

Commanders/Directors/Supervisors:

Please review the attached guidance regarding Emergency Paid Leave (EPL) under the American Rescue Plan Act of 2021 (ARPA), and share with supervisors and US appropriated fund civilian employees in your organization. The President signed the ARPA into law on 11 March 2021, and HAF implementing guidance was issued in late May. The statute includes a provision that authorizes agencies to approve certain covered, appropriated fund Title 5 Federal civilian employees for up to 600 hours of paid leave to address any one of eight qualifying circumstances related to the COVID-19 pandemic, and occurring between 11 March and 30 September 2021.

Key features:

- The leave is funded by a \$570M appropriation that is administered by OPM. For that reason, EPL is only authorized if it is paid from the appropriation. When the fund runs out, so does the availability of EPL.
- EPL is only available for 8 specific qualifying reasons (see attached) related to personal impacts that a Federal employee has experienced as a result of COVID-19 from 11 March to 30 September 2021.
- EPL has a biweekly limit (i.e., hours of approved EPL during a single biweekly pay period may not exceed \$2800 or proportional equivalent for less than full-time employees), and an aggregate limit (i.e., 600 hours total or a proportional equivalent for covered part-time, seasonal or uncommon tours).
- In calculating an employee's retirement annuity benefit, total creditable service will be reduced by the amount of EPL used by the employee.
- The attached Fact Sheet guidance provides supplemental direction concerning how the leave is to be specifically administered within the DAF civilian community. The additional attachments include SAF/FMSI guidance; OPM, DCPAS and DoD policy guidance; as well as related DFAS information to include spreadsheet calculators and usage logs to assist DAF supervisors and employees with effectively calculating and tracking usage of the leave. A direct link to DFAS' calculator tool may be found here: <https://www.dfas.mil/CivilianEmployees/COVID-19-Emergency-Paid-Leave/>.

Supervisors and employees seeking to use EPL should carefully review and familiarize themselves with all of the attached information. Further, supervisors who are evaluating requests for EPL for their US appropriated fund civilian employees should work closely with their local servicing Employee Relations Specialists at 86fss.fsec.us-emr@us.af.mil to address any questions regarding an individual employee's eligibility for coverage, qualifying circumstances, or supporting documentation.

V/r,

MICHAEL RICHARDSON
Acting Civilian Personnel Officer
86 FSS/FSC, Ramstein Civilian Personnel Flight
DSN: 314-478-7144
COMM: 011-49-6371-405-7144

From: [AFPC/DP3FS Civilian Support Branch](#)
To: [UDG AFPC CIV HR CPS](#)
Cc: [UDG AFPC CIV HR MAJCOM](#)
Subject: CPS Transmittal: HAF/A1C Message # 2021-0020 -- Department of Air Force Guidance -- American Rescue Plan Act of 2021 -- Emergency Paid Leave
Date: Wednesday, May 26, 2021 4:58:54 PM
Attachments: [DAF Guidance American Rescue Plan Act Emergency Paid Leave May 2021.pdf](#)
[FM Guidance American Rescue Plan Emergency Leave 5.25.2021.pdf](#)
[EPL biweekly limit tool \(5-4-21\).xlsx](#)
[record of use of EPL - applying aggregate limit \(4-30-21\).xlsx](#)
[DFAS Guidance American Rescue Plan Act Emergency Paid Leave.pdf](#)
[OPM ARPA Emergency Paid Leave Guidance and Templates April 2021.pdf](#)
[DCPAS Ref Guide - Emergency Paid Leave - 052021.pdf](#)
[OF 5057 Emergency Paid Leave Tracking.pdf](#)

[View in HTML](#)

Please disseminate to HR Professionals.

Colleagues

The purpose of this transmittal is to forward the HAF/A1C Message #2021-0020 – Department of Air Force Guidance – American Rescue Plan Act of 2021 – Emergency Paid Leave. Attached is the OPM, DCPAS, DFAS and DAF guidance. The intent was not to duplicate information so all attached guidance documents should be thoroughly reviewed.

The American Rescue Plan Act of 2021 established a new category of leave based on certain COVID-19 related qualifying circumstances. This paid leave is referred to as Emergency Paid Leave (EPL).

EPL is funded by a \$570 million Emergency Federal Employee Leave Fund administered by OPM. The Act does not provide authority to offer paid leave outside this fund mechanism. Therefore, if the fund is exhausted, payments of paid leave under this authority will cease. ***This is important to note as all approval for EPL is conditional based on funding availability.*** Employees must sign an [Employee Agreement](#) (sample agreement provided in the DAF guidance) acknowledging they understand the conditional nature of the approval **prior** to taking EPL. **The qualifying period under this authority began on 11 Mar 21 and ends on 30 Sep 21.**

QUALIFYING SITUATIONS:

A sample EPL request form is provided with the attached DAF Guidance. EPL may be approved when a covered employee is unable to work (to include being unable to telework) because the employee is:

