



SECRETARY OF THE AIR FORCE  
WASHINGTON

15 MAY 2022

MEMORANDUM FOR DISTRIBUTION C

SUBJECT: Department of the Air Force Workplace Guidance for Reentry of Civilian Personnel

Since the outbreak of the Coronavirus Disease 2019 (COVID-19), the Department of the Air Force (DAF) made protecting the workforce a top priority, while safeguarding national security capabilities, and supporting the whole-of-nation response to the pandemic. Our immediate response included a calibrated realignment of various activities and operations around the country and overseas, as well as operational shifts and reductions, including an unprecedented dramatic surge in the use of telework. Whether working from home or remaining onsite, our workforce has repeatedly proven its tenacity, resiliency, and dedication to getting the job done. As a result, the DAF continues to review and incorporate flexibilities such as telework, remote work, and flexible work schedules into DAF civilian employee human capital strategies and personnel policies in order to improve the civilian employee experience and leverage innovation and productivity gained through such policies.

Since the start of DAF's response to the COVID-19 pandemic, civilian employee work situations have generally fallen into two categories: (1) employees on full-time telework (or remote work) who only return to the workplace on a limited basis; and (2) employees on work schedules that differ from their organization's regular schedules. Supervisors must begin discussions with civilian employees in the above two categories to make plans for their work locations and schedules going forward. The DAF is taking prudent steps to plan for an effective, orderly, and safe increased return of civilian employees and contractors to the physical workplace (reentry) in accordance with existing guidance. While reimagining the "future of work", this may include returning some of the civilian workforce to traditional worksites full-time, while others may continue to telework on a more frequent basis than pre-pandemic or continue to work remotely. Specific reentry plans will be dependent on organizational needs, the Health Protection Condition (HPCON) framework, and force health protection (FHP) guidance.

Absent an urgent and compelling mission need, DAF commanders/supervisors will provide 30-days advance notification in writing prior to recalling or adjusting work schedules of DAF civilians in the two categories mentioned in the paragraph above. Supervisors may adjust work locations and schedules for DAF civilian employees not in the two categories above based on organizational needs, the HPCON framework, and FHP guidance. The DoD fulfilled its national consultation rights (NCR) obligation to notify labor organizations that have been granted NCR. Components must satisfy labor relations obligations at the various levels of exclusive recognition where such labor obligations exist.

The attachments provide additional guidance to assist in planning for final workplace reentry. Together, we will win this fight against COVID-19.

*One Team, One Fight.*

A handwritten signature in black ink, appearing to read 'Frank Kendall', with a stylized flourish at the end.

Frank Kendall  
Secretary of the Air Force

**Attachments:**

1. Department of the Air Force Supplement to DoD Workplace Guidance for Final Reentry of DoD Civilian Personnel
2. Deputy Secretary of Defense Memorandum, "DoD Workplace Guidance for Final Reentry of DoD Civilian Personnel"



Department of Air Force  
Civilian Force Management Directorate  
AF/A1C  
15 May 2022

## DEPARTMENT OF THE AIR FORCE SUPPLEMENT TO DOD WORKPLACE GUIDANCE FOR FINAL REENTRY OF DOD CIVILIAN PERSONNEL

This guidance rescinds and replaces HAF/A1C Message # [2020-007](#), GUIDANCE FOR SUPERVISORS AND MANAGERS OF CIVILIANS IMPLEMENTING *OPENING UP AMERICA AGAIN* GUIDELINES.

### REFERENCES

- (a) OMB/OPM/GSA Memorandum, M-21-25, *Integrated Planning for A Safe Increased Return of Federal Employees and Contractors to Physical Workplaces with Post-Reentry Personnel Policies and Work Environment*, June 10, 2021
- (b) Secretary of Defense Memorandum, *Guidance for Commanders' Risk-Based Responses and Implementation of the Health Protection Condition Framework During the Coronavirus Disease 2019 Pandemic*, April 29, 2021
- (c) Deputy Secretary of Defense Memorandum, *DoD Workplace Guidance for Final Reentry of DoD Civilian Personnel*, March 16, 2022
- (d) DOD Force Health Protection Guidance, <https://www.defense.gov/Spotlights/Coronavirus-DOD-Response/Latest-DOD-Guidance/>
- (e) Department of the Air Force Return to Work Capacity Guidelines, 15 May 2020
- (f) AF/A1C memorandum, *DAF Civilian Employee Mandatory COVID-19 Vaccination Guide (Revision 2)*, January 14, 2022
- (g) AF/A1C memorandum, *COVID-19 Vaccination Mandate Injunction For Civilian Employees Guidance*, March 2, 2022

