



Homeland Security

June 6, 2011

MEMORANDUM FOR: All DHS Employees

FROM: Rafael Borrás 
Under Secretary for Management

SUBJECT: Employee Eligibility Notification under the
Telework Enhancement Act of 2010

On December 9, 2010, President Obama signed the *Telework Enhancement Act (PL 111-292)* to increase the use of telework among eligible employees. The Act requires agencies to establish telework policies, determine eligibility for participation in telework, and notify employees of their eligibility to telework. This memorandum serves as the Department of Homeland Security's (DHS) official notification to employees of the basic telework eligibility requirements.

The DHS telework program will be made available to the maximum extent possible without diminishing employee performance or agency operations. Telework has the potential to reduce our real estate and energy costs, help recruit and retain the most qualified workforce possible, and increase employment opportunities for persons with disabilities. An effective telework program is also a vital component of our Continuity of Operations Plans and our general ability to continue to function during emergencies.

The Act provides that the following categories of employees are not eligible to telework under policies established pursuant to the Act:

1. Employees who have been officially disciplined for being absent without permission for more than 5 days in any calendar year;
2. Employees who have been officially disciplined for violations of certain violations of the Standards of Ethical Conduct for Employees of the Executive Branch;
3. Employees whose official duties require on a daily basis (every work day):
 - a. Direct handling of secure materials determined to be inappropriate for telework;
 - or
 - b. On-site activity that cannot be handled remotely or at an alternate worksite.

In addition, the Act requires that all telework arrangements be documented with a written agreement. Employees may not be authorized to continue telework if their performance does not comply with this written agreement.

Additional information regarding specific eligibility criteria applicable to individual components will be forthcoming as DHS continues to review its current telework policies in light of the Act.

For more information, including a list of Component Telework Coordinators, visit the DHS Telework website at <http://dhsconnect.dhs.gov/org/comp/mgmt/dhshr/emp/Pages/Telework.aspx>.