

Telework Enhancement Act Program (TEAP)

A Memorandum of Understanding (MOU) between the National Treasury Employees Union, Chapter 243 (NTEU 243), the National Treasury Employees Union Chapter 245 (NTEU 245), the Patent Office Professional Association (POPA), (collectively unions) And the United States Patent and Trademark Office (USPTO or Agency)

March 23, 2022

Preamble: This MOU supersedes the agreement dated July 5, 2011 (including all subsequent revisions to it), which established the Telework Enhancement Act Oversight Committee and covered implementation of the Telework Enhancement Act Pilot Program (TEAPP). This MOU codifies the creation of the Telework Enhancement Act Program (TEAP), successor to TEAPP. This MOU is based on a change in legislation, which establishes that USPTO has permanent authority to allow employees to live and work in geographically diverse areas for their convenience, in exchange for the employees waiving reimbursement for travel expenses. Unlike the initial legislation that authorized TEAPP as a pilot program, the amended legislation authorizing this program does not have an expiration date.

1. **Oversight Committee:** As required by statute, the parties have formed an Oversight Committee consisting of equal numbers of management and union representatives. Each of the three unions must be represented on the Oversight Committee.
 - a. At the time of this MOU, there are six management members of the Committee and two members from each of the three unions.
 - b. As long as the conditions set out in Section One of this MOU are met, the number of members on the Oversight Committee may be altered by the mutual agreement of all parties without the need to update this MOU.
 - c. The Oversight Committee will meet at least once every six months during the first year following the implementation of this agreement, unless all parties decide the meeting is unnecessary. After the first year, the Oversight Committee will determine the frequency of meetings. Moreover, the Oversight Committee will meet upon request of any party to this agreement.
 - d. The Oversight Committee is responsible for developing and updating the Operating Procedures for the TEAP.
 - e. The Operating Procedures are attached to this MOU as Appendix A.

- f. The Operating Procedures, and any supplemental agreements, may be amended and/or drafted as described in Section One of the Operating Procedures, without the need to update this agreement.
 - g. The Agency will maintain an up-to-date version of the Operating Procedures on its Telework Intranet site.
- 2. **Precedence of Operating Procedures:** As required by the Operating Procedures, participants in the TEAP must be on an underlying telework program and in a position eligible for TEAP. If the terms of the underlying agreement or program conflict with the terms of the Operating Procedures, the terms of the Operating Procedures govern, unless the conflict is a business unit alteration made with the consent of the union representing participating employees pursuant to the Operating Procedures. Any proposed changes to underlying business unit agreements or guidelines that conflict with or modify these Operating Procedures will be provided to the members of the TEAP Oversight Committee before implementation and no later than their submission for Agency Head Review.
- 3. **Use of the Enterprise Telework Information System (ETIS):** All participants, including those currently participating in the TEAPP (the predecessor program), will need to apply for participation in the TEAP. Existing TEAPP participants will be approved for participation unless they are found to have committed misconduct that would bar them from participation under the Operating Procedures as set out in Appendix A.
 - a. Part of the application process will consist of a statement that the employee is participating for the ability to work remotely outside of the USPTO Alexandria Headquarters local commuting area for their convenience in exchange for the employee's limited waiver of the right to travel expenses consistent with the Telework Enhancement Act and the TEAP Operating Procedures. The statement is attached to this MOU as Appendix B.
 - b. The wording of the statement may be adjusted without the need to update this agreement, with the approval of the revised wording by all parties to this MOU.
 - c. ETIS is intended to cover the current automated system and any updates or replacement systems that perform the same function.
- 4. **Termination of TEAP:** If law or regulation no longer permits the employee waiver of travel expenses, employees participating in this program at the time of termination will continue to be considered remote workers.

5. **Effective date of this MOU:** This MOU will become effective following approval upon Agency Head Review, or on the 31st day following the date of the last signature if the agreement has not been approved or disapproved. If disapproved, the parties will meet to resolve any legal issues identified in the Agency Head Review Process.

