

**Department of Veterans Affairs  
Office of the Chief Human Capital Officer  
Worklife and Benefits Service**

**Weather and Safety Leave Frequently Asked Questions**

**Q1: What is Weather and Safety Leave (WSL)?**

**A1:** WSL is a form of paid absence provided under the authority of [5 U.S.C. § 6329c](#) and as further described in regulations in [5 CFR Part 630 Subpart P](#). WSL is used when employees are prevented from safely traveling to/from or performing work at their approved location due to an act of God (such as hurricane, tornado, severe snowstorm, etc.) or another condition that prevents employees from safely traveling to/from or performing work at an approved location. WSL is granted at the agency's discretion.

**Q2: What are the codes for WSL to be used in the agency's payroll and time and attendance systems?**

**A2:** In the VA Time and Attendance System (VATAS), the appropriate leave type is: **"Weather and Safety: LN – Admin Leave, PS – Weather and Safety"**. The employee should enter into the submitter remarks field a description of the emergency for which they are requesting the leave (e.g. "Hurricane Helene").

**Q3: Who can approve WSL (for non-VHA employees)?**

**A3:** The following officials have authority to approve WSL in VA policy without any further designation (Reference: VA Handbook 5011, Part III, Chapter II):

The following officials have authority to approve weather and safety leave in VHA without any further designation (Reference: VA Handbook 5011, Part III, Chapter II, paragraph 12.u.):

(9) Authority for Excusing Employees From Duty for Weather and Safety Leave

(a) Field Facilities

- i. Leave approving officials are authorized to approve weather and safety leave for weather and emergency situations, not to exceed one workday.
- ii. Field facility heads are authorized to approve weather and safety leave for weather and emergency situations when the absence exceeds one workday, not to exceed seven consecutive workdays.
- iii. The appropriate Under Secretary, Assistant Secretary, Other Key Officials, or their designee must approve any weather and safety leave for field facility employees in excess of seven consecutive workdays.

(b) VA Central Office (VACO)

- i. Leave approving officials are authorized to approve weather and safety leave for weather and emergency situations, not to exceed one workday.
- ii. The appropriate Deputy Assistant Secretary (or equivalent), or their designee, is authorized to approve weather and safety leave for weather and emergency

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situations when the absence exceeds one workday, not to exceed seven consecutive workdays.

iii. The Under Secretary for each Administration, Assistant Secretaries of Staff Offices, and Other Key Officials (or their designees) for equivalent organizations such as the Office of General Counsel, Veterans Experience Office, etc. may approve weather and safety leave in excess of seven consecutive workdays.

**Weather and Safety Leave Approval Authority in VA (non-VHA)**

Days of Weather and Safety Leave	Approval Authority:	
	Field Office	VA Central Office (VACO)
Excuse employees from duty, not to exceed 1 workday	Leave Approving Official	Leave Approving Official
Excuse employees from duty, not to exceed 7 workdays	Field facility heads	Deputy Assistant Secretary (or equivalent), including first Line SES or higher SES in VBA and NCA Program /Staff Offices
Excuse employees from duty, in excess of 7 workdays	Under Secretary for Benefits or Memorial Affairs, Assistant Secretary, and Other Key Officials (or their designee)	Under Secretary for Benefits or Memorial Affairs, Assistant Secretaries, and Other Key Officials (or their designee)
<p>Note:</p> <p>(1) Other Key Officials are the equivalent of an Assistant Secretary or Staff Office head (e.g., the Chairman of the Board of Veterans Appeals, General Counsel, Principal Executive Director for the Office of Acquisition, Logistics and Construction (OALC), and the Chief Veterans Experience Officer for Veterans Experience Office (VEO).</p> <p>(2) First line or higher SES are the equivalent of a Deputy Assistant Secretary, and include Deputy Chiefs, Executive Directors, and the Chief Human Capital Officer.</p>		

**Q4: (VHA Specific) Who can approve weather and safety leave in VHA?**

**A4:** The following officials have authority to approve weather and safety leave in VHA without any further designation (Reference: VA Handbook 5011, Part III, Chapter II, paragraph 12.u.):

- (9) Authority for Excusing Employees From Duty for Weather and Safety Leave
  - (a) Field Facilities

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- i. Leave approving officials are authorized to approve weather and safety leave for weather and emergency situations, not to exceed one workday.
- ii. Field facility heads are authorized to approve weather and safety leave for weather and emergency situations when the absence exceeds one workday, not to exceed seven consecutive workdays.
- iii. The appropriate Under Secretary, Assistant Secretary, Other Key Officials, or their designee must approve any weather and safety leave for field facility employees in excess of seven consecutive workdays.

