



governmentattic.org

"Rummaging in the government's attic"

Description of document: Department of Veterans Affairs (VA) Return to Office Implementation Plan 2025

Requested date: 05-March-2025

Release date: 15-April-2025

Posted date: 05-May-2025

Source of document: FOIA Request
Department of Veterans Affairs
Freedom of Information Act Services (005R1C)
811 Vermont Avenue, NW
Washington, DC 20420
Email: vacofoiase@va.gov
[VA Freedom of Information Act Public Access Website
FOIA.gov](http://VA.Freedom.of.Information.Act.Public.Access.Website.FOIA.gov)

The governmentattic.org web site ("the site") is a First Amendment free speech web site and is noncommercial and free to the public. The site and materials made available on the site, such as this file, are for reference only. The governmentattic.org web site and its principals have made every effort to make this information as complete and as accurate as possible, however, there may be mistakes and omissions, both typographical and in content. The governmentattic.org web site and its principals shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused, or alleged to have been caused, directly or indirectly, by the information provided on the governmentattic.org web site or in this file. The public records published on the site were obtained from government agencies using proper legal channels. Each document is identified as to the source. Any concerns about the contents of the site should be directed to the agency originating the document in question. GovernmentAttic.org is not responsible for the contents of documents published on the website.



DEPARTMENT OF VETERANS AFFAIRS
CHIEF HUMAN CAPITAL OFFICER
WASHINGTON DC 20420

April 15, 2025

Re: Freedom of Information Act Tracking Number 25-13346-F

This is in response to your Freedom of Information Act (FOIA) request to the Department of Veterans Affairs (VA) dated March 6, 2025, in which you requested a copy of the Department of Veterans Affairs' Return to Office Implementation Plan provided to OMB and OPM in February 2025, as directed by the OMB Memo dated January 27, 2025.

The Office of the Chief Human Capital (OCHCO) initially received your FOIA request on March 18, 2025, and processed it with tracking number 25-13346-F. Attached is the plan you requested.



Return%20to%20In-
person%20Work%20I

FOIA Mediation

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. Under the provisions of the FOIA Improvement Act of 2016, the following contact information is provided to assist FOIA requesters in resolving disputes:

VA Central Office FOIA Public Liaison:

Name: James Killens III

Email Address: vacofoiaservice@va.gov

Office of Government Information Services (OGIS)

Email Address: ogis@nara.gov

Fax: 202-741-5769

Mailing address:

National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Page 2.

FOIA Appeal

Please be advised that should you desire to do so; you may appeal the determination made in this response to:

Office of General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

If you should choose to file an appeal, please include a copy of this letter with your written appeal and clearly indicate the basis for your disagreement with the determination set forth in this response. Please be advised that in accordance with VA's implementing FOIA regulations at 38 C.F.R. § 1.559, your appeal must be postmarked no later than 90 days of the date of this letter.

This concludes OCHCO's response to your request for FOIA tracking number 25-13346-F. If you have questions about this letter, please contact me at 202-658-9092.

Sincerely,

/s/
Matthew V. Gentil

Return To In-Person Work Implementation Plan

Department of Veterans Affairs

The Office of Management and Budget (OMB) and the Office of Personnel Management (OPM) issued a memorandum on January 27, 2025, to provide guidance to agencies on implementation of the January 20, 2025, Presidential Memorandum (PM) *Return to In-Person Work*. The memorandum directed agencies to prepare and submit implementation plans that describe their approach to complying with the PM to OMB and OPM for review and approval by Friday, February 7th at 5:00pm EST.

The Department of Veterans Affairs (VA) established an Integrated Project Team (IPT) to bring together key stakeholders to address the important decisions and actions required to implement the Return to In-Person Work initiative. The IPT will play an integral role in preparing and implementing VA's plan and in overcoming constraints in achieving compliance with the PM. On January 24, 2025, VA issued a memorandum titled, "Revisions to VA Handbook 5011, Telework and Remote Work Arrangements," which revised VA's telework policy. These revisions will be codified in VA Handbook 5011, Hours of Duty and Leave, to require employees to work full time at their respective duty stations (agency worksites) unless excused due to a disability, qualifying medical condition, military spouse on permanent change of station (PCS) orders, employees on Domestic Employee Teleworking Overseas (DETO) arrangements, or exempted for other compelling reason. VA has developed a phased implementation plan for compliance with the PM which will be implemented as outlined below in sections A through G.

