

HRO Frequently Asked Questions – COVID-19

Categories
Hiring Controls
Leave
Weather & Safety Leave
UPDATED: Telework
Official Travel
Personal Travel
Federal Worker's Compensation (FECA)
Helpful Links
As of: 4 December 2020

Red font indicates new or updated information.

Hiring Controls

Q1. Can I hire a temporary technician during the COVID-19 emergency?

A1. Yes. Follow normal HRO procedures for requesting temporary technicians. HRO has halted temporary technician hiring to limit the number of employees in the workplace, during the COVID-19 emergency. HRO, however, will approve the hiring of mission essential temporary technicians. Mission essential temporary technicians must be able to begin working immediately. Requests for mission essential temporary technicians require advanced approval of the Army Chief of Staff, Air Director of Staff, Wing Commander, or the Director of the Joint Staff.

Q2. Are new Technicians or T5 Employees being appointed during the COVID-19 emergency?

A2. Yes; however, HRO is conducting New Employee Orientation remotely to mitigate the spread of COVID-19 until further notice. However, in order to limit the number of personnel in the workplace, HRO is limiting appointments during the COVID-19 emergency, unless there is an urgent need. HRO may grant exceptions with the endorsement of the Army Chief of Staff, Air Director of Staff, Wing Commander, or the Director of the Joint Staff. The prospective Technicians or Employees must be able to begin work immediately upon appointment. HRO will not appoint Technicians or T5 Employees into positions that require the immediate use of Weather and Safety Leave.

Q3. Are interviews still required during the COVID-19 emergency?

A3. Yes. You must still comply with the requirements described in the Merit Placement Plan regarding interviews.

Q4. How do I conduct interviews for my vacant position?

A4. Conduct interviews telephonically or using MS Teams.

Q5. Can a current on-board Temporary Technician convert to a Permanent or Indefinite appointment as a result of a competed Job Announcement?

A5. Yes. Conversion actions will continue to be processed.

Leave

Q1. If I have flu-like symptoms (e.g. sore throat, cough, fever) but my doctor will not test me for COVID-19, what leave status do I use?

A1. Use accrued sick leave, annual leave, or leave without pay until you are healthy and can return to work.

Q2. Do supervisors have the authority to question the reason for which their employees are requesting annual leave?

A2. Yes. Since supervisors must balance the work of the agency against the interest of the employee in using annual leave, supervisors may find it necessary from time to time to ask employees how they will use the requested annual leave so that the supervisors may make informed decisions about scheduling the leave. In such cases, employees are not required to provide the supervisor with this information, but their request for annual leave may be denied based on mission requirements. DoD Components should also be mindful of requirements under their collective bargaining agreements.

Q3. Does a supervisor have the authority to deny leave to a civilian who is traveling outside the local commuting area?

A3. Yes; however, it depends on the supervisor's rationale for denying or canceling the leave. Depending on the type of leave, a supervisor is authorized to deny or cancel leave to a civilian who is traveling outside the local commuting area based on mission requirements. A supervisor may not deny personal leave solely because an employee is

traveling outside of the local commuting area, to a CDC-designated level 2 or 3 area, or to another area designated by state or local authorities as being at an elevated risk for the spread of COVID-19.

Q4. Is a federal civilian employee authorized to use sick leave if he or she is asymptomatic of COVID-19?

A4. No. Civilian employees may only take sick leave when they are ill or to care for a family member as prescribed under the Office of Personnel Management's (OPM) sick leave regulations. For additional information on the appropriate use of sick leave and other leave flexibilities, please review the memorandum published by the Office of the Under Secretary of Defense, Personnel and Readiness, "Civilian Personnel Guidance for DoD Components," March 8, 2020.

Q5. Where can I find a quick reference guide for available leave categories?

A5. The HRO published a quick reference guide for available leave categories at [this link](#).

Q6. Are Active Guard/Reserve (AGR) members authorized to carry additional leave into the new fiscal year due to COVID-19?

A6. Yes. During the period of 11 March 2020, through 30 September 2020, AGR members may accumulate leave in excess of 60 days (not to exceed 120 days). AGR members may retain such leave until the end of FY2023. ([Link to memo](#))

Q7. Are Technicians and T5 Employees authorized to carry additional leave into the new leave year due to COVID-19?

A7. Technicians and T5 Employees may request the restoration of forfeited Annual leave if the forfeiture is due to an exigency of the public business, as approved by The Adjutant General, when the annual leave was scheduled and approved in advance and operational demands would not permit the leave to be used and no other reasonable alternative existed. (Example. *An employee requested leave for the dates of 4-9 May 2020, and the supervisor approved the leave in January 2020. Then, in April 2020, the supervisor canceled the employee's leave because an operational demand in response to the COVID-19 crisis required the employee's presence in the work place and there was no other alternative to fulfill the operational demand*). Supervisors and employees are highly encouraged to schedule and use accrued annual leave to avoid the need to request leave restoration authorities. See [this link](#) to the HRO Policy 20-022 regarding leave restoration. See [this link](#) for the request form.