For VHA Central Office, SES supervisors are equivalent to field facility heads. These officials may approve weather and safety leave up to 7 workdays, unless further designated.

**Weather and Safety Leave Approval Authority in VHA**

Days of Weather and Safety Leave	Approval Authority:	
	Field/VISN Office	VHACO
Excuse employees from duty, not to exceed 1 workday	Leave Approving Official	Leave Approving Official
Excuse employees from duty, not to exceed 7 workdays	Medical Center or Network Director	First Line SES or higher SES in VHA Program/Staff Office
Excuse employees from duty, in excess of 7 workdays	Under Secretary for Health (USH)	Under Secretary for Health (USH)
Note: These are the normal levels of approval authority in VHA except where USH has approved a special designation issued on a case-by-case basis for a specific emergency or disaster.		

**Q5: Can a supervisor approve more than 1 day of WSL?**

**A5:** No. A supervisor or leave approving official cannot grant more than 1 day of WSL unless the authority to approve WSL in greater amounts has been designated to supervisors by a higher-level VA official such as the applicable Under Secretary.

**Q6: Can a facility director or field facility head approve more than 7 duty days of WSL leave?**

**A6:** No. A facility director or field facility head cannot grant more than 7 days of weather and safety leave unless the authority to approve weather and safety leave in greater amounts has been designated to supervisors on behalf of higher-level officials such as the applicable Under Secretary.

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**Q7: Can WSL approval be delegated?**

**A7:** WSL approval cannot be delegated. The Under Secretary (or equivalent) authority may only designate officials to approve WSL beyond 7 days on a case-by-case basis in exceptional circumstances.

**Q8: What is the process to get approval for WSL beyond 7 days for staff who have been catastrophically impacted by a hurricane? We have someone who lost their home all belongings etc. and is currently displaced. Is it just an email to the parent organization's Assistant Secretary? Do you have an example?**

**A8:** For employees at field facilities, an Under Secretary or their designee can approve WSL beyond 7 days. Your organization's chain of command may approve the request via email or memorandum. If there is an established request/approval process within your VA Administration, the established process should be followed to the extent possible.

For employees of VA Central Office, the appropriate Under Secretary (or Assistant Secretary, Other Key Official, or designee) may approve WSL in amounts greater than 7 days.

**Q9: Is it appropriate to grant WSL when a mandatory evacuation is declared?**

**A9:** State and local governments may declare mandatory evacuation in areas that are expected to be hit hard by a hurricane or other natural disaster. Based on [5 CFR § 630.1605\(a\)\(2\)\(ii\)](#), and [OPM guidance](#), VA has discretion to grant WSL to VA employees, including teleworkers and remote workers, whose worksites are in a mandatory evacuation area. Such employees would not be able to safely work at the traditional worksite or telework/remote worksite due to circumstances arising from the hurricane or other natural disaster forming the basis for the declaration.

Additionally, OPM's comments in the [Federal Register notice](#) state that WSL may be appropriate for hurricane evacuation purposes. While this guidance is not specific to teleworkers or remote workers, it would be reasonable that VA could determine it is unsafe for the teleworker or remote worker to continue to work at an alternative worksite in an evacuation area.

Once an employee is able to safely perform work from an alternate worksite, traditional worksite, or is directed to report to a temporary agency worksite where operations have not been curtailed, WSL would no longer be appropriate.

**Q10: Can employees providing "critical" services be approved for WSL?**

**A10:** All employees of a Medical Center are considered to be providing critical services and would be deemed "critical" or "emergency" employees. VHA Central Office employees are deemed critical on a position-by-position basis. Critical employees may be required to work during weather and other similar emergencies. Approval of Weather and Safety Leave is not prohibited for critical employees but is at the discretion of the agency.

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Heads of other types of VA facilities should identify positions that are also deemed to be providing a critical service. Except for office closings, incumbents of these critical positions are also required to be at work regardless of emergency situations or any general dismissal authorization. Employees so designated should be made aware, preferably in writing, of the special requirements placed on them for reporting to, or remaining at, their worksites in emergency situations.

