



# Department of Defense INSTRUCTION

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November 28, 2014

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USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Hours of Duty

References: See Enclosure 1

## 1. PURPOSE

a. Instruction. This instruction is composed of several volumes, each containing its own purpose. The purpose of the overall instruction, in accordance with the authority in DoD Directive 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume. This volume:

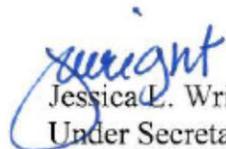
(1) Reissues DoD Instruction 1400.25, Volume 610 (Reference (b)) in accordance with the authority in Reference (a).

(2) In accordance with DoD Directive 1400.25 (Reference (c)), sections 6101-6133 of Title 5, United States Code (Reference (d)), and part 610 of Title 5, Code of Federal Regulations (Reference (e)), updates established procedures and delegates authority to implement hours of duty within the DoD.

2. APPLICABILITY. This volume applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this volume as the "DoD Components").

3. POLICY. It is DoD policy in accordance with References (b) through (d) and Executive Order 11582 (Reference (f)), that when authorizing and processing hours of duty, the DoD Components will comply with all statements in Enclosure 3.

4. RESPONSIBILITIES. See Enclosure 2.
  
5. PROCEDURES. See Enclosure 3.
  
6. RELEASABILITY. **Cleared for public release**. This volume is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.
  
7. EFFECTIVE DATE. This volume is effective November 28, 2014.

  
Jessica L. Wright  
Under Secretary of Defense for  
Personnel and Readiness

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- (b) DoD Instruction 1400.25, Volume 610, “Hours of Duty,” December 1, 1996 (hereby cancelled)
- (c) DoD Directive 1400.25, “DoD Civilian Personnel Management System,” November 25, 1996
- (d) Title 5, United States Code
- (e) Part 610 of Title 5, Code of Federal Regulations
- (f) Executive Order 11582, “Observance of Holidays by Government Agencies,” February 11, 1971
- (g) The Office of Personnel Management handbook, “Washington, DC Area Dismissal and Closure Procedures,” December 2013
- (h) DoD Instruction 1035.01, “Telework Policy,” April 4, 2012

ENCLOSURE 2

RESPONSIBILITIES

1. ASSISTANT SECRETARY OF DEFENSE FOR READINESS AND FORCE MANAGEMENT (ASD(R&FM)). Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), and in accordance with Reference (a), the ASD(R&FM) will have overall responsibility for the implementation of hours of duty policy pursuant to this volume for all DoD employees as authorized by References (b) through (e).
  
2. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR CIVILIAN PERSONNEL POLICY (DASD(CPP)). Under the authority, direction, and control of the ASD(R&FM), the DASD(CPP):
  - a. Develops policy governing hours of duty for all DoD employees as described in this volume.
  
  - b. Exercises final approval authority on recommendations concerning the structure, function, and applicability of this volume.
  
  - c. Oversees the appropriate and effective use of the authorized flexibilities of this volume.
  
3. DIRECTOR, DEFENSE HUMAN RESOURCE ACTIVITY (DHRA). Under the authority, direction, and control of the USD(P&R), the Director, DHRA, shall provide support to the DASD(CPP), as appropriate, for the implementation of this volume.
  
4. DoD COMPONENT HEADS. The DoD Component heads implement and measure the use of the policies and procedures described in this volume within their areas of responsibility.

ENCLOSURE 3

PROCEDURES

1. HOLIDAYS. References (c), (d), and (e) provide guidance on the identification and determination of holidays.

a. When a DoD employee's regularly scheduled tour of duty includes two shifts that begin within the same 24-hour period, holiday benefits apply to the calendar day on which the first shift begins.

b. Part-time DoD employees are not entitled to "in-lieu-of" holidays. However, when a part-time employee is prevented from working because the activity is closed to provide full-time employees an in-lieu-of holiday, the part-time employee may either be placed in an appropriate leave category or be excused and placed on administrative leave without loss of pay for the number of hours he or she is regularly scheduled to work on that day. While part-time employees are not entitled to in-lieu-of holidays, they are entitled to holidays that occur on their scheduled work days.

c. Employees who are regularly scheduled to work on a holiday within their basic workweek due to special duty assignments may request annual leave or other appropriate leave if they wish to be off-duty on a holiday. Firefighters are not entitled to holiday pay if they are not working. If employees are required to work on a holiday and are compensated for the holiday work, they should be required to report to work or request annual leave.

