



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT  
Washington, DC 20415

The Director

Thursday, December 17, 2020

CPM 2020-17

**MEMORANDUM FOR: HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES**

FROM: MICHAEL J. RIGAS, ACTING DIRECTOR

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

In January 2021, 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 18) and Inauguration Day (Wednesday, January 20).

**In addition, Federal employees who report to their duty station in the downtown Washington, DC, area and its vicinity on January 19 and 20 should expect possible commuting delays and travel disruptions due to road closures, mass transit changes, motorcades, and the establishment of security perimeters. We realize that very few federal employees in the Washington D.C. area are actually reporting to their ordinary duty station as many agencies continue to maximize the use of telework. Nonetheless, federal statute establishes Inauguration Day as a holiday for Federal employees in the District and surrounding areas and, in accordance with this provision of law, federal employees will be granted this extra day off if they meet conditions outlined in this memorandum.**

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 on January 19, 2021.

**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 18, 2021, 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 18 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 18 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 Wednesday, January 20, 2021, and it is established by statute as a 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.

By law, the Inauguration Day holiday is limited to employees “employed in” the statutorily defined Inauguration Day area. In normal circumstances, an employee is considered eligible for holiday time off on Inauguration Day if the employee would be scheduled to work in the designated area but for the Inauguration Day holiday. Thus, under the normal rules, the following employees would receive holiday time off on Inauguration Day:

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.

For those who work on Inauguration Day, holiday premium pay applies only if the employee actually performs work in the Inauguration Day area.

Due to the COVID-19 national emergency, many employees with official worksites in the Inauguration Day area are regularly teleworking. The COVID-19 national emergency is preventing such employees from being scheduled to work in the designated area on January 20. In light of these special circumstances, OPM is modifying the normal rules to consider teleworking employees to be “employed in” the Inauguration Day area even though they are scheduled to telework outside that area on January 20, if the following conditions are met:

- The employee’s official worksite is located in the Inauguration Day area;
- But for the COVID-19 national emergency, the employee would be scheduled to work at the official worksite at least 2 days per biweekly pay period; and
- The employee’s telework location on January 20 is one from which the employee regularly commuted to the employee’s official worksite prior to the COVID-19 emergency or is within a realistic commuting distance from the official worksite (generally no more than 2.5 hours commuting time or 125 miles in distance).

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 in the Inauguration Day area on January 20 are entitled to holiday premium pay for holiday work 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 or telework status and who, but for the Inauguration Day holiday, would be scheduled to work in the Inauguration Day area on Inauguration Day.

### **Employees Teleworking in the Inauguration Day Area**

The Inauguration Day holiday applies to an employee under a telework agreement who, but for the Inauguration Day holiday, would be scheduled to telework on January 20 at a location **within** the Inauguration Day area, regardless of the location of the employee's official worksite. (See above guidance regarding coverage of certain employees teleworking outside the Inauguration Day area.)

### **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 Wednesday afternoon, January 20. In particular, it is possible that travel

disruptions could occur on January 19 and 20 due to road, street, and bridge closures, vehicle restricted zones, mass transit changes, motorcades, and the establishment of security perimeters. Federal employees who work in the downtown Washington, DC, area and its vicinity on January 19 should be prepared for possible 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 who might otherwise report to the normal agency worksite on January 19 to use their workplace flexibility options. Accordingly, OPM strongly encourages agencies to allow such employees to telework, where possible, 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 on January 19.

Those employees who must commute on January 19 or 20 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 will be available at [www.secretservice.gov/press/releases](http://www.secretservice.gov/press/releases). Information on DC public transportation changes and delays will be available at [www.wmata.com](http://www.wmata.com).

### **Additional Information**

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

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, and Human Resources Directors