



Department of Defense INSTRUCTION

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November 28, 2014

Incorporating Change 1, Effective November 25, 2019

USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Hours of Duty

References: See Enclosure 1

1. PURPOSE

a. Instruction. This instruction is composed of several volumes, each containing its own purpose. The purpose of the overall instruction, in accordance with the authority in DoD Directive 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume. This volume:

(1) Reissues DoD Instruction 1400.25, Volume 610 (Reference (b)) in accordance with the authority in Reference (a).

(2) In accordance with DoD Directive 1400.25 (Reference (c)), Sections 6101-6133 and Section 6329c of Title 5, United States Code (Reference (d)), and Parts 610 and 630 of Title 5, Code of Federal Regulations (Reference (e)), updates established procedures and delegates authority to implement hours of duty within the DoD.

2. APPLICABILITY. This volume applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this volume as the "DoD Components").

3. POLICY. It is DoD policy in accordance with References (b) through (d) and Executive Order 11582 (Reference (f)), that when authorizing and processing hours of duty, the DoD Components will comply with all procedures established in Enclosure 3.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

6. RELEASABILITY. **Cleared for public release**. This volume is available on the Directives Division Website at <https://www.esd.whs.mil/DD>.

7. SUMMARY OF CHANGE 1. This change updates procedures to comply with Section 6329c of Reference (d) and Office of Personnel Management (OPM) implementing regulations regarding weather and safety leave. This change also includes administrative corrections, such as updating organizational titles and references.

8. EFFECTIVE DATE. This volume is effective November 28, 2014.


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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (b) DoD Instruction 1400.25, Volume 610, "Hours of Duty," December 1, 1996 (hereby cancelled)
- (c) DoD Directive 1400.25, "DoD Civilian Personnel Management System," November 25, 1996, as amended
- (d) United States Code, Title 5
- (e) Code of Federal Regulations, Title 5
- (f) Executive Order 11582, "Observance of Holidays by Government Agencies," February 11, 1971
- (g) The Office of Personnel Management Handbook, "Governmentwide Dismissal and Closure Procedures," November 2018
- (h) DoD Instruction 1035.01, "Telework Policy," April 4, 2012

ENCLOSURE 2

RESPONSIBILITIES

1. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA)). Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), and in accordance with Reference (a), the ASD (M&RA) has overall responsibility for the development of DoD civilian personnel policy covered by this volume.

2. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR CIVILIAN PERSONNEL POLICY (DASD(CPP)). Under the authority, direction, and control of the ASD(M&RA), the DASD(CPP) supports the development of civilian personnel policy covered by this volume and monitors its execution by DoD Components, ensuring consistent implementation and continuous application throughout DoD.

3. DIRECTOR, DEPARTMENT OF DEFENSE HUMAN RESOURCES ACTIVITY (DoDHRA). Under the authority, direction, and control of the USD(P&R), the Director, DoDHRA, provides support to the DASD(CPP), as appropriate, in the execution of the duties and responsibilities in this volume.

4. DoD COMPONENT HEADS. The DoD Component heads implement and measure the use of the policies and procedures described in this volume within their areas of responsibility.

ENCLOSURE 3

PROCEDURES

1. HOLIDAYS. References (c), (d), and Part 610 of Reference (e) provide guidance on the identification and determination of holidays.

a. When a DoD employee's regularly scheduled tour of duty includes two shifts that begin within the same 24-hour period, holiday benefits apply to the calendar day on which the first shift begins.

b. Part-time DoD employees are not entitled to "in-lieu-of" holidays. However, when a part-time employee is prevented from working because the activity is closed to provide full-time employees an in-lieu-of holiday, the part-time employee may either be placed in an appropriate leave category or be excused and placed on administrative leave for the number of hours he or she is regularly scheduled to work on that day. While part-time employees are not entitled to in-lieu-of holidays, they are entitled to holidays that occur on their scheduled work days.

c. Employees who are regularly scheduled to work on a holiday within their basic workweek due to special duty assignments may request annual leave or other appropriate leave if they wish to be off-duty on a holiday. Firefighters are not entitled to holiday pay if they are not working. If employees are required to work on a holiday and are compensated for the holiday work, they should be required to report to work or request annual leave.

2. WEATHER AND SAFETY LEAVE. This section covers situations in which a commander or head of activity uses his or her authority to close all or part of an activity based on extreme weather, natural disasters, or unforeseen interruptions of building services that prevent employees from safely traveling to or performing work at an approved location.

a. General

(1) The USD(P&R) has responsibility for managing the DoD response to emergencies, severe weather conditions, natural disasters, and other incidents that cause disruptions of operations performed by DoD employees.

(2) It is within the administrative authority of a commander or head of activity to close all or part of an activity and to grant weather and safety leave to non-emergency DoD employees during such closure. This authority is not intended to cover extended periods of interrupted or suspended operations that can be anticipated sufficiently in advance to permit arranging for assignment to other work or scheduling of annual leave, compensatory time earned, credit hours, or leave without pay (LWOP). In such events, employees covered by approved telework agreements who are not prevented from working safely at an approved telework site, are ineligible for weather and safety leave.

