



**Human Resources Guide
for Employees**
Pandemic & Emergency Reference

January 2020



Homeland
Security

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Disclaimer

This guide provides human resources (HR) information related to civilian employees covered by Title 5, United States Code, and does not, and is not, intended to create or violate any legal rights. This guidance is intended to be used in conjunction with applicable law, regulations, and DHS policy.

Employees are encouraged to seek additional guidance from their supervisor or servicing human resources office, as necessary.

This information is subject to change. For updates to and more detailed information on agency planning for pandemic events, please visit [OPM's Pandemic Information website](#) and the [DHS Employee Resources](#) website.

INTRODUCTION

The Department of Homeland Security (DHS) wants to ensure that all employees are aware of the resources available to them during an influenza pandemic or any other emergency event. Advanced planning and preparedness are critical to mitigating the impact of influenza epidemics or pandemics.

This guide is intended for federal employees at DHS. Contractors should contact their employer for guidance.

In the event of a pandemic health crisis, the [Centers for Disease Control and Prevention](#) (CDC) will share health-related information and instructions with Federal agencies and the public. The CDC and local health officials may share information to help the public recognize symptoms and encourage social distancing or other precautions to reduce the spread of the illness.

The Office of Personnel Management (OPM) [Pandemic Information](#) website provides guidance and information for Federal managers, employees, and human resources (HR) practitioners to help deal with the effects of a potential pandemic health crisis. If needed, OPM will issue additional guidance regarding leave use, telework, hiring flexibilities, and other HR matters during a pandemic health event.

If you have questions about any of the information provided, I encourage you to contact your servicing human resources (HR) office.

Angela Bailey
Chief Human Capital Officer

LEAVE FLEXIBILITIES

As with any illness, if you become sick or expect that you have been exposed to a communicable disease, please use your sick leave or other time off to go home and take care of yourself and/or seek medical attention.

Sick Leave for Personal Medical Needs

An employee may use sick leave when he or she:

- Is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth;
- Receives medical, dental, or optical examination or treatment; or,
- Would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease.

An employee must request sick leave within such time limits as DHS may require. DHS may require employees to request advance approval of sick leave for medical, dental, or optical examination or treatment.

Management may grant sick leave when supported by administratively acceptable evidence. A medical certificate (or other documentation) may be required for absences in excess of 3 days, or for a lesser period when determined necessary by management.

At the discretion of management, a maximum of 30 days of sick leave may be advanced to an employee with a medical emergency.

The [Sick Leave Fact Sheet](#) and [Advanced Sick Leave Fact Sheet](#) on the OPM website provide additional information.

Sick Leave for Family Care or Bereavement Purposes

Full-time employees may use a total of up to 104 hours (13 workdays) of sick leave each leave year to:

- Provide care for a family member who is incapacitated as a result of physical or mental illness, injury, pregnancy, or childbirth;
- Provide care for a family member as a result of medical, dental, or optical examination or treatment;
- Provide care for a family member who would jeopardize the health of others by that family member's presence in the community because of exposure to a communicable disease; or
- Make arrangements necessitated by the death of a family member or attend the funeral of a family member.

Part-time employees and employees with uncommon tours of duty are also covered, and the

amount of sick leave permitted for family care and bereavement purposes is pro-rated in proportion to the average number of hours of work in the employee's scheduled tour of duty each week.

For sick leave purposes, a “family member” includes your:

- Spouse, and spouse's parents;
- Children, including adopted children, and their spouses;
- Parents, and spouses of parents;
- Brothers and sisters, and spouses of siblings;
- Grandparents and grandchildren, and their spouses;
- Domestic partner, and domestic partner's parents; and
- Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

At the discretion of DHS, an employee may be advanced up to 30 days (240 hours) of sick leave each leave year (or a proportional amount for an employee on a part-time schedule or uncommon tour of duty) for family care or bereavement purposes.

The [Sick Leave Fact Sheet](#) and [Advanced Sick Leave Fact Sheet](#) on the OPM website provide additional information.

Family and Medical Leave Act

Under the [Family and Medical Leave Act \(FMLA\)](#), most employees are entitled to a total of up to 12 weeks of unpaid leave during any 12-month period for the following purposes:

- A serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position;
- The care of spouse, son, daughter, or parent of the employee who has a serious health condition;
- The birth of a son or daughter of the employee and the care of such son or daughter; or
- The placement of a son or daughter with the employee for adoption or foster care.

FMLA leave is in addition to paid time off available to an employee. Under certain conditions, an employee may use the 12 weeks of FMLA leave intermittently. An employee may elect to substitute annual leave and/or sick leave, consistent with applicable laws and regulations, for any unpaid leave under the FMLA.

