DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR

20 MAR 2013

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Department of the Army Administrative Furlough Planning

This memorandum and its appendices are provided for informational and planning purposes only. No action should be taken to issue any notice of proposed furlough without prior approval from the Secretary of the Army, which will be forwarded to you from this office.

1. References:

a. Secretary of Defense memorandum, 20 February 2013, subject: Preparations for Potential Sequestration on March 1 and Furlough Notifications.

b. U.S. Office of Personnel Management Guidance for Administrative Furloughs, March 8, 2013.

2. Reference 1.a. notified employees of the plan for an administrative furlough of the Department of Defense (DoD) civilian workforce. An administrative furlough differs from an emergency or government shutdown furlough which occurs when there is a lapse in appropriations. But both types of furloughs place employees in temporary no-pay, non-duty status because of lack of work or funds, or for other non-disciplinary reasons. Administrative furloughs of up to 22 workdays are considered adverse actions. Reference 1.b. provides information about administrative furloughs.

3. With the sequester in effect, the Secretary of Defense has determined that, absent changes to the budgetary outlook, furloughs likely will be required. It is the intent of DoD and the Army that all employees be furloughed, with extremely limited exceptions, in order to maximize cost savings. Accordingly, the Army intends to furlough all civilian employees for up to 176 hours, or 22 workdays, prior to the end of Fiscal Year (FY) 2013, unless an employee is excepted from furlough in accordance with paragraphs 4 through 6 below. Employees who were previously identified as "excepted" or "exempt" from past government shutdown furloughs are not automatically excepted from the current administrative furlough.

4. The Office of the Secretary of Defense has excepted from furlough the following categories of employees Army-wide:

a. All employees deployed (in a Temporary Duty (TDY status) or temporarily assigned (to include Temporary Change of Station (TCS)) in a combat zone.

b. All non-appropriated fund (NAF) employees (regardless of funding source). NAF employees are not covered by the requirements and procedures applicable to furlough of appropriated fund employees under FY 13 sequestration. However, NAF employees may be furloughed under DoD NAF and Army policies and procedures if funded by appropriated funds or for other business-based reasons.

c. All OCONUS foreign national employees.

d. All individuals appointed by the President, with Senate confirmation who are not covered by the leave system in Title 5, U.S. Code, Chapter 63, or an equivalent formal leave system.

e. Civilian personnel funded with National Intelligence Program (NIP), Military Intelligence Program (MIP) and Information Systems Security Program (ISSP) funds who are directly involved in intelligence collection, operations, acquisition, analysis or processing of intelligence information. Furthermore, employees who are on reimbursable detail to the Central Intelligence Agency and the Office of the Director of National Intelligence are exempt from furlough. All other intelligence personnel (whether funded with MIP or NIP funds) will be subject to furloughs at the same level as furloughs of other DoD personnel. Included in the population subject to furlough are all support personnel (e.g., administrative, contracting, system acquisition management, financial management and all other types of support). Those subject to furlough will receive proposal notices from their respective commands and organizations.

f. Foreign Military Sales (FMS) employees whose positions are exclusively funded from FMS administrative and FMS case funds (case number may be required to validate funding source) are excepted from furlough procedures. The FMS case-funded positions funded in whole or part by DoD appropriations (to include pseudo cases) are subject to furlough.

g. Any employee who is not paid directly by DoD (051 function) accounts or funds that are included in the National Defense function (050) of the Budget for FY 2013. For example, this would include employees funded by the Arlington National Cemetery (705 function) and DoD Civil Works (various non-051 functions) programs.

h. Requests to establish additional categorical furlough exceptions must be submitted through channels to the Secretary of the Army for review and action. Army commands and organizations that previously submitted such requests will be informed of the Secretary's decisions by separate memorandum.

