

	National Oceanic and Atmospheric Administration	NOAA Administrative Order 202-1110	
	NOAA ADMINISTRATIVE ORDER SERIES	DATE OF ISSUANCE August 01, 2019	EFFECTIVE DATE August 01, 2019
SUBJECT: Evacuation Pay, Pay Advances, and Special Allowances			

SECTION 1. PURPOSE.

This Order establishes National Oceanic and Atmospheric Administration (NOAA) policy and process for authorizing and providing Evacuation Pay, Pay Advances, and/or Special Allowances to NOAA Federal employees and their dependents who live within the United States ordered to evacuate because of natural disasters, military activity, or other emergencies that pose an imminent danger to their lives.

SECTION 2. SCOPE.

Federal regulations provide for the continuation of salary, pay advances, and various allowances to employees who receive an order to evacuate locations within the United States in response to an emergency. This Order outlines the authorization process, as well as designates responsibility for the provision of, these benefits. Employees assigned to duty stations outside of the United States (as defined below) are subject to U.S. Department of State regulations for the evacuation of employees in foreign areas. As such, those employees are outside the scope of this authority.

SECTION 3. DEFINITIONS.

- .01 *Day* is a calendar day.
- .02 *Dependent* means a family member of the employee residing with the employee and dependent on the employee for support.
- .03 *Employee* is a Federal employee as defined by 5 U.S.C. 2105. This term includes full-time and part-time employees as well as employee serving an intermittent tour of duty.
- .04 *Evacuation pay* means the continuation of regular salary payments, including premium pay and other salary additions, regardless of duty status and without charge to personal leave.
- .05 *Evacuated employee* means a NOAA employee who has received an order to evacuate.
- .06 *Evacuation order* means a mandatory evacuation order, recommended evacuation order, or voluntary evacuation order as defined within this section.

- .07 *Family member* means an individual with any of the following relationships to the employee:
- a. Spouse, and parents thereof;
 - b. Sons and daughters, and spouses thereof;
 - c. Parents, and spouses thereof;
 - d. Brothers and sisters, and spouses thereof;
 - e. Grandparents and grandchildren, and spouses thereof;
 - f. Domestic partner, and children and parents thereof, including a domestic partner of any individual in paragraphs (a)–(e) of this definition; and
 - g. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
- .01 *Head of Operating Unit* is a term found in Department of Commerce policies and means the NOAA Administrator.
- .02 *Mandatory order to evacuate* or *mandatory evacuation order* means an oral or written order issued by the NOAA Administrator, another Federal agency, or a state or local government to an employee requiring evacuation from an assigned area.
- .03 *Pay advance* means a loan equal to the employee’s normal salary payment (reduced by standard taxes and other involuntary withholdings) for a defined period of days before it is earned.
- .04 *Recommended order to evacuate* or *recommended evacuation order* means an oral or written order issued by the NOAA Administrator, another Federal agency, or a state or local government to an employee indicating an imminent threat exists, or is likely to exist, in the immediate future and advising that evacuation from an assigned area may be a prudent precaution.
- .05 *Safe haven* means a designated area to which an employee and/or dependent(s) will be or has been evacuated; safe havens are chosen by employees in coordination with their travel-approving official.
- .06 *Special allowances* means non-salary based payments of evacuation-related expenses (e.g., travel expenses, living expenses, per diem, and subsistence allowance).
- .07 *United States* means the 50 States, the District of Columbia, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and any territory or possession of the United States.
- .08 *Voluntary order to evacuate* or *voluntary evacuation order* means an oral or written order issued by the NOAA Administrator, another Federal agency, or a state or local government to an employee indicating an imminent threat exists, or is likely to exist, in the immediate future and advising that evacuation from an assigned area may be a prudent precaution.

SECTION 4. POLICY.

.01 Authorization

- a. In response to an emergency that threatens the safety of NOAA employees and/or their dependents, the NOAA Administrator may, at their discretion, approve Evacuation Pay, Advance Pay, and/or Special Allowances for employees and their dependents that live within the United States and have received an evacuation order.
- b. Upon approval of these benefits, the NOAA Administrator will notify the Directors of the Office of Human Capital Services (OHCS) and the NOAA Finance Office, within the Office of the Chief Financial Officer (OCFO), of such authorization in writing.
 - i. The NOAA Administrator, at their discretion, may reserve these benefits for employees in receipt of a mandatory evacuation order only, or may approve these benefits for those in receipt of a recommended or voluntary evacuation order.
 - ii. The receipt of an evacuation order from the NOAA Administrator, another Federal agency, or a state or local government does not, in itself, entitle an employee to any of these benefits. However, receiving an evacuation order is required before receipt of benefits if the NOAA Administrator authorizes such benefits.
 - iii. Upon the Administrator's approval, NOAA will provide Evacuation Pay, Pay Advances, and/or Special Allowances to employees who receive the evacuation order indicated by the NOAA Administrator in the authorization.
 - iv. When the NOAA Administrator reserves evacuation benefits only for employees under a mandatory evacuation order, employees who evacuate in response to a recommended or voluntary evacuation order, or otherwise chose to evacuate before a mandatory evacuation order is issued, are entitled to apply for Evacuation Pay, Pay Advances, and Special Allowances only if a mandatory evacuation order is issued at a later date or the NOAA Administrator expands the authorization to include recommended and/or voluntary orders to evacuate.
 - v. The NOAA Administrator may issue an evacuation order to any NOAA employee on an individual or group basis. Employees who receive such an order are entitled to Evacuation Pay and Special Allowances, and may request Pay Advances.
- c. The Secretary of Commerce (Secretary) may also authorize Evacuation Pay, Pay Advances, and/or Special Allowances to employees under a mandatory, recommended, or voluntary order to evacuate. In the event the Secretary authorizes such benefits, NOAA will follow the processes established within this Order to provide benefits as indicated.