An employee must provide notice of his or her intent to take FMLA leave, not less than 30 days before leave is to begin or, in emergencies, as soon as is practicable. DHS may request medical certification for FMLA leave taken to care for an employee's spouse, son, daughter, or parent who has a serious health condition or for the serious health condition of the employee.

The term “**serious health condition**” includes such conditions as cancer, heart attacks, strokes,

severe injuries, Alzheimer’s disease, pregnancy, and childbirth. The term “serious health condition” is not intended to cover short-term conditions for which treatment and recovery are very brief. The common cold, flu, earaches, upset stomach, routine dental or orthodontia problems, etc., are not serious health conditions unless complications arise. DHS may require medical certification of a serious health condition.

The [FMLA Fact Sheet](#) on the OPM website provides additional information.

Annual Leave

Annual leave can be used for vacations, rest and relaxation, personal business, and/or emergencies. An employee has a right to take annual leave, subject to the right of the supervisor to schedule the time at which annual leave may be taken.

The amount of annual leave accrued (earned) each pay period is listed in the table.

The [Annual Leave Fact Sheet](#) on the OPM website provides additional information.

Annual Leave Accrual Rates			
<i>Per Pay Period</i>			
Work Schedule	<i>Less than 3 years of service</i>	<i>3 years but less than 15 years of service</i>	<i>15 or more years of service</i>
Full-time	4 hours	6 hours (10 hours in last pay period)	8 hours
Part-time	1 hour for each 20 hours in a pay status	1 hour for each 13 hours in a pay status	1 hour for each 10 hours in a pay status
Uncommon tours of duty	4 hours X the average hours worked per pay period ÷ 80	6 hours X the average hours worked per pay period ÷ 80	8 hours X the average hours worked per pay period ÷ 80

Advanced Annual Leave

Supervisors may advance annual leave consistent with DHS policy. The amount of annual leave that may be advanced is limited to the amount of annual leave an employee would accrue in the remainder of the leave year. Employees do not have an entitlement to advanced annual leave. In most cases, when an employee is indebted for advanced annual leave at the time of their separation, they must repay the amount of the advanced leave. The [Advanced Annual Leave Fact Sheet](#) on the OPM website provides additional information.

Voluntary Leave Transfer Program

Under the [Voluntary Leave Transfer Program \(VLTP\)](#), a covered employee may donate annual leave *directly* to another employee who has a personal or family medical emergency and who has exhausted his or her available paid leave.

As a DHS potential VTLTP recipient, DHS must determine that the full-time employee’s absence from duty without available paid leave because of the medical emergency is (or is expected to be) at least 24 hours for a full-time employee. The period of absence is prorated for part-time employees or employees on uncommon tours of duty.

While using donated leave, a leave recipient can accrue no more than 40 hours of annual leave

and 40 hours of sick leave in “set-aside accounts.” The accrued leave in the “set-aside accounts” will be transferred to the employee’s regular leave accounts when the medical emergency ends or if the employee exhausts all donated leave. There is no limit on the amount of donated annual leave a leave recipient may receive from the leave donor(s). However, any unused donated leave must be returned to the leave donor(s) when the medical emergency ends.

The [Voluntary Leave Transfer Program Fact Sheet](#) on the OPM website provides additional information. Contact your servicing HR office if you have any questions on the VLTP program.

Leave Without Pay

Leave without pay (LWOP) is a temporary non-pay status and absence from duty that may be granted at the employee’s request. In most instances, granting LWOP is a matter of supervisory discretion and may be limited by DHS internal policy. Employees, however, have an entitlement to LWOP in the following situations:

- The [Family and Medical Leave Act \(FMLA\)](#) provides covered employees with an entitlement to a total of up to 12 weeks of unpaid leave (LWOP) during any 12-month period for certain family and medical needs;
- The [Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#) provides employees with an entitlement to LWOP when employment is interrupted by a period of service in the uniformed service;
- Executive Order 5396 provides that disabled veterans are entitled to LWOP for necessary medical treatment;
- Employees may not be in a pay status while receiving workers compensation payments from the Department of Labor.

The [LWOP Fact Sheet](#) on the OPM website provides additional information.

ALTERNATIVE WORK ARRANGEMENTS

The Federal Government offers a variety of alternative work arrangements. These may be especially crucial to employ during a contingency event like a pandemic influenza.

Alternative Work Schedules

Alternative Work Schedules (AWS) are work schedules that differ from traditional fixed work schedules (e.g., 8 hours per day, 40 hours per week). AWS enables eligible employees to have work schedules that help the employee balance work and family responsibilities. There are two categories of AWS:

- [Compressed work schedules \(CWS\)](#) allow an employee to complete their 80-hour per pay period work requirement (or part-time work requirement) in less than 10 workdays. A CWS is a fixed schedule. The employee’s arrival and departure times are set.

