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## Telework within the Bureau of Reclamation Lower Colorado Region office

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Telework within the Bureau of Reclamation Lower Colorado Region Office

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**Table of Contents**

Executive Summary.....	3
Purpose of the report.....	4
Organizational and Telework Background .....	4
Bureau of Reclamation .....	4
Telework.....	5
Legislative Background .....	5
Telework: Benefits and Limitations .....	6
A New Dawn in Washington: Telework Enhancement Act of 2010 .....	7
Legislative process in Congress.....	7
Provisions of the law .....	8
Implementation.....	8
Challenges .....	9
Evaluation Goals.....	11
Methodology.....	11
BORLCR Telework Process.....	12
Qualifying for Telework .....	13
Work Management .....	13
Reporting Telework .....	14
Remote Access for Telework.....	14
Recommendations .....	22
Capture .....	22
Enhance .....	22
Promote.....	23
References .....	25
Table 1 Benefits and Challenges to Telework Implementation .....	6
Table 2 DOI Weekly Telework Participation - Eligible Employees.....	10
Table 3 "Call Telework for Data" - Department of the Interior Results .....	11
Table 4 GAP Analysis .....	15

### **Executive Summary**

In 2010 the Federal Employee Viewpoint Survey was taken of all employees of the United States Department of the Interior (DOI). Two questions embedded within this large survey addressed participation and satisfaction with the Department's Telework program. Telework is a working status where employees perform job duties at an approved worksite other than their primary work location. The survey indicated that telework participation in the Bureau of Reclamation Lower Colorado Region (BORLCR) was significantly lower than the Department of Interior's department-wide average. It also indicated a low level of satisfaction with the Telework Program within the Region.

A team of researchers from The University of Nevada, Las Vegas were invited by management to observe, assess, and offer recommendations. While the original survey highlighted low rates of *reported* participation, the researchers discovered that data capturing *actual* participation rates in the office did not exist. It was determined by the research team that the first step to improving participation would be to observe the functional telework policy, compare and contrast it with the Department of the Interior standards, and offer recommendations to generate data necessary to develop an updated telework policy by management.

The observations of functional policy revealed areas of data loss and information decay. In particular, existing policy failed to track which employees were actually teleworking versus those who had signed an agreement to telework. Thresholds for classification as a teleworking employee had also not been established.

During this evaluation, the Telework Enhancement Act (TEAct) of 2010 was passed by Congress. Its requirements were incorporated into the compare and contrast portion of this

analysis. Many requirements of this Act were not in place at the time of evaluation, but must be put into place to comply with its mandates. The portions not currently in compliance form the basis of our recommendations.

The recommendations made by this group include creating an employee eligibility list, tracking actual participation by creating a renewal policy for employees choosing to telework. It is also recommended that a database of employee status be created which tracks whether a telework arrangement is in place and in use. The accumulation of data from these improved systems will illuminate trends not currently identifiable and allow management to track TEAct compliance and measure the successes of subsequent efforts to encourage telework participation.

### **Purpose of the report**

The purpose of this report is to provide observed, objective, and insightful information regarding existing telework policy, and compare and contrast it with TEAct and DOI standards. This will provide the Lower Colorado Basin office management with information to support the Department of the Interior's ability to meet standards and goals.

### **Organizational and Telework Background**

#### **Bureau of Reclamation**

The Bureau of Reclamation of Lower Colorado manages, operates, and maintains Hoover, Davis, and Parker Dams, including their associated power plants and facilities on the lower Colorado River. These facilities were constructed from 1930 to 1950. The three dams provide an annual average of nine million acre-feet of water from the Colorado River to urban and agriculture water users in Arizona, Nevada, and California, and 1.5 million acre-feet of water to Mexico annually. Water power from the facilities produces more than 6.5 billion kilowatt-

hours of electricity, distributed throughout the Southwest. In addition to electricity production and water usage, the reservoirs provide year-round recreational areas (USBR n.d.).

