

MEMORANDUM OF UNDERSTANDING

The following constitutes an agreement between the Department of Education (“Agency”) and the American Federation of Government Employees, AFL-CIO (“AFGE”) on the Agency’s Telework and Remote Work Program Policy

1. AFGE and the Agency agree that telework offers many benefits that include but are not limited to improved employee productivity, lower absenteeism, reduced need for office space, and improved morale. Telework is a versatile approach to managing Federal human capital costs and improving employee quality of life. By use of Telework, the Agency has the ability to increase employee retention and help meet Agency quality, e-Government, production, and efficiency targets for several years. The Telework initiatives also help the Agency fulfill Continuity of Operations (COOP) planning requirements for Federal Agencies.
2. The Principal Office Component (POC) will make position eligibility determinations for Telework and Remote Work Program eligibility for all positions at within the POC, and the Supervisors will notify employees of their eligibility determination in writing. If a bargaining unit position is deemed as ineligible, the Employer will also notify the Union of this eligibility determination. POCs or equivalent offices will work with supervisors and the Union to remove managerial, logistical, organizational, or other barriers to complete implementation and successful functioning. Supervisors will implement the telework and remote work Program in their organization to the fullest extent possible.
3. The Agency will fulfill appropriate Labor obligations prior to implementing any change in telework policy or telework program for any employee or groups of employees.
4. In developing or modifying the telework policy, the Agency will provide the union with the opportunity for pre-decisional involvement.
5.
 - a. Employees within the commuting area who have requested and been approved to be on remote work agreements may take office supplies and equipment from their Principal Office Component workstation such as their monitor, keyboard, mouse, and office chair. If retrieving equipment from office space is not feasible for an employee outside the commuting area, the employee may request supplies and equipment be shipped at the Department’s expense.
 - b. On a quarterly basis, ED will provide basic office supplies to employees who work remotely (e.g. staples, note pads, pens, paper clips, binder clips, highlighters, Post-It notes, file folders, and accordion files), as needed.
 - c. Also, ED will provide reliable software phonelines and headset that will allow employees to effectively carry out ED business for employees who telework or work remotely who do not have a government cell phone and are required to have frequent calls with external customers.
 - d. Program participants do not relinquish any entitlement to submit reimbursement claims for appropriately authorized expenses incurred while conducting business for the Department as submitted through an OF-1164 and contingent upon Departmental budget. Examples of

appropriately authorized expenses incurred during or after March 2020 until program implementation include but are not limited to office chairs; home internet upgrades; desks; printers; printer ink; monitors, and desk lamps, with appropriate documentation.

A telework-ready employee has completed the required telework training, has an approved Telework Agreement in place, and has the required work equipment listed in the Technology Assessment Worksheet to perform duties at the approved alternate worksite. After implementation of the ED Telework and Remote Work Program for bargaining unit employees, if a bargaining unit employee needs work equipment, they should first submit a written request to their Supervisor. If ED cannot provide the work equipment, employees can then submit their claim for reimbursement through an OF-1164.

e. Employee requests, under this section, will not be unreasonably denied.

6. The Parties will begin negotiations on the Department of Education Work Schedules Policy the week of November 8, 2021.

ED bargaining unit employees will continue to be offered expanded core hours, to include maxi-flex, until the parties reach an agreement on the new ED Work Schedule Policy. The below chart outlines expanded core hours options and basic rules for their application.

Basic Workweek	12:00 am – 11:59 pm, Monday through Saturday
Core Hours	6:00 am – 11:30 am; OR 9:30 am – 3:00 pm; OR 12:30 pm – 6:00 pm
Credit Hours	No daily limitation May be earned between 12:00 am to 11:59 pm, Sunday through Saturday No change to twenty-four (24) credit hour maximum carryover limitation
Minimum Weekly Workdays	No minimum number of workdays in a workweek under some Flexible Work Schedules

7. The terms agreed upon for the negotiation of the Work Schedules Policy will serve as the language to address this matter in this mediation and any other negotiation/agreement, to include the Return to the Workplace Plan.

For AFGE

Cathie McQuiston

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Date: 10/15/21

For the Department of Education

Kenny G.

Date: 10/15/21