



**Leave, Pay and Duty Status Operational Guidance**  
**Ebola Response Mission**  
**United States Public Health Service Commissioned Corps**  
**December 22, 2014**



The US Government response to the current Ebola outbreak has brought about many personnel-related questions from officers and agencies primarily related to the return of officers from response missions. This document summarizes guidance applicable to Commissioned Corps officers.

- General Guidance
- Corps Policy Overview
- Main Points
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**General Guidance:**

HHS has issued a “Returning Worker Policy” that establishes a broad framework and guiding principles with respect to employees and Commissioned officers who return from Ebola related assignments. This policy reinforces that Corps officers are subject to the same exposure/risk assessment, movement and monitoring, workplace health and safety, and travel guidance as issued by CDC, OSHA, NIOSH and DHS. Human resource guidance issued by the Office of Personnel Management (OPM) is intended to cover civil servants and thus is not applicable to the Commissioned Corps. Policies and instructions covering the USPHS Commissioned Corps are established by the Assistant Secretary for Health. Operational guidelines are managed, published and maintained by the Office of the Surgeon General/ Division of Commissioned Corps Personnel and Readiness (DCCPR).

Important Guidance Applicable to all Returning Personnel:

CDC: Ebola, [www.cdc.gov/vhf/ebola/index.html](http://www.cdc.gov/vhf/ebola/index.html).

CDC: Monitoring and Movement and of Persons with Potential Ebola Virus Exposure: <http://www.cdc.gov/vhf/ebola/exposure/monitoring-and-movement-of-persons-with-exposure.html#table-monitoring-movement>

NIOSH Ebola guidance and resources: <http://www.cdc.gov/niosh/topics/ebola/>

OSHA Workplace Health and Safety/ Ebola: [www.osha.gov/SLTC/ebola/index.html](http://www.osha.gov/SLTC/ebola/index.html).

**Corps Policy Overview:**

Officers deployed in support of Ebola response missions are on a temporary duty (TDY) orders. When an officer returns from a mission, but has not yet been released from the TDY orders, the officer is

considered under the authority of the deploying entity. For instance, officers deployed by the Corps to West Africa for 60 day deployments have TDY personnel orders issued by the Corps for up to 90 days to allow flexibility for pre and post deployment trainings, evaluations, briefings and potentially monitoring. The Corps will work with and notify agencies through their Commissioned Corps Liaison office when officers are released from the TDY orders and are due to return to the jurisdiction of the agencies.

In accordance with *CDC Interim Guidance on Monitoring and Movement of Persons with Potential Ebola Virus Exposure*, officers returning from this deployment are expected to be in a 21-day period of “active monitoring”. Additionally, some officers may require a 21-day “direct active monitoring” through direct observation. In general, CDC guidance allows for the return to work for officers during the monitoring period. Public health authorities, based on a specific assessment of the individual’s situation, may determine whether additional restrictions on movement and return to the workplace (depending on jurisdiction) are appropriate. If agency policies or local jurisdictional restrictions bar the officer from returning to the workplace, agencies can utilize a telework duty status, an alternate work location, or administrative leave flexibilities authorized under existing Corps policies. Sick leave is appropriate only when an officer is incapacitated and cannot perform duty.

Officers returning from a deployment generally need time to rest and recuperate both physically and mentally prior to returning to their permanent duty stations. The Corps recently published a new Personnel Operational Guidance that defines eligibility for post-deployment respite absence. This is recognized as a type of administrative leave that is available for officers who return from 14 or more consecutive days of deployment. In addition to post-deployment respite absence leave, additional administrative leave can be granted at the discretion of the Agency.

Officers and their supervisors should review and adhere to all Corps policies. As a uniformed service, officers are on duty or in an approved leave status at all times and (with rare exceptions related to adverse actions) have an entitlement to full pay and benefits.

Links to Applicable Corps Policies and Operational Guidance:

Telework Policy:	<a href="#">CC313.01</a>
Leave of Absence, General:	<a href="#">CC361.01</a>
Annual Leave Policy:	<a href="#">CC362.01</a>
Sick Leave Policy:	<a href="#">CC363.01</a>
Post Deployment Respite Absence, Personnel Operations Memorandum:	<a href="#">POM 15-002</a>

### **Main Points:**

- Officers participating in the Ebola mission are on temporary duty (TDY) orders under the authority of the deploying entity until released back to the Agency.
- Officers can use Post Deployment Respite Leave (a type of Admin Leave) to rest and recuperate after release from TDY and prior to returning to the permanent duty station.
- Agencies can utilize telework, an alternate work location or administrative leave flexibilities if the agency or local jurisdictional restrictions bar the officer from returning to the workplace.
- Sick leave is only appropriate when an officer is incapacitated and cannot perform duty.
- Officers are always on duty or in an approved leave status.
- With rare exceptions related to adverse actions, officers are always in a pay status and therefore entitled to full pay and benefits.

Questions regarding the Corps policies should first be directed to the Agency Commissioned Corps Liaison offices to which an officer is assigned: [http://ccmis.usphs.gov/ccmis/PDF\\_docs/sgpac.pdf](http://ccmis.usphs.gov/ccmis/PDF_docs/sgpac.pdf)

### **Frequently Asked Questions (FAQs)**

1. **Question:** If an officer is healthy, but the agency has directed that they cannot return to the workplace until the completion of the 21 day period of direct or active monitoring, what duty/leave status is available?

**Answer:** Administrative leave would be appropriate, dependent upon the circumstances and consistent with CC361.01. A telework status, working from home or at an alternate work place would also be appropriate consistent with CC313.01. Sick leave would not be appropriate unless the officer is ill or incapacitated.

2. **Question:** Is there any type of leave allowed for officers returning from a deployment prior to returning to duty station?

**Answer:** Corps officers are eligible to take non-chargeable respite leave in accordance with POM 15-002 allowing time to refresh both mentally and physically. Officers are allowed approximately one day for 14-29, and an additional day for each subsequent 30 day period for up to 14 days total. In addition, the leave granting official may allow administrative leave per CC361.01 §6-5(a).

3. **Question:** Is administrative leave limited to five days?

**Answer:** Administrative leave can be authorized per CC361.01, §6-5(a) “under circumstances which are in the interest of the Corps as well as the officer, as determined by the leave granting authority.” DCCPR concurs that granting of administrative leave in circumstances such as officers returning from Ebola response missions subject to a 21 day period of active monitoring is in the best interest of the Corps. Under this subsection there is no limitation of 5 days maximum per calendar year.