

**SUMMARY OF OPM "QUESTIONS AND ANSWERS ON HUMAN RESOURCES FLEXIBILITIES
AND AUTHORITIES FOR CORONAVIRUS DISEASE 2019 (COVID-19)" updated 12 March 2020**

EMPLOYEE SITUATION								
ASYMPTOMATIC	SYMPTOMATIC	Admin Leave	Sick Leave	Annual Leave	Telework	Earned Comp Time / TOA / Etc	LWOP	Comments

SECTION A: DETERMINATION OF COVID-19 (CORONAVIRUS) AS A QUARANTINABLE COMMUNICABLE DISEASE

The Centers for Disease Control and Prevention (CDC) has determined that COVID-19 meets the definition for "severe acute respiratory syndromes" set forth in E.O. 13674. Therefore, the novel coronavirus is a "quarantinable communicable disease," as defined by E.O. 13295, as amended by E.O.s 13375 and 13674

SECTION B: TELEWORK

Exposed / Self		YES*			YES*			* Must telework if already a participant. Admin Leave authorized under weather and safety leave if employee not a telework participant.
Exposed / Family Member		NO	NO	YES*	YES*	YES*	YES*	* Telework Authorized if plan in place.
School Closure of Minor Children Related to Communicable Disease and Federal Offices Open		NO	NO**	YES*	YES*	YES*	YES*	* Telework is authorized to care for a dependent when school is closed due to communicable disease. (SEE NOTE 1) Time should be accounted for and appropriate SL/AL etc. taken for time spent taking care of dependent. **Corrected**
School and Federal Offices Closed		YES*			YES*			* Must telework if plan in place. Admin Leave only if telework agreement not in place.
Forced Telework when Federal Offices Closed and COOP not activated.					YES*			* All telework program participants will be ineligible for weather and safety leave during a closure for communicable disease with rare exceptions (5 CFR 630.1605(a)(2))
Forced Telework during COOP Event					YES*			* Employees participating in a telework program can be leveraged during a COOP activation. If a COOP plan is activated, that plan "shall supercede any telework policy." (5 USC 6504(d)(2))

SECTION C: SICK LEAVE AND OTHER TIME OFF

	Self After Being on AL for Weather and Safety	NO	YES*	YES*	YES*	YES*	YES*	* Telework only if capable of performing duties and active telework agreement in place. Employee option - cannot be forced.
	Advanced Sick/Annual Leave	N/A	YES*	YES*	NO	YES*	LWOP	* Advance Sick Leave IAW policy (240 hours max - 104 hours max if providing care for dependent)
	Doctor Note Required for over 3 days absence		YES*					* Employees can self-certify at the discretion of the agency.

EMPLOYEE SITUATION								
ASYMPTOMATIC	SYMPTOMATIC	Admin Leave	Sick Leave	Annual Leave	Telework	Earned Comp Time / TOA / Etc	LWOP	Comments
Exposed - Elect to Stay Home		NO	NO	YES*	YES*	YES*	YES*	* Must telework if agreement in place - If no telework agreement "agencies may also consider portable duties (e.g. reading reports; analyzing data; preparing correspondence etc., that do not require the employee to be present." Ad-hoc telework agreement should be written and signed.
Family member exposed but not symptomatic		NO	NO	YES*	YES*	YES*	YES*	* Must telework if plan in place.
SECTION D: WEATHER AND SAFETY LEAVE								
Exposed / Self		YES*			YES*			* Admin Leave only if telework agreement not in place.
Exposed / Family Member		NO	NO	YES*	YES*	YES*	YES*	* Must telework if plan already in place.
SECTION E: EVACUATION PAYMENTS DURING A PANDEMIC HEALTH CRISIS								
Question		Answer						
If a local or state health office makes a determination that COVID-19 has become a public health emergency, could a Federal agency use the evacuation payment authority found at 5 CFR 550.409?		No. OPM regulations permit this authority to be utilized in connection with communicable diseases only in the context of a declared pandemic health crisis. The World Health Organization (WHO) makes the determination of when a pandemic is occurring.						
If the WHO declares COVID-19 to be a pandemic, can an agency order one or more employees to evacuate their worksite and work from home?		YES*. 5 CFR 550.409(a) allows an agency to order its employees to evacuate their regular worksites and work from home (or an alternative location mutually agreeable to the agency and the employee) during a pandemic health crisis.						
During a pandemic health crisis, can an agency order an employee to work from home (or an alternative location mutually agreeable to the agency and the employee) if the employee does not have a telework agreement?		YES*. An agency may order an employee to work from home (or an alternative location mutually agreeable to the agency and the employee) without regard to whether the agency and the employee have a telework agreement in place at the time the order to evacuate is issued. Agencies should consult with offices of human resources and general counsel to determine appropriate collective bargaining obligations where bargaining unit employees are impacted.						
What type of work may an agency assign to an evacuated employee?		Under OPM regulations, an agency may assign any work considered necessary without regard to the employee's grade or title. However, an agency may not assign work to an employee unless the agency knows the employee has the necessary knowledge and skills to perform the assigned work.						

