



**Functional Series [400](#)
Personnel**

INTERIM UPDATE 07-08

SUBJECT: Excusing Federal Employees from Duty on Monday, December 24, 2007

NEW MATERIAL: This Interim Update announces The President has issued an Executive order closing the Government on Monday, December 24, 2007, except for those who cannot be excused for reasons of national security, defense, or other essential public need.

EFFECTIVE DATE: 12/07/2007

PERSONNEL
USAID General Notice
HR/PPIM
12/07/2007

SUBJECT: Excusing Federal Employees from Duty on Monday, December 24, 2007

The President has issued an Executive order closing the Government on Monday, December 24, 2007, except for those who cannot be excused for reasons of national security, defense, or other essential public need. Mission Directors may open Missions for essential services at their discretion, as agreed with Regional Bureau management and Chief of Missions.

The Office of Personnel Management has provided Federal agencies with the following pay and leave guidance for December 24, 2007.

For pay and leave purposes, December 24, 2007, will be treated as falling within the scope of statutes and Executive orders governing holidays for Federal employees. Most employees who are excused from duty on December 24th will receive the basic pay they would have received if no Executive order had been issued. An employee who was previously scheduled to take annual leave on December 24, 2007, will not be charged annual leave (or any other form of paid leave or compensatory time off) for that day.

An employee who is covered by Title 5 premium pay provisions and is required to work non-overtime hours on December 24th is entitled to holiday premium pay under 5 USC 5546(b).

If an employee has scheduled "use or lose" annual leave for December 24, 2007, and is unable to reschedule that leave for use before the end of the leave year (i.e., January 5, 2008), the leave will be forfeited. When "use or lose" leave is forfeited under these conditions, the law does not permit restoration of the leave (see 5 USC 6304(d)).

The President's Executive order excused Federal employees from duty during a pay period in which multiple holidays occur. Christmas Day, December 25, 2007, and New Year's Day, January 1, 2008, also fall on the first and second Tuesdays within Pay Period 26 (December 23, 2007-January 5, 2008).

The multiple holidays occurring in Pay Period 26 affect employees who are on alternative work schedules. By law (5 USC 6124), employees on flexible work schedules are not entitled to more than eight hours of pay for each holiday when they do not work. For those employees who are under the Flexible 5/4-9 alternative work schedule, the net effect of receiving eight hours of pay for each holiday is that they will have to work two extra hours to fulfill the 80-hour biweekly work requirement. Employees can accomplish this by working the additional hours on their remaining workdays within the pay period, taking two hours of annual leave, accrued compensatory time off, or leave without pay to fulfill the 80-hour biweekly work requirement.

Employees under the Flexible 5/4-9 work schedule will: (1) observe the December 24th holiday in addition to the Christmas and New Year's holidays occurring in the same pay period and receive 8 hours of pay for each holiday; (2) have their AWS day off, and (3) account for 56 hours of regular duty, or use leave, leave without pay, or accrued compensatory time off. Those employees who have a regular day off occurring on one of these holidays should reschedule their AWS day off on one of the remaining workdays within the pay period.

Employees are instructed to complete AID Form 400-9, Time and Attendance Supporting Documentation, for Pay Period 26 showing how they will fulfill their 80-hour biweekly work requirement. This form is available as an Agency macro. Employees should submit this form to their timekeeper as soon as possible.

Point of Contact: Any questions concerning this Notice may be directed to Joann Jones, HR/PPIM, on (202) 712-5048.

Notice 1232

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