2. ADMINISTRATIVE DISMISSALS OF DoD EMPLOYEES. This section covers situations in which a commander or head of activity uses his or her authority to close all or part of an activity and, consistent with that closure, administratively excuses the non-emergency civilian workforce. This includes unanticipated curtailment of operations based on extreme weather, natural disasters, and unforeseen interruptions of transportation or building services that could cause potential health or safety risk.

a. General

(1) The USD(P&R) has responsibility for administrative dismissal of DoD employees affected by emergency situations.

(2) It is within the administrative authority of a commander or head of activity to close all or part of an activity and to administratively excuse non-emergency DoD employees during such closure. This authority is not intended to cover extended periods of interrupted or suspended operations that can be anticipated sufficiently in advance to permit arranging for assignment to other work or scheduling of annual leave, compensatory time earned, credit hours, or leave without pay (LWOP). In such event, employees covered by approved telework

agreements may also coordinate with their supervisors to telework, in order to continue operations.

(3) DoD employees in the Washington, D.C., metropolitan area should follow the Washington, D.C., Area Emergency Dismissal or Closure Procedures as administered by the DoD Component or Washington Headquarters Services, as appropriate. For more information on the dismissal procedures for the Washington, DC Metro area, please see the Office of Personnel Management handbook (Reference (g)).

(4) In geographical areas where the conditions affect more than one defense activity, the commander or head of activity employing the largest number of civilian employees will make the determination whether an emergency exists and assess the appropriateness of authorizing administrative dismissal of nonemergency employees. Decisions by other commanders and heads of activities within the geographical area in question that are at variance with the decision of the major geographical area commander or head of activity must be coordinated with that commander or head of activity. As appropriate, federal executive boards or similar organizations of federal officials will coordinate with non-defense federal installations in the area.

b. Criteria

(1) Group dismissal should be rare and authorized only when conditions are severe or normal operations would be significantly disrupted. This authority may not be used to create the effect of a holiday (to include activity down days and training days).

(2) Group dismissal authority may be used for short periods. Group dismissals will normally not exceed 3 consecutive workdays in a single period. When approving group dismissals, commanders or heads of activities must consider the practices of private employers in the area, the use of unscheduled leave or telework in individual cases, and the severity of working or commuting conditions.

(3) Before group dismissal authority may exceed 3 consecutive workdays, the commander or head of activity must use full extent of the telework policy, as defined in DoD Instruction 1035.01 (Reference (h)). Employees approved for regular and situational telework who are not able to report to their assigned office location due to office closure or dismissal from a natural or manmade emergency situation may telework when the capability to telework is available at the alternative worksite.

(4) When all or part of an activity is closed for short periods because of planned management action and arrangements cannot be made for assignment to other work, DoD employees will be notified as far in advance as possible but no less than 3 full work days when circumstances permit, and will be notified of their ability to take annual leave, compensatory time earned, or credit hours unless LWOP is requested or the employee will telework in accordance with their approved telework agreement or in accordance with local established operating procedures.

c. Responsibilities. Annually, DoD activities and installations will publicize written procedures for emergency situations that indicate the means of DoD employee notification, reiterate early release and late arrival practices including policies for approving absences, and identify emergency employees who are expected to report for or remain at work in emergency situations unless otherwise notified. DoD will also regularly publicize the References (h) and (g).

d. Charging Leave in Emergency Situations

(1) Emergency DoD Employees. Designated emergency DoD employees who do not report for work as required may be charged annual leave, sick leave, credit hours, compensatory time earned, LWOP, or absence without leave (AWOL) if appropriate.

(2) DoD Employees in Special Situations. DoD employees on LWOP pending disability retirement or while in receipt of workers' compensation, on military leave, suspension, or in a nonpay status the workday before and after a closure will be continued in that status.

(3) Emergency Situations Occurring Before the Start of the Workday

(a) When an activity is open and DoD employees are expected to report to work on time, employees may be authorized use of annual leave, credit hours, LWOP, or compensatory time earned or they may be excused for reasonable tardiness when they experience commuting delays. If an employee is telework-ready under an approved telework agreement, telework may be allowed depending on the individual circumstances.

