

# **Governmentwide Dismissal and Closure Procedures**



## **A Message from the Director of the U.S. Office of Personnel Management**

The U.S. Office of Personnel Management (OPM) is modifying the *Washington, DC, Area Dismissal and Closure Procedures* to reflect a Governmentwide approach as a result of the Administrative Leave Act of 2016 (Act) (section 1138 of Public Law 114-328), and the regulations issued thereunder. The new *Governmentwide Dismissal and Closure Procedures (Procedures)* provides for effective stewardship of taxpayer funds by offering agencies guidance on how to continue their important mission during emergency situations.

### **Weather and Safety Leave**

On December 23, 2016, Congress enacted the Act, which provides OPM with the authority to regulate certain types of leave, including a new type of leave called “weather and safety leave,” previously granted as administrative leave or excused absence. OPM issued proposed regulations on July 13, 2017, and final regulations on April 10, 2018. (See 82 FR 32263 and 83 FR 15291, respectively.) OPM’s regulations and *Procedures* make clear the circumstances in which weather and safety leave may be used.

### **Telework Policies and Procedures**

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 so that employees will be able to telework effectively during emergency situations, thereby allowing the Federal Government to maintain productivity and support their agency mission. 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. It is important to note that, as a result of the new Act, agencies **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 who are telework program participants **will not** receive weather and safety leave, since they are not usually prevented from performing work at an approved location due to a weather or other safety-related emergency. OPM regulations and these *Procedures* describe a few limited exceptions under which telework program participants may be granted weather and safety leave.

In addition, given recent agency actions to improve cybersecurity practices, we strongly encourage agencies to take steps to foster appropriate preparation by telework-ready employees so they are able to effectively telework and have access to agency IT systems and networks, as may be necessary, should an emergency or weather condition so warrant.

### **Importance of Following Operating Status Announcements and Communicating Expectations**

Federal agencies and employees must be prepared to respond immediately to an emergency situation. Operating status announcements are most effective if each employee understands what the announcement means and how to react. Therefore, agencies should take steps to familiarize each employee with the various operating status announcements.

Each agency should have in place specific procedures that are applied in conjunction with the various operating status announcements. Those specific agency procedures should address agency policies and procedures related to leave, telework, and work schedules. The agency procedures will help employees know what is expected of them when an operating status is changed. In addition, agencies should ensure that written telework agreements and collective bargaining agreements reflect correct application of statutory and regulatory requirements and these *Procedures*.

Employees must understand which human resources flexibilities are available to them during each type of operating status, such as unscheduled telework, unscheduled leave, leave without pay, alternative work schedule day off, etc. In an emergency situation, timing is crucial. Employees must be able to act under their own agency's procedures when unscheduled telework or unscheduled leave are options, or when teleworking during office closures.

### **Washington, DC, Operating Status Announcements**

In the Washington, DC, area, OPM-issued operating status announcements apply to employees working in all Executive agencies with offices located **inside** the "Washington Capital Beltway." In the event of an area-wide work disruption, agencies should avoid taking independent action because changes in the commuting hours of Federal employees can result in a dramatic disruption of the highway and mass transit systems. Following OPM's operating status announcements and policies will allow for coordination with municipal and regional officials, and will reduce disruption of the highway and transit systems. This will both reduce traffic congestion and result in treating affected employees as consistently as possible.

Announcements on the status of Government operations in the Washington, DC, area will be available at <http://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/current-status>. Recorded messages on the operating status will also be provided by OPM's Office of Communications on (202) 606-1900.

Additionally, the OPM Alert mobile app allows employees to instantly view the current and active operating status for the Washington, DC, area and to sign up for optional push notifications when status changes occur. We encourage employees to access OPM's Alert mobile app through <http://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/mobile-app> for more information.

Our OPM social media channels will also provide updates to the Washington, DC, area operating status and more information as needed.

### **Operating Status Announcements in Other Locations**

Employees working in Federal agency offices located **outside** of the "Washington Capital Beltway" must follow the operating status announcements issued by the agency. Federal field office heads make workforce status decisions for their agencies' employees and should report those workforce status decisions to their agencies' headquarters.

Employees should always check their agencies' operating status. The agency-issued operating status announcement should include procedures concerning telework, arrival and departure times, and leave requests.

While Federal Executive Boards (FEBs) do not cover the entire United States, FEBs are currently located in 28 metropolitan areas that are major centers of Federal activity. In these areas, the FEB provides up-to-date, accurate and consistent information so Federal field office heads can make informed decisions on operating status announcements for their employees in those areas. FEBs consult with the General Services Administration, the Federal Protective Service, the National Weather Service, local public safety officials, and law enforcement officials to provide a recommendation to Federal field office heads on the operating status for their metropolitan area. While the FEB can provide a recommendation, each Federal field office head makes the operating status decision (announcement) for employees of the field office. Please visit <https://www.feb.gov/board-locations/> for a list of the metropolitan areas where FEBs are located.

Announcements on the status of Government operations outside the Washington, DC, area will be communicated to employees by each agency with offices in the affected area using the methods commonly employed by the agency for this purpose.

Thank you for your cooperation and support as we continue to work together to both ensure the safety of our employees and the continuity of our Government.

Margaret M. Weichert  
Acting Director

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## I. General Policies and Procedures

The *Governmentwide Dismissal and Closure Procedures (Procedures)* guide agencies in managing their employees in response to emergencies, severe weather conditions, natural disasters, and other incidents that cause disruptions of Government operations—consistent with applicable statutory and regulatory requirements. The policies and procedures apply when an authorized official determines that Federal employees are prevented from safely traveling to or safely performing work at an approved work location (5 U.S.C. 6329c(b)). The inability to safely travel to an approved work location may result in “closure” of a Federal office (i.e., closed to the public and non-emergency employees) for the full day or authorization of a delayed arrival. Authorization of early departure may be based on unsafe conditions at the work location or unsafe travel conditions affecting travel from the work location, both of which make it unsafe for the employee to continue to perform work at the location. For continuity of operations, it is critical for certain Government operations to continue functioning even when Federal offices are closed.

### A. Weather and Safety Leave

On December 23, 2016, Congress enacted the Administrative Leave Act of 2016 (Act) (section 1138 of Public Law 114-328), which provides OPM with the authority to regulate certain types of leave, including a new type of leave called “weather and safety leave,” previously granted as administrative leave or excused absence. OPM issued proposed regulations on July 13, 2017, and final regulations on April 10, 2018. (See 82 FR 32263 and 83 FR 15291.) OPM’s regulations and *Procedures* make clear the circumstances in which weather and safety leave may be used.

The Act created four new categories of leave: administrative leave (5 U.S.C. 6329a), investigative leave (5 U.S.C. 6329b), notice leave (5 U.S.C. 6329b), and weather and safety leave (5 U.S.C. 6329c). In particular, 5 U.S.C. 6329c(b) provides Federal agencies with the authority to—

“approve the provision of leave under this section to an employee or a group of employees without loss of or reduction in the pay of the employee or employees, leave to which the employee or employees are otherwise entitled, or credit to the employee or employees for time or service only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location due to—(1) an act of God; (2) a terrorist attack; or (3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.”

Since the Act requires weather and safety leave to be applied on a Governmentwide basis, OPM is issuing these Governmentwide Dismissal and Closure Procedures (applicable to all Federal agencies in all locations) and discontinuing the procedures focused solely on the Washington, DC, area. The Governmentwide Procedures incorporate this new type of leave.

Operating status announcements issued by agencies must use the term “weather and safety leave” instead of administrative leave or excused absence when an agency is approving an absence without charge to leave or loss in pay due to severe weather and other qualifying emergency situations covered by 5 U.S.C. 6329c.

Agencies should work with the administrators of their timekeeping and payroll systems to modify those systems so that use of weather and safety leave is properly recorded and reported (5 CFR 630.1607). Corresponding internal agency policies should also be updated, as appropriate, to ensure they are consistent with law, OPM regulations, and these *Procedures*.

## **B. Telework**

The Federal Government uses telework, among other things, as a way to promote continuity of operations by allowing Federal employees to continue their work at an approved alternative worksite. A telework program participant means an eligible employee who voluntarily participates in an agency telework program and has an established arrangement with his or her agency under which the employee is approved to telework, including on a routine or situational basis. (A telework program participant may also be referred to as a “telework-ready” employee in this handbook.)

Agencies should review their current telework policies and ensure that written agreements are in place for those employees who are telework program participants. Special attention should be paid to employees who telework only on an occasional, situational (ad hoc) basis so that they are prepared to telework during events or circumstances that disrupt or prevent commuting or reporting to the office. The key to the successful use of situational (ad hoc) telework is an effective telework program in which employees regularly practice teleworking.

An employee who is approved to telework on a situational basis is considered to be continuously participating in a telework program even if there are extended periods during which the employee does not perform telework.

