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NAVAL AIR SYSTEMS COMMAND
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IN REPLY REFER TO
NAVAIRINST 12630.4
AIR-7.3.1
11 Dec 01

NAVAIR INSTRUCTION 12630.4

From: Commander, Naval Air Systems Command

Subj: LEAVE AND ABSENCE OF CIVILIAN EMPLOYEES

Ref: (a) 5 USC Chapter 63
(b) 5 CFR Part 630
(c) DoD 1400.25-M

Encl: (1) Policy and Procedures for Leave Administration Handbook

1. Purpose. To establish policy and procedures for requesting and granting leave for civilian employees, including Senior Executive Services (SES) employees, per reference (a) through (c). Enclosure (1) explains the regulations and policies governing the use of leave.

2. Scope. This instruction applies to all civilian employees of the Naval Air Systems Command (NAVAIR) and the Program Executive Offices (PEOs). In the event of a conflict between a negotiated agreement and this instruction, the provision(s) of the agreement will prevail.

3. Responsibilities

a. The servicing Human Resources Office (HRO) or Department is responsible for interpreting leave regulations and advising employees and supervisors on all leave matters.

b. Supervisors are responsible for the administration of leave regulations consistent with this instruction and must ensure that their employees are familiar with their rights, responsibilities, and privileges under the current leave laws. For program team members who are physically located with or in close proximity to their Team Leader (TL) and who spend greater than 70 percent of their time on the program led by the TL, the supervisor is strongly encouraged to delegate authority for approval of leave to the TL who will coordinate with the supervisor to keep him/her informed. The supervisor must consider the needs of all teams the employee supports in approving leave or determining whether to delegate leave approval. Only a supervisor may disapprove an employee's request for leave. If a TL with delegated leave approval authority is unable to grant an employee's leave request, the employee may forward the leave request to the supervisor for approval/disapproval. Consistent with the above, supervisors are responsible for:

(1) ensuring office workload is met during an employee's absence;

(2) timely approval or disapproval of leave requests;

(3) providing an explanation to employees when leave has been disapproved;

(4) ensuring employees do not lose annual leave at the end of the year because leave was not scheduled;

(5) taking appropriate action when an employee is having attendance problems or abusing his or her leave privileges;

(6) contacting HRO when contemplating action against employees for attendance problems or suspected leave abuse;

(7) informing employees of their responsibilities regarding leave; and

(8) returning approved/disapproved Office Personnel Management Form 71, (June 2001), Request for Leave or Approved Absence, (formally known as the SF-71) to employees.

c. Employees are responsible for requesting leave in accordance with policies and procedures described in this instruction. Employees are responsible for scheduling their use of annual leave so that they are not in a position of forfeiting leave at the end of the leave year. Employees who spend a significant amount of time, but less than 70 percent, supporting a particular team, must ensure that affected TLs are informed of their leave plans.

4. Forms. Forms that are not included in this instruction are available on the Internet at www.OPM.gov or from the servicing Human Resources Office.

5. Review. The Head, Civilian Personnel Programs and Policy, AIR-7.3.1, will review this instruction annually.

By direction

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POLICY AND PROCEDURES FOR LEAVE ADMINISTRATION

HANDBOOK

POLICY AND PROCEDURES FOR LEAVE ADMINISTRATION
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Policy and Procedures for Leave Administration

1. Annual Leave

a. Definition. Approved paid absence from duty to provide for vacation periods or extended leave for rest and recreation, and period of time off for personal or emergency reasons.

b. Accrual. Full-time and part time employees whose appointments are for 90 days or longer are credited with annual leave beginning with the first day of duty after appointment. Leave is accrued based on the length of creditable service, which includes service in the Armed Services and other government service. The rate at which an employee accrues leave is based on his/her years of creditable service and the tour of duty to which assigned. Changes in accrual rates are effective at the beginning of the first pay period following completion of the prescribed period of creditable service.

c. Maximum Accumulation. The maximum accumulation of annual leave that may be carried into a new leave year is 240 hours with the following exceptions:

(1) The maximum accumulation of annual leave that may be carried into a new leave year is 720 hours for individuals serving in a position in the SES;