### **Telework**

The DOI encourages all of its agencies including the Bureau of Reclamation to participate in the Federal Telework Program. According to TEAct, “The term ‘telework ‘or ‘teleworking’ refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee’s position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work” (Telework n.d.) Although the concept of a flexible work arrangement has been around since the 1930’s, it was not until the 1970’s when it was reintroduced and the term “telework” was coined by Jack Nilles (Jala n.d.)

The policies and procedures set forth by the DOI are strict guidelines which are based upon public laws and regulations of Federal Agencies including but not limited to the Office of Personnel Management, the Office of Management and Budget, and General Services Administration.

### **Legislative Background**

Federal employees have been apprised of telework for many years. The initial legislature telework mandate (§ 359 of Public Law 106-346) was established in 2000 (Telework n.d.). The law defined that each “executive agency shall establish a policy under which eligible employees of the agency may participate in telecommuting to the maximum extent possible without diminished employee performance” (Telework n.d.) Requirement for the mandate stated “each agency participating in the program shall develop criteria to be used in implementing such a policy and ensure that managerial, logistical, organizational, or other barriers to full implementation and successful functioning of the policy are removed. Each agency should also provide for adequate

administrative, human resources, technical, and logistical support for carrying out the policy”

(Telework n.d.)

### **Telework: Benefits and Limitations**

Teleworking provides employees an avenue to find a balance between work and life. The option to telework ranks as one of the most sought after benefits an employer can offer when competing for talent. Telework improves morale, increases productivity, improves disaster preparedness, and saves money. Telework reduces absenteeism, decreases traffic congestion, conserves energy, and allows employers to employ workers when office space is unavailable. It also provides employers with access to talent in other cities from which commuting to the office is not possible.

Teleworking promotes employees to be more productive and facilitates higher quality work due to a quieter atmosphere. Management has experienced deeper employee loyalty and commitment as well as lower employee stress.

**Table 1 Benefits and Challenges to Telework Implementation**

<b>Benefits</b>	<b>Challenges</b>
Quality of work	5 million dollar average annual cost from 2010-1015 (Congressional Budget Office, 2010)
Decreased Traffic	IT security issues
Parking space	Performance issues
Job Satisfaction	Organizational culture resistance
Air quality	Computer equipment costs

Work life balance	Employee safety
Energy Conservation	Household disruptions

### **A New Dawn in Washington: Telework Enhancement Act of 2010**

On December 9, 2010 the Telework Enhancement Act of 2010 (TEAct) became law. By this act, each executive agency of the Federal Government is mandated to establish a telework program. The law specifies requirements for the program and establishes implementation within 180 days of passage. The Department of the Interior, one of the executive agencies in the Federal Government, must comply with telework program requirements. To do this it needs the support of Reclamation, a bureau within the DOI. To assist the Bureau of Reclamation in meeting the requirements of the Telework Enhancement Act by the mandated implementation date, this evaluation will focus on the gap between the act's mandate and the current Bureau of Reclamation processes. Due to time constraints, several key provisions have been selected from the law for the gap analysis. This part of the report will provide information about the Telework Enhancement Act of 2010 and the provisions selected for the gap analysis.

#### **Legislative process in Congress**

- H.R. 1722 was introduced in the 111<sup>th</sup> Congress by Representative John Sarbanes (D-MD) and referred to the Oversight and Government Reform Committee. It was signed by the president and became a Federal law on December 9, 2010. Edolphus "Ed" Towns (D-NY), chairman of the committee, issued a statement applauding H.R. 1722. "This bipartisan legislation benefits both taxpayers and the federal government by promoting cost savings, reducing energy consumption and traffic congestion, and preventing a loss in productivity when homeland security emergencies occur. It also promotes a healthy



work-life balance for federal employees and will help the government recruit the best and brightest into the civil service.” (Oversight and Government Reform Committee, 2010)

### **Provisions of the law**

The telework program requirements are specified in five sections of the Telework Act. For this evaluation, key requirements from each of these sections have been selected for the gap analysis.