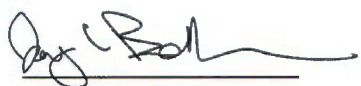
Signatures

Users, Steckler,
Frederick W. Digitally signed by Users,
Steckler, Frederick W.
Date: 2022.03.25
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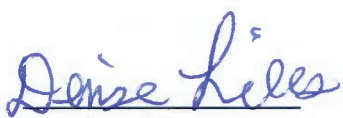
Frederick Steckler Date
Chief Admin. Officer
USPTO



Kathleen Duda 3/24/2022
President Date
POPA



Jay Besch 3/25/2022
President Date
NTEU 245



Denise Liles 3-25-2022
Acting President Date
NTEU 243

Telework Enhancement Act Program (TEAP) Operating Procedures

March 2022

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The Telework Enhancement Act of 2010 grants the United States Patent and Trademark Office (USPTO, Office or Agency) unique authority to allow employees working remotely¹ to relocate outside the local USPTO commuting area for their convenience, in exchange for a limited waiver of the right to travel expenses. 5 U.S.C. §§ 5711(f), (g). This authorization was piloted through 2020, and is now a permanent program known as the Telework Enhancement Act Program (TEAP). These operating procedures (Operating Procedures) set forth the framework for TEAP.

1. Joint Oversight Committee

- a. **Committee:** In accordance with 5 U.S.C. § 5711(f)(4), the Operating Procedures have been developed by a USPTO Telework Oversight Committee. The Committee consists of representatives from USPTO management and each of its three bargaining units: 1) National Treasury Employees Union, Chapter 243; 2) National Treasury Employees Union, Chapter 245; and 3) the Patent Office Professional Association.
- b. **Meetings:** The Committee will meet on a semi-annual basis, or as otherwise needed on an ad hoc basis. Any of the unions or management may call for an ad hoc meeting. During these meetings, at least one member of two of the three bargaining units must be present, as well as at least one management official from both Patents and Trademarks.
- c. **Modifying Operating Procedures:** Any management or labor representative may propose modification to the Operating Procedures. Modification must be agreed upon by consensus of all parties, unless the impacted employees are confined to a single union or are non-bargaining unit employees (including supervisors). In the event that management and a single union wish to modify part of these Operating Procedures as applicable only to that union, they may do so via a supplemental memorandum of understanding (MOU). These may be referred to as “bilateral” agreements, and should be read in conjunction with these Operating Procedures. As early in the process as practicable and no later than when a tentative agreement has been reached, these agreements will be shared with the rest of the Committee for fair and full consideration. If other unions or business units wish to implement similar change(s), the Committee will consider making the change(s) applicable to all participants. Additionally, either a union or business unit may initiate separate discussions on their behalf if they feel their union or business unit would benefit from the same or similar agreement. Parties are expected to provide explanations of their reasoning related to their decisions
- d. If management determines to change these Operating Procedures as applicable only to non-bargaining unit employees, it may do so by notifying the impacted employees and issuing a management memorandum to be read in conjunction with these Operating Procedures. Management will share these changes with the Committee, and the unions may ask that the terms be incorporated into these operating procedures for all participants.

¹ Remote work is defined as performing assigned duties at an approved alternate worksite for five (5) days per week without a minimum reporting requirement to a USPTO Office. A participant’s official worksite (and therefore official duty station) will always be the primary alternate worksite.

2. Relationships to Existing Agreements

Existing collective bargaining agreements remain in effect except for provisions that are specifically contradicted by these procedures. These Operating Procedures are intended to work in conjunction with the applicable, underlying telework program policies that apply for each Business Unit, and are not a replacement for a primary telework policy.

3. Eligibility and Participation

Participation in TEAP is voluntary, and, pursuant to 5 U.S.C. § 5711(f)(3)(C), it must be for reasons of the employee's convenience.

- a. **Eligibility.** In order to apply to participate in TEAP, an employee must meet all of the following criteria:
 - i. Be eligible for remote telework under the relevant underlying telework program that would apply in the employee's business unit.
 - ii. Be in a position designated as TEAP-eligible by management. The Agency will not convert TEAP-eligible positions to ineligible before bargaining to the extent required by law.
 - iii. Voluntarily change their official duty station to a location outside of a 50-mile radius from the USPTO Headquarters, and within the United States and Puerto Rico.
 - iv. Waive the right to reimbursement for travel expenses for a certain number of trips identified in these Operating Procedures.
 - v. Have regular job responsibilities that do not include extended and/or multiple periods of time at the office that are expected to add up to greater than 5 days per fiscal year. The Agency determines whether this is the case based on individual job duties.
- b. **Program Size:**
 - i. For employees in a bargaining unit, there is no limit to the number of employees that may participate in TEAP if they are otherwise eligible.
 - ii. For employees not in a bargaining unit, the Agency will determine how many employees may participate.