***Note 1:** An employee’s participation in the telework program is voluntary; thus, an agency may not compel an employee to participate in the telework program, even if some or all of the duties of the position can be performed at an alternative location. At the same time, telework is not an employee entitlement, but a flexibility approved at an agency’s discretion.*

In addition, given recent agency actions to improve cybersecurity practices, we strongly encourage agencies to take steps to prepare telework-ready employees to effectively telework and have access to agency IT systems and networks, as may be necessary, should emergency or weather conditions so warrant.

***Note 2:** Agencies should carefully review their current telework agreements and make any necessary changes due to the introduction of weather and safety leave along with the requirements of the Act, OPM’s regulations, and these *Procedures*.*

## **C. Unscheduled Telework**

OPM strongly encourages agencies to permit eligible telework-ready employees to telework when an operating status announcement includes “unscheduled telework”—if such action would not unduly interfere with mission accomplishment. As required by the agency’s policies and procedures, and subject to any applicable collective bargaining requirements (as consistent with law), an employee must notify his or her supervisor of the intent to use unscheduled telework.

In establishing policies for unscheduled telework, agencies should avoid creating unnecessary barriers for telework-ready employees when unscheduled telework is announced. Since the unscheduled telework option maintains productivity and continuity of operations, OPM strongly believes the best course of action is for agencies to be as accommodating as possible to telework-ready employees who wish to perform unscheduled telework. Employees must follow their own agency's procedures when unscheduled telework is an option.

Finally, agencies should remind employees who elect to perform unscheduled telework that they must have an appropriate amount of work to complete during the workday at home. If an employee does not have enough work, he or she must either take unscheduled leave for the entire workday or use a combination of unscheduled telework and unscheduled leave to account for hours not worked.

#### **D. Interaction of Weather and Safety Leave and Telework**

OPM's new weather and safety leave regulations represent a shift from previous guidance provided in the *Washington, DC, Area, Dismissal and Closure Procedures* issued in 2016. Previously, OPM guidance stated that only those employees with telework agreements containing express language requiring them to work during a closure situation could be denied administrative leave. Under OPM's weather and safety leave regulations, **all** telework program participants will be ineligible for weather and safety leave when a closure is announced except in rare circumstances when one of the exceptions under 5 CFR 630.1605(a)(2) applies (discussed in section II.A below). Employees participating in a telework program must telework, take other leave (paid or unpaid) or paid time off (as approved by the agency), or a combination of both, unless an exception applies.

Exceptions an agency may consider:

- *Unexpected weather.* An agency may provide weather and safety leave to a telework-ready employee who, in the agency's judgment, could not have reasonably anticipated the severe weather or other emergency condition and therefore did not take home needed equipment or work. (For example, an area weather forecast changes dramatically during the weekend so an employee cannot reasonably be expected to telework on Monday.)
- *Unsafe telework site.* An agency may provide weather and safety leave to a telework-ready employee who is prevented from safely working at the telework site (such as by flooding or a roof collapse) as a result of the severe weather or other emergency event. In this case, **the home or other approved telework site is also impacted** in such a way that work cannot be safely performed.

**Note:** Agencies **will not** be able to provide weather and safety leave (previously known as administrative leave or excused absence) to a telework program participant who is not prevented from working safely at an approved telework site. Such employees **will not** be provided weather and safety leave as they are not prevented from performing work at an approved location. (See 5 U.S.C. 6329c(b) and 5 CFR 630.1605(a)(1).)



Agencies should implement sound human capital policies and procedures regarding telework and the various weather and safety leave exceptions. Agencies have the discretion to make those exceptions consistent with the regulatory provisions for weather and safety leave. Those exceptions and the procedures under which an agency may provide weather and safety leave should be clearly communicated to agency employees.

Since many employees telework at home, agencies should address in their telework policies potential situations that may prevent or impact an employee's ability to effectively perform his or her duties at home. This includes policies regarding the conditions under which employees may telework during a Federal office closure, even if they have a young child or other person requiring the presence of a caregiver in the home. However, if these circumstances diminish an employee's ability to perform their duties via telework during official hours of work, the employee may not be eligible to telework under these conditions (5 U.S.C. 6502(b)(1)). (It may be possible for an employee on a flexible work schedule to take unpaid breaks to attend to non-work responsibilities, which could enable the employee to be fully productive during claimed hours of work. Or an employee could be allowed to take leave or other paid time off to cover non-work periods.)

If an agency policy bars an employee from teleworking at his or her home when there is a child or elder care situation, then the home is not an approved location under the Act and OPM's regulations. Therefore, if the employee is not permitted to telework under agency policies, and cannot safely travel to or perform work at the regular office location, an agency may grant weather and safety leave to the employee.

**Example 1:** *Brian is a Federal employee who is a telework program participant. Brian also has a 3-year old daughter who lives in his home. A major snowstorm hits the area causing Brian's agency to announce a closure. Brian is unable to transport his daughter to a day care provider due to the weather conditions. Brian is prepared to telework but his agency bars employees from performing telework when children are in the home without supervision by another adult. Therefore, since Brian cannot safely travel to the worksite due to the closure and he cannot perform telework due to his agency's policy, Brian's agency may grant him weather and safety leave for the entire workday.*

If an agency policy allows an employee to telework when a young child or other person requiring the presence of a caregiver is present in the home, any time spent providing care to such individuals would not be considered hours of work. Under this scenario, an employee would be expected to account for work and non-work hours during his or her tour of duty and take the appropriate leave (paid or unpaid) or other paid time off (e.g., previously earned credit hours or compensatory time off) to account for the time spent away from normal work-related duties. The employee should not be granted weather and safety leave for the non-work time that occurred during the employee's tour of duty for the workday.

**Example 2:** *Stacey is a Federal employee who is a telework program participant. She also has a 5-year old son who lives in her home. A major snowstorm causes Stacey's agency to announce a closure. Stacey's agency permits employees under limited circumstances to telework when children are in the home without supervision by another adult only when a closure is announced. However, employees may only count those hours during which actual agency work is performed. Any time Stacey spends providing care to her son may not be counted as hours of work. Stacey finds she can telework during the morning for 5 hours but needs to take leave in the afternoon to care for her son. Stacey may not be granted weather and safety leave and must take 3 hours of paid or unpaid leave or other paid time off.*

## E. Remote Employees

An employee whose home is considered the employee's official worksite is generally not granted weather and safety leave when the employee's parent office (i.e., the office where the employee would work but for the remote work arrangement) is closed, since the employee is able to safely perform work at an approved location. Weather and safety leave may be appropriate if the employee is unable to safely perform work at the employee's home. Remote employees must follow their agency's policies, procedures, and any applicable collective bargaining requirements, or contact their supervisors for further information and instructions.

## F. Emergency and Non-Emergency Employees

Emergency employees are employees who are expected to report to their worksite or begin teleworking (as permitted) on time unless otherwise directed by their agencies. OPM advises agencies to designate in advance those emergency employees who are critical to agency operations (including security and infrastructure) in dismissal or closure situations and who will be expected to work. OPM does not provide standard Governmentwide definitions of emergency employees due to the diversity in agency missions and employee occupations/skills, the variable nature of the emergencies, and weather and geographic conditions specific to duty locations. Each agency is in the best position to determine its own needs and is responsible for determining which employees are designated as emergency employees. Agency heads (or their designees, as applicable) should make such determinations based on the agency's unique mission requirements and/or circumstances. Such designations should be communicated to the affected employees at least annually (preferably in writing and well in advance) so employees can be prepared to support and sustain agency operations.

**Note:** *Employees who are required to work on site (e.g., at the office) or telework during their regular tour of duty on a day when Federal offices are closed (or when other employees are authorized a delayed arrival or an early dismissal/departure) are not entitled to receive overtime pay, credit hours, or compensatory time off for performing work during their regularly scheduled non-overtime hours.*

When Government operations are disrupted and offices are closed for an extended period of time, an agency may determine that changing circumstances require **non-emergency** employees to report for work. Consequently, each agency should establish a procedure for notifying and recalling these employees. OPM advises agencies to identify non-emergency employees who are expected to remain in contact with their agencies at all times during dismissal or closure

situations to maintain continuity readiness. Such employees may be called to work during emergencies dealing with national security, extended emergencies, or other unique situations. An agency should anticipate the emergency situations in which such employees will be expected to report for work at a regular worksite or alternative worksite and the circumstances under which employees will be permitted to telework, if the agency prefers, and should notify affected employees of this policy. Agencies may issue communication devices and other equipment to these employees to facilitate contact in emergency situations.