- 6502. Executive agencies telework requirement
  - Specifies general requirements of the law such as the implementation date, the executive agency policy, and eligibility.
- 6503. Training and monitoring
  - Telework training and non-discrimination is mandated.
- 6504. Policy and support
  - Each executive agency is required to consult with the Office of Personnel to develop telework policies and to include telework in the continuity of operations plan.
- 6505. Telework Managing Officer
  - Mandates a Telework Managing Officer and specifies his status and duties.
- 6506. Reports
  - Specifies the reports that are required, their contents, and who will receive them.

### **Implementation**

The federal government has also made considerable progress in implementing teleworking. Employees of the US Patent and Trademark Office (USPTO) have teleworked since

1997, and the office is a telework pioneer. With awards under its belt, the USPTO established two programs which are very successful. The “Telework Work-at-Home” program allows eighty-six percent of its trademark attorneys to work from their homes the majority of the week and in the office only one day a week. The “Patent Hoteling” program allows its 1000 workers to participate in teleworking. As a result of these two program, approximately 41 percent of the USPTO workforce telework.

The Federal Telework policy prior to the adoption of the TEAct embraced flexibility by agency heads. The Federal Government pushed agencies to participate in the teleworking process with some agencies participating more than others. In March 2010, the Office of Personnel Management Director, John Berry, testified before Congress stating percentages of the telework process. Mr. Berry stated that thirty-five percent of federal managers support teleworking, fifty-four percent do not support teleworking, sixty-one percent of federal employees are eligible for teleworking. However, only five percent are actually teleworking. Participation by The Bureau of Reclamation Lower Colorado Region is not currently known.

### **Challenges**

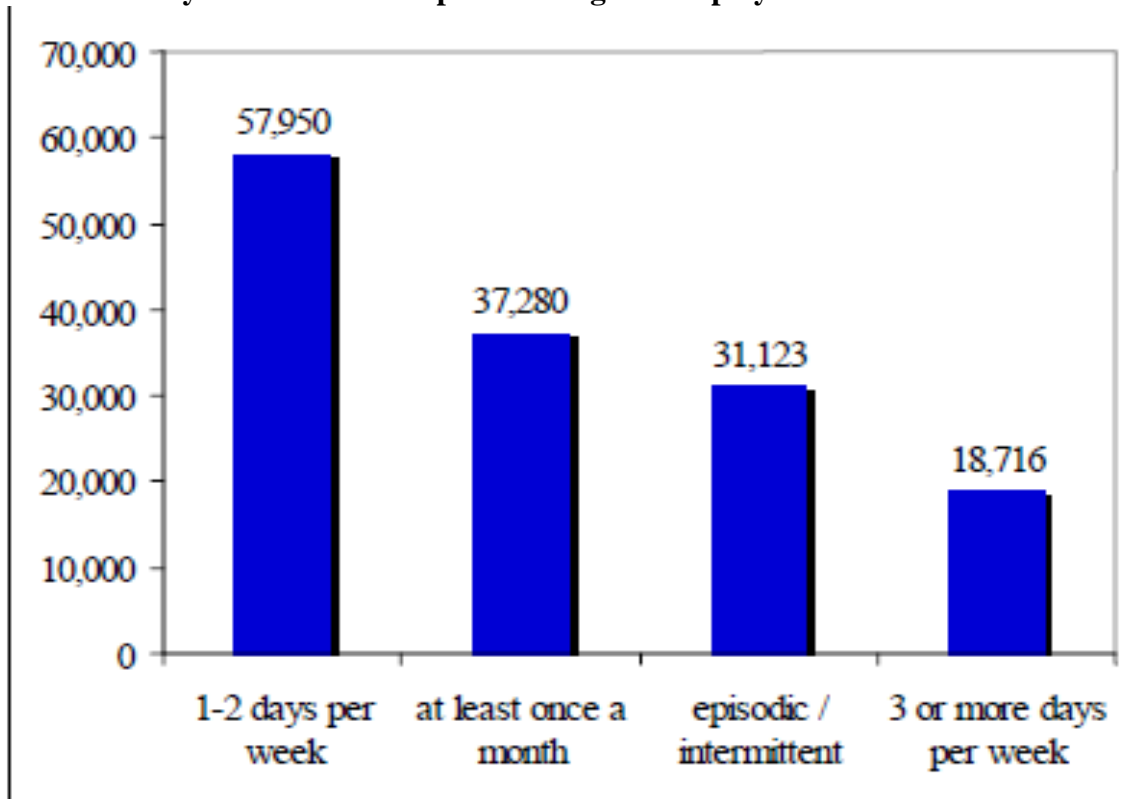
The United States Congress has actively promoted teleworking throughout the government agencies. As far back as the year 2000, Congress mandated: “agencies should establish a policy under which eligible employees of an agency may participate in teleworking to the maximum extent possible” (Office of Personnel Management, n.d.). The Telework Improvement Act of 2007 encouraged employees to telework, especially in support of Continuity of Operations (COOP) initiatives. The Telework Enhancement Act of 2007 requires agencies to provide training, including managers, on utilizing teleworking.

