



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Tuesday, November 25, 2014
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MEMORANDUM FOR: Heads Of Executive Departments And Agencies

FROM: Katherine Archuleta Director

Subject: Human Resources Flexibilities and Authorities for Quarantinable Communicable Diseases and Other Communicable Diseases such as Seasonal Influenza

The fall and early winter months often bring increased attention to concerns about seasonal influenza that can impact the workplace. This year, an unprecedented outbreak of Ebola in West Africa along with a small number of isolated cases of Ebola in the United States (U.S.) have caused heightened public awareness about potential health impacts on the general population. President Obama has emphasized to the American people the profound human toll of this disease and the urgent threat that Ebola poses to the U.S. and to the world, even as the likelihood of a serious outbreak of Ebola in the U.S. remains very low. The President has called for a whole-of-government response to contain and eliminate this epidemic at its source and to enhance overall U.S. preparedness. As part of those efforts, the U.S. Office of Personnel Management (OPM) is coordinating with the Centers for Disease Control and Prevention (CDC) and the Occupational Safety and Health Administration (OSHA) to educate the Federal community on the various human resources (HR) flexibilities and authorities available to help protect the Federal workforce and ensure continuity of operations during periods of health concern.

In keeping with our educational efforts, OPM is reminding agencies of the wide range of HR policies and flexibilities available to assist employees and agencies in dealing with concerns about exposure to quarantinable communicable diseases and other communicable diseases such as seasonal influenza. The attached documents include general guidance as well as some specific guidance related to the Ebola outbreak, including guidance on when use of excused absence (sometimes called administrative leave) would be appropriate.

Agencies should remind employees to use good health habits like hand washing at all times and encourage sick employees to seek medical treatment and use sick leave or other appropriate workplace flexibilities. Where necessary, agencies should consider implementing social distancing, including the use of ad hoc telework arrangements as described in the attachments. OPM recently published guidance, in consultation with the Department of Health and Human Services, about the importance of influenza vaccinations at chcoc.gov/sites/default/files/Questions-Answers-Regarding-Duty-Status-Pay-and-Leave-Issues-Resulting-from-the-Ebola-Outbreak-in-West-Africa.pdfcontent/immunization-federal-workers-2013-14-seasonal-influenza-vaccine. For specific quarantinable communicable diseases such as Ebola, agencies should follow the prevention guidelines outlined by the CDC and OSHA.

Distinction between Quarantinable Communicable Diseases versus Seasonal Influenza

For purposes of sick leave usage, it is important to understand the difference between exposure to a quarantinable communicable disease and exposure to seasonal influenza. An employee may be entitled to use sick leave for exposure to certain quarantinable communicable diseases, as described below and discussed in more detail in the attachments.

- Quarantinable Communicable Diseases.** *For purposes of this memorandum, the term “quarantinable communicable disease” means a disease for which Federal isolation and quarantine are authorized. Isolation can be used to separate people with a contagious disease from people who are not sick in order to stop the spread of that illness. Quarantine can be used to separate and restrict the movement of people who were exposed to a contagious disease to see if they become sick and to prevent the possible spread of that disease to others. Agencies should refer to the list of quarantinable communicable diseases, which are defined by Executive Order and include viral hemorrhagic fevers such as Ebola. (See <http://www.cdc.gov/quarantine/AboutLawsRegulationsQuarantineIsolation.html>.) Under certain circumstances, the CDC or a state or local health department may determine that exposure to a quarantinable communicable disease would jeopardize the health of others, and that quarantine of the exposed individual is warranted to protect the public’s health. If the disease is not a quarantinable communicable disease, as defined by Executive Order, and a health authority or health care provider has concerns that exposure to the disease could jeopardize the health of others, the health authority or health care provider should contact the CDC for evaluation of the risk factors and further recommendation.*
- Influenza.** *Influenza may be classified as either seasonal or pandemic. Influenza strains that are new and capable of causing a pandemic are classified as quarantinable communicable diseases; however, seasonal influenza strains – those that cause outbreaks of influenza every winter – are not considered quarantinable. Therefore, exposure to seasonal influenza will not meet the criteria for use of sick leave for exposure to a quarantinable communicable disease. Currently, there is no declared influenza pandemic, and agencies should not grant sick leave for exposure to influenza until they receive guidance from the appropriate officials (e.g., CDC, OPM). Employees who are sick with seasonal influenza and contagious to others should be allowed, and encouraged, to use sick leave according to agency policies.*

Human Resources Flexibilities and Authorities

Federal departments and agencies must achieve two equally important goals: (1) protect the Federal workforce, and (2) ensure the continuity of operations. To achieve these goals, OPM is providing agencies with three attachments.

Additional Information

Agency headquarters-level human resources offices may contact OPM at pay-leave-policy@opm.gov. Agency field offices should contact their appropriate headquarters-level

agency human resources office. Individual employees should contact their agency human resources office.

This memorandum applies to civilian employees in the civil service. It does not apply to members of the military or uniformed personnel in the commissioned corps of the Public Health Service. Military personnel are subject to policies issued by the Department of Defense. Public Health Service commissioned corps officers are subject to policies issued by the Department of Health and Human Services.

For the most up-to-date CDC information concerning Ebola, please consult www.cdc.gov/vhf/ebola/index.html. For comparison of the differences between the flu and Ebola, please consult <http://www.cdc.gov/vhf/ebola/pdf/is-it-flu-or-ebola.pdf>.

For the most up-to-date OSHA information concerning Ebola, please consult www.osha.gov/SLTC/ebola/index.html.

For the most up-to-date information on influenza, please consult www.flu.gov or www.cdc.gov/flu.

Attachments

cc: Chief Human Capital Officers, and Human Resources Directors