### **G. Interaction of Weather and Safety Leave and Emergency Employees**

Emergency employees are expected to report to or remain at their worksite unless otherwise directed by their agencies. Generally, emergency employees do not receive weather and safety leave. (See 5 CFR 630.1605(b).) During certain emergencies, an agency may determine that the circumstances have made traveling to or performing work at the worksite unsafe for emergency employees. In these situations, the agency may either require the emergency employee to work at another location or determine that circumstances justify providing weather and safety leave to emergency employees.

If an employee who is required to work fails to report for work without adequate reason for his or her absence, the agency may place the employee on absence without leave (AWOL), and the employee may potentially be disciplined for AWOL by the agency. Each agency is responsible for determining whether the employee has adequate reasons for his or her absence.

### **H. Employees on Preapproved Leave (Paid or Unpaid) or Other Paid Time Off**

OPM's weather and safety leave regulations do not allow employees to receive weather and safety leave for hours during which those employees are on preapproved leave or other paid time off. (See 5 CFR 630.1606(c).) Periods of paid leave include annual and sick leave. Other paid time off includes credit hours, compensatory time off, and time off award hours. Agencies should not approve weather and safety leave for an employee, who in the agency's judgment, requests to cancel his or her preapproved leave (paid or unpaid) or paid time off primarily for the purpose of obtaining weather and safety leave. If the employee was not expected to report to duty during a period for which weather and safety leave might otherwise have been authorized, there is generally no need for the agency to provide weather and safety leave to relieve the employee from his or her obligated workday (e.g., work hours). Supervisors may request sufficient information or documentation to show that granting weather and safety leave is appropriate—for example, documentation that the same weather/safety event caused cancellation of travel plans or of a doctor appointment.

***Example 1: Preapproved Annual Leave for Out-of-Area Trip Not Affected by Weather Event:***  
*Jon is a Federal employee who is scheduled to take annual leave for vacation covering February 3-10. On February 4, a massive snowstorm hits the Washington, DC, area. OPM announces that Federal offices are closed on February 4-7. Upon return from vacation on February 10, Jon requests to have his annual leave replaced with weather and safety leave for February 4-7. Jon's request is denied, since he was on preapproved leave and was not expected to perform work or travel to the approved worksite. Weather and safety leave may be granted only to employees who are prevented from safely traveling to or safely performing work at an approved work location due to a weather or other emergency event.*

**Example 2: Preapproved Annual Leave in Trip Cancellation Scenario:** Rachel is a Federal employee stationed in New York City who is scheduled to take annual leave for a California vacation covering December 15-31. She is a telework program participant. On December 15, a major snowstorm hits the New York City area. Rachel's agency announces that agency offices in New York City are closed on that day. Rachel's flight to California on the morning of December 15 is cancelled due to the snowstorm. Rachel requests to cancel her annual leave on December 15, since the snowstorm caused her travel plans to change. Rachel is prepared to telework as provided under her agency's telework agreement. Therefore, her annual leave is cancelled and Rachel performs work during the snowstorm. She is not provided weather and safety leave because she is able to work from her home. (Note: If Rachel was unprepared to telework because she was planning on being on annual leave for an extended period and expected to depart on December 15, the agency could find that, under the particular circumstances, it was reasonable for Rachel to have not brought her laptop computer home with her. In that case, the agency could provide weather and safety leave.)

**Example 3: Preapproved Sick Leave Example:** Ray is a Federal employee who works in the Washington, DC, area. He is scheduled to be on sick leave for the entire day for a scheduled outpatient procedure on February 5. Due to snowstorm, his office is closed on February 5. Because of the same snowstorm, Ray's outpatient procedure is also cancelled. Ray requests to cancel his sick leave due to the cancellation of the outpatient procedure. His agency determines that Ray should be permitted to cancel his sick leave since the request for sick leave is no longer valid. Since Ray is unable to use his sick leave for the purposes intended and he is not a telework program participant, he may be granted weather and safety leave.

**Example 4: Preapproved Leave without Pay (LWOP) Example:** Sally, a Federal employee who works in the Washington, DC, area, is on LWOP under the Family and Medical Leave Act (FMLA) from January 2 to March 30 for the birth of her child. Sally has a signed telework agreement in effect during her FMLA leave. OPM announces that Federal offices are closed on February 4-7 due to a massive snowstorm. Sally requests weather and safety leave for the February 4-7 closure. Sally's request is denied, since she was on preapproved LWOP and not expected to perform work or to travel to an approved worksite. In other words, her choice to use LWOP—not the snowstorm—prevented her from working or having to travel to a worksite.

## I. Employees on Alternative Work Schedules

There are two types of Alternative Work Schedules (AWS): flexible work schedules (FWS) and compressed work schedules (CWS). Under a FWS program, an employee has an 80-hour biweekly basic work requirement that allows an employee to determine his or her own schedule within the limits set by the agency, while under a CWS program the work schedule is fixed with no flexibility. Both FWS and CWS programs may permit an employee to complete his or her basic work requirement in less than 10 workdays in a biweekly pay period, in which case the employee would be entitled to an AWS day off (i.e., FWS day off, CWS day off). For more information on AWS, please see OPM's Handbook on Alternative Work Schedules at <https://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/alternative-work-schedules/>.

**Note:** *An employee is not entitled to an “in-lieu-of” AWS day off when a closure occurs on the scheduled AWS day off. The AWS day off must be treated the same as any other non-workday (Saturday and Sunday for most employees).*

Agencies should establish policies concerning weather and safety leave and alternative work schedules. In particular, agencies may establish policies that would allow an employee participating in the FWS program to move his or her FWS day off to cover a day when the employee would be otherwise expected to work (e.g., telework) or take leave that the employee has earned. This policy could be used when there is an announcement allowing unscheduled leave or unscheduled telework on a day on which an employee had been scheduled to work. Agency policies could allow an employee to change his or her FWS day off to be used on the day affected by the operating status announcement allowing use of unscheduled leave. The employee would have no work or leave requirement on the affected day, since it is now the FWS day off. The employee would now work a full workday on the day that had been scheduled to be the FWS day off.

Similarly, if there is an announcement that agencies are closed, an affected employee who is a telework program participant would not receive weather and safety leave (unless a regulatory exception applies) and would be expected to either telework or use regular leave (or other paid time off). An agency policy could allow such an employee to change his or her FWS day off to the affected day to eliminate the requirement to use regular leave (or other paid time off) or telework. The employee would now work a full workday on the day that had been scheduled to be the FWS day off.

**Example 1:** *Ryleigh is a Federal employee working at the Department of Agriculture. She participates in her agency telework program and is on a flexible work schedule. Ryleigh typically has a regularly-scheduled FWS day off on the second Friday of each pay period. A winter storm occurs on the first Tuesday of the pay period. Ryleigh’s agency announces that her office is closed. She would be expected to either telework or take leave (paid or unpaid) or other paid time off as she is a telework program participant. However, agency policies allow Ryleigh to move her regularly-scheduled FWS day off from the second Friday to the affected day of the closure announcement (first Tuesday). She opts to request this and does not have to telework or take leave or other paid time off on Tuesday. Instead, her absence from work on the affected day (Tuesday) is covered by her FWS day off, and the second Friday of the pay period becomes a regular workday.*

However, agency policies should **not** permit an employee to switch his or her scheduled FWS day off to another workday when, in the agency’s judgment, the change is being requested primarily for the purpose of allowing the employee to receive weather and safety leave on the previously scheduled FWS day off. If an employee is not scheduled to work, weather and safety leave is not applicable because the day is a non-work day.

**Example 2:** *Maria works for the Department of Transportation. She does not participate in the agency telework program but does have a flexible work schedule. Her regularly-scheduled FWS day off is on the second Monday of the pay period. A major storm hits the area on the second Monday of the pay period, and her agency announces her office is closed. Maria requests to switch her FWS day off to the next day (Tuesday). Her agency denies the request, since Maria was already scheduled to be off on Monday and, in the agency's judgment, the requested change is primarily for the purpose of obtaining weather and safety leave. Also, Maria does not receive an "in-lieu-of" FWS day off.*

## **II. Operating Status Announcements**

This section provides policies and procedures that apply when OPM or an agency issues an operating status announcement. Operating status announcements are generally issued when weather or other emergency conditions prevent Federal employees from safely traveling to or safely performing work at an approved work location (5 U.S.C. 6329c(b)). The inability to safely travel to an approved work location may result in "closure" of a Federal office (i.e., closed to the public and non-emergency employees) for the full day or authorization of a delayed arrival. Authorization of early departure may be based on unsafe conditions at the work location or unsafe travel conditions affecting travel from the work location, both of which make it unsafe for the employee to continue to perform work at the location. Depending on the conditions that affect a workday, the various operating status announcements have different procedures and application to an employee's workday. It is important that employees understand what each operating status announcement means and how it applies to them.

It is critical for certain Federal Government operations to continue to function, even when Federal offices are closed. The successful use of these operating status announcements will allow for both the safety of Federal employees and continuity of operations.