Question	Answer
<p>If an employee is forced to incur additional costs due to working from home (e.g., purchasing a computer or internet service), may an agency provide payments to offset those expenses?</p>	<p>The agency head, in his or her sole and exclusive discretion, may grant special allowance payments, based on a case-by-case analysis, to offset the direct added expenses incidental to performing work from home (or an alternative location mutually agreeable to the agency and the employee) during a pandemic health crisis. (See 5 CFR 550.409(b).) An employee is not entitled to special allowance payments for increased costs during an evacuation unless specifically approved by the agency head.</p>
<p>SECTION F: EMPLOYEE RELATIONS</p>	
<p>If an employee comes to work and shows symptoms of illness, what should the supervisor do? May the employee be placed on excused absence (administrative leave), and if so, for how long? What is needed before the employee can return to work?</p>	<p>When a supervisor observes an employee at the workplace exhibiting medical symptoms, he or she can express general concern regarding the employee's health and remind the employee of his or her leave options for seeking medical attention, such as requesting sick or annual leave.</p> <p>Supervisors can approve requests for advanced leave or LWOP if applicable. Telework should be utilized if the employee is covered by a telework agreement; temporary ad hoc telework agreements are authorized if the employee's duties allow telework.</p> <p>If none of the above options are possible, agencies have the authority to place an employee on excused absence (administrative leave) and order him or her to stay at home or away from the workplace. The duration of any such excused absence (administrative leave) is dependent on the specific circumstances but is typically a short period. Placing an employee on excused absence (administrative leave) is fully within an agency's discretion and does not require the consent or request of the employee. <u>Supervisors should not place an employee on excused absence (administrative leave) without first consulting with their human resources (HR) staff and general counsel to review agency policy, collective bargaining agreements, and applicable law with respect to any applicable collective bargaining provisions.</u> Before an employee returns to work, the employee's supervisor should consult with HR and general counsel regarding procedures for requesting administratively acceptable medical documentation in accordance with applicable policies, collective bargaining agreements, and laws.</p>
<p>If no medical official is present at a Federal building, who assesses employees and orders them home if they appear ill?</p>	<p>Supervisors may require an employee to take leave or stay away from the worksite based on objective evidence only (not suspicion). Supervisors should obtain assistance from HR staff or on-site employee health services (if available), as the action may require compliance with adverse action procedures.</p> <p>Objective evidence will depend on the facts of each case. Objective evidence could consist of a statement from the health authorities having jurisdiction or from a health care provider that the employee is physically unable to work or poses a danger to other employees or knowledge the employee resides in an area that has been quarantined. Consultation with public health officials may be appropriate. Less definitive, but potentially sufficient, evidence would be the employee making specific comments about being exposed to pandemic influenza or to a quarantinable communicable disease such as COVID-19 (e.g., taking care of a sick relative or friend). If such comments are made, supervisors should consult with HR and general counsel to assess whether a determination from a public health official is appropriate and necessary.</p>

