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1. This Transmits: HUD Handbook 560.1, Handbook on Pay, Leave and Other Benefits During Emergency/Disaster Situations.
2. Summary: This Handbook establishes the Departmental policy relating to pay, leave and other benefits during emergency/disaster situations.
3. Filing Instructions:

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U.S. Department of Housing and Urban Development



HANDBOOK ON PAY, LEAVE and OTHER BENEFITS DURING



EMERGENCY/DISASTER SITUATIONS

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CHAPTER 1. INTRODUCTION

- 1-1 Purpose: The Department is fully committed to supporting all HUD employees and their families in coping with emergency or disaster situations. This handbook is intended to provide information and policy guidance about the various pay, leave, and other employee benefits and services available to assist employees impacted by these situations.

This handbook has three main chapters:

- Chapter 2. Pay and Leave Benefits for Employees Prevented from Working, Due to Disaster or Emergency Situations.
 - Chapter 3. Pay and Leave Benefits for Employees Required to Work on Emergency or Disaster Relief and Response Efforts.
 - Chapter 4. Other Programs and Assistance.
- 1-2 Roles and Responsibilities: The Department has day-to-day operational Delegations of Personnel Management Authorities in effect, which are posted under “Highlights” on hud@work. However, during an emergency or disaster situation, particular changes to these delegations will be in effect and are described within the related topics in this handbook. The **Assistant Secretary for Administration** is responsible for the administration of this policy.

- 1-3 Definitions:

Emergency/Disaster: A temporary condition posing a direct threat to human life or property. This would include natural disasters such as hurricanes, flooding, fires, etc., as well as acts of terrorism and/or destruction that may or may not result in evacuation. For the purpose of this handbook, the term “emergency” refers to all of the above temporary conditions.

Ordered Evacuation: A federal, state, or local law enforcement-ordered evacuation of an area to take refuge in a safe place.

Evacuation Pay: Payment to an employee who is prevented from performing the regular duties of his or her position.

Dependent: A relative who resides with the employee and depends on the employee for financial support.

Designated Representative: A person 16 years of age or older who is designated by an employee for the purpose of caring for the employee’s dependent.

Safe Haven: A designated area in the workplace, or nearby, to which an employee or dependent will be or has been evacuated.

Advanced Pay: An advance payment to an employee who has received an order to evacuate.

Premium Pay: The dollar value of earned hours of compensatory time off and additional pay for overtime, night, Sunday, or holiday work; or, for standby duty, administratively uncontrollable overtime work, or availability duty. This would exclude overtime pay paid to employees under the Fair Labor Standards Act (FLSA) and compensatory time off earned in lieu of such overtime pay.

Premium Pay Limitations: A biweekly and annual cap on salary earned, including premium pay.

Excused Absence: Excused paid leave (administrative leave) approved by an authorized approving official.

Military Leave: Allowable time off for particular types of active or inactive duty in the National Guard or as a Reserve of the Armed Forces.

Telework: The performance of official duties at an alternative worksite (i.e., home, telework center, or other satellite work location).

CHAPTER 2. PAY AND LEAVE BENEFITS FOR EMPLOYEES PREVENTED FROM WORKING, DUE TO DISASTER OR EMERGENCY SITUATIONS

2-1 Compensation: During an emergency situation, every effort possible will be made to ensure that employees are paid promptly. If an emergency should occur and proper time and attendance records have not been transmitted, the Department will work with the National Finance Center to waive the requirements until the appropriate documentation can be obtained. There are a number of payment options and decisions that must be made during an emergency situation. These options are described below, and the official with delegated authority (during an emergency situation) to approve the proposed action is also included. In emergency situations, the Office of Human Resources (OHR) shall provide managers and employees with a contact number in order to obtain information on the appropriate payment options available.

A. Advance Payments: An advancement of pay, allowances, and differentials may be made to an employee who has received an order to evacuate (5 CFR 550.403).

