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March 18, 2020

The Honorable Mark T. Esper
Secretary
U.S. Department of Defense
Washington, D.C. 20301

Dear Secretary Esper:

I write to ask you to clarify personnel policy governing the Department's response to COVID-19 so that uniformed, civilian, and contractor personnel better understand how they can and should adapt to minimize the spread and impact of this virus.

An area of particular concern is how administrative leave, weather and safety leave, sick leave, and annual leave apply under a variety of COVID-19 related scenarios, to include for personnel whose normal duty station is a classified facility, whether personnel occupy a mission critical position or not, if they are symptomatic or exposed but not symptomatic, and if they must care for family members who have contracted COVID-19.

These personnel should not face uncertainty or obstacles in their efforts to preserve our individual or collective health. The Office of Management and Budget (OMB) and Office of Personnel Management (OPM) issued guidance for agencies to expand telework flexibility, but at present, guidance issued by OMB, OPM, and the Department have ambiguity that is creating confusion and anxiety. For example, personnel should have due flexibility to telework, as appropriate, to protect their safety and health and that of their family members.

Personnel whose duties and responsibilities do not immediately contribute to a critical national security function would benefit from a clear directive instructing them to work remotely and would make a significant impact for our nation. For personnel deemed ineligible for telework, the Department should investigate and create further options, when possible, to temporarily make them eligible. The urgency for the Department to take necessary steps and clarify concerns about telework options for personnel will ensure personnel do not feel aggrieved during the outbreak of COVID-19. This guidance should be consistent and transparent for all eligible personnel stationed across the country and abroad.

Maintaining a healthy workforce with confidence in the government's commitment to their welfare is of the utmost importance to me. Thank you in advance for your prompt response and attention to this matter.

I look forward to working with you to address this matter of urgent priority.

Sincerely,



Mark R. Warner
Vice Chairman