

Frequently Asked Questions

Emergency Furlough – Lapse in Appropriations

Department of the Navy

7 October 2013 *updated with POMA*





Table of Contents

Pay Our Military Act (POMA)

2



Pay Our Military Act (POMA)

1. Q: What is POMA?

A: The Pay Our Military Act (POMA) is a bill passed by Congress and approved by the President which provides pay and allowances to certain members of DoD's civilian employees who provide support to members of the Armed Forces. The passing of POMA allowed DoD and the Department of the Navy (DON) to recall employees who fall within the scope of this provision.

2. Q: How do I know if/when I should return to work?

A: Defense Secretary Chuck Hagel on October 5 announced the recall of most of the DoD civilian employees who had been furloughed due to the government shutdown. In addition to announcements in the media and the webpage, www.donhr.navy.mil (emergency shutdown link), many supervisors contacted their employees where possible to recall them to work. Employees with questions on whether to return to work should contact their supervisor to determine if they are an employee covered by POMA who may need to return back to work.

3. Q: What is my work schedule when I return to work?

A: Returning employees should resume their normal schedule.

4. Q: How does POMA affect my pay during the furlough?

A: Furloughed employees recalled by POMA will get paid for the days worked since the employee was recalled back to work. (For many employees, this begins October 7)

5. Q: Will employees get back pay for the time they were furloughed between October 1-4?

A: There is legislation proposed to provide back pay for civilian employees impacted by the shutdown furlough. If that bill is approved, then employees will receive back pay for their furlough time. The back pay would be paid after approval of an FY14 appropriations bill or a Continuing Resolution.

6. Q: What about my leave - I didn't earn any annual leave or sick leave due to the furlough?

A: If the retroactive pay legislation (noted above) is approved, leave, along with back pay, will be restored after the approval of an FY14 appropriations bill or Continuing Resolution.

7. Q: How does POMA affect my annual leave, sick leave and other forms of leave?

A: Excepted employees recalled to work are allowed to take annual and sick leave as well as other leave upon approval by the employee's supervisor.



8. Q: Can excepted employees take annual and sick leave during the shutdown under POMA? How should they code their time card?

A: As a result of DoD guidance related to POMA, excepted employees may take annual and sick leave during the partial shutdown. Employees should record their time as they normally would absent a partial shutdown (e.g., LA for annual leave and LS for sick leave).

9. Q: Why do some people get to come back to work but not me?

A: The Department of Justice has advised that POMA does not permit the DoD to recall all civilian employees from furloughs. Based on this advice, the Department's leadership has spent a significant amount of time in identifying civilian personnel who meet the definition of POMA based on the functions they perform.

10. Q: Who is not returning to work?

A: Employees who are performing the following are not recalled at this time:

- CIO functions, unless they support service members or perform operational work
- Deputy Chief Management Office functions at the OSD and Service levels
- Legislative Affairs and Public Affairs functions not previously excepted or required in support of internal communications to members of the Armed Forces in active service
- Auditor and related functions not previously excepted - this does not include those positions in support of FIAR (audit readiness) support

11. Q: In the case of the excepted employees for 1-4 October (coded RG), will they be paid on time for those 4 days in the 11 October pay period?

A: Yes, excepted employees (since the beginning of the furlough) should receive compensation in the 11 October pay period.

12. Q: Will Columbus Day be a paid holiday?

A: Excepted and exempt employees should receive pay for this holiday.

13. Q: Since most employees have already taken 6 furlough days (beginning as early as April for some but more specifically July for the bulk of employees) and now have taken an additional 4 days that means they have accrued 80 hours of furlough time within the last 12 months. Will this impact their leave accrual and if so, how?

A: For some employees, the first four days of furlough combined with the previous six days of administrative furlough may have put them to the threshold of 80 hours in a non-pay status. If that occurs, the employee will not earn annual and sick leave in the pay period in which the 80-hour accumulation is reached - this may be reflected in the October 11 leave and earnings statement (LES). In the event that back pay is restored, leave also will be restored and changes will be made at a later time.



14. Q: Can employees resume a compressed work schedule while the government is in a shutdown status?

A: There was no DON-wide guidance or policy preventing compressed work schedules for excepted or exempt employees. Excepted and exempt employees should work with their supervisors to determine the best schedule to address workload.

15. Q: May interns return to work?

A: Unless noted in the DoD guidance, interns should return to duty on their normal schedule as long as they are assigned to one of the excepted functions.

16. Q: How should Commands handle reassignments or appointments during the partial shutdown?

A: Employees who are moving from an excepted position to another excepted position may be routinely processed. Reassignments and/or appointments for furloughed positions may not be executed.