

## PRELIMINARY FURLOUGH INFORMATION FOR NON- EXCEPTED EMPLOYEES

### MEMORANDUM

TO: All ED Employees

FROM: ED Chief Human Capital Officer



SUBJECT: Information for "Non-Excepted" Employees Regarding Possible Furlough Due to Lapse of Appropriations

This is to inform you that in the event of a lapse of appropriations (e.g., absence of FY2011 appropriation or a continuing resolution), the U.S. Department of Education (ED) would be required to institute a furlough of its employees. In such an event, ED would be prohibited from incurring additional financial obligations except for those related to the orderly suspension of ED operations or the performance of excepted activities.

Certain positions within ED will be designated as "excepted" from a furlough and other positions will be deemed "non-excepted." **Unless notified otherwise**, you currently occupy a position that would be designated as "non-excepted," and as such, you would be furloughed in the event of a lapse in appropriations. Your designation as a non-excepted employee during furlough is based on a determination that your position does not meet one or more of the following criteria for exception to furlough:

- The position is not funded by other than annual appropriated funds;
- The position does not engage in mandatory activity;
- The duties are not essential to national security/necessary for safety of human life or protection of property; or,
- The duties are not essential to support continuing the President's Constitutional duties.

Non-excepted employees would be placed in a non-pay/non-work status which would be expected to last less than 30 days. Employees would be prohibited from serving as an unpaid volunteer for the government, and non-excepted employees would be required to remain away from the workplace unless recalled.

If you are working remotely at the time of notification of a furlough, you would be permitted to access your email, voicemail, blackberry, etc. for the purpose of closing down your activities.

Once the activities are shutdown, you will not be permitted access to ED federal or leased buildings. In addition, you would be prohibited from using any government-owned and/or issued equipment such as desktop, laptop, ipad, blackberry, token, thumb drive, etc., or accessing your voicemail, ED email account or desktop remotely to perform any type of work. Any paid leave (annual, sick, court, etc.) approved for use during the furlough period will be cancelled.

Violation of any of these furlough conditions may subject you to disciplinary and/or adverse action.

All employees, excepted and non-excepted, will be expected to participate in the orderly shutdown of ED activities for a period of up to four hours on Monday, April 11, 2011.

In the event of a furlough, you should review the ED.gov website daily, using your personal email, for messages related to your furlough status. Updates will also be available through the ED Help Desk on (202) 708-4357 or (877) 603-4188 or OPM.gov. When there is an announcement that a continuing resolution or FY 2011 appropriations for the Department of Education has been approved, all employees would be expected to return to work on the next regularly scheduled work day. Notification of the government status will be provided via OPM website and media reports. You may also obtain updates through the ED Helpdesk on (202) 708-4357 or (877) 603-4188