5. Pursuant to my authority under provisions of Title 10, U.S. Code, Section 3016, and at the direction of the Secretary of the Army, I hereby designate: the commanders of Army Commands, Army Service Component Commands and Direct Reporting Units (DRU); the Commanders of U.S. European Command, U.S. Forces Korea, U.S. Africa Command and Joint Special Operations Command; and the Administrative Assistant to the Secretary of the Army for Headquarters, Department of the Army (HQDA) [hereinafter referred to as

"Commanders"] as Deciding Officials for purposes of the adverse action process associated with the FY 2013 administrative furlough. As authorized by the Secretary of the Army, solely for purposes of the FY 2013 administrative furlough, a DRU led by a civilian employee will be considered an HQDA organization or activity subject to the authority, direction and control of the HQDA Principal Official to whom the DRU reports.

a. As Deciding Officials in the context of the adverse action process associated with the FY 2013 administrative furlough, Commanders are hereby empowered to issue final furlough decisions:

(1) excepting from furlough any individual employee in the grade of GS-15 (and equivalents) and below;

(2) limiting to less than 176 hours or 22 workdays the number of hours/days that any full-time individual employee in the grade of GS-15 (and equivalents) and below will be furloughed before the end of FY 2013; and

(3) temporarily or permanently recalling from furlough an employee in an emergency, but only to the extent the individual employee is needed to prevent unacceptable risk or catastrophic gaps in the safety and protection of life and property.

b. Deciding Officials are charged with, and are accountable for, making final decisions on furloughs for individual employees after carefully considering the employee's reply, if any, and the needs of the Department of the Army. Deciding Officials must also ensure they make final decisions in cases in which an employee does not submit a reply. Deciding Officials will have the authority to execute the full range of options with respect to providing relief in individual employee cases. This authority includes, but is not limited to, reducing the number of hours/days an individual employee will be furloughed, or granting the individual employee an exception from the furlough altogether.

6. Commanders may designate as a Deciding Official(s) for purposes of the adverse action process associated with the FY 2013 administrative furlough, one or more officials under their supervision, as follows:

a. an installation senior commander/senior manager (as defined in Army Regulation 600-20, *Army Command Policy*), who may subsequently designate as a Deciding Official(s) other military officers or senior civilian serving under his supervision in grades no lower than Colonel/GS-15 (or equivalents), who would be in the best position to determine the fair and equitable application of the furlough to an employee, without the power to further designate; or

b. other military officers or senior civilians serving in grades no lower than Colonel/GS-15 (or equivalents), who would be in the best position to determine the fair and equitable application of the furlough to an employee, without the power to further designate.

Required as part of designation as a Deciding Official is a re-delegation of all authorities enumerated in paragraph 5, above.

7. Any designation as a Deciding Official and re-delegation of the requisite authorities will take effect only when it is in writing and signed by the authorizing official. I will hold Commanders responsible for any and all actions they take pursuant to their designation as a Deciding Official, including the exercise of authorities inherent in such a designation, and for any actions taken by officials under their supervision who may be designated as Deciding Officials and to whom the requisite authorities were re-delegated. Should conditions warrant, Commanders should suspend or rescind Deciding Official designations and the re-delegations of authorities associated with such a designation, as appropriate.

8. ***Concurrent with each grant of exception from furlough, decision to limit the number of furlough hours/days to which an employee is subject or recall of an employee from furlough, Commanders (and those officials under their supervision who may be designated as Deciding Officials, if any) will inform me in writing, of the action taken and the underlying rationale***. I will compile and submit routine reports to the Secretary of the Army.

9. This memorandum and its Appendices do not apply to employees managed by the Civilian Senior Leader Management Office (CSLMO). Separate guidance addressing CSLMO-managed employees is forthcoming.

10. To the fullest extent practicable, management must engage its unions in pre-decisional discussions regarding the possible actions to be taken with regard to the furlough. Additionally, management must notify the unions of the proposed furlough and fulfill its statutory and contractual labor relations obligations in the implementation of the furlough.

