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Description of document: Consumer Financial Protection Bureau (CFPB) Return to Office Implementation Plan, 2025

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Source of document: Consumer Financial Protection Bureau
Attn: Chief FOIA Officer
1700 G Street NW
Washington, D.C. 20552
Email: FOIA@consumerfinance.gov
FOIA.gov

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1700 G Street NW, Washington, D.C. 20552

RE: FOIA Request #CFPB-2025-0688-F

June 30, 2025

Via email

This letter is in final response to your Freedom of Information Act (FOIA) request dated March 24, 2025. Your request sought:

A copy of the CFPB Return to Office Implementation Plan required by the OMB and OPM Memo dated January 27, 2025 which is posted here: <https://www.opm.gov/policy-data-oversight/latest-memos/agency-return-to-office-implementation-plans.pdf> and which CFPB submitted by email to OMB and OPM.

A search of our Director's Front Office and Operations Front Office for records responsive to your request produced a total of nine pages, which are released in full, pursuant to Title 5 U.S.C. § 552. No deletions or exemptions have been claimed on these records.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, we have waived all fees related to the processing of your request.

You may appeal any of the responses or decisions set forth above. If you choose to file an appeal, you must do so within 90 calendar days from the date of this letter. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for the appeal. You may send your appeal via the mail (address below) or email (foia@consumerfinance.gov).

Your appeal should be addressed to:

Consumer Financial Protection Bureau
Attention: General Counsel (c/o Chief FOIA Officer)
Freedom of Information Appeal
1700 G Street, NW
Washington, DC 20552

consumerfinance.gov

For inquiries concerning your request, please reference your FOIA request number above and contact our FOIA Public Liaison via email at FOIA@consumerfinance.gov or by phone at 1-855-444-FOIA (3642).

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Danielle Duvall Adams
FOIA Manager
Office of Administrative Operations



Consumer Financial
Protection Bureau

1700 G Street NW, Washington, D.C. 20552

February 7, 2024
Office of Management and Budget
Office of Personnel Management
Subject: Re Agency to Office Implementation Plans

Below are the Consumer Financial Projection Bureau's (CFPB) responses to the questions outlined in the Joint Memorandum from the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM) "Agency Return to Office Implementation Plans" (dated January 27, 2025).

Per the memorandum:

- a. Describe the steps the agency will take to revise telework agreements for all eligible employees including major milestones for implementation;**

Response:

Overall CFPB Return to In-Person Work Plan

The CFPB has four categories of work locations for staff.

1. Office Primary: Employees who work at and are duty stationed to a CFPB facility.
2. Telework Primary: Employees who primarily telework, but are duty stationed to a CFPB facility.
3. Examiners (akin to Mobile workers): Since its inception, Examiners have been duty stationed at their home in order to meet critical CFPB requirements. These are staff who perform examination and supervisory activities for depository financial institutions and non-depository consumer financial services companies ("regulated entities"). Examiners also regularly travel to work at different locations, rather than work from a single approved alternative site. Examiners designated as home duty stationed produce annual cost savings from not acquiring multiple satellite offices to accommodate travel to and from their on-site duties. These positions will be exempted from the Return to In-Person plan.
4. Remote: Employees who have been designated remote, home duty stationed. These include:
 - b. Technology Design and Development staff: Staff who support the creation, security, and maintenance of the information technology needs for the CFPB. Designating these positions remote, home duty stationed

facilitates the acquisition and retention of specialized talent required to meet security and critical mission and infrastructure needs.

- d. Other Remote workers: (1) Staff who were approved for Employee Initiated Relocations (EIR) to retain their specialized services and/or subject matter expertise and (2) Other positions (outside of Examiners or Technology Design and Development) that were approved remote, home duty stationed eligible and fulfilled. These positions allowed the CFPB to recruit specialized services and/or subject matter expertise.

Note: Reasonable Accommodation: Staff who were provided telework or home duty station in accordance with Rehabilitation Act of 1973 as amended (29 U.S.C. § 701 et seq.), the Americans with Disabilities Act of 1990 as amended (42 U.S.C. §§ 12102, 12114), and the Americans with Disabilities Act Amendments Act of 2008. These positions will be exempted from the Return to In-Person plan.

