

MANAGEMENT

**LEAVE AND ABSENCE FOR HAZARDOUS WEATHER
AND OTHER EMERGENCY AND ADMINISTRATIVE SITUATIONS**

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- PURPOSE**
- This MAPP outlines the policies and procedures in the Center for Drug Evaluation and Research (CDER) for charging leave and excusing absences related to hazardous weather conditions and other emergency and administrative situations. For policies and procedures on granting excused absence for circumstances other than hazardous weather and other emergency and administrative situations, refer to the CDER MAPP 4657.6, *Granting Excused Absence*.
 - This policy covers all CDER employees except handicapped employees and employees who provide emergency services. For hazardous weather policies and procedures for employees with disabilities, refer to FDA Staff Manual Guide 3111.3, *Hazardous Weather Policy for Employees with Disabilities*.
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REFERENCES

- HHS Instruction 610-3, *Temporary Closing of Workplaces and Treatment of Absences*, October 29, 1990.
- HHS Guide for Timekeepers, Chapter 5, Section C, Paid Leave, October 1, 1986.
- FDA Staff Manual Guide h:3111.1, *Leave for Hazardous Weather and Other Emergency Situations in the Washington, D.C. Metropolitan Area*, December 6, 1985.
- FDA Staff Manual Guide 3111.3, *Hazardous Weather Policy for Employees with Disabilities*.
- Memorandum from the Associate Commissioner for Management, *Revised Policy and Procedures for Closure of FDA Headquarters Facilities*, February 12, 1996.
- CDER MAPP 4657.6, *Granting Excused Absence*, December 6, 1996.

DEFINITIONS

- **Excused Absence.** Also referred to as administrative leave, is absence from duty without loss of pay or charge to leave.
- **Washington, D.C. Metropolitan Area.** Includes work sites in the District of Columbia; Calvert, Charles, Frederick, Montgomery, and Prince George's counties in Maryland; Arlington, Fairfax, Loudon, Prince William, and Stafford counties in Virginia; and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park in Virginia.
- **Emergency Situation.** A situation that may result in commuting delays, prevent employees in significant numbers from reporting for work, or may necessitate the closing of federal activities in the same geographical area (e.g., heavy snow, severe icing conditions, floods, hurricanes, massive power failure, interruption of public transportation). The Director, U.S.

Office of Personnel Management (OPM), has sole authority for deciding federal leave policy during hazardous weather and other emergency situations in the Washington, D.C. Metropolitan Area.

- **Administrative Situation.** A situation usually related to failure of building services

(e.g., electricity, heat, air conditioning) or related local unforeseen circumstances (e.g., fire, broken water main, bomb scare) that requires relieving employees temporarily from active duty on a local basis. The CDER Executive Officer is authorized to issue closure orders for administrative situations for headquarters facilities in the Washington, D.C. Metropolitan Area where CDER is the primary occupant.

- **Emergency Employee.** An employee designated by management as one who performs emergency services and is responsible for reporting to or remaining at his/her work site regardless of an officially announced adjusted home departure, unscheduled leave policy, adjusted work dismissal, or closure.
- **Adjusted Home Departure Policy.** (Replaces the delayed arrival policy.) An official OPM announcement that Federal agencies of the United States Government in the Washington, D.C. Metropolitan area are operating under an ADJUSTED HOME DEPARTURE policy. Employees are requested to leave home X hours later than their normal departure time. That is, Federal agencies will open on time, however, non-emergency employees should adjust their normal home departure time consistent with the announcement, and non-emergency employees who arrive late will be excused without loss of pay or charge to leave. Employees designated as emergency employees are expected to report to work on time.
- **Unscheduled Leave Policy.** An official OPM announcement that Federal agencies of the United States Government in the Washington, D.C. Metropolitan area are operating under an UNSCHEDULED LEAVE policy. Federal employees may take leave without prior approval. That is, Federal agencies will open on time, however, employees not designated as emergency employees may take annual leave or leave without pay (LWOP), credit hours, or compensatory time without the prior approval of their supervisor. Employees should inform their supervisors of their intentions. Employees designated emergency employees are expected to report to work on time.
- **Adjusted Home Departure/Unscheduled Leave Policy.** An official OPM announcement that Federal agencies of the United States Government in the Washington, D.C. Metropolitan area are operating under an ADJUSTED HOME DEPARTURE/UNCHEDULED LEAVE policy. Employees are requested to leave home X hours later than their normal departure time, and employees may take leave without prior approval. That is, Federal agencies will be open on time, however, non-emergency employees should adjust their normal home departure time consistent with the announcement, and non-emergency employees who arrive late