11. Organizations may not transfer any work from Army civilians to contractors or use premium pay (overtime or compensatory time off) to offset federal employee absence due to furlough. Organizations are reminded that furloughed employees are prohibited from working on-site or on a telework basis on furlough days, and furloughed employees may not substitute paid leave or other time off for furlough time.

12. Employee overtime work, whether it would be paid or awarded as compensatory time off, will be prohibited during sequester through the end of this FY, except as necessary to protect the health, safety and security of personnel or property; to ensure the direct and timely provision of services and materiel to deployed units or to units that are preparing to deploy; or to perform similar mission critical functions.

a. Labor relations obligations will be met before action is taken to change existing conditions of employment, to include terminating or curtailing overtime work.

b. During the FY 2013 administrative furlough, Commanders may approve overtime work that meets the above criteria. Any approval of overtime work must be documented in advance of the time and date on which the work is to be performed, in writing, signed and dated by the approval authority that also sets forth: the purpose of the overtime work and the rationale for concluding that the work meets the criteria set forth above; whether the overtime work will be paid or awarded as compensatory time off; and the number of hours of overtime work authorized.

c. I will hold Commanders accountable for managing workload properly and for ensuring that employees are not permitted to work overtime in contravention of this policy.

d. No additional funds will be authorized for overtime work.

13. Furlough actions, as well as any exception thereto, taken in accordance with this memorandum will be included in the monthly reports presented at the ASA(M&RA) and ASA(FM&C) Civilian Workforce Shaping Teleconferences. The format for submission of these reports will be provided separately.

14. Both DoD and the Department of the Army will continue to keep you informed as the situation develops. It is imperative that we continue to communicate with our workforce and labor partners. As we address this difficult and fluid fiscal situation, we want you and your employees to know that your patience, hard work and continued dedication are deeply appreciated. As conditions change or senior leadership decisions provide clarity or modify direction, we will provide you further guidance.

15. This memorandum and its appendices are provided for informational and planning purposes only. No action should be taken to issue any notice of proposed furlough without prior approval from the Secretary of the Army, which will be forwarded to you from this office. Commands should make plans for execution in accordance with the timelines specified in Appendix C, or in accordance with bargaining obligations and agreements. Templates for furlough proposal and decision notices, the use of which is mandatory have been disseminated through human resources channels.

THOMAS R. LAMONT
Assistant Secretary of the Army
(Manpower and Reserve Affairs)

4 Appendices
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OFFICE OF THE GENERAL COUNSEL, ATTN: SAGC (MS. JOHNSON)
OFFICE OF THE JUDGE ADVOCATE GENERAL, ATTN: DAJA-LE (MS. NUGENT)

Appendix A: General Administrative Furlough Guidelines and Procedures

1. General. Administrative furloughs differ from emergency furloughs, as outlined in reference 1.b. of the base memorandum. Administrative furloughs of up to 22 workdays are considered adverse actions. Commanders, supervisors and other leaders may find it helpful to review the references listed in paragraph 3, below, and apply them in planning for the furlough.

a. Furloughs will be limited to 176 hours or 22 workdays prior to the end of Fiscal Year (FY) 2013. This limit avoids triggering complex reduction-in-force/adjustment-in-force (RIF/AIF) procedures. DoD guidance indicates that furloughs should be spread over a maximum number of pay periods with regular work schedule employees to be furloughed for *generally* 16 hours (or two days) for each 2-week pay period. At this time, the furlough period is expected to run from 26 April 2013 through 30 September 2013, subject to fulfillment of labor relations obligations as appropriate. *See* Appendix C: Tentative Furlough Schedule. As authorized, local commanders and supervisors have latitude in scheduling each employee's furlough hours/days consistent with mission requirements, bargaining agreements, fairness and equity and consideration for employee preferences.

b. Employee overtime work, whether it would be paid or awarded as compensatory time off will be prohibited during sequester through the end of this FY, except as necessary to protect the health, safety and security of personnel or property; to ensure the direct and timely provision of services and materiel to deployed units or to units that are preparing to deploy; or to perform similar mission critical functions.

