

MS 633 Regular Telework and Mobile Work

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MS 633 Regular Telework and Mobile Work Procedures

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1.0 Authority

The Telework Enhancement Act of 2010 (Public Law 106-346 and Public Law 111-292); 22 U.S. Code (U.S.C.) 2503; 29 U.S.C. § 701 *et seq.*; Rehabilitation Act of 1973, 42 U.S.C. § 12101 *et seq.*, Americans with Disabilities Act (ADA) of 1990, as amended; 5 Code of Federal Regulations (CFR) 630; 5 U.S.C. § 8101 *et seq.*, Federal Employees Compensation Act (FECA); Federal Tort Claims Act; Domestic Employees Teleworking Overseas (DETOs), 3 Foreign Affairs Manual (FAM) 2370; Presidential Memorandum *Return to In-Person Work*, January 20, 2025; OPM Memorandum “*Guidance on Presidential Memorandum Return to In-Person Work*” (January 22, 2025); OPM Memorandum, *Guidance on Exempting Military Spouses and Foreign Service Spouses from Agency Return to Office Plans* (February 12, 2025); [OPM FAQs on Return to In-Person Work Implementation Questions](#) (March 20, 2025); MS 653 *Equal Employment Opportunity and Affirmative Employment*.

2.0 Purpose

The purpose of this Manual Section is to establish the Peace Corps’ policy with respect to employee eligibility to engage in Regular Telework or Mobile Work.

3.0 Scope

This Manual Section applies to domestic Direct Hire Employees and Experts/Consultants, “Military Spouses,” and “Foreign Service Spouses” as defined below, (together, “employees”) who have been hired as Mobile Workers or have received prior management approval for their performance of Regular Telework. Peace Corps employees will not be authorized to participate in Regular Telework or Mobile Work outside of the United States, unless they are on approved U.S. government orders. This policy does not apply to DETO employees as defined below.

4.0 Definitions

- (a) **Agency Worksite** is a federal building within the United States (e.g., Peace Corps Headquarters in Washington, D.C., or other approved federal worksite).
- (b) **Alternate Worksite** is any non-federal worksite (e.g., employee’s residence, client’s worksite, another family member’s residence).
- (c) **Domestic Employee Teleworking Overseas (DETO)** is a U.S. Government Civil Service, Expert/Consultant, or Foreign Service employee assigned to a domestic position who is approved to telework from an overseas location for a limited period of time. A DETO arrangement is a limited-duration workplace flexibility option that an agency may consider with approval from the Department of State to allow U.S. Government employees who are assigned to domestic positions to accomplish the duties of their position from a foreign country.
- (d) **Direct Hire Employees** are employees who occupy positions covered by the Peace Corps personnel system authorized by 22 USC 2506 and implemented by MS 601 *Administration of the Peace Corps Direct Hire Personnel System*.
- (e) **Experts/Consultants** are employees hired in accordance with 22 USC 2512.
- (f) **Foreign Service Spouses** are spouses of U.S. Foreign Service members.
- (g) **Locality Pay** is the rate of pay authorized to be paid to an employee according to the Locality Pay Area in which their “Official Worksite,” as defined below, is located. See MS 633 *Procedures* for operational matters concerning Locality Pay.
- (h) **Military Spouses** are spouses of a member of the Armed Forces on active duty or a spouse of disabled or deceased member of the Armed Forces.
- (i) **Mobile Work** is characterized by routine and regular travel to conduct work in customer or other worksites as opposed to a single authorized alternative worksite (e.g., recruitment, etc.).