4. TEAP Application Process

- a. The centralized on-line process for all applicants is available on the intranet. The process includes:
 - i. Orientation to TEAP;

- ii. Submission of an application in the Enterprise Telework Information System² (ETIS) (see paragraph c below);
 - iii. Signing of an agreement with an attestation and a waiver of reimbursement of travel expenses by the applicant, using the ETIS;
 - iv. Approval by the Agency;
 - v. Change of the official duty station.
- b. Application timing:
- i. Applications may be submitted at any time.
 - ii. There will be a monthly review and approval. Closing for each application period will be midnight on the second Saturday of each month.
 - iii. Applicants will be notified of the status of their application within the two weeks after the second Saturday of each month. If the application is denied, the reason for the denial will be provided to the employee.
 - iv. Employees will begin participation after the Personnel Action Request (PAR) has been issued and notice of approval is received.
- c. Application process:
- i. Before applying, the employee must be eligible as described in Section 3.a above and live outside the 50-mile radius of the USPTO Headquarters, or plan to move outside the 50-mile radius of USPTO Headquarters within one month of TEAP approval. If the employee has not relocated outside the 50-mile radius, the employee must notify the Agency and will be converted from TEAP.
 - ii. Interested employees should submit a TEAP application using the ETIS.
 - iii. If, upon review of the application documents, the employee is not approved because information is missing or not clear, the employee will have one week to perfect the submission. The submission will be promptly reviewed and if the submission has been appropriately corrected, the employee will be promptly notified that he/she has been approved to participate on TEAP. If the submission is reviewed and is not approved because the employee does not meet the eligibility requirements, the employee cannot participate in TEAP, but may reapply when the employee meets eligibility requirements.
 - iv. A participant may withdraw at any time by providing notice to their business unit's telework coordinator, supervisor, and withdrawing their application and/or agreement in ETIS. For further detail see section 9.

² When used in this document, ETIS refers to the current system for on-line applications, known as the Enterprise Telework Information System, and any replacement tool serving this purpose.

5. Worksites

a. Definitions:

- i. **USPTO worksite** is defined here as a workspace located in a USPTO physical location, such as the headquarters in Alexandria, Virginia, a Regional Office, or any other space maintained by the USPTO.
- ii. **Alternate worksite** is an approved telework worksite that is not a USPTO worksite. Approval must be sought in advance of use of an alternate worksite. Alternate worksites must meet requirements for internet service, security, and safety. An airport, coffee shop, or other unsecured public area are not approved alternate worksites. A teleworking employee may have both a **primary alternate worksite** (i.e., the principal telework location, likely an employee's home) and one or more **secondary alternate worksites**. Participants are responsible for alerting management and making an address change in ETIS if the intended stay at a secondary alternate worksite exceeds 6 months cumulatively within a calendar year. (See Section 8.)
- iii. A **temporary alternate worksite** is a location where the employee requests to telework in emergency and exigent circumstances (e.g., weather and safety evacuation, service outages, emergency personal circumstances) and when on mandatory work travel (i.e., hotel or temporary location where employee is staying).

- b. **Requirements:** Generally, employees may work from secondary alternate worksites after receiving advance approval. In cases of emergency or exigent circumstances, employees may work from temporary alternate worksites as long as they have provided notice to their supervisors at the soonest reasonable opportunity. TEAP employees should refer to the terms of their underlying remote telework program to determine any more specific rules related to working from secondary and temporary alternate worksites.

When a participant is unable to work at their primary alternate worksite due to a local system outage or equipment failure and it is reasonable to do so, an employee may:

- i flex,
- ii take leave,
- iii work at a secondary or temporary alternate worksite, or
- iv come into a USPTO worksite (See Section 15 for process of using Regional Office workspace as a temporary alternate worksite)—

NOTE: If the employee chooses to come into a USPTO worksite it will be considered a voluntary trip. If an employee is granted non-production time or adjustments with approval, the employee may not also work at a temporary alternate worksite or work from a USPTO worksite.

6. Relocation Expenses

Since participation is voluntary, no employee relocation expenses will be paid to participants. However, relocation expenses may be paid due to a change in position when paying the expenses is in the interest of the government and in accordance with government-wide regulations.