(2) An employee assigned on Permanent Change of Station (PCS) overseas may accumulate 45 days. That leave ceiling may be retained after assignment to a position with the 30-day accumulation limit until the employee uses more annual leave in a year than he/she earns. The balance carried forward at the end of the leave year becomes the new leave ceiling; or

(3) In addition to the authorized maximum accumulation, restored annual leave may be carried over for a maximum of 2 years. If restored leave is not used with 2 years, the employee forfeits any balance of the restored leave.

d. Scheduling

(1) Management and employees have a mutual responsibility for planning and scheduling annual leave. When employees can be spared from their duties, annual leave will be granted freely. Although the use of annual leave is a right of the employee, the determination of when the leave is to be used is a supervisory decision. Large accumulations of annual leave should be avoided. Normally, employees will not be denied the use of annual leave when they may otherwise be required to forfeit such leave by reason of maximum accumulation of forfeiture rules. Denial of its use will be based on factors that are reasonable and equitable and that do not discriminate against any employee or group of employees. If an employee chooses not to request or use annual leave, forfeited leave will not be restored for later use (see paragraph 4 below). Approval of unscheduled leave will depend on other factors as well, including workload, the established leave schedule, employee attendance or leave issues, and activity needs.

(2) Supervisors are responsible for approval or disapproval of annual leave requests. TLs may approve leave (if delegated authority by the supervisor) but may not disapprove leave requests. Supervisors/TLs should establish projected leave schedules as early as possible to ensure effective scheduling throughout the year. Leave schedules should be reviewed and modified according to work requirements. Depending on work requirements, supervisors will plan to allow each employee an extended period of leave for rest and relaxation annually to assist in maintaining maximum efficiency and productivity. Supervisors/TLs shall advise employees as soon as possible when leave has been approved or disapproved; when disapproved, supervisors shall also advise employees of the reason.

(3) Employees are responsible for properly requesting leave using OPM Form 71, dated (Jun 2001), or any other documentation that is acceptable to the supervisor/TL. Employees must request annual leave in advance, whenever possible. In the event of an emergency outside of the normal shift, employees should request leave as soon as possible but no later than 2 hours after the start of their assigned work hours or shift, unless circumstances clearly show that a delay in requesting leave was unavoidable. Rotating personnel whose duties require one-to-one relief will request leave prior to the start of their regularly scheduled work hours or shift, except for compelling reasons. In emergency leave situations, the employee must provide an acceptable reason to the supervisor and the expected return to work date. Without a specific return to work date, employees must call in on each succeeding day they are absent to request leave. Failure to properly secure prior approval of an absence as annual leave may warrant a charge of Absent Without Leave (AWOL).

(4) In the event of an exigency for public business requiring a specific employee for a particular project or workday, supervisors may cancel previously scheduled leave. (If the employee is in a use or lose status see paragraph 1.e.). Upon cancellation of previously approved annual leave, the employer is not authorized to reimburse the employee for personal expenses, such as forfeited hotel room deposits, non-refundable airline tickets, etc. Upon request, the supervisor will, however, timely prepare a letter to the appropriate airline agency, hotel, etc., that identifies the reason(s) for cancellation of the leave in an effort to help the employee recover any loss of funds. The supervisor will provide a copy of the letter to the employee. The employee is responsible for delivering/mailing the letter.

d. Mandatory Leave Approval. An employee who is a member of the National Guard or the Armed Forces Reserves is entitled to use annual leave or Leave Without Pay (LWOP) if the employee has exhausted, or is not entitled to, military leave for reserve or National Guard activities. Documentation of the guard or reserve activities must be provided to the supervisor.

e. Advanced Annual Leave. Supervisors may approve requests for an advance of annual leave not to exceed the amount the employee can reasonably be expected to earn during the balance of the leave year. For employees serving under temporary appointments or those who's retirement is planned, advanced leave may not exceed the amount that can be repaid by accrual before separation. The request for and approval of advance leave must be in writing (see Appendix A) to the supervisor. Once approved, the supervisor or designated official prepares a brief memorandum endorsing the approval and forwards the request to the appropriate office. Note: Advanced annual

leave is considered as a recoverable debt due the United States Government. If an employee is separated before the leave is earned (other than for disability retirement, separation because of disability, or death), the agency may resort to administrative means of recovering the outstanding value of the leave from any pay due, including monies in the employee's retirement fund.)

f. Forfeiture/Restoration of Use-or-Lose Annual Leave

(1) Annual leave in excess of the maximum permissible carryover is automatically forfeited at the end of the leave year. However, forfeited annual leave may be restored to a special account for use within a specified period of time under any of the three conditions enumerated below:

(a) an administrative error caused the forfeiture;

(b) a period of illness interfered with the use of previously scheduled annual leave (the illness/injury must have occurred at such a time in the leave year to prevent the excess annual leave from being rescheduled for use prior to the end of the leave year); or

(c) an exigency of the public business required cancellation or disapproval of use-or-lose leave.

