



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Friday, December 2, 2016
CPM 2016-18

MEMORANDUM FOR: HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: ACTING DIRECTOR, BETH F. COBERT

Subject: Federal Holidays and Human Resources Flexibilities for Employees
Located in the Washington, DC, Area during the Week of Inauguration

In January 2017, most Federal employees in the Washington, DC, metropolitan area will have two holidays during the week of Inauguration: Birthday of Martin Luther King, Jr. (Monday, January 16), and Inauguration Day (Friday, January 20). In addition, Federal employees who work in the downtown Washington, DC, area and its vicinity should expect significant commuting delays and travel disruptions on Wednesday, January 18 and Thursday, January 19 due to extensive road closures, mass transit changes, motorcades, and the establishment of security perimeters.

This memorandum provides guidance on how to administer the two Federal holidays and encourages agencies to allow employees to use human resources (HR) flexibilities to assist in alleviating traffic delays and congestion that may occur during the week's preparation for the January 20, 2017, inauguration events.

Martin Luther King, Jr. Holiday

The Birthday of Martin Luther King, Jr., is a legal public holiday for pay and leave purposes for all Federal employees worldwide. Full-time and part-time employees who are regularly scheduled to work on Monday, January 16, 2017 are entitled to holiday pay equal to the pay they otherwise would receive for a regular workday, except that full-time employees on flexible work schedules are entitled to 8 hours of pay for the holiday. Employees who cannot be given time off and must work on January 16 are entitled to holiday premium pay for hours worked within their regularly scheduled basic workweek. Full-time employees who are not regularly scheduled to work on January 16 are entitled to a day off in lieu of the holiday.

Pay and Leave Rules for Inauguration Day in the "Inauguration Day Area"

Inauguration Day falls on Friday, January 20, 2017, and is a legal public holiday only for Federal employees who work in the "Inauguration Day area" (defined in law as the District of Columbia, Montgomery and Prince George's Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria and Falls Church in Virginia). (See 5 U.S.C. 6103(c).) The City of Fairfax is considered to be part of Fairfax County for this purpose. The legislative history states that the holiday was established to allow employees working in the Inauguration Day area

to attend the nearby inaugural ceremonies and to avoid the traffic problems and work disruptions that would occur if employees were required to report for duty.

The Inauguration Day holiday is administered differently than other Federal holidays. It is limited to employees with a qualifying work connection to the designated geographic area on Inauguration Day, as follows:

1. Employees with an official worksite in the Inauguration Day area unless they are scheduled to be working outside the Inauguration Day area due to official duty away from the official worksite (e.g., a 1-day assignment), official travel, or telework; and
2. Employees with an official worksite outside the Inauguration Day area who are scheduled to be working in the Inauguration Day area due to an official duty away from the official worksite (e.g., 1-day assignment), official travel, or telework.

Full-time and part-time employees to whom the Inauguration Day holiday applies are entitled to pay equal to the pay they otherwise would receive for a regular nonovertime workday, except that full-time employees on flexible work schedules are entitled to 8 hours of pay for the holiday. Unlike other Federal holidays, employees who are not regularly scheduled to work on January 20 are not entitled to a day off in lieu of the holiday. Leave may not be charged to an employee who is entitled to the Inauguration Day holiday. Employees who cannot be given time off and must work on January 20 are entitled to holiday premium pay for hours worked within their regularly scheduled basic workweek.

Similar to other holidays, employees must be in a pay status or a paid time off status (i.e., leave, compensatory time off, or credit hours) on their scheduled workdays either before or after Inauguration Day in order to be entitled to pay for that day if they do not work.

Employees on Travel

The Inauguration Day holiday does not apply to an employee who is on official duty away from the official worksite (e.g., a 1-day assignment outside of the Inauguration Day area) or travel status away from the Inauguration Day area, even if his or her official worksite is in the Inauguration Day area. For those employees, Inauguration Day is treated as a regular workday.

