



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

The Director

Thursday, March 26, 2009
CPM 2009-05

MEMORANDUM FOR: Heads Of Executive Departments And Agencies

FROM: Kathie Ann Whipple
Acting Director

Subject: North Dakota Severe Storms and Flooding

The President has declared a major disaster exists in the State of North Dakota and ordered Federal aid to supplement State and local recovery efforts in the area struck by severe storm and flooding beginning on March 13, 2009. As the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), and numerous Federal and State partners are continuing to join forces to support North Dakota communities facing severe flood threats, the U.S. Office of Personnel Management (OPM) reminds agencies of the various Human Resources (HR) flexibilities currently available to assist Federal employees affected by severe weather conditions and their aftermath or other emergency situations. This memorandum includes the most recent information to assist Federal employees impacted by this major disaster.

Pay and Leave Benefits

OPM's Handbook on Pay and Leave Benefits for Federal Employees Affected by Severe Weather Conditions or Other Emergency Situations provides a general summary of the pay and leave benefits available to Federal employees prevented from working, or required to work, in an area affected by emergency situations. The Handbook is available at <https://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/humanresourcesflexibilitiesauthorities.pdf>.

Employee and Family Support Benefits

Benefits for Federal employees and eligible family members remain unchanged during emergency situations. Information about employee and family support benefits and policies is available at <https://www.opm.gov/policy-data-oversight/pandemic-information/benefits/>.

Telework

One of the major benefits of telework is to help maintain the continuity of Government operations during emergency situations. An agency may require teleworkers to continue working at their alternative worksites, if they are able to do so, on their telework day or on any of their regularly scheduled workdays during emergency situations when the agency is closed. Agencies do not have to designate teleworkers as emergency employees in order to require them to work during closure; however, it is recommended that the agency discuss this with the employees in advance, and expectations should be included in the employees' formal or informal telework agreement. For additional information on telework, please see A Guide to Telework in the Federal Government at www.telework.gov.

Special Solicitations for Charitable Contributions During Severe Weather Conditions or Other Emergency Situations

The Director of OPM may grant permission for special solicitations of Federal employees, outside of the Combined Federal Campaign (CFC), in support of victims in emergency situations. Agency written requests should include the following: information on the agency(ies) and location(s) where the special solicitation will be conducted; dates on which the special solicitation will be conducted; and information on the charitable organization(s) that will be the recipient of special solicitation funds. For information on the CFC, please visit www.opm.gov/cfc.

Emergency Critical Hiring

Under 5 CFR 213.3102(i)(2), an agency may make 30-day appointments in the excepted service to fill a critical hiring need. An agency may extend these appointments for an additional 30 days. This authority may be used to fill Senior Level positions, as well as positions at lower grades; the agency determines what qualifications are required. Career Transition Assistance Plan (CTAP), Reemployment Priority List (RPL), and Interagency CTAP (ICTAP) requirements under 5 CFR part 330 do not apply to these appointments.

Direct-Hire Authority

Agencies are reminded of current OPM-authorized Governmentwide direct hire authorities. These authorities allow agencies to appoint candidates directly for GS-0602 Medical Officers, GS-0610 and GS-0620 Nurses, GS-0647 Diagnostic Radiologic Technicians, and GS-0660 Pharmacists at all grade levels and all locations. Agencies may give individuals in the categories, occupations and specialties, and grades listed above competitive service career, career-conditional, term, or temporary appointments, as appropriate. In all cases, an agency must adhere to the public notice requirements in 5 U.S.C. 3327 and 3330 and all ICTAP requirements. Additional information on these authorities is available at <https://www.opm.gov/policy-data-oversight/hiring-information/direct-hire-authority/>.

An agency should contact its OPM Human Capital Officer if it believes it has one or more occupations for which an agency-specific direct-hire authority may be appropriate in support of relief and recovery efforts.

Other Hiring Flexibilities

An agency may contract with private sector temporary employment firms for services to meet emergency staffing needs. These contracts may be for 120 days and may be extended for an additional 120 days, subject to displaced employee procedures.

An agency may make competitive service appointments for 120 days or less without clearing CTAP or ICTAP. However, these programs may help identify one or more well-qualified displaced Federal employees who are available for immediate employment.

Current and former employees on agency RPL are another immediate source of qualified individuals available for temporary, term, or permanent competitive service appointments. Conversely, in some cases, an agency may make an exception to the RPL provisions to appoint someone else under 5 CFR 330.207(d).

Should additional personnel be required for relief efforts, OPM may authorize other options upon agency request. These include temporary emergency need appointments (up to 1 year) and Senior Executive Service limited emergency appointments. In addition, OPM may authorize waivers that facilitate the re-employment of annuitants or the rehiring of retirees or others who left the Federal Government with buyouts.

Additional Information

For additional information, agency Chief Human Capital Officers and/or Human Resources Directors should contact their assigned OPM Human Capital Officer. Employees should contact their agency human resources offices for assistance.

The White House press release is available at whitehouse.gov/the_press_office/President-Obama-Signs-Major-Disaster-Declaration-For-North-Dakota and information on the impacted Counties is located at fema.gov/news/eventcounties.fema?id=11268.

cc: Chief Human Capital Officers
Human Resources Directors