(d) Excess leave should be scheduled and approved in writing no less than 3 pay periods prior to the end of the leave year. Except for an exigency of public business, supervisors shall not disapprove annual leave that will otherwise be lost because of leave accumulation limitations and that cannot be reasonably rescheduled during the remainder of the leave year.

(2) Site Level 1 Competency Leaders, PEOs, and commanding officers are authorized to cancel approved use-or-lose leave based on documented exigencies of the public business. Where the population within a competency exceeds 2,000 at a site, Level 2 Competency Managers may cancel approved use-or-lose leave. Supervisors or TLs believing such a cancellation is necessary must submit a written request to the appropriate manager demonstrating the existence of an exigency of the public business requiring cancellation of leave, the anticipated starting and ending dates of the exigency, and verification that no alternative exists to cancellation of the leave (e.g., assigning other employees to the work, delaying the work until the start of the next leave year, etc.) Cancellation of use-or-lose leave is warranted only when the public exigency exists and no practical alternatives exist.

(3) Employees entitled to restored annual leave shall submit the request via their supervisor to the servicing payroll office. The claim must explain why the leave was forfeited and include administratively acceptable documentation. If an administrative error caused the forfeiture, the claim must document the error and how it caused the forfeiture. If illness/injury caused the forfeiture, the claim must document that the annual leave had been properly scheduled and approved in writing, documentation of the illness or injury (including the date of recovery), and how the illness/injury prevented the employee from rescheduling the forfeited leave prior to the end of the leave year. When an exigency of the public business caused the forfeiture, the claim must contain documentation that the forfeited leave had been scheduled and approved in advance, the

beginning/ending dates of the exigency, the Competency Level 1's/PEO's approval of the cancellation of the annual leave, and an explanation why the leave could not have been rescheduled and used prior to the end of the leave year.

(4) Restored leave will be credited to a separate leave account. With the exception of employees at activities slated for closure or realignment, the employees must schedule and use the restored leave no later than the end of the leave year ending 2 years after the date that:

(a) the annual leave was restored to correct an administrative error;

(b) management terminates the exigency resulting in the forfeiture of leave; or

(c) the employee is recovered from the sickness that caused the forfeiture of leave and able to return to duty. Any restored leave unused at the expiration of the 2 year limit is again forfeited with no further right to restoration.

g. Lump Sum Payment. Upon separation, resignation, transfer or move to a position not under a leave system for which annual leave may be transferred, accumulated and accrued, annual leave will be paid in a lump sum. Lump sum payment may also include restored annual leave provided the date of separation is within the authorized time limit. If, after separation but prior to the time the lump sum payment is made, a former employee is reappointed to a position in the Federal Service subject to a formal leave system, the lump sum payment will be limited to the time the employee was out of the service.

2. Sick Leave

a. Definition. Sick leave is time-off at full pay granted to employees for absences relating to personal or family illness, injury or medical care, bereavements, and child adoption (entitlements and limitations are identified below).

b. Accrual and Accumulation. Full-time employees accrue 4 hours of sick leave each full biweekly pay period or 13 days per year. There is no limit on the accumulation of sick leave.

c. Use of Sick leave. Sick leave can be charged only for absence during hours which are scheduled as part of an employee's regular tour of duty. Sick leave may be granted when the employee:

(1) is incapacitated for the performance of regular duties or lighter duties because of sickness, injury, pregnancy or childbirth;

(2) receives medical, dental or optical examinations or treatment, including periodic physical examinations for retention of status in a reserve component of the Armed Forces of the National or State Guard;

(3) provides care for a family member as a result of the family member who is incapacitated by a medical condition or attends to a family member receiving medical, dental, or optical examination or treatment;

