



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

Date: September 25, 2015

Subject: Shutdown (Hiatus) Plan

Purpose: This plan provides for the orderly shutdown of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) staff operations in the event of a Federal government shutdown (hiatus) or non-availability of funds.

Summary: At this time, CIGIE does not receive its funding through appropriation; however, in the event of a government shutdown CIGIE's operations will be impacted. Therefore, this plan is necessary to ensure an orderly shutdown of several CIGIE operations. This plan further provides for an orderly complete shutdown of CIGIE staff operations in the event of non-availability of funds.

Policy Status: This is the third issuance of CIGIE's Shutdown (Hiatus) Plan.



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Executive Director



Shutdown (Hiatus) Plan
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A. Purpose

In the event of a Federal government shutdown (hiatus) or non-availability of funds, this plan provides for the orderly shutdown of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) staff operations. At this time, CIGIE does not receive its funding through appropriation; however, in the event of a government shutdown CIGIE's operations will be impacted. Therefore, this plan is necessary to ensure an orderly shutdown of several CIGIE operations. This plan further provides for an orderly complete shutdown of CIGIE staff operations in the event of non-availability of funds.

B. Authority

Office of Management and Budget Circular Number A-11, section 124, Agency Operations in the Absence of Appropriations.

C. Procedures

CIGIE staff operations include the Training Institute and administrative and operational support for the Council's activities. In the event of a government shutdown the following procedures will be followed.

1. CIGIE Administrative and Operational Support

- a. CIGIE permanent staff will continue administrative and operational support of Council activities, unless funding is no longer available.
- b. In an instance where funding is no longer available, CIGIE will begin application of its furlough procedures (Appendix A), which are in accord with OPM guidance. CIGIE permanent staff on-board is estimated to total 8 employees. Within 12 hours of a non-availability of funding determination:

- i. The Executive Director will:
 1. Notify CIGIE permanent staff that they are being furloughed due to non-availability of funding and that all employees on travel are to return to their duty station immediately;
 2. Transfer all mandated activity responsibilities to the Chairperson and the Vice Chairperson's office for coordination of these activities with other Council members, when those offices' operations continue (in the event that these offices do not continue operations, these activities will cease);
 3. Notify CIGIE members of the shutdown of CIGIE staff operations;
and
 4. When funds become available, notify employees to return to work.
- ii. The Administrative Officer will:
 1. Notify all paid shared servicing offices (e.g., General Services Administration, Office of Personnel Management) that CIGIE has no funds available to continue paying for their services and such services are to cease, until funds become available;
 2. Notify all other contracted vendors that CIGIE has no funds available to pay for contractual services and such services are to cease (except IT services), until funds become available;
 3. Notify CIGIE's leased space building property managers of CIGIE's non-occupancy of the building during the period of a CIGIE operations shutdown;
 4. Notify CIGIE's IT servicing contractor to shut down CIGIE's server 5 business days after CIGIE operations shut down and cease further services, until funds become available.
- iii. All CIGIE permanent staff will:
 1. Cease immediately all administrative and operational support activities. No CIGIE employees are deemed essential; therefore, all CIGIE employees will be furloughed under this plan.
 2. Return to work and engage in administrative and operational support activities when the Executive Director informs them that funds are available and employees are to return to work.

2. CIGIE Training Institute

- a. CIGIE permanent staff will continue Training Institute administrative operations, unless funding is no longer available.
- b. Where funding is no longer available, all training programs will cease.
 - i. CIGIE's Executive Director will notify Council members that all training programs have been shut down.
 - ii. CIGIE's Executive Director for the Training Institute will:
 1. Notify CIGIE Training Institute staff to terminate training;
 2. Order permanent CIGIE staff to return to their official duty station within 24 hours; and
 3. CIGIE Training Institute staff that are on long-term details and who work for an executive agency impacted by the Government shutdown are released back to their agency to follow their agencies plan.
 - iii. CIGIE Training Institute staff on-site at the training program will release facilitators, instructors and participants from the training program immediately upon a Government shutdown.
- c. In an instance where funding is no longer available, section C. 1. b. and C. 2. b. above will be followed.

Furlough Policy and Procedures

A. Purpose

In the event of a Federal government shutdown (hiatus) directly impacting the Council of the Inspectors General on Integrity and Efficiency or the non-availability of future funds, CIGIE will responsibly furlough its permanent staff of employees.

B. Definitions

1. Furlough: The placement of an employee in temporary non-duty and non-pay status for not more than 30 consecutive days or 22 nonconsecutive work days during the twelve month period beginning the day after the effective date of the furlough. Any work stoppage of more than 30 consecutive days or 22 nonconsecutive work days during the twelve month period would be addressed through a reduction-in-force.
2. Emergency Furlough: A furlough caused by lack of appropriations or lack of work due to unpredictable events such as natural disasters, fires, etc.
3. Nonemergency Furlough: A furlough caused by budgetary short-fall or lack of work other than noted in the definition of emergency furlough.

