



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

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Memorandum for Heads of Executive Departments and Agencies

From: Kiran A. Ahuja
Director

Subject: Human Resources Flexibilities and Procedures for Disasters and Other
Emergency Situations

As Hurricane Ida made landfall, President Biden spoke with the governors of Alabama, Mississippi, and Louisiana and offered the full resources and support of the Federal Government. With that in mind, the U.S. Office of Personnel Management (OPM) would like to remind agencies of the wide range of human resources (HR) flexibilities and procedures currently available to assist Federal employees affected by Hurricane Ida and other emergency situations.

Weather and Safety Leave

Weather and safety leave is a form of paid time off authorized under section 6329c of title 5, United States Code, and is typically authorized when OPM or an agency issues an operating status announcement related to the health and safety of the workforce.

Under OPM's weather and safety leave regulations, an agency may grant weather and safety leave when it has determined that employees cannot safely travel to, or perform work at, their normal worksite, a telework site, or other approved location because of severe weather or another emergency situation. There are special considerations when considering weather and safety leave for teleworking employees. Specifically, an agency normally will not be able to provide weather and safety leave to a telework program participant, unless the individual is prevented from safely traveling to or working at their approved telework site during severe weather or other emergency situations.

Even if the individual is not prevented from safely traveling to and working at their approved telework site during severe weather or other emergency situations, OPM regulations allow for certain other exceptions that may warrant approval of weather and safety leave. Agencies may provide weather and safety leave to a telework program participant if, in the agency's judgment, the employee could not have reasonably anticipated the severe weather or emergency and thus is not prepared to telework. (See 5 CFR 630.1605(a)(2)(i).) Additionally, agencies may provide weather and safety leave to a telework program participant if the employee is prepared to work at the telework site but is prevented from safely working there due to the severe weather or emergency situation. (See 5 CFR 630.1605(a)(2)(ii).) Agencies may consider exercising their authority to grant weather and safety leave to telework program participants on a case-by-case basis.

Additional guidance on weather and safety leave may be found in OPM's [Governmentwide Dismissal and Closure Procedures](#).

Telework

OPM's weather and safety leave regulations emphasize the importance of telework in allowing employees to continue working during severe weather or other emergency situations. Telework continues to play a significant role during emergency situations by enabling a greater number of Federal employees to work and supporting continuity of operations. Agencies should continue to promote and incorporate telework into their agency emergency planning. See the [Telework Guidance](#) at Telework.gov.

Evacuation Payments

Executive agencies may authorize advance payments, continuation of pay, and payments for travel and subsistence expenses to employees who are ordered to evacuate from an area because of imminent danger to their lives as a result of a severe weather condition or other emergency situation. Use of the evacuation payments authority is discretionary. The head of an employing agency or designated official must make the determination that an employee was officially ordered or authorized to evacuate. Agencies must follow the regulations in 5 CFR part 550, subpart D. Additional guidance may also be found in OPM's [Handbook on Pay and Leave Benefits for Federal Employees Affected by Severe Weather Conditions or Other Emergency Situation](#).

Emergency Leave Transfer Program (ELTP)

In the event of a major disaster or emergency as declared by the President that results in severe adverse effects for a substantial number of employees, OPM may establish an Emergency Leave Transfer Program (ELTP). Under this program, Federal employees may donate annual leave to employees of the same or other agencies who are adversely affected, or have family members who are adversely affected, by the disaster or emergency. Agencies that have employees in need of assistance should contact their headquarters to report the need. OPM, in consultation with the Office of Management and Budget, will work with agency headquarters to assess the need to establish an ELTP.

Before an ELTP can be established, OPM must determine that a substantial number of Federal employees are experiencing severe adverse effects from the emergency, which is only possible based on information from agencies with affected employees. Therefore, for any Presidentially declared disaster or emergency, headquarters offices of agencies with severely adversely affected employees should send an email to pay-leave-policy@opm.gov with the number of employees severely adversely affected and request the establishment of an ELTP. For example, to request an ELTP for Hurricane Ida, an agency should place "ELTP for Hurricane Ida" in the subject line of the email and provide the number of employees in the area affected by the disaster or emergency experiencing severe adverse effects. For more information, please see our [Emergency Leave Transfer Program](#) fact sheet.

Other Human Resources Flexibilities

OPM's [Human Resources Flexibilities and Authorities Handbook](#) provides detailed summaries and references for the many HR flexibilities and authorities which OPM administers. Please also

see our [Hurricane Guidance](#) web page that provides further information regarding HR benefits and flexibilities available to Federal employees, annuitants, survivors, and agencies affected by hurricanes and other emergency situations.

Additional Information

For additional information, agency headquarters-level human resources offices may contact OPM at pay-leave-policy@opm.gov. Component-level human resources offices must contact their agency headquarters for assistance. Employees must contact their agency human resources or payroll offices for further information on this memorandum.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, Human Resources Directors, and Work-Life Coordinators