(4) provides care for a family member with a serious health condition;

(5) makes necessary arrangements as a result of a family member's death or attends funeral of a family member;

(6) would, as determined by a health care provider, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease; or

(7) must be absent from duty for purposes relating to child adoption, including appointments with adoption agencies, social workers, and attorneys; court proceedings; required; and other activities necessary to allow the adoption to proceed.

d. Entitlement to Use Sick Leave for Family Care and Bereavement Purposes

(1) The use of sick leave is authorized to care for or attend to a family member having a condition, which, if the family member were an employee, would justify the use of sick leave. Sick leave is also authorized to make arrangements related to the death and funeral of a family member. "family member" is defined as follows:

(a) spouse and parents-in-law;

(b) children, including adopted children, and their spouses;

(c) parents;

(d) brothers and sisters and their spouses; and

(e) any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

(2) Limit on Amount of Sick Leave Used for Family Care and Bereavement

(a) The basic limit for full-time employees for family care or bereavement is 40 hours per year. An additional 64 hours may be used each year if the employee maintains a balance of at least 80 hours of sick leave in his or her account. Sick leave for family care or bereavement purposes may not exceed 104 hours during any calendar year.

(b) For purposes of family care or bereavement, the employee must have a minimum balance of 80 hours sick leave to use more than the 40 hour basic limit (e.g., if an employee with a balance of 115 hours uses 40 hours for family care, the employee has a balance of 75 hours; the employee could use no more sick leave for family care or bereavement until the balance again exceeds 80 hours, unless the request occurs in the subsequent leave year).

(c) The base limit for part-time employees or employees working varied hours or tours of duty equals the average number of hours in the employee's scheduled weekly tour of duty. Additional sick leave, up to the amount accrued during the leave year, may be used if the employee's sick leave balance doesn't fall below twice the base limit (e.g., a 20-hour per week part-time employee earns 52 hours of sick leave per year). The base entitlement is 20 hours. An additional 32 hours may be used so long as the employee retains a balance of at least 40 hours following its use.

(d) Only the initial 40 hours of sick leave (or a proportional amount for an employee with a part-time or uncommon tour of duty) may be advanced to an employee for family care and bereavement purposes. Sick leave may not be advanced to allow an employee to meet the minimum balance required for sick leave usage in excess of the base entitlement.

(e) An employee who is incapacitated as a result of severe depression or emotional distress due to the death of a family member continues to be entitled to sick leave for his or her own illness. Leave for such purpose is not charged against the annual limit that can be used for leave under these provisions.

e. Entitlement to use Sick Leave for Care of a Family Member with a Serious Health Condition

(1) An employee who is caring for a family member with a serious health condition may use up to a total of 480 hours of sick leave (or, in the case of a part-time employee or an employee with an uncommon tour of duty, an amount of sick leave equal to 12 times the average number of hours in his or her scheduled tour of duty each week) during a leave year. Entitlements for use of sick leave to care for a family member or bereavement are cumulative. If an employee has used any leave for family care purposes described under other subsections of paragraph (2) of this section, those hours are subtracted from the maximum of 480 hours.

(2) The 80 hour minimum sick leave balance described in paragraph 2.d.(2)(b) and the advance sick leave restriction identified in paragraph 2.d.(2)(d) above applies.

(3) The term serious health condition means an illness, injury, impairment or physical or mental condition that involves inpatient care in a medical care facility or conditions requiring circumstances described in 5 CFR 630.1202. The term serious health condition does not include routine physical, eye, or dental examinations or other short-term conditions for which treatment and recovery are very brief as detailed in 5 CFR 630.1202.

(4) A written medical certificate issued by the health care provider of the patient (employee, spouse, child, or parent of the employee, as appropriate), documenting the serious health condition, must be provided by the employee as detailed in 5 CFR 630.1207

f. Sick Leave for Adoption

(1) An employee may use sick leave for purposes relating to child adoption. These provisions do not apply to the placement of a child for foster care.