- o (1) Subject to a Federal, State or local quarantine or isolation order related to COVID-19;
- o (2) Advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- o (3) Caring for an individual who is subject to such order;
- o (4) Experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- o (5) Caring for a son or daughter whose school or place of care has been closed or is offering virtual or hybrid learning, or the childcare provider is unavailable due to COVID-19 precautions;
- o (6) Experiencing any other substantially similar condition (as approved by the OPM Director);
- o (7) Caring for a family member with a mental or physical disability, or who is 55 years of age or older and incapable of self-care, without regard to whether another individual is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable due to COVID-19; or
- o (8) Obtaining immunization related to COVID-19 or is recovering from any injury, disability, illness or condition related to such immunization. ***NOTE: In accordance with DCPAS policy guidance, up to four hours of administrative leave (coded “LN” - NtDiff/Haz/Oth “PF”) can be used when obtaining each dose of the COVID-19 vaccination and up to two days, if needed, for recovery from illness after**

obtaining the vaccination even when EPL is available for this purpose.

LIMITATIONS:

- o **Biweekly limit** - EPL hours allowed only to extent that the value of those **EPL hours in a biweekly pay period does not exceed \$2,800** for full-time employee or equivalent limit for part-time employee, which can limit number of leave hours;
- o **Aggregate limit** - **total of 600 hours for regular full-time employee** or equivalent limits for employees with part-time, seasonal, or uncommon tours

EPL is paid at the same hourly rate as annual leave. To help determine the biweekly limit for each employee an EPL biweekly limit tool is provided in the attachments. DFAS has an additional American Rescue Plan, Emergency Paid Leave Determination tool which can be found at:

https://www.dfas.mil/Portals/98/Documents/Civilian%20Employees/HR1319%20Karen%2020210521.pdf?ver=3yIQZvyXnd6_C9P-utLZyQ%3d%3d.

TIMECARD CODING:

Time cards must be coded using **Job Order "COVIDLV21"** with **Type Hour "LV" and NtDiff/Haz/Oth Purpose Code "DW"**. If an employee is currently or has been on qualifying leave status since 11 Mar 21, they must make retroactive adjustments to their timecards to receive this leave and have their own leave restored. As indicated previously, the granting of EPL is tentative and conditional upon fund availability so all retroactive actions should be taken as soon as possible. Per attached FM Guidance, please make every effort to complete all necessary retroactive adjustments by pay period ending 5 Jun 21 but no later than 19 Jun 21 to give employees optimal opportunity to receive this leave, if they choose to request it, as it is applied on a first come, first served basis.

IMPORTANT INFORMATION TO NOTE:

Due to possibility of Fund exhaustion, **EPL is granted on a conditional basis**. If an agency does not receive reimbursement for conditionally granted EPL, that EPL will be cancelled and the employee will be obligated to take action to resolve any overpayment debt. (Sample acknowledgement letter attached to DAF guidance)

In calculating an employee's retirement annuity benefit, total creditable service will be reduced by the amount of EPL used. Hours of EPL remain creditable service for purposes of (1) determining an employee's total service credit for the purpose of establishing eligibility for a retirement annuity benefit and (2) determining periods of time during which an employee has a rate of basic pay used in computing an employee's high-3 average rate of basic pay. To ensure accurate retirement processing, employees are required to acknowledge approved dates of EPL by signing OPM Form 5057 attached and available at: https://www.opm.gov/forms/pdf_fill/of5057.pdf.

This form can be uploaded to the employees eOPF by the CPS using the myPers link at: https://mypers.af.mil/app/answers/detail/a_id/22733.

Benefits Administration Letter (BAL 21-102) providing guidance related to the effect of EPL on employees' retirement benefits (Go to <https://www.opm.gov/retirement-services/publications-forms/benefits-administration-letters/>.)

Benefits Administration Letter (BAL 21-303) providing guidance related administration of the \$570 million fund under which EPL is provided (Go to <https://www.opm.gov/retirement-services/publications-forms/benefits-administration-letters/>.)

The American Rescue Plan – Emergency Paid Leave guidance has been consolidated on the COVID-19 myPers

page found at: https://mypers.af.mil/app/answers/detail/a_id/46583/p/3/c/861.

Questions from leaders, supervisors and employees should be directed to the servicing Civilian Personnel Office.

Civilian Personnel Offices can direct any questions to the Civilian Support Branch at:
afpc.dp3fs.civiliansupportbr@us.af.mil.

Thank you.