### GENERAL DISCUSSION

Since the outbreak of the coronavirus disease 2019 (COVID-19), the Secretary of Defense set protecting the workforce as a top priority, while safeguarding our national security capabilities, and supporting the whole-of-nation response to the pandemic. The immediate response to the pandemic included a calibrated realignment of various Federal activities and operations around the country and overseas, as well as operational shifts and reductions, including an unprecedented dramatic surge in the use of telework. During this period, whether working from home or remaining at the worksite, our workforce has repeatedly proven its tenacity, resiliency, and dedication to getting

the job done. As a result, the Department of the Air Force (DAF) continues to review and incorporate flexibilities such as telework, remote work, and flexible work schedules into DAF civilian employee human capital strategies and personnel policies in order to improve the civilian employee experience and leverage innovation and productivity gained through such policies. Continuation of these flexibilities used during the pandemic increases the DoD's efficiency and effectiveness, as well as allows the DAF to better attract and retain those with the necessary skills and abilities needed to accomplish current and future missions.

The Federal government, Department of Defense (DoD), and the DAF are taking prudent steps to plan for an effective, orderly, and safe increased return of federal employees and contractors to the physical workplace ("reentry") in accordance with references (a), (c) and (e). The "future of work" may include some of the civilian workforce returning to traditional worksites on a full-time basis, some continuing to telework on a more frequent basis than pre-pandemic, and some continuing to work remotely. Consequently, managers must integrate their reentry planning with their post-reentry personnel policies and work environments.

During this transition, managers at all levels must work in close consultation with their servicing Civilian Personnel Section and legal office. Managers must also continue to follow DoD and DAF guidance, including current Force Health Protection guidance, in conjunction with guidance from the Centers for Disease Control and Prevention (CDC), state and local health officials, and direction received from their servicing health and safety professionals.

The guidance herein is intended to continue progress in the cultural shift that required us to reimagine the way we work to accomplish the mission, and to facilitate, not impede, the continuation of workforce flexibilities that have proven beneficial during the pandemic.

The Office of Management and Budget (OMB) and Office of Personnel Management (OPM) issued a joint memorandum (M-21-25) to provide informational and planning guidance for agencies in transitioning their civilian workforce to reentry and post-reentry operations as public health conditions and other factors permit. (That memorandum rescinded OMB Memorandum M-20-23, Aligning Federal Agency Operations with the National Guidelines for Opening Up America Again.)

DAF COVID-19 Workplace Safety Plans remain in effect and should be updated as needed to align with current guidance. Plans, policies and procedures should continue to be updated to align with current DoD and CDC guidance.

The DAF will calibrate its transitional strategy to the HPCON level as well as the local conditions of a state, county, region, or metropolitan area determined by the CDC and

state assessment. This will continue to be important for the DAF as different areas of the country experience varying vaccination rates and localized surges in positivity rates.

Although occupancy requirements under M-21-15 are no longer in effect, other aspects of M-21-15 remain in effect pursuant to current CDC guidelines. For example, managers may establish occupancy limits for specific workplaces as a means of ensuring physical distancing requirements between unvaccinated individuals.

Implementation of reentry and post-reentry plans, and the resultant increased return of employees to physical workplaces, may begin only after:

- Updating COVID-19 workplace safety plans;
- Satisfaction of applicable collective-bargaining and labor-management relations obligations; and
- Ample notice (in most cases, **minimum of 30 days** but more if necessitated by employee circumstances and not impeding on urgent, mission critical needs).

Since the start of the DAF's response to the COVID-19 pandemic, civilian employee work situations have generally fallen into two categories: (1) employees on full-time telework (with remote work treated as telework for the purposes of this guidance) who only return to the workplace on a limited basis; And (2) employees on work schedules different from their organization's regular schedules, such as shift work to maintain physical distancing or a flexible schedule related to dependent care. Supervisors must initiate discussions with civilian employees in these two categories to make plans for their work locations and work schedules going forward. Specific reentry plans will be dependent on organizational needs, the HPCON framework, and force health protection guidance.