(2) Sick leave is appropriate only for activities necessary to allow adoption to proceed. Once the child is placed with the adoptive parent(s), sick leave may not be used by the adoptive parent(s) for the purpose of bonding. However, the use of available annual leave or LWOP is appropriate for such purposes. When requested, employees are entitled under the Family & Medical Leave Act (FMLA) to request a maximum of 12 work weeks of unpaid in any 12 month period of time for adoption purposes. An employee may elect to substitute annual leave and/or sick leave, consistent with current laws and Office of Personnel Management (OPMs) regulations for using annual and sick leave, for any unpaid leave under the FMLA.

g. Communicable Disease. If a health care provider determines that an employee's exposure to a communicable disease would jeopardize the health of other employees by his/her presence on the job, the employee is entitled to use sick leave even though the employee is not actually incapacitated. Sick leave used for such purposes is not charged against the maximum amount of sick leave allowable per year for the care of a family member. On the other hand, when the employee's exposure to a disease does not pose a threat to the health of other employees, as determined by a health care provider, any sick leave used by the employee for care of a family

member is subject to the annual limit. The term health care provider has the same meaning as that in 5 CFR 630.1202. The supervisor may require medical documentation.

h. Request and Approval of Sick Leave

(1) Requesting Sick Leave

(a) When incapacitation or illness of the employee or a family member prevents an employee from reporting to work, the employee should request leave as soon as possible but no later than 2 hours after the start of their work hours or shift, except for compelling reasons, unless other arrangements have been negotiated locally. Rotating personnel whose duties require one-to-one relief will request leave prior to the start of their regularly scheduled work hours or shift, except for compelling reasons. Employees must provide an estimate of when they will return to duty. If the absence extends beyond the estimated time, the employee must again notify the supervisor or other designated official within 2 hours after the estimated time has passed that the employee will be out longer than expected and request additional leave. Failure to keep the supervisor informed may form the basis for charging the employee as AWOL. Any information given to the supervisor in conjunction with a sick leave request is always subject to verification before final approval is given.

(b) Except in emergency situations, employees should request sick leave in advance for medical, dental or optical examinations or treatments, or risk disapproval. Whenever possible, an employee must request advance approval for sick leave for family care, bereavement and adoption.

(2) Approving Sick Leave

(a) For absences of more than 3 workdays, sick leave should be supported by a medical certificate. However the circumstances surrounding the absence are such that management determines it does not require medical certification, the employee's statement explaining the nature of the illness may be accepted in lieu of a medical certificate at the discretion of the supervisor.

(b) When illness of an employee or a family member occurs within a period of annual leave, the period of illness may be charged to sick leave, and the charge to annual leave reduced accordingly. Application for substitution of sick leave for annual leave must be made immediately upon returning to duty and substantiated in the same manner as any other request for sick leave.

(c) Sick leave may not be refused to an employee who requests it and provides administratively acceptable evidence of illness or treatment. However, approval of sick leave is discretionary when any of the following exists:

1. the employee fails to provide administratively acceptable evidence of illness or treatment;

2. abuse or fraud is suspected or evident;

3. the request is for routine examinations or treatment and an emergency work situation exists; or

4. the employee has no accrued sick leave.

(3) Dealing with Potential Abuse

(a) A supervisor may require medical documentation for any period of absence when there is reason to suspect that sick leave is being abused. In such cases, the employee may be advised in writing that because of a questionable sick leave record or letter of requirement, a medical certificate will be required to support any future granting of sick leave regardless of duration. Failure to comply with the requirement may result in the absence being charged to AWOL for which an employee may be disciplined.

(b) In cases of substantiated abuse, requests for sick leave for the time frame may be denied and the time charged to AWOL, which will result in a loss of pay for the period involved. In addition, disciplinary action may be initiated. Before charging an employee's absence to AWOL or initiating disciplinary action, the HRO should be consulted for advice and guidance.

(c) Under no circumstances should an application for sick leave that is disapproved because of failure to provide required proof be charged to LWOP. LWOP is an approved non-pay status absence granted to an employee who is absent due to sickness when there is insufficient sick or annual leave to cover the absence. LWOP is not a disciplinary offense and cannot be used to form the basis for disciplinary action.

i. Advanced Sick Leave

(1) Conditions Governing Approval of Advanced Sick Leave

(a) Full-time employees whose appointments are not limited to 1 year or less may be granted advanced sick leave in an amount not to exceed 240 hours (30 days). Part-time employees may be advanced up to the amount accruable in a 2 year period. An employee serving under a limited appointment may be advanced sick leave up to the total they would earn during the term of their appointment. In the case of firefighters who work an uncommon tour of duty, advanced sick leave restrictions will be based on their sick leave accrual rate. HRO should be consulted regarding advanced sick leave determinations for firefighters.

