

# USAFA ACTIVATED CONTINUITY OF OPERATIONS (COOP) PLAN TELEWORK & LEAVE DECISION TREE

As of 23 March 2020

The Telework Enhancement Act of 2010 states that "each executive agency shall incorporate telework into the continuity of operations plan of that agency." Employees participating in an agency telework program can be leveraged during a COOP activation. That plan "shall supersede any telework policy," (see 5 U.S.C. § 6504(d)(2)) and allow greater flexibility to expand telework to a larger segment of the workforce in support of agency operations, so that as many employees as possible are working during a COOP activation.

The purpose of this decision tree is to assist Commanders, Directors and supervisors in maintaining continuity of operations as identified in their COOP plans by maximizing telework where possible and determining when excused absence is appropriate. This decision tree provides basic information and does not cover all scenarios. **Contact the 10 FSS/FSCA Civilian Personnel Office (333-4361) or 10 FSS/FSCN NAF HR Office (333-3425) for further guidance.**

Table 1. Applies when a pandemic has been declared by the World Health Organization (WHO) AND the USAFA Continuity of Operations (COOP) plan has been activated.							
When the regular worksite or office is closed or services reduced but continuity of operations is required...				If the employee is unable to perform work due to...			Special Situations
Rule	And the Supervisor has determined...	Then the Supervisor can...	And...	Dependent Care Responsibilities	Personal Situations	Other Circumstances	Employees In CDC-Identified "High Risk" Categories
				The Supervisor may...			Supervisors are...
1	The employee has full-time telework or "portable" duties	Direct the employee to telework at an approved alternative worksite (e.g., the employee's residence) each regularly scheduled or modified work day until further notice to support continuity of operations. The supervisor will address the telework location, the requirement to continue to work during an emergency, office closure or delayed/early dismissal, and work expectations to include any emergency duties that must be accomplished remotely if different from the employee's normal duties. Telework training and agreement (DD 2946) are highly encouraged but not required under a COOP activation (See Notes 1 & 2)	Assign any "portable" work necessary, as long as the employee has the skills to perform the assigned work, without regard to the employee's grade or pay band level, to establish full-time and direct the employee to telework at an approved alternative worksite (i.e., the employee's residence) each regularly scheduled work day until further notice to support continuity of operations (See Notes 1 & 2)	Authorize the use of personal leave. Employees must account for the entire workday by teleworking, taking unscheduled leave (paid or unpaid) or other paid time off, or a combination (See Note 3)		Authorize weather and safety leave on a case-by-case basis only when the employee is prevented from working safely at an approved telework site (See Note 4)	Authorized to maximize telework flexibilities for eligible employees
2	The employee has less than full-time telework or "portable" duties					Authorize weather and safety leave for the balance of the employee's tour of duty if no additional work can be assigned (See Note 4)	
3	The employee is designated as Mission-Critical or Emergency-Essential	Require the employee to work either onsite or via telework consistent with mission requirements (See Note 5)					
4	The employee's position is not telework eligible and/or there is no "portable" work that can be assigned	Authorize weather and safety leave (See Note 6)					Authorized to approve weather and safety leave to these employees for safety reasons (See Note 7)

**Note 1:** Only two categories of employees are specifically prohibited from telework: 1) An employee has been officially disciplined for being absent without permission (AWOL) for more than 5 days in any calendar year and, 2) The employee has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct of Employees in the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer while performing government duties (5 CFR 2635.704).

**Note 2:** Supervisors must identify supplies, equipment and/or system access that may be required to perform assigned duties and/or assign duties that do not require special equipment or technology to perform.

**Note 3:** Employees who telework during an emergency (e.g., continuity of operations event, office closure due to adverse or inclement weather, or pandemic health crisis) must account for work and non-work hours during his or her tour of duty and take appropriate leave (paid or unpaid) to account for time spent away from normal work-related duties (e.g., to care for a child or dependent, doctor's appointment). When appropriate, employees may use sick leave, annual leave, advanced annual and/or sick leave, Family Medical Leave Act (FMLA) leave, leave without pay, donated leave under the Voluntary Leave Transfer Program (VLTP), and other paid time off such as earned compensatory time off and earned credit hours earned under flexible work schedules. Weather and safety leave is not authorized.

**Note 4:** Under OPM's weather and safety leave regulations, all telework program participants will be ineligible for weather and safety leave except in rare circumstances when one of the exceptions under 5 CFR § 630.1603 applies – 1) an act of God; 2) a terrorist attack; or 3) another condition that prevents the employee from safely traveling to or performing work at an approved location. Examples are flooding, roof collapse, power outage as a result of a severe weather or other emergency event. See also 5 CFR § 630.1605. A supervisor who does not have additional work to assign to a less than full-time telework employee, may authorize weather and safety leave for the balance of the employee's tour of duty because the the lack of work prevents the employee from performing work at an approved location.

**Note 5:** Mission-Critical and Emergency-Essential employees are those that are currently required to report to the worksite during a base closure (e.g., Police, Fire, Medical, CDC, Food Service, Readiness, etc.). Also referred to as Emergency-Essential.

**Note 6:** When the worksite has been closed or services suspended and there is no telework or "portable" duties that can be assigned, weather and safety leave is appropriate under a COOP activation because the office closure and lack of work prevents the employee from safely traveling to or performing work at an approved location.

**Note 7:** Because COVID-19 prevents employees who are at higher risk from safely traveling to or performing work at an approved location, agencies may grant these CDC-identified high risk employees weather and safety leave under 5 U.S. Code § 6329c(b) at the agencies discretion. Supervisors do not need to require certification by a medical professional, and may accept self-identification by employees that they are in one of these populations.

**REFERENCES:**

- DoDI1035.01\_AFI36-816, *Civilian Telework Program* ([https://static.e-publishing.af.mil/production/1/af\\_a1/publication/dodi1035.01\\_afi36-816/dodi103501\\_afi36-816.pdf](https://static.e-publishing.af.mil/production/1/af_a1/publication/dodi1035.01_afi36-816/dodi103501_afi36-816.pdf))
- DoDI1400.25v610\_AFI36-807, *Hours of Work and Holiday Observances* ([https://static.e-publishing.af.mil/production/1/af\\_a1/publication/dodi1400.25v610\\_afi36-807/dodi1400.25v610\\_afi36-807.pdf](https://static.e-publishing.af.mil/production/1/af_a1/publication/dodi1400.25v610_afi36-807/dodi1400.25v610_afi36-807.pdf))
- DoD Emergency Preparedness Guidance for COVID-19 (<https://dcpas.osd.mil/OD/EmergencyPreparedness>)
- AF myPers COVID-19 Guidance ([https://mypers.af.mil/app/answers/detail/a\\_id/46583](https://mypers.af.mil/app/answers/detail/a_id/46583))