

Date:

MEMORANDUM FOR Employee of (Insert Bureau/Office Name)

FROM: PHRM Name Here

SUBJECT: Excepted from Furlough (Less than Full Time)

Due to a lapse in Fiscal Year (FY) 2019 appropriations and no continuing resolution for the Department of Commerce (DOC), no further financial obligations may be incurred, except for those directly related to the orderly suspension of operations or the performance of excepted activities as defined in the Office of Management and Budget's (OMB) memorandum for Heads of Executive Departments and Agencies (dated November 17, 1981) and supplemented by OPM's memorandum (dated August 22, 1995) transmitting an updated legal opinion by the Department of Justice (DOJ).

You have been designated to be excepted from this furlough as defined in the OMB/DOJ's guidance, and as such, you are required to report to work. You were designated from among your peers and other Department employees to be in this category because of the Department's particular need for an employee with your particular grade, qualifications, function within your office, experience, and/or personal availability. Should it later be determined that your services are no longer required, you will be notified and placed in a non-duty, non-pay status.

It has been determined that you will be needed during the furlough period on a less than full-time basis. Your supervisor will be provided your allowable work schedule and provide it to you. Time worked should be tracked by you and your supervisor during the shutdown period.

Please note that in the event the current lapse of appropriators includes a Federal holiday (e.g., January 21, 2019), unless otherwise notified, you will be placed in a furlough status for the holiday and expected to return to your excepted duties on your next scheduled work day. Furlough information is available on www.commerce.gov.

It is possible that funds will not be available for the payment of salaries in accordance with the normal payment schedule. However, we assure you that the Department of Commerce will not contest its legal obligation to compensate you for these services at the earliest opportunity.

Attachment (2)
Unemployment Compensation for Federal Employees
Benefits Fact Sheet

Reference:

Guidance for Shutdown Furloughs, September 2015, at www.opm.gov