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OFFICE OF THE ASSISTANT SECRETARY
(MANPOWER AND RESERVE AFFAIRS)
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MEMORANDUM FOR DISTRIBUTION

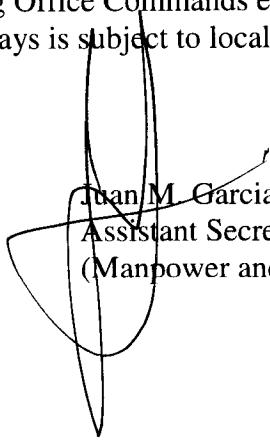
SUBJECT: Department of the Navy Supplemental Guidance on the Scheduling of Furloughs

Ref: (a) SECDEF memo, Furloughs dtd 14 May 13
(b) UNSECNAV memo, Planning Guidance for Potential Civilian Furloughs dtd 21 Feb 13
(c) OCHR Supplemental Guidance on the Scheduling of Furloughs dtd 28 Feb 13

Encl: (1) ASN(MRA) Supplemental Guidance on the Scheduling of Furloughs dtd May 2013

In the ongoing response to the current fiscal situation and by direction contained in references (a) and (b), the Department of the Navy (DON) continues to ensure that guidance is updated regarding the ground rules and flexibilities for a potential furlough of its civilian career employees. Supplemental guidance enclosed with this memorandum provides direction and information for military and senior leaders. It supersedes guidance (reference (c)) issued in February. Please ensure that this guidance is distributed to your subordinate organizations.

To ensure continued success for the DON, major deviations to the general guidance provided in reference (b) must be coordinated with the Assistant Secretary of the Navy (Manpower & Reserve Affairs) through the Office of Civilian Human Resources, Mr. Douglas Lundberg, director. As Budget Submitting Office Commands engage in planning, it is important to remember that scheduling of furlough days is subject to local impact and implementation bargaining requirements.


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Supplemental Guidance on the Scheduling of Furloughs

- References: (a) SECDEF memorandum, Furloughs, dated 14 May 2013
(b) UNSECNAV memorandum, Planning Guidance for Potential Civilian Furloughs, dated 21 February 2013

Background: *This guidance supersedes guidance issued by the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (MRA)) memo of 28 February 2013.* Reference (a) provides notification to Department of Defense (DoD) civilian employees of the plan for an administrative furlough. Reference (b) provides overarching planning guidance to Budget Submitting Offices (BSOs) regarding administrative furlough scheduling in response to the Budget Control Act of 2011 — also known as sequestration. The guidance provides parameters to BSO Commanders and affords senior leaders the latitude to execute furlough schedules based upon mission requirements. Scheduling of furlough days is subject to local Impact and Implementation (I&I) bargaining requirements. To ensure continued success for the Department of the Navy (DON), major deviations to the general guidance provided in reference (b) must be coordinated with the Assistant Secretary of the Navy (Manpower & Reserve Affairs).

1. Key provisions on scheduling of furloughs:
 - a. All administrative furloughs have been reduced from 176 hours/22 workdays to maximum of 88 hours/approximately 11 workdays.
 - b. For general planning, furloughs typically will be executed in increments of approximately 16 hours per pay period to mitigate the impact on the mission and employees; hours for part-time employees will be prorated based on their work schedule.
 - c. Employees will receive notification of the furloughs and related timelines in accordance with regulatory requirements (typically 30 days' notice).
 - d. The hours/time for the administrative furloughs will be determined by BSO Commanders and shall be dependent upon mission requirements.
 - e. BSO Commanders may delegate the coordination and scheduling of furloughs as appropriate for carrying out mission requirements.
 - f. Plans to deviate from the general planning guidelines will be coordinated in advance with ASN(MRA) as there are potential ramifications to the employees and commands if modified plans are adopted.
 - g. Scheduling of furlough days for employees is subject to local I & I bargaining requirements.
 - h. Notifications of Personnel Actions (SF-50s) will be documented to provide scheduling flexibility. Notifications will identify start date, end date, maximum of 88 furlough hours, and requirement for supervisors to schedule furlough hours prior to the start of a pay period.
2. All employees are subject to furlough unless they are covered by an approved exception. All approved exceptions have been documented and provided to BSO Commanders.



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3. BSO Commanders may decide the following:
 - a. The days/ hours of furlough for each employee within the 16 hours per pay period guideline.
 - b. Minor variations from the 16 hours per pay period based on mission requirements or employee requests. Examples include:
 1. Due to a major deliverable the furlough hours for one or a few employees are deferred in one pay period and added in the ensuing pay period(s).
 2. Due to mission critical, short-term temporary duty (TDY) the furlough hours for one or a few employees are deferred in one pay period and added in the ensuing pay period(s).
 3. Employee requests for personal reasons to take no more than one week of furlough at one time.
 - c. Adjustments/cancellation of Compressed Work Schedules and Alternate Work Schedules (subject to I&I bargaining for bargaining unit employees).
 - d. Adjustments/cancellation of telework (subject to I&I bargaining for bargaining unit employees).
 - e. Recall of employees from furlough status in the event of an emergency.
4. Important points to consider in scheduling furloughs:
 - a. The first factor in determining furlough schedules should be mission requirements.
 - b. Employee requests may be considered to the extent they do not compromise the mission.
 - c. BSO Commanders must be able to administer and track scheduling decisions. While the furloughs can be scheduled in increments as small as an hour at a time, BSO Commanders must make sure that these decisions are documented, can be tracked and managers and employees are adhering to all rules associated with the furlough.
5. Employee overtime, whether paid at a premium rate, awarded as compensatory or paid as regular time because overtime compensation thresholds have not been met is not to be used to replace lost productivity or lost compensation as a result of the furlough.
 - a. Employees required to work hours outside of a basic workweek during which they have been furloughed are compensated with their rate of basic pay if overtime thresholds have not been met and/or with overtime pay or compensatory time off in lieu of overtime pay, as appropriate once the threshold has been met.
 - b. Authorization for overtime/compensatory time must be provided by the BSO Commander or his/her designee (no lower than Echelon 3 Commander/SES) prior to the work being performed.
6. BSO Commanders may not adjust employee work schedules to replace lost productivity or lost compensation as a result of the furlough.
7. BSO Commanders may not transfer work from civilians to contractors or active duty personnel to replace lost productivity or lost compensation as a result of the furlough.