### **A. Governmentwide Application**

The operating status announcements described below (and listed in the Appendix) should generally be used Governmentwide during weather events and other emergencies. Agencies should work to familiarize their employees with these operating status announcements so employees are prepared to act. The operating status announcement should identify the affected geographic area. If the announcement affects only one agency or a selected group of agencies, that information should be part of the announcement. In the operating status announcements shown in the Appendix, we have placed "specified Federal offices in specified locations" in brackets as a placeholder. While an announcement heading may indicate there is an option for unscheduled leave or unscheduled telework, agencies retain the discretion to not allow the option of unscheduled leave or unscheduled telework for some or all employees due to mission requirements. An agency may exclude that option or limit its application, as appropriate.

## 1. OPEN

Federal agencies are OPEN. Employees are expected to report to their worksites or begin telework on time. Normal operating procedures are in effect.

## 2. OPEN WITH OPTION FOR UNSCHEDULED LEAVE OR UNSCHEDULED TELEWORK

Employees have the option to use unscheduled leave or unscheduled telework. Employees must notify their supervisor of their intent to use unscheduled leave or unscheduled telework (if the employee is a telework program participant).

***Example 1:** Steve works for the Department of the Interior in Idaho. He is a participant in his agency's telework program. A snowstorm hits that impacts his worksite. Steve's agency announces that the agency is open with the option for "unscheduled telework or unscheduled leave." Steve notifies his supervisor that he intends to perform unscheduled telework and starts to work at his normal start time.*

In rare circumstances, an agency may find it necessary to require an employee to report to work on a day when an unscheduled leave/unscheduled telework operating status is made.

***Example 2:** Jennifer works for the Department of State in Washington, DC, and participates in her agency's telework program. Although Jennifer would normally be permitted to take unscheduled telework, she is required to work at an event that supports foreign area diplomats that are visiting the Washington, DC, area. Jennifer's supervisor requires her to report to the office to work at the diplomatic event. Jennifer is not permitted to telework from home or take leave. Generally, this will not be a last-minute surprise, but a special work circumstance that both the supervisor and employee know about, discuss, and plan in advance.*

## 3. DELAYED ARRIVAL

### OPTION 3a: OPEN—XX HOUR(S) DELAYED ARRIVAL—WITH OPTION FOR UNSCHEDULED LEAVE OR UNSCHEDULED TELEWORK

Employees should plan to arrive for work no more than XX hour(s) later than they would normally be expected to arrive. Employees who report to the regular worksite are granted weather and safety leave for the hours between the employee's typical arrival time and the final reporting time, except that such leave is reduced if the employee arrives at work before the final reporting time. As an alternative, eligible employees may notify their supervisors that they are using the option of unscheduled leave or unscheduled telework instead of reporting to the regular worksite, in which case they will not receive weather and safety leave—and will be responsible for accounting for the entire workday by taking other leave (or paid time off), performing telework, or a combination.

**Example:** Julie works for the Federal Trade Commission in Chicago, Illinois. She typically arrives at her worksite at 8:00 a.m. If a 2-hour delayed arrival policy is announced by the Federal Trade Commission in Chicago, she should arrive for work no later than 10:00 a.m. She will be granted weather and safety leave for up to 2 hours, but may arrive at her office earlier. The maximum amount of weather and safety leave that Julie may be provided under this announcement is 2 hours.

**OPTION 3b: OPEN—DELAYED ARRIVAL—EMPLOYEES MUST REPORT TO THEIR OFFICE NO LATER THAN XX:XX—WITH OPTION FOR UNSCHEDULED LEAVE OR UNSCHEDULED TELEWORK**

Employees should plan their commutes to arrive at the worksite by no later than the final reporting time in the announcement. Employees who report to the worksite are granted weather and safety leave for the hours between the employee's typical arrival time and the final reporting time, except that such leave is reduced if the employee arrives at work before the final reporting time. (See Example below.)

If employees choose to use unscheduled telework versus reporting to the worksite, they will not receive weather and safety leave for the delayed arrival period since they would not be affected by the conditions under which the announcement was made. In this scenario, weather and safety leave is provided only to those employees who report to the regular office location.

**Example 1:** Elizabeth works for the Department of Agriculture while Doug works for the Department of Education. They both work in Iowa. Following a snowstorm, a delayed arrival is announced stating all employees must arrive no later than 11:00 a.m. The delayed arrival announcement also advised that employees have the option of unscheduled leave or unscheduled telework. Elizabeth typically arrives at her worksite at 7:00 a.m. She will be granted weather and safety leave for up to the number of hours during the period between her typical arrival time and the final reporting time specified in the announcement. Thus, the maximum amount of weather and safety leave that she may be provided under this announcement is 4 hours (the period of time between 7:00 a.m. and 11:00 a.m.). If Elizabeth actually arrives at work at 10:30 a.m., she would only be granted 3.5 hours of weather and safety leave and would begin working at 10:30 a.m. Meanwhile, Doug, who participates in his agency's telework program, notifies his supervisor that he will perform unscheduled telework on that same day. He begins work on time and works his regular tour of duty. He does not receive any weather and safety leave as he did not commute to his regular office location. Doug must telework for the entire workday, or, if he chooses to work less than a full workday, he must request leave (paid or unpaid) or other time off, or use some combination of telework and leave (or other time off).

As discussed in Option 3a, employees who request unscheduled leave or other paid time off under a delayed arrival announcement will be charged leave or other paid time off for the entire period of their workday. Employees will not receive weather and safety leave for the number of hours that are provided to employees who commute into their worksite.



**Example 2:** Jane works for the Department of Energy in Topeka, Kansas. Following an ice storm, a delayed arrival announcement is made by the Department of Energy in Topeka, Kansas, stating all employees must arrive no later than 2 hours past the employee's normal arrival time. The delayed arrival announcement also advised that employees may request unscheduled leave (paid or unpaid) or other paid time off or unscheduled telework for the day. Jane notifies her supervisor that she would like to take unscheduled leave (in the form of annual leave) for the day and not commute to the worksite. Jane is charged annual leave for her entire work day and is not provided any weather and safety leave.

Another option for Jane, who works under a flexible work schedule (FWS) that contains an FWS day off, would have been to request to move her FWS day off to cover this period of absence (rather than taking annual leave), if allowable under her agency's internal FWS work scheduling policies and if the FWS day off had not already been taken during the pay period.

#### **4. EARLY DEPARTURE**

Because of a weather or other safety-related emergency, agencies may need to allow their employees to depart work before the end of the employee's workday. There are several options for managing early departures. In two of the options below (4a and 4b), early departure is managed by staggering the departures based on when each employee's workday would normally end. While the descriptions of these options reflect the default methods of staggering departures, agencies issuing operating status announcements in areas outside of Washington, DC, may choose to use a different method of staggering departures and adjust the operating status announcement accordingly.

##### **OPTION 4a: EARLY DEPARTURE - XX HOUR(S) STAGGERED RELEASE**

Employees depart a set number of hours earlier than their normal departure times and will be granted weather and safety leave for the number of hours remaining in their workday, except as otherwise provided for telework program participants.

**Example 1:** Kate works for the Internal Revenue Service in Syracuse, New York. She works from 9:00 a.m. until 5:30 p.m. each day and does **not** participate in her agency's telework program. In anticipation of a major blizzard forecast to hit the region, a 3-hour staggered early departure is announced by the Internal Revenue Service in Syracuse, New York. Kate may leave work 3 hours earlier than normal (2:30 p.m.) and will receive weather and safety leave for the remainder of her workday.

**Example 2:** *Tanner works for the Department of Education in Minneapolis, Minnesota, from 8:00 a.m. to 4:30 p.m. He does not participate in his agency's telework program. Tanner attends a mid-day doctor appointment from 1:00 – 2:30 p.m. on Tuesday for which he is using preapproved sick leave. A snowstorm occurs during the workday on Tuesday impacting Minneapolis. The Department of Education in Minneapolis announces a 3-hour staggered early departure, which would normally result in a 1:30 p.m. departure for Tanner. Tanner was able to keep his doctor appointment as scheduled. Tanner will remain on preapproved sick leave between 1:00-2:30 p.m. even though an early departure has been announced. He will receive weather and safety leave for the remainder of his workday after the completion of his doctor appointment (2:30-4:30 p.m.).*

Telework program participants working in the office when an early departure is announced generally may receive weather and safety leave only for the amount of time required to commute home (excluding the period of time for an unpaid lunch break, if applicable). This means that telework program participants must complete the remaining time (if any) in their workday by either teleworking or taking leave (paid or unpaid) or other paid time off once they arrive home unless one of the exceptions under 5 CFR 630.1605(a)(2) applies.