The Inauguration Day holiday does apply to an employee whose official worksite is outside the Inauguration Day area but who is in travel status or otherwise working in the Inauguration Day area on Inauguration Day.

Telework Employees

The Inauguration Day holiday applies to an employee under a telework agreement if the employee is scheduled to telework on Inauguration Day at a location **within** the Inauguration Day area, regardless of the location of the employee's official worksite. The Inauguration Day holiday does not apply to an employee under a telework agreement who is scheduled to telework on Inauguration Day at a location **outside** the Inauguration Day area, even if the employee's official worksite is in the Inauguration Day area.

In effect, telework employees who are scheduled to telework at a location outside the Inauguration Day area are treated the same as other employees who are on official duty or travel status outside of the Inauguration Day area on the Inauguration Day holiday. Subject to internal agency policies, an agency may approve excused absence for telework or remote work employees who are scheduled to telework at a location outside the Inauguration Day area if the employee's office will be closed.

Employees on Alternative Work Schedules

Since the Birthday of Martin Luther King, Jr., and Inauguration Day both fall within the same pay period, the holidays will affect employees who are on alternative work schedules (AWS) in the Inauguration Day area as follows:

1. **Flexible Work Schedules.** Full-time employees on flexible work schedules are entitled to 8 hours of pay when they do not work on a holiday. For a full-time employee on a 5/4-9 flexible schedule (or another flexible schedule under which he or she chooses to work more than 8 hours a day), the employee must make arrangements to work extra hours during other regularly scheduled workdays or use annual leave, credit hours, or compensatory time off in order to fulfill the 80-hour biweekly work requirement.
2. **Compressed Work Schedules.** Full-time employees on compressed work schedules (i.e., work schedules with fixed days and fixed starting and quitting times, with no employee flexibility, that are established in advance of the administrative workweek) are generally excused from all nonovertime hours they would otherwise work on a holiday as their "basic work requirement." For example, if a holiday falls on a 9- or 10-hour basic workday, the employee's holiday is 9 or 10 hours, respectively.

For more information, see OPM's fact sheet on [Federal Holidays - Work Schedules and Pay](#).

HR Flexibilities during Inauguration Week

Many inaugural activities will take place before and after the Presidential oath of office is administered on Friday afternoon, January 20. Extensive road, street, and bridge closures and vehicle restricted zones will occur Wednesday, January 18 and Thursday, January 19, which will likely cause significant traffic disruptions. Due to the extensive road closures, mass transit changes, motorcades, and the establishment of security perimeters, Federal employees who work in the downtown Washington, DC, area and its vicinity should expect significant commuting delays and travel disruptions.

To help alleviate traffic congestion and minimize distraction to law enforcement and security officials, the U.S. Office of Personnel Management (OPM) is urging agencies to permit employees to use their workplace flexibility options on Wednesday, January 18 and Thursday, January 19. Accordingly, OPM strongly encourages agencies to allow employees to telework to keep the Federal Government operating while helping to minimize traffic congestion and support law enforcement efforts during these events. Employees may also request to use their alternative work schedule day off, annual leave, leave without pay, previously earned compensatory time off, and/or earned credit hours under a flexible work schedule.

Those employees who must commute should allow extra time going to and from work whether by private vehicle or public transportation. Employees are encouraged to monitor local news media for announcements on street closures for vehicular and pedestrian traffic, disruptions to public transportation, building closures, or any possible changes to the Washington, DC, area Federal Government operating status. Agencies should use all communications tools they have in place, such as hotlines and website updates, to inform employees of any relevant, agency-specific issues.

Information on street closures is available at www.secretservice.gov/press/releases. Information on DC public transportation changes and delays is available at www.wmata.com.

Additional Information

Agency headquarters-level human resources offices may contact OPM at pay-leave-policy@opm.gov. Employees should contact their agency human resources office for further information on this memorandum.

cc: Chief Human Capital Officers, and Human Resources Directors