7. Official Duty Station and Employee Benefits

- a. **Official Duty Station:** When an employee begins participating in TEAP, the employee's official duty station will be the city, town, county, and state of the primary alternate worksite for which the employee is approved to telework.
- b. **Impact on Employee Pay:** Participation in this program may impact an employee's pay, due to differences in locality pay. Information on locality pay is available by checking the relevant pay tables found at <http://www.opm.gov>.
- c. **Benefits**
 - i. Employees will be able to change their health benefits carrier, by contacting the Office of Human Resources (OHR) if they relocate to an area outside of their current health benefits carrier coverage area. Employees are reminded that they are responsible for confirming that the health benefits plan they have selected provides coverage in their telework locations. OHR staff are available for assistance with changing your health care provider. Questions regarding your benefits, compensation or personnel action processing may be directed to HumanResources_USPTO@uspto.gov or telephone at 571-272-6000.
 - ii. All other benefits will remain the same unless there is a change in salary due to locality pay adjustments for the new area. If the pay is adjusted, affected employees' life insurance amounts will be adjusted, and their high-three average salaries could be affected. Thrift Savings Plan (TSP) totals will also be affected by a change in pay if deductions are drawn on a percentage basis.
- d. **State Taxes**
 - i. Employees should consult their tax advisor for specific tax information.
 - ii. The impact on employee's state taxes will depend on the tax codes of the employee's states of residence.
 - iii. Employees will be required to submit new state tax forms for their states of residence. State tax forms should be accessible online along with each state's rules and regulations.
 - iv. For more information visit the TEAP FAQs.

8. Moving to a Different Official Duty Station While on TEAP

- a. When an employee decides to move to a different primary alternate worksite (including if an employee decides to make a secondary alternate worksite their primary alternate worksite) while on TEAP, it may change their Official Duty Station, and the following must be completed:
 - i. An employee must send a notice to the employee's supervisor and business unit telework coordinator with the effective date of the change. This must be submitted to the supervisor at least two full bi-weeks before the effective date of the move.
 - ii. The employee's supervisor must submit a Personnel Action Request (PAR) to the Office of Human Resources (OHR) within the first full bi-week after receipt of the change of official duty station. The PAR must include the change in the employee's official duty station including new address, city, county, and state.
 - iii. OHR will process the change of official duty station PAR within the first full bi-week after receipt.
- b. Since the move is voluntary, no employee relocation expenses will be paid to participants. (See Section 6.)
- c. A TEAP participant who relocates from outside the fifty mile radius of the USPTO Headquarters to an address within the fifty mile radius may either return to work at the USPTO Headquarters, convert to the fifty mile radius option, or convert to another appropriate telework option.

9. Withdrawal from TEAP

- a. When an employee decides to withdraw from TEAP, the following must be completed:
 - i. The employee must send a notice to the employee's supervisor and business unit telework coordinator with the effective date of the change. This must be submitted to the supervisor at least two full bi-weeks before the effective date of the withdrawal.
 - ii. The employee's supervisor will submit a PAR to the Office of Human Resources (OHR) within the first full bi-week after receipt of the withdrawal notice. The PAR will include the change in the employee's official duty station: to Alexandria, Virginia; upon request and subject to available space, to the Regional Office from which the employee was working immediately before joining TEAP; or, another appropriate location if the employee signs up for a different telework program.
 - iii. OHR will process the withdrawal PAR within the first full bi-week after receipt.
 - iv. The employee will consult with his/her supervisor regarding the need for an office or workspace at USPTO Headquarters or Regional Office, if applicable.

10. IT Availability

- a. Work schedules remain the same as in the employee's underlying telework and other collective bargaining agreements, but currently, IT systems are not available 24 hours a day/7 days a week due to systems maintenance periods.
- b. During USPTO IT system [maintenance hours](#), systems may have limited or no availability.

11. Office Supplies and Equipment

- a. Printer supplies will be shipped to employees. Employees will be initially supplied with a standard amount of toner and paper that should last for one year. Employees will request subsequent replacement shipments.
- b. Employees may pick up small office supplies at USPTO Headquarters while on a trip there.
- c. Employees will comply with USPTO instructions, as outlined in their underlying telework program, regarding the return or removal of work materials and equipment.
- d. Employees will ensure that only authorized personnel access USPTO equipment and materials.

12. Use of Technology in Lieu of Travel

The office will provide reasonable technological or other alternatives when possible before requiring participant travel. The office will strive to improve engagement through technological means and voluntary in-person events in lieu of mandatory travel.