Question
Can an agency mandate an employee exposed to a quarantinable communicable disease or infected with COVID-19 to remain away from the workplace for a specified period?
Does an agency have the right to solicit medical documentation when the employee is requesting sick leave? May an agency require all staff to be tested and treated for a quarantinable communicable disease, such as COVID-19?
Under what circumstances should an agency communicate to its employees that there is a confirmed case among one or more of its employees (without identifying the person/specific office)?

Answer
Generally, an agency should not prohibit an employee from reporting to work unless it has evidence or a reasonable concern that an employee is physically unable to perform his or her job, or their presence in the workplace poses a risk of infection to others. Whenever possible, sick employees should be encouraged to take leave, such as sick leave, annual leave, advanced leave, other paid time off (e.g., earned compensatory time off, earned credit hours), or leave without pay. Excused absence (administrative leave) may be used if other options are not feasible and it is necessary to prevent an employee from being at the worksite and possibly putting other employees at risk. Excused absence is a paid, non-duty status that does not require the employee's consent or request and does not trigger adverse action procedures. In addition, excused absence can provide time for the agency to seek appropriate evidence regarding the employee's health. In other cases, such as when an employee refuses to take leave voluntarily, a supervisor may find it appropriate to enforce the employee's use of leave. Supervisors should consult with appropriate HR staff and general counsel before taking such a step. Supervisors need to consult with their HR office and legal counsel when deciding to enforce the use of leave, to ensure that the action is permissible and defensible before a third party.
Agency policy and collective bargaining agreements may have provisions for requesting medical documentation from an employee. Under current rules, management may require medical evaluation or screening only when the need for such evaluation is supported by the nature of the work (see 5 CFR 339.301). <u>Attempts on the part of a supervisor to assume a particular medical diagnosis based on observable symptoms is very problematic and should be avoided.</u> However, when a supervisor observes an employee exhibiting symptoms of illness, he or she may express concern regarding the employee's health and remind the employee of his or her leave options for seeking medical attention, such as requesting sick or annual leave. If the employee has no leave available, supervisors are authorized to approve requests for advanced leave or leave without pay in certain circumstances. Agencies should also note the provisions of 5 CFR 630.401(a)(5), which require the approval of requests for sick leave if an employee is determined by the health authorities having jurisdiction or by a health care provider, to "jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease."
The infected employee's privacy should be protected to the greatest extent possible; therefore, his or her identity should not be disclosed. In an outbreak of quarantinable communicable disease or COVID-19, management should share only that information determined to be necessary to protect the health of the employees in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). Supervisors should consult with their agency general counsel to determine what information is releasable. <u>If social distancing, information sharing, or other precautions to assist employees in recognizing symptoms or reducing the spread of the illness can be taken without disclosing information related to a specific employee, that is the preferred approach.</u>