**Example 3:** *Jon works for the Railroad Retirement Board in Chicago, Illinois. He currently participates in his agency's telework program. The Chicago Federal Executive Board (FEB) recommends a 3-hour staggered early departure due to a major snowstorm approaching the area. The Railroad Retirement Board in Chicago agrees with the Chicago FEB's recommendation and communicates the operating status announcement to its Railroad Retirement Board employees in Chicago. Jon normally works from 8:00 am to 4:30 p.m. and is currently working in the office. Jon may leave the Chicago office at 1:30 p.m. and commute home. Jon arrives home at 2:30 p.m. and completes the remainder of his workday via telework. He will receive weather and safety leave for the period it took for him to commute home (1:30-2:30 p.m.). If Jon chooses not to complete the remainder of the workday once he arrives home, he must request unscheduled leave or other paid time off for the remainder of the day (from 2:30-4:30 p.m.) or a combination of both leave or other paid time off and telework.*

If an employee arrives home after his or her workday has concluded, there are no hours remaining in the workday. Therefore, the employee would not be required or expected to work.

Employees who were already performing telework when an early departure announcement is made must continue to telework or take unscheduled leave or other paid time off, or a combination of both, for the remainder of their tour of duty unless one of the exceptions under 5 CFR 630.1605(a)(2) applies.

**Note:** *Employees who depart prior to their staggered early departure times may request to use unscheduled leave (paid or unpaid) or other paid time off and will not be granted weather and safety leave. A telework program participant may complete the remainder of his or her workday via telework, upon supervisory/management approval. An employee will be in an unscheduled leave (non-work) status during the commute time home when he or she chooses to leave prior to the scheduled departure time in the announcement.*

#### **OPTION 4b: EARLY DEPARTURE - XX HOUR(S) STAGGERED RELEASE – ALL EMPLOYEES MUST DEPART NO LATER THAN XX:XX**

Employees depart a set number of hours earlier than their normal departure time and will be granted weather and safety leave for the number of hours remaining in their workday (i.e., daily tour of duty established for purposes of charging leave), except as otherwise provided for telework program participants. All employees are required to depart the office by the final departure time at which point the office is closed.

Telework program participants working in the office when an early departure is announced may receive weather and safety leave only for the amount of time required to commute home (excluding the period of time for an unpaid lunch break, if applicable). This means that telework program participants must complete the remaining time in their workdays by either teleworking or taking other leave or paid time off once they arrive home unless one of the exceptions under 5 CFR 630.1605(a)(2) applies.

Employees who were already performing telework when an early departure announcement is made must continue to telework, take unscheduled leave or other paid time off, or a combination, for the remainder of their tour of duty unless one of the exceptions under 5 CFR 630.1605(a)(2) applies.

**Example:** Ashley works for the Federal Aviation Administration in Cleveland, Ohio. She works from 9:30 a.m. to 6:00 p.m. and does not participate in her agency's telework program. A crippling ice storm is forecast to hit the Cleveland area with the major impact occurring after 3:00 p.m. The Cleveland FEB recommends a 3-hour staggered early departure with all employees departing no later than 2:30 p.m. The Federal Aviation Administration in Cleveland, Ohio, agrees with the Cleveland FEB's recommendation and communicates the operating status announcement to its Federal Aviation Administration employees in Cleveland. Ashley will depart at 2:30 p.m. as the final departure time occurs earlier than her staggered departure time (3:00 p.m.) would have. She will receive weather and safety leave for the remainder of her workday (3.5 hours) because she is not a telework program participant.

#### **OPTION 4c: IMMEDIATE EARLY DEPARTURE**

Employees working in the office must depart immediately and will receive weather and safety leave for the number of hours remaining in their workday, except as otherwise provided for telework program participants. Telework program participants working in the office may receive weather and safety leave only for the time it takes to commute home from the office (excluding the period of time for an unpaid lunch break, if applicable). This means that a telework program participant must complete the remaining time in the workday by either teleworking from home, requesting other leave or paid time off, or a combination of both. An employee already performing telework when an immediate departure announcement is made must continue to telework, request unscheduled leave or other paid time off, or a combination, for the remainder of his or her tour of duty and will not receive weather and safety leave unless one of the exceptions under 5 CFR 630.1605(a)(2) applies.

**Example 1:** *An earthquake hits a Naval Base in San Diego, California, and the base commander believes it is necessary to close the building to check for structural damage. The base commander announces an immediate departure at 12:00 p.m. (noon) to ensure the safety of his workers. Jack typically works from 8:00 a.m. to 4:30 p.m. and participates in his agency's telework program. He leaves the base at 12:00 p.m. (before having his unpaid lunch period, which must be taken between 11:30 a.m. and 1:30 p.m. under agency rules) and arrives home at 12:30 p.m. Jack receives weather and safety leave for his 30-minute commute. He will complete the workday by taking his half-hour lunch period before 1:30 p.m. and by either teleworking or taking leave or other paid time off, or a combination of both, to cover the remainder of the workday.*

A telework program participant may be provided weather and safety leave for the remainder of the workday if, in the agency's judgment, he or she could **not** have reasonably anticipated the severe weather or emergency and thus is not prepared to telework. (See 5 CFR 630.1605(a)(2)(i).)

**Example 2:** *Linda works for the Internal Revenue Service in Indianapolis, Indiana, and is an agency telework program participant. A fire breaks out in her building during her lunch period while she is away from the office, and her agency announces an immediate departure for all employees working in the building. Linda is not permitted to reenter the building to retrieve her laptop, which is needed to telework for the remainder of her workday. Her agency determines that the facts warrant an allowed exception as she could not anticipate the fire. The agency provides Linda with weather and safety leave for the remainder of the workday under the 5 CFR 630.1605(a)(2)(i) exception.*

## 5. OFFICE CLOSURE

The office is closed for weather/safety reasons. In general, employees will be granted weather and safety leave for the number of hours they were scheduled to work unless they are (1) an emergency employee, (2) a telework program participant, (3) on official travel outside of the duty station, (4) on preapproved leave (paid or unpaid) or other time off, or (5) on an AWS day off or other non-workday.

### ***Exception for Weather and Safety Leave Telework Rule***

Under OPM's regulations, telework program participants do not receive weather and safety leave when a closure is announced. Instead, they must telework for the entire workday, take other leave (paid or unpaid) or other time off, or use a combination of telework and leave or other paid time off unless one of the regulatory exceptions discussed further in this section applies.

**Example 1: No Weather and Safety Leave for Telework Program Participants:** Bob works for the Department of Agriculture in Topeka, Kansas, and participates in his agency's telework program. His office is closed due to a major blizzard on a Monday. Bob has a current, signed telework agreement that permits him to work from home one day per week. The telework agreement does not have specific language addressing weather and safety leave during an office closure. Bob's home is not affected by the storm in a way that affects his ability to telework, and Bob has his equipment and work files. As required by the law and regulations governing weather and safety leave, Bob is not granted weather and safety leave, since he is not prevented from safely performing work at an approved location (i.e., Bob's home). Instead, Bob must either telework for his entire workday, request leave (paid or unpaid) or other paid time off, or use a combination of telework and leave or other paid time off.

While the general rule prohibits weather and safety leave for telework program participants, OPM's regulations do allow for certain exceptions. A telework program participant may be provided weather and safety leave if, in the agency's judgment, he or she could **not** have reasonably anticipated the severe weather or emergency and thus is not prepared to telework. (See 5 CFR 630.1605(a)(2)(i).)

**Example 2: Exception to Weather and Safety – Telework Rule:** Susan works for the Department of Homeland Security in North Carolina and participates in her agency's telework program. She has a current, signed telework agreement that permits her to work from home one day per week. When Susan teleworks, she must bring her work laptop from her office to her home. The weather forecast on a Friday calls for mild temperatures and light rain the following Monday. Susan doesn't plan to telework Monday, so she does not bring her laptop home. The weather forecast changes dramatically during the weekend and a large snowstorm hits the area. Susan's office is closed Monday and, under the general rule barring weather and safety leave during a closure for employees participating in a telework program, she normally would not receive weather and safety leave. However, her agency determines that the facts warrant an allowed exception as the agency policy does not require employees to bring home necessary work and equipment, such as their laptops, on a daily basis. Susan could not reasonably anticipate the snowstorm in order to prepare to telework by bringing her laptop home. The agency provides Susan with weather and safety leave for the day under the 5 CFR 630.1605(a)(2)(i) exception.

Additionally, 5 CFR 630.1605(a)(2)(ii) provides another exception that permits agencies to provide weather and safety leave to a telework program participant if the employee is prepared to work at the telework site but is prevented from safely working there due to the severe weather or emergency situation. Agencies may consider exercising their authority to grant weather and safety leave to teleworking employees on a case-by-case basis (e.g., for electricity/infrastructure/connectivity issues).