The table below reveals employee participation in teleworking in the calendar year 2009.

The 2010 telework report from the Office of Personnel Management encouraged departments to properly track their employees identifying intermittent and regular teleworking employees

(Telework n.d.)

**Table 2 DOI Weekly Telework Participation - Eligible Employees**



In the calendar year January 1, 2009 – December 31, 2009, agencies were expected to participate in the “Call for Telework” data survey given by the Office of Personnel Management (OPM). This survey allowed the OPM to fully understand the implementation of telework participation from individual agencies. From the responses to the survey questions, OPM was able to distinguish between the frequency and rates of teleworking (Telework n.d.)

**Table 3 "Call Telework for Data" - Department of the Interior Results**

Agency	(A) Total Number of Employees	(B) Total Number of Teleworkers	(C) Percent of Teleworkers	(D) Number Teleworked Regularly (at least 1 day/ workweek)	(E) Percent of Regular Teleworkers	(F) Number Teleworked Infrequently (less than 1 day/ workweek)	(G) Number Teleworked on Ad hoc/ Episodic/ Situational Basis	(H) Number of Agency Employees Identified as Ineligible
Department of Interior	59,782	2,959	4.95	1,611	2.69	1,348	943	22,000

The Bureau of Reclamation (BORLRCR) participation rate, which would meet regulatory definitions, is not currently calculable as the BORLRCR does not record teleworking hours. The BORLRCR does require teleworking employees to complete an agreement identifying times they intend to telework. Moreover, although a list of eligible positions/employees has been developed, criteria for inclusion on the list have not.

### **Evaluation Goals**

The goal of this evaluation is to identify the gap between the requirements of TEAct, DOI policy, and the current processes in the BORLRCR. By identifying these goals, employee databases are needed to track whether or not a telework arrangement is in place and is being used. Other databases tracking TEAct compliance and telework participation efforts all reveal useful information that highlight current requirements that are not currently being enforced.

### **Methodology**

The UNLV research team met with BORLRCR representatives to determine what telework data is available, to understand applicable telework requirements, and to record the BORLRCR telework process. Appendix A provides a graphical representation of the BORLRCR telework process. After developing the BORLRCR telework process, the team evaluated the DOI telework guidelines and TEAct to identify the requirements of each. After identifying requirements, the

team performed a gap analysis to determine the BORLCR's level of compliance with both governing documents.

### **BORLCR Telework Process**

Note: Appendix A contains the BORLCR telework process flow developed by working with BORLCR staff and management. The following sections refer to information gained at those meetings.

The process begins when a BORLCR employee decides to request permission to telework. The employee completes the Telework Agreement (Form 7-2576) and submits it to his/her immediate supervisor. The supervisor checks the list of telework positions and determines if the position has been approved for telework. If the employee is in an approved position, the manager decides whether to approve or deny the telework request. The employee is informed if authorization for telework is denied. If the manager approves the telework request, the employee is authorized to telework per the approved request and the Telework Agreement is forwarded to the Telework Coordinator for review. The Telework Coordinator reviews the form to ensure that the form, self-assessment, and safety certifications are complete. Once verified complete, the Telework Coordinator files the form to complete the record. The manager is responsible for ensuring that the employee maintains the telework agreement.