SECTION G: HAZARDOUS DUTY PAY RELATED TO EXPOSURE TO COVID-19	
Question	Answer
May an employee receive hazard pay differentials or environmental differential pay if exposed to COVID-19 through the performance of assigned duties?	General Schedule (GS) employees may receive additional pay for the performance of hazardous duty or duty involving physical hardship. (5 U.S.C. 5545(d) and 5 CFR part 550, subpart I). Appendix A to subpart I of part 550 of title 5, Code of Federal Regulations, contains a list of approved hazard pay differentials. For example, a 25 percent hazard pay differential is authorized for employee exposure to “virulent biologicals, “ which is defined as ‘work with or in close proximity to...[m]aterials of micro-organic nature which when introduced into the body are likely to cause serious disease or fatality and for which protective devices do not afford complete protection.’ To be eligible for the hazard pay differential, the agency must determine that the employee is exposed to a qualifying hazard through the performance of his or her assigned duties and that the hazardous duty has not been taken into account in the classification of the employee’s position. A hazard pay differential is not payable if safety precautions have reduced the element of hazard to a less than significant level of risk, consistent with generally accepted standards that may be applicable. (See 5 CFR 550.904-550.906 for further information and exceptions.) <u>OPM does not determine when hazard pay differentials must be paid; agencies have the responsibility...</u>
May an employee who has been exposed incidentally to COVID-19 (i.e., in a manner not directly associated with the performance of assigned duties) receive a hazard pay differential for exposure to “virulent biologicals”?	No. OPM’s regulations define exposure to “virulent biologicals” as “work with or in close proximity to . . . [m]aterials of micro-organic nature which when introduced into the body are likely to cause serious disease or fatality and for which protective devices do not afford complete protection.” (See Appendix A to subpart I of part 550 of title 5, Code of Federal Regulations.) Agencies may pay a hazard pay differential to a General Schedule employee for exposure to “virulent biologicals” only when the risk of exposure is directly associated with the performance of assigned duties.
Where can I find the various hazardous duty pay and environmental differentials?	For General Schedule (GS) employees, hazardous duty pay differentials are established under 5 CFR 550, Appendix A to subpart I. For Federal Wage System employees, pay administration rules for environmental differentials are found in 5 CFR 532.511. Environmental differential pay categories are listed in Appendix A to subpart E of 5 CFR part 532.
Can employees receive hazardous duty pay or environmental differential pay for potential exposure to COVID-19?	No. There is no authority within the hazardous duty pay or environmental differential statutes to pay for potential exposure. To pay hazardous duty pay or environmental differential pay for an unusual physical hardship or hazard covered under the regulations, a local installation must find that there is credible evidence that an employee was
SECTION H: WORKPLACE PRECAUTIONS TO PREVENT EXPOSURE TO COVID-19	
If an employee works in an occupation at risk for exposure to a quarantinable communicable disease such as COVID-19, what can he or she do to stay safe and prevent the spread of the disease to others?	The Occupational Safety and Health Administration (OSHA) published guidance and recommended measures to help prevent occupational exposure to COVID-19 in Federal workplaces. See OSHA’s COVID-19 guidance at https://www.osha.gov/SLTC/covid-19/index.html . See also CDC guidance: https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/guidance-business-response.html .
SECTION I: OFFICE OF WORKERS COMPENSTION PROGRAM (OWCP)	
Where can Federal employees find information on workers compensation benefits related to COVID-19?	Information on worker’s compensation benefits for Federal employees related to COVID-19 can be found at https://www.dol.gov/owcp/dfec/InfoFECACoverageCoronavirus.htm .

NOTE 1: DoD Components are granted a limited exception to policy under paragraph 3.j.(2) of Department of Defense Instruction 1035.01, Telework Policy, through December 31, 2020. (<https://www.dcpas.osd.mil/Content/documents/OD/Civilian%20Personnel%20Guidance%20for%20DoD%20Components,%208%20Mar%202020.pdf>)