13. Travel Requirements

The Telework Enhancement Act authorized the USPTO to establish a reasonable maximum number of occasional visits before employees are eligible for reimbursement of any approved travel expenses. A high level decision-making process will be used when trips are required as set forth herein. The intent is to bring employees back as few times as possible. The purposes for trips will be combined where possible to reduce travel.

Travel orders will be issued for all mandatory trips (whether employee or Agency paid). The employee's time for travel will be compensated based on the most efficient manner of travel as defined by Federal travel regulations. Employees will record this time as regular duty hours for travel or as compensatory time for travel.

- a. Mandatory Employee Paid Trips
 - i. Management may require a maximum number of mandatory employee-paid trips to the USPTO per fiscal year as defined in Section 13.d. Management will ensure that reasonable technological or other alternatives to employee travel are used before requiring employee travel (including teleconferencing, videoconferencing, or internet-based technologies).

ii. Cancellation of mandatory employee-paid trips will be handled in the following manner:

(1) If an employee is already at or en route to the USPTO before the trip is cancelled, it will count as an employee-paid trip.

(2) If the trip is cancelled at three weeks or less prior to the expected event date, the employee will take action to avoid travel expenses.

(a) If all travel expenses can be avoided, it does not count as an employee-paid trip.

(b) If the employee cannot avoid some travel expenses or transfer the expenses to a future trip, the trip will count as an employee-paid trip.

(3) If cancellation notice is given more than three weeks before the event, it does not count as a trip regardless of expenses incurred. All efforts will be made to give notice of cancellation as far out in advance as possible.

b. Mandatory Agency Paid Trips

i. Management determines location of mandatory activity. For all TEAP participants this location will be USPTO facilities or another designated work location within the geographic limitations of the TEAP program.

ii. After the maximum number of mandatory employee-paid trips to the USPTO per fiscal year as defined in Section 13.d, management will pay for travel expenses.

c. Notice to Employees

i. The Agency has a goal of 4 weeks' notice, but at least 3 weeks' notice will be provided prior to the date on which the employee must report for the purpose of a mandatory employee-paid trip.

ii. If less than 3 weeks' notice is provided, Agency will pay for the cost of that mandatory trip.

iii. No less than 48 hours' notice will be given for any mandatory trip.

d. TEAP participants will have a maximum number of mandatory employee-paid trips and days in office per fiscal year.

i. **Definition for "program trip days" in the office:** For purposes of TEAP, program trip days in the office shall be all days on which the Agency is requiring the participant to be present at a USPTO office and any day(s) within the same trip between events in which the employee's in person attendance is required. An example of the latter situation would be an all-hands meeting on Tuesday afternoon, followed by mandatory in-person training on Thursday. This trip would count as three program trip days towards meeting the limit that the participant is responsible for covering expenses.

- (1) If the purpose of the trip can be met by traveling to a USPTO Regional Office, days spent at the Regional Office shall also count towards the maximum number of days.
 - (2) Travel days, even if the employee does work at the Agency, do not count unless the employee travels on the day of an event for which the participant's presence is required at the USPTO.
- ii. **Number of Mandatory Employee-Paid Trips:** For all TEAP participants, mandatory employee-paid trips to a USPTO office, or another location designated by the Agency, will be limited to one (1) trip per fiscal year, if necessary. After a TEAP participant has made an employee-paid trip, any remaining trips that fiscal year will be Agency-paid trips as per Section 13.b above.
- (1) The maximum number of employee-paid days for employee trips will total 5 calendar days. In any single trip, only days spent for the purpose of the required mandatory employee-paid trip and any intervening days count towards this number of days. If the total number of days for the mandatory employee-paid trip exceeds five (5) days, the Agency will pay appropriate per diem for days in excess of five (5) days.
- e. Mandatory Days for Mandatory Trips
- i. Normally trips of multiple days will fall within Monday through Friday of the same week excluding holidays.
 - (1) Mandatory activities will be conducted Monday through Friday between 8:00 am and 6:00 pm Eastern time.
 - (2) Program trip days do not include any days solely attributed to travel.
- f. Authority to Determine Need for Mandatory Employee-Paid Trips
- i. Decisions to require a mandatory employee-paid trip may only be made by management and subject to Section 12 herein, and will be made at the following organizational levels or higher (or equivalent positions if titles change):
 - (1) Patents – Deputy Commissioners
 - (2) Trademarks – Deputy Commissioners
 - (3) Office of the Chief Administrative Officer (OCAO) – CAO or Deputy CAO
 - (4) Office of the Chief Financial Officer (OCFO) – CFO or Deputy CFO
 - (5) Office of the Information Officer (OCIO) – CIO or Deputy CIO
 - (6) Office of General Counsel (OGC) – GC or Deputy GC
 - (7) Office of Policy and International Affairs (OPIA) – Director or Deputy Director
 - (8) Office of the Chief Communications Officer (OCCO) – Director or Deputy Director
 - (9) Office of Equal Employment Opportunity and Diversity (OEEOD) – Director or Deputy Director
 - (10) Patent Trial and Appeal Board – Chief Judge or Deputy Chief Judge
 - (11) Trademark Trial and Appeal Board - TTAB Chief Judge or Deputy Chief Judge