.02 Travel Advisory

- a. The NOAA Finance Office Director will issue a Travel Advisory to all NOAA employees announcing the area of impact for determining eligibility for possible evacuation benefits and the process to apply and secure approval.

.03 Evacuation Pay

- a. Approved full-time and part-time employees will receive their normal pay, including allowances and differentials, on their normal pay day. Until WebTA is updated with a specific Evacuation Pay Transaction Code, employee time will be identified in WebTA using Transaction Code "01 – Regular Base Pay" as well as using other appropriate Transaction Codes for premium pay. Employees will also add the comment "Evacuation Pay" to each impacted time entry.
- b. Evacuation pay for a full-time or part-time employee is based on the rate of pay (including any applicable allowances, differentials, or other authorized payments) to which the employee was regularly entitled immediately before the evacuation order was issued; regardless of the employee's actual or planned work schedule during the evacuation period. Evacuation pay for an intermittent employee is based on the average number of days/hours the employee would likely have worked during the evacuation period.
 - i. Evacuation pay will reflect all deductions required by law (e.g., retirement or Social Security deductions, authorized allotments, benefits, and tax withholding).

.04 Pay Advances

- a. Managers may approve advances up to 30 days' pay, allowances [e.g. Cost of Living Allowances (COLA)], and differentials to full-time and part-time employees (or their dependent or designated representative) who received an evacuation order under the circumstances described above.
- b. A pay advance is in addition to evacuation pay and/or special allowances (e.g., travel expenses, per diem).
- c. Pay advances are intended to defray immediate expenses incidental to the evacuation.
 - i. Employees must document their evacuation-related expenses to support their requests (e.g., fuel receipts, hotel invoices, and personal credit card statements).
 - ii. Supervisors/Managers will review each request and authorize a pay advance sufficient to cover the employee's expenses, not to exceed 30 days' worth of pay.
 - iii. Pay advances will reflect all deductions required by law (e.g., retirement or Social Security deductions, authorized allotments, benefits, and tax withholding).
- d. Pay advances will be recovered later under the terms of an invoice and repayment agreement, which may include direct payments by the employee, bi-weekly salary offset, a lump sum leave settlement (trading accrued annual leave at its current value to offset the debt), or other such arrangements.

- i. The OHCS and OCFO may waive the entire advance amount, or a portion thereof, upon request by the employee in the same manner that salary overpayment waiver requests are processed.

.05 Special Allowances

- a. The NOAA Finance Office Director will provide the payment of Special Allowances in accordance with the Federal Travel Regulations (FTR) and NOAA Travel Advisories and regulations.
- b. Employees (whether or not such employees would be covered by the FTR) and their dependents who have been authorized to receive benefits are entitled to receive travel and per diem expenses from the date of evacuation until they arrive at a safe haven.
- c. Living expenses will be provided throughout the evacuation period, and will terminate upon return travel or 180 days after travel expenses are authorized, whichever occurs first.
- d. Subsistence payments at the maximum rate (or a lesser rate if determined appropriate by the travel approving official) may be paid to evacuated employees to support them and their dependents upon arrival at a safe haven not to exceed 30 days from the date of evacuation.
 - i. Subsistence payments for children under 12 are set at 50 percent the adult rate.
 - ii. If, after 30 days, the evacuation has not been terminated, the maximum rate payable for both adults and children will be reduced to 60 percent of the applicable rate. This lesser rate may be paid for a maximum of 180 days from the date of evacuation or until the NOAA Administrator or a delegated authority terminates the payment.

.06 Work Assignments

- a. Employees at a safe haven may be assigned any work deemed necessary without regard to their Office of Personnel Management (OPM) job series, grade/pay band, pay plan, title, or position description of record.
 - i. Work may not be assigned to an employee unless the supervisor knows the employee has the necessary knowledge and skills to perform the assigned work.
 - ii. Refusal to perform assigned work may be the basis for termination of evacuation benefits and potential disciplinary action.
 - iii. An employee's inability to perform assigned work because of lack of knowledge or skills may not be a basis for terminating evacuation benefits or taking disciplinary action.
- b. Part-time and intermittent employees will be compensated based on their normal work schedule or the actual number of hours worked, whichever is greater.