C. Furlough Notices

1. Emergency Furlough:
 - a. Employees will be informed through decision notice that they have been furloughed with explanation of the emergency situation (sample notice at Appendix A.1).
 - b. No advance notice of furlough will be provided.
 - c. Employees will be called back to work at the conclusion of the emergency situation or provided reduction in force notices.
2. Nonemergency Furlough
 - a. Employees will be given as much advance notice as possible but not less than the minimum required by statute or regulation. In the event that no minimum notice period is defined by statute or regulation, employees will be provided with no-less than 14 days advance notice of the furlough.
 - b. Employees will be provided written notice of furlough. The furlough notice will contain all of the information required by statute or regulation, and will include the following:
 - i. A general statement of the reason for the furlough;
 - ii. The maximum number of furlough days; and
 - iii. The employee's appeal or grievance rights and the time limits for filing.
 - c. To the extent possible, CIGIE will:
 - i. Permit employees to choose the days on which they will be furloughed; and

- ii. Not schedule both the work day before and the work day after a holiday as furlough days.
- 3. Time in Non-Pay Status
 - a. Furlough days count toward time-in-grade.
 - b. The effective date of a within-grade increase will not be delayed because an employee is placed on furlough.
- 4. Absence and Leave
 - a. An employee will not receive credit for annual or sick leave accruals during any pay period in which he/she accumulates 80 hours of LWOP (furlough time).
 - b. When an emergency furlough is required, employees on approved annual leave on the effective date of the furlough will have their annual leave canceled and they will be permitted to remain absent from work for the duration of the furlough.
 - i. Upon expiration of the furlough, employees who were on approved annual leave that did not extend beyond the end of the furlough will report for duty.
 - ii. Employees who have had annual leave canceled due to a furlough will be given every opportunity to reschedule that leave.
 - iii. Employees who have had annual leave canceled or who were prevented from taking scheduled annual leave due to a furlough, and who make reasonable efforts to reschedule their leave and are denied an opportunity to take use or lose leave by CIGIE, are entitled to request restoration of any excess leave under exigency of the public service leave regulations. If regulatory requirements are met, CIGIE will grant requests under these circumstances.
 - c. When an emergency furlough is required, employees on approved sick leave on the effective date of the furlough will have their sick leave canceled and they will remain absent from work for the duration of the furlough.
 - i. Upon expiration of the furlough, employees who were on approved sick leave that did not extend beyond the end of the furlough will report to duty unless their medical status precludes them from doing so.
 - ii. If an employee's medical status precludes him/her from reporting to work upon the expiration of the furlough, the employee must request sick leave in accordance with applicable procedures.
 - iii. Employees may not use any type of paid leave on scheduled furlough days.
 - iv. Furlough days do not count against Family Medical Leave absences and entitlements.
 - d. Employees in continuation of pay (COP) status will remain in COP in accordance with Department of Labor regulations during a period of furlough.
- 5. Health and Life Insurance
 - a. Health insurance benefits will continue for up to 365 days in non-pay status.
 - i. The Government shall continue to pay the employer share of the health insurance premium.
 - ii. The employee is responsible for his/her share of the health insurance premium. Payment of the employee's share of the premium during a furlough

will be made in accordance with GSA's Office of Chief Financial Officer's procedures.

- b. Life insurance shall continue for up to 365 days in non-pay status at no cost to the employee.
6. Miscellaneous Provisions
- a. Furlough will not be used in lieu of another adverse or disciplinary action.
 - b. Performance expectations shall be adjusted to take into account the effect of being away from the workplace on furlough.
 - c. Outside employment may be accepted during furlough days as long as the work does not constitute a conflict of interest.

To: All CIGIE Employees

Due to the (describe emergency situation) directly impacting the Council of the Inspectors General on Integrity and Efficiency (CIGIE), no further financial obligations may be incurred by CIGIE. Because your services are no longer needed for orderly suspension of operations, you are being placed in a furlough status effective _____, 20__. This furlough, e.g., nonpay, nonwork status, is not expected to exceed 30 days. Therefore, this furlough expires on _____, 20__. You should listen to public broadcasts and when you hear that the described emergency situation is resolved, you will be expected to return to work on your next regular duty day.

This action is being taken because of a sudden emergency requiring curtailment of the CIGIE's activities; therefore, no advance notification is possible. The customary 30-day advance notice period and opportunity to answer are suspended under the provisions of 5 CFR 752.404 (d)(2) and under 5 CFR 359.806(a) for SES career appointees.

If employees are being retained in your competitive level, they are required for orderly suspension of agency operations.

During the furlough period, you will be in a nonpay, nonduty status. Also, during the furlough, you will not be permitted to serve as an unpaid volunteer, but must remain away from your work place unless and until recalled. Any paid leave (annual, sick, court, etc.) approved for use during the furlough period is cancelled.

