) Participation in the Telework Program is offered with the understanding that it is the responsibility of the employee to ensure a proper work environment is maintained. For example, arrangements must be made for safety, for dependent care so as not to interfere with the work, and for avoiding disruptions such as personal telephone calls and visitors.

(d) Telework is a voluntary program, not an employee right. It is an opportunity to work in a more flexible environment; however, once a voluntary telework arrangement has been entered into, it also carries the obligation to support mission continuity in emergency situations such as inclement weather, pandemic, or crisis.

b. Subordinate Element Missions

(1) All Marine Corps Activity Heads/Commanders shall:

(a) Authorize telework for eligible employees to the maximum extent possible provided mission requirements are not compromised or diminished by the telework arrangement.

(b) Delegate authority for telework implementation to subordinate authorities as deemed appropriate.

(c) Designate a telework coordinator to oversee and coordinate implementation and day to day administration of the Telework Program. The telework coordinator will serve as an advisor for command leadership and serve as a resource for supervisors and employees. The telework coordinator will also gather telework data for required reports.

(d) Ensure telework arrangements are incorporated into COOP planning so that employees will be able to telework during emergency situations.

(2) Supervisors and managers shall:

(a) Identify positions that are suitable for telework and determine employee eligibility to telework in accordance with this Order and Activity Head/Command guidance.

Information to assist in determining position and employee eligibility for telework is in the enclosure at paragraph 2.

(b) Approve, disapprove, or terminate an employee's telework request or schedule. Denial of a request to telework and telework termination decisions must be based on mission needs, performance, and this Order but not for personal reasons. Valid reasons for a supervisor to deny a telework request or terminate an existing telework schedule include, but are not limited to, staffing shortage issues and peak workload periods that require the employee's on-site presence. A denial or termination should include information as to when the employee might reapply, and if applicable, what actions the employee should take to improve his or her chance of approval. Supervisors should review telework provisions in applicable collective bargaining agreements to ensure decisions are in accordance with such provisions.

(c) Terminate the telework schedule of an employee when the employee no longer meets the eligibility requirements for telework. Paragraph 2.b.(3) of the enclosure identifies the two reasons where disapproval of a telework request, or termination of an existing telework schedule, is mandated by law.

(d) Complete telework training for supervisors prior to authorizing a telework arrangement for any employee. Telework training requirements are discussed in the enclosure at paragraph 3.

(e) Ensure performance standards for employees who telework are commensurate with performance standards for non-teleworkers and hold employees accountable for the results they produce while teleworking.

(f) Treat teleworkers and non-teleworkers the same for the purpose of work requirements, periodic appraisals of job performance, training, rewarding, reassigning, promoting, reducing in grade, retaining and removal, and other acts requiring management discretion.

(g) Ensure telework agreements are in place and the teleworker has completed required training before starting a telework schedule. All mission essential staff shall have telework agreements in place.

(h) Review and re-sign telework agreements on an annual basis. New telework agreements will be executed when a new supervisor-employee relationship is established.

(i) Ensure the provisions listed paragraph 3.c. of the enclosure are added to all telework agreements.

(3) Employees who telework shall:

(a) Safeguard all Marine Corps information, protect government furnished equipment and government property, and perform assigned duties while teleworking.

(b) Not take classified documents (hard copy or electronic) to their homes or alternative worksites. If classified telework is authorized at an approved alternative secure location, teleworkers shall comply with procedures established by Marine Corps Order regarding such work.

(c) Protect sensitive unclassified data, including Privacy Act or For Official Use Only data.

(d) Work at the regular worksite on scheduled telework days if required to accomplish the mission, to include attending meetings or briefings.

(e) Ensure customers, supervisor, and co-workers have ready access to telephone contact information.

(f) Complete telework training and a telework agreement prior to starting a telework schedule and thoroughly read and abide by the terms of the telework agreement and this Order.

c. Coordinating Instructions

(1) Recommendations concerning the content of this Order may be forwarded to Labor and Employee Relations, CMC (MPC-40) via the appropriate chain of command.

(2) All reports required by reference (b) will be submitted to CMC (MPC-40). Activity Heads/Commanders will be advised of the reporting requirements and due date.

(3) Prior to implementing or changing a telework program, Commands must satisfy collective bargaining obligations as required by reference (e).

5. Administration and Logistics

a. Records Management. Records created as a result of this Order shall be managed according to National Archives and Records Administration (NARA) approved dispositions per references (o) and (r) to ensure proper maintenance, use, accessibility and preservation, regardless of format or medium. Refer to reference (s) for Marine Corps records management policy and procedures.

b. Privacy Act. Any misuse or unauthorized disclosure of Personally Identifiable Information (PII) may result in both civil and criminal penalties. The Department of Navy (DON) recognizes that the privacy of an individual is a personal and fundamental right that shall be respected and protected. The DON's need to collect, use, maintain, or disseminate PII about individuals for purposes of discharging its statutory responsibilities will be balanced against the individuals' right to be protected against unwarranted invasion of privacy. All collection, use, maintenance, or dissemination of PII will be in accordance with the Privacy of 1974, as amended (reference (p) and implemented per reference (q)).