(b) When the activity is open but some DoD employees might be prevented from reporting to work or returning home safely, an unscheduled leave policy or use of the telework policy for approved employees may be instituted.

(c) When an activity is closed, all affected non-emergency DoD employees should be excused and placed on administrative leave without loss of pay whether or not other leave was previously approved, unless covered by a telework agreement, in which case the telework-ready employee may telework.

(d) For the Washington, D.C. National Capital Region only, in accordance with Reference (g), when an activity is closed, all affected non-emergency DoD employees should be excused and placed on administrative leave without loss of pay whether or not other leave was previously approved, unless covered by an exception described in paragraphs 2d(3)(d)1 through 2d(3)(d)5 of this enclosure:

1. Telework-ready employees. Telework-ready employees who are scheduled to perform telework on the effective day of the announcement or who are required to perform telework on a day when federal offices are closed must telework the entire workday or request leave, or a combination of both, in accordance with their Component's policies and procedures, subject to any applicable collective bargaining requirements. More information on unscheduled telework options can be found in Reference (g).

2. Employees on leave without pay. Employees on leave without pay, leave without pay for military duty, workers' compensation, suspension, or in another nonpay status are not granted excused absence when federal offices are closed. These employees should remain in their current status. Employees in a nonpay status have no expectation of working and receiving pay for a day during which federal offices are closed and therefore will not be granted excused absence.

3. Employees who work from remote locations. Employees who work from remote locations may be required to work during any closure of their Component's home office, consistent with their agencies' policies, procedures, and any applicable collective bargaining requirements. If federal offices in the geographic area of their remote location are closed (e.g., a snow emergency), such employees should follow their agency's policies, procedures, and any applicable collective bargaining requirements, or contact their supervisor for further information and instructions.

4. Employees on official travel. If non-emergency employees are on official travel on a workday when their Component's offices are closed in the Washington, D.C., area, employees are expected to continue working. However, if the emergency procedures of the agency make it impossible for the employees to continue work—e.g., the travel assignment requires frequent contact with the agency in the Washington, D.C., area—excused absence may be appropriate. The agency is responsible for determining whether employees are required to continue working or will be granted excused absence under these circumstances.

5. Employees on an alternative work schedule (AWS) day off. If federal offices are closed on the employees' regular AWS day off, they are not entitled to an additional "in lieu of" day off. AWS employees who fulfill their biweekly work requirement in less than 10 working days are already entitled to an AWS day off. Such employees may not receive an additional day off. In addition, employees cannot be granted excused absence on a nonworkday. AWS employees whose agency's offices are closed on their AWS day off may not be granted excused absence for the scheduled non-workday.

(4) Emergency Situations Occurring During the Workday

(a) When an activity remains open and DoD employees are expected to complete the day's tour, they may be granted annual leave, credit hours, compensatory time earned, or LWOP.

(b) When an activity suspends operations, as much as practical all non-emergency DoD employees on duty at the time of dismissal should be excused and placed on administrative leave without loss of pay even if they were scheduled to take leave later in the day.

(c) Excused absence (administrative leave) may be granted to avoid hardship for DoD employees who are authorized to leave after official notice of dismissal, but before official departure time, for the period remaining until official departure time. When an employee leaves after receiving official word of the pending dismissal but before the time set for dismissal (with supervisory approval) in a situation not involving a hardship, annual leave, credit hours,

compensatory time earned, or LWOP may be charged as appropriate for the period remaining until the employee's official departure time (i.e., the authorized dismissal time).

(d) Annual leave, credit hours, compensatory time earned, or LWOP may be granted, or AWOL may be charged, if appropriate, to DoD employees who leave before official notice of dismissal for the period remaining until the end of the regular workday.

(e) When a DoD employee was scheduled to return from leave during the dismissal period, the activity should continue to charge leave for the absence until the time set for dismissal, then charge any continuing absence due to the emergency in the same manner as absences of other employees who were on duty at the time of dismissal (i.e., as an excused absence).