Absent an urgent and compelling mission need, DAF commanders/supervisors will provide advance notification in writing prior to recalling or adjusting the work schedules of civilian employees in the two categories above. Personnel who have been able to accomplish the essential functions of their positions while teleworking throughout the duration of the pandemic, or on an alternative work schedule, will not typically be subject to a shortened notification period. Supervisors may adjust the work locations and work schedules for civilian employees who are not in the two categories above based on organizational needs, the HPCON framework, and force health protection guidance and do not need to provide 30-days advance notification.

Using objective assessments of epidemiological status and overall preparedness by states and local communities, the process for reentry will include a phased plan for reentry and post-reentry, as well as an update to the COVID-19 workplace safety plan, and will be implemented in accordance with M-21-25, and these guidelines must be incorporated into workplace protocols.

The timeline for implementing reentry and post reentry will likely vary based on geographic location and conditions, and/or mission requirements.

Given the diversity of the DAF workforce, missions, geographic locations, and the needs of individuals within the workforce itself, this transition will require continued diligence and flexibility from Commands and the civilian workforce.

As commanders balance competing risks as well as mission requirements, supervisors and managers of civilians must be aware of and sensitive to employee concerns about personal and family health and safety, pay, leave, as well as post-reentry “future of work” environment changes.

It remains DAF policy to maximize usage of telework and other workplace flexibilities for eligible employees in accordance with current DAF policies. These guidelines do not impact the ability to recall civilian employees to the workplace to meet mission-essential requirements, even though such action may be outside the scope of the reentry and post-reentry plans. Per existing DAF guidance, however, effective safeguards and mitigation measures must be put into place wherever appropriate to ensure civilian employees who are required to work at traditional worksites are able to safely travel to and from work and perform their jobs in a safe manner. Managers may pursue exceptions from select model safety principles set forth in M-21-15, and as amended by M-21-25 and additional DoD and DAF guidance. Exception requests should be forwarded through the chain of command for Secretary of the Air Force approval and then via email to [SaferFederalWorkforce@gsa.gov](mailto:SaferFederalWorkforce@gsa.gov). (The form for submission can be requested by email at the above address.)

Supervisors should continue to encourage civilian employees to stay home if they are sick, which may include any of the symptoms identified by the CDC as potential COVID-19-related symptoms.

Supervisors or managers maintain authority to mandate or encourage the wear of face coverings/masks, as appropriate and in accordance with DoD and DAF guidelines, and in consultation with local Occupational Health and SG offices. As previously stated, if deemed appropriate for mandating wear, supervisors and managers should also consult with servicing CPS (Employee and Labor Relations Specialists) and JA offices and be prepared to supply face coverings to their civilian employees, or provide reimbursement.

## **PLANS FOR REENTRY AND POST-REENTRY**

In accordance with M-21-25, the DAF developed our approach to post-reentry personnel policies and work environment. Commanders are reminded that planning timelines must also take into consideration satisfaction of labor relations requirements, formal notifications to employees, and/or implementation of the plan. The DAF plans provide the guardrails for decision making across divisions, offices and teams. Most decisions about application are delegated to the lowest possible levels to provide

maximum flexibility for defining work requirements to meet mission and workforce needs.

## **VALUES INFORMED PLANNING**

DAF commanders will develop and implement plans for reentry and post-reentry making decisions that are equitable and grounded in values that empower, respect, and galvanize our civilian workforce, while reflecting and emphasizing trust and accountability. Managers should also consider broader workforce and workplace trends and the need for the DAF to be competitive for top talent as employers in the labor market. Managers should leverage issues such as telework, remote work, and flexible work schedules as tools in their broader strategies for talent recruitment and retention, and for advancing diversity, equity, inclusion and accessibility, as well as for achieving agency real estate and other business cost reductions. The core principles to consider in transitioning to this “future of work” environment are:

- Promote a Flexible and Agile Workforce – provide supervisors and employees with the ability to leverage telework, remote work, and flexible work schedules to support mission delivery and work-life balance, balanced appropriately by the position requirements and the most effective work environments for delivery of the mission;
- Empower Decision-Making – while achieving appropriate consistency across organizations, promote managerial discretion and flexibility in decision making, recognizing that a “one-size-fits-all” approach will not work;
- Strengthen Diversity, Equity, Inclusion, and Accessibility in our Workforce – expand the DAF’s ability to recruit and retain the best and most diverse talent from all segments of the country by improving the equity and accessibility of opportunity and creating environments where all feel welcome and can contribute to the delivery of the mission;
- Consider our Communities – account for the impact on local communities and economies when making decisions.