will be excused without loss of pay or charge to leave. Employees not designated as emergency employees may take annual leave, leave without pay (LWOP), credit hours, or compensatory time without the prior approval of their supervisor. Employees should inform their supervisors if they plan to use leave. Employees designated as emergency employees are expected to report to work on time.

- **Adjusted Work Dismissal Policy.** (Replaces the zone dismissal policy.) An official announcement made by OPM that Federal agencies of the United States Government in the Washington, D.C. Metropolitan area will be dismissed early under the ADJUSTED WORK DISMISSAL policy. Employees will adjust their departure time by the amount of time allotted in the announcement. Employees designated as emergency employees are expected to depart from the office at their regularly scheduled time.
- **Open.** An official announcement made by OPM that Federal agencies of the United States Government in the Washington, D.C. Metropolitan area are OPEN. All Federal workers are expected to report to work on time. Lacking any other report, the assumption is that this status prevails.
- **Closed.** An official announcement made by OPM that Federal agencies of the United States Government in the Washington, D.C. Metropolitan area are CLOSED. That is, Federal employees not designated emergency employees are excused from duty without loss of pay or charge to leave. Employees designated as emergency employees are expected to report to work on time. For administrative situations, the Center Executive Officer will make the announcement that headquarter facilities, where CDER is the primary occupant, are closed.

POLICY

- The CDER Executive Officer is authorized to issue closure orders for **administrative situations** for headquarters facilities in the Washington, D.C. Metropolitan Area where CDER is the primary occupant. Administrative situations are usually related to failure of building services (e.g., electricity, heat, air conditioning) or local unforeseen circumstances (e.g., fire, broken water main, bomb scare) that require relieving employees temporarily from active duty on a local basis.
- The Director, OPM, has sole authority for deciding federal leave policy during **hazardous weather and other emergency situations** in the Washington, D.C. Metropolitan Area. These are situations that may result in commuting delays, prevent employees in significant numbers from reporting for work, or may necessitate the closing of federal activities in the same geographical area (e.g., heavy

snow, severe icing conditions, floods, hurricanes, massive power failure, interruption of public transportation).

- Employees on alternative work schedules (AWS) will be treated the same as employees on fixed work schedules for purposes of hazardous weather and other emergency and administrative situations. See Attachment A for additional provisions for AWS employees.
- Employees participating in the Flexible Workplace Arrangements Program (FWAP) are not expected to work if the government is closed for the day due to hazardous weather. However, if employees are dismissed early (and the government is not closed) due to hazardous weather, an employee working on FWAP that day is expected to complete his/her tour of duty. If a particular building closes due to an administrative situation, an employee working on FWAP that day is expected to complete his/her tour of duty, unless contact with employees located in that building makes it impossible to continue working.
- **Adjusted Home Departure Policy.** When it is announced, Federal employees report late to the office, the Federal employee will adjust their departure time by the amount of time allotted in the announcement. For example, if an employee usually leaves for work at 7:00 a.m. and the Government announces a 2 hour adjusted home departure, the employee should leave at 9:00 a.m. Emergency employees must report to the office at their regularly scheduled time. Refer to Attachment D of this guide for further information on determining an employee's duty or leave status in the instance of an adjusted home departure.
- **Unscheduled Leave Policy.** When it is announced, Federal agencies are open as usual with an unscheduled leave policy in effect, the Federal employee may take annual leave, leave without pay, or use credit hours or compensatory time if earned, without prior approval from their supervisors. However, employees should notify their supervisors if they intend to take leave. Emergency employees must report to the office at their regularly scheduled time.
- **Adjusted Work Dismissal Policy.** When it is announced, Federal employees will be dismissed early, the Federal employee will adjust their departure time by the amount of time allotted in the announcement. For example, if a three-hour early dismissal were forced by the approach of a hurricane or snowstorm, or a major power shortage resulted in the need to close office buildings, employees who normally leave the office at 5:00 p.m. would be authorized to depart at 2:00 p.m. Employees who normally leave work at 6:30 p.m. would be authorized to depart at 3:30 p.m. Emergency employees must depart from the office at their regularly scheduled time. Refer to Attachments B and C of this guide for further information