(1) Labor relations obligations will be met before action is taken to change existing conditions of employment, to include terminating or curtailing overtime work.

(2) During the FY 13 administrative furlough, Commanders may approve overtime work that meets the above criteria. Any approval of overtime work must be documented in advance of the time and date on which the work is to be performed, in writing, signed and dated by the approval authority that also sets forth: the purpose of the overtime work and the rationale for concluding that the work meets the criteria set forth above; whether the overtime work will be paid or awarded as compensatory time off; and the number of hours of overtime work authorized.

(3) I will hold Commanders accountable for managing workload properly and for ensuring that employees are not permitted to work overtime in contravention of this policy.

(4) No additional funds will be authorized for overtime work.

c. Furloughs may not be scheduled solely on designated federal holidays. Additionally, they may not be scheduled for a three-day period where the designated holiday falls in the middle of the three days, solely to save three days of pay while losing only two days of work. ***The employee must be in a paid status either the day preceding the holiday or the day after the holiday to receive holiday pay.*** Employees may be furloughed for substantial periods of time that include holidays, but organizations should select furlough days based on factors that are unrelated to the fact that the period includes a holiday.

d. A furloughed employee may not volunteer to work on a non-pay basis during any hours or days designated as furlough time. Unless otherwise authorized by law, an organization may not accept the voluntary services of an employee during a furlough period.

e. Furloughed employees may not take paid leave or substitute any form of paid time off for any hours or days designated as furlough time.

f. Based on operational needs or due to established use of alternate (compressed and flexible) work schedules, supervisors/managers may need to manage furloughs by hours to ensure that employees are furloughed exactly 176 hours over the period designated for furlough. Alternate work schedules may be modified or temporarily suspended to accommodate employee absences for furlough. Supervisors and managers must be aware, however, that pursuant to Title 5, U.S. Code, Section 6126, termination of an employee's flexible work schedule will obligate the Army to pay the employee for up to 24 hours of accumulated credit hours. Employees should be informed of work schedule changes at least a week in advance of the change. Labor relations obligations will be met before action is taken to change established alternate work schedules.

g. Careful consideration should be given to the timing of furlough hours and days. Some organizations may need to rotate employee furlough time to enable continued operations. Other commands and organizations may be able to furlough all employees during the same period to garner added savings. Commanders and other senior leaders should consider opportunities for cost savings in base operations and utilities by synchronizing employee furlough schedules across an installation. For example, organizations may establish the same day each week to furlough employees in commands and organizations across an installation, thereby reducing both staffing levels and the installation's utility bills.

h. To the extent possible, furlough hours/days should not be scheduled during periods of temporary duty (TDY). If furlough during an employee's TDY appears unavoidable and the employee is not approved for an exception to the furlough, consideration should be given to cancelling the TDY. Either per diem or actual expenses must be provided to an employee whose travel status requires a stay that includes a furlough day (even though the employee is in a no-pay, non-duty status).

i. The furlough hours of part-time employees will be pro-rated. An employee working only 40 hours per pay period, for instance, will be furloughed only 88 hours over the period during which furloughs will occur (one-half of the 176 hours mandated for full-time employees). Similarly, employees who are currently in a furlough-excepted category or position, but who subsequently become subject to furlough, or vice versa, will have their furlough hours pro-rated across the pay periods remaining from the day after a final furlough decision is issued.

j. Furlough guidance applicable to employees on detail is provided in reference 1.b. Detailed employees remain officially assigned to their permanent positions during the detail. During a furlough, each ***parent organization*** will determine the status of each of its employees. If furlough is required, the ***parent organization*** will determine how and when the detailed employee will be affected.

