



COVID-19: Weather & Safety Leave

Common Questions and Answers



My employee just returned from an affected area and I do not want them to come into the office until I know they do not present a safety risk. As a supervisor, what can I do?

Supervisors should identify whether the employee is telework-ready and offer the employee the option to telework. If the employee is not telework-ready because, for example, they cannot perform their duties at an alternate location, then the supervisor should consider utilizing Weather and Safety Leave (please review the section below on the appropriate use of WSL), administrative leave, or other leave flexibilities (paid or unpaid) available. DoD Components may also combine telework and various leave flexibilities when the employee may perform some of his or her duties at an alternate worksite.



I have an employee on Weather and Safety Leave who is immunocompromised and cannot telework due to the nature of their position. I need them to come back to work. Can I mandate them to return?

Supervisors should avoid mandating the return of employees who are in the higher risk categories prior to Phase 3, except in the most urgent mission-needs situation. Although these guidelines do not impact the authority to recall civilian employees to traditional worksites to meet urgent, mission-essential requirements, per DAF guidance, effective safeguards and mitigation measures must be put into place to ensure civilian employees are able to travel safely to and from work and perform their jobs in a safe manner. Before requiring a higher risk employee to return to the traditional worksite, a supervisor should work collaboratively with the employee in developing a plan, and seek creative, flexible, and tailored solutions. A supervisor should consider and try to find a balance between the risk to the employee and the mission need.

Are there any yearly limitations to Weather and Safety leave?

No, there is no cap on the number of hours that may be granted for WSL.



If a supervisor determines to recall a civilian employee back to the traditional worksite, can an employee refuse?

Supervisors are encouraged to take a collaborative approach to develop a plan for each civilian employee's transition to optimized operations and seek creative, flexible, and tailored solutions. Where duties can be performed by telework, supervisors should maximize telework whenever possible. Where mission needs cannot be met by telework, other new work arrangements should be considered. Ultimately, a supervisor can mandate an employee's return to the traditional worksite. An employee may also request leave under a variety of leave entitlements. Also, even at a stage/phase when most civilian employees have transitioned to optimized operations and/or returned to the traditional worksites (Phase 3/HPCON A), a civilian employee who is at higher risk of serious complications from COVID-19, as defined by the CDC, may be legally entitled (under the Rehabilitation Act) to reasonable accommodation, including full-time telework.



Can supervisors question the reason for which their employees are requesting annual leave?

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.

Can a supervisor deny leave to a civilian who is traveling outside the local commuting area?

Depending on the type of leave, a supervisor can 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 or to a COVID-19 "hot spot."