.07 Termination of Evacuation Benefits

- a. Not later than 180 days after the evacuation (or earlier, if practicable), employees must be returned to their official duty station, or reassigned to an alternative regular duty station.
- b. Evacuation benefits will terminate when they are no longer warranted or on the day the employee:
 - i. Resumes his or her duties at the regular worksite from which he or she was evacuated after the order to evacuate is rescinded;
 - ii. Retires;
 - iii. Is reassigned out of the evacuation area;
 - iv. Is separated or determined to have abandoned his/her position; or
 - v. Is placed in "missing status" under 5 U.S.C. Parts 5561–5570.

SECTION 5. RESPONSIBILITIES.

.01 The *NOAA Administrator* will carry out the responsibilities of the Secretary of Commerce to protect the Department's assets, operations, and personnel, as delegated to the Department of Commerce Chief Financial Officer and Assistant Secretary for Administration in Department Organization Order 10-5 and re-delegated pursuant to the Administrator's operational authority.

- a. The NOAA Administrator is responsible for authorizing the use of Evacuation Pay, Pay Advances, and Special Allowances for employees in receipt of an evacuation order.
- b. The NOAA Administrator may issue evacuation orders to NOAA personnel when warranted, outside those issued by another Federal agency or a state or local government.

.02 The *OHCS Director* is responsible for:

- a. Overseeing evacuation pay and pay advances (provided through Enterprise Services) to employees in receipt of an evacuation order, upon approval by the NOAA Administrator, when such pay meets the regulatory requirements of 5 CFR § 550.403(a).
- b. Reporting the use of evacuation benefits to the Office of Human Resources Management at the Department of Commerce.

.03 The *NOAA Finance Office Director* is responsible for issuing Travel Advisories to employees announcing the areas of impact and process for requesting possible evacuation benefits and for the provision of Special Allowances set forth by Federal and NOAA Travel Regulations.

.04 The *NOAA Homeland Security Program Office* is responsible for:

- a. Coordinating NOAA evacuation efforts with Line and Staff Offices and NOAA leadership; and
- b. Obtaining and verifying evacuation orders and distributing them to the OHCS and the NOAA Finance Office.

.05 *Supervisors/Managers* are responsible for:

- a. Accounting for all assigned employees in the aftermath of an emergency;
- b. Maintaining regular contact with evacuated employees;
- c. Receiving evacuation orders from employees and forwarding/notifying the Homeland Security Program Office, either directly or by providing such order to their Line or Staff Office management;
- d. Certifying timesheets for employees in receipt of Evacuation Pay;
- e. Approving travel requests in accordance with Federal and NOAA Travel Regulations;
- f. Approving requests for pay advances to defray the immediate costs of evacuation and submitted such approved requests to Enterprise Services for processing; and
- g. Reporting the use of any evacuation benefit by their employees to the OHCS.

.06 *Enterprise Services* is responsible for processing approved requests for pay advances.

.07 *Employees* are responsible for:

- a. Reporting their status following an emergency to their supervisor;
- b. Reporting the receipt of an evacuation order from a Federal agency or a state, or local government and forwarding that order to their Supervisor/Manager;
- c. Submitting requests for the evacuation benefits discussed in this Order, and providing all necessary supporting documents to appropriate offices;
- d. Performing any work assigned while in receipt of Evacuation Pay and Special Allowances, regardless of position title, OPM job series, pay plan, pay grade or pay band, and position description of record; and
- e. Repaying any pay advancement authorized in accordance with written agreements.

SECTION 6. REFERENCES.

.01 5 U.S.C. 5527 Government Organization and Employees Advancement, Allotment and Assignment of Pay

.02 5 CFR § 550, Subpart D Payments During Evacuation

.03 DOC Evacuation Payments Policy:

<https://www.commerce.gov/hr/practitioners/compensation-policies/general-pay/evacuation-payments>

.04 NOAA Travel Regulation, Chapter 301-15: Evacuation Travel

SECTION 7. EFFECT ON OTHER ISSUANCES.

- .01 The Assistant Secretary of Commerce for Environmental Observation and Prediction Performing the duties of Under Secretary of Commerce for Oceans and Atmosphere signs because there is no delegation of authority for this NAO.
- .02 An electronic copy of this Order will be posted on the NOAA Office of the Chief Administrative Officer website under the Administrative Programs' NOAA Administrative Issuances section via <http://www.corporateservices.noaa.gov/~ocao/index.html>



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Offices of Primary Interest:
Office of the Under Secretary of Commerce for Oceans and Atmosphere
Office of the Deputy Under Secretary for Operations
Office of the Chief Financial Officer
Office of Human Capital Services
Homeland Security Program Office