## **PLANNING GUIDELINES FOR POST-REENTRY PERSONNEL POLICIES AND WORK ENVIRONMENT**

Below are expectations and guidelines to help inform decision-making related to post-reentry “future of work” personnel policies and the work environment.

- Government-Wide Personnel Policy Guidelines To Promote Flexibility:
  - a. Overall, decisions must be guided by how organizations can most effectively achieve their respective missions. As demonstrated during the pandemic, personnel policies such as telework, remote work, and flexible work schedules can be deployed effectively and efficiently as strategic management tools for attracting, retaining, and engaging talent to advance mission needs, including in the context of changes in workplaces as a result of the pandemic and in response to long-term workforce trends.

- b. The DAF expects to leverage such personnel policies and associated flexibilities in the post-reentry work environments more expansively than was the case prior to the pandemic, informed by consultation with DAF leadership, supervisors, employees, and employee representatives, as well as by data about the Federal workforce and the U.S. workforce at large. The guidelines provided herein are intended to foster consistency across the DAF, while encouraging flexibility among organizations to meet unique mission and workforce needs.
  - c. In light of the successes experienced during the pandemic, Commanders and supervisors are strongly encouraged to review the duties and responsibilities of all civilian employee positions to determine telework eligibility of their assigned positions, followed by an evaluation of the employees occupying those positions as to their eligibility to participate in the telework program, in accordance with DODI1035.01\_DAFI36-816, *Telework*.
- Making Agile Personnel Policy Decisions with Supervisor and Employee Support – The DAF will provide the guardrails for decision making across divisions, offices and teams, but most decisions about application are delegated to the lowest possible levels to provide maximum flexibility for defining work requirements to meet mission and workforce needs. As organizations introduce, pilot, evaluate and scale new and different practices in the post-reentry work environment, they should regularly solicit feedback from organizational leadership, supervisors, employees (including both those teleworking and front-line employees working onsite), employee representatives and unions, and other stakeholders, to inform future changes.
  - Expectations And Considerations For Post-Reentry Work Environments – Consistent with recent experiences and nationwide workplace and workforce trends, and in consultation with union partners, organizations may implement post-reentry personnel policies that support a “hybrid” environment, in which:
    - Many employees will remain or return to working fully or primarily in-person at the traditional/regular worksite, whether driven by mission need or employee preference. As a result of lessons learned about the efficiencies achieved by flexible schedules and telework in many situations, managers should consider increased use of flexible, alternative work schedules, and opportunities for employees who are telework eligible to do occasional situational telework on an increased basis.
    - Many employees, and most likely more than prior to the pandemic, will engage in a mix of telework and onsite work. Arrangements might include, for example, a mix of working offsite and onsite, including to satisfy business operations, teambuilding, and other needs. Managers should provide ample notice to affected employees of any change in their current telework schedule, in accordance with the guidance herein.



- Managers may decide to expand the number of employees who work remotely, in roles where remote work is appropriate.
- The DAF anticipates many organizations will review and expand their use of flexible work schedules for many positions, as compared to pre-pandemic work environments.
- Satisfaction Of Labor Relations Obligations And Ample Notice To Employees, Prior To Implementation:
  - a. Prior to increasing the number of Federal employees returning to physical workplaces, organizations must satisfy applicable collective-bargaining obligations. Collective bargaining obligations may apply to implementing changes in workplace safety protocols and changes in employee work schedules and telework or remote work eligibility.
  - b. Labor relations obligations may be addressed issue by issue for aspects of the plan for reentry and post-reentry. For example, an early issue to surface may be an organization’s plan for ample notice to employees. Another example may be an organization deciding to engage on aspects of post-reentry personnel policies separate from engagement on updating COVID-19 workplace safety plan.

## **CONSIDERATIONS ON THE FUTURE OF FEDERAL WORKPLACES**

Regarding planning for impacts of reentry and post-reentry plans on DAF workplaces per M-21-25, organizations should consider:

- Conducting a post-reentry mobility assessment to understand shifts in perspectives on distributed work and the services employees need to do their work. Three specific attributes to consider are:
  - Which positions or specific job functions really need to be onsite.
  - What do employees want and expect in terms of coming to the office post-pandemic, including in terms of health, safety, cleaning procedures, etc.
  - What investments should be made to fill gaps in technology, home office equipment, and work support services to ensure offsite work is as productive as onsite work.
- Planning for smarter spaces – can include using occupancy monitors to measure building/space utilization and inform repurposing of spaces over time.
- Considering and consulting with local stakeholders to consider the impacts on local communities and economies when making strategic workforce decisions.