**Q11: Can a remote or virtual employee be approved for WSL?**

**A11:** A remote worker whose home is considered the employee's official worksite is only granted WSL when they are unable to safely perform work at their official worksite (i.e., their home). This does not necessarily coincide with the parent site. Remote workers must follow their agency's policies, procedures, and any applicable collective bargaining requirements, or contact their supervisors for further information and instructions.

Virtual employees are employees who report to a VA worksite different than their parent station. Such individuals may also participate in telework, but they are not remote workers. Virtual employees may be granted WSL if they are unable to safely travel to or perform work at the VA worksite. If the virtual employee participates in telework and is capable of working from home during the emergency (they have power and internet connection at the approved alternative worksite) the employee is required to telework during an office closure.

**Example 1:** Alex is a remote worker in the Burlington, VT, area for VHA Central Office. Alex does not report to the agency headquarters; instead, he works from his home in Vermont. A major snowstorm hits the Washington, DC, area. OPM announces that all Federal offices will be closed. Alex does not receive WSL due to his status as a remote worker. Alex is not prevented from safely performing work at an approved location (e.g., the approved alternative worksite). (See [5 U.S.C. § 6329c\(b\)](#) and [5 CFR § 630.1605 \(a\)\(1\)](#)). Alex should continue to work as scheduled or request leave or other paid time off.

**Example 2:** David is a remote worker who works from his home in Columbia, South Carolina for VHA in Northern California. A major hurricane which is the subject of a public declaration of emergency by the state of South Carolina causes damage and loss of power in his home. David is unable to safely perform work at an approved location (e.g. the alternative worksite). (See [5 U.S.C. § 6329c\(b\)](#) and [5 CFR § 630.1605\(a\)\(1\)](#)). David may request WSL or other paid time off.

**Q12: I have a question regarding a virtual employee that we have at the Louis A Johnson VAMC who works out of Atlanta, Georgia. On Friday 9/27/2024 the employee was unable to log in and see patients due to her power going out from a hurricane. Does this qualify for Weather and Safety Leave? I am also going to ask if she does qualify for this reason, it was only one day so do we need any**

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**type of specific memo for this approval or does her supervisor just approve in VATAS with a comment on it?**

**A12:** Supervisors can approve up to 1 day of WSL in VATAS as the leave approving official. No additional memo or authorization is required.

**Q13: I have an employee who works remotely and was affected by the recent hurricane that hit their area recently around the Atlanta area. I was hoping to provide the employee with the proper authority approval to proceed with this for a timeframe not to exceed 7 days. Is there any information or forms that I can help her with as the employee does not have electrical, water, etc. to conduct official work?**

**A13:** Field facility heads can approve WSL not to exceed 7 days for employees at field facilities. Supervisors should coordinate with facility leadership to obtain the necessary authorization, which may be obtained via email or request memorandum, if no prior authorization has been granted for the emergency.

SES supervisors, including Deputy Chiefs, Executive Directors and the Chief Human Capital Officer are equivalent to Deputy Assistant Secretaries. These officials may approve WSL up to 7 workdays for employees of VA Central Office, unless the authority is designated to supervisors on behalf of higher-level officials.

**Q14: When may employees who participate in a telework program receive WSL leave?**

**A14:** The framework and criteria for decisions about whether to grant WSL to teleworkers is provided in [5 CFR § 630.1605](#). Employees who are participating in telework programs and are able to safely travel to and work at approved telework sites are generally not eligible for WSL. Telework employees are typically able to safely perform work at their approved telework sites (e.g., homes) since they are not required to work at their regular VA work sites.

VA may provide WSL to a telework-eligible employee who, in the agency's judgment, could not have reasonably anticipated the severe weather or other emergency condition and therefore did not take home needed equipment or work. An agency may also provide WSL to a telework-eligible employee who is prevented from safely working at the telework site due to the weather or other emergency condition. For example, flooding, or a roof collapse related to a tornado may make the telework site unsafe.

Also, WSL may be granted if conditions at the telework site do not permit the performance of work (e.g., a weather event caused a loss of power, which makes the home not an approved location under the Department's telework policies).

**Q15: Can an intermittent employee receive WSL leave?**

**A15:** No. Intermittent employees do not have an established, regular tour of duty and are therefore ineligible to receive WSL.

