



U.S. Office of Personnel Management Pandemic Planning Guide

What Pay and Leave Flexibilities and Requirements Should an Agency Prepare To Manage During a Pandemic Health Crisis?

This Pandemic Planning Guide is designed to assist agencies as they prepare for and respond to a pandemic health crisis. The guide is general in nature. For detailed human resources information, see www.opm.gov/pandemic/. For the latest information on contingency planning for a pandemic influenza, see www.pandemicflu.gov. Readers should also review their agency policies, practices, and guidance prior to taking action.

Pay

Agencies are responsible for the proper administration of the laws and regulations governing premium pay and pay flexibilities. The following is a list of specific pay issues that may arise during a pandemic health crisis. The Office of Personnel Management (OPM) encourages agencies to use the following checklist to ensure managers and supervisors are familiar with their responsibilities and obligations in preparation for responding to a pandemic health crisis.

NOTE: "FLSA" means the Fair Labor Standards Act of 1938, as revised.

Yes No In progress

Do your managers know your agency's policies on ordering and approving—

- | | | | | |
|---|---|--|--|--|
| <p>1. Overtime (Note: For information on computing overtime pay under the FLSA, click here)</p> <ul style="list-style-type: none"> • FLSA nonexempt employees (covered by the FLSA)? • FLSA exempt employees (not covered by the FLSA)? | <table border="1" style="width: 100%; height: 50px;"> <tr> <td style="width: 33%;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> </table> | | | |
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| <p>2. Compensatory time off in lieu of overtime pay</p> <ul style="list-style-type: none"> • FLSA nonexempt employees (covered by the FLSA)? • FLSA exempt employees (not covered by the FLSA)? | <table border="1" style="width: 100%; height: 50px;"> <tr> <td style="width: 33%;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> </table> | | | |
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Do your managers know when an employee is eligible for, or entitled to—

- | | | | | |
|---|---|--|--|--|
| <p>3. Holiday premium pay?</p> | <table border="1" style="width: 100%; height: 50px;"> <tr> <td style="width: 33%;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> </table> | | | |
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| <p>4. Sunday premium pay?</p> | <table border="1" style="width: 100%; height: 50px;"> <tr> <td style="width: 33%;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> </table> | | | |
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| <p>5. Night pay?</p> <ul style="list-style-type: none"> • For General Schedule employees? • For Wage Grade employees? | <table border="1" style="width: 100%; height: 50px;"> <tr> <td style="width: 33%;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> </table> | | | |
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6. Are your managers aware that if an employee works from home temporarily because of a pandemic health crisis, his or her [locality rate or special rate may continue to be determined based on the location of the regular official worksite](#)?
7. Are your managers familiar with your agency's plan and procedures for providing [evacuation payments](#) during a pandemic health crisis? Does your agency's plan address the following:
- Agency official(s) authorized to order employees to evacuate and receive evacuation payments
 - Criteria for ordering employees to evacuate their worksites
 - Time limitations for receiving evacuation payments
 - Criteria for providing advance payments and/or special allowances
 - Criteria for assigning work to an employee during an evacuation
 - Conditions for terminating evacuation payments
 - Reviewing and adjusting payments and employees' accounts, as necessary

Leave

Agencies are responsible for the proper administration of the laws and regulations governing Federal leave programs and policies, including establishing agency policies and procedures for requesting and granting leave. OPM encourages agencies to use the following checklist to ensure managers and supervisors are familiar with their responsibilities and obligations in preparation for responding to a pandemic health crisis.

Do your agency leave policies and procedures include information on the following:

- | | Yes | No | In Progress |
|---|--------------------------|--------------------------|--------------------------|
| <p>1. Sick leave?</p> <p style="margin-left: 20px;">For personal medical needs of an employee</p> <p style="margin-left: 20px;">For general family care and bereavement purposes</p> <p style="margin-left: 20px;">To provide care for a family member with a serious health condition</p> <ul style="list-style-type: none"> • Requirements for providing medical certification/evidence to support request for sick leave • Requirements for scheduling sick leave in advance • Requirements for contacting supervisor to request unscheduled sick leave, including call-in and email procedures • Requirements for requesting and/or granting advance sick leave • Denying a request for sick leave | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

2. [Annual leave?](#)

- Requirements for scheduling annual leave in advance
- Requirements for contacting supervisor to request unscheduled annual leave, including call-in and email procedures
- Scheduling use or lose annual leave
- Requesting and/or granting advance annual leave
- Denying a request for annual leave
- Requirements for rescheduling annual leave

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3. [Leave Without Pay \(LWOP\)?](#)

- Requirements for scheduling leave without pay in advance
- Requirements for contacting supervisor to request unscheduled leave without pay, including call-in and email procedures
- Denying a request for leave without pay
- [Effects of leave without pay on employee entitlements and benefits](#)

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4. [Unpaid Leave Under the Family and Medical Leave Act \(FMLA\)?](#)

- Entitlement to 12 weeks of leave during any 12-month period
- Requirement for notification of need for FMLA leave
- Requirement for medical certification
- Required medical certification form
- Substituting annual and/or sick leave for unpaid leave
- Entitlement to unpaid leave under the FMLA in addition to annual and sick leave

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5. [Voluntary Leave Transfer Program?](#)

- Applying to become a leave donor
- Applying to become a leave recipient
- Approving requests to be a leave donor or leave recipient
- Limitations on donating annual leave
- Limitations on using donated annual leave
- Accruing annual and sick leave in set-aside accounts
- Termination of a medical emergency
- Returning unused donated annual leave to leave donors

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6. **Voluntary Leave Bank Program** (if available within your agency)?

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- Requirement for membership in agency leave bank
- Applying to become a leave bank donor
- Applying to become a leave bank recipient
- Approving requests to be a leave bank donor or leave bank recipient?
- Limitations on using donated annual leave
- Donating annual leave to a specific leave bank recipient
- Accruing annual and sick leave in set-aside accounts
- Termination of a medical emergency
- Returning unused donated annual leave to the leave bank

7. **Emergency Leave Transfer Program (ELTP)** (if authorized for a specific emergency)?

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- Applying to become an emergency leave donor
- Applying to become an emergency leave recipient
- Approving requests for be an emergency leave donor or emergency leave recipient
- Limitations on donating annual leave to the ELTP
- Limitations on using donated annual leave
- Distributing donated annual leave to emergency leave recipients
- Accruing annual and sick leave while using donated annual leave
- Governmentwide transfer of leave
- Termination of an emergency or disaster
- Returning unused donated annual leave to leave donors

8. **Excused Absence (administrative leave)?**

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- Agency official authorized to grant excused absence
- Criteria for granting excused absence
- Limitations on granting excused absence

9. **Other Paid Time Off?**

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- [Earned compensatory time off](#)
- [Earned compensatory time off for travel](#)
- [Earned credit hours](#)

10. **Leave Forms?**

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