

OFFICE OF 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 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 CDER MAPP 4657.10, *Hazardous Weather Policy for Employees with Disabilities*.
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REFERENCES

- FDA Alternative Work Schedule Master Plan
 - CDER MAPP 4657.6, Granting Excused Absence (<http://www.fda.gov/cder/mapp/4657-6.pdf>)
 - CDER MAPP 4657.10, Hazardous Weather Policy for Employees with Disabilities (<http://www.fda.gov/cder/mapp/4657-10.pdf>)
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- Collective Bargaining Agreement Between the FDA and NTEU, Article 20, Section 3, Closing of Workplace (October 1, 1999)
 - Collective Bargaining Agreement Between the FDA and NTEU, Article 26, Flexible Work Place Program, Section 8 (October 1, 1999)
 - U.S. Office of Personnel Management, Washington, D.C., Area Dismissal or Closure Procedures (<http://www.opm.gov/oca/compmemo/dismissal.pdf>)
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DEFINITIONS

- **Administrative Situations:** Situations usually relating 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 localized basis.
- **Alternative Work Schedules (AWS):** Allows employees to work several types of schedules other than the traditional 8 hours per day, 40 hours per week. There are two categories of AWS: flexible work schedules (maxiflex) and compressed work schedules.
- **Closed:** When the Federal Government or a specific occupied building is closed, Federal employees not designated “emergency employees” are excused from duty without loss of pay or charge to leave.
- **Delayed Arrival:** Employees should plan to arrive for work no more than a specified number of hours later than they would normally arrive. For example, OPM may announce employees should arrive for work 2 hours later than they would normally arrive.
- **Early Dismissal:** Employees should be dismissed a specified number of hours earlier than their normal departure time from work. For example, OPM may announce employees are dismissed 2 hours earlier than their normal departure time from work.
- **Emergency (Essential) Employees:** Employees who have been designated by management to perform critical functions during an administrative or emergency situation. **PLEASE NOTE:** In this document, “emergency employees” refers to CDER’s “essential employees.”
- **Emergency Situations:** Situations that may result in commuting delays, prevent employees in significant numbers from reporting to work, or necessitate the closing of several Federal activities in the same geographical area (e.g., heavy snow, severe icing conditions, floods, earthquakes, hurricanes, power failure, interruption of public transportation).
- **Excused Absence:** Absence from duty without loss of pay or charge to leave (also referred to as administrative leave).

- **Flexible Workplace Arrangements Program (FWAP):** A program that permits employees to work at home or at other approved locations remote from the conventional office site.
 - **Open:** The Federal Government is open. Employees are expected to report for work as scheduled.
 - **Unscheduled Leave Policy:** A policy of allowing generous use of unscheduled leave so that employees who find it impossible or unsafe to report to work or who arrive late can use annual leave, LWOP, credit hours, or compensatory time without receiving advance approval from their supervisors.
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POLICY

- The Office of Personnel Management (OPM) will make announcements to the media as to whether Federal agencies in the Washington, D.C., area are **open** or **closed**, or operating under an **unscheduled leave**, **delayed arrival**, or **early dismissal** policy. These procedures usually apply to all executive agencies located *inside* the Washington Capital Beltway; however, the FDA will follow the same procedures announced by OPM. If the situation (e.g., snow, severe icing conditions, floods) exists *only* outside the Washington Capital Beltway and OPM does not make an announcement, the Agency has authority to decide the leave policy.
- The Center's Executive Officer is the authorized official to issue closure orders for **administrative situations** for headquarters facilities in the Washington, D.C., area where CDER is the primary occupant (e.g., air pollution, disruption of power, water, heat, or air conditioning).
- Employees on **alternative work schedules** will be treated the same as employees on fixed work schedules during emergency and administrative situations. If the Government closes for a full workday that is the regular day off for an employee under the compressed or maxiflex schedule, the employee *may not* substitute another day as his or her official day off. Because the employee is not in a pay status on the day the Agency closed as a result of weather or other emergency situations, the employee has no entitlement to an additional day off. If the employee is in a **paid leave status** (e.g., annual or sick leave, credit time) on the date the Government closes, the employee will receive excused leave for that day and will not be charged paid leave.
- Employees participating in the **Flexible Workplace Arrangements Program** will follow the same policies and procedures as employees working at the official worksite. However, employees working at their alternative worksite on their FWAP day should not delay their arrival to work and will not be dismissed early. In these situations, employees are expected to work a full day as specified in their FWAP agreements. See Attachment B for further explanation. On a case-by-case basis, a supervisor may excuse a FWAP employee from duty during an emergency if the emergency adversely affects the alternative worksite (e.g., disruption of electricity, loss of heat), if the FWAP employee faces a personal hardship that