A. Steps to revise telework agreements and major milestones for implementation.

The VA memorandum, referenced above, directs all telework eligible employees to work full time at their respective duty stations (agency worksites) unless excused due to disability, qualifying medical condition, military spouse on PCS orders, employees on DETO arrangements, or other compelling reason. As a result, VA Handbook 5011, Hours of Work and Leave, will incorporate the following changes:

- By February 24, 2025, all Senior Executive Service (SES), Senior Executive Service Equivalents (SES EQV), Senior Leaders (SL), Scientific and Professionals (ST) remote work and telework agreements will be terminated, except for ad hoc or situational telework.
- No later than February 24, 2025, supervisors on telework arrangements and supervisors on remote work arrangements with current official duty stations within 50 miles of a Federal office space will be terminated, except for ad hoc or situational telework.
- By May 5, 2025, all employees (bargaining and non-bargaining unit employees) on telework arrangements and all employees on remote work arrangements with current official duty stations within 50 miles of a Federal office space will be terminated, except for ad hoc or situational telework.

- By July 28, 2025, all employees (bargaining and non-bargaining unit employees) on remote work arrangements with current official duty stations outside 50 miles of a Federal office space will be terminated, except for ad hoc or situational telework.

B. Timeline for the return to in-person work including the date that the agency will be in full compliance with the PM.

The VA's projected timeline for returning employees to in-person full time work is provided below.

<u>Date</u>	<u>Category of Employees</u>
February 24, 2025	SES, SES EQV, SL, and ST
February 24, 2025	Supervisors with current official duty stations within 50 miles of a Federal office space
May 5, 2025	All other employees with current official duty stations within 50 miles of a Federal office space
July 28, 2025	All employees with current official duty stations outside 50 miles of a Federal office space

Under Secretaries, Assistant Secretaries, and Other Key Officials may approve extensions of time necessary to comply with the above actions on a case-by-case basis, such as, when an office space cannot be procured for an employee.

C. Steps to bring Collective Bargaining Agreements into compliance with the PM.

Following OMB and OPM approval of the Implementation Plan, official notification will be provided to unions of the intent to implement the PM on return to in-person work for all VA employees. Specifically, as outlined in section A above, communications will advise that: 1) no later than May 5, 2025, remote work and telework arrangements for all employees (including bargaining unit employees) with current official duty stations within 50 miles of a Federal office space will be terminated, except for ad hoc or situational telework; and 2) by July 28, 2025, remote work arrangements for all employees with current official duty stations outside 50 miles of a Federal office space will be terminated, except for ad hoc or situational telework.

VA intends to reopen and renegotiate national collective bargaining agreements (CBA) that contain provisions that conflict with the PM. CBAs with the American Federation of Government Employees (AFGE) and National Nurses United (NNU) contain provisions that could be interpreted to dictate the number of days an employee can telework which is not in alignment with the PM. The CBAs for the other three nationally recognized unions do not appear to contain provisions that conflict with the PM.

The dates for reopening and renegotiating VA's five national CBAs are as follows:

<u>Union</u>	<u>Dates</u>
Service Employees International Union	March 2 - April 16, 2025
National Federation of Federal Employees	March 23 - May 7, 2025
National Association of Government Employees	June 14 - July 29, 2025
National Nurses United (NNU)	January 25 - March 26, 2026
American Federation of Government Employees	April 1 - June 9, 2026

D. Steps to determine permanent worksites for employees currently teleworking on a full-time basis (i.e., remote workers)

The VA IPT is collaborating with stakeholders to assess space needs, estimate costs for things such as relocation, leased space, furniture, information technology (IT) equipment, and to establish a plan to address. As part of the assessment, the IPT will consult with the General Services Administration, OMB, and local Federal Executive Boards, as applicable. VA is currently assessing available space across its portfolio with the intent to identify any gaps between projected supply and demand. Where gaps are identified, space will first be shared across VA organizations to meet our needs before engaging external partners or seeking other solutions. The primary focus is on meeting the short-term needs for space, with a longer-term goal of optimizing space to meet the new requirement.

VA policy determines entitlement for relocation allowances in accordance with Title 41, Chapter 57 of the United States Code (U.S.C) and the Code of Federal Regulations (C.F.R.) at 41 C.F.R., Subtitle F, *Federal Travel Regulation System*. Specifically, 41 U.S.C. § 5724 requires agencies to provide relocation allowances to an employee who is directed to transfer from one duty station to another, when the distance between the two stations exceeds 50 miles, and is in the best interest of the Government. The average cost to relocate an employee is \$110,000 which does not include any additional costs for office space. By May 15, 2025, VA will develop a phased plan to terminate remote work arrangements for employees with current official duty stations outside 50 miles of a Federal office space, including the total estimated costs and resource implications for moving employees when the new duty station is greater than 50 miles from current alternative worksite.

