



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

The Director

Tuesday, April 18, 2000

CPM 2000-4

MEMORANDUM FOR: Human Resources Directors

FROM: HENRY ROMERO ASSOCIATE DIRECTOR FOR WORKFORCE
COMPENSATION AND PERFORMANCE

Subject: Excused Absence, Work Scheduling, and Leave Policies for Monday,
April 17, in Washington, DC

The following guidance applies to the treatment of non-emergency Federal employees who were prevented from reporting for work in a designated area of downtown Washington, DC -- or who chose to take unscheduled leave -- as a result of the World Bank/International Monetary Fund meetings on Monday, April 17.

Excused Absence and Pay for Non-Emergency Employees Prevented from Reporting for Work

At the recommendation of Federal and local law enforcement officials, the Office of Personnel Management (OPM) announced on Sunday, April 16, that Federal agencies and installations located within a designated area of downtown Washington, DC, would continue operations on Monday, April 17, with emergency personnel only. (The designated area was bounded by 12th Street NW., 23rd Street NW., Constitution Avenue, and K Street.) Non-emergency employees whose official duty station was located within the designated area were prevented from reporting for work for the entire workday on April 17. For these non-emergency employees, April 17 was a *nonworkday* for the purpose of applying the paid leave provisions of title 5, United States Code. (See 5 U.S.C. 6302(a).)

- ***Agencies cannot charge leave for a nonworkday. Therefore, agencies must excuse from duty -- without a charge to leave -- all non-emergency employees who were scheduled to report for work at duty locations within the designated area on Monday, April 17.*** Agencies cannot charge annual or sick leave (or compensatory time off or credit hours under a flexible work schedule, if applicable) to any non-emergency employee whose official duty station was located within the designated area on April 17. This policy applies without regard to when the leave (or other paid time off) was scheduled and without regard to the purpose for which such leave (or other paid time off) was scheduled.
- ***Non-emergency employees will receive any pay to which they otherwise would have been entitled for their basic work requirement on Monday, April 17, including night pay for regularly scheduled night work within the basic work requirement.*** In the case of non-emergency employees who were previously scheduled to perform overtime work

outside their basic work requirement on April 17, no overtime pay or night pay is payable for those hours. Non-emergency employees are entitled to the same pay they would have received if they had been in a paid leave status.

Alternative Work Schedules for Non-Emergency Employees Prevented from Reporting for Work

Some employees are covered by a flexible work schedule under an alternative work schedules (AWS) program. Some of these flexible work schedules allow employees to complete their biweekly work requirement in fewer than 10 workdays, thus permitting them to schedule an AWS day off during each pay period. In response to an earlier memorandum from OPM (CPM 2000-3, April 11, 2000), some non-emergency employees whose official duty station was located within the designated area may have rescheduled their normal AWS day off to Monday, April 17, for the specific purpose of avoiding possible traffic congestion on that day.

- ***OPM asks agencies to permit non-emergency employees who are covered by a flexible work schedule -- and who rescheduled their normal AWS day off specifically for the purpose of avoiding possible traffic congestion on Monday, April 17 -- to designate another AWS day off during the same pay period.*** This policy represents an exception to the longstanding policy that agencies should not permit employees on flexible work schedules to reschedule an AWS day off because other employees were prevented from reporting for work as the result of an emergency situation.

Leave for Other Non-Emergency Employees in Washington, DC

On Sunday, April 16, OPM also announced that Federal agencies and installations in Washington, DC, not located within the designated area described above, would operate under an *unscheduled leave* policy on Monday, April 17. Under an *unscheduled leave* policy, non-emergency employees may -- without the prior approval of their supervisor -- take annual leave, compensatory time off or credit hours (if available), or leave without pay. However, employees must inform their supervisor of their decision not to report for work.

- ***Agencies must account for the status of each affected employee outside the designated area through a charge to leave (or other paid time off), leave without pay, or absence without leave, as appropriate, on Monday, April 17.*** However, supervisors may excuse non-emergency employees from duty for reasonable periods of time attributable to delays caused by unavoidable traffic congestion on April 17.

For Additional Information

If you have additional questions about the treatment of Federal employees in Washington, DC, on Monday, April 17, please contact OPM's Office of Compensation Administration by telephone at (202) 606-2858 or by email at payleave@opm.gov. As the need arises, we will post additional information and questions and answers regarding leave and work scheduling policies for April 17 on OPM's Internet website (opm.gov/oca).