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8. Employees currently on leave without pay (LWOP) should be issued furlough notices unless they are deployed to a combat zone.
 - a. While in 'full-time' LWOP status, an employee is in a nonpay status and is not subject to furlough.
 - b. When an employee on LWOP is returned to duty status during the furlough period, the employee will begin serving furlough days as scheduled.
 - c. LWOP prior to the furlough period does not replace the furlough requirements.
 - d. Employees who are in LWOP status during the furlough period will receive credit for their time spent in the status toward any remaining scheduled furlough hours.
 - e. Suspension resulting from misconduct is a disciplinary adverse action. LWOP status due to furlough is a non-disciplinary adverse action.
9. Unless otherwise directed, holidays occurring through the end of the fiscal year (FY) will not be used as a furlough day for employees. If a regularly scheduled furlough day falls on a government holiday, it shall be moved to the preceding workday unless it falls on a Sunday holiday in which case, the regularly scheduled furlough day shall be moved to the following workday.
 - a. In making holiday-related schedule adjustments BSO Commanders need to be mindful of the requirement for employees to be in a pay status on either the workday preceding a holiday or the workday following a holiday to receive pay for the holiday.
10. Employees may not work during their furlough hours/days.
11. Employees may not substitute paid leave or other forms of paid time off for any hours or days designated as furlough time.
12. In the event that an employee has taken more than the required number of furlough hours (e.g., BSO Commander-approved grouping of furlough days into weeks) prior to an early cancellation of the furlough, the employee may retroactively cancel excess furlough hours and substitute annual leave for those hours in accordance with DON guidance.
13. To the extent possible, furlough time should not be scheduled during periods of temporary TDY. However, if required, BSO Commanders may furlough employees on TDY "in place" if on extended TDY. If an employee is on short-term TDY (within one pay period), BSOs may adjust/defer furlough hours within the pay period or from one pay period to another — up until 28 September 2013. If an employee is on long-term TDY (more than the equivalent of one full pay period) and furlough in place is not practical (e.g. the employee is on TDY at sea) then the employee is not expected to make up the missed furlough time.
 - a. Official travel should not occur on a furlough day.
 - b. Employees who are TDY and placed in a furlough status must receive per diem entitlements. *(Further guidance available in the Administrative Furlough FAQs)*



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14. Employees may not participate in training during their furlough hours/days. If employees are participating in training during the furlough period, employees will be furloughed in accordance with the procedures implemented by the employee's parent organization.
 - a. Parent organizations may give consideration to adjusting the employee's/student's furlough schedule to accommodate course work and educational requirements while still meeting the mandated furlough requirements.
15. New hires are subject to the furlough unless covered by one of the approved exception categories. Newly hired employees will be provided notice immediately upon reporting on-board. Furlough days will be pro-rated across the pay periods remaining from the day after the furlough decision notice is issued.
 - a. If a new employee does not require 30 days advance notice of furlough, their furlough should begin on the first full pay period after their EOD date.
 - b. If a new employee requires 30 days advance notice, their furlough should begin on the first full pay period after their notice period.
16. Employees on detail remain officially assigned to their permanent positions during a detail. If furlough is required, the parent command will determine how and when the detailed employee will be affected.
17. Leave for employees excepted from furlough should be managed at the appropriate management level based on workload and mission requirements. These employees are excepted because their presence on the job has been deemed critical. BSO Commanders (or their designees) may issue guidance to their subordinate activities regarding approval and disapproval of annual leave during the furlough period keeping in mind that management may disapprove leave at any time for legitimate business reasons.
18. Major variations from the above guidance must be coordinated in advance with ASN (MRA). Examples may include:
 - a. Excepting individuals or categories of individuals from furlough.
 - b. Reducing the total number of furlough hours for any employees.
 - c. Grouping furlough time into week(s) for more than a few (i.e. >10) employees).
19. Requests to deviate from the planning guidance must be submitted using the *Coordination with ASN(MRA)) on Deviation from DON Administrative Furlough Guidance* form in accordance with the business rules outlining the process for exception replacements and sent to ASN(MRA)) via OCHR Director Doug Lundberg (douglas.lundberg@navy.mil) with a cc to Associate Director HR Systems and Analytics Sandra Ringer (sandra.ringer@navy.mil).
20. Additional guidance is available in the DON 2013 Administrative Furlough Information and Frequently Asked Questions. (<https://www.portal.navy.mil/donhr/OCHRHQ/Pages/Furlough.aspx>)
21. Questions may be directed to DONhrfaq@navy.mil.

Attachment: Request for Deviation from Administrative Furlough Guidance