

Administrative Furloughs Under DCIPS Fact Sheet

Overview

Under DCIPS policy, a furlough is the temporary release of an employee and placement in non-duty, non-pay status because of lack of work or shortage of funds; it is not a separation from the Federal service. There are two types of furloughs, an administrative furlough and a shutdown furlough (also called an emergency furlough). A shutdown furlough would likely occur at the beginning of a fiscal year and occurs when there is a lapse in appropriations. This fact sheet covers administrative furloughs only.

An administrative furlough is a planned event which is designed to absorb reductions necessitated by downsizing, reduced funding, lack of work, or any budget situation other than a lapse in appropriations. Furloughs may be one of many actions a component takes to address these issues. Furloughs that would potentially result from sequestration would generally be considered administrative furloughs. Advanced notification periods for Congress and employees apply to administrative furloughs, as do appropriate procedures from DCIPS Volume 2004 Adjustment in Force or DCIPS Volume 2009 Disciplinary, Performance-Based, or Adverse Action Procedures, as appropriate.

Number of Days of Furloughs

Furloughs may last for any number of days. The required notification and applicable policy depends on the length of the furlough:

- Under DCIPS policy, an administrative furlough of 30 consecutive calendar days or less, or 22 or fewer discontinuous workdays (or 176 hours) is considered an adverse action. In these furloughs, DCIPS Volume 2009 procedures apply for notice of the proposed action, the decision and the opportunity to appeal.
- Under DCIPS policy, an administrative furlough of more than 30 consecutive calendar days, or more than 22 discontinuous workdays (or 176 hours) is considered an Adjustment in Force (AIF) action. In these furloughs, AIF procedures under DCIPS Volume 2004 apply for the notice procedures and an opportunity to appeal. Under Volume 2004, an employee may be furloughed when the intent is to recall the employee to duty within one year from the date of separation and the furlough will last for more than 30 consecutive calendar days or more than 22 discontinuous workdays (or 176 hours).

Administrative Furlough Procedures Under DCIPS

	Administrative Furlough of <u>Less than 30</u> Consecutive Calendar Days or not more than 22 discontinuous work days (176 hours)	Administrative Furlough of <u>More than 30</u> Consecutive Calendar Days or more than 22 discontinuous work days (176 hours)
DCIPS Volume Applied	Volume 2009	Volume 2004
Adverse Action?	Yes	No
Grievable under Volume 2014?	No	Yes

	Administrative Furlough of <u>Less than 30</u> Consecutive Calendar Days or not more than 22 discontinuous work days (176 hours)	Administrative Furlough of <u>More than 30</u> Consecutive Calendar Days or more than 22 discontinuous work days (176 hours)
Notification to Employees	30 Calendar Days	General/Group Notice: 90 Calendar Days Specific/Individual Notice: 60 Calendar Days
Employee Response Rights	Permanent employees are entitled to reply to the notification of the pending furlough orally and in writing, and are entitled to appeal the furlough action once it has occurred through Component specific process, or through the Merit Systems Protection Board (MSPB) (if eligible), but may not appeal to component after appealing to the MSPB	Affected employees may appeal the application of AIF procedures to the AIF Appeals Committee or to the MSPB (if eligible), but may not appeal to both
Banned Blackout Dates	N/A	Shall not be issued or made effective between December 15 and January 3
Notification to Congress	Required, can be concurrent with employee notification	Required; follow AIF notification procedures
Release and Recall Procedures	N/A	If more than one employee is to be administratively furloughed, AIF procedures (Volume 2004) must be followed to determine retention standing. Employees are released beginning with the employee who has the lowest retention standing on the retention register. When employees are recalled to duty, they are recalled in the order of their retention standing, beginning with the employee with the highest retention standing.

Pay and Benefits for Administrative Furloughs of any Length

- **Pay for the Furlough Period:** Furloughs by definition are periods in a non-pay status.
- **Excepted Employees:** Certain positions or functional areas may be excepted from a furlough, and assigned employees required to report for duty. Such employees would receive pay for time worked.
- **Severance Pay:** Furloughed employees are not entitled to severance pay because they are not separated from Federal service.
- **Unemployment Benefits:** Furloughed employees may be eligible for unemployment compensation. State unemployment compensation requirements differ. In general, the law of the State in which an employee's last official duty station in Federal civilian service was located will be the State law that determines eligibility for unemployment insurance benefits.

- **Health Benefits:** Agencies continue to be responsible for the agency contribution to the Federal Employee Health Benefits (FEHB) of any furloughed employees and each employee remains responsible for his/her employee contribution.
- **Leave Accrual:** Furlough time off is treated like regular leave without pay (LWOP) for leave accrual and benefit purposes. Accumulation of non-pay status hours during a leave year can affect the accrual of annual leave and sick leave. For example, when a full-time employee with an 80-hour biweekly tour of duty accumulates a total of 80 hours of non-pay status from the beginning of the leave year (either in one pay period, or over the course of several pay periods), the employee will not earn annual and sick leave in the pay period in which that 80-hour accumulation is reached.
- **Scheduled Leave:** If an employee had advanced scheduled leave that would encompass a scheduled furlough day, the employee is excused and placed in a non-pay status vice a paid leave status for the furlough day(s). Employees cannot take paid leave in lieu of a furlough day.

More Information

For more information about DCIPS policy addressing Administrative Furloughs, see [DoDI 1400.25 Volume 2004, Adjustment in Force](#) and [DoDI 1400.25 Volume 2009 Disciplinary, Performance-based, and Adverse Action Procedures](#).