

New Agreement Increases Telework Beyond Pandemic

NTEU and the IRS Office of Chief Counsel have reached an agreement to expand telework opportunities beyond the limits in the current 2018 contract. The Memorandum of Understanding (MOU) also lifts key restrictions on telework eligibility for many employees, including new hires, and allows managers to temporarily waive the 200-mile limit. NTEU is pleased that this agreement recognizes the success of Counsel employees working from home throughout the pandemic.

The new telework rules take effect on the date that Counsel employees are required to report to the workplace, currently expected to be in February 2022. Here are highlights of the agreement:

Eligibility

- All eligible support staff employees (GS-318, GS-985, and GS-999) may participate in Level 1 telework, which permits up to 32 hours per pay period of regularly scheduled, project-based, or a combination of both types.
- Level 2 telework is expanded to allow additional employees to telework three days per week. All eligible employees, except support staff (GS-318, GS-985, and GS-999) and new employees in their first 6 months of employment, may telework up to 3 days per week, 48 hours per pay period, for a combination of regularly-scheduled and project-based telework.
- A new Level 3 telework is established, which permits Attorneys, Tax Law Specialists, Paralegals, and other non-support staff (e.g., Tech Advisors, Budget Analysts, and Librarians) to telework up to four days per week on regularly scheduled telework. Project-based telework is not available under this option. Eligible employees must be employed with Counsel for at least 3 years. Level 3 teleworkers may be required to share desks at their post of duty.
- There is no longer a waiting period for employees in their probationary/trial period to begin teleworking. New employees may telework for up to 2 days per week for the first 6 months of employment and then telework for the maximum number of days.

Restrictions Lifted

- There is no longer a four-month waiting period for telework after a voluntary transfer to a new division or associate office.
- Telework restrictions for employees on leave restriction letters are eliminated.
- Telework may be performed at a location that is within 200 miles of the employee's

POD (it was previously 125 miles for Level 2 teleworkers). However, managers may waive the 200-mile limit for an employee for up to 10 days a year to permit telework from more remote distances.

- To telework at the start of the Telework Bridge Pilot, employees must sign a new “Telework Bridge Pilot Agreement” within 45 days after the pilot begins. Employees may terminate a telework agreement at any time.
- The telework bar for discipline is changed so that it is waived for any discipline during the pandemic prior to reentry, and after reentry when the MOU goes into effect the telework bar only applies to a discipline that is related to telework.

NTEU Bargaining Team

NTEU recognizes the hard work and valuable input provided by the union’s bargaining team comprised of Greg Schantz (Chapter 251, IRS Chief Counsel), Scott Hovey (Chapter 251), Lyn Hillman (Chapter 52, IRS South Texas), and Cass Rothman (Chapter 93, IRS Fort Lauderdale).

If you have questions about the new agreement, contact your NTEU representative.

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