(f) Non-emergency DoD employees who are scheduled to report for work before the dismissal but who do not report should be granted either annual or sick leave, compensatory time earned, or credit hours or charged AWOL, if appropriate, for the entire workday.

e. Miscellaneous Provisions

(1) When DoD employees are prevented from working because of temporary shut-downs due to labor disputes at a private plant to which they are assigned, every effort must be made to assign them to other work. If that assignment is not possible, employees may be excused and placed on administrative leave without loss of pay.

(2) When private plants are closed based on a planned shutdown and DoD employees cannot be assigned other work, employees may not be excused and placed on administrative leave but should be carried in an appropriate leave status (e.g., annual leave, compensatory time earned, credit hours, or LWOP), or allowed to telework under an approved telework agreement.

3. FLEXIBLE AND COMPRESSED WORK SCHEDULES

a. General. The authorities assigned to agencies in sections 6120-6133 of Reference (d) and part 610.401-407 of Reference (e), which define "agency" as any Executive agency or any Military Department, are delegated to the DoD Component heads or their designees.

b. Flexible Work Schedules

(1) Plans for the administration of flexible work schedules must address the occurrence of more than one holiday in a single pay period. Flexible work schedules should be administered so as to allow DoD employees to fulfill the biweekly work requirement during those days when they are typically available for work (e.g., not a holiday or flexible day off) so that employees may enjoy both holidays without charge to leave or loss of pay.

(2) In accordance with 5 US Code 6126, the maximum biweekly carryover is 24 credit hours for DoD employees on flexible work schedules. This is not intended to prohibit activities from approving credit hour accumulation or carryover limitations of less than 24 hours.

c. Hybrid Work Schedules. Individual work schedules that combine the unique attributes of flexible and compressed work schedules are not authorized.

## GLOSSARY

### PART I. ABBREVIATIONS AND ACRONYMS

ASD(R&FM)	Assistant Secretary of Defense for Readiness and Force Management
AWOL	absence without leave
AWS	alternative work schedule
DASD(CPP)	Deputy Assistant Secretary Of Defense FOR Civilian Personnel Policy
DoDHRA	Department of Defense Human Resource Activity
LWOP	leave without pay
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

### PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this volume.

AWOL. A non-pay status that covers an unapproved absence from duty.

administrative dismissal. An absence when on-duty DoD employees, or DoD employees scheduled to report to duty, are released from duty because all or part of an activity is closed. Employees affected by these actions are generally excused without charge to leave and without loss of pay.

annual leave. Leave that may be used by a DoD employee for personal reasons. An employee has a right to take annual leave, subject to the right of the supervisor to schedule the time at which annual leave may be taken. Employees may elect to use annual leave, and have the option to use sick leave.

compensatory time earned. Time off with pay in lieu of overtime pay for irregular or occasional overtime work. When permitted under an agency's flexible work schedule program, compensatory time earned may also be time off with pay in lieu of overtime pay for regularly scheduled, irregular, or occasional overtime work.

compressed work schedule. Fixed work schedules that enable full-time DoD employees to complete the basic 80-hour biweekly work requirement in less than 10 workdays.

credit hours. Hours that a DoD employee elects to work, with supervisory approval, in excess of the employee's basic work requirement under a flexible work schedule.

excused absence. An administratively authorized absence from duty without loss of pay and without charge to other paid leave. Excused absence normally addresses individual DoD employee situations. The time spent on excused absence is considered part of an employee's basic workweek.

flexible work schedules. Consists of workdays with flexible hours in which employees provide mission coverage. Flexible hours are the part of the workday when employees may (within limits or "bands") choose their time of arrival and departure. Within limits set by their agencies, flexible work schedules can enable employees to select and alter their work schedules to better fit personal needs and help balance work, personal, and family responsibilities.

geographical areas. Areas within which DoD employees normally commute to work.

in-lieu-of holidays. A substitute holiday available to all full-time DoD employees, including those on flexible or compressed work schedules, when a federal holiday falls on a non-workday. In such cases, the in-lieu-of holiday is the basic workday immediately preceding or following the non-workday.

LWOP. A temporary nonpay status and absence from duty that, in most cases, is granted at the DoD employee's request. In most instances, granting LWOP is a matter of supervisory discretion and may be limited by agency internal policy.