prevents him or her from working successfully at the alternative worksite, or if the FWAP employee's duties are such that he or she cannot continue to work without contact with the regular worksite. Any requirement that a FWAP employee continue to work if the Agency closes during the employee's FWAP participation should be included in his or her FWAP agreement.

- If there is no official announcement of any nature, all employees are to assume that their workplace will be open each regular workday, regardless of any conditions that may develop. Employees are also to assume that they are expected to report for duty on time and remain through their scheduled work hours unless on previously approved leave.
- Supervisors have discretionary authority to determine when it is appropriate to grant a reasonable amount of excused absence for employees who are unavoidably delayed in arriving for work. Factors such as distance, availability of transportation, the need to make alternative child care arrangements, and the experiences of other employees in similar situations should be considered in determining the amount of excused absence to grant.

When younger children are released from school/child care centers earlier than the announced dismissal time and no alternative forms of child care are available, supervisors may grant a reasonable amount of excused absence to employees who need to leave before official announcement of an "Adjusted Work Dismissal" policy or before the employee's authorized time of dismissal.

It is up to each supervisor to determine what is a reasonable amount of time to allow for excused absences for late arrival to ensure that the employee's work requirements are fulfilled and that the Agency's operations are conducted efficiently and effectively.

Employees are responsible for notifying their supervisors of their situation. **However, employees have no entitlement to excused absence.**

- When an employee is at an **off-site location** because of training, meetings, or other job-related activities, it is the employee's responsibility to provide the supervisor with means of contact at the off-site location. The supervisor should make every effort to notify the employee with closure information. However, to ensure that all employees receive the information, the office main line voice mail message should be changed to reflect the latest closure information.
- Recorded announcements on building closures and other emergency situations will also be accessible on the FDA Building Emergency Lines:

Long Distance: 1-800-345-0981 (Disregard all prompts and immediately enter 31546.)

Local: 301-443-1546

PROCEDURES

- **Recording Emergency Closure and Dismissal**

To record excused absence (or administrative leave) for hazardous weather and other emergency and administrative situations, enter the number of hours under “Administrative Leave” on the Hours Worked/Absent Screen in EASE.

EFFECTIVE DATE

This MAPP is effective upon date of publication.

DISRUPTIONS BEFORE THE WORKDAY BEGINS

The Office of Personnel Management will provide one of the following five announcements to the media when a disruption occurs before the workday begins. These announcements do not apply to individuals who are designated as “emergency employees.” Emergency employees are expected to report for work on time unless excused by their supervisors.

ANNOUNCEMENT	WHAT ANNOUNCEMENT MEANS
<p>1. Federal agencies in the Washington, D.C., area are OPEN; employees are expected to report to work on time.</p>	<p>Employees are expected to report for work on time.</p>
<p>2. Federal agencies in the Washington, D.C., area are OPEN under an UNSCHEDULED LEAVE policy.</p>	<p>Employees who cannot report for work may request unscheduled leave for their entire scheduled workday.</p> <p>However, employees must inform their supervisor if they plan to take annual leave, leave without pay, previously earned compensatory time off, or credit hours. If an employee fails to report for work and has not informed the supervisor of his or her plans to take leave, the supervisor may charge the employee absence without leave (AWOL).</p> <p>Emergency employees are expected to report for work on time.</p>
<p>3. Federal agencies in the Washington, D.C., area are OPEN under a DELAYED ARRIVAL policy. Does not apply to employees who arrive to work at their normal time or earlier.</p>	<p>Employees should plan their commutes so that they arrive for work no more than the specified number of hours later than they would normally arrive.</p> <p>Employees who arrive for work more than the specified number of hours later than their normal arrival time will be charged annual leave, leave without pay, previously earned compensatory time off, or credit hours for the additional period of absence from work.</p> <p>FWAP employees are expected to report for work on time.</p>

