

I of the Act is classified generally to subchapter I (§ 2611 et seq.) of chapter 28 of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 2601 of Title 29 and Tables.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE

Section effective 6 months after Feb. 5, 1993, see section 405(b)(1) of Pub. L. 103-3, set out as a note under section 2601 of Title 29, Labor.

### SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

#### § 6391. Authority for leave transfer program in disasters and emergencies

(a) For the purpose of this section—

- (1) “employee” means an employee as defined in section 6331(1); and
- (2) “agency” means an Executive agency.

(b) In the event of a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management to establish an emergency leave transfer program under which any employee in any agency may donate unused annual leave for transfer to employees of the same or other agencies who are adversely affected by such disaster or emergency.

(c) The Office shall establish appropriate requirements for the operation of the emergency leave transfer program under subsection (b), including appropriate limitations on the donation and use of annual leave under the program. An employee may receive and use leave under the program without regard to any requirement that any annual leave and sick leave to a leave recipient’s credit must be exhausted before any transferred annual leave may be used.

(d) A leave bank established under subchapter IV may, to the extent provided in regulations prescribed by the Office, donate annual leave to the emergency leave transfer program established under subsection (b).

(e) Except to the extent that the Office may prescribe by regulation, nothing in section 7351 shall apply to any solicitation, donation, or acceptance of leave under this section.

(f) After consultation with the Administrative Office of the United States Courts, the Office of Personnel Management shall provide for the participation of employees in the judicial branch in any emergency leave transfer program under this section.

(g) The Office shall prescribe regulations necessary for the administration of this section.

(Added Pub. L. 105-18, title II, § 9004(a), June 12, 1997, 111 Stat. 196; amended Pub. L. 109-229, § 1, May 31, 2006, 120 Stat. 390.)

### Editorial Notes

#### AMENDMENTS

2006—Subsecs. (f), (g). Pub. L. 109-229 added subsec. (f) and redesignated former subsec. (f) as (g).

### Executive Documents

EX. ORD. NO. 13745. DELEGATION OF FUNCTION TO THE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT

Ex. Ord. No. 13745, Oct. 31, 2016, 81 F.R. 76493, provided:

By virtue of the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, it is hereby ordered as follows:

SECTION 1. (a) The Director of the Office of Personnel Management (OPM) is hereby authorized to exercise the function vested in the President by section 6391 of title 5, United States Code, of directing OPM to establish an emergency leave transfer program. The Director of OPM shall exercise this authority in consultation with the Director of the Office of Management and Budget.

(b) The Director of OPM shall notify the President of the establishment of any emergency leave transfer program pursuant to the authority in subsection (a).

SEC. 2. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA.

### CHAPTER 65—TELEWORK

Sec.

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| 6501. | Definitions.                             |
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#### § 6501. Definitions

In this chapter:

(1) EMPLOYEE.—The term “employee” has the meaning given that term under section 2105.

(2) EXECUTIVE AGENCY.—Except as provided in section 6506, the term “executive agency” has the meaning given that term under section 105.

(3) TELEWORK.—The term “telework” or “teleworking” refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee’s position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work.

(Added Pub. L. 111-292, § 2(a), Dec. 9, 2010, 124 Stat. 3165.)

### Statutory Notes and Related Subsidiaries

#### TELEWORK RESEARCH

Pub. L. 111-292, § 4, Dec. 9, 2010, 124 Stat. 3173, provided that:

“(a) RESEARCH BY OPM ON TELEWORK.—The Director of the Office of Personnel Management shall—

“(1) research the utilization of telework by public and private sector entities that identify best practices and recommendations for the Federal Government;

“(2) review the outcomes associated with an increase in telework, including the effects of telework on energy consumption, job creation and availability, urban transportation patterns, and the ability to anticipate the dispersal of work during periods of emergency; and

“(3) make any studies or reviews performed under this subsection available to the public.

“(b) USE OF CONTRACT TO CARRY OUT RESEARCH.—The Director of the Office of Personnel Management may carry out subsection (a) under a contract entered into by the Director using competitive procedures under