Looking beyond reentry and immediate post-reentry, and ahead to the future of DAF workspaces, organizations should consider:

- Envisioning and reimagining future workplaces – Even as many organizations consider moving toward more distributed models, the traditional worksite will remain a critical place to collaborate, maintain connections, access secure resources, perform specialized work, and house those who cannot or don’t want to work from home. Plans should address how to optimize the use of facilities,

including impacts of a hybrid workforce on local services and commuting infrastructure, as well as demand for facilities throughout the work week and how to schedule organizational use of the space to avoid congestion.

- Identifying opportunities to share space with other organizations or even other agencies. Sharing underutilized resources across the government will enhance cost savings, and provide flexibility to deal with the uncertainty of future real estate needs. Even specialized spaces (i.e., SCIFs, firing ranges, etc.) should be considered for sharing.
- Identifying the resources needed to make remote work a part of future DAF real estate strategy. Organizations can develop a list of equipment, technology, and work support services needed to ensure employees can be productive.
- Consider untethering DAF work from geographic locations and/or specific buildings where possible and appropriate, to the benefit of equity, inclusion, and mission delivery. This has the potential to advance equity and inclusion in the work environment, allowing the DAF to recruit from a larger talent pool reflecting the talents of individuals all across America, and allowing employees to choose to live where it best suits them.

## **TELEWORK AND REMOTE WORK**

It remains DAF policy to maximize telework whenever possible and organizations are encouraged to consider telework and remote work as part of overall strategic workforce planning that provides new flexibilities for competing for top talent. The DAF has recently updated its telework and remote work policy and managers should review DODI1035.01\_DAFI36-816, *Telework Program* for more detailed telework and remote work policy guidance.

- Telework and remote work continue to be valuable tools and effective strategies for mission accomplishment, ensuring the continuity of operations during a crisis, and for recruiting and retaining valued talent. It is important for supervisors and managers to take steps now to further and better prepare the workforce for continued telework, even as we transition to reentry and post-reentry work environment, and to prepare in the event of a resurgence of COVID-19 or other pandemic situation.
- Employees who have been teleworking during the pandemic generally will remain eligible for telework, at least on a situational basis, unless any of the limitations in 5 U.S.C. §6502(a)(2) has become applicable to the employee (related to official discipline), or telework has diminished employee performance or DAF operations pursuant to 5 U.S.C. §6502(b)(1).
- Decisions to change an employee's telework or remote work arrangement should be based on a determination that the arrangement no longer advances the efficient and effective delivery of the mission.
- Supervisors should review and identify whether civilian *positions* are appropriately constructed and designated as not telework-eligible and make changes where appropriate. Additionally, supervisors should further review and

identify whether civilian *employees* are appropriately designated as not telework-ready, and make changes where appropriate. Supervisors should then review and update current telework program participants' telework agreements, including identifying alternative duty locations and determining "official worksites" (in accordance with DAF's *Telework Program* policy) and technological resources necessary for effective work at the alternate work location.

- Managers should review, and amend if appropriate, their Continuity of Operations Plans (COOP) to reflect recent lessons learned, including the addition of mandatory telework in emergencies to address situations where civilian employees are not telework program participants.
- Supervisors and managers may explore restructuring and/or realignment of job responsibilities to allow situational telework.
- For employees eligible to telework, managers are permitted by law to impose reasonable, business-related limitations on the frequency. Such limitations should be based on job functions and mission needs, or be related to documented misconduct, or performance-related challenges.
- Managers should consider support for employee requests for alternative work schedules, where possible, for teleworking or remote working employees and, where helpful for mission delivery, establishing core work hours and/or flexible time bands when work should be performed.
- Generally, DAF civilian employees have demonstrated their ability to balance work responsibilities with dependent care needs. OPM has clarified its pre-pandemic guidance on dependent care and telework or remote work. In accordance with current DAF telework policy, managers may authorize employees to telework even when they may also have dependent care responsibilities, so long as work and non-work hours are appropriately accounted for. Managers may also require employees to demonstrate their ability to complete their job assignments in such situations. Expectations between supervisors and employees in these situations should be clearly outlined on the DD Form 2946, *Telework Agreement*.
- Even in situations when many employees have returned to a traditional worksite, a civilian employee who is at higher risk of serious complications from COVID-19, or who is a member of a special population, as defined by the CDC, or who has other circumstances that fall within the realm of reasonable accommodation, may legally be entitled to reasonable accommodation under the Rehabilitation Act of 1973 (as amended by the Americans with Disabilities Act). Such an employee may be entitled to continued telework as a reasonable accommodation. By law, the request for reasonable accommodation requires an individualized assessment of the facts and circumstances (both medical and job-related) of the particular requesting employee. Supervisors should consult with their servicing CPS and JA offices for assistance in such situations.