- (j) **Mobile Worker** is an employee who routinely and regularly travels to conduct work in customer or other worksites within the guidelines established by their Mobile Work Agreement with the agency.
- (k) **Mobile Work Agreement** is a written agreement, completed and signed by an employee, their supervisor, and an “A-Delegate” that outlines the terms, conditions, obligations, and responsibilities of the employee.
- (a) **Official Worksite**, or **Duty Station** is documented on a Regular Teleworker or Mobile Worker’s Notification of Personnel Action or Standard Form 50 (SF-50).
- (l) **Regular Telework** is a flexible work arrangement in which an employee, under a written Telework Agreement certified by the agency head, is scheduled to perform work at an Alternate Worksite and is not expected to perform work at a federal worksite on a regular and recurring basis. For telework that is neither regular nor recurring, please refer to MS 632 *Situational Telework*.
- (m) **Regular Teleworker** is an employee who, under a written Telework Agreement certified by the agency head, is scheduled to perform work at an Alternate Worksite and is not expected to perform work at a federal worksite on a regular and recurring basis.
- (n) **United States**, for the purposes of this Manual Section, means all 50 states, the District of Columbia, and all commonwealths, territories and possessions.

5.0 Policies

5.1 Regular Telework Overview

Regular Telework is a flexible work arrangement in which an employee, under a written agreement with the Agency, is not expected to perform work at a federal worksite on a regular and recurring basis. Regular Telework is not an employee entitlement and is available at the sole discretion of the Agency.

As with in-office work, there is the expectation with respect to Regular Telework that good management practices will be followed and employees will be held accountable to fulfill their job responsibilities.

5.2 Mobile Work Overview

Mobile Work is characterized by routine and regular travel to conduct work in customer or other worksites as opposed to a single authorized alternative worksite (e.g., recruitment, etc.).

5.3 Regular Telework Eligibility

Employees may be eligible for Regular Telework in the following circumstances:

- (a) An approved reasonable accommodation in accordance with MS 653 *Equal Employment Opportunity and Affirmative Employment*;
- (b) An employee who is a qualifying Military or Foreign Service Spouse; and
- (c) Whenever the agency head has certified Regular Telework as necessary to meet a compelling agency need.

Except as set forth above, the following Peace Corps employees may not be eligible for Regular Telework:

- (a) Employees who are currently on a Performance Improvement Plan (PIP). (*See Interim Policy Statement (IPS) 2-23 Performance Management Program*);
- (b) Employees currently on leave restriction; and
- (c) Employees who have been officially disciplined for misconduct, including for misuse of public office for private gain, misuse of non-public information, misuse of U.S. Government property, or misuse of official time.

5.4 Performance Issues of Existing Regular Teleworkers

Absent exigent circumstances, supervisors are expected to allow the employee to continue as a Regular Teleworker while addressing performance or conduct issues in accordance with agency policy. If the performance of a Regular Teleworker who has been placed on PIP does not improve so as to be at least “Minimally Successful,” further action may be taken in accordance with agency policy.

5.5 Regular Telework and Mobile Work Mandatory Training Requirement

All Regular Teleworkers and Mobile Workers and their supervisors are required to complete agency-mandated training which can be found on the agency’s learning site.

5.6 Privacy and Data Security

- (a) Telework and Mobile Work Agreements may not be executed or continued if an employee cannot comply with applicable Peace Corps policies, including policies governing privacy and Peace Corps information and information technology (IT) security systems requirements. This includes, but is not limited to, the Peace Corps’ policy on remote access to its IT systems. *See MS 643 Limited Personal Use of Government Office Equipment.*
- (b) Under no circumstances may classified materials be taken from Peace Corps offices, including headquarters and any offices at Posts, to be worked on or stored at an Alternate Worksite. Use, processing, or storage of classified materials at overseas posts is not permitted. As such, positions requiring access to classified information may not be eligible for Regular Telework or Mobile Work.

- (c) Each office is responsible for complying with the appropriate security and privacy procedures for their office's materials, subject to applicable sections of the Peace Corps Manual or other guidance from the Office of Safety and Security, the Privacy Act Office, the Records Management Office, or the Office of the Chief Information Officer.