MANUAL OF POLICIES AND PROCEDURES

CENTER FOR DRUG EVALUATION AND RESEARCH

MAPP 4657.7

ANNOUNCEMENT	WHAT ANNOUNCEMENT MEANS
	Emergency employees are expected to report for work on time.
<p>4. Federal agencies in the Washington, D.C., area are OPEN under a DELAYED ARRIVAL/UNSCHEDULED LEAVE policy.</p> <p>Does not apply to employees who arrive to work at their normal time or earlier.</p>	<p>Employees should plan their commutes so that they arrive for work no more than the specified number of hours later than they would normally arrive.</p> <p>Employees who arrive for work more than the specified number of hours later than their normal arrival time will be charged annual leave, leave without pay, previously earned compensatory time off, or credit hours for the additional period of absence from work.</p> <p>Employees who cannot report for work may take unscheduled leave for their entire scheduled workday. Employees must inform their supervisor that they will be taking annual leave, leave without pay, previously earned compensatory time off, or credit hours for the entire workday.</p>
<p>5. Federal agencies are CLOSED.</p>	<p>Employees not designated as emergency employees (including employees participating in FWAP, unless the FWAP agreement specifically states that the employee is expected to work at their alternate worksites) are excused from duty without loss of pay or charge to leave.</p> <p>Employees who are on approved leave before the closure must be granted excused absence. (This does not apply to employees on leave without pay, workers compensation, military leave, suspension, or any other non-pay status.)</p> <p>Employees on alternative work schedules (AWS) are not entitled to another AWS day off in lieu of the workday on which the Agency is closed.</p> <p>Emergency employees are expected to report for work on time.</p>

Attachment B

DISRUPTIONS AFTER THE WORKDAY BEGINS

When an emergency situation occurs during normal work hours, the Office of Personnel Management may announce that Federal agencies in the Washington, D.C., area are operating under an EARLY DISMISSAL policy. When this announcement is made, employees should be dismissed relative to their normal departure times from work. For example, if a 3-hour EARLY DISMISSAL policy is announced, workers who normally leave their offices at 5:00 p.m. would be authorized to leave at 2:00 p.m.

Emergency Employees are expected to remain at work for their regularly scheduled workday.

WHEN ANNOUNCEMENT IS MADE	WHAT ANNOUNCEMENT MEANS
Employee is on duty.	Supervisor should grant excused absence for the remainder of the workday following the employee's authorized time of dismissal, even if the employee is scheduled to take leave later in the day. Employees who must leave work earlier than their early dismissal time will be charged annual leave, leave without pay, previously earned compensatory time off, or credit hours from the time of their departure through the remainder of their regularly scheduled workday.
Employee leaves before official announcement of EARLY DISMISSAL policy or before the time set for his or her dismissal.	The supervisor should charge the employee leave from the time of the employee's departure through the remainder of their regularly scheduled workday.
Employee is scheduled to return from leave after official announcement of EARLY DISMISSAL policy, but before the time set for his or her dismissal.	The supervisor should grant excused absence for the remainder of the workday following the time of the official announcement through the remainder of the workday, even if the employee is scheduled to take leave again later in the workday.
Employee is telecommuting at an alternative worksite (FWAP).	FWAP employees are expected to continue to work from their alternative worksites, as specified in their FWAP agreements.

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Attachment B Cont'd

ANNOUNCEMENT	WHAT ANNOUNCEMENT MEANS
Employee is absent on previously approved leave (annual, sick, or leave without pay (LWOP)) for the entire workday.	The supervisor should continue to charge the employee leave for the entire workday.
Employee fails to report for work.	The supervisor should charge AWOL or permit the employee to request annual leave, sick leave, or LWOP, as appropriate, for the entire workday. Exceptions to this policy should be made only in unusual circumstances.