## **HOURS OF WORK AND WORK ARRANGEMENTS**

During the pandemic, many organizations expanded their use of alternative work schedules, including the use of “maxi-flex” schedules, and employees generally demonstrated their ability to effectively carry out their job responsibilities while balancing a host of other demands, including child and elder care. Flexible work schedules played a key role in achieving that balance. Additionally, reentry and post-reentry transitioning does not mean a complete return to how we worked prior to the COVID-19 outbreak. Efficiencies and lessons learned during the pandemic may prove to be enduring and fundamentally change how a significant number of civilian employees work moving forward.

- Managers are encouraged to take a collaborative approach to develop a plan for each civilian employee’s transition, including potential return to a traditional worksite.
- New work arrangements, or continuing alternative work arrangements, should still be considered to support the transition while ensuring the health and safety of civilian employees and their families, particularly where there are unvaccinated employees or where employee vaccination status is unknown, or where there are employees who are considered at higher risk for serious complications from COVID-19.
- When considering new/alternative work arrangements, managers should factor in such considerations as mission requirements, minimizing risk to higher risk and special populations, operational constraints, collective bargaining agreements, and employee needs and concerns – such as dependent care, vulnerable family members, and transportation.
- Telework/remote work and alternate work schedules are different work flexibilities; concurrent use is permissible and is encouraged when compatible with mission requirements and individual performance. In many cases, alternative work schedules can enhance the effectiveness of telework or remote work.
- Acceptable limitations on flexible schedules include limiting the number of hours an employee may work per day, limiting hours during which work may be performed (flexible time bands), prohibiting completion of basic work requirement hours on Sundays or holidays (to avoid triggering premium pay), etc.

## **WEATHER AND SAFETY LEAVE**

As more and more of the population is vaccinated and positivity rates continue to decline, fewer employees should need authorization for weather and safety leave.

- Once a decision has been made to return civilian employees who have been placed on Weather and Safety Leave to traditional worksites, supervisors must notify those employees that such leave will be terminated, and advise of the reporting date. (Supervisors should consult with their servicing CPS Labor Relations Specialist to ensure any applicable labor obligations are satisfied.)
- Where a civilian employee was placed on Weather and Safety Leave, such

placement should be reassessed periodically to determine whether the factors driving the placement have changed and/or whether other alternatives may be available.

## **PERFORMANCE MANAGEMENT**

- Evaluation of an employee's performance must be based on factors such as accountability for results or quality of the work, and employees must be evaluated against their written standards.
- Evaluations must not be affected by whether an employee is working onsite, teleworking, remote working, and/or working a flexible schedule.
- Supervisors should review performance standards to ensure they measure outcomes and results.

## **LABOR RELATIONS**

Generally, management has the right to take actions that are necessary to carry out the DAF mission during emergencies. However, as we transition to the reentry and post-reentry future work environment, organizations must work directly with their union partners.

- Supervisors and managers must engage with their servicing CPS Labor Relations Specialist to ensure that any required labor obligations are satisfied, and any applicable collective bargaining agreement provisions are followed, when taking actions to transition to the reentry and post-reentry work environment. Organizations should directly engage their unions on post-reentry discussions in a collaborative manner.
- In transitioning to the new work environment, organizations should honor existing collective bargaining agreements (CBAs). To avoid labor disputes, review existing CBAs and adhere to agreed-upon procedures.
- Where there are no existing contractual procedures, negotiated plans, or past practices applicable to a given situation, a bargaining obligation may exist over actions to transition employees, particularly where those actions involve returning employees to traditional worksites.
- *Note that even if changes are permitted in accordance with a bargaining agreement or in accordance with federal law, the Agency may still be required to bargain over the impacts and/or implementation of such changes.*
- Absent exigent circumstances, and regardless of any obligation or previously established requirements, supervisors and managers are encouraged to engage their union representatives, with the assistance of their local CPS Labor Relations Specialist, at the earliest appropriate stage and avoid triggering labor disputes in connection with post-reentry by completing **pre-implementation** bargaining for any changes affecting workers' conditions of employment.

