



United States District Court, Southern District of Ohio
USDC

I. Purpose

The purpose of this Policy is to establish the conditions and requirements for employees to perform official duties at alternate work sites consistent with the requirements of the [Guide to Judicial Policy, Volume 12, Chapter 10](#).

II. Scope

This Policy applies to all current Southern District of Ohio (SDOH) employees (e.g., Chambers, the Office of Probation, the Office of Pretrial Services, and the Clerk's Office).

III. Policy and Procedures

A. Categories of Telework Authorized by Plan

This Policy authorizes the following categories of telework at the discretion of the Judicial Officer, or Court Unit Executive:

Ad hoc during emergencies (including intermittent or temporary full-time telework) based on operational requirements and situational circumstances such as medical recuperation periods, as approved by the appointing officer (Judicial Officer or Court Unit Executive).

Regular and recurring telework, generally at least one day per pay period.

Full-time telework when the employee is not required to report to the employing Court or organization at least twice each biweekly pay period on a regular and recurring basis.

B. Requirements

- Telework is not an entitlement and can be rescinded at the discretion of the Judicial Officer or Court Unit Executive.
- Employee participation in telework is generally voluntary, although the Court may require eligible employees to telework as needed during a COOP/Continuity of Operations Plan event, inclement weather, or similar situation.
- Before beginning to telework (or as soon as possible during or following a COOP event, inclement weather, or other emergency) the supervisor and employee must sign a [Telework Agreement \(Form PER 30\)](#) and obtain the appointing officer's signature.



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- The use of telework does not change the terms and conditions of employment, including the employee's hours of work. Any changes to the employee's work hours must be reflected in writing.
- Telework is not a substitute for dependent care (e.g., child or elder care), however, it may give some employees more flexibility to meet family responsibilities. Employees may not use duty time for purposes other than official duties. Conditions under a COOP event may allow for flexibilities.
- Telework is subject to continuous management approval and monitoring by the Judicial Officer, Court Unit Executive, manager, or supervisor. Those employees on HRMIS Leave Tracking must accurately record their time and attendance, including telework. Time Approvers must certify the accuracy of the timesheets for teleworking employees. To complete the annual telework survey required by the Administrative Office of the U.S. Courts, proper telework documentation is essential. The existing policies and procedures on leave and time attendance apply.
- Telework is a change of location, not a change of official duties. Employee performance will be assessed based on the same criteria regardless of where the official duties are located.
- Teleworking employees must be available (generally a day in advance, if feasible) to come to the courthouse or approved alternate work location whenever the need arises for meeting, travel, training, etc.
- An employee's scheduled telework day may be cancelled without notice if operational needs require the employee's presence in the courthouse or approved alternate work location (e.g., off-site naturalization ceremony, law enforcement officer field work, COOP event where the courthouse is off limits, directing employees to a temporarily approved alternate work location).

C. Eligibility

To be eligible for telework, the Judicial Officer, Court Unit Executive, manager, or supervisor will determine whether an employee is best suited for telework, and whether that employee occupies a position that is suitable for telework.

1. (a) Employees best suited for telework include those who:
 - exhibit good time and attendance,
 - understand job requirements, organizational policies, and procedures,
 - can work independently,
 - demonstrate flexibility and communicate well,
 - are organized,
 - can prioritize work and utilize good time management skills,
 - are conscientious,
 - meet deadlines,



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- perform at the satisfactory level or above, and
 - effectively coordinate objectives and activities with the supervisor.
2. (b) Employees not suited for telework include those with poor attendance, and/or performance management issues.

D. Travel and Relocation

- Travel reimbursement/travel compensation is not authorized when an ad hoc or recurring teleworker commutes between their residence and the Courthouse or approved alternate work location (for full time telework, the official duty station is the telework site).
- Relocation expenses are not authorized when the official duty station changes as a result of the initiation, modification, or termination of a telework agreement.