Many BORLCR employees have laptops they can use to access the BORLCR remotely. However, if equipment or remote access is required, the employee contacts the Information Technology department for loaner equipment and secure remote access.

Some manager may require teleworking employees to complete a plan for work that will be performed while teleworking. If required, the employee develops the work plan and adjusts

per management requirements when approved. The manager will determine how often the work plan needs to be updated.

While teleworking, BORLCR employees are expected to be available during normal working hours. Availability may be via e-mail or telephone, and if necessary, BORLCR employees are expected to report to work on telecommuting days, as the situation warrants.

### **Qualifying for Telework**

The Human Resources Department is responsible for developing the list of acceptable telework positions but the BORLCR has stated that some positions, not normally considered for telework, may be approved for specific individuals, under certain conditions. For example, a secretary might not normally be approved for telework but may be given approval to telework one day a week while working on a special project. Also, employees within a Position Description may not have the same ability to qualify for telework. This may be due to a specific job assignment or the decision by an individual manager for a specific employee. A manager may deny telework approval for any reason. For example, the manager may not be comfortable allowing employees to telework, or they may not want specific employees to telework. Once denied a telework request, the employee has no recourse other than to submit another request at another time.

### **Work Management**

The BORLCR Telework program relies almost exclusively on an employee's supervisor for administration and management of the work effort. Managers may require plans for teleworking, documentation of the teleworking effort, or no documentation. Management may impose different levels of documentation planning on employees holding the same position description. Individual managers may implement different methods of counseling employees in

the telework program that are not meeting expectations; there are no consistent rules for ending the telework agreement of an underperforming employee.

### **Reporting Telework**

Although the Telework Agreement identifies the days each week that the employee will be working remotely, the agreement is considered more of a guideline as to the days and an employee may telework on days not specifically identified in the Agreement. Time spent teleworking is not recorded; the dates or times an employee uses remote access is not logged.




Few agencies collect information or evaluate the extent to which their telework programs result in benefits. For example, results of the Call show that 40% of agencies do not typically track nor are they aware of any realized cost savings or other benefits that may have resulted from implementing a telework program. However, for the 42% of agencies (33 out of 70 agencies) that indicated their agency does track this information, the greatest benefits reports were in the areas of productivity (31 agencies), human capital, such as recruitment and retention (20 agencies) and realized saving in leave (27 agencies) (Telework n.d.)









### **Remote Access for Telework**

Information Technology personnel were not available for the evaluation; however, the Team's BORLCR contacts noted that loaner equipment is available to telecommuters. It is unsure how this is tracked and how the department ensures that equipment is returned when a teleworking agreement ends. Remote access vial Virtual Private Network (VPN) accounts is provided to teleworking employees. The IT Department renewal policy for VPN access is unknown. BORLCR contacts have confirmed that IT department personnel do not monitor or report on VPN access.












**I. Interpretations and conclusions**













**Table 4 GAP Analysis**













<b>KEY</b>		
 Complies with TEAct	 Partial Compliance with TEAct	 Does Not Comply with TEAct














<b>TEAct Requirement</b>	<b>BORLCR Process Compliance</b>	<b>DOI Policy Compliance</b>	<b>Comments</b>
<b>6502. Executive agencies telework requirement</b>			
“(a) TELEWORK ELIGIBILITY - within 180 days			DOI current telework policy is dated before TEAct. BORLCR does not have direct responsibility for this requirement.
“(A) establish a policy under which eligible employees of the agency may be authorized to telework;			BORLCR has a telework policy
“(B) determine the eligibility for all employees of the agency to participate in telework;			BORLCR has an eligibility list
“(C) notify all employees of the agency of their eligibility to telework.”			BORLCR employees are not notified of eligibility
“(b) PARTICIPATION. .—The policy described under subsection (a) shall “(4) except in emergency situations as determined by the head of an agency, not apply to any employee of the agency whose official duties require on a daily basis (every work day)—			



