k. If an employee is scheduled to be on Leave Without Pay (LWOP) during the furlough period, the supervisor/manager has discretion whether or not to furlough the employee. If the supervisor/manager decides to place the employee in a furlough status during hours that were originally scheduled for LWOP, all applicable procedural requirements must be met, to include providing a notice of proposed furlough. No proposed furlough notice or notice of final furlough decision is required for employees who are on LWOP and not expected to return to work at all during the period of furlough (e.g., an employee on a one-year period of LWOP to accompany a military spouse on assignment).

l. Newly hired Army employees; employees transferring within Army from a position excepted from furlough to a position subject to furlough; and employees transferring to Army from another DoD Component or from another Federal agency will be provided a 30-day notice of proposed furlough immediately on reporting to the new Army position. The employee's hours of furlough, if furloughed, will be pro-rated across the pay periods remaining from the day after the final furlough decision is issued. Under no circumstance may an individual employee's total furlough hours exceed 176 hours, regardless of where employed.

m. Notification timelines and other requirements identified above are subject to fulfilling statutory and contractual labor relations obligations for bargaining unit employees. Servicing Civilian Personnel Advisory Centers (CPACs) can assist in identifying these obligations and the impacted timelines/requirements.

2. Procedures.

a. Administrative furloughs of no more than 176 hours or 22 eight-hour workdays are covered by adverse action procedures. Each employee, as defined in Title 5, U.S. Code, Section 7511, must receive at least a 30-calendar-day advance notice of proposed furlough, a minimum 7-calendar-day response period and a notice of final decision. The 7-calendar-day response period runs concurrently with the 30-day advance notice. A notice of decision to furlough must be issued whether or not the employee submits a response to the notice of proposed furlough.

b. Key Personnel in the Furlough Process:

(1) An employee's first line supervisor generally will serve as the Furlough Proposing Official. Proposing Officials will issue individual notices of proposed furlough to each employee to be furloughed.

(2) Deciding Officials will be designated in accordance with paragraphs 5 or 6 of the base memorandum and empowered with all requisite authorities. Deciding Officials are charged with, and accountable for, making and issuing final notices of decision to furlough on the furlough of individual employees, whether or not that employee submits any response to the notice of proposed furlough. In making a final decision on the proposed notice of furlough of each employee, the Deciding Official must carefully review and consider all evidence of record, giving full and fair consideration to any response that may be submitted by an employee to the notice of proposed furlough.

(3) The Deciding Official may appoint one or more designated Reply Official(s). A Reply Official must be appointed in writing and may be either a military officer or a civilian employee. The Reply Official will: (1) serve as the official designated to hear, receive and document any verbal and/or written replies made in response to a notice of proposed furlough by an employee; (2) receive and respond to any requests for an extension to the period allocated for employee reply to a notice of proposed furlough; (3) prepare a written summary of the oral reply, if any, and present the summary to the employee for review for accuracy; (4) provide the Deciding Official with a copy of all documents or information provided by the employee and a summary of any verbal reply provided by the employee; and (5) based solely on the information provided in support of the notice of proposed furlough and the employee's reply, if any, recommend to the Deciding Official a final decision on the proposed furlough of the employee and the rationale for any such recommendation.

c. OSD-approved notices of proposed furlough and final furlough decision templates, the use of which is mandatory, have been disseminated through human resources channels. To the extent possible, management officials will deliver to the receiving employee in person both the notice of proposed furlough and the final notice of decision to furlough rendered by the Deciding Official. Each employee will be asked to sign a copy of the notice of proposed furlough and final notice of furlough decision, acknowledging receipt. Should an employee decline to sign, a management official will annotate a retained copy of the notice and/or decision accordingly. When an employee is absent from the workplace at the time notices or decisions are to be delivered personally, a management official should provide the documents through other reliable means (e.g., regular mail, certified mail, personal delivery to the employee's home) and retain a record documenting the means by which each document was provided to the employee.

d. The servicing CPAC will provide advice and guidance on: (1) Impact and Implementation bargaining; (2) preparation of furlough proposal and final decision notices; (3) processing of Standard Form (SF) 50, *Notification of Personnel Action*; and (4) other questions and issues that may arise during the furlough.

e. The Civilian Human Resources Agency (CHRA) will process a *Notification of Personnel Action* (SF-50) for each employee furloughed. CHRA will provide additional processing guidance, through the servicing CPACs, under separate cover.

f. Employees and supervisors/managers must document furlough hours/days in the Automated Time Attendance and Production System (ATAAPS) or other approved time and attendance system. Furlough hours/days will be coded as KE.

g. Throughout the process, statutory and contractual labor relations obligations must be met for bargaining unit employees. Servicing CPACs will assist in this effort.