1. The delegated authority for this decision rests with **heads of organizations (i.e., Assistant Secretaries or their equivalent)**, who will determine whether the payment in advance of the date on which the employee would

be entitled to be paid is required, so as to help the employee defray immediate expenses incidental to the evacuation.

2. Organization heads of impacted employees will determine the time period to be used in computing the amount of the advance payment.
3. The advance payment will be computed based on the projected workdays and hours in the selected time period that would have been worked had the evacuation not taken place.
4. The selected time period cannot exceed 80 hours in a biweekly pay period.
5. All deductions authorized by law, such as retirement, income tax withholdings, etc., will be deducted from advanced pay.
6. An advance in pay cannot exceed 30 days.
7. An advance payment is equivalent to a loan and must be treated as a debt owed to the federal government. The Secretary/Deputy Secretary may waive recovery of an advance payment if a determination is made that recovery would be against equity or good conscience, or against the public interest (5 U.S.C. 5522(c)).

B. Evacuation Payments: An employee, at the discretion of the Department, may receive evacuation payments while an evacuation order is in effect and while the employee is prevented from performing the duties of his or her position) (5 CFR 550.403).

1. The **Assistant Secretary for Administration** is delegated authority to determine if evacuation payments are warranted and when such payments are no longer warranted, in accordance with 5 CFR 550 and other applicable regulations discussed below.
2. The Department will make these payments as close as possible to the employee's regular pay day, since evacuation payments reflect the employee's regular pay.
3. The evacuation pay will be based on the number of days and hours the employee would have worked had the evacuation not taken place.
4. The selected time period cannot exceed 80 hours in a biweekly pay period.
5. All deductions authorized by law, such as retirement, income tax withholdings, etc., will be deducted from evacuation pay.
6. Evacuation payments must cover the period of time during which an applicable evacuation order remains in effect, unless terminated earlier.
7. Evacuation pay cannot continue for more than 180 days after the effective date of the evacuation order and can be terminated at any time prior to the evacuation order being lifted (5 U.S.C. 5523(a)(2)).
8. The Department must terminate evacuation payments under the conditions listed in 5 CFR 550.407. The conditions relate when a determination is made that evacuation payments are no longer warranted.
9. Employees may be required to perform any work necessary during the period of evacuation without regard to the grades or titles of the employees. Failure or refusal to perform assigned work is a basis for terminating evacuation payments.

10. Employees who do not receive evacuation payments may be granted excused absence (discussed below).
11. Evacuation payments are not treated as a debt to the federal government.

- C. Travel and Per Diem Payments: The Department may provide employees and dependents, who are ordered to evacuate from areas impacted by major natural disasters or other emergency situations, with travel and per diem payments (5 CFR 550.405). These payments will be calculated based on the date of departure from the evacuated area through the date of arrival at the safe haven. Per diem will be paid in full for the day of arrival at the safe haven. The **Chief Financial Officer**, in collaboration with the **Assistant Secretary for Administration**, the **General Counsel**, and **other appropriate HUD officials that may be designated to respond to an emergency situation**, shall determine the extent to which such payments may be made in conformance with Office of Personnel Management (OPM) guidance and other supporting authorities governing pay and travel for employees prevented from working in an area affected by severe weather emergencies or other disasters.
- D. Excused Absence (Administrative Leave): The Department, at its discretion, may grant administrative leave to impacted employees without loss of pay or charge to leave. The **Assistant Secretary for Administration**, in collaboration with other appropriate HUD officials that may be designated to respond to an emergency situation, shall be responsible for determining the appropriateness and extent to which administrative leave may be provided for impacted employees.
- 2-2 Teleworking for Displaced Employees: The Department shall utilize telework as a viable work option to support displaced employees during emergency situations. The **Assistant Secretary for Administration** may grant an exception to existing Telework Program policies and procedures by allowing employees, including managers and supervisors, to telework on a full-time basis up to 5 days per week, and approving alternate worksites to include the employee's temporary residence, a General Services Administration satellite office, a HUD field office, an office provided by another federal agency, a hotel room, etc.
- A. Program Offices should ensure that approved teleworkers are provided the resources needed to work under a telework arrangement to the extent that any budget constraints will allow. This includes, but is not limited to:
1. Electricity
 2. Computer connectivity to HUD systems
 3. Telephone
 4. Any other needed resources to perform duties
- B. While on duty and as necessary, employees are required to be reachable and in contact with their supervisors.