(b) Advances are to be limited to instances of serious disability or ailments and only with medical certification.

(c) Sick leave may be advanced for family care, bereavement or adoption. Such leave, however, should not exceed the amount of leave the employee can use for these purposes. For

example, there would be no authority to advance sick leave for family care or bereavement if the employee had already used his or her leave year maximum (e.g., 104 hours).

(d) The approving authority should have reasonable assurance that the employee will return to duty. Payment of advanced sick leave will cease if circumstances warrant its termination.

(e) Sick leave should not be advanced to employees for whom corrective action is being taken as a result of leave abuse.

(2) Procedures for Requesting and Approving Advanced Sick Leave. Advanced sick leave must be requested in writing (see Appendix H), to the immediate supervisor or designated official. In the case of an employee's extended illness or incapacitation, the request must be supported by a medical certificate signed by an appropriate health care provider stating the projected period of absence and certifying that the employee is incapacitated for duty. Sick leave may be advanced to employees in deserving cases of serious disability ailments when the exigencies of the situation so require, subject to the following conditions. Care must be exercised to insure that only the proper amount of sick leave is authorized. If the supervisor or designated official approves he/she must endorse and forward OPM Form 71 to the servicing payroll office. (Note: Advanced sick leave is considered a recoverable debt due the United States Government. If an employee is separated before the leave is earned (other than for disability retirement, separation because of disability, or death), the agency may resort to administrative means of recovering the outstanding value of the leave from any pay due, including monies in the employee's retirement fund.)

(3) Advanced annual leave will not be granted for absences otherwise chargeable to sick leave. Consideration should be given to requiring the employee to use any annual leave that might otherwise be forfeited. However, liquidation of advanced sick leave by annual leave is not permitted at the end of the leave year to avoid forfeiture of annual leave. "At the end of the leave year" is interpreted to be any time within the last 3 pay periods of the leave year, since under normal conditions annual leave must be scheduled before the last three pay periods to avoid forfeiture.

j. Impact on Leave Transfer Programs. Sick leave can be used to care for a family member, so it must be counted as "available paid leave" when determining an employee's eligibility to become a leave recipient for a family member's medical emergency. Once approved as a leave recipient, the employee must use available sick leave before using donated leave.

k. FMLA

(1) Employees are entitled to a total of up to 12 work weeks of unpaid leave during any 12-month period for one or more of the following reasons:

(a) the birth and after care of a son or daughter of the employee;

(b) the placement of a son or daughter with the employee for adoption or foster care;

(c) the care of a spouse, son, daughter, or parent of the employee for a serious health condition; or

(d) a serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position.

(2) An employee may elect to substitute accrued sick or annual leave for unpaid FMLA leave, consistent with the current law and regulation governing the use of sick leave (see 5 CFR 630 Subpart L).

(3) If a husband and wife both work for the same command/activity, they are limited to a total of 12 weeks of leave in a 12 month period combined.

3. Excused Absence and Administrative Leave

a. Employees may be excused without charge to leave or loss of pay with due consideration for the needs of the activity, applicable regulatory provisions, and the welfare of employees. Listed below are situations in which supervisors may authorize administrative excusal from duty. Employees are to request excusal in advance, whenever possible. Authority to grant excused absence must be used sparingly. Comptroller general decisions limit discretion to grant excused absence to situations involving brief absences. Excused absences that exceed 59 minutes should be used sparingly and are not appropriate unless they are in connection with furthering a function of the Department of Defense (DoD). In addition, excused absences in excess of 59 minutes may not be used to create or extend a holiday.

b. Absence for Relocation Purposes. Employees authorized PCS within the DoD may be granted excused absence before departing the old duty station and following arrival at the new duty station for the time required to accomplish personal tasks resulting from the move (e.g., to close or open personal bank accounts; obtain State driver's license or car tags). In similar situations, employees coming to the DoD from other federal agencies may also be granted excused absence after the employee is placed on DoD's employment roll. This provision does not cover time involved in complying with PCS requirements such as obtaining passport and vaccinations, and adhering to government housing authority requirements, all of which are considered official duty. Additionally, the employee is authorized excused absence to be present for packing and receiving of household goods.

