



Executive Office of the President
Office of Management and Budget



U.S. Office of Personnel Management

April 20, 2020

M-20-23

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Russell T. Vought 
Acting Director, Office of Management and Budget

Michael J. Rigas 
Acting Director, U.S. Office of Personnel Management

SUBJECT: Aligning Federal Agency Operations with the National Guidelines for *Opening Up America Again*

The Federal government's aggressive response to the coronavirus disease 2019 ("COVID-19") saved lives and substantially mitigated overall damage and risk to the Nation. Along with its role in leading response efforts, the Federal government is the Nation's largest employer, with a significant presence and impact in communities across the country. The immediate response to COVID-19 included a calibrated re-alignment of various Federal activities and operations around the country, and operational shifts such as a dramatic surge in Federal workforce telework. Now, in partnership with state, local, tribal, and territorial governments, and the private sector, the Federal government is actively planning to ramp back up government operations to the maximum extent possible, as local conditions warrant, consistent with the National guidelines for *Opening Up America Again*.

The National guidelines allow objective assessments of epidemiological status and overall preparedness by states to follow a phased approach for individuals and employers to resume normal activities. The guidelines incorporate gating criteria which must be met in a state or county (in addition to core preparedness responsibilities) before proceeding to the phased reopening process: 1) influenza-like illnesses and covid-like cases of illness must trend downward for 14 days; 2) documented COVID-19 cases and prevalence of positive tests must trend downward for 14 days (while not decreasing the overall number of tests); and, 3) local hospitals must have the capacity to treat all patients without crisis care and jurisdictions must have a robust healthcare worker testing program and plan in place.

worker will likely look much different than the measures for those who perform their jobs in a non-office setting, and would result in potentially different operational phasing and mitigation decisions even within a single geographic location.

Agencies must remain vigilant to minimize and control the impact of COVID-19 in their workplace.

Additional recommendations for all workplaces from the President's National guidelines for *Opening Up America Again* are included as Appendix I. Federal agencies must incorporate these guidelines into agency workplace protocols.

Each phase of the National guidelines defines basic parameters that individuals and employers must adhere to and that agencies must consider during the transition to normal operations. Variances among agency missions, workforce demographics, geographic locations, occupations, facilities, and available resources will influence agency determinations to effectively operationalize an orderly phased transition to normal operations, consistent with the National guidelines.

Agency heads must make decisions in the following operational areas:

A. Geographic-Based Decisions

Federal agencies must establish a decision-making process that cross-references information in the geographic areas they operate with information in the gating criteria while assessing the ability to comply with employer parameters in the 3-Phase framework. For instance, 85% of the Federal workforce is outside the Washington DC area, so agency heads must be cognizant of the phasing status for all states and regions where an agency operates. Agency leaders must have a clear process to elevate phasing status and other information to decision-makers, to make decisions at the appropriate level, and to clearly and expeditiously communicate those decisions to Federal employees and contractors. Agencies should consider streamlining approval processes for key decisions, including issuing policy waivers and delegating decision-making where appropriate. For example, agency heads can delegate certain operational or personnel decisions to component- or bureau-level leaders, where appropriate.

State and regional assessments should be the starting point for discussions and decisions related to Federal agency operations, but additional factors may include: school and daycare closures, mass transit availability, parking availability, facility requirements, and missions.

Agencies will need to ensuring continuity of federal services, protecting the health and safety of the Federal workforce, protecting public health and promoting economic recovery. Agencies should tailor mitigation measures to the specific type of workplace and occupation.

<p>Agencies should lift maximum telework</p>	<p>Continue to encourage telework whenever possible and feasible with agency operational needs. Agencies should lift maximum telework orders. In general, employees could potentially begin resuming normal telework arrangements in these areas. Before requiring employees to resume normal telework arrangements on a widespread basis, agency leaders should assess employees' needs, such as childcare and transportation. Agency leaders may also establish alternative service levels or work arrangements to reduce the number of individuals in an office to promote social distancing.</p> <p>Agencies must continue to maximize telework flexibilities specifically for workers within those populations that the CDC has identified as being at higher risk for serious complications from COVID-19 (CDC High Risk Complications) and to CDC-identified special populations including pregnant women (CDC Special Populations).</p>
<p>Operational Optimization</p>	<p>Implement optimized operations and new work arrangements.</p>

In addition to updating telework policies, agencies may consider new work arrangements for the immediate future to support resumption of normal activities, while ensuring the health and safety of the workforce. As an example, agencies may create cohorts or teams within an office and place the cohort or team on alternating schedules of five days in the office and 15 days of telework per month. Adoption of alternative arrangements such as rotating cohorts may enable additional flexibility for employees to resume normal operations, regardless of phasing status, while maintaining social distancing and reducing contact among work units. When considering these new work arrangements, agencies should factor in operational constraints and employee needs – such as childcare and transportation. Where possible, agencies should employ creative and flexible solutions to meeting these needs.

Departments and agencies are further encouraged to approve leave for safety reasons to employees who are in a vulnerable population as identified by the CDC, not telework-eligible, and whose duty location is not returning to normal operations. Federal agencies may also grant weather and safety leave due to a "condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location" (5 U.S.C. § 6329c(b)). Because COVID-19 may prevent employees who are at higher risk from safely travelling to or performing work at an approved location, agencies may grant these employees safety leave under 5 U.S.C. § 6329c(b) at the agencies' discretion. In determining their telework and leave decisions, agencies should consider the mission critical nature of their work. For further information please consult the Office of Personnel Management's guidance.

