

New Article 8

Old Article 55

Special Circumstance Work-at-Home

55.1 Basis for Work-at-Home

55.1.1 Personal Incapacitation

An employee must be personally incapacitated for duty at his/her permanent work site because of confinement associated with (1) serious illness, (2) an injury, or (3) child delivery. In rare circumstances, the employee's personal incapacitation may be due to a substantial medical condition that prohibits him/her from working in a facility that otherwise complies with all known health-related standards. This situation would require well-documented medical evidence and may be subject to review by an independent expert on behalf of the NRC. The employee's incapacitation must not prevent him/her from performing assigned duties at home.

55.1.2 Personal Hardship

~~The situation resulting in consideration for~~ An employee may request approval of a work-at-home arrangement ~~must which presents~~ a significant personal hardship. However, this program may not be used as a substitute for dependent care or child care. ~~to the employee. The following examples are illustrative of situations that could satisfy the personal hardship requirement:~~

~~55.1.2.1 — The employee is a primary care giver for an immediate family member (e.g., spouse, child, or parent) who is seriously ill, injured, or otherwise incapacitated.~~

~~55.1.2.2 — The employee is a primary care giver for a newborn, newly adopted, or foster care child and requests a period of time (not to exceed six months) to care for the child.~~

~~55.1.2.3 — The employee has lost a spouse or other family member and suddenly becomes a single parent, guardian, or is otherwise responsible for a dependent child or elderly parent and needs time to find suitable long-term arrangements.~~

55.2 Criteria and Requirements for Approval

55.2.1 All work-at-home plans must be in the best interest of the NRC.

55.2.2 The employee's work should be portable, i.e., the duties of the position can be readily accomplished at home or other appropriate work site. Determination of portability will be made strictly on a case-by-case basis.

55.2.3 Work-at-home plans will include the supervisor's determination that the requesting employee can successfully work in an unsupervised environment.

55.2.4 Approval of work-at-home arrangements will not involve unreasonable risk to the employee, agency information, or property. Cost/benefit involving expenditures for computer, telecommunications, or other equipment will be considered as part of the work-at-home arrangement.

55.2.5 Any period of illness or confinement due to injury or maternity absence must be supported by medical certification. Such medical documentation should, as appropriate, include the number of hours and/or days an employee would be capable of working during the workday/workweek and the duration of the situation or circumstance giving rise to the work-at-home request.

55.2.6 All approved work-at-home plans are non-permanent arrangements for relatively short periods of time. There is no minimum period for which a plan can be approved. Generally, work-at-home arrangements will be approved for periods not to exceed six months. However, in unusual circumstances where the need continues beyond six months, a reevaluation and determination to extend or not will be made. Determinations regarding the duration of all work-at-home plans will be made strictly on a case-by-case basis. Requests for continuation of Work-at-Home arrangements beyond six months must be accompanied by medical or other relevant documentation to support the extension.

55.2.7 Written work-at-home plans are required for personal incapacitation and personal hardship cases, and should do the following:

55.2.7.1 Enable management to verify and measure productivity;

55.2.7.2 Establish time and attendance procedures;

55.2.7.3 Identify any special equipment or other supply needs of the employee;

55.2.7.4 Provide for a short written evaluation of the work-at-home experience by both the supervisor and the employee to be given to the Office of Human Resources.

55.2.8 Work-at-home plans for personal incapacitation and personal hardship cases, and requests for extensions, should be submitted through the Office Director or Regional Administrator to the Director, Office of Human Resources, for approval.