- ii. Notification will be sent to the affected union(s) that the Agency requires a mandatory employee-paid trip. The notification to the unions will be sent at least one week prior to when the employee(s) is/are notified. The notification to the union(s) will include the purpose for the trip and an explanation regarding the Office's attempts to use technological alternatives in lieu of requiring travel and all reasons that physical attendance is required. The Office will work with the union(s) to resolve any issues that are brought to its attention when requiring attendance.

g. Voluntary Trips

- i. A voluntary trip is defined as discretionary on the part of the employee and visitation/travel is not required by the Office. No travel orders will be made for this type of trip and no travel time will be provided. Voluntary trips may include:
 - (1) Voluntary details and/or voluntary work assignments.
 - (2) Emergencies such as hurricanes or flooding.
- ii. There are no limits to the number of voluntary trips. Employees are responsible for notifying their supervisor before beginning work and making arrangements for office space at the location. Management approval would be given for a defined period before the participant would report back to their official duty station/official work site.

- h. The Agency expects that TEAP participants will generally attend on-campus events virtually, unless otherwise required to attend in person. Where practical, the Agency will open on-campus events to TEAP participants if they wish to attend in person as part of a voluntary trip.

14. Work Spaces for TEAP Participants during Mandatory Trips

- a. For trips back to USPTO Headquarters during time periods before and after a mandatory event, the returning employee has the option to:
 - i. Work in Agency-provided space, if available;
 - ii. Work at a local area hotel in the room in which they're staying, in a private residence, or another location that is private and secure upon receiving approval (i.e., a temporary alternate worksite);
 - iii. Flex or take leave.
- b. It is recognized that the Agency has limited space to accommodate large numbers of employees returning to events. Management will make every attempt to identify and communicate available work space to employees returning to USPTO Headquarters. If possible, work spaces identified throughout campus will utilize a reservation system.
 - i. Some space will be available for teleworkers at USPTO Headquarters to do regular work. Examples include:
 - (1) Regular hoteling space
 - (2) PTA training space or other training space, if available
 - (3) Conference rooms/auditorium

- c. Extended breaks between mandatory events during one day should be avoided when possible.
- d. When possible, events requiring travel should allow the employee the opportunity to have at least 8 work hours without having to utilize a temporary alternate worksite or on campus location for non-event related work.

15. Regional Office Workspace as a Temporary Alternate Worksite

TEAP participants and other teleworkers may work in a Regional Office as a temporary alternate worksite. Available space will be limited to hoteling offices and collaboration space. Employees must request to work in any Regional Office at least five days in advance to reserve an available hoteling office. The request must go to the employee's supervisor and the Regional Office director or designee. Regional Office management will approve requests based on available hoteling space. Exceptions will be made for exigent circumstances such as a severe weather event.

Glossary of Terms

The following glossary of terms used in the TEAP Operating Procedures is provided to aid employees in understanding wording with which they may not be familiar. The descriptions herein apply to the TEAP Operating Procedures despite the fact that they may have other meanings outside of that document. As appropriate, references to the relevant sections of the Operating Procedures are provided.

- **Alternate worksite** is defined as a location away from a USPTO worksite, that is approved by the Agency and designated by the participant as the location they will use to perform some or all their official USPTO-assigned duties. The alternate worksite must be located in the United States (currently defined as the fifty states and the District of Columbia) and Puerto Rico. All alternate worksites, whether primary, secondary, or temporary, must comply with USPTO policies regarding physical and IT security. An airport, coffee shop, or other unsecured public area is not an approved temporary alternate worksite.

