MEMORANDUM

TO: All BIE Supervisors and Managers

FROM: Glenn Himebaugh, Manager, BIE Employee and Labor Relations

SUBJECT: Guidance on the use of weather and safety leave, leave, and telework

The Department of the Interior (DOI) and the Bureau of Indian Education (BIE) are committed to ensuring the safety of our employees. We are also entrusted with the obligation to ensure that we carry out our mission by providing educational services to students in BIE operated schools. These goals need not be dichotomous.

Guidance was previously issued from the Office of Management and Budget, the Office of Personnel Management, and the BIE Director which outlined the position taken by the BIE, which is that employees could self-identify as being in a higher risk category and be placed on weather and safety leave pending the identification of tasks which could further the BIE mission. The position of the BIE has been that employees could only remain on weather and safety leave when there are absolutely no assignments that an employee may perform via telework. On March 22, 2020, the Secretary of the issued guidance which superseded the guidance from the BIE Director. In the March 22, 2020, Secretarial guidance, he has ordered supervisors and managers to grant weather and safety leave for up to fourteen (14) days to employees who are unable to enter into a telework agreement. An employee who is unable to enter a telework agreement includes, but is not limited to, anyone who does not have portable work that can be safely performed at home, does not have the equipment or telecommunications which may be required to safely work from home, or who cannot safely perform work at home.

Any such weather and safety leave would have to be reevaluated prior to the expiration of the 14 days and would be subject to the same restrictions normally applicable when an employee is on administrative leave; as follows:

Weather and safety leave is not to be confused with personal leave, vacation leave, annual leave, sick leave, or leave without pay. If you become ill and cannot report back to duty if called, you must request sick leave. If you need to attend to personal business or for any reason need to be away from where
management can contact you, you must request annual leave, personal leave or leave without pay, as applicable. If management attempts to contact you during normal duty hours and you are not available to return to duty, or are otherwise unavailable, you will be placed into an Absence without Leave (AWOL) status. Please provide management with the telephone number where you can be reached during your scheduled tour of duty.

All employees being placed on weather and safety leave must provide the supervisor with contact information, including a working telephone number. If the supervisor attempts to contact the employee and they do not answer the phone or do not respond within a reasonable period of time after called, the employee can have their absence changed to AWOL and appropriate actions may be taken against the employee. If an employee needs to request leave, they can do so using the normal leave requesting procedures in place at his or her specific worksite.