	TH CONGRESS 2D SESSION S.
	require Federal agencies to permit employees to telework full-time during public health emergency relating to COVID-19, and for other purposes.
	IN THE SENATE OF THE UNITED STATES
	VAN HOLLEN (for himself, Mr. LANKFORD, and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on
	A BILL
	require Federal agencies to permit employees to telework full-time during the public health emergency relating to COVID-19, and for other purposes.
1	Be it enacted by the Senate and House of Representa-
2	tives of the United States of America in Congress assembled,
3	SECTION 1. SHORT TITLE.
4	This Act may be cited as the "Pandemic Federal
5	Telework Act of 2020".
6	SEC. 2. TELEWORKING REQUIREMENTS FOR FEDERAL EM
7	PLOYEES.

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(a) DEFINITIONS.—In this section—

1	(1) the term "agency" means each authority of
2	the executive, legislative, or judicial branch of the
3	Government of the United States;
4	(2) the term "covered period" means the period
5	beginning on the date of enactment of this Act and
6	ending on the date on which the public health emer-
7	gency declared by the Secretary under section 319
8	of the Public Health Service Act (42 U.S.C. 247d)
9	on January 31, 2020, with respect to COVID-19
10	(including any renewal of that declaration) termi-
11	nates;
12	(3) the term "Director" means the Director of
13	the Office of Personnel Management;
14	(4) the term "eligible employee" means an em-
15	ployee who—
16	(A) the head of the agency employing the
17	employee has determined is eligible to telework;
18	and
19	(B) has not been officially disciplined for—
20	(i) being absent without permission
21	for more than 5 days in any calendar year;
22	or
23	(ii) viewing, downloading, or exchang-
24	ing pornography, including child pornog-
25	raphy, on a Federal Government computer

1	or while performing official Federal Gov-
2	ernment duties;
3	(5) the term "employee" means an employee of
4	an agency;
5	(6) the term "Secretary" means the Secretary
6	of Health and Human Services; and
7	(7) the term "telework" has the meaning given
8	the term in section 6501 of title 5, United States
9	Code.
10	(b) Requirements.—
11	(1) In general.—Notwithstanding any provi-
12	sion of chapter 65 of title 5, United States Code, the
13	head of each agency shall—
14	(A) permit eligible employees with respect
15	to the agency to telework on a full-time basis
16	during the covered period; and
17	(B) review, with respect to employees of
18	the agency for whom the agency head has not
19	made a determination described in subsection
20	(a)(4)(A), whether such a determination should
21	be made.
22	(2) Waiver.—The head of an agency may
23	waive the requirements of any provision of para-
24	graph (1) that applies with respect to an employee
25	of the agency if the agency head determines that

1	there is a compelling reason for the waiver that re-
2	lates to the effective operation of the Federal Gov-
3	ernment.
4	(3) Plan for future outbreaks.—Not later
5	than 1 year after the date of enactment of this Act,
6	the Director, in coordination with the Secretary,
7	shall establish a policy—
8	(A) to maximize the use of telework by the
9	Federal workforce during a period in which
10	there is in effect a public health emergency that
11	the Secretary declares under section 319 of the
12	Public Health Service Act (42 U.S.C. 247d) on
13	a date that is after the date of enactment of
14	this Act with respect to an outbreak of an in-
15	fectious disease; and
16	(B) that shall be designed to be imple-
17	mented before implementing any continuity of
18	operations plan with respect to any outbreak
19	described in subparagraph (A).
20	SEC. 3. TECHNOLOGY MODERNIZATION FUND.
21	Section 1078(b)(3)(B) of the National Defense Au-
22	thorization Act for Fiscal Year 2018 (40 U.S.C. 11301
23	note) is amended by inserting ", including by enabling or
24	improving telework capabilities," after "efficiency and cy-
25	bersecurity".

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2	Section 6503(a) of title 5, United States Code, is
3	amended—
4	(1) in paragraph (1)(B), by inserting "and su-
5	pervisors" after "managers";
6	(2) by redesignating paragraphs (3) and (4) as
7	paragraphs (4) and (5), respectively; and
8	(3) by inserting after paragraph (2) the fol-
9	lowing:
10	"(3) not later than 180 days after the date on
11	which a manager or supervisor described in para-
12	graph (1)(B) is appointed to a position as such a
13	manager or supervisor, the manager or supervisor
14	has completed interactive telework training that in-
15	cludes instruction relating to—
16	"(A) the benefits of telework;
17	"(B) technology used by the agency to fa-
18	cilitate telework;
19	"(C) strategies for engaging employees
20	who telework;
21	"(D) performance management in the vir-
22	tual workplace; and
23	"(E) information and security protections
24	for information and information systems used
25	during telework;".