c. Blood Donation. Donors will be excused from work without charge to leave for the time necessary to donate blood, for recuperation following blood donation, if necessary, and for necessary travel to and from the donation site. Excused time for recuperation is not an automatic entitlement; it should be granted only where the employee who has donated blood cannot return to work because they are unable to do so. The maximum excused time will not exceed 4 hours except in unusual cases. When the employee must travel a long distance, or when unusual need for recuperation occurs, up to an additional 4 hours may be authorized. This provision does not cover an employee who gives blood for his or her own use or receives compensation for giving blood.

d. Civil Air Patrol. Employees participating in Civil Air Patrol searches involving human life may be excused from duty, subject to work needs. Employees participating in such activities should prepare an OPM Form 71 and specify that the leave is chargeable to "Civil Air Patrol Activities." The OPM Form 71 must be accompanied by a signed statement from a responsible official of the organization, stating that the employee performed the assigned duties on the date(s) in question. Leave will not be administratively excused until this statement is submitted.

e. Civil Defense. Supervisors may excuse civil service employees who have been assigned to perform duties in connection with state or local civil defense organizations during regular working hours. The assignment of duties must be at the request of an official of the civil defense organization involved. Participation in civil defense training activities is limited to situations where the employee's services can be spared. Employees participating in such activities should prepare an OPM Form 71 and specify that the leave is chargeable to "Civil Defense Activities." The OPM

Form 71 must be accompanied by a signed statement from a responsible official of the organization, stating that the employee performed the assigned duties on the date(s) in question. Leave will not be administratively excused until this statement is submitted.

f. Employee Assistance Program Counseling. Employees may be excused administratively when meeting with an Employee Assistance Program Counselor. Administrative excusal for this purpose must be scheduled in advance. If a supervisor wishes to verify the employee's attendance at the meeting, the counselor must be advised of that fact prior to the meeting. If the employee wishes to meet with the counselor anonymously, the employee will have to meet outside of the employee's normal tour of duty or else request leave for the time in question.

g. Emergency Dismissal or Closures. In those rare events that require an early work dismissal or late work arrival due to severe inclement dangerous weather or other types of emergency situations, OPM may authorize an adjusted work dismissal policy or an adjusted home departure policy. In both of these situations, the time period an employee will be excused from work will be guided by the employee's normal departure time from home or work.

h. Emergency Rescue, Fire or Protective Work. Employees may be excused, without interference to essential agency operations, to participate in emergency rescue or protective work during an emergency such as fire, flood or search operations. Such participation shall normally be limited to a maximum of 5 workdays per year. Employees may not be excused from duty without charge to leave for the purpose of performing rescue or guardsman duty that otherwise would be covered by military leave. The employee shall submit a letter from an official of the fire or rescue squad, outlining the date and times of the emergency requiring the employee's services.

i. Employment Interviews. Supervisors may excuse employees without charge to leave or loss of pay (not to exceed 1 day), to participate in employment interviews when competition is for a position within the DoD, or the individual is under notice of separation or change to lower grade for any reason except personal cause. Such leave will be granted only for candidates recruited and referred for selection by an HRO vested with the authority to effect appointments and other personnel actions. The employee must provide documentation. For all other types of job interviews, the employee must request annual leave or LWOP. This provision does not cover travel time for job searches or interviews outside the commuting area.

j. Examinations. Employees will be excused without charge to leave for the purpose of taking tests if they are required under the Merit Promotion Program or required to convert a Temporary Appointment Pending Establishment of a Register (TAPER) to career-conditional status. Otherwise, employees must use annual leave or LWOP. When the activity conducts a health program, employees will be excused to attend the program without charge to leave.

k. Funeral of a Relative in the Armed Forces. An employee shall be excused for up to 3 workdays to make arrangements for or to attend the funeral service or memorial service for an immediate relative who dies as a result of wounds, disease, or injury incurred as a member of the Armed Forces while serving in a combat zone. The 3 days need not be consecutive but, if not, the

employee shall furnish satisfactory reasons justifying a grant of funeral leave for nonconsecutive days.

l. Military Selective Service Act. Employees shall be excused up to 1 workday to register for military service. If the employee must complete a physical