Civilian Support Branch
AFPC/DP3FS

Attachments:

DAF Guidance - American Rescue Plan Act – Emergency Paid Leave, May 2021
FM Guidance – American Rescue Plan Emergency Leave, 5-25-2021
EPL Biweekly limit tool, 5-4-21
Record of Use EPL – Applying Aggregate Limit, 4-30-21
DFAS Guidance – American Rescue Plan Act – Emergency Paid Leave
OPM ARPA Emergency Paid Leave Guidance and Templates, April 2021
DCPAS Reference Guide, Emergency Paid Leave, 052021
OF 5057, Emergency Paid Leave Tracking

From: AF/A1C Workflow <AF.A1C.Workflow@us.af.mil>

Sent: Tuesday, May 25, 2021 1:10 PM

Subject: HAF/A1C Message # 2021-0020 -- Department of Air Force Guidance -- American Rescue Plan Act of 2021 -- Emergency Paid Leave

MESSAGE FROM THE CIVILIAN FORCE MANAGEMENT DIRECTORATE (A1C)

HAF/A1C Message # **2020-0020**

SUBJECT: Department of Air Force (DAF) Guidance – American Rescue Plan Act of 2021 – Emergency Paid Leave

SUSPENSE: N/A

1. **PURPOSE:** To provide implementation guidance to DAF commands and organizations concerning Emergency Paid Leave (EPL) under the American Rescue Plan Act of 2021 (ARPA).

2. **REFERENCES:**

- a) Public Law 117-2, American Rescue Plan Act 2021, Section 4001, March 11, 2021;
- b) US Office of Personnel Management (OPM), Memorandum (and attachments 1 through 5), Subject: COVID-19 Emergency Paid Leave, dated April 29, 2021 (attached);
- c) Department of Defense, Defense Civilian Personnel Advisory Service (DCPAS), Reference Guide, *COVID-19 Emergency Paid Leave Section 4001 of the American Rescue Plan Act of 2021*, dated May 2021 (attached);
- d) AFAFO-Finance, Civilian Pay Policy Division, SAF/FMSI, *American Rescue Plan Act of 2021: Emergency Paid Leave, FM Guidance*, dated May 2021 (attached)
- e) Defense Finance and Accounting Service (DFAS), *Emergency Paid Leave*, dated May

2021 (attached)

f) DFAS Emergency Paid Leave calculator and usage log (attached)

3. BACKGROUND:

a. On 11 March 2021, the President signed the ARPA into law. The statute includes a provision that authorizes agencies to approve certain covered, appropriated fund Title 5 Federal civilian employees for up to 600 hours of paid leave to address any one of eight qualifying circumstances related to the COVID-19 pandemic, and occurring between 11 March and 30 September 2021.

b. Key aspects of the leave entitlement include the following:

1) The leave is funded by a \$570M appropriation that is administered by OPM. For that reason, EPL is only authorized if it is paid from the appropriation. When the fund runs out, so does the availability of EPL.

2) EPL is only available for 8 specific qualifying reasons related to personal impacts that a Federal employee has experienced as a result of COVID-19 from 11 March to 30 September 2021.

3) EPL has a biweekly limit (i.e., hours of approved EPL during a single biweekly pay period may not exceed \$2800 or proportional equivalent for less than full-time employees), and an aggregate limit (i.e., 600 hours total or a proportional equivalent for covered part-time, seasonal or uncommon tours).

4) In calculating an employee's retirement annuity benefit, total creditable service will be reduced by the amount of EPL used by the employee.

4. STATUS:

a. The distinct requirements of the leave prevented agencies from being able to administer EPL until OPM, as the EPL fund administrator, issued leave implementation and administration guidance. OPM and Department of Defense (DoD) have now issued personnel and finance direction that allows the DoD components to begin approving EPL and directs how the leave is to be administered within the Defense community.

b. The attached Fact Sheet guidance provides supplemental direction concerning how the leave is to be specifically administered within the DAF (to include the US Space Force) civilian community. The additional attachments include SAF/FMSI guidance; OPM, DCPAS and DoD policy guidance; as well as related DFAS information to include spreadsheet calculators and usage logs to assist DAF supervisors and employees with effectively calculating and tracking usage of the leave. A direct link to DFAS' calculator tool may be found here:

<https://www.dfas.mil/CivilianEmployees/COVID-19-Emergency-Paid-Leave/>. HR practitioners, supervisors and employees seeking to use EPL should carefully review and familiarize themselves with all of the attached information. Further, supervisors who are evaluating requests for EPL should work closely with their local servicing CPSEs and labor attorneys to address any questions regarding an individual employee's eligibility for coverage, qualifying circumstances, or supporting documentation.

5. AFPC may release additional policy and/or operational guidance related to this update.

6. All A1C Numbered Messages are maintained on A1C's Sharepoint located at:

https://usaf.dps.mil/sites/10097/a1c/numberedmessages/sitepages/home.aspx#inplviewhasha38ec229-8d30-4fa3-998d-a20e3762e55b=#InplviewHash42201ba6-242e-40e6-9270-11a16a61e3f3=Paged%3DTRUE-p_ID%3D30-PageFirstRow%3D31-ShowInGrid%3DTrue#InplviewHash91b72512-3c02-4569-a4f4-0dc27935ecc8=Paged%3DTRUE-p_SortBehavior%3D0-p_FileLeafRef%3D2021%252d002%2520A1C%2520Numbered%2520Message%252epdf-

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GS

Glenda Scheiner, SES, DAF
Director, Civilian Force Management
DCS, Manpower, Personnel and Services
Comm 703-571-1724
Telework Cell: (301) 543-7494

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