If employees are not eligible for telework, agency heads continue to have the discretion to offer weather and safety leave, or the agency's equivalent, including for employees who may not have been considered "at higher risk" under OMB M-20-13. In addition, agency heads may

- Federal Employees and Contractors that must work on site. In high- and moderate-risk areas, critical infrastructure and other employees that cannot telework must adhere to the practices in relevant guidance³.

Additional personnel-related information can be found in OPM Questions and Answers available on the OPM website.

D. Facilities, Service & Operations Guidelines

- Customer Service Level Decisions. For most citizens, the Federal government that they see and recognize consists of local, customer-facing entities with a physical presence - like National Parks and Post Offices. Other Federal entities, such as Social Security benefits offices, Department of Agriculture and Small Business Administration loan offices, Veteran Affairs Medical Centers, provide services, benefits, and advice to citizens in a time of need. Therefore, agencies must prioritize capacity building for those services that are the most public-facing as well as those critical to implementing COVID-19 response efforts to help the nation's recovery. For those agencies with a customer-facing mission, agencies should determine how to prioritize reopening properties and facilities and provide increased public access to these facilities in a manner that is consistent with the National guidelines for *Opening Up America Again*.
- Facility-Level Status Decisions. Agencies and their regional office leadership should be aware that decisions to *open or close* a Federally owned or leased building under GSA's authority are, by regulation, made by the building's Designated Official (the chair of the building's Facility Security Committee, or FSC), in consultation with the building manager and law enforcement organization responsible for protecting the property (e.g. Federal Protective Service). The Designated Official is the highest-ranking official of the primary occupant agency, or the alternate highest-ranking official or designee selected by mutual agreement by other occupant agency officials. Beyond these "open or close" determinations, decisions concerning *utilization of specific space* (a floor, office, suite, etc.) within a multi-occupant facility are the province of the particular agency inhabiting that space. Telework can present challenges for the many Federal workers and contractors who work in facilities designed for the handling of classified information; therefore, the re-population of such facilities (which are typically designated security level IV or V buildings) should be prioritized to the extent possible by agencies.
- Facilities Screening. Agencies must ensure their policies and procedures restrict individuals infected with or at higher risk for serious illness from COVID-19 from accessing Federal facilities. The FSC is responsible for deciding building entry screening procedures. Facility screenings could include implementing a set of questions to be asked upon entry, temperature checks, visual inspection, or other

³ <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>

E: Federal Employee and Contractor Travel Guidelines

Agencies may reconsider travel limitations currently in place based on mission needs and National guidelines for *Opening America Up Again*. For the most recent information on international travel considerations, please continue to monitor announcements from the CDC and the U.S. Department of State.

II. Decision-Making Process for Determining the Federal Government's Operating Status across the Country

The response and recovery from the effect of COVID-19 will continue to present Federal agencies with unprecedented challenges, as well as opportunities for improvement, that require clear roles and responsibilities and decision-making processes.

This guidance aligns Federal operational decisions with State and regional phasing determinations in accordance with the National guidelines. It also provides agency heads a framework for making consistent operational decisions driven by similar on-the-ground information, while allowing agency heads to make tailored mission-specific decisions as needed. To that end, agency heads should designate a point of contact for each office location to assist with gathering relevant local information. Agencies can use Appendix II as a template to collect local information. The local point of contact should also assist with communicating operating decisions to employees at that location. Agencies should utilize States' and Regions' phasing determinations with relevant information on local health and operational conditions.

Nevertheless, agency heads maintain discretion to manage the agency – including executing telework policies – in a manner that allows for Federal government mission delivery regardless of State phasing determinations or other local directives and orders.

As agencies determine the appropriate operational status for their offices, they must report those decisions to OMB and OPM, per forthcoming instructions. As appropriate, OMB and OPM will convene agency heads, or their designee, with high populations of employees in similar locations to bring further consistency to regional decisions.

Agencies will post on their website the operating status of their public facilities and OPM will maintain a public site that provides a compilation of this information across all Federal agencies. These websites will be continually updated as necessary.

III. Conclusion

Federal employees across the Nation are dedicated to serving the public. The role of a public servant requires a unique responsibility to lead in times of crisis and during a period of recovery. In the face of this historic pandemic, the Federal workforce has continued to ensure mission critical and essential services continue to meet the Nation's needs. Across the Nation, public servants will continue to perform a key leadership role in supporting the American people.

Regional Data & Information Template to Inform Federal Agency Operating Decisions

Federal Agency Considerations

1. Number of Federal employees in Region _____
2. Locations (and co-locations) of Federal Agencies _____
3. Federal Public Facing Facilities or Functions
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
4. Availability Of Personal Protective Equipment (PPE) for Frontline Federal Employees/
Contractors _____
5. Capacity for Adequate Cleaning of Federal Facilities (Based on discussion with GSA
building
manager) _____
6. Status of Childcare Facilities within Federal Agencies _____

Community Characteristics

1. Office Location _____
2. State-wide Directives _____
3. County-wide/City Directives _____
4. Status of Mass Transit Operations _____
5. Status of School _____
6. Status of Childcare Services _____
7. Status of Dependent Care Services _____
8. Other Local Services _____