5.7 Peace Corps Equipment and Supplies

- (a) The Peace Corps shall ensure that Regular Teleworkers and Mobile Workers have the equipment necessary for conducting Regular Telework and Mobile Work. *See MS 643 Limited Personal Use of Government Office Equipment.*
- (b) The Peace Corps will make available, upon approval by the employee's supervisor, office supplies reasonably deemed necessary for completion of the work assignment. Supplies may be used only for Peace Corps-related activities.
- (c) The employee is obligated to promptly return all unused equipment or supplies once the Regular Telework and Mobile Work Agreement ends, or to dispose of such equipment or supplies as stipulated by the office that provided the equipment or supplies.

5.8 Monitoring

The Peace Corps will ensure that Regular Teleworkers and Mobile Workers are not treated differently from other employees for purposes of:

- (a) Periodic appraisals of job performance;
- (b) Training, rewarding, reassigning, promoting, reducing in grade, retaining, and removing employees;
- (c) Work requirements; and
- (d) Other acts involving managerial discretion.

5.9 Pay and Leave

The pay, benefits, and entitlements of a Regular Teleworker or Mobile Worker will be determined based on the location of an employee's Official Worksite as documented on the employee's SF-50.

5.9.1 Pay and Overtime

Existing rules for pay administration apply to Regular Teleworkers and Mobile Workers, including the existing rules for overtime under Title 5 of the United States Code and the Fair Labor Standards Act (*see MS 625 Direct Hire Premium Pay*). Supervisors must ensure that Regular Teleworkers and Mobile Workers only work overtime with prior documented approval.

5.9.2 Hours of Duty

The existing Peace Corps policies and rules for hours of duty apply to Regular Teleworkers and Mobile Workers (*see MS 630 Direct Hire Hours of Duty*). Supervisors must review and approve time and attendance.

5.9.3 Leave

Leave requested by Regular Teleworkers and Mobile Workers must be made in the same manner as leave requested by other employees (*see MS 635 Staff Absence and Leave*).

5.9.4 Weather and Safety Leave Eligibility

Weather and Safety Leave may be appropriate if the employee is unable to safely perform work at their Official or Alternate Worksites. Regular Teleworkers and Mobile Workers should coordinate with their supervisor for Weather and Safety events. See MS 635 *Staff Absence and Leave* and its procedures.

5.10 Safety

- (a) Regular Teleworkers and Mobile Workers shall ensure that they work in a safe Alternate Worksite and maintain safe work habits.
- (b) If an injury occurs while working for the agency, the employee must notify their supervisor as soon as practicable, provide details of the incident or injury (*see MS 520 Peace Corps Staff Occupational Safety and Health*), and follow guidance provided by OHR on filing worker's compensation claims. *See MS 682 Staff Safety and Health Program.*

5.11 Liability

Any exposure to liability arising out of the employee's actual performance of assigned duties may be covered under the appropriate authorities, which include the Federal Employees Compensation Act (FECA), Military Personnel and Civilian Employees Claims Act of 1964, and the Federal Tort Claims Act.

5.12 Travel and Relocation

- (a) Official travel may be authorized for Regular Teleworkers and Mobile Workers in accordance with MS 812 *Peace Corps Staff Travel and Transportation*.
- (b) The employee will be responsible for any costs related to their relocation to the Agency Worksite if their Regular Telework or Mobile Work Agreement is terminated due to performance or conduct.
- (c) The agency will be responsible for costs related to the employee's relocation, as required by applicable law and regulation, if the Regular Telework or Mobile Work Agreement is required to be terminated by the agency for reasons other than performance or conduct.

5.13 Termination of Regular Telework or Mobile Work Agreements

The agency may terminate Regular Telework or Mobile Work Agreements. The employee's failure to return to a work location as directed by the agency may lead to disciplinary action, up to and including removal from federal service.

5.13.1 Termination of Regular Telework Agreements Due to Performance/Conduct

When Regular Telework Agreements are terminated by a supervisor for performance or conduct, employees will be given a minimum of 60 days advance notice prior to being required to report to the Agency Worksite. For more information on Performance Management *see* IPS 2-23 *Performance Management Program*.

5.13.2 Termination of Regular Telework or Mobile Work Agreements Directed by The Agency

For agency-directed termination of Regular Telework or Mobile Work Agreements due to reassignment or changes in scope, policy, or mission, employees will be given a minimum of 120 calendar days advance notice.

