



TELEWORK FACT SHEET

FS 12-08: Records Management for Teleworkers

January 2012

1. What is the relationship between records management and teleworking?

Telework employees working from an approved alternate worksite have the same responsibility for managing records generated or received in the course of their work as if they are working at their official duty station.

2. What are *Federal records*?

Federal records are all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them (44 U.S.C 3301).

3. What laws and regulations must I follow for managing records while at a telework site?

You must maintain, store, and preserve all Federal records created or received during the course of official business no matter where you work, in accordance with requirements of the Federal Records Act, the Freedom of Information Act, the Privacy Act, the Federal Information Security Management Act of 2002, bureau/office records management policy, bureau/ office records retention schedules, judicial orders and Congressional direction.

4. What are my records management responsibilities at a telework site?

As a DOI employee, you have three general obligations regarding Federal records.

1. Create records needed to do business for the bureau/office, record decisions and actions taken, and document activities for which they are responsible;
2. Properly manage records so that information can be found when needed. Employees must set up directories and files, and file materials regularly and carefully in a manner that allows them to be safely stored and efficiently retrieved when necessary; and

3. Carry out the disposition of records under their control in accordance with bureau/office records schedules and Federal regulations.

You must consider and follow bureau-specific policies for managing records that contain personally identifiable information, controlled unclassified information or other sensitive data.

5. Do my records management responsibilities change at a telework site?

No. Your records management responsibilities do not change at a telework site. These responsibilities apply to both Federal records and non-records (e.g., reference copies).

6. Can I take original records from my official duty station to my telework site?

Yes, you may take original records to your telework site provided you have your supervisor's approval and you take the necessary precautions to safeguard the records in your custody. Whenever possible, you should work with copies of records.

7. How do I manage records that were created or received while teleworking?

You should set up directories and files in a manner that allows records to be safely stored and efficiently retrieved when necessary. You are also responsible for ensuring all records created or received while teleworking remain in your custody at all times, and that the proper safeguards are in place to protect records. Unauthorized individuals (e.g., non-government employees, family members, etc.) are not permitted to handle agency records.

You must return or electronically transmit all records back to your official duty station and incorporate those records into your bureau/office's official recordkeeping system. Contact your Bureau/Office Records Officer for assistance on records schedules and file plans.

8. When I leave the Department, am I required to return records that were created or received while teleworking?

Yes. You must return all agency records upon your departure.

You and your supervisor must ensure that all agency records are protected and returned to the Department upon your departure from DOI, including retrieval of records from personally owned equipment.

9. What are the requirements for managing litigation responsive documents and information?

You must preserve documents that are responsive to ongoing or foreseeable litigation in their original format, and in the original location whenever possible.

If you keep these documents on your personally-owned device (computer, smart phone, etc.), that device may be subject to discovery in litigation, or in the course of an investigation by the Office of the Inspector General, or other administrative investigation or proceeding. As a result, you may be required to provide access to your personally owned device for the purpose of searching for and collecting litigation-related data.

10. What are my responsibilities for reporting records that have been lost, destroyed or removed?

Federal agencies are required to prevent the unlawful or accidental defacing, alteration or destruction of records, and agency records may not be removed from the legal custody of the agency. As a Federal employee, you must ensure that all agency records in your custody are protected and returned to the Department. You must immediately notify your supervisor and Bureau Records Officer of any loss, destruction or removal of agency records from your custody. Your Bureau Records Officer is required to report the loss or destruction to the National Archives and Records Administration.

11. What are the penalties for the unlawful or accidental removal, alteration or destruction of Federal records?

Penalties for the unlawful or accidental removal, defacing, alteration or destruction of Federal records may include a fine, imprisonment, or both (18 U.S.C. 641 and 2071).

12. Who can I contact for information on records management related to teleworking?

Your Bureau/Office Records Officer will assist you with the management of your records while teleworking. A list of bureau/office Records Officers is available at <http://www.doi.gov/ocio/records/people/recon.htm>.