As of January 1, 2025, VA had 479,491 employees onboard. Currently, 77% of VA's employees report in-person on a full-time basis. The revised in-person work policy will impact approximately 23% of VA's employee population; analysis is being conducted to determine how many employees are outside 50 miles of a Federal office space. Cost estimates based on the relocation of remote employees with duty locations outside 50

miles of a Federal office space will be calculated as part of the phased implementation plan.

E. Risks, barriers, or resource constraints that would prevent the expeditious return of all eligible employees to in-person work.

VA is developing a plan to address the following risks, barriers, and resource constraints.

Space limitations. Factors that contribute include the number of employees with current official duty stations outside 50 miles of an agency facility (analysis is being conducted to determine how many employees are impacted) and the expansion of Veteran patient care services. Working groups have been established to conduct comprehensive assessment of facilities and workspace mapping to address the issue of accommodating employees (both within and outside 50 miles of an agency facility). This will provide the ability to analyze employee distribution versus available workspace and assess locations for potential office-sharing opportunities. This critical data will reduce the risk of inefficient space utilization and overcrowding. VA is centralizing enterprise-wide space requests and will also coordinate space requests with other Federal stakeholders.

Ongoing construction projects may delay employees reporting to locations. This will be factored-in when developing the phased implementation plan referenced in section A above. An increase in employees reporting on-site will have direct impact on parking availability for Veteran patients, security/safety coverage, and on-site amenities such as the Veterans Canteen Service.

Information Technology. The VA's Office of Information and Technology (OIT) established working groups to review current IT capabilities. The group has identified concerns with insufficient bandwidth and network capacity in some locations to support an increased onsite presence. OIT is also reviewing resources needed to support an increased onsite presence. To mitigate gaps, OIT is considering an upgrade in IT bandwidth and deploying cloud-based virtual workstations to reduce reliance on desk-based infrastructure.

Reasonable Accommodation (RA). There has been an increase in RA requests. VA is required to consider interim accommodations, which may result in a temporary exception to return to in-person work, while a final decision is pending.

Litigation. It is anticipated that all of VA's labor partners will file a grievance or unfair labor practice charge related to the implementation of this plan (e.g., unlawful unilateral change, failure to bargain). To try to mitigate the risk, VA will ensure the unions are given proper notice of the change and engage in bargaining with them over the impact and implementation of the change (but not bargaining over the substance of the decision).

Budget Considerations. Separate from concerns related to relocation costs, VA faces short-term costs (e.g., space purchase/rent, lease of equipment, IT and desk furniture) that may not be fully programmed in FY 25. Costs will be calculated as part of the phased implementation plan.

F. Process for determining exceptions based on disability, qualifying medical condition and extensions to the in-person reporting requirement.

The January 24, 2025, VA memorandum referenced in section A above authorizes exceptions for reasonable accommodation, military spouses PCS orders, and employees on DETO agreements. Under Secretaries, Assistant Secretaries, and Other Key Officials are authorized to grant extensions of time to comply with the in-person reporting requirement on a case-by-case basis. Extensions will be time-limited (i.e., the employee would be expected to report in-person, but the reporting date would be delayed) and may be considered for situations such as lack of available office space or delayed IT readiness (e.g., insufficient bandwidth and network capacity).

Monthly reports documenting the number of extensions granted and steps taken to address the issue(s) will be submitted to the Office of the Assistant Secretary Human Resources and Administration / Operations, Security and Preparedness.

The VA Memorandum also allows for exceptions for the following categories of employees, which will not be modified unless there is a basis for revisiting or revising the arrangement: 1) military spouses on PCS orders; 2) DETO arrangements; and 3) employees with remote and telework arrangements approved as a reasonable accommodation due to a disability or qualifying medical condition. Telework and remote work arrangements for military spouses on PCS orders and DETO arrangements are requested and approved following the procedures in VA Handbook 5011. Requests for reasonable accommodation regarding telework or remote work agreements will be addressed through the Agency's reasonable accommodation process, which includes consultation with the Office of General Counsel.

G. Criteria for determining "other compelling reasons" for exemptions.

Exemptions must be approved by the Secretary or designee. It is expected a limited number of requests will rise to the level of an exemption. Requests for exemptions must include a strong business case describing the "other compelling reason" for not complying with the PM. The exemption may be submitted for an individual or a group. The business case should address the following:

- The cost of complying with the PM;
- The type of work performed by the employee or the operations of the organization, including the structure and functions of the workforce, the geographic separateness, to the agency;
- The impact of the accommodation on the mission

- How approval of an exemption is in the best interest of the VA, the Veterans VA serves, and how approval would outweigh the benefits of in-person work (i.e., negative impacts to provision and/or quality of direct patient care).
- If an exemption is approved, how will performance and productivity be monitored to ensure level and quality of output meets or exceeds standards?
- Are there any long-term space issues that cannot be overcome by relocating the employees to another facility?