



CIVILIAN PERSONNEL FLIGHT FACTSHEET

Current as of Jan 21

EXCUSED ABSENCE/LEAVE/TELEWORK DUE TO EXTREME WEATHER

Applicable to U.S. (APF & NAF) and Non-U.S. civilian employees

PURPOSE: To provide information on policies and workplace flexibilities for coping with dangerous weather conditions.

U.S. CIVILIAN EMPLOYEES:

- Commanders may authorize administrative leave in accordance with applicable regulations and instructions due to environmental conditions such as hazardous winter weather or severe heat, “only in exceptional instances where working or commuting conditions are unusually severe and the health of employees is endangered.”
- The authority for closure of all or part of an activity and administrative excusal of employees lies with **installation commanders, commanders of combatant commands, and lead commanders designated in areas with more than one activity.**
- Requirements for telework program participants to continue to work during an office closure or early dismissal, as noted below, shall be included in the employee’s DD Form 2946, *DoD Telework Agreement*. See the Civilian Personnel Flight Telework factsheet for additional information regarding telework and the DD Form 2946.
- Employees are expected to work if conditions in the workplace are reasonably adequate. Group dismissal is rare and only authorized when conditions are severe or normal operations would be significantly disrupted. Before administrative excusal may be granted, it must be clearly established by reasonable standards of judgment that the conditions are such as to actually prevent working. If potential inclement weather is expected, commanders and supervisors are encouraged to direct telework program participants working in the office to take home their government issued laptops for potential implementation of unscheduled telework due to weather conditions or authorized base closures. The option for unscheduled telework when the base is open can be used when weather conditions make commuting hazardous, or similar circumstances compromise employee safety.
- Individual employees affected by environmental conditions may request leave.
- When early dismissal is authorized, employees in a duty status at the time set for dismissal are excused without charge to leave, except as noted below for telework program participants. Employees who leave before the scheduled dismissal time, or who are already in a leave status and scheduled to be in a leave status during the time of dismissal, continue to be charged leave. Telework program participants working in the office when an early departure is announced may

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generally receive Weather and Safety Leave only for the amount of time required to commute home (excluding the period of time for an unpaid lunch break, if applicable). This means that telework program participants must complete the remaining time (if any) in their workday by either teleworking or taking leave (paid or unpaid) or other paid time off once they arrive home. Supervisors may administratively excuse designated teleworkers from teleworking on a case-by-case basis if circumstances beyond the employee's control prevented them from teleworking. A telework program participant working at home when an early departure is announced is expected to complete the remaining time in their workday or take leave (paid or unpaid).

- Pursuant to the DD 2946, Section 1, Item 12, when base closure is authorized, telework program participants shall telework their regularly scheduled workday. Telework program participants who are unable to work due to personal situations or other circumstances (e.g., illness, dependent care responsibilities, loss of electrical power, evacuation by local authorities, or the employee cannot access materials necessary to continue work during the emergency) shall attempt to contact a supervisor to request leave appropriate for those circumstances or to be excused from duty. Supervisors may administratively excuse designated teleworkers from teleworking on a case-by-case basis if circumstances beyond the employee's control prevent them from teleworking.
- APF Employees Only: On 23 Dec 16, Congress enacted the Administrative Leave Act providing OPM with authority to regulate certain types of leave, including "weather and safety leave." OPM issued final regulations on 10 Apr 18 which make clear the circumstances in which weather and safety leave may be used. When authorized, APF employees will submit a leave request for administrative leave (LN) in ATAAPS using the subcode PS.
- NAF Employees Only: The NAF Personnel Program Management and Administration Procedures Guide (June 2019) will be used for NAF employees authorized early dismissal to determine pay eligibility, leave procedures, and timekeeping requirements using the NAF SETS timekeeping system.

NON-U.S. CIVILIAN EMPLOYEES: According to § 618 German Civil Code the employer has a duty to care for its employees. This general duty of care is specified by the workplace ordinance and the workplace rule ASR A 3.5 "room temperature."

- If the air temperature in work and social rooms exceeds a temperature of 26 °C (79 °F), the room should be equipped with suitable sun protection systems
- The employer is only obligated to take action when the air temperature in the room exceeds 30 °C(86 °F). Effective measures such as the installation of blinds, ventilation during the cool morning hours or the provision of drinks may be taken. It is the decision of the employer which measures are taken to lower the room temperature
- If the room temperature rises above 35 °C (95 °F), the room is not suitable as a working space without technical, organizational or personal measures during this period of time. Employers and

employees must work together to make the high temperatures bearable through appropriate measures or behavior which may include:

- Inside
 - Intensive ventilation of the rooms (preferably during the morning hours)
 - Only turn on sources of additional heat (printer, copier) if necessary
 - Minimize sun exposure by closing the blinds
 - Stay hydrated (the normal water requirement for adults is 1.8 - 2.5 liters)
 - Reduce intake of caffeine-containing drinks as these cause dehydration
 - Utilize your break time
 - If necessary, use mobile air conditioning units or an electrical fan
 - Organizational measures such as longer breaks or shortening the working hours can be authorized by commanders
- Outside
 - Pay attention to sufficient UV protection and void unnecessary sunlight
 - Wear clothing and headgear that protects you from sunlight
 - Wear sunglasses and apply sun protection on exposed body parts
 - Use or create a shaded area (e.g., by parasol)
 - Keep hydrated!
 - Even in the heat, necessary protective equipment must be worn! For physically strenuous work, longer rest periods may be scheduled
 - Heavy physical work should be moved to the morning hours

REFERENCES:

- DoDI 1400.25V610_AFI 36-807, AFI 36-815, *Hours of Work and Holiday Observances*, Enclosure 3
- Nonappropriated Fund Personnel Program Management and Administration Procedures Guide (June 2019)
- DoDI 1400.25-M, *Department of Defense Civilian Personnel Manual*
- The Office of Personnel Management (OPM) *Governmentwide Dismissal and Closure Procedures*
- OPM Memorandum CPM 2019-17, *Coping with Severe Heat and Humidity*
- OPM Memorandum CPM 2019-22, *Governmentwide Dismissal and Closure Procedures*
- 5 CFR 630.1601, *Administration of weather and safety leave*
- 5 USC 6329c(b)
- DoDI1035.01_AFI36-816, *Civilian Telework Program*, Enclosure 3

Additional guidance on this topic is available from your Employee Relations Specialist. Contact information can be found in the footer below.