6. Command and Signal

a. Command. This Order is applicable to the Civilian Marine Corps Appropriated Fund (APF) and Non-Appropriated Fund (NAF) workforce.

b. Signal. This Order is effective the date signed.



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TELEWORK POLICIES AND PROCEDURES

1. Types of Telework Schedules. There are two types of telework schedules: regular/recurring and situational.

a. Regular and Recurring Telework: An employee is scheduled to work at an approved alternative worksite in a regular and recurring pattern on one or more days each pay period.

b. Situational Telework (also referred to as periodic, ad hoc, or intermittent telework): An employee's telework at an approved alternative worksite is unscheduled, project-oriented, or irregular in nature. Examples include telework to:

(1) Continue operations when the traditional worksite is closed to the public, access is limited, or commuting is dangerous.

(2) Practice telework to ensure readiness for continuing operations in the event of a crisis or national emergency.

(3) Perform short-term projects or assignments that require concentration and uninterrupted blocks of time for successful completion.

(4) Allow work by an employee who is temporarily unable to physically report to the traditional office (e.g., when recovering from illness or injury).

2. Telework Eligibility. Both the position and the person must be considered when determining telework eligibility. There may be cases where a position is a telework-eligible position but the employee is not eligible to telework.

a. Position Eligibility. Positions eligible for telework are those involving tasks and work activities that are portable, do not depend on the employees being at the official duty station, and are conducive to supervisory oversight at the alternative worksite. Positions will not be excluded as eligible solely on the basis of occupation, series, grade, or supervisory status.

(1) Tasks and functions generally appropriate for telework include, but are not limited to:

- Thinking and writing
- Policy development
- Research
- Analysis
- Report writing
- Telephone-intensive tasks
- Computer-oriented tasks, e.g., programming, data entry, word processing, web page design

(2) Positions that require daily, on-site contact with other employees or customers, require direct handling of secure materials or systems, or contact with machinery, equipment, or vehicles are not suitable for telework. If a position requires an employee to have a physical presence or perform site dependent activities such as a firefighter, forest ranger, guard, police officer, or air traffic control duties, the position is not suitable for telework.

b. Person Eligibility. Once a position has been determined to be suitable for telework, the following eligibility requirements must be applied to the employee:

(1) Eligible For Telework: The employee's performance must be at the Fully Successful level or above and the employee must have demonstrated appropriate work habits to include the ability to work independently without close supervision.

(2) Not Eligible For Telework: Employees whose performance or conduct warrants close supervision (e.g., whose rating of record is below fully successful, whose conduct resulted in corrective action within the last 12 months, or who have an unresolved security issue) shall not be allowed to telework until such time as the supervisor determines these issues have been satisfactorily resolved. Employees who are newly assigned to a trainee or entry level position shall not be authorized telework until the employee has demonstrated both satisfactory performance and appropriate work habits.

(3) Prohibited by Law from Telework: Employees shall not be authorized telework consistent with section 6502 (a) (2) of reference (a) if:

(a) The employee has been officially disciplined for being absent without permission for more than 5 days in any calendar year.

(b) The employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties.

3. Telework Training and Telework Agreement

a. All teleworkers and supervisors of teleworkers are required to complete telework training prior to entering into a telework agreement. Completion of telework training must be entered into Total Workforce Management Services (TWMS) or equivalent system if TWMS is unavailable for use.

b. Commands are required to use the automated Telework Agreement tool available in TWMS or equivalent system if TWMS is not available for use. TWMS provides an electronic repository for all telework agreements and automatic notification prior to the telework agreement expiration date. It provides the Marine Corps with an automated process for ensuring that participants are in compliance with telework policy. DD Form 2946 (Department of Defense Telework Agreement) will be used to record all telework agreements.

c. The following provisions must be added to all telework agreements, including those agreements currently in effect. The provisions will be added in the section titled COMPONENT-SPECIFIC TERMS AND CONDITIONS:

(1) On a day when an activity is closed due to emergencies, employees who are scheduled to telework on the day of the closure are expected to telework, unless leave is requested and approved. Telework-ready employees who have been approved to work unscheduled telework are also subject to this provision. If the closure extends beyond one day, teleworkers are expected to continue working for each day of the closure, provided the employee has sufficient work to complete.

(2) When a late arrival policy is announced, employees who are teleworking on a scheduled or unscheduled basis must work their normal telework hours, or request leave.

(3) When an early dismissal policy is announced, employees who are teleworking on a scheduled or unscheduled basis are expected to continue working or request leave.