- [Flexible work schedules \(FWS\)](#) allow an employee to vary their work schedule within the limits set by the agency. During core hours, all employees must be at work; however, during the flexible hours, employees can vary their arrival and departure times, hours worked each day, days worked each week, etc. The FWS options (flexitour, gliding, variable day, variable week, and maxiflex schedules) have different degrees of flexibility.

Contact your servicing HR office for AWS guidance and procedures.

Telework

Telework is a work arrangement that allows an employee to perform work, during any part of regular, paid hours, at an approved alternative worksite (e.g., home, telework center). Telework policy at DHS varies by component and office. Telework eligible employees may be permitted to telework on a routine schedule or on an as-needed basis for reasons such as special projects, illness, or worksite closures.

Telework is an integral part of pandemic preparation and response planning. During a pandemic, eligible employees may be asked to work from home for an unspecified duration to minimize the risk of the spread of the virus and to minimize interruption to DHS operations.

The [OPM Guide to Telework in the Federal Government](#) provides additional information. The DHS Telework Policy is found in [DHS Directive 123-05](#). Contact your servicing HR office for Component-specific guidance and procedures.

PAY FLEXIBILITIES AND OTHER PAID TIME OFF

Employees should be aware of the various pay provisions that may be utilized during a pandemic health crisis. Providing supervisors with regular work status updates will help ensure accurate and timely approval of time worked.

Evacuation Pay

Evacuation payments may be made to employees who are ordered to evacuate their regular worksites and work from home (or an alternative location mutually agreeable to DHS and the employee) during a pandemic health crisis without regard to whether the employee has a telework agreement in place at the time the order to evacuate is issued. Evacuation pay is equal to an employee's normal pay and will be paid on regular pay days.

An agency may order an evacuation upon an official announcement by Federal, State, or local officials, public health authorities, and/or tribal governments, of a pandemic health crisis affecting certain geographic areas. Responsibility for ordering an evacuation in overseas locations rests with the Department of State.

The [Evacuation Pay During a Pandemic Health Crisis Fact Sheet](#) on the OPM website provides additional information.

Overtime Pay

Employees required to work overtime during a pandemic will remain covered by the overtime pay and other premium pay provisions based on their position's FLSA exemption status.

Compensatory Time Off

Compensatory time off is time off with pay in lieu of overtime pay for irregular or occasional overtime work. The agency flexible work schedule programs may also permit compensatory time off in lieu *regularly scheduled* overtime work. The [Compensatory Time Off Fact Sheet](#) on the OPM website provides additional information.

Compensatory Time Off for Travel

Compensatory time off for travel is earned by an employee for time spent on official travel away from the employee's official duty station when such time is not otherwise compensable. The [Compensatory Time Off for Travel Fact Sheet](#) on the OPM website provides additional information.

Credit Hours

When DHS policies or union agreements permit, an employee under a flexible work schedule can earn credit hours for hours that an employee elects to work, with supervisory approval, in excess of the employee's basic work requirement. With supervisory approval, an employee may use credit hours during a subsequent day, week, or pay period, to allow the employee to be absent from an equal number of hours of the employee's basic work requirement with no loss of basic pay. The [Credit Hours under a Flexible Work Schedule Fact Sheet](#) on the OPM website provides additional information.

EMPLOYEE BENEFIT PROGRAMS AND CONTACTS

Benefits for employees and eligible family members remain unchanged during a public health emergency or other crisis. This section discusses the administration of the Federal employee benefit programs and provides contact information for when you have questions.

- Employees or their survivors should contact their servicing HR office or [Component Benefits Office](#) with questions about the federal employee benefit programs.
- General benefits information is available on the [DHS My Benefits](#) website and on the OPM [Insurance](#) website.
- During periods a pandemic health crisis, information will be posted on the OPM [Pandemic Information \(Benefits Overview\)](#) website and at www.opm.gov.
- During an emergency, OPM may activate the hotline (800-307-8298) and emergency-related email (emergencybenefits@opm.gov) to assist retirees and employees who are unable to contact their [Component Benefits Office](#).

Employee Personal Page (EPP)

Log into [EPP](#) to view your Earnings and Leave Statement, leave balance, insurance enrollments, W-2 tax form, and other personal information. You can use EPP to make changes to your TSP contributions, home address, and tax withholdings.

Federal Employees Health Benefits (FEHB) Program

The [Component Benefits Office](#) processes FEHB enrollments, enrollment changes, and premium withholdings. Health insurance (FEHB) benefit claims are processed by your health insurance [plan](#).