The CFPB will:

1. Phase 1 (complete by March 10, 2025 or 30 days from when this plan is approved by OPM): Bring back all Office Primary staff, Telework Primary, and Remote home duty stationed staff who are within 50 miles of an office location to a CFPB facility.
2. Phase 2 (complete by TBD – longer term): Make a final determination to include or exclude the remaining remote, home-duty stationed employees greater than 50 miles and have a final plan for housing them at a worksite.
3. Situational/episodic telework will be allowed.
4. Examiners and Reasonable Accommodations will be exempted from this plan.

CFPB Process for Revising Telework Agreements

The CFPB will rescind its current interim telework policy and replace it with one that reflects this plan. The new telework policy will reflect situational/episodic telework (covering weather events, medical appointments, etc.) The CFPB will then review and revise telework agreements for all eligible employees. This includes: (1) reviewing and identifying whether and how the PM applies to different categories of employees; (2) amending all applicable personnel files to meet new telework requirements; (3) training managers and staff on the requirements of the new telework agreements; and (4) requiring staff sign new telework agreements with their managers.

- b. **Provide timelines for the return of all eligible employees to in-person work as expeditiously as possible, including the date that the agency will be in full compliance with the PM;**

Response:

CFPB's Return to Office Implementation Plan

The CFPB's plan to return all eligible employees to in-person work on a full-time status includes the following phases:

1. **Phase 1: Completed by March 10, 2025 (or 30 days from when this plan is approved by OPM)**
 - a. Senior Executives return to in-person at CFPB facilities on February 17, 2025.
 - b. All Office Primary, Telework Primary, and Remote home duty stationed staff who are within 50 miles of an office location (both Non-Bargaining (NBU) and Bargaining Unit (BU) return to in-person at CFPB facilities on March 10, 2025 (or 30 days from when this plan is approved by OPM).
 2. **Phase 2 Remote Workers: Completed by TBD**
 - a. The CFPB will conduct a holistic review and make a final determination to include or exclude remaining remote, home-duty stationed employees.
 - b. The CFPB will create a final plan for bringing back remote, home-duty stationed employees (those who have not been excluded).
 - c. The CFPB will bring back identified remote, home-duty stationed employees at later date determined by the analysis and final plan. This could include creating new lease agreements and building/renovating current or new facilities.
 3. Situational/episodic telework will be allowed.
 4. Examiners and Reasonable Accommodations will be exempted from this plan.
- c. **Describe the steps the agency will take to bring any relevant Collective Bargaining Agreements (CBAs) into compliance with the new PM, consistent with applicable law, to include an examination of the process by which agencies put new CBAs into place in the last four years;**

Response: The CFPB's CBA with NTEU went into effect on November 8, 2024 for a four-year term. In light of its effective date, the Executive Order "Limiting Lame-Duck Collective Bargaining Agreements That Improperly Attempt to Constrain the New President" (dated January 31, 2025) does not require any action with respect to the CFPB's CBA.

The CFPB will follow the Memorandum from OPM "Guidance on Collective Bargaining Obligations in Connection with Return to In-Person Work" (dated February 3, 2025) and conduct a holistic review of the agreement and implementation, which includes:

1. Complete a review of the Telework Article to ensure it is with compliant with law. The Bureau has reviewed its CBA to ensure its legal validity, including respect to management rights.
2. Determine if we need to provide notice and an opportunity to bargain with NTEU regarding the return to the office as regards the impact of the exercise of management's right to order employees to return to the office.

- d. Describe the steps the agency will take to determine permanent worksites for all eligible employees currently teleworking on a full-time basis (i.e., remote workers), the number of those employees, and the steps the agency will take to move these employees' duty stations to the most appropriate Federal office based on the employees' duties and job functions. This information must include estimated costs and resource implications when the new duty station is greater than 50 miles from current alternative worksites, a description of what policy, regulation, or statute requires or permits payment of relocation benefits, and where those employees will be located—whether in a home agency's office or in another agency's federal office space;

Response:

Current Breakdown of CFPB's Remote Workers

The CFPB currently has the following:

Exempted from the Return to In-Person plan:

1. Examiners: 378
2. Reasonable Accommodations: 30. Note: This may include some examiners that have been approved for reasonable accommodations not to travel.