If an employee is unwilling or unable to relocate following revocation of Regular Telework or Mobile Work due to reassignment or changes in scope, policy, or mission, supervisors may allow flexible work schedules to permit the employee to attend job fairs, prepare job applications, and attend career-enhancing training that will assist them in finding new employment.

5.13.3 Employee-Directed Termination of Regular Telework or Mobile Work Agreements

An employee may at any time request that their Regular Telework or Mobile Work Agreement be terminated. Any final decision on termination of the agreement shall be made by the supervisor.

6.0 Roles and Responsibilities

6.1 The Agency Head

The agency head is responsible for certifying Regular Telework to meet a compelling agency need.

6.2 Chief Human Capital Officer (CHCO)

The CHCO, as the Peace Corps Regular Telework or Mobile Work Managing Officer, or their designee, is responsible for:

- (a) Management and oversight of the Regular Telework or Mobile Work program; and responding to requests for data and other information concerning Regular Telework or Mobile Work; and

- (b) Reviewing, as appropriate, decisions by AD/RD to either initiate or terminate Regular Telework or amend Mobile Work Agreements (e.g., Change in Duty Station).

6.3 Office of Human Resources (OHR)

OHR, as the Regular Telework or Mobile Work Program Manager, is responsible for:

- (a) Ensuring, in consultation with the Office of the General Counsel, compliance with all laws, rules, regulations, and Peace Corps policies affecting employees participating in Regular Telework or Mobile Work;
- (b) Maintaining a record of employees participating in Regular Telework and Mobile Work;
- (c) Serving as a resource and primary contact on all aspects of Regular Telework and Mobile Work;
- (d) Ensuring that appropriate and necessary training is provided to employees eligible to participate in Regular Telework or Mobile Work; and
- (e) Ensuring the pay, benefits, and entitlements of Regular Teleworkers and Mobile Workers are based on the location of the employee's Official Worksite.

6.4 Associate Director/Regional Director (AD/RD)

AD/RDs are responsible for:

- (a) Providing oversight of implementation of the Regular Telework and Mobile Work policy within their offices;
- (b) Ensuring supervisors and employees within their offices have the proper training;
- (c) Reviewing Regular Telework and Mobile Work metrics, reports, and dashboards;
- (d) Approving requests by supervisors for Regular Telework or Mobile Work Agreements; and
- (e) Ensuring compliance with requirements outlined in this Manual Section when determining whether to recommend a Regular Telework request to the agency head for a compelling agency need.

6.5 Supervisors

Supervisors are responsible for:

- (a) Working with employees to prepare and finalize Regular Telework or Mobile Work Agreements as appropriate, including to define the work to be performed;
- (b) Completing mandatory training in order to better support employees who participate in Regular Telework or Mobile Work;

- (c) Approving Regular Telework or Mobile Work Agreements for any employees they supervise;
- (d) Communicating with Regular Teleworkers or Mobile Workers during an emergency or other situations to account for personnel; and
- (e) Notifying their AD/RD of employee requests to either initiate or terminate Regular Telework or amend Mobile Work Agreements (e.g., Change in Duty Station).

6.6 Employees

Employees are responsible for:

- (a) Completing mandatory training;
- (b) Completing a Regular Telework or Mobile Work Agreement and related documentation as set forth in the online agreement tool in SharePoint;
- (c) Completing a new Regular Telework or Mobile Work Agreement whenever changes to their Official Worksite occurs;
- (d) Adhering to the provisions of their Regular Telework or Mobile Work Agreement;
- (e) Certifying that their Official and Alternate Worksites meet safety and security requirements; and
- (f) Advising their supervisor of any request to terminate or amend their Regular Telework or Mobile Work Agreement.

7.0 Procedures

Procedures implementing this Manual Section shall be developed by OHR and approved by the Human Resource Council (Council). The Council shall also approve any amendments to those procedures.

8.0 Effective Date

The effective date of this Manual Section is the date of issuance.