Employees who have completed a probationary or trial period or one year of current continuous employment in the competitive service under other than a temporary appointment may appeal this action to the Merit Systems Protection Board (MSPB). Employees in the excepted service who have veterans preference may appeal to the MSPB if they have completed one year of current continuous service in the same or similar positions as the one they now hold. Employees in the excepted service who do not have veterans preference and who are not serving a probationary or trial period under an initial appointment pending conversion to the competitive service may appeal to the MSPB if they have completed two years of current continuous service in the same or similar positions in an Executive agency under other than a temporary appointment limited to two years or less. SES career appointees adversely affected may also appeal. Employees have a right to representation in this matter and may be represented by an attorney or other person of their choosing.

All CIGIE Employees

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If you have the right of appeal to MSPB and wish to appeal this action to the MSPB, you must file the appeal within 30 calendar days after the effective date of your furlough. If you wish to file an appeal, notify me to obtain a copy of the MSPB regulations and appeal form, as well as the address of the MSPB office having jurisdiction.

Executive Director

I _____ acknowledge receipt of this decision.
(Employee's Name Printed)

Employee's Signature

Date

SAMPLE FURLOUGH PROPOSAL DUE TO PLANNED REDUCTION IN AGENCY EXPENDITURES (5 CFR PART 752)

This memorandum notifies you that the Council of the Inspectors General on Integrity and Efficiency (CIGIE) proposes to furlough you no earlier than 30 days from receipt of this notice. The furlough is being proposed under the authority of 5 CFR Part 752, Subpart D, because [CIGIE has received a 20% reduction in salaries and expenses (S&E) funding. The present rate of spending when annualized will result in an expenditure in excess of our authorized budget.] This furlough is proposed to promote the efficiency of the service by avoiding a deficit of funds in FY _____.

If employees in your competitive level (i.e. generally, positions at the same grade level and classification series, the duties of which are generally interchangeable - 5 CFR 351.403 (a)) are not being furloughed or are being furloughed for a different number of days, it is because they (1) are currently in a nonpay status, (2) are under an Intergovernmental Personnel Act mobility assignment, (3) are on an assignment not otherwise causing an expenditure of funds to the agency or, (4) are in a position whose duties have been determined to be of crucial importance to this agency's mission and responsibilities, and cannot be curtailed. (Note: *These are the most common reasons for excluding employees from furlough. If there are other reasons that arise, you must include them in this listing.*)

We plan to apply the following procedures and conditions related to the furlough:

1. The furlough will be on discontinuous (*intermittent*) days, beginning _____, 20____, through approximately _____. Full time employees will be furloughed no more than 22 workdays or 176 hours. If you are a part-time employee, your furlough time will be prorated, based on your work schedule.

2. Due to the uncertain and potentially fluctuating amount of funding which may be available to this agency, the number of hours per pay period required for the furlough may vary. Accordingly, if the decision is made to furlough, you will be advised in advance of each pay period of the number of furlough hours required to allow this agency to meet its financial obligations. In any case, however, you will not be furloughed for more than _____ number of hours for each pay period between *October 1* and _____.*

3. You may request a specific schedule for furlough time subject to management approval based upon mission and workload considerations.

4. Annual, sick, court, or military leave which has been approved for a day which is later designated as a furlough day will be recorded as a furlough and you will be placed in a nonpay status for the day. However, when you receive the notice of your furlough dates, you may request that the furlough time be rescheduled, as provided in paragraph 3 above, if you wish to use leave as approved.

5. You may request leave without pay (LWOP) as a substitute for scheduled furlough. Such requests for substitution of LWOP for furlough will be honored unless management determines that mission and workload require otherwise. This provision will allow you to take all nonpay

days in a LWOP status subject to the following restrictions:

To be relieved of anticipated furlough you must schedule and use LWOP during each pay period equal to the maximum number of hours you would otherwise be furloughed. If you withdraw your request for LWOP, you may immediately be furloughed for the number of hours you would otherwise have been furloughed had you not requested the LWOP.

At this time, we do not reasonably anticipate the need for furlough beyond 22 work days. However, should additional furlough days be necessary, employees will be given another notice. We recognize the difficult personal financial implications of any furlough, no matter how limited its length. We will make every effort to keep you informed as additional information regarding the agency funding level becomes available. If you have questions, contact the Executive Director.

You will be allowed seven calendar days from receipt of this letter to respond orally and/or in writing, to review the supporting material, and to furnish any affidavits or other supporting documentary evidence in your answer. You have the right to be represented in this matter by an attorney or other person you may choose. If you are in active duty status, you and/or your representative, if an agency employee, will be allowed up to four hours of official time to review the supporting material, seek assistance, prepare your reply, secure affidavits and statements, consider appropriate courses of action, and make a response. Contact your supervisor to arrange for official time. The deciding official has designated representatives to hear oral replies in his/her behalf. To arrange for an oral reply or review the supporting materials, please contact the appropriate individuals listed below:

Your written reply should be mailed to the deciding official, Mr./Ms. _____, Executive Director, 1717 H Street, NW, Suite 825, Washington, DC 20006.

A final written decision, including an explanation of the specific reasons for the action taken, will be given to you as soon as possible after the seven days allowed for your reply.

No decision to furlough you has been made or will be made until full consideration is given to your reply.

Proposing official Date

I acknowledge receipt of this notice – Employee’s Signature

Date