## **EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program (EAP) provides essential support to the workforce and can be a valuable resource to assist employees in obtain obtaining a wide range of resources available such as short-term counseling, care of an elderly family member; financial resources; estate planning; legal planning and resources; and even assistance with Medicaid, Medicare, and Social Security. An EAP counselor can help employees cope with anxiety during stressful periods such as reentry and post-reentry transition. EAP can be accessed 24/7/365, by telephone (1-866-850-9078) and online (afpc.af.mil/EAP).

## **WORKERS' COMPENSATION CLAIMS**

There may be instances when a civilian employee returns to a traditional worksite and later develops COVID-19. If the employee believes they were exposed to and contracted COVID-19 while performing the duties of their position, they may file a workers' compensation claim. Supervisors or employees should contact the AFPC Injury Compensation section for guidance on filing the claim (by email at [injury.compensation@us.af.mil](mailto:injury.compensation@us.af.mil) ; by fax at 210-565-2952 or DSN 665-2952). If an employee believes they have been injured or have suffered a work-related illness while teleworking, they should reference DoDI1035.01\_DAFI36-816\_DAFGM2021-01.

## **CONCLUSION: INVESTING IN THE DAF CIVILIAN WORKFORCE**

The transition to the post-reentry work environment offers a unique opportunity to update DAF strategies and policies related to the civilian workforce to be more future-focused. Reentry and post-reentry may be stressful for some employees and managers, as they may be required to adapt to changes to the way they have been working individually or on teams for over two years. Organizations can build stronger bonds with employees by acknowledging this and by increasing their engagement, as well as awareness of employee assistance programs, for example. Managers will be adapting not only to their changed personal circumstance, but also the reality of their teams working differently. The DAF will continue to assess the needs of the workforce as well as further guidance from OMB, OPM, and DOD and make adjustments as necessary to best support the field during this transition.

## **FREQUENTLY ASKED QUESTIONS AND ANSWERS**

**Q1. With the upgraded HPCON and more of the population getting vaccinated, can I now mandate that all of my civilian employees return to their traditional worksites?**

**A1.** The reentry and post-reentry transition, including the return of many civilian employees to traditional worksites, is to be a phased approach according to M-21-25 and reference (e). Implementation of the phased plans for reentry and post-reentry, and the resultant increased return of employees to physical workplaces, may begin **only after:**

- Finalization of the plans for reentry and post-reentry;
- Updating of the COVID-19 workplace safety plan;

- Satisfaction of applicable collective-bargaining and labor-management relations obligations; and
- Ample notice (in most cases, a minimum of 30 days but more if necessitated by employee circumstances and not impeding on urgent, mission critical needs).

Additionally, supervisors and managers must evaluate and develop a plan for each individual employee on a case-by-case basis. Factors to consider in determining whether and/or when to mandate an employee return to the traditional worksite include, but are not limited to: whether the employee is able to telework and perform the full range of their duties/mission needs; the impact to the overall organizational mission effectiveness; the risk level of the employee (in accordance with the *Department of the Air Force Return to Work Capacity Guidelines*); whether the employee has any family members in their household at higher risk; mitigation measures needed and available in the workplace (information on vaccination status of employees in the workplace, ability to physically distance, barriers, etc.); potential dependent care responsibilities; etc.

**Q2. I have an employee on Weather and Safety Leave who is immunocompromised and cannot telework due to the nature of their position. I need them to come back to work. Can I mandate them to return?**

**A2.** Supervisors should avoid mandating the return of employees who are in the higher risk categories prior to Phase 3 (HPCON Alpha or Normal), except in the most urgent mission-needs situation. Although these guidelines do not impact the authority to recall civilian employees to traditional worksites to meet urgent, mission-essential requirements, per DAF guidance, effective safeguards and mitigation measures must be put into place to ensure civilian employees are able to travel safely to and from work and perform their jobs in a safe manner. Before requiring a higher risk employee to return to the traditional worksite, a supervisor should work collaboratively with the employee in developing a plan, and seek creative, flexible, and tailored solutions to enable them to accomplish their duties and meet mission requirements. Supervisors should consult with their servicing CPS and/or legal office in these situations.

