



# AFGE LOCAL 3313

## AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

February 11, 2025

**Local Communication:** 2025-2

**Title:** Return to Office

**Items Covered:** Remote Work Telework  
AFGE Happenings  
Finding Information/Joining AFGE

All,

### Return to Office

AFGE Local 3313 is aware of the pending return to office (RTO) notice from OPM and the Assistant Secretary for Administration. We understand that for many of you this presents an unexpected disruption to your daily lives while providing no discernible improvement to mission accomplishment. Please know that Local 3313 supports you and will fight to ensure all applicable laws and due process are followed going forward.

As Bargaining Unit employees, your circumstances or conditions of employment remain unchanged until such time as you receive official notice specific to your mode and/or division. Telework and remote work are established through an agreement with you and your supervisor, so **nothing changes** until your supervisor directs you to make a change. If for some reason you are told **by your Supervisor** to take action immediately based solely on an Executive order or other high-level guidance, you **MUST** comply. At that point the agency may be in violation of law, and you can grieve the matter with your union. Also note that if your reason for remote work or telework is linked to a reasonable accommodation (RA) then please ensure your medical documentation is current and if necessary initiate the RA process as soon as possible with your HR office.

### Remote Work/Telework

To help with understanding the EOs concerning remote work and telework, we would like to provide some guidance. As we all know, telework and/or remote work is not a right, which means that at some point management can take it away as long as it does not conflict with its own policy, the CBA, or law itself. Public Law 111-292, Dec 9, 2010, "Telework Enhancement Act of 2010" states that agencies shall establish a policy under which eligible employees may be authorized to telework.

Second, the Departmental Policy Memo dated 24 January from Anne Audet provided guidance to the Operating Administrations to incorporate its guidance into an agency's policy document to be issued and implemented in approximately 30 days from the issuance of the memorandum. This includes developing a plan for canceling existing telework and remote work arrangements."

Third, the Federal Labor Relations Authority (FLRA) Statute (5 U.S.C. §7117 (d)(1)) states that "A labor organization which is the exclusive representative of a substantial number of employees, determined in accordance with criteria prescribed by the Authority, shall be granted consultation rights by any agency with respect to any Government-wide rule or regulation issued by the agency effecting any substantive change in any condition of employment.



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(2) A labor organization having consultation rights under paragraph (1) of this subsection shall—

(A) be informed of any substantive change in conditions of employment proposed by the agency, and

(B) shall be permitted reasonable time to present its views and recommendations regarding the changes.

Further 5 U.S.C. § 7103(a)(14), defines “conditions of employment” as “personnel policies, practices, and matters, whether established by rule, regulation, or otherwise, affecting working conditions.” The Union considers these actions as a substantive change in your condition of employment and will demand to bargain in accordance with 5 U.S.C. 7117(d)(1) and (2).

Further, PL 111-292 requires a written agreement that is entered into between an agency manager and an employee. If, in the end, the agency cancels your agreement, they cannot make you telework without an agreement, and since it’s voluntary, you do not have to sign any ad-hoc agreement that allows the agency to have you telework only at their convenience.

### AFGE Happenings

- AFGE Local 3313 is reviewing the proposed changes in policy to ensure they comply with law, and legally binding Collective Bargaining Agreements. As you receive direction to modify or end your telework/or remote work, feel free to share with your Union representative.
- Also of note, AFGE Local 3707 and other plaintiffs successfully argued for a temporary pause for the so-called DOGE from moving forward with their “deferred resignation” plans. AFGE continues to believe the deferred resignation program violates the law. The next hearing is set for 2pm on February 10th.
- AFGE is also organizing rallies to stand up for the future of civil service! Stay tuned in on the times and places to show our solidarity. The organizers will often ask us to wear AFGE blue and gold or other colors to show we are a force to be reckoned with. [You can find more information here.](#)
- [Federal judge in New York blocks Musk, DOGE](#) from private government data on 2/10/25.

### Finding Information

You are receiving this because you have been identified as a member of [AFGE Local 3313's](#) Bargaining Unit. For those unsure whether you are included in the bargaining unit, please review box 37 on your SF-50 form. You are in a bargaining unit if the block includes any number other than 7777, or 8888. Please note that all bargaining unit employees are included in the union whether they are paying members or not. Stay informed with AFGE news alerts. You can sign up for these updates with your personal contact information [here](#).

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|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   | The list of Presidential memos, actions, and Executive Orders can be found here <a href="https://www.whitehouse.gov/presidential-actions/">https://www.whitehouse.gov/presidential-actions/</a>                                                   |
| • | OPM Guidance issued 1/28/25 - <a href="https://www.opm.gov/media/cbklseim/opm-guidance-memo-re-deferred-resignation-program-1-28-2025.pdf">https://www.opm.gov/media/cbklseim/opm-guidance-memo-re-deferred-resignation-program-1-28-2025.pdf</a> |
| • | OPM published Frequently Asked Questions (FAQs).                                                                                                                                                                                                  |
| • | AFGE Cautions Feds <a href="https://www.afge.org/">https://www.afge.org/</a>                                                                                                                                                                      |
| • | DOTnet information - Deferred Resignation Program   DOT Intranet                                                                                                                                                                                  |



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- AFGE Deferred Resignations (FAQs)

For general questions, emails from OPM or DOT Management, instructions from your supervisor that seem incongruent with civil service rules or the law, or anything else regarding your rights as a worker, please reach out to your respective [Union officials listed on our site](#) [Union Officials](#) | [AFGE LOCAL 3313](#)

*(Membership allows for more benefits compared to non-memberships!  
Go here to learn more: [AFGE](#) | [Join AFGE Today!](#)*

Approved:

Eugene Johnson  
President  
AFGE Local 3313