Remote, Home Duty Station:

3. Design and Development: 33
4. Other Remote Workers: 92
 - i. Employee Initiated Relocations: 65
 - ii. Other Positions: 27

CFPB's Process for Analyzing Remote, Home Duty Stationed Employees

To meet the proposed activities and timeline in question b, the CFPB will conduct a holistic review to make a final determination and plan to move remote, home duty stationed staff to Federal facilities. This will include:

1. Analyzing the number of remote, home duty stationed employees in each of the categories listed in question a and determine how many employees live: (1) Within or less than 50 miles from a CFPB facility, (2) Greater than 50 miles from a CFPB facility.
2. Identifying if these employees can fit in current CFPB facilities and/or determining the type and requirements of federal space needed to house these employees. This will include exploring General Administration Services (GSA), Treasury, and other FIRREA facilities.
3. Conducting a cost-benefit analysis of available options.
4. Making a final determination, on the basis of this analysis, to bring back or ask to exclude each category of remote workers.

5. Developing an implementation plan that will bring back remote workers at a later date. This plan may include reallocating budget, creating new lease agreements, implementing relocation costs, and building/renovating current or new facilities.

If it is determined that the CFPB will move some or all of these remote, home duty stationed employees to a Federal facility, the CFPB will take the following steps:

1. Identify and procure additional workspace (if needed).
2. Renovate the additional workspace to meet CFPB needs (if needed).
3. Provide ample notice in accordance with the law to affected employees and their managers. This notice will include explanation of their and the CFPB's responsibilities and potential relocation costs (if applicable to their situation).
4. Move staff to new workspace.

Estimate of Costs/Resource Implications When Duty Station Is Greater Than 50 Miles

The CFPB currently has five leased properties: A headquarters in Washington, DC and four regional offices located in Atlanta, Chicago, New York, and San Francisco. If some or all remote, home duty stationed employees come back to the office full-time, additional workspace will be required. The amount of additional workspace (square feet) needed will be dependent on the amount of remote staff are required to return to the office.

To acquire additional space, the CFPB would partner with GSA to establish the space requirements and identify potential locations to lease. GSA uses a 150 usable square foot (USF)/person utilization rate. The estimated timeline for CFPB to acquire space is +2.5 years.

For reference, below is the estimated rentable square foot (SF) costs for each region:

1. Atlanta: \$28/SF
2. Chicago: \$29/SF
3. New York: \$57/SF
4. San Francisco: \$106/SF

The CFPB anticipates several implementation challenges including:

1. Increased operational costs: The CFPB will incur significant increases in operational costs to acquire additional workspace. These can include: (1) Design & construction; (2) Furniture/Fixtures/Equipment (FF&E); (3) Security Systems/Equipment; (4) IT and A/V; (5) Employee relocation costs; and (6) Adjusted pay and travel costs.
 - a. The CFPB will provide employee relocation costs as required by law. This includes 41 CFR Chapter 302 Subchapter B, Sec. 302-3.100 to 302—3.101 (FTR), CFPB's own CBA, and the General Service Administration (GSA) law 5 U.S.C. Sec. 5724.

2. Increased reasonable accommodation and other exemption requests. OPM’s guidance to federal agencies and federal regulations permit employees to request to telework or work remotely as reasonable accommodation for a disability. OPM’s guidance adds a requirement for the agency head (or designee), in addition to the employee’s supervisor, to approve all reasonable accommodations requests. The CFPB already has a process in place similar for reviewing and approving these requests and will see a significant increase in requests. The processing time will likely be increased due to additional layers of approvals.
- e. **Identify any risks, barriers, or resource constraints that would prevent the expeditious return of all eligible employees to in-person work (e.g., availability of suitable office space, budgetary impacts, resource capacity, etc.) and a plan to overcome those barriers;**

Response: Returning (1) Bargaining Unit (BU) and (2) Remote, home duty stationed staff incur the biggest challenges and risks, which some are listed below.

Bargaining Unit (BU) Employees

Risk	Potential Mitigation Strategies
1. CBA with NTEU has provisions around telework and work locations to comply with.	<ul style="list-style-type: none"> ▪ Identify and apply the PM to eligible employees not bound by the CBA. ▪ Reviewing the CBA using the Memorandum from OPM “Guidance on Collective Bargaining Obligations in Connection with Return to In-Person Work” (dated February 3, 2025) and identifying areas to return staff to in-person work.
2. Renegotiating any new provisions with NTEU may take time.	<ul style="list-style-type: none"> ▪ Initiating and agreeing the negotiation ground rules and parameters quickly.

Remote, Home Duty Stationed Staff

Risk	Potential Mitigation Strategies
1. Relocating remote, home duty stationed staff at existing CFPB facilities will exceed capacity.	<ul style="list-style-type: none"> ▪ Exclude or limit the number of remote, home duty stationed staff to return in-person given the CFPB’s exemptions and business justifications. ▪ Lease additional workspace or house remote workers at other GSA locations or financial institutions field offices.