REMOTE NETWORK CONNECTION OPTIONS

ALTERNATIVE ACCESS TO SHAREPOINT AND EMAIL

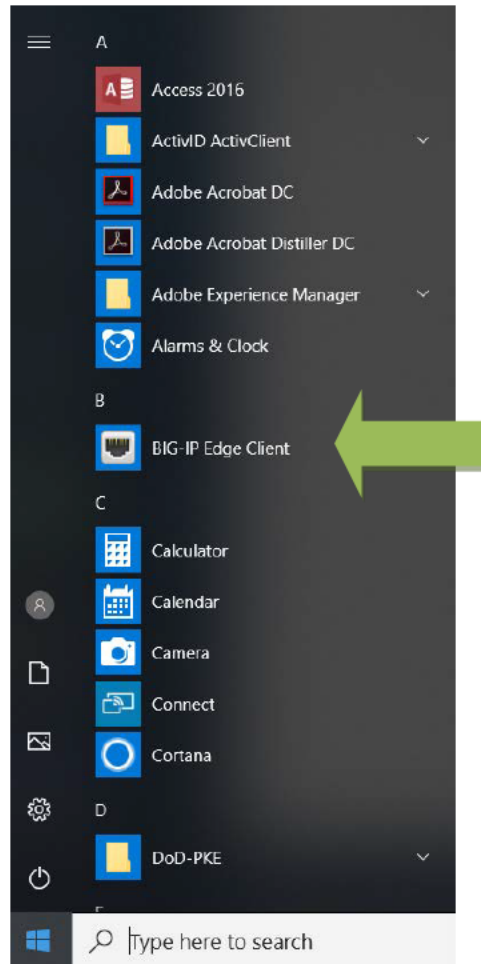
Email can be accessed while not connected to the VPN by going to <https://owa.us.af.mil> in your web browser

SharePoint can be accessed from commercial internet sources. To access SharePoint just input the URL for the SharePoint site and select your email cert when prompted.

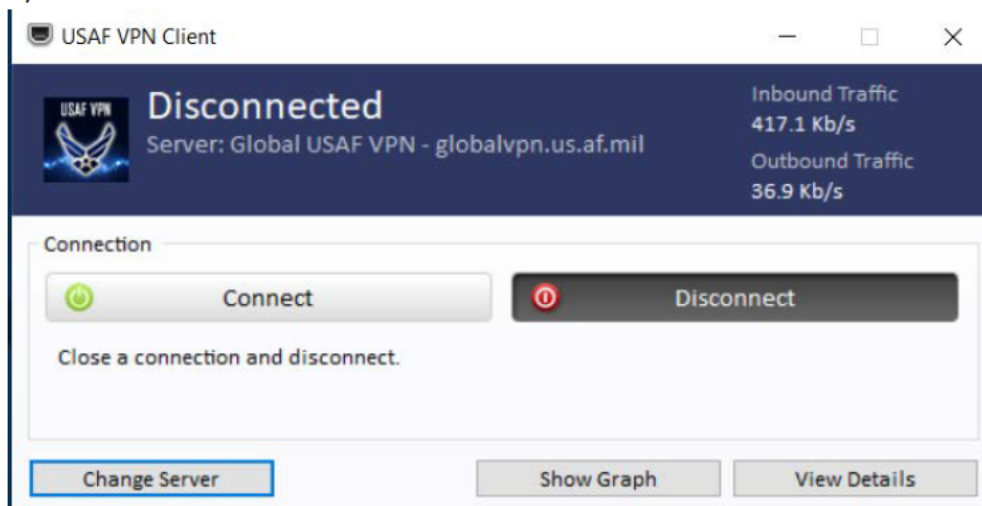
Refer to the following three pages for instructions on connecting to the new AF VPN (EURAM) client effective 13 March 2020. The current VPN client (USAF AFNET SSL VPN) is also available for use.

How to connect to USAF VPN Client

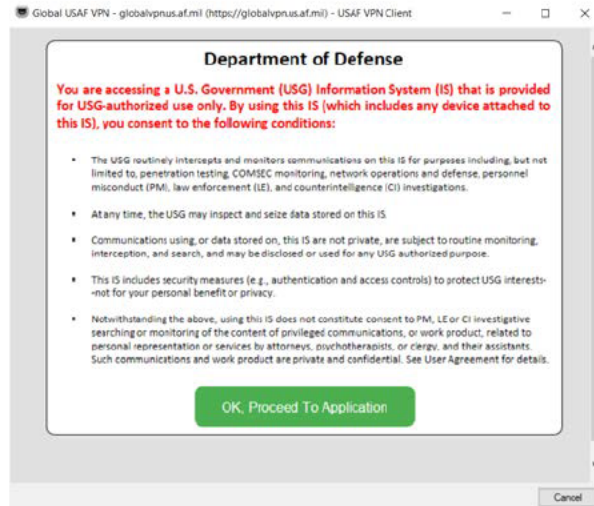
1) Click the start button and search for "BIG-IP Edge Client". Click this to open the app.