**Example 3: Exception to Weather and Safety – Telework Rule:** Ray works for the Department of the Interior in Maine and participates in his agency’s telework program. He has a current, signed telework agreement that permits him to work from home two days per week. His office is closed due to a major blizzard on a Friday. Ray intends to telework from home and has all the necessary equipment and materials to perform work. Unfortunately, the high winds from the blizzard resulted in a power outage to his home, and Ray is unable to work at his telework site. Ray’s agency determines that weather and safety leave would be appropriate under these circumstances since agency telework policies require electricity for a location to be an approved telework location.

An agency can choose not to provide weather and safety leave under the 5 CFR 630.1605(a)(2)(i) and (ii) exceptions when severe weather can reasonably be predicted and an employee has not taken the necessary steps to prepare for teleworking.

**Example 4: Telework Exception Not Applicable:** Weather forecasts have been widely calling for a major snow event to occur on a Wednesday in New York. Marci’s agency has a policy that requires employees to be prepared to telework throughout the year by monitoring weather forecasts and bringing home computer equipment in response to any potential weather event. The snowstorm occurs Wednesday, closing the office. Marci is expected to telework but she cannot because she did not bring home her laptop and/or work assignments. Her agency chooses not to provide weather and safety leave to her because she failed to make the necessary preparations to telework. (See 5 CFR 630.1605(a)(3).) Marci must take leave (paid or unpaid) or other paid time off to account for her workday.

As explained in section I.D., an agency’s telework policies regarding the performance of telework with children or other dependents in the home can affect whether weather and safety leave may be granted in a closure situation. See section I.D., including Examples 1 and 2.

## 6. SHELTER-IN-PLACE

Shelter-in-place procedures are conducted when employees (and visitors) must remain in the office or take immediate shelter in a readily accessible interior location to protect themselves. A shelter-in-place may be activated for a variety of reasons, which could include severe weather (e.g., tornadoes) or danger from exposure to outside contaminants in the event of a release into the atmosphere of hazardous materials such as radiological, biological, or chemical contaminants. It is anticipated that a shelter-in-place announcement would be extremely rare and likely would be in effect for a relatively short period of time. This operating status announcement is not intended to supersede any agency-specific shelter-in-place plans or procedures, and agencies retain the authority to act on their own without a shelter-in-place operating status announcement, as circumstances dictate.

Employees should follow their agency’s emergency procedures for shelter-in-place announcements. Employees should remain in their designated safe area until they are notified by agency officials that they may return to their offices or leave their worksites. During a shelter-in-place emergency, employees may be restricted to their agency’s premises for periods beyond their normal tour of duty because of events beyond the agency’s control. Unless employees are required to perform work, they will not be entitled to any additional pay for this extended period.

The Comptroller General has ruled that periods of time during which an employee is required to remain at a work location are not considered compensable hours of work if the employee is detained for reasons that are not under the control of the agency or are not related to work requirements. (See Comptroller General opinion B-187181, October 17, 1977.)

Employees performing telework are expected to continue working during the shelter-in-place unless affected by the emergency or otherwise notified by their agencies.

## **B. Application to the Washington, DC, Area**

OPM will continue to provide the operating status for all Federal Executive agencies in the Washington, DC, area. The currently approved operating status announcements are listed in the Appendix and may also be found at <http://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/current-status>.

### ***Operating Status for the Washington, DC, Area***

OPM will continue to issue operating status announcements for employees in all Executive agencies with offices located **inside** the “Washington Capital Beltway” (the freeway that encircles the Nation’s capital). In addition, some agencies may decide to apply the same announcement procedures to facilities located in the portions of the counties and jurisdictions that are **outside** of the Capital Beltway, but adjacent to the District of Columbia (i.e., portions of Montgomery and Prince George’s Counties in Maryland; portions of Fairfax County (including the independent city of Fairfax surrounded by Fairfax County) and the independent city of Alexandria in Virginia). However, agencies may decide to develop separate plans for these facilities, since Federal offices in areas **outside** the Capital Beltway may be subject to different weather and traffic conditions than those inside the Beltway. In very rare circumstances, OPM may issue guidelines affecting agency facilities **outside** the Washington Capital Beltway.

**Note:** OPM operating status announcements in the Washington, DC, area **do not** apply to employees of the legislative branch, judicial branch, U.S. Postal Service, the government of the District of Columbia, or private sector entities, including contractors. These entities may choose to implement and follow OPM’s announcements, but are not required to do so.

### ***Importance of Following OPM Announcements for Washington, DC, Area Emergencies***

In order to enhance safety and productivity, it is essential that covered Federal agencies and employees follow OPM operating status announcements for area-wide emergencies or special events that create a disruption in the Washington, DC, metropolitan area. The operating status announcements apply to employees working in all Executive agencies with offices located inside the “Washington Capital Beltway.” These policies are based on the principle that the Federal Government’s vital business must be carried out without compromising the safety of our employees and the general public. In the event of area-wide work disruptions, agencies should avoid independent action because changes in the commuting hours of Federal employees can result in dramatic disruption of the highway and mass transit systems. Following OPM’s announcements and policies will allow for coordination with municipal and regional officials,

and will reduce disruption of the highway and transit systems. This will both reduce traffic congestion and ensure that affected employees are treated as consistently as practicable.

### ***Agency-Specific Announcements***

For agency-specific emergencies, OPM continues to believe that each agency is in the best position to determine the appropriate course of action. For example, power outages, building fires, or localized flooding could affect one or several facilities without requiring all agencies to take action. Agencies have the authority to release employees and/or close individual facilities on a localized, building-by-building basis. Each agency should have a method for communicating and updating operating status announcements to employees as part of the agency's emergency procedures. This can include communications via email, phone, text messaging, or other electronic formats.

### ***Additional Operating Status Announcements for the Washington, DC, Area***

Over the years, the Washington, DC, area has experienced a wide variety of weather phenomena including historic amounts of snowfall, ice storms, earthquakes, and hurricanes. These events have shown us that no two emergencies are exactly alike. Therefore, as a general principle, agencies in the Washington, DC, area should be aware that OPM may need to issue a new or hybrid operating status announcement and should be prepared for OPM to do so at any time, depending on the particulars of the emergency, for the safety of employees, and the need for continuity of Government operations. OPM will always attempt to use the published operating status announcements found in the Appendix.

**Note:** *Announcements on the status of Government operations in the Washington, DC, area will be available at <http://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/current-status>. Recorded messages on operating status in the Washington, DC, area also will be provided by OPM's Office of Communications on (202) 606-1900. Additionally, the OPM Alert mobile app allows employees to instantly view the current and active operating status for the Washington, DC, area and to sign up for optional push notifications when status changes occur. Please visit <http://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/mobile-app> for more information.*



### III. Roles and Responsibilities

The following section provides the roles and responsibilities for OPM, agencies, and employees during severe weather and emergency situations.

#### A. OPM Responsibilities

In addition to providing the Federal Government's operating status in the Washington, DC, area, OPM has the authority to issue regulations and guidance on weather and safety leave. The following specifies OPM's responsibilities both Governmentwide and in the Washington, DC, area.

##### OPM's Governmentwide responsibilities include:

- *Issuance of regulations on weather and safety leave.* OPM issues regulations that provide agencies with the authority and regulatory requirements for granting employees this type of leave (previously granted as excused absence (administrative leave)).
- *Issuance of the Governmentwide Dismissal and Closure Procedures.* OPM issues the *Procedures* for departments and agencies to use when preparing for an emergency or significant weather event that creates a disruption or impacts one or more Federal worksites.

##### OPM's Washington, DC, Area responsibilities include:

- *Coordination and consultation with regional officials.* OPM works directly with the Washington Metropolitan Council of Governments, including the DC government, municipal and regional officials, along with the Washington Metropolitan Area Transit Authority and other regional transportation officials regarding how to respond to severe weather, emergency situations, and other special events that cause disruptions in the Washington, DC, area. Please view our YouTube post at <https://www.youtube.com/watch?v=rsiaC8MRF9g> for more information.
- *Communication of any change to the operating status.* OPM communicates the Director's final decision on the Federal Government's operating status in the Washington, DC, area through media outlets, social media, the OPM website, and the OPM Alert mobile app to reach its customers—e.g., Chief Human Capital Officers, agencies, employees, and others interested in following OPM's operating status announcements (e.g., private sector companies).

## B. Agency Responsibilities

Agencies must establish policies and procedures to be consistent with OPM's weather and safety leave regulations and the *Procedures*.