(3) OPM will determine when activities in the Washington, DC, metropolitan area are closed. DoD employees in the Washington, D.C., metropolitan area follow the OPM Handbook “Governmentwide Dismissal and Closure Procedures” (Reference (g)). This ensures coordination with municipal and regional officials, and will both reduce traffic congestion and treat affected employees as consistently as possible.

(4) In geographical areas where the conditions affect more than one defense activity, the commander or head of activity employing the largest number of civilian employees will make the determination whether an emergency exists and assess the appropriateness of authorizing administrative dismissal of non-emergency employees. Decisions by other commanders and heads of activities within the geographical area in question that are at variance with the decision of the major geographical area commander or head of activity must be coordinated with that commander or head of activity. DoD activities occupying non-DoD controlled space should coordinate with Federal Executive Boards or similar organizations of federal officials in the area for guidance regarding administrative dismissals.

b. Criteria

(1) Group dismissal should be rare and authorized only when conditions are severe or normal operations would be significantly disrupted. This authority may not be used to create the effect of a holiday (to include activity down days and training days).

(2) Group dismissal authority may be used for short periods. Group dismissals will normally not exceed 3 consecutive workdays in a single period. When approving group dismissals, commanders or heads of activities must consider the practices of private employers in the area and the severity of working or commuting conditions. Employees approved for regular and situational telework who are not able to report to their assigned office location due to office closure or dismissal as a result of adverse weather or other emergencies must telework when the capability to telework is available at an approved telework site.

c. Responsibilities. Annually, DoD activities and installations will publicize written procedures for emergency situations that indicate the means of DoD employee notification, reiterate early release and late arrival practices including policies for approving absences, and identify emergency employees who are expected to report for or remain at work in emergency situations unless otherwise notified. DoD will also regularly publicize References (h) and (g).

d. Charging Leave in Emergency Situations

(1) Emergency DoD Employees. Designated emergency DoD employees who do not report for work as required may be charged annual leave, sick leave, credit hours, compensatory time earned, LWOP, or absence without leave if appropriate.

(2) DoD Employees in Special Situations. DoD employees on LWOP pending disability retirement or while in receipt of workers’ compensation, on military leave, suspension, or in a nonpay status the workday before and after a closure will be continued in that status.

(3) Emergency Situations Occurring Before the Start of the Workday

(a) When an activity is open and DoD employees are expected to report to work on time, employees may be authorized the use of annual leave, credit hours, LWOP, or compensatory time earned or they may be excused for reasonable tardiness when they experience commuting delays. If an employee is telework-ready under an approved telework agreement, telework may be authorized depending on the individual circumstances.

(b) When the activity is open but some DoD employees might be prevented from reporting to work or returning home safely, an unscheduled leave or unscheduled telework policy for approved employees may be instituted. For the Washington, DC, metropolitan area, OPM will make this determination in accordance with Reference (g).

(c) When a Washington, DC, metropolitan area activity is closed, all affected non-emergency DoD employees should be granted weather and safety leave for the number of hours they were scheduled to work, except as provided in this paragraph.

1. Telework-ready Employees. Telework-ready employees who are able to perform work at an approved telework site must telework the entire workday or request leave, or a combination of both, in accordance with their Component's policies and procedures, subject to any applicable collective bargaining requirements. More information on unscheduled telework options can be found in Reference (g).

2. Employees on Pre-approved Paid Leave.

a. If an employee is on pre-approved annual leave and the emergency impacts the purpose for which the employee had requested the leave, the supervisor may cancel the leave at the employee's request. For example, if the emergency prevents the employee from engaging in planned travel, the supervisor may cancel the employee's leave at the employee's request.

b. If an employee is on pre-approved sick leave for medical appointments and the emergency results in the appointment being cancelled, the employee's sick leave must be cancelled.

c. Upon cancellation of annual or sick leave, telework-ready employees must telework the entire workday or request leave, or a combination of both. Employees not required to telework should be granted weather and safety leave.

d. If the employee is on sick leave for illness, the employee remains on sick leave because he or she is unable to work.

3. Employees in a Nonpay Status. Employees on LWOP, LWOP for military duty, workers' compensation, suspension, or in another nonpay status are not granted weather and safety leave when federal offices are closed. These employees should remain in their current status. Employees in a nonpay status have no reasonable expectation of working and receiving

pay for a day during which federal offices are closed and therefore will not be granted weather and safety leave.

4. Employees Working From Remote Locations. Employees who work from remote locations may be required to work during any closure of their Component's home office, consistent with their agencies' policies, procedures, and any applicable collective bargaining requirements. If federal offices in the remote location are closed (e.g., a snow emergency), affected employees follow their agency's procedures concerning weather and safety leave.

5. Employees on official travel. If non-emergency employees are on official travel at an unaffected location on a workday when their Component's offices are closed, they are not eligible for weather and safety leave.