3. Additional Resources. Commanders, supervisors/managers and other leaders are encouraged to review the websites referenced below for assistance in planning for the furlough. Leaders also may find it helpful to refer employees to one or more of the websites below for information.

a. Office of Personnel Management Furlough Guidance at http:/www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/

b. Defense Civilian Personnel Administrative Services Furlough Guidance at http://www.cpms.osd.mil/Subpage/FurloughGuidance/

c. Army Information, Frequently Asked Questions and Fact Sheets at http://cpol.army.mil/library/general/2013sequestration/

d. Thrift Savings Plan information at https://www.tsp.gov/PDF/formspubs/oc13-7.pdf

Appendix B: Administrative Furlough Guidance – Civilian Training

1. General. Administrative furloughs differ from emergency or government shutdown furloughs, as outlined in reference 1.b. of the base memorandum. Organizations should review and apply that reference and the guidance below in planning for the Fiscal Year 2013 administrative furlough.

a. The Army will continue to support mission critical functional and leader development training within available funding. Career Program (CP) Managers and commands must continue to spend every training dollar wisely, considering mission essential training, career program and command priorities, together with revised funding levels. The Army encourages commands to continue to support CP and other centrally funded training (Senior Leader Seminar, Army Civilian Education System (CES), DoD Leader Development Programs, etc.), but will also support a commander's/supervisor's decision to impose travel and training restrictions on their employees.

b. Reference 1.b. states: "In the event that scheduled training occurs during a furlough period, affected employees must be placed in a furlough status and ordered **NOT** to attend the scheduled training on the day of their scheduled furlough." The following guidance is provided with regard to Army Civilians participating in long- and short-term training during the furlough period.

(1) Long-Term training is defined in AR 350-1 as continuous, full-time training for more than 120 calendar days and is most applicable to the military Senior Service Colleges (SSCs) (i.e., Army War College, Air War College, Naval War College, Dwight D. Eisenhower School for National Security and Resource Strategy, etc.). Civilian students and employees of the military SSCs are not exempt from furlough. Currently, DoD is developing guidance applicable to all military-managed SSCs that will provide each of the Schools with the flexibility to ensure instructor - student ratios are properly managed and to provide students the maximum flexibility to complete graduation requirements. This additional DoD guidance and Army implementing guidance will be forthcoming.

(2) Army Civilian employees attending civilian-managed college or university long-term training (i.e., Comptroller Career Program employees attending the fourteen-month Defense Comptrollership Program (DCP) at Syracuse University (a civilian-managed university) or attending long-term developmental assignments (internal or external to Army)) will be furloughed in accordance with the procedures implemented by the employee's ***parent organization***. Parent organizations may give consideration to adjusting the employee/student's furlough schedule to accommodate course work and educational requirements while still meeting the mandated 176 hours of furlough before the end of Fiscal Year (FY) 2013.

(3) Short Term Training: Short–term training is defined as training less than 120 days. An employee attending short term Civilian training will be furloughed in accordance with the procedures implemented by the employee's ***parent organization***. This includes students attending the Army's Civilian Education System (CES) program as well as civilian-managed college and university courses. Parent organizations may give consideration to adjusting the employee's/student's furlough schedule to accommodate course work and educational requirements while still meeting the mandated 176 hours of furlough before the end of FY 2013.

c. Travel and per diem in a training context: In reference 1.b., OPM states: "Agencies must provide per diem or actual expenses to employees whose travel status requires a stay that includes a furlough day" (even though the employee is in a non-pay, non-duty status). This guidance applies to all travel, whether centrally funded or command funded.