4. Accounting for Time in a Telework Status. Teleworking employees are required to satisfactorily complete duties as assigned and their time spent in a telework status must be accounted for and reported on timecards.

a. Timecards for APF employees must be coded to reflect time worked in a telework status with the type hour code being RG and the environmental hazard code (Ehz) that distinguishes the type of telework, from the options below:

(1) Use code TW to show regular and recurring telework days;

(2) Use code TS to show situational telework days;

(3) Use code TM to show telework days used for medical reasons.

b. For APF employees on flexible work schedules that permit the earning of credit hours, consult local policy to determine whether credit hours may be earned while in a telework status. If credit hours are permitted to be earned while teleworking, the type hour code will be CD. For telework that is performed while in an overtime status, normal rules apply for approval to work overtime. The type hour code will be the normal codes for overtime. In both cases, the Ehz codes will be the same as in paragraph 4.a. above.

c. Time spent in telework status by a NAF employee must be accounted for and reported in the same manner as if the employee reported for duty at the traditional worksite. It is required that "TW" be annotated in the comment section of the timesheet.

5. Continuity of Operations (COOP), Pandemic Outbreak, Weather, and Other Emergency Situations

a. Federal agencies are expected to continue essential operations during emergency events. This expectation is a primary reason for expanding the use of telework in the Federal sector. Situations may include, for example, inclement weather or other natural event, a national or local crisis, or a pandemic outbreak. Maximizing telework capability helps the

Marine Corps continue to meet mission requirements and in the case of pandemic, to achieve social distancing.

b. When an emergency occurs, telework-ready employees in the affected area are expected to telework as scheduled for the duration of the emergency. To be telework-ready in an emergency, an employee must have a current telework agreement in place; have needed equipment and connectivity available; have practiced telework regularly in order to ensure proficiency and capability; and have sufficient work available to remain productive for the duration of the event.

c. An employee who is scheduled to telework and a telework-ready employee who is approved for unscheduled telework on a day when an unscheduled telework policy is announced are considered teleworkers for that day and are expected to telework during their normal tour of duty.

d. If compelling reasons prevent fulfilling the obligation to telework, an employee should contact his or her supervisor to request appropriate leave or, if applicable, administrative excusal. Compelling reasons include power outages at the telework site; inability to access material necessary to perform work; and evacuation by the local authorities.

e. If the regular worksite is open and circumstances prevent the employee from teleworking, the employee may report to the worksite or request leave.

f. During an emergency, a supervisor may assign any work necessary without regard to the employee's grade or level as long as the employee has the skills to perform the assigned work. To the extent practicable, supervisors will include a description of emergency duties in the telework arrangement if those duties are different from normal work assignments.

6. Telework and Workers' Compensation

a. Marine Corps employees who are directly engaged in performing the duties of their jobs are covered by the applicable workers' compensation program while in a telework status. The Federal Employees' Compensation Act (FECA) covers APF employees, reference (f). NAF employees are covered by the Longshore and Harbor Workers' Compensation Act, reference (g).

b. For work-at-home arrangements, the employee is required to designate one area in the home as the official workstation.

The Government's potential exposure to liability is restricted to this official workstation for the purposes of telework. Each employee with an approved telework agreement for work-at-home must sign a safety checklist in TWMS or an equivalent system if TWMS is unavailable. Employees are responsible for ensuring that their homes comply with safety requirements.

c. Teleworking APF employees must notify their supervisor immediately of an accident or injury at the alternative worksite, and complete the Department of Labor (DOL) Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation. Teleworking NAF employees must notify their supervisor immediately of a work related accident or injury that occurs at the alternative worksite. The supervisor will contact the NAF Human Resources Office (HRO), who in turn will complete the LS-202 form to file the claim with the third party administrator. The NAF HRO will complete all other procedures required for the claim process.

d. Telework is an option that should be considered in efforts to employ and accommodate employees on the workers' compensation rolls. An APF employee on the workers' compensation rolls, who is a candidate for vocational rehabilitation, may use telework based on the Department of Labor's approval that the job offer is valid and the employee is medically able to perform in the telework situation. NAF employees who are medically disabled due to a compensable workers' compensation claim and who are in a telework-eligible position may use telework to accommodate employee's restrictions. Telework under workers' compensation shall be coordinated by the supervisor with the NAF HRO, who in turn will contact the third party administrator.

7. Other Provisions

a. An employee in a Testing Designated Position working at a telework site who is identified for a drug test must report to the regular worksite to be tested if so directed.

b. If there is reason to suspect safety standards are not being met at a home telework site, or when an accident or injury has occurred at a home worksite, a supervisor (or other authorized agency official) has the right to inspect the teleworker's home worksite. In these cases, an appointment will be made to inspect the home worksite.

c. If a teleworker is required to report to the regular worksite after the start of the duty day on a day the employee is teleworking, travel from the telework site to the regular worksite is considered hours of work. In these cases, the employee will complete the duty day at the regular worksite.

d. The Marine Corps is not liable for damages to an employee's personal or real property while the employee is working at an approved alternative worksite, except to the extent the Marine Corps is held liable by the Federal Tort Claims Act or the Military Personnel and Civilian Employees Claims Act.

e. Telework arrangements do not automatically follow an employee who is on a temporary duty (TDY) assignment, temporarily detailed, or assigned to a different position or supervisor. The new supervisor may continue or modify the employee's telework arrangement but is not obligated to do so.