- **Business Unit** - A “business unit” is the part of the USPTO in which you work. For example, the business unit of patent examiners is “Patents.” Note that this is not restricted by Art Unit, etc. Members of the National Treasury Union Chapter 243 bargaining unit are in a variety of business units. Any employee who is unsure of his/her business unit should contact their supervisor. The business units are:
 - Office of the Commissioner for Patents
 - Office of the Commissioner for Trademarks
 - Office of the Chief Administrative Officer (OCAO)
 - Office of the Chief Financial Officer (OCFO)
 - Office of the Information Officer (OCIO)
 - Office of General Counsel (OGC)
 - Office of the Under Secretary
 - Office of Policy and International Affairs (OPIA)
 - Office of the Chief Communications Officer (OCCO)
 - Office of Equal Employment Opportunity and Diversity (OEEOD)
 - Patent Trial and Appeal Board (PTAB)
 - Trademarks Trial and Appeal Board (TTAB)

- **Mandatory Trip** - Pursuant to the TEAP, any participant may be required to travel to the USPTO Headquarters in Alexandria, Virginia or another location designated by the agency. The Office has the authority to issue this requirement and such a visit is referred to as a mandatory trip. The decision to declare a mandatory trip where the participant will have to pay all travel expenses will be made at a high level within individual business units.

- **Mandatory Employee-Paid Trip** - This is a trip when an employee participating in the TEAP is directed to travel by the Agency and will need to pay for all transportation costs and potentially lodging, meals and incidental expenses. All participants in the TEAP will waive any claims for travel expenses for employee- paid trips. Employee-paid trips are limited to the number set forth in the Operating procedures. TEAP participants making a mandatory employee-paid trip will be travelling on regular duty hours or travel compensatory time, not their own time.
- **Mandatory Agency-Paid Trip** - Mandatory Agency-paid trips are required trips after the maximum number of mandatory *employee*-paid trips has been reached, or when less than three weeks notice has been given. As the language suggests, the Office will pay the transportation costs and potentially lodging, meals and incidental expenses, and the travel time, of any employee engaged in such travel.
- **Official Duty Station** - the city/town and state in which an employee's official worksite is located. For purposes of this program, the official duty station will always be in the United States (currently defined as the 50 United States, the District of Columbia, and Puerto Rico). An employee's official duty station is the location that is documented on the employee's most recent SF-50, Notification of Personnel Action.
- **Primary alternate worksite** is the principal telework location where the participant designates that either all or a majority of assigned duties will be performed (typically the employee's home). This is also the basis for determining an official duty station under TEAP.
- **Program Trip Days** - For purposes of the TEAP, a program trip day is any day the Office requires a participant to be present at the USPTO Headquarters or other designated location and any day(s) within the same trip between events in which the employee's in-person attendance is required. An example of the latter situation would be an all- hands meeting on Tuesday afternoon, followed by mandatory in-person training on Thursday. This trip would count as three program trip days towards meeting the limit that the participant is responsible for covering expenses. Travel days, even if the employee does work at the Office, do not count unless the employee travels on the day of an event for which the participant's presence is required at the USPTO.
- **Secondary Alternate Worksite** is an authorized telework location that is not the primary alternate worksite where an employee may work for up to six (6) months.
- **TEAP** stands for the "Telework Enhancement Act Program."
- **Temporary Alternate Worksite** is a location where the employee requests to telework in emergency and exigent circumstances (e.g., weather and safety evacuation, service outages, emergency personal circumstances) and when on mandatory work travel (i.e., hotel or temporary location where employee is staying).
- **Telework Oversight Committee** - The Telework Enhancement Act of 2010 provides that the USPTO must establish an "oversight committee comprising an equal number of members representing management and labor, including representatives from each collective bargaining unit." This Telework Oversight Committee was formed in early 2011 and has formulated the Operating Procedures for the TEAPP.

- **USPTO worksite** is defined here as a workspace located in a USPTO physical location, such as the headquarters in Alexandria, Virginia, a Regional Office, or any other space maintained by the USPTO.
 - **USPTO Headquarters** is the USPTO main campus in Alexandria, Virginia. If the USPTO changes the location of its primary physical operations (e.g., as a result of change in leased space), then USPTO Headquarters will be understood to be the successor location.
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