- C. Additional information on the procedures for teleworking can be found at <http://hudweb.hud.gov/po/arh/eap/telework.cfm>.
- 2-3 Emergency Leave Transfer Program: The President may direct OPM to establish an emergency leave transfer program to assist employees affected by an emergency or major disaster (5 U.S.C 6391). The emergency leave transfer program permits employees in an executive agency to donate unused annual leave for transfer to employees of the same or other agencies who have been adversely affected by the emergency or major disaster and who need additional time off from work without having to use their own paid leave. When a declaration has been made by the President to OPM, the **Assistant Secretary for Administration** is responsible for determining if there is a need to establish an emergency leave transfer program to assist HUD employees impacted by an emergency situation. Until OPM has established the program for a specific emergency or major disaster, employees may not donate or receive leave under the emergency leave transfer program.

CHAPTER 3. PAY AND LEAVE BENEFITS FOR EMPLOYEES REQUIRED TO WORK ON EMERGENCY OR DISASTER RELIEF AND RESPONSE EFFORTS

- 3-1 Overtime Pay/Compensatory Time Off: Employees who are required to perform overtime work in connection with an emergency will be, to the extent allowable by law and in accordance with applicable bargaining unit agreements, compensated for any overtime work, either in the form of overtime pay or compensatory time off. Employees covered by the FLSA must be paid overtime, unless the employee requests compensatory time off instead of overtime payment. (See 5 CFR Part 551.) Approval of overtime pay shall be consistent with the Department's existing personnel management delegations of authority.
- 3-2 Premium Pay Limitations:
- A. During emergency situations that pose a temporary direct threat to human life or property, the regular limitation on biweekly premium pay may be waived. The biweekly premium pay limitation restricts the amount of premium pay that can be paid to an employee during a pay period. Premium pay cannot be paid to the extent that, in doing so, it would cause the employee's basic pay, overtime pay, the dollar value of compensatory time off, night pay, annual premium pay, Sunday premium pay, and holiday premium pay to exceed the **greater** of the **biweekly** rate for: (1) GS-15, step 10 (including any applicable locality payment or special rate supplement), or (2) level V of the Executive Schedule (5 U.S.C. 5547(a) and 5 CFR 550.105). In emergency situations, the **Assistant Secretary for Administration** is delegated authority to make an exception to the biweekly premium pay limitation for an employee who performs overtime work in connection with the emergency.

1. When an exception to the biweekly premium pay limitation has been approved, the employee will be subject to an **annual** pay limitation. An employee paid under an annual limitation receives premium pay only to the extent that the aggregate of basic pay and premium pay payable for the calendar year does not exceed the **greater** of the **annual** rate in effect at the end of the calendar year for:
 - (a) GS-15, step 10 (including any applicable special rate or locality rate),
or
 - (b) Level V of the Executive Schedule.
 2. Agencies do not have authority to make exceptions to the annual pay limitation. In addition, the following types of premium pay remain subject to a biweekly limitation when other premium payments are subject to an annual limitation:
 - (a) Stand-by duty pay under 5 U.S.C. 5545(c)(1);
 - (b) Administratively uncontrollable overtime pay under 5 U.S.C. 5545(c) (2) a; and
 - (c) Availability pay for criminal investigators under 5 U.S.C. 5545a.
 3. Employees receiving a higher rate of pay may be required to work without additional overtime pay or compensatory time off because of the premium pay limitations in 5 U.S.C. 5547. By law, if a federal employee is not entitled to overtime pay for a period of overtime work because of the premium pay caps, he or she also cannot receive compensatory time off for that period. This is because compensatory time off is authorized only in lieu of overtime pay.
 4. If an emergency terminates before the end of a calendar year, the annual premium pay limitation applies to the entire calendar year (5 CFR 550.106 (c) and (g)).
- B. Managers and supervisors must notify the OHR of each employee who will perform overtime work in connection with an emergency. The OHR will subsequently provide the supervisor with the name and telephone number of the human resources representative to contact so that the employee's overtime and compensatory time associated with the emergency work can be manually tracked in order to avoid exceeding the annual premium pay limitation.
- C. Managers, supervisors, and affected employees are responsible for becoming familiar with the above premium pay limitations, including reporting and tracking the number of overtime hours the employee works in connection with the emergency.