2. Additional guidance as it relates to Civilian employee training during the administrative furlough will be provided as it becomes available.

TENTATIVE Furlough Schedule*

- Furlough proposal notice to employees
  - Mar 22 – Mar 26: Issue proposals
- Employee reply period ends
  - Mar 29 – Apr 2 (7 calendar days from when proposal was issued)
- Furlough decision letters issued to employees
  - Apr 1 – Apr 25: Delivered (depending on when proposal was issued and prior to first day of furlough)
- Furlough period begins no earlier than Apr 26 and ends no later than Sep 30

This schedule is provided for information and planning purposes only. No action should be taken to issue any notice of proposed furlough without prior approval of the Secretary of the Army, which will be forwarded by the ASA(M&RA).

This schedule would achieve 176 furlough hours (22 work days) at no more than 16 hours per FY 2013 pay period if an employee is furloughed on 26 Apr

*Timelines for bargaining unit employees subject to fulfillment of labor relations obligations

Appendix D: Combat Zones

1. References.

a. Title 26, U.S. Code, Section 112, *Certain combat zone compensation of members of the Armed Forces.*

b. Executive Order 12744, January 21, 1991

c. Executive Order 13119, April 13, 1999

d. Executive Order 13239, December 12, 2001

e. Public Law 104-117, *To provide that members of the Armed Forces performing services for peacekeeping efforts in Bosnia and Herzegovina, Croatia, and Macedonia shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone.*

2. The following locations are designated as "Combat Zones" by law, Presidential Executive Order or by DoD certification that members of the Armed Forces serving in such locations are serving in direct support of military operations in a combat zone:

Countries:

Afghanistan (EO 13239)
Albania (EO 13119)
Bahrain (EO 12744)
Bosnia (PL 104-117)
Croatia (PL 104-117)
Djibouti (DoD certification)
Herzegovina (PL 104-117)
Iraq (EO 12744)
Jordan (DoD certification)
Kuwait (EO 12744)
Kyrgyzstan (DoD certification)
Macedonia (PL 104-117)
Montenegro (EO 13119)
Oman (EO 12744)
Pakistan (DoD certification)
Philippines (DoD certification)
Qatar (EO 12744)
Saudi Arabia (EO 12744)
Serbia (includes Kosovo) (EO 13119)
Somalia (DoD certification)
Tajikistan (DoD certification)
United Arab Emirates (EO 12744)
Uzbekistan (DoD certification)
Yemen (DoD certification)

Sea Areas:

Persian Gulf (EO 12744)

Red Sea (EO 12744)

Gulf of Oman (EO 12744)

Arabian Sea (north of 10 degrees North latitude, and west of 68 degrees East longitude) (EO 12744)

Gulf of Aden (EO 12744)

Adriatic Sea (EO 13119)

Ionian Sea, north of the 39th Parallel (EO 13119)

3. Adherence to the following principles ensures consistency in applying the "deployed in a combat zone" exemption to civilian employees in the context of the administrative furlough:

a. "Deployed civilian" is defined as a civilian employee who is deployed (in TDY status) or temporarily assigned (to include TCS) in a "combat zone" as set forth above.

b. "Combat zone" is defined as those locations listed as combat zones in Executive Orders 12744, 13119 or 13239 and locations where military are eligible for combat zone tax benefits under law or because DoD has certified that they are providing direct support to military operations.

c. A "deployed civilian's" period of deployment includes time spent in attendance at mandatory pre-deployment training as well as in completing mandatory post-deployment requirements.

d. A civilian employee who was deployed to a combat zone but redeploys mid-way through the furlough period will receive a notice of proposed furlough upon return to his/her parent organization and prior to any furlough. Further, the number of hours for which the employee will be furloughed will be pro-rated.