**Q3. If a supervisor determines to transition a civilian employee back to the traditional worksite, can an employee refuse?**

**A3.** Supervisors are encouraged to take a collaborative approach to develop a plan for each civilian employee's reentry and post-reentry transition and seek creative, flexible, and tailored solutions. While the DAF continues to support maximizing the use of telework, ultimately, a supervisor can mandate an employee's return to the traditional worksite. However, even when most civilian employees have transitioned to the traditional worksites, a civilian employee who is at higher risk of serious complications from COVID-19, as defined by the CDC, may be legally entitled (under the Rehabilitation Act) to reasonable accommodation, including full-time telework (remote work). Supervisors should consult with their servicing CPS and/or legal office in these situations.

**Q4. My employees are teleworking and are able to perform all or most of their job duties that way. Do I have to transition them to the traditional worksite?**

**A4.** It remains DAF policy to maximize the use of telework. Where employees are able to perform the full range, or nearly the full range, of their duties through telework, supervisors may determine not to transition those employees back to the regular worksite, or to transition them to a more robust telework arrangement than they were on pre-pandemic.

**Q5. If an employee is designated as an 'emergency employee', non-telework eligible, AND is at higher risk of COVID-19 as defined by the CDC, can the employee still be ordered to report to the worksite based on their 'emergency employee' designation?**

**A5.** Yes, a civilian employee designated as an "emergency employee" who is non-telework eligible and at higher risk of COVID-19 complications, can be required to report to the worksite or an alternative worksite. Wing Commanders (or equivalent) retain ultimate decision authority with respect to mission criticality and safety when there is a disagreement between management and individual employees with respect to their transition back to the physical workplace. Effective safeguards and measures must be put in place to ensure that all higher risk emergency employees who are required to work are able to safely travel to and from work and perform their jobs on site in a safe manner. Supervisors are encouraged to take a collaborative approach in working with their civilian employees to develop plans for each civilian employee's transition and seek creative, flexible, and tailored solutions. Such an employee still retains their legal right to request a reasonable accommodation under the Rehabilitation Act.

**Q6. DAF policy no longer requires mask wear for personnel in counties with certain community level designations. One of my employees is unable to get vaccinated due to a medical issue, and another employee has a high risk child at home. How can I protect those employees and their families?**

**A6.** Managers have the authority to establish workplace policies to protect the safety and health of all employees. If personnel are considered unvaccinated, managers can and should use that information (or lack of information) to inform their decisions regarding such workplace policies, including any mitigation measures they deem appropriate. You may mandate the wearing of masks even in locations with low community level designations.

**Q7. We are preparing for reentry and post-reentry transition of many of our civilian employees to the physical workplace. A few of my employees have young/school age children. Schools are closed for the summer and daycare is not yet readily available. What do I do?**

**A7.** Supervisors are encouraged to take a collaborative approach in working with their civilian employees to develop plans for each civilian employee's transition and seek creative, flexible, and tailored solutions. In accordance with DAF telework policy, employees who are teleworking are permitted to do so with a child (or other persons



requiring care or supervision) present at home; however, they must ensure that they take appropriate leave when performing child care duties.

**Q8. We've determined that some of our employees are going to remain on permanent, "100%" telework. What actions must we take to effect this and when should those actions occur?**

**A8.** As soon as a Commander or supervisor determines that an employee is able to accomplish all of their duties via telework, and that the employee will not have any requirement to return to the workplace on a regular or recurring basis (at least twice per pay period), then there are several actions that must be accomplished. (This type of arrangement is called "remote work", even if the employee's telework location is within the local commuting area.) First, the Commander must ensure the employee's *position* is properly coded as being telework eligible. Next, the supervisor must ensure the *employee* is properly coded as being telework eligible. The supervisor must then ensure a current telework and remote work agreement is completed, in accordance with DoDI1035.01\_DAFI36-816. Once current agreements are in place, the supervisor must change the employee's "official worksite" from the office location to the alternate work location by having the servicing Civilian Personnel office complete a Standard Form 50 "Notification of Personnel Action". Employee locality pay compensation is based on the location of their official worksite.