### Agency responsibilities include:

- *Issuance of operating status announcements.* Outside of the Washington, DC, area, agencies are responsible for issuing operating status announcements, as necessary. Those announcements should use the terminology set forth in this Governmentwide guidance. In the event of atypical circumstances, agencies may issue a new or hybrid operating status announcement to fit the particular situation, with full consideration of the objectives of keeping employees safe and fostering continuity of Government operations. Agencies should always attempt to use OPM's published operating status announcements.
- *Communication of expectations.* Operating status announcements are only effective if each employee understands what the announcement means and how to react. Employees must understand which human resources flexibilities are available to them during specific agency operating procedures, such as unscheduled telework, unscheduled leave, etc. In an emergency situation, timing is crucial.
- *Review and revision of telework agreements.* Agencies should adjust telework agreements to reflect the new weather and safety leave law, regulations, and these *Procedures* and, where applicable, collective bargaining agreements. It is important to note that agencies cannot provide weather and safety leave to telework program participants who are not prevented from working safely at an approved telework site during severe weather or other emergency situations. Generally, a telework participant will be expected to telework when Federal offices are impacted by severe weather or an emergency situation.
- *Designation of emergency employees.* At least annually, agencies should identify emergency employees (which may include Continuity of Operations [COOP] employees) and notify them in writing. The written notice should include the requirement that emergency employees report for work or remain at work (or work at home or report to an alternative worksite) when Government operations are disrupted. The notice should also include an explanation that announcements of unscheduled leave/unscheduled telework, delayed arrival, early or immediate departure, or Federal office closure do not apply to them unless they are instructed otherwise. Agencies must notify employees that, if they are required to report for work and fail to do so, they may be charged absence without leave (AWOL) for the period not worked and may potentially be disciplined for AWOL upon further determination by the agency. In unique situations, an agency may determine that circumstances justify providing emergency employees with weather and safety leave. Telework agreements should include standard provisions addressing employees who are emergency workers, including the requirement for emergency workers to report to work or to an approved alternative site when Government operations are disrupted.
- *Establishment of internal agency policies on requesting workplace flexibilities.* Agencies should develop explicit procedures in advance detailing the workplace flexibilities that employees may use during emergencies. The procedures should specify how employees are

to notify their supervisor promptly of their intent to use unscheduled leave or perform unscheduled telework prior to the start of the workday or as soon as practicable. Agencies should also develop similar procedures for employees to request unscheduled leave when announcing an early departure with either a staggered or final departure time or an immediate departure after the workday has already begun. Agencies must establish internal policies for employees regarding the use of unscheduled leave and flexible work schedules. This includes explicit policies on (1) the use of leave without pay, (2) the appropriateness of allowing an employee to change an FWS day off (see section I.I), and (3) the flexibility to rearrange starting and stopping times under a flexible work schedule—when an operating status announcement is made that allows for these workplace flexibilities to be used. Agencies should consult OPM’s *Handbook on Alternative Work Schedules* to determine the “normal arrival and departure times” of employees on flexible schedules. The handbook is available on OPM’s website at <http://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/alternative-work-schedules>.

- *Establishment of internal agency policies on shelter-in-place.* Agencies should have shelter-in-place plans developed to use during certain emergencies. These plans should be communicated clearly to their employees and tested periodically.
- *Tracking of weather and safety leave and telework.* Agencies must develop systems to accurately track the number of hours that an employee teleworks and/or is provided weather and safety leave.

### C. Employee Responsibilities

During an emergency situation or severe weather, employees will have to decide on a course of action based upon the workplace flexibilities provided under the operating status announcement made for the affected workday contained within the *Procedures*.

#### Employee responsibilities include:

- *Familiarization with operating status announcements.* Employees should review the various operating status announcements that are utilized and discuss with their immediate supervisor or manager, if necessary.
- *Preparation and planning.* Employees should be prepared and plan ahead when conditions indicate severe weather is possible. For employees participating in a telework program, this includes taking any necessary equipment, such as laptops, home prior to a forecasted weather event.
- *Notification of supervisor/manager.* Employees must notify their immediate supervisor/manager of their status for the workday when an operating status announcement is made.
- *Accurate reporting and accounting of work time.* Employees must accurately report and account for the number of hours in their scheduled workday, through telework, leave (paid or unpaid), or a combination of both.

## Appendix: Announcements on the Status of Federal Government Operations

STATUS OF FEDERAL GOVERNMENT OPERATIONS	
<p>The U.S. Office of Personnel Management (OPM) provides the following announcements which should be used Governmentwide to announce the operating status of an office, agency, or geographic area. In the case of announcements issued by OPM for offices located inside the “Washington Capital Beltway” area, all Federal Executive agencies are covered. For other announcements issued by agencies in other locations, responsible agency officials must identify the affected agency(ies) or office(s) and/or the affected geographic area. (See bracketed language regarding “specified Federal offices at specified locations.”)</p> <p><b>Note:</b> As a general principle, agencies may issue a new or hybrid operating status announcement at any time, depending on the particulars of an emergency, for the safety of employees, and continuity of Government operations. Agencies should always attempt to use OPM’s published operating status announcements.</p>	
Announcement	What Announcement Means
<b>OPEN</b>	<p>“[The specified Federal offices at specified locations are] <b>OPEN.</b>”</p> <p>Employees are expected to report to their worksites or begin telework on time. Normal operating procedures are in effect.</p>

<p><b>OPEN WITH OPTION FOR UNSCHEDULED LEAVE OR UNSCHEDULED TELEWORK</b></p>	<p>“[The specified Federal offices at specified locations are] <b>OPEN</b> and employees have the <b>OPTION</b> for <b>UNSCHEDULED LEAVE OR UNSCHEDULED TELEWORK.</b>”</p> <p><i>Non-Emergency Employees</i> must notify their supervisor of their intent to use unscheduled leave or unscheduled telework. In accordance with their agency’s policies and procedures, subject to any applicable collective bargaining requirements (as consistent with law), non-emergency employees have the option to use:</p> <ul style="list-style-type: none"> <li>(1) earned annual leave, compensatory time off, credit hours, or sick leave, as appropriate;</li> <li>(2) leave without pay;</li> <li>(3) their flexible work schedule day off or rearrange their work hours under flexible work schedules; or</li> <li>(4) unscheduled telework.</li> </ul> <p><i>Emergency Employees</i> are expected to report to their worksites on time unless otherwise directed by their agencies.</p>
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<p><b>OPEN – XX HOUR(S) DELAYED ARRIVAL– WITH OPTION FOR UNSCHEDULED LEAVE OR UNSCHEDULED TELEWORK</b></p>	<p>“[The specified Federal offices at specified locations are] <b>OPEN</b> under <b>XX HOUR(S) DELAYED ARRIVAL</b> and employees have the <b>OPTION FOR UNSCHEDULED LEAVE OR UNSCHEDULED TELEWORK</b>. Employees should plan to arrive for work no more than XX hour(s) later than they would be expected to arrive.”</p> <p><i>Non-Emergency Employees</i> who report to the office will be granted weather and safety leave for up to XX hour(s) past their expected arrival time. In accordance with their agency’s policies and procedures (including required notification of the employee’s supervisor) and subject to any applicable collective bargaining requirements (as consistent with law), non-emergency employees have the option to use:</p> <ul style="list-style-type: none"> <li>(1) earned annual leave, compensatory time off, credit hours, or sick leave, as appropriate;</li> <li>(2) leave without pay;</li> <li>(3) their flexible work schedule day off or rearrange their work hours under flexible work schedules; or</li> <li>(4) unscheduled telework.</li> </ul> <p><i>Emergency Employees</i> are expected to report to their worksite on time unless otherwise directed by their agencies.</p> <p><i>Telework Employees</i> (i.e., employees who are participating in a telework program, including those who perform telework regularly and those who telework on an ad hoc basis) who choose not to report to the regular office must be prepared to telework, take unscheduled leave or other paid time off, or a combination—thereby accounting for the entire workday. In general, weather and safety leave is not available to telework employees who do not report to the regular office. Treatment of telework employees is subject to applicable law, regulations, agency policies and procedures, and any applicable collective bargaining requirements (as consistent with law).</p> <p><i>Leave.</i> In general, an employee on preapproved leave (paid or unpaid) or other paid time off (e.g., compensatory time off, credit hours)—including an employee who requests unscheduled leave or other paid time off—should be charged leave or other paid time off and not receive weather and safety leave.</p>
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**OPEN – DELAYED  
ARRIVAL –EMPLOYEES  
MUST REPORT TO THEIR  
OFFICE NO LATER THAN  
XX:XX – WITH OPTION  
FOR UNSCHEDULED  
LEAVE OR  
UNSCHEDULED  
TELEWORK**

“[The specified Federal offices at specified locations are] **OPEN** under a **DELAYED ARRIVAL** where employees must **REPORT TO THEIR OFFICE NO LATER THAN XX:XX** and have the **OPTION FOR UNSCHEDULED LEAVE OR UNSCHEDULED TELEWORK.**”

*Non-Emergency Employees* who report to the office will be granted weather and safety leave for the hours between the employee’s typical arrival time and the reporting time specified in the announcement, except that such leave is reduced if the employee arrives at work before the announced reporting time. In accordance with their agency’s policies and procedures (including required notification of the employee’s supervisor) and subject to any applicable collective bargaining requirements (as consistent with law), non-emergency employees have the option to use:

- (1) earned annual leave, compensatory time off, credit hours, or sick leave, as appropriate;
- (2) leave without pay;
- (3) their flexible work schedule day off or rearrange their work hours under flexible work schedules; or
- (4) unscheduled telework.