Q8. Can supervisors deny personal leave (i.e. Annual Leave) of T32 Technicians and T5 Employees?

A8. Generally speaking, no. Supervisors may deny the use of personal leave when operational demands require the Technician or Employee to work and no other alternative exists. Situations meeting these criteria will be extraordinarily rare.

Weather & Safety Leave

Q1. Who is the approval authority to use Weather & Safety Leave?

A1. The Adjutant General delegated this authority to the Wing Commanders, Ohio Army National Guard Chief of Staff, Ohio Air National Guard Director of Staff, and Joint Forces Headquarters – Ohio Directors in full-time support positions no lower than O-6 or GS-14.

Q2. Who is eligible for Weather and Safety Leave?

A2. The use of Weather and Safety Leave is appropriate during a declared public health emergency when an employee meets BOTH of the following conditions:

1. Non-Telework-Eligible: The employee (by virtue of his or her assigned duties) is not eligible for telework and is otherwise unable to perform his or her work / duties at an alternate location (i.e. a location other than his or her regular worksite / duty location). Examples of non-telework-eligible employees follow:

(a) Employees in positions that require—on a daily basis—direct handling of classified materials;

(b) Employees in positions that require—on a daily basis—an on-site activity or face-to-face personal contacts that cannot be performed remotely or at an alternate worksite (e.g., hands-on contact with machinery, equipment, or vehicles; direct patient care); etc.

2. Unable to Access Worksite: The employee is prevented from safely traveling to or safely performing work at his or her regular worksite or other agency-approved worksite, as a result of an act of God (extreme weather event); a terrorist attack; or another condition meeting this same criteria (as determined by TAG or TAG's designated approval authority for weather and safety leave). Examples of employees who meet this criteria follow:

(a) Employees who have been exposed to an infectious disease (but are not symptomatic) and need to be quarantined (confirmed by a public health authority); (NOTE: employees in this scenario, who ARE symptomatic, must use Sick Leave and may NOT be granted weather and safety leave);

(b) Employees who have been ordered to stay away from the workplace, when TAG (or TAG's designated approval authority for weather and safety leave) determines that their absence from the workplace is required as part of measures taken to prevent, alleviate, or mitigate the spread or severity of a public health threat (such as infectious disease), as directed or recommended by a public health authority, resulting from a declared state of emergency by civil authorities and/or a declared public health emergency.

Q3. I'm telework eligible, but don't want to work at home. Can I be authorized Weather and Safety Leave?

A3. No. Telework eligible employees cannot be authorized Weather and Safety Leave during the COVID-19 situation. Refer to the HR Leave flexibilities for options.

Q4. What are approval and record-keeping procedures for Weather and Safety Leave?

A4. Refer to the Ohio National Guard COVID-19 Mission Command Guidance for Weather and Safety Leave Memorandum, dated 20 March 2020 at [this link](#).

Q5. Can I use Weather and Safety Leave while Absent-US for military duty?

A5. No. Continue using accrued annual leave, military leave, military leave without pay, or accrued compensatory time.

Q6. Can I use Weather and Safety Leave while on State Active Duty (SAD)?

A6. No. Technicians and T5 NG Employees may use Annual Leave (LA), Leave without Pay - Personal (KA), Compensatory Time (CF or CT), Time Off Awards (LY), or 22 Days Military Leave (LL), AKA "Law Enforcement Leave (LEL)".

Q7. Can a Technician or T5 NG Employee on State Active Duty (SAD) return to work and perform their Technician or T5 NG Employee duties for compensatory time after being released at the end of their SAD duty day?

A7. No. The order to SAD is a continuous order to active duty and therefore, Technicians and T5 NG Employees must comply with HRO Policy #19-003, Intermixing of Technician and Military Status. A copy is available at [this link](#).

Q9. How long will the Ohio National Guard utilize the workforce management tools currently in place (e.g. maximizing telework, Weather and Safety Leave, social distancing) to mitigate the spread of COVID-19?

A9. The Ohio National Guard will continue utilizing COVID-19 spread mitigation strategies until The Adjutant General orders the workforce to return to normal operations. See [this link](#) to view the Spread Mitigation Policy.

Telework

Q1. How do I submit a Telework request (plan)?

A1. Reference Ohio National Guard Telework Policy (HRO Policy # 20-009) which is available at [this link](#).

Q2. Can I have my employee begin Teleworking without an approved Telework plan?