- D. In consultation with the appropriate organizational entities where HUD employees have been assigned to work on emergency relief efforts, the **Assistant Secretary for Administration** will decide when the exception of the premium pay limitation will be terminated. A notice will be sent to each affected employee that the exception of computing premium pay up to the annual rate of pay at the GS-15, step 10 level, will revert back to the biweekly pay limitations.

CHAPTER 4. OTHER PROGRAMS AND ASSISTANCE

- 4-1 Interagency Details: In emergency situations, other federal agencies, such as the Federal Emergency Management Agency (FEMA), may request the services of employees from other Federal agencies. The Department will consider these requests and, as practicable, request volunteers to accept these details. The Office of Administration will serve as the clearinghouse for all details to other federal agencies to work on disaster relief efforts. As such, the **Assistant Secretary for Administration**, in consultation with the respective employee's organization head (i.e., Assistant Secretary or equivalent), is delegated authority to approve such details. The OHR shall be responsible for obtaining the necessary documentation for the detail (e.g., Interagency Agreement and any other documentation) and submitting it to the Assistant Secretary for Administration. Upon approval, the OHR will document and maintain appropriate records that reflect pertinent information such as the name of requesting organization and agency official, effective date and not-to-exceed date of the detail, and whether the detail is reimbursable or non-reimbursable.
- 4-2 Military Leave: An employee is entitled to time off at full pay for certain types of active or inactive duty in the National Guard or Reserve of the Armed Forces. Employees are entitled to 15 days per fiscal year for active duty, active duty training, and inactive duty training. An employee may carry over a maximum of 15 days into the next fiscal year (5 U.S.C. 6323(a)).
1. Employees are entitled to 22 workdays per calendar year for emergency duty ordered by the President, the Secretary of Defense, or a State Governor. This leave is provided for employees who perform military duties in support of civil authorities in the protection of life and property or who perform full-time military service as a result of a call or order to active duty in support of a contingency operation (5 U.S.C. 6323(b)).
 2. Employees of the National Guard of the District of Columbia are entitled to unlimited military leave for particular types of duty ordered or authorized under Title 39 of the District of Columbia Code (5 U.S.C. 6324(d)).
 3. Federal employee members of the National Guard or Reserves who are called up to assist in disaster relief and recovery efforts are entitled to military leave under 5 U.S.C. 6323(b).

4. Reserve and National Guard Technicians are entitled to 44 workdays of military leave for duties overseas under certain conditions (see 5 U.S.C. 6323(d)).
- 4-3 EAP: The EAP is available to provide services to employees and their family members during an emergency situation. All emergency counseling services are available throughout the country and can be made available within 24 hours or less, typically within only hours. Specifically, the EAP will provide the following:
- A. Immediate Aftermath:
1. CISD – Critical Incident Stress Debriefings: The CISD is a defusing process conducted via group meetings or other types of discussions for the purpose of mitigating the psychological impact of a traumatic event, prevent the subsequent development of a post-traumatic syndrome, and serve as an early identification mechanism for individuals who will require professional mental health follow-up subsequent to the traumatic event.
 2. Communications: Dissemination of information about the event to employees, families, press, and the general public.
 3. Support Services – Family Assistance Center: This is a central location for families to go to in order to receive information about their family member.
 4. Debriefings: Due to the nature of disaster response and the trauma associated with it, the EAP counselors would provide on-site daily debriefings for HUD staff engaged in work associated with dealing with the immediate aftermath of the event.
- B. Post-Event (Short, Medium, and Long-Term):
1. CISD: At this stage, the CISD functions as a mechanism for deescalating, stabilizing, and acclimating staff back into the workplace and/or into reestablishing work processes in the event the workplace has been destroyed.
 2. Management Consultation: Provide information to managers and supervisors to assist them in dealing with issues, emotions, and other related responses that employees may display subsequent to the event and after returning to work.
 3. Individual Counseling: The individual may be referred to a therapist/counselor through his or her insurance program if the trauma and/or presenting issue is of a nature that medium- to long-term