E. Termination of Telework Agreement

- Termination of a telework agreement is at the discretion of either Judicial Officer, Court Unit Executive, manager, supervisor, or the employee.
- Telework will be terminated if it is determined that telework interferes with the operations of the Court, or adversely affects the performance or development of a teleworking employee or their co-workers.
- Each full-time telework agreement will include a statement that should a full-time telework agreement be terminated; the employee may be required to report back to the employing Court or office and will specify whether the employee will be eligible for severance pay; if the employee fails to report to the employing Court or office the employee will be involuntarily separated.
- When possible, advanced notice may be provided for the termination of a telework agreement.

F. Government-Owned Supplies

- Government-owned equipment placed at a telework location or at an alternate work location is for official use only. The government retains ownership and control of the hardware, software, and data.
- Government-owned equipment placed at a telework location or at alternate work location is subject to the [IT Appropriate Use of IT Systems policy](#).
- There is no guarantee sufficient government-owned equipment is or will be available.



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G. Employee-Owned Equipment

- Employees who are permitted to use their own equipment for telework purposes and are subject to the [Use of Personally Owned Devices for Remote Access policy](#).
- Employees who use their own personal computers for telework must maintain the necessary level of security. The personal computers must also have locally approved configurations. The configurations should be updated and tested periodically consistent with local information technology security requirements. See: [Guide, Vol. 15, 330](#).

H. Telework Location – Employee’s Residences as stated on the Telework Agreement, form PER 30

- The Court is not responsible for internet service, operating costs, home maintenance, or any other costs (e.g., utilities) whatsoever associated with the use of the employee’s residence in teleworking.
- The Court will not be liable for damages to employee’s personal or real property or for property damage or personal damage to another individual during performance of official duties or while using government equipment in employee residences, except to the extent the government is held liable under the Federal Tort Claims Act.
- Employees participating in the telework program must have a safe and adequate place to work off-site that is free from interruptions and provides the necessary level of security and protection for government property and confidentiality and data.
- Employees scheduled to telework but unable to do so (e.g., power outage or technical difficulty) are expected to contact their supervisor within a reasonable period of time. If it is determined by the supervisor that the employee is unable to telework, the employee may be required to submit a leave request.
- If an employee moves, a new Telework Agreement, form PER 30, must be completed ensuring an accurate telework location is reflected.
- The employee is responsible for communicating with their supervisor prior to making any changes to the telework location stated on the Telework Agreement, form PER 30.

I. Workers’ Compensation

- Court employees who incur personal injuries while performing official business at an alternate worksite may be entitled to Worker’s Compensation Benefits under the Federal Employees Compensation Act.

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J. Required Documentation

- The following table describes the documentation that is required before employees may begin teleworking.

Required Documentation		
Document	Description	Signed by...
Telework Agreement (Form PER 30)	Sets the terms and conditions under which an employee is permitted to telework.	<ul style="list-style-type: none">• employee• supervisor• appointing officer
Telework Duty Station Change (Form PER 34)	A form submitted by the Court to the AO's HRO when an employee is authorized to telework full-time.	<ul style="list-style-type: none">• employee• appointing officer



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IV. Signatures

Algenon L. Marbley, Chief Judge
United States District Court

/s/ James L. Graham

James L. Graham
United States District Judge

Edmund A. Sargus, Jr.
United States District Judge

Walter H. Rice
United States District Judge

Michael H. Watson
United States District Judge

Thomas M. Rose
United States District Judge

Sarah D. Morrison
United States District Judge

Susan J. Dlott
United States District Judge

Douglas R. Cole
United States District Judge

/s/Michael R. Barrett

Michael R. Barrett
United States District Judge

Matthew W. McFarland
United States District Judge


Timothy S. Black
United States District Judge


/s/Michael J. Newman

Michael J. Newman
United States District Judge



United States District Court, Southern District of Ohio
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Richard W. Nagel
Clerk of Court


Mark R. Grawe
Chief U.S. Probation Officer


Melanie A. Furry
Chief U.S. Pretrial Services Officer