During public health emergencies or other crisis, OPM issues guidance to [FEHB](#) carriers (health plans) to ensure that affected employees, families, and retirees receive appropriate support. This may include relaxing referral or pre-authorization requirements, guidance about care at specialized centers, transportation reimbursement, allowance for early refills of prescription medications, vaccine information, and coverage for certain experimental or investigational treatments.

For information about the FEHB program, visit [OPM's FEHB website](#) or contact your [Component Benefits Office](#).

Federal Employees Dental and Vision Insurance Program (FEDVIP)

[FEDVIP](#) is a voluntary, enrollee-pay-all dental and vision program available to Federal employees. Log into your account at [BENEFEDS](#) to view your enrollment information. For questions about your dental insurance or vision coverage, benefits, or services, contact your dental or vision carrier directly (see [FEDVIP plans](#)). Enrollment and billing issues are managed by [BENEFEDS](#) (third-party administrator) but may require coordination with your servicing HR or payroll office. (877-888-3337; TTY: 1-877-889-5680).

Federal Employees Group Life Insurance Program (FEGLI)

The [Component Benefits Office](#) processes FEGLI enrollments, enrollment changes, and premium withholdings. The [Component Benefits Office](#) provide counseling for survivors and assistance with submitting life insurance (FEGLI) benefit claims. For information about the FEGLI program, including a calculator that helps you determine the face value of your insurance, visit [OPM's FEGLI website](#).

Federal Long Term Care Insurance Program (FLTCIP)

The FLTCIP is a voluntary, enrollee-pay-all insurance program available to Federal employees and qualified family members (spouse, adult children, parents, parents-in law, step-parents and domestic partners). The FLTCIP helps pay for long term care services in a variety of settings (at home or in a facility, such as an assisted living facility, an adult daycare, or a nursing home). Enrollment and billing issues are managed by the Long Term Care Partners, LLC (third-party administrator). Issues involving payroll deductions may require coordination with your servicing HR or payroll office. For information about the FLTCIP, visit [LTCFeds](#) or call 800-582-3337

(TTY 1-800-843-3557).

Flexible Spending Account Program (FSAFEDS)

A Flexible Spending Account (FSA) is a tax-favored program that allows you to pay for eligible out-of-pocket health care and dependent care expenses with pre-tax dollars. Enrollment Log into your account at [FSAFEDS](#) to view your account information. FSA enrollment, reimbursements and deductions are managed by [FSAFEDS](#). Issues involving payroll deductions may require coordination with your servicing HR or payroll office. For information about FSAFEDS, visit [FSAFEDS](#) (877-372-3337; TTY 866-353-8058).

Retirement Programs (CSRS / FERS)

The Federal Employees Retirement System (FERS) and the Civil Service Retirement System (CSRS) are administered by OPM, in coordination with Federal agencies. The OPM [Retirement Services](#) website provides general information on the retirement programs.

- DHS employees or their survivors should contact their servicing HR office or [Component Benefits Office](#) with questions about their retirement benefits.
- Current annuitants (retirees) and survivors can contact OPM's Retirement Customer Service at 888-767-6738 (TTY 800-877-8339) or log into [OPM Retirement Services Online](#).

In the event of a pandemic health crisis, the OPM [Pandemic Information](#) website will provide information and instructions with Federal agencies and the public. During an emergency, OPM may activate the benefits hotline (800-307-8298) email emergencybenefits@opm.gov, and/or procedures for [Emergency Benefits Applications](#).

Thrift Savings Plan (TSP)

The Thrift Savings Plan ([TSP](#)) is a defined contribution retirement savings and investment plan for Federal employees. The TSP is administered by the Federal Retirement Thrift Investment Board (FRTIB). Elections for payroll deductions are processed through the [Employee Personal Page \(EPP\)](#). Issues involving payroll deductions may require coordination with your servicing HR or payroll office. For more information or to log into your account, visit the [TSP website](#) or call 877-968-3778 (TTY 877-847-4385).

EMPLOYEE ASSISTANCE PROGRAM

[Employee Assistance Program \(EAP\)](#) services are designed to help employees, managers, and organizations meet life challenges and remain healthy, engaged, and productive. EAP services are generally available to you anytime, anywhere via telephone for any issue that affects your ability to work.

During a health crisis specifically, an EAP counselor can help you:

- Cope with anxiety or stress related to crisis preparation and response
- Manage feelings of isolation you may experience if you need to work offsite for an extended period of time due to exposure

EAP is confidential, has no impact on security clearance, is free, and voluntary.

Contact your EAP or visit the [DHS EAP website](#).