

November 23, 2021

TO: Executive Branch Employees

FROM: S. Fae Brown-Brewton, Undersecretary for Labor Relations
Daniel E. Livingston, Chief Negotiator for SEBAC

RE: Telework Applications for the period commencing January 1, 2022

The application process for the six-month telework period beginning January 1, 2022, is now available [online](#). This process is governed by the negotiated final telework policy, which is complete except for one final issue being arbitrated. That remaining issue is:

What, if any, cap shall be imposed on the number of days or percentage of the scheduled work hours, during the biweekly pay period, an eligible employee may telework?

The agreed upon language, which makes up the rest of the telework policy, can be found [here](#). The parties have agreed to begin implementing the undisputed language, and the application process. Both parties' final proposals on the cap issue include the ability of all eligible workers to request telework schedules of any amount consistent with job duties and operational needs. The Arbitrator will ultimately determine what cap, if any, might apply. The Arbitrator's decision is expected in time to govern any challenges that may be brought to an agency's denial or modification of individual telework applications.

In the meantime, both parties urge all individuals interested in teleworking during the post December 31, 2021 period to apply as expeditiously as possible. This will allow for the most efficient processing and disposition of applications, and to provide the maximum advance notice to individuals of their post December 31st, 2021, telework schedules. Those eligible to apply are individuals in the following bargaining units who are not covered by the hazardous duty pension plan: NP-2, NP-3, NP-6, P-1, P-2, P-3A, P-3B, P-4, P-5, P-6, P-7, P-8 and AFSCME Local 1588 in the Office of Higher Education. While all non-hazardous duty employees in these units are eligible to apply if they deem telework to be consistent with their job duties and operational needs, those employees who were deemed "level 1, constant" during the pandemic – required to come to the work site every day during the pandemic – will likely have their applications denied due to operational need.