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CPM 2018-14



The Director

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

MEMORANDUM FOR: HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

From: DR. JEFF T.H. PON, DIRECTOR

Subject: Human Resources Flexibilities and Procedures for Hurricane Season

As the United States prepares to respond to Hurricane Florence (eastern coastline and U.S. territories) and Tropical Storm Olivia (Hawaii), the U.S. Office of Personnel Management (OPM) would like to remind agencies of the wide range of human resources (HR) flexibilities and procedures currently available to assist Federal employees affected by these emergency situations.

Weather and Safety Leave

OPM announced the issuance of its final regulations to implement the weather and safety leave provisions on April 10, 2018, which became effective on May 10, 2018. Under the regulations, an agency may grant weather and safety leave when it has determined that employees cannot safely travel to, or perform work at, their normal worksite, a telework site, or other approved location because of severe weather or another emergency situation. Weather and safety leave is a form of paid time off authorized under the Administrative Leave Act of 2016. It will generally be used in conjunction with an *operating status announcement* issued by an employing agency—or by OPM for the Washington, DC area.

It is important to note that, under the new statute and regulations, an agency normally **will not** be able to provide weather and safety leave to a telework program participant who is not prevented from working safely at an approved telework site during severe weather or other emergency situations. Generally, employees with the ability to telework **will not** receive weather and safety leave as they are not prevented from performing work at an approved location. This new provision will apply regardless of what is stated (or not stated) in the employee's telework agreement and in agency policies and agreements. Exceptions to this rule can be found in OPM's regulation. See 5 CFR part 630, subpart P, and the related *Federal Register* notice at 83 FR 15291 for more information.

Telework

OPM's weather and safety leave regulations emphasize the importance of telework in allowing employees to continue working during severe weather or other emergency situations. Telework continues to play a significant role during emergency situations by enabling a greater number of Federal employees to work and supporting continuity of operations. Agencies should continue to promote and incorporate telework into their agency emergency planning. We strongly encourage agencies to take steps to ensure that telework-ready

employees are prepared to effectively telework and have access to agency IT systems and networks, as may be necessary, should an emergency or weather condition so warrant. See the [Telework Guidance](#) at Telework.gov.

Evacuation Payments

Executive agencies may authorize advance payments, continuation of pay, and payments for travel and subsistence expenses to employees who are ordered to evacuate from an area because of imminent danger to their lives as a result of a severe weather condition or other emergency situation. Use of the evacuation payments authority is discretionary. The head of an employing agency or designated official must make the determination that an employee was officially ordered or authorized to evacuate. Agencies must follow the regulations in 5 CFR part 550, subpart D. Additional guidance may also be found in OPM's [Handbook on Pay and Leave Benefits for Federal Employees Affected by Severe Weather Conditions or Other Emergency Situation](#).

Emergency Leave Transfer Program (ELTP)

In the event of a major disaster or emergency as declared by the President that results in severe adverse effects for a substantial number of employees, OPM may establish an Emergency Leave Transfer Program (ELTP). Under this program, Federal employees may donate annual leave to employees of the same or other agencies who are adversely affected, or have family members who are adversely affected, by the disaster or emergency. Agencies that have employees in need of assistance should contact their headquarters to report the need. OPM, in consultation with the Office of Management and Budget, will work with agency headquarters to assess the need to establish an ELTP.

Agency headquarters should send an email to pay-leave-policy@opm.gov to request the establishment of an ELTP and to address any questions or concerns. For example, to request an ELTP for Hurricane Florence, an agency should place "ELTP for Hurricane Florence" in the subject line of the email. For more information, please see our [Emergency Leave Transfer Program](#) fact sheet and OPM's most recent guidance on ELTPs—[CPM 2017-16, Guidance on Multiple Emergency Leave Transfer Programs](#).

Other Human Resources Flexibilities

OPM released an updated version of the [Human Resources Flexibilities and Authorities Handbook](#) in August 2013. The *Handbook* provides detailed summaries and references for the many HR flexibilities and authorities which OPM administers. Please also see our web page that provides additional guidance regarding emergency situations.

Additional Information

Agency headquarters-level human resources offices may contact Pay and Leave at OPM at pay-leave-policy@opm.gov. Employees should contact their agency human resources or payroll office for further information on this memo.

cc: Chief Human Capital Officers (CHCOs), Dep. CHCOs, Human Resources Directors, and Work-Life Coordinators