



# WHEN REMOTE WORK DOESN'T WORK

*Occasionally, remote work arrangements may not be appropriate for a situation or successful after implementation. The following guidance highlights instances where remote work may not be appropriate, as well as how to end a remote work arrangement.*

## Reasons Remote Work May Be Denied Or Terminated

Use the criteria below to determine if the duties of the position can be performed at a telework site. Duties may be performed at a telework site if they:

- Conflict with or change in agency business needs
- Nature of the employee's position and position duties
- Concerns with the employee's performance, conduct, or time/attendance practices
- Ability of the office to accommodate an (additional) remote work arrangement

***NOTE: the above listing is not exhaustive.***

## How To Terminate A Remote Work Arrangement

1. If a remote work arrangement is not working out, supervisors should:
  - Document what their concerns are and
  - Have a conversation with the employee about any steps they can take to improve the situation, if applicable.
2. If there is no change in the situation, supervisors should:
  - Review the terms of the Remote Work Agreement/Memorandum of Understanding and
  - Consult with OHR/Workforce Relations Division's Leave Group and/or your Employee Relations Specialist.
3. Remote Work Agreements should specify the terms under which a position can be recalled to an NIH-owned or leased facility in the original duty station.
  - If an agreement exists and include this information, provide written notice to the employee that this is occurring and allow a reasonable period of time for them to relocate (this period of time should also be specified in agreement).
  - If an agreement does not exist or does not specify terms for recalling a position to an NIH-owned or leased facility in the original duty station, call your Employee Relations Specialist.

***NOTE: the above steps may not apply to every situation.***

## **What To Do When There Is No Remote Work Agreement**

OHR strongly recommends that all employees have a remote work agreement before entering into such an arrangement, for the benefit of both parties. If an employee is not on an agreement but is already working remotely, one should be put in place as soon as possible. If an employee refuses to sign an agreement, supervisors should contact your Employee Relations Specialist who can walk you through the process of returning the position to an NIH-owned or leased facility in the original duty station. If the terms of the employee's remote work arrangement were not specified when entered into, the IC may be responsible for the costs of relocating the employee.

### **For More Information:**

NIH Workplace Flexibilities Program

[NIHtelework@mail.nih.gov](mailto:NIHtelework@mail.nih.gov)

