

## Shutdown Furlough Pay and Leave Information

### **Q. When will exempt and non-exempt employees get paid?**

A. PP25 (**December 9, 2018 through December 22, 2018**) will be paid out by the regularly scheduled official pay date of January 3, 2019. For employees whose regularly scheduled workday falls on Saturday, December 22, the amount of their pay would be impacted by the shutdown.

- **Exempt Employees** would be paid for the period of December 9 through December 21, 2018. Hours worked from December 22, 2018 through the remainder of the furlough period would be paid retroactively once the partial shutdown ends.
- **Non-Exempt Employees** would be paid for the period of December 9 through December 21, 2018. Back pay for furloughed employees is dependent upon Congressional action. If Congress passes a bill to compensate furloughed employees retroactively, non-exempt employees would receive pay for all periods of time from December 22, 2018 through the remainder of the furlough period, during which the employee would have been in a pay status but for the lapse in appropriations. If Congress does not approve retroactive compensation for furloughed employees, non-exempt employees would only receive pay for the hours worked to conduct orderly shutdown activities on the first day of furlough (not to exceed 4 hours).
- **Employees not impacted by the lapse of appropriations** (for example, employees paid from fee funded and multi-year accounts) will receive their pay as they normally would, notwithstanding the lapse in appropriations.

### **Q. As a non-exempt employee (i.e., furloughed), may I use my leave during the shutdown?**

A. No. All paid time off during a shutdown furlough period must be cancelled. The requirement to furlough supersedes the rights to leave and other paid time off. The Antideficiency Act does not allow authorization of any expenditure or obligation before an appropriation is made, unless authorized by law. Paid time off creates a debt to the Government that is not authorized by the Act. Therefore, agencies are instructed that during a shutdown furlough, all paid time off must be cancelled.

### **Q. May I use leave if I'm an exempt employee and I am working during the shutdown furlough?**

A. No. Exempt employees must be either performing exempt activities (in compliance with the Antideficiency Act) or furloughed during any absence from work. If an exempt employee refuses to report for work after being ordered to do so, he or she will be considered to be absent without leave (AWOL) and will be subject to any consequences that may follow from being AWOL.