<b>TEAct Requirement</b>	<b>BORLCR Process Compliance</b>	<b>DOI Policy Compliance</b>	<b>Comments</b>
“(A) direct handling of secure materials determined to be inappropriate for telework by the agency head; or			BORLCR policy does not address secure materials
“(B) on-site activity that cannot be handled remotely or at an alternate worksite;			BORLCR policy complies with this requirements
<b>6503. Training and monitoring</b>			
“(a) The head of each executive agency shall ensure that— “(1) an interactive telework training program is provided to—			
“(A) employees eligible to participate in the telework program of the agency; and			BORLCR policy does not address telework training; DOI guidelines address this issue but not training employees on it
“(B) all managers of teleworkers;			BORLCR policy does not address telework training; DOI guidelines address this issue but not training employees on it
“(3) teleworkers and nonteleworkers are treated the same for purposes of—			
“(A) periodic appraisals of job performance of employees;			BORLCR policy does not address telework training; DOI guidelines address this issue but not training employees on it

<b>TEAct Requirement</b>	<b>BORLCR Process Compliance</b>	<b>DOI Policy Compliance</b>	<b>Comments</b>
“(B) training, rewarding, reassigning, promoting, reducing in grade, retaining, and removing employees;			BORLCR policy does not address telework training; DOI guidelines address this issue but not training employees on it
“(C) work requirements; or			BORLCR policy does not address telework training; DOI guidelines address this issue but not training employees on it
“(D) other acts involving managerial discretion;			BORLCR policy does not address telework training; DOI guidelines address this issue but not training employees on it
<b>6504. Policy and support</b>			
“(a) Each executive agency shall consult with the Office of Personnel Management in developing telework policies.			BORLCR has not consulted with OPM regarding telework policies
Each executive agency shall incorporate telework into the continuity of operations plan of that agency.			BORLCR has not included telework in Continuity of Operations planning efforts
<b>6505. Telework Managing Officer</b>			
“(a) DESIGNATION.—The head of each executive agency shall designate an employee of the agency as the Telework Managing Officer. The Telework Managing Officer shall be established within the Office of the Chief Human Capital Officer or a comparable office with similar functions.			BORLCR has identified a telework coordinator only

<b>TEAct Requirement</b>	<b>BORLCR Process Compliance</b>	<b>DOI Policy Compliance</b>	<b>Comments</b>
“(b) DUTIES.—The Telework Managing Officer shall—			
“(1) be devoted to policy development and implementation related to agency telework programs; “(2) serve as—			
“(A) an advisor for agency leadership, including the Chief Human Capital Officer;			
“(B) a resource for managers and employees; and			
“(C) a primary agency point of contact for the Office of Personnel Management on telework matters;			
“(c) STATUS WITHIN AGENCY.—The Telework Managing Officer of an agency shall be a senior official of the agency who has direct access to the head of the agency.			
<b>6506. Reports</b>			
“(b) REPORTS BY THE OFFICE OF PERSONNEL MANAGEMENT.—			
“(2) CONTENTS.—Each report submitted under this subsection shall include—			
“(A) the degree of participation by employees of each executive agency in teleworking during the period covered by the report, including—			BORLCR can report on the number of employees with a telework agreement but not the actual amount of time they are participating

TEAct Requirement	BORLCR Process Compliance	DOI Policy Compliance	Comments
“(i) the total number of employees in the agency;			BORLCR can accurately report this information
“(ii) the number and percent of employees in the agency who are eligible to telework; and			Employees within a position description may have different telework eligibility; number and percent eligible may not be accurately reflected.
“(iii) the number and percent of eligible employees in the agency who are teleworking—			
“(I) 3 or more days per pay period;			BORLCR can report of the telework agreement but not the actual time spent teleworking.
“(II) 1 or 2 days per pay period;			BORLCR can report of the telework agreement but not the actual time spent teleworking.
“(III) once per month; and			BORLCR can report of the telework agreement but not the actual time spent teleworking.
“(IV) on an occasional, episodic, or short-term basis;			BORLCR can report of the telework agreement but not the actual time spent teleworking.