intervention is necessary. The EAP will be available to the employee and his or her family to provide support in acclimating to the workplace.

4. **Group Sessions:** Psycho educational sessions that emphasize the observations made of staff conduct, work performance, etc., by Office Directors, managers, and supervisors.
5. **Follow-Up:** Utilizing a process of intervention based upon “degree of trauma” to develop a medium- to long-term plan of support and appropriate intervention to help facilitate the emotional well-being of all staff.

C. **Overall EAP Support:** Assist with the conveyance of information between family members and individuals designated within the Continuity of Operations Plan to evacuate to another location. The EAP Staff will be available to assist employees and their families during an emergency situation. The EAP provides a number of helpful services including: referral to appropriate counseling centers to assist in coping with the circumstances; referral to the proper local agencies for local assistance; assistance working with the Department to ensure that appropriate services are available, etc. Employees should call their local EAP office or the Headquarters EAP staff.

4-4 Volunteer Activities:

- A. Without loss of pay or charge to leave The Department currently allows an employee to use up to 96 hours of administrative leave per year for volunteer activities on behalf of nonprofit organizations. Administrative leave will be considered so long as granting the leave is not prohibited by law, and one or more of the following conditions are met:
 1. The absence is directly related to the Department’s mission;
 2. The absence is officially sponsored or sanctioned by the Secretary of HUD;
 3. The absence will clearly enhance the professional development or skills for the employee in his or her current position; or
 4. The absence is brief and determined to be in the best interest of the Department.
- B. In emergency situations, the Department will consider requests for more than 96 hours on a case-by-case basis. Supervisors must obtain the concurrence of their respective organization head (i.e., Assistant Secretary or equivalent) and submit such requests to OHR. The request should be submitted as far in advance as possible and must include the name of the organization sponsoring the volunteer activity, the location, the dates of the detail, specific information describing the volunteer activity, and which of the conditions the employee believes applies to the volunteer activity. The OHR will review the request and forward it to the **Assistant Secretary for Administration**, who is

delegated authority to approve administrative leave for volunteer purposes in excess of 96 hours.

- 4-5 Inoculations: The Department will provide, as directed by the Department of Health and Human Services, specified immunizations (example, Hepatitis A, Tetanus, and others) to those employees deployed by the Department to an emergency site. Employees will receive the immunizations from a designated Federal Occupational Health Unit Center with the **Assistant Secretary for Administration** authorizing the administration of specified immunizations. Requisition of the supplies of immunizations will be made via the existing Headquarters Interagency Agreement with Federal Occupational Health. Employees will receive the immunizations on a designated priority basis as established by the **Assistant Secretary for Administration**, contingent upon the availability of vaccine supplies.
- 4-6 Charitable Organizations: The Department may request approval from OPM to allow special solicitations of federal employees, outside of the Combined Federal Campaign (CFC), in support of victims in cases of emergencies and disasters. The **Assistant Secretary for Administration** is authorized to make such requests to OPM, as appropriate. The request will include the following: information on the agency and location(s) where the special solicitation will be conducted; dates on which the special solicitation will be conducted; and information on the charitable organization(s) that will be the recipient of special solicitation funds. Because a special solicitation is not part of the CFC, employees may give only through cash or check and may not use payroll deduction. Federal employees also may contribute to local relief efforts through their participation in the CFC. Employees may designate their payroll deduction or make a cash/check contribution to the organization of their choice. An OPM website contains frequently asked questions and answers on special solicitations (<http://www.opm.gov/cfc>).