A2. Yes, during the agency's activated Continuity of Operations Plan (COOP), but the employee must submit a Telework plan as soon as practical after starting Telework.

Q3. Can a supervisor require an employee to Telework?

A3. Yes. A supervisor may require an employee to Telework while the agency is operating within the parameters of the agency's Continuity of Operations Plan (COOP).

Q4. How do I code my timecard in ATAAPS if I take leave while on Telework?

A4. Code the timecard according to the type of leave used. Do not assign a telework "reason code" (e.g. TS, TW) for the times when the employee is using leave.

Q5. How long will employees be authorized to Telework while caring for children?

A5. The DoD extended the authorization for this exception to the normal Telework rules until 30 June 2021.

Official Travel

Q1. What guidance is published concerning Official Travel?

A1. Deputy Secretary of Defense Memorandum, Subject: Transition to Conditions-based Phased Approach to Coronavirus Disease 2019 Personnel Movement and Travel Restrictions 19, dated 22 May 2020, ([Link to Memo](#)).

<https://www.dcpas.osd.mil/OD/EmergencyPreparedness>

Q2. To whom does the Transition to Conditions-based Phased Approach Memo apply?

A2. All DoD military members and civilian personnel.

Q3. How long is the Transition to Conditions-based Phased Approach Memorandum in effect?

A3. It remains in effect until rescinded or additional guidance is provided.

Q4. What type of Domestic Travel is affected?

A4. All government funded travel to include Temporary Duty (TDY) and Permanent Change of Station (PCS).

Q5. What about travel for retirement processing or separation?

A5. These actions are exempted as described in the Transition to Conditions-based Phased Approach Memorandum.

Q6. Are there exceptions to the Transition to Conditions-based Phased Approach Memorandum?

A6. Yes. The memorandum lists several exceptions. Review them in the source document. ([Link to Transition to Conditions-based Phased Approach Memorandum](#))

Q7. Who can authorize an exception to the Transition to Conditions-based Phased Approach Memorandum?

A7. The authority to grant exceptions to the Transition to Conditions-based Phased Approach Memorandum has been delegated to the first general officer in a member's

[Category List](#)

chain of command, at this time. Requests should be forwarded through the chain of command of the requesting individual.

Q8. What if I'm not sure if my scheduled domestic travel is still approved?

A8. Contact your supervisor or go through your Chain of Command.

Q9. What if I am currently TDY?

A9. You can return to your home station. Follow Force Health Protection Guidelines.

~~Q10. What if I have government funded travel scheduled after the Stop Movement of Domestic Travel expires on 11 May 2020?~~

~~A10. Contact your supervisor or go through your Chain of Command to verify if your travel is still required and approved.~~

Personal Travel

Q1. Can a T32 Technician or T5 Employee utilize personal travel?

A1. Yes. Refer to the Ohio Department of Health, "Director's Second Order to Extend the Expiration Date of Various Orders," dated 6 July 2020. While there is no restriction on personal travel, Technicians and T5 Employees must remain cognizant of the varying restrictions across state and county lines. Refer to the Ohio Public Health Advisory System for more information regarding the status of counties in Ohio.

Director's Second Order to Extend the Expiration date of Various Orders:

<https://coronavirus.ohio.gov/static/publicorders/Second-Order-Extend-Exp-Date-Variou-Orders-reader.pdf>

Ohio Public Health Advisory System:

<https://coronavirus.ohio.gov/wps/portal/gov/covid-19/public-health-advisory-system/>

Q2. Can a supervisor deny personal leave travel for T32 Technicians and T5 Employees?

A2. No. The personal leave travel restrictions in the Transition to Conditions-based Phased Approach Memorandum do not apply to T32 Technicians and T5 Employees. This includes travel while off-duty and while on approved leave.

Q3. Can an AGR, or a military member on FTNGD orders, utilize personal travel?

A3. Yes, but the member must comply with the applicable Ohio Air National Guard, or Ohio Army National Guard, Command Policy Memorandum regarding the Withholding of Authority to Approve Authorized Leave and HRO Policy #20-022, Military Leave Outside the Local Area ([Link to HRO policies for COVID-19](#)). The leave approval authority for the Ohio Air National Guard is the Wing or GSU Commander, or the Director of the Air Staff at JFHQ. The leave approval authority for the Ohio Army National Guard is the applicable MSC Commander or the Army Chief of Staff at JFHQ.

Federal Worker's Compensation – Federal Employee Compensation Act (FECA)

Q1: I am a federal employee and believe I contracted COVID-19, as the result of a work-related exposure; or I am a supervisor and my employee informed me that he/she believe that he/she has contracted COVID-19 as the result of a work-related exposure. What should I do?