TEAct Requirement	BORLCR Process Compliance	DOI Policy Compliance	Comments
“(B) the method for gathering telework data in each agency;			There is no telework data available other than agreements; this information is not collected in a fashion that is easily reportable.
“(C) if the total number of employees teleworking is 10 percent higher or lower than the previous year in any agency, the reasons for the positive or negative variation;			BORLCR does not address this
“(D) the agency goal for increasing participation to the extent practicable or necessary for the next reporting period, as indicated by the percent of eligible employees teleworking in each frequency category described under subparagraph (A)(iii);			BORLCR does not address this
“(E) an explanation of whether or not the agency met the goals for the last reporting period and, if not, what actions are being taken to identify and eliminate barriers to maximizing telework opportunities for the next reporting period;			BORLCR does not address this
“(F) an assessment of the progress each agency has made in meeting agency participation rate goals during the reporting period, and other agency goals relating to telework, such as the impact of telework on—			BORLCR does not address this
“(i) emergency readiness;			BORLCR does not address this
“(ii) energy use;			BORLCR does not address this

<b>TEAct Requirement</b>	<b>BORLCR Process Compliance</b>	<b>DOI Policy Compliance</b>	<b>Comments</b>
“(iii) recruitment and retention;			BORLCR does not address this
“(iv) performance;			BORLCR does not address this
“(v) productivity; and			BORLCR does not address this
“(vi) employee attitudes and opinions regarding telework; and			BORLCR does not address this
“(G) the best practices in agency telework programs.			BORLCR does not address this

While the BORLCR fails to achieve compliance in many of the TEAct areas, it must be kept in mind that many of the requirements of the TEAct were put into place after the initial observational flow and do not represent a failure on the part of the Lower Colorado River Basin Office. In fact, with this report and managerial scrutiny, this office is maneuvering for rapid and complete compliance with the TEAct of 2010. Moreover, the TEAct distinguishes between the Department of the Interior and the Bureau of Reclamation’s responsibilities. The entire Federal Government is adjusting to the new standards.

## **Recommendations**

### **Capture**

The categories of compliance illuminated in this report should form the backbone of information capture and verification at every step of the telework enrollment, tracking, reporting, and enhancement process. In order to form a solid self-sustaining policy which conforms to regulations, all information necessary to ensure compliance throughout the process must be captured. A simple information checklist could be utilized to ensure that the process captures all necessary information.

Several of the data captured were lost as the information traveled throughout the existing policy. For example, although the enrollment form captured intent to telework, the process does not capture the actual time teleworking occurred or whether the telework schedule worked complied with the actual telework agreement in place. A payroll-time designation would allow for querying of this information and direct apple-to-apple comparisons with other agencies. Maintaining information throughout the reporting process is critical to providing accurate, concise, and relevant information to BORLCR management. Applying the checklist will ensure that information loss events are discovered and corrected.

### **Enhance**

In the 2010 Federal Employee Viewpoint Survey, two questions were included to identify employee participation and satisfaction with their telework program. The first question identified satisfaction: "How satisfied are you with the following Work/Life programs in your agency... telework?" Although the BORLCR had a higher positive

response to this question than the DOI as a whole, a 41% positive response suggests that there are areas where the program could be enhanced.

The second question addressed participation: “Please select the response below that BEST describes your teleworking situation.” Only 3.4% of BORLCR employees reported that they teleworked on a regular basis.