2) Click "Connect"



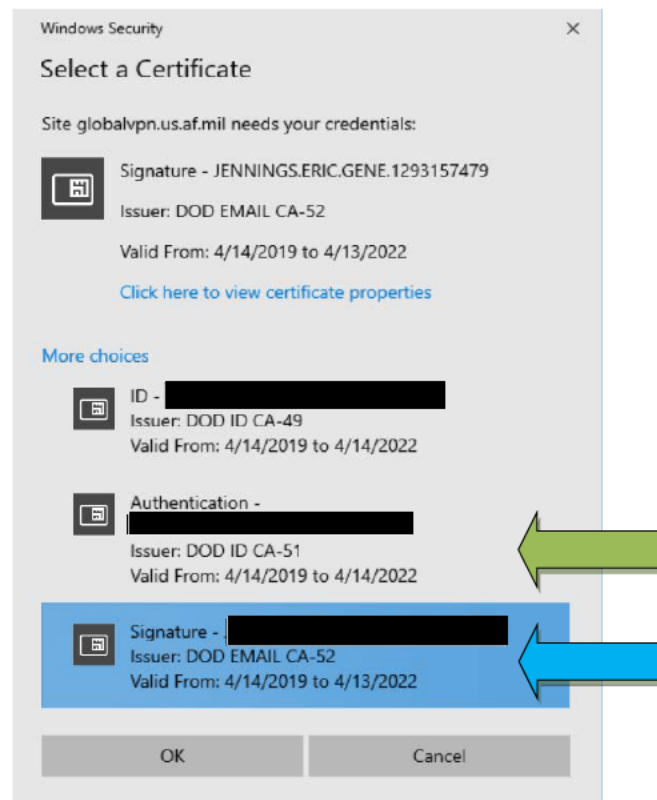
3) Read the consent to monitoring screen and click the green “OK, Proceed To Application” button.



4) Follow this step based on the following conditions:

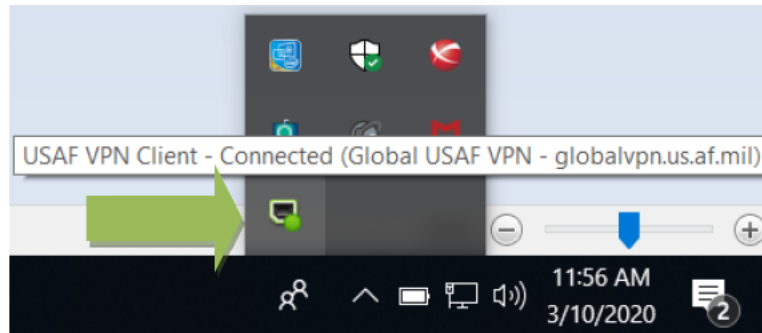
a) Before 13 March 2020 or if your account has not migrated to the PIV certificate, select the certificate corresponding to the “Blue” Arrow.

b) After 13 March 2020 or if your account has already migrated to the PIV certificate, select the certificate corresponding to the “Green” Arrow.



7) Once your certificate has been chosen, both of the previous windows will initialize a connection and then disappear.

8) After both windows disappear, check the system tray in the bottom right, click the up arrow if necessary and look for the icon corresponding to the one in the picture below. Hover over the icon to verify your connection status.



9) You are now successfully VPNed in to the base network and can work as you would at your desk. You will have access to .mil sites as well as your share drives. You will not have access to personal folders unless they are on a share drive.

10) Wait 30 seconds before opening share drives or opening Outlook. Connecting through VPN can be slow to fully authenticate you.

11) After waiting 30 seconds you can now open Outlook, share drives, and websites including .mil ones as if you were sitting at your desk.