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**Q16: Can I use WSL for clean-up/remediation or home repairs after the disaster?**

**A16:** No. WSL is not appropriate for clean-up/remediation activities. Once the employee can safely travel to/from and/or safely perform work at the normal/alternate worksite, WSL is no longer appropriate.

**Q17: What leave options are available when WSL ends, for cleanup for example?**

**A17:** Employees may use their accrued leave (e.g. annual leave, earned compensatory time off, earned compensatory time off for travel, earned credit hours, or leave without pay) if approved by their supervisor. It is possible that the President, via the Office of Personnel Management, will authorize an Emergency Leave Transfer Program. (ELTP). If an ELTP is authorized, employees may apply to receive donated annual leave from other Federal employees which can be used for cleanup. Employees are not required to exhaust their own accrued or earned leave prior to using donated leave under an ELTP.

**Q18: Can I use WSL because of school/daycare closures or for other childcare responsibilities?**

**A18:** No. WSL is not a substitute for dependent care. If employees can safely travel to/from and perform work at a normal/alterative worksite, WSL is not appropriate. Other leave types may be requested to care for dependent children such as annual leave, compensatory time, and compensatory time for travel.

**Q19: Should an agency grant WSL to long-distance commuters affected by different conditions?**

**A19:** Agencies should not provide WSL to employees who face different conditions in outlying areas when the normal worksite is not affected by these conditions. For example, an employee who works in Washington, DC, and who chooses to reside in West Virginia should not be granted WSL when a snowstorm affects the West Virginia area but not the DC area. However, agencies may permit other workplace flexibilities to these employees, such as approving ad hoc telework or leave, or permitting flexible work schedule employees to adjust their work hours, as permitted under the agency's policies.

**Q20: Do employees on preapproved leave receive WSL?**

**A20:** No, with limited exceptions. Employees on preapproved leave may not receive WSL; however, agencies may provide WSL to employees who cancel their preapproved leave because the weather/emergency conditions also caused a change in their leave plans. For example, the agency may grant WSL to an employee whose medical appointment or whose flight was canceled due to the weather/safety emergency and who is not able to telework.

Agencies may not grant WSL to employees who, in their judgment, cancel leave for the primary purpose of replacing it with WSL. For example, an employee on a long-distance vacation who cancels annual leave cannot receive WSL. This employee would not be traveling to work regardless of the weather conditions, so there is no need to provide

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the employee with WSL. The weather/safety leave regulations do not bar cancellation of leave but merely state what effect a cancellation would have on the granting of WSL.

**Q21: How will I know when weather and safety leave begins?**

**A21:** It is important for employees and supervisors to communicate regarding changes in operating status for a work location. Due to the nature of emergencies, there may be no formal start notice, e.g., approval memo, to employees. Once it is determined an employee is unable to safely travel to/from their duty station or safely perform work at the duty station, the supervisor can inform the employee that weather and safety leave is approved including expected duration and ensure accurate coding in VATAS. In some circumstances, weather and safety leave approval may be announced to impacted groups of individuals or employees may be informed by another Agency official.

**Q22: How will I know when WSL ends?**

**A22:** Due to the nature of emergencies, there may be no formal end notice, e.g., termination memo, to employees that weather and safety leave ends. Once an employee can safely travel to/from their duty station or safely perform work at the duty station, weather and safety leave is no longer appropriate.

**Q23: Can weather and safety leave be approved continuously if the work location for a teleworker or remote worker is not available for a prolonged period or indefinite duration?**

**A23:** Where it is necessary to close operations at a worksite, including telework or remote worksites, for prolonged or regularly recurring periods (such as during a fuel crisis, prolonged utilities failures, severe structure damage), the use of weather and safety leave indefinitely is inappropriate. Temporary work arrangements such as assigning a temporary work location, or details should be prioritized. Relocation to a nearby facility, relocation outside of the affected area, relocation of the worksite to an employee's temporary housing may be suitable arrangements. Employees may also utilize other forms of leave for attending to personal matters due to impacts from an emergency.

**Q24: I am unsure if my situation qualifies for weather and safety leave or I have a different question, who can I ask?**

**A24:** Questions regarding weather and safety leave should be referred to the servicing HR Office. Servicing HR offices have HR Worklife staff to support employees and supervisors with leave administration including weather and safety leave.