



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

April 3, 2013

## Memorandum

To: Indian Affairs Employees  
BIA Employees  
BIE Employees

From: James N. Burckman   
Director, Office of Human Capital Management

Subject: Employee Furlough Proposal

This memorandum is being sent to notify you that Indian Affairs proposes to furlough you no earlier than 30 calendar days from receipt of this notice. The furlough is being proposed under the authority of 5 CFR Part 752, Subpart D based on Indian Affairs' need to realize required reductions in the employee salaries and expenses appropriation for FY 2013 that are mandated by the sequestration law. This furlough is proposed to promote the efficiency of the service by avoiding a deficit of funds in FY 2013, while ensuring Indian Affairs ability to carry out its mission critical functions and services.

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

1. The furlough will be on discontinuous (intermittent) days, beginning May 5, 2013, through September 21, 2013. Full-time employees will be furloughed no more than 22 workdays or 176 hours. If you are a part time employee, your furlough time off will be prorated, based on your work schedule. At the present time, we anticipate no more than 10 furlough days or 80 hours; however, this is subject to change.
2. You may request a specific schedule for furlough time off subject to management approval based upon mission and workload considerations. At this time, the number of hours per pay period required for the furlough may vary. Your supervisor will advise you in advance of each pay period of the number of furlough hours required to allow Indian Affairs to meet its financial obligations.
3. Annual, sick, court, or military leave which has been approved for a day which is later designated as a furlough day will be recorded as a furlough and you will be placed in a nonpay status for the day. However, when you receive the notice of your furlough dates, you may request that furlough time off be rescheduled, as provided in paragraph 2 above, if you wish to use leave as approved.

At this time, we are working diligently to reduce the amount of furlough days/hours that will be needed. We recognize the difficult personal financial implications of any furlough, no matter how large or small. We will make every effort to keep you informed as additional information regarding the agency's funding level becomes available.

## EMPLOYEE RIGHTS

### **Bargaining Unit Employees**

You have the right to reply both orally and in writing to this proposed action to your second level supervisor who is designated as the deciding official for this proposed action. You have the right to furnish affidavits and/or other documentary evidence in support of your reply as to why the proposed action should not be taken. You will be allowed 14 calendar days from the date you receive this notice to submit your reply. Full consideration will be given to any response you submit. Consideration will be given to extending the reply period if you submit a request stating your reasons for desiring more time. All documents supporting this proposal will be made available to you for your review, if you desire, by contacting me. You will be allowed up to eight hours of official time to review supporting material, seek assistance, prepare your reply, secure affidavits and statements, consider appropriate courses of action, and make a response. Please contact me, your first line supervisor, to arrange for official time.

You have the right to be represented by a person of your choice in responding to this notice. Please contact your local steward, or the Union President, Sue Parton at (505) 243-4088. She can be reached at the Federation of Indian Services Employees (FISE) Office at 1218 Lomas Boulevard, N.W., Albuquerque, New Mexico 87102.

### **Non-Bargaining Unit Employees**

You will be allowed fourteen (14) calendar days from the receipt of this letter to respond orally and/or in writing, to review the supporting material, and to furnish any affidavits or other supporting documentary evidence in your answer. You have the right to be represented in this matter by an attorney or other person you may choose. If you are in active duty status, you and/or your representative, if an agency employee, will be allowed up to four hours of official time to review the supporting material, seek assistance, prepare your reply, secure affidavits and statements, consider appropriate courses of action, and make a response. Please contact me, your first line supervisor, to arrange for official time. Your second line supervisor will serve as the deciding official for this action. As such, please send your written reply directly to your second line supervisor. Also, to arrange for an oral reply or to review the supporting material, please contact your second line supervisor.

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

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