6. Employees on an Alternative Work Schedule (AWS) Day Off. If federal offices are closed on the employees' regular AWS day off, they are not entitled to an additional day off. Employees cannot be granted weather and safety leave on a non-workday and may not change their AWS day off to obtain weather and safety leave.

(4) Emergency Situations Occurring During the Workday

(a) When an activity remains open and DoD employees are expected to complete the day's tour of duty, they may be granted annual leave, credit hours, compensatory time earned, or LWOP.

(b) When an activity suspends operations, to the extent practical, all non-emergency DoD employees on duty at the affected worksite should be granted weather and safety leave for the remainder of the day. Employees on pre-approved leave, other accrued time-off, or any other nonpay status for the entire workday, or employees who have requested unscheduled leave before an early departure status is announced, should remain in their current status for the entire workday or remainder of the workday, as applicable, and are not eligible for weather and safety leave. Telework employees must continue to telework.

(c) When an employee leaves after receiving official word of the pending dismissal but before the time set for dismissal (with supervisory approval) annual leave, credit hours, compensatory time earned, or LWOP may be charged, as appropriate, for the remainder of the workday. The employee is not eligible for weather and safety leave in this situation.

(d) Telework program participants working in the office when an early departure is announced may 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). Telework program participants must complete the remaining time (if any) in their workday by either teleworking or taking leave (paid or unpaid) once they arrive home unless one of the exceptions in paragraph 1605(a)(2) of Part 630 of Reference (e) applies.

(e) When a DoD employee was scheduled to return from leave during the dismissal period, the employee should remain on leave until the time he or she was scheduled to return

from leave and then should either telework, if eligible, or be granted weather and safety leave for the remainder of the workday.

(f) Non-emergency DoD employees who were not scheduled to work on the day of the emergency as a result of pre-approved paid leave, should generally remain on that leave if the affected DoD activity is closed, unless an exception in paragraph 2d(3)(c)2 applies.

3. FLEXIBLE AND COMPRESSED WORK SCHEDULES

a. General. The authorities assigned to agencies in Sections 6120-6133 of Reference (d) and Part 610.401-407 of Reference (e), which define “agency” as any Executive agency or any Military Department, are delegated to the DoD Component heads.

b. Flexible Work Schedules

(1) Plans for the administration of flexible work schedules must address the occurrence of more than one holiday in a single pay period. Flexible work schedules should be administered so as to allow DoD employees to fulfill the biweekly work requirement during those days when they are typically available for work (e.g., not a holiday or flexible day off) so that employees may enjoy holidays without charge to leave or loss of pay.

(2) In accordance with Section 6126 of Reference (d), the maximum biweekly carryover is 24 credit hours for DoD employees on flexible work schedules. This is not intended to prohibit activities from approving credit hour accumulation or carryover limitations of less than 24 hours.

c. Hybrid Work Schedules. Individual work schedules that combine the unique attributes of flexible and compressed work schedules are not authorized.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
AWS	alternative work schedule
DASD(CPP)	Deputy Assistant Secretary of Defense for Civilian Personnel Policy
DoDHRA	Department of Defense Human Resources Activity
LWOP	leave without pay
OPM	Office of Personnel Management
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this volume.

absence without leave. A non-pay status that covers an unapproved absence from duty.

annual leave. Leave that may be used by a DoD employee for personal reasons. An employee has a right to take annual leave, subject to the right of the supervisor to schedule the time at which annual leave may be taken. Employees may elect to use annual leave, and have the option to use sick leave.

compensatory time earned. Time off with pay in lieu of overtime pay for irregular or occasional overtime work. When permitted under an agency's flexible work schedule program, compensatory time earned may also be time off with pay in lieu of overtime pay for regularly scheduled, irregular, or occasional overtime work.

compressed work schedule. Fixed work schedules that enable full-time DoD employees to complete the basic 80-hour biweekly work requirement in less than 10 workdays.

credit hours. Hours that a DoD employee elects to work, with supervisory approval, in excess of the employee's basic work requirement under a flexible work schedule.

flexible work schedules. Consists of workdays with flexible hours in which employees provide mission coverage. Flexible hours are the part of the workday when employees may (within limits or “bands”) choose their time of arrival and departure. Within limits set by their agencies, flexible work schedules can enable employees to select and alter their work schedules to better fit personal needs and help balance work, personal, and family responsibilities.

geographical areas. Areas within which DoD employees normally commute to work.

in-lieu-of holidays. A substitute holiday available to all full-time DoD employees, including those on flexible or compressed work schedules, when a federal holiday falls on a non-workday. In such cases, the in-lieu-of holiday is the basic workday immediately preceding or following the non-workday.

LWOP. A temporary nonpay status and absence from duty that, in most cases, is granted at the DoD employee’s request. In most instances, granting LWOP is a matter of supervisory discretion and may be limited by agency internal policy.

telework-ready. An employee participating in a program that enables the employee to work remotely from an approved worksite, thereby allowing the employee to maintain productivity during severe weather or emergency situations.

weather and safety leave. A type of paid leave available if an employee or group of employees is prevented from safely traveling to or performing work at an approved location due to - (1) an act of God, (2) a terrorist attack, or (3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.