*Emergency Employees* are expected to report to their worksite on time unless otherwise directed by their agencies.

*Telework Employees* (i.e., employees who are participating in a telework program, including those who perform telework regularly and those who telework on an ad hoc basis) who choose not to report to the regular office must be prepared to telework, take unscheduled leave or other paid time off, or a combination—thereby accounting for the entire workday. In general, weather and safety leave is not available to telework employees who do not report to the regular office. Treatment of telework employees is subject to applicable law, regulations, agency policies and procedures, and any applicable collective bargaining requirements (as consistent with law).

**Leave.** In general, an employee on preapproved leave (paid or unpaid) or other paid time off (e.g., compensatory time off, credit hours)—including an employee who requested unscheduled leave or other paid time off—should be charged leave or other paid time off and not receive weather and safety leave.

**EARLY DEPARTURE - XX  
HOUR(S) STAGGERED  
RELEASE**

“Employees of [specified Federal offices at specified locations] are authorized for early departure. Employees should depart **XX HOUR(S)** earlier than their normal departure times and may request **UNSCHEDULED LEAVE** to depart prior to their staggered departure times.”

***Non-emergency Employees at the Worksite:***

**Weather and Safety Leave.** Non-emergency employees who are not telework program participants will be dismissed from their office **XX hour(s)** early relative to their normal departure times and will be granted weather and safety leave for the number of hours remaining in their workday.

**Telework Requirements.** In general, non-emergency employees who are telework program participants will receive weather and safety leave only for the amount of time required to commute home. Once these employees arrive at home, they must complete any remaining portion of the workday by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination.

**Departure Prior to Early Departure Time.** Non-emergency employees who depart prior to their staggered early departure times may request to use unscheduled leave (paid or unpaid) or other paid time off. Such employees will not be granted weather and safety leave for any part of the workday. A telework program participant who departs prior to the early departure time generally must account for the remaining hours in the tour of duty by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination.

***Emergency Employees*** are expected to remain at their worksite unless otherwise directed by their agencies.

***Telework Employees*** (i.e., employees who are participating in a telework program, including those who perform telework regularly and those who telework on an ad hoc basis) already performing telework when an early departure is announced generally may not receive weather and safety leave. They must account for the entire workday by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination, in accordance with law, regulations, agency policies and procedures, and any applicable collective bargaining requirements (as consistent with law).

***Leave.*** In general, an employee on preapproved leave (paid or unpaid) or other paid time off—including an employee who has requested unscheduled leave before an early departure is announced—should continue to be charged leave or other paid time off during the scheduled time and should not receive weather and safety leave.



**EARLY DEPARTURE - XX  
HOUR(S) STAGGERED  
RELEASE– ALL  
EMPLOYEES MUST  
DEPART NO LATER THAN  
XX:XX**

“Employees of [specified Federal offices at specified locations] are authorized for early departure. Employees should depart **XX HOUR(S)** earlier than their normal departure time and may request **UNSCHEDULED LEAVE** to depart prior to their staggered departure time. All employees **MUST DEPART** at no later than XX:XX at which time Federal offices are **CLOSED.**”

***Non-emergency Employees at the Worksite:***

**Weather and Safety Leave.** Non-emergency employees who are not telework program participants will be dismissed from their office **XX hour(s)** early relative to their normal departure time or at the final departure time (as applicable) and will be granted weather and safety leave for the number of hours remaining in their workday.

**Telework Requirements.** In general, non-emergency employees who are telework program participants will receive weather and safety leave only for the amount of time required to commute home. Once these employees arrive at home, they must complete any remaining portion of the workday by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination.

**Departure Prior to Early Departure Time.** Non-emergency employees who depart prior to their staggered early departure time or the final departure time may request to use unscheduled leave (paid or unpaid) or other paid time off. Such employees will not be granted weather and safety leave for any part of the workday. A telework program participant who departs prior to the early departure time generally must account for the remaining hours in the tour of duty by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination.

***Emergency Employees*** are expected to remain at their worksite unless otherwise directed by their agencies.

***Telework Employees*** (i.e., employees who are participating in a telework program, including those who perform telework regularly and those who telework on an ad hoc basis) already performing telework when an early departure is announced generally may not receive weather and safety leave. They must account for the entire workday by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination, in accordance with law, regulations, agency policies and procedures, and any applicable collective bargaining requirements (as consistent with law).

***Leave.*** In general, an employee on preapproved leave (paid or unpaid) or other paid time off—including an employee who has requested unscheduled leave before an early departure policy is announced—should continue to be charged leave or other paid time off during the scheduled time and should not receive weather and safety leave.

<p><b>IMMEDIATE EARLY DEPARTURE</b></p>	<p>“[The specified Federal offices at specified locations] are <b>CLOSED</b> and on-site employees should depart <b>IMMEDIATELY</b>.”</p> <p><i>Non-emergency Employees at the Worksite:</i></p> <p><b>Weather and Safety Leave.</b> Non-emergency employees who are not telework program participants will be granted weather and safety leave for the number of hours remaining in their workday.</p> <p><b>Telework Requirement.</b> In general, non-emergency employees who are telework program participants will receive weather and safety leave only for the amount of time required to commute home. Once these employees arrive at home, they must complete any remaining portion of the workday by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination.</p> <p><b>Departure Prior to Immediate Departure Time.</b> Non-emergency employees who depart prior to the immediate departure time may request to use unscheduled leave (paid or unpaid) or other paid time off. Such employees will not be granted weather and safety leave for any part of the workday. A telework program participant who departs prior to the early departure time generally must account for the remaining hours in the tour of duty by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination.</p> <p><i>Emergency Employees</i> are expected to remain at their worksite unless otherwise directed by their agencies.</p> <p><i>Telework Employees</i> (i.e., employees who are participating in a telework program, including those who perform telework regularly and those who telework on an ad hoc basis) already performing telework when an immediate departure is announced generally may not receive weather and safety leave. They must account for the entire workday by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination, in accordance with law, regulations, agency policies and procedures, and any applicable collective bargaining requirements (as consistent with law).</p> <p><b>Leave.</b> In general, an employee on preapproved leave (paid or unpaid) or other paid time off—including an employee who has requested unscheduled leave before an immediate departure policy is announced—should continue to be charged leave or other paid time off during the scheduled time and should not receive weather and safety leave.</p>
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<b>OFFICE CLOSURE</b>	<p>“[The specified Federal offices at the specified locations are] <b>CLOSED</b>. Emergency employees and telework employees continue to work.”</p> <p><i>Non-emergency employees</i> generally will be granted weather and safety leave for the number of hours they were scheduled to work. However, weather and safety leave will not be granted to employees who are:</p> <ul style="list-style-type: none"> <li>• emergency employees who are required to report for duty;</li> <li>• telework program participants (with certain narrow exceptions);</li> <li>• on official travel outside of the duty station;</li> <li>• on preapproved leave (paid or unpaid) or other paid time off; or</li> <li>• on an Alternative Work Schedule (AWS) day off or other non-workday.</li> </ul> <p><i>Emergency Employees</i> are expected to report to their worksite unless otherwise directed by their agencies.</p> <p><i>Telework Employees</i> (i.e., employees who are participating in a telework program, including those who perform telework regularly and those who telework on an ad hoc basis) generally may not receive weather and safety leave. They must account for the entire workday by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination, in accordance with law, regulations, agency policies and procedures, and any applicable collective bargaining requirements (as consistent with law).</p> <p><i>Leave.</i> In general, an employee on preapproved leave (paid or unpaid) or other paid time off should continue to be charged leave or other paid time off and should not receive weather and safety leave.</p>
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<b>SHELTER-IN-PLACE</b>	<p>“[The specified Federal offices at specified locations] are under <b>SHELTER-IN-PLACE</b> procedures and are <b>CLOSED TO THE PUBLIC.</b>”</p> <p><i><b>Employees Located at Agency Worksite.</b></i> All employees should follow their agency’s emergency procedures for shelter-in-place. Employees should remain in their designated safe area until they are notified by agency officials that they may return to the office or leave the worksite.</p> <p><i><b>Telework Employees</b></i> performing telework (e.g., at home) are expected to continue working when there is a shelter-in-place incident at their regular office unless affected by the emergency or otherwise notified by their agencies.</p>
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