A1: If an employee believes he/she has contracted COVID-19 as the result of a work-related exposure, he/she should immediately complete and submit [Form CA-1](#) for traumatic injury. NOTE: If [Form CA-2](#) (for an occupational disease) is filed, it will also be developed and adjudicated.

The employee should submit factual evidence concerning exposure, including whether they work in high-risk employment, as well as supporting medical evidence. The employing agency is required to provide OWCP with any information the agency has, concerning the alleged exposure; furthermore, the agency must indicate whether it supports or controverts the employee's claim. If the employer supports the claim that the exposure occurred—while in a duty status—and the Form CA-1 is filed within 30 days, the employee is eligible to receive Continuation of Pay for up to 45 days.

OWCP will then develop the claim and review the evidence provided by the employee and employer concerning work-related exposure and a COVID-19 diagnosis. Should the claim be accepted for COVID-19, the injured worker is entitled to receive all medical services, appliances, or supplies that a qualified physician prescribes or recommends, and which OWCP considers necessary to treat the work-related injury or illness.

Q2: I am a federal employee who does not work in high-risk employment and I believe I was exposed to COVID-19 in the performance of my job duties. What specific documentation would be helpful in establishing that the exposure occurred as alleged?

A2: You should provide a detailed statement that explains

Category List

- The nature of your employment (front-line medical/public health personnel or how your employment brings you into contact with the virus),
- How you were exposed to the virus;
- When the exposure most likely occurred;
- How long and how frequent you were exposed; and
- Where and why the exposure occurred.

You should also explain if other individuals were exposed. You should provide a timeline of activities in the days prior to your exposure or the onset of your symptoms. Your employing agency will be required to provide similar documentation, such as comments from a knowledgeable supervisor on the accuracy of your statements, whether the agency concurs, and if possible, the confirmation of an actual positive COVID-19 test result.

Q3: I was diagnosed with COVID-19. How does OWCP determine whether I sustained my injury in the performance of duty?

A3: If the exposure arose out of and in the course of employment, it is generally said to have occurred in the performance of duty. The facts in your case must show an employment factor or requirement gave rise to the resulting COVID-19 diagnosis. The incident/exposure must be directly related to some aspect or circumstance of your employment. You will also need a medical report from a qualified physician reflecting that the positive COVID-19 diagnosis resulted from a work-related exposure while in the performance of your duties.

Q4: Is exposure to COVID-19 while traveling to and from the workplace considered to be "in the performance of duty"?

A4: Generally, injuries that occur while commuting (going to or coming from work) are not compensable by the federal government, as they do not arise out of and in the course of employment. A few limited exceptions exist, such as where the employment requires the employee to travel, and where the employer contracts for and furnishes the transportation to and from work.

Q5: Am I eligible for FECA coverage if I contract COVID-19 due to exposure while working abroad?

A5: Yes, if the evidence establishes that the COVID-19 exposure occurred while performing assigned duties or the exposure was reasonably incidental to employment-related travel. You and your agency would be expected to describe in detail the travel and potential exposure. You need a positive COVID-19 test result and a medical report

from a qualified physician reflecting that the positive COVID-19 diagnosis resulted from a work-related exposure while in the performance of your duties.

Q6: Does OWCP pay for COVID-19 diagnostic testing?

A6: Prior to accepting a case, OWCP will only pay for the test if a claimant was exposed to a person with a confirmed diagnosis of COVID-19 in the performance of duty or if the claimant worked in high-risk employment. If the case is accepted, OWCP will pay for the test through a reimbursement. OWCP will not pay for the test if the case is not accepted, but there may be a number of other avenues where cost for testing will be paid. We will make every effort to assist claimants in locating those avenues.

Q7: I am a federal employee and while on vacation/leave I believe I was exposed to a person with COVID-19. If I am tested and receive a positive diagnosis for COVID-19, do I have a compensable FECA claim?

A7: No. The exposure to COVID-19 must have occurred in the performance of your duty. You need to have been performing your duties as a federal employee when the exposure occurred.

[Category List](#)

Helpful Links:

Centers for Disease Control and Prevention

<https://www.cdc.gov>

ODPS Ohio Emergency Management Agency

<https://ema.ohio.gov>

Ohio Department of Public Health – Coronavirus-COVID-19

<https://coronavirus.ohio.gov>

Ohio Public Health Advisory System

<https://coronavirus.ohio.gov/wps/portal/gov/covid-19/public-health-advisory-system/>

The Adjutant General’s Department Public Website

<https://ong.ohio.gov>

Human Resources Public Webpage

<https://hr.ong.ohio.gov/>

Latest DoD Guidance in response to Coronavirus

<https://www.defense.gov/Explore/Spotlight/Coronavirus/Latest-DOD-Guidance/>