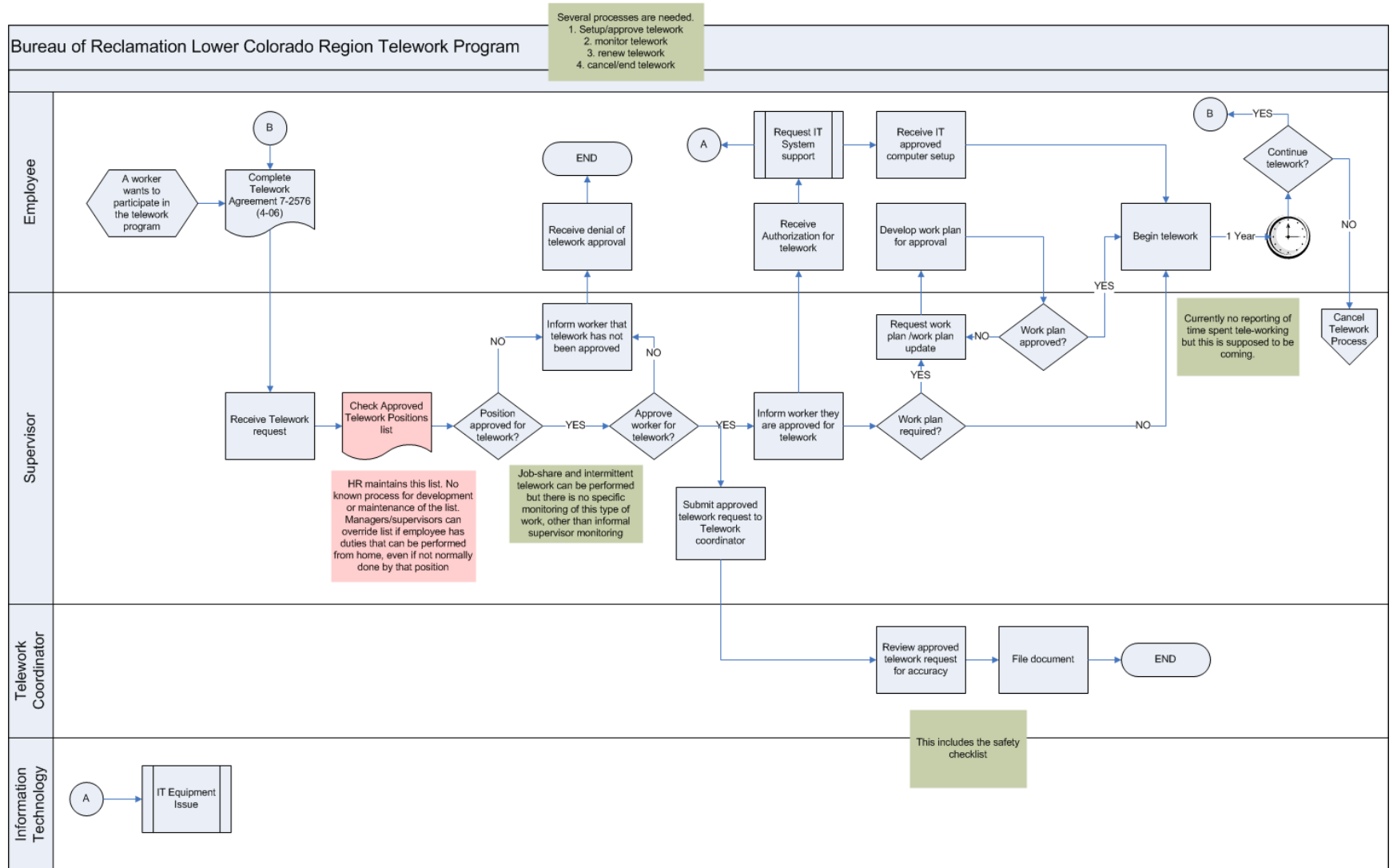
To address the low results on the Viewpoint Survey, it is recommended that a study of BORLCR employees be conducted to identify possible reasons for the participation and satisfaction results. It is expected that the data from the study could be used to enhance the telework program and encourage participation.

### **Promote**

Once the data about telework is captured and the program enhanced, it is recommended that the program be promoted to encourage more employees to participate.



**Appendix A: Bureau of Reclamation Lower Colorado Region Telework Process**



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<http://www.usbr.gov/lc/region/g1000/history.html>