<p>2. Additional costs could be high if additional workspace and/or renovations are required.</p>	<ul style="list-style-type: none"> ▪ Allocate as many remote workers as possible to current CFPB locations. ▪ Explore housing remote workers at other GSA locations or FIRREA field offices.
<p>3. Lack of data and privacy security for Confidential Supervisory Information (CSI), Controlled Unclassified Information (CUI), and Personally Identifiable Information (PII) with using other GSA locations or financial institution field offices.</p> <p>Remote, duty stationed employees are provided with training on protecting their data and conversations from other members at home; some are provided with secure locking file cabinets if they handle sensitive data.</p>	<ul style="list-style-type: none"> ▪ Install internet access for CFPB data/comm circuits, which may not be approved by the landlord. ▪ Procure secure LAN rooms/cabinets for comm, server, and cable patch equipment. ▪ Provide other accommodations to staff to promote security (e.g., privacy screens for computers, rooms for confidential conversations and depositions, secure physical storage)

- f. **Describe agency’s process for determining exceptions based on disability, qualifying medical condition, and or other compelling reason; and**

Response:

CFPB’s Process for Determining Exceptions Based on Disability, Qualifying and Medical Condition

The CFPB will follow its current policies and procedures to determine exceptions based on disability or qualifying medical condition: (1) Assessing whether the: (a) Employee is an individual with a disability, may include review of medical documentation (b) Employee is a qualified individual with a disability, i.e., can they perform the essential functions of their job with or without accommodation, (c) determining effective accommodation(s) to ensure they can perform the essential functions, which may include telework and (2) Review supporting medical documentation provided by health care provider.

CFPB’s Process for Determining Exceptions for Operational Needs of the Agency

The CFPB will modify its current policies and procedures (Employee Initiated Relocation) to determine exceptions based on the operating needs of the Bureau. The process includes:

1. Employees submitting a request for exception to be designated a remote worker.

2. The submission reviewed and approved by the employee's supervisor, Assistant Director, Associate Director, Chief Human Capital Officer, and CFPB Chief of Staff, and Director (or designee).
- g. **Describe the agency's criteria for determining "other compelling reasons" for exemptions from return-to-office, including any limited, discrete categories (such as military spouses working remotely) where categorical or indefinite exemptions may be granted.**

Response:

The CFPB will also provide exemptions for the following situations. Exceptions will be approved by the Director (or designee).

1. **Temporary Geographic Limitations:** Per OPM, if an employee's official duty station is more than 50 miles from an existing agency office (i.e. those on remote work agreements), the CFPB will take steps to move the employee's duty station to the most appropriate agency office based on the employee's duties and job function. A temporary exception may be approved only until CFPB is able to assign a new duty location. Due to the complexity of these situations, CFPB will likely need additional time to resolve challenges associated with setting up employees in sites currently lacking appropriate CFPB infrastructure (i.e. space, network access, PIV access)
2. **Workspace Limitations:** Over the past several years, CFPB prioritize the more efficient use of real property by consolidating existing space and returning excess space to the General Services Administration (GSA). As a result, the CFPB may not have sufficient space to accommodate a full return to work for all staff. The CFPB may request exceptions for specific groups or positions or workforce segments when currently available workspace cannot meet the requirements for all assigned employees to work at a traditional worksite. Requests must include an assessment of the workspace seating capacity, a plan for expanding the capacity as needed, and projected number of employees to which the exception applies.
3. **Infrastructure Limitations:** Office network capacity may be an issue as use of newer technology may increase bandwidth consumption per person. Upgrades (especially at new potential facilities) could be costly and time-consuming and performance could lag prior to completion. The CFPB will assess the technology requirements at current and proposed facilities and determine what additional capacity is required. Staff may be required to temporarily remote work to complete these upgrades.
4. **Retention for Specialized Skill Positions:** CFPB is not competitive in certain talent market segments that are critical to meeting future mission needs. Modern workforce trends (like telework) have made us more competitive and able to attract and retain strong candidates in positions that require specialized skillsets.

Providing an exception for these types of positions would allow CFPB to maintain competitive advantage when recruiting and retaining these employees.

5. Other exemptions: Exceptions may be appropriate in narrow circumstances not listed above such as spouses of military members or diplomats (Domestic Employees Teleworking Oversees)