



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Tuesday, March 24, 2020

MEMORANDUM FOR: HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: MICHAEL J. RIGAS, ACTING DIRECTOR

Subject: On-Boarding Processes for New Employees During the COVID-19
Emergency

The purpose of this Memorandum is to provide agencies with additional guidance related to on-boarding processes for new employees during the COVID-19 emergency.

Administering the Oath of Office and I-9

Due to precautions related to physical proximity being implemented as a result of COVID-19, the U.S. Office of Personnel Management (OPM) advises agencies to exercise discretion to defer the physical presence requirements associated with onboarding of new employees.

Oath of Office: Currently, 5 U.S.C. §§ 2903 and 3331 require that an Oath of Office be administered by an employee who is designated in writing by the head of the Executive agency or the Secretary of a military department. This person (or persons) can be designated to administer the Oath required under section 3331, or any other oath required by law in connection with employment in the Executive branch.

As a precaution in response to COVID-19, agencies should amend the process by which they administer the Oath of Office, to include provisions that allow this process to be conducted virtually or remotely (e.g., over video link, Skype, FaceTime, etc.). Agency HR Directors should work with their respective agency Chief Information Officers to determine the best options. The HR Specialist or the agency's designee to administer the Oath shall request that the employee send an electronic version of the signed document (either an image of the signed document, an electronically signed document, or other acceptable method) via e-mail to the agency, preferably within three business days of the onboarding process. Other forms required or used in the onboarding process (e.g., the [OF-306](#)), should also be made available electronically, to the extent practicable. The HR specialist or designee will review all electronic documents collected as part of the onboarding process and add them to the employee's electronic personnel file and Official Personnel Folder.

The above provisions of this memorandum may be implemented by agencies for the duration of the current national emergency or until further notice. At the conclusion of the current national emergency, each agency should hold an in-person swearing-in to ratify actions taken in the interim by employees who were sworn in virtually.

Form I-9: In addition, agencies should be aware that on March 20, 2020, the U.S. Department of Homeland Security (DHS) issued the following guidance about flexible submission of the [Form I-9](https://www.ice.gov/news/releases/dhs-announces-flexibility-requirements-related-form-i-9-compliance): <https://www.ice.gov/news/releases/dhs-announces-flexibility-requirements-related-form-i-9-compliance>. As noted in the guidance, “Employers who avail themselves of this option must provide written documentation of their remote onboarding and telework policy for each employee.” Agencies should keep a record of their overarching policy and procedure surrounding this process, to be made available to DHS if requested.

New Employee Orientation and Onboarding

Agencies may elect to perform onboarding processes remotely, via visual inspection using remote electronic capabilities (e.g., Skype, FaceTime, etc.). Agency HR Directors should work with their respective agency Chief Information Officers to determine the best options. HR Specialists shall request that the employee send electronic versions of all signed forms and documents via e-mail to the agency within three business days of the onboarding process. The HR Specialist should review these forms and documents and add them to the employee’s electronic personnel file and Official Personnel Folder.

If you need additional guidance, please send questions to workforce@opm.gov.

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