



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

Employee Services

Sunday, January 17, 2021

CPM 2021-08

MEMORANDUM FOR: HUMAN RESOURCES DIRECTORS

FROM: DENNIS DEAN KIRK, ESQ., EMPLOYEE SERVICES, ASSOCIATE DIRECTOR

Subject: Pay and Benefits for Noncareer Appointees Who Resign on Inauguration Day

This memorandum is a special reminder to agencies of the policies regarding pay, work scheduling, leave, and certain benefits under title 5, United States Code, that will apply to noncareer appointees (e.g., Executive Schedule, noncareer Senior Executive Service, Schedule C) who resign effective at noon, eastern standard time (EST), on Inauguration Day, January 20, 2021.

Affected employees are entitled to compensation on January 20, 2021 (including holiday pay or, as applicable, holiday premium pay) only for periods of time during which their Federal appointments are in effect. Each agency is responsible for determining the number of hours of pay for each noncareer appointee based on the employee's work schedule for that day, prior to the termination of his or her appointment at noon (EST).

Please note that employees covered by the title 5 leave system (e.g., General Schedule employees with a Schedule C appointment and noncareer members of the Senior Executive Service) who resign on January 20 will not accrue annual and sick leave for the January 17-30, 2021, biweekly pay period, since they will not have completed the full biweekly pay period.

An employee who resigns receives a full day of retirement credit for any partial day of employment. The employee's Federal Employees Health Benefit (FEHB) coverage continues until the end of the pay period in which the resignation occurred. The employee is then entitled to a 31-day extension of FEHB coverage at no charge. Enrollment in Temporary Continuation of Coverage (TCC) is an option to continue health coverage for up to 18 months from the date of separation from Federal employment. A TCC enrollee must pay the full premium plus a 2 percent administrative charge. If while an employee, they were enrolled in FEDVIP, FSAFEDS, FEGLI or FLTCIP, they are encouraged to contact their agency human resources office to address their status of enrollment.

The following are examples of various categories of noncareer appointees who resign at noon (EST) on January 20:

Example 1. A General Schedule employee with a Schedule C appointment or a noncareer member of the Senior Executive Service who works in the Inauguration Day area is entitled to a holiday. (The Inauguration Day area is defined as the District of Columbia, Montgomery and Prince George's Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria, Falls Church, and Fairfax in Virginia.) The employee is entitled to holiday time off pay only for the hours he or she would have been scheduled to work (but for the holiday) until noon (EST) on January 20. If the General Schedule employee works during those hours, the employee would be entitled to holiday premium pay in addition to their regular rate. (Members of the Senior Executive Service are not eligible for any type of premium pay.)

Example 2. A General Schedule employee with a Schedule C appointment or a noncareer member of the Senior Executive Service who works outside of the Inauguration Day area is not entitled to a holiday. The employee is entitled to pay only for the hours he or she works (or takes leave) until noon (EST) on January 20.

Example 3. Certain Presidential appointees are not covered by the leave system and do not have a scheduled tour of duty. For such appointees who are located in the Eastern Time Zone, the U.S. Office of Personnel Management (OPM) believes it is appropriate to pay these individuals a half day's pay (i.e., 4 hours) because the 12 hours between midnight and noon (EST) on January 20 represent half a day. Normally, leave-exempt Presidential appointees receive pay for 8 hours a day.

Questions

Agency headquarters-level human resources offices may contact OPM at pay-leave-policy@opm.gov. Employees should contact their agency human resources offices for assistance.

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