

**“Oversight of Federal Agencies’ Post-Pandemic Telework Policies”  
Subcommittee on Government Operations and the Federal Workforce  
10:00 AM, Thursday, September 14, 2023.**

**2154 RHOB**

**Rep. Gerald E. Connolly (D-VA)**

Before the pandemic, and despite attacks on telework by the Trump Administration, the federal government administered a federal telework program that produced happier, more engaged, and more productive federal employees. In the years following enactment of the seminal Telework Enhancement Act of 2010 (P.L. 111-292), which I was proud to coauthor, telework participation in the federal government increased by more than 50 percent.

The federal government’s pandemic era telework policy – maximum telework – was something entirely different than what we created with the Telework Enhancement Act. For more than three years, agencies defaulted to a more remote or hybrid posture for their employees as a public health imperative. At the height of the pandemic, 90 percent of federal employees participated in telework. Maximum telework in the federal government was an emergency response to a public health crisis that killed more than 1 million Americans. The policy kept people healthy and helped ensure continuity of operations of federal agencies.

In April 2023, the Biden Administration announced its intent to end the national emergency and public health emergency associated with the COVID-19 pandemic and issued guidance to direct agencies to update their work environment plans, including hybrid or remote work policies put in place during the pandemic. Agencies are developing and rolling out new work environment plans as we speak.

Though maximum telework is not here to stay, there will be, however, an enduring demand among both the public and private workforce for additional workplace flexibility. Where appropriate, the federal government must accommodate this demand to remain competitive when recruiting and retaining talent. We cannot accept mindless approaches to federal work environments that place across-the-board restrictions on telework or policies that require in-person work at the expense of satisfied, engaged, and productive employees. That does not make sense and we must resist the urge to overcorrect.

Instead, the federal government must continue to administer a robust and growing telework program that incorporates the lessons learned of the pandemic. To make maximum telework function, federal offices established new workflows, procured remote work technology, and developed better supervisory training. These new strategies were implemented across the federal government, including in offices that had limited telework participation prior to the pandemic. This is a great opportunity to capture what worked – new telework opportunities that improved agency functions. Alternatively, we must address areas where offices had to sacrifice functionality to implement maximum telework. Paper tax return processing, passport application adjudication, in-person customer service operations, and veterans service record retrieval are not functions that lend themselves to remote work. These jobs are best done in-person, and post-pandemic those employees can move back into the office.

Republicans' approach to post-pandemic telework policies would turn back the clock rather than capture hard-won progress on telework. Congressional Republicans, at one point in May 2021, attempted to mandate that 100 percent of federal employees return to in-person work. Their proposal envisioned federal offices as 19<sup>th</sup> century workplaces. The only thing missing was a requirement that everyone punch a physical timecard. The SHOW UP Act (H.R. 139), which the majority passed earlier this year, would quite literally roll back the clock to December 31, 2019 and institute, across the board, all federal telework policies in place at that time. We must find a smarter way to promote a 21<sup>st</sup> century federal workforce and that includes robust federal telework programs.

I am proud to be the number one proponent of federal telework programs in the United States Congress. My advocacy for telework started even before I came to Congress, when I took up the issue as a regional priority for the National Capital Region and helped establish regionwide goals for telework participation. As Chairman of the Fairfax County Board of Supervisors I led the effort to expand telework programs for our county employees. We found what was essential to every telework program was support for staff and supervisors, evaluating work outcomes, and setting metrics and goals for telework participation.

I have also authored the Telework Metrics and Cost Savings Act, which would reform the administration of federal telework programs by empowering the Office of Personnel Management (OPM) to develop standards for the collection and use of federal agency data to expand telework; help develop supervisor and manager training on telework; and publish guidance to help agencies manage their telework programs. The bill would also promote transparency and accountability for federal telework programs by requiring agencies to report annually to OPM on their goals and priorities to expand telework access—including to military spouses; report to Congress and OPM within 30 days if the agency head has the intention to reduce telework access for any reason; track cost savings achieved through the expansion of telework; train managers and supervisors on how to effectively engage teleworking employees; and consistently review and update existing telework guidance. These provisions were largely bipartisan, commonsense reforms that could help further improve federal telework programs.

It is unfortunate that Republicans have politicized federal telework programs. It was not that long ago telework was a source of bipartisan agreement. As recently as January 2021, Senator James Lankford and Representative Jody Hice, both Republicans, helped me enact my legislation, the Telework for U.S. Innovation Act, which reauthorized a popular and successful remote work program at the U.S. Patent and Trade Office. It is my hope we can return to that commonsense approach to making government work better.