on determining an employee's duty or leave status at the time of an adjusted work dismissal.

Employees who work beyond the adjusted dismissal time may not earn credit time, compensatory time, or overtime for the time worked beyond the adjusted dismissal time. For example, if a three hour early dismissal was announced and the adjusted departure time was 1:30 p.m., and an employee works until 2:30 p.m., the employee cannot be compensated for the hour worked beyond the dismissal time. This policy also applies to employees working on an alternate work schedule. Employees working on a Flexible Workplace Arrangements Program agreement on the day of early dismissal are expected to complete his/her tour for that day. Therefore, FWAP employees may earn credit time, (if Office policy allows) beyond the daily tour.

- **Open.** When it is announced, Federal agencies are open, all Federal employees are expected to report to work on time. Lacking any other status report, the assumption is that this status prevails.
- **Closure.** When it is announced, Federal agencies are closed (for hazardous weather or other emergency situations), or when the Center's Executive Officer authorizes closure of headquarter facilities (for administrative situations), Federal employees are excused from duty without loss of pay or charge to leave. Emergency employees are expected to report to or continue work as usual. Refer to Attachments B and C of this guide for further information on determining an employee's duty or leave status during a closure.

PROCEDURES

For time and attendance procedures on recording excused absence (or administrative leave) for hazardous weather and other emergency and administrative situations, refer to the HHS Guide for Timekeepers, Chapter 5, Section C, Paid Leave.

AUTHORIZATIONS

- The CDER Executive Officer is authorized to issue closure orders for **administrative situations** for headquarters facilities in the Washington, D.C. Metropolitan Area where CDER is the primary occupant.
- The Director, OPM, has sole authority for deciding federal leave policy during **hazardous weather and other emergency situations** in the Washington, D.C.

Metropolitan Area.

EFFECTIVE DATE

This MAPP is effective upon date of publication.

Attachment A

ADDITIONAL PROVISIONS FOR AWS EMPLOYEES

- A. Adjusted Work Dismissal. When an adjusted work dismissal is authorized for a **specific number of hours**, AWS employees are dismissed that number of hours earlier than the end of the specific tours they are working that day.
- B. Adjusted Home Departure. AWS employees who start work before the excused tardiness is authorized, work their regular tour of duty and do not receive extra compensation or credit hours for being on duty earlier than other employees whose tardiness is excused. However, individual circumstances, such as the commuting distance and the amount of time it normally takes the employee to travel to work, should be considered in determining the need for excused absence and the amount granted to each employee.
- C. Closure.
1. AWS employees whose tour of duty begins before the closure is announced and who report to work prior to the time of the closure announcement, return home and do not receive extra compensation or credit hours for arriving at work.
 2. AWS employees on compressed work schedules whose scheduled day off is on the day the workplace is closed, are not entitled to compensation or credit hours and may not substitute another day in lieu of his/her official day off.

Attachment B

OPM TABLE OF SPECIFIC POLICY FOR TEMPORARY CLOSING OF WORKPLACE DURING WORKING HOURS

<p>If the emergency or administrative situation occurs <u>during working hours</u> and the employee is...</p>	<p>The absence is charged to...</p>
<p>at work at the time of dismissal.</p>	<p>excused absence.</p>
<p>on approved leave but expected to arrive at or return to work.</p>	<p>approved leave up to the time of dismissal and excused absence after the time of dismissal.</p> <p><u>Example:</u> Employee usually works 8:30 a.m. to 5:00 p.m., takes 4 hours of annual leave from 8:30 a.m. to 12:30 p.m. A storm closes the workplace at 11:30 a.m. The employee is charged 3 (not 4) hours of annual leave for 8:30 a.m. to 11:30 a.m. and excused absence from 11:30 a.m. to 5:00 p.m.</p>
<p>scheduled to report to work before the dismissal but does not.</p>	<p>annual leave, sick leave, leave without pay (LWOP) or absence without leave (AWOL), as appropriate, for the entire workday.</p>
<p>at work when the closing time is announced and goes on approved leave before the time set for dismissal.</p>	<p>leave or LWOP only from the time the employee left until the announced dismissal time and excused absence for the rest of the day.</p> <p><u>Example A:</u> Employee usually works from 8:30 a.m. to 5:00 p.m. and is told at 9:30 a.m. that the workplace will close at 11:30. Employee requests and goes on approved annual leave from 10:30 a.m. to 11:30 a.m. and is on excused absence for the rest of the day.</p> <p><u>Example B:</u> Conditions are similar to Example A except the reason for requesting release at 10:30 a.m. is to avoid a hardship, e.g., when an employee's car pool driver/rider is released earlier. Employee is on excused absence from 10:30 a.m. to the end of the</p>

	workday.
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If the emergency or administrative situation occurs <u>during working hours</u> and the employee is...	The absence is charged to...
at work and leaves before the official announcement of the dismissal is received.	leave or LWOP for the rest of the day. <u>Example:</u> Employee works from 8:30 a.m. to 5:00 p.m. and decides to leave work at 9:30 a.m. on approved leave or LWOP. The dismissal announcement is received after the employee has left. The employee is charged annual leave or is in LWOP status from 9:30 a.m. to the end of the work day.
on approved leave when official dismissal is announced and is expected to be on leave for the rest of the day.	the appropriate approved leave category. <u>Example:</u> Employee is on annual leave for the entire week. A storm closes the workplace early on Tuesday. The employee is charged the appropriate approved leave for that day.

Attachment C

OPM TABLE OF SPECIFIC POLICY FOR TEMPORARY CLOSING OF WORKPLACE DURING NONWORKING HOURS

If the emergency or administrative situation occurs <u>during nonworking hours</u> forcing the workplace to close for the entire day and the employee is...	The absence is charged to...
scheduled to work on that day (this includes employees who arrive at work to discover the workplace is closed).	excused absence. <u>Example:</u> Employee is scheduled to work on Friday.

	Due to a storm on Thursday night, the workplace is closed all day Friday. The absence is excused.
on previously approved paid leave.	excused absence. Example: Employee is on sick leave when the workplace closes for the entire day. Absence for that day is charged to excused absence (not sick leave).
on either LWOP or AWOL both the day before and the day after the day the workplace closes.	LWOP or AWOL depending on which one the employee is on.

Attachment D

OPM TABLE OF SPECIFIC POLICY FOR EXCUSED TARDINESS

If the emergency or administrative situation occurs prior to or early in the working hours and excused tardiness is authorized and the employee is...	The absence is charged to...
already at work.	Work hours are reported as usual. No excused absence is necessary.
en route to work or still at home.	excused absence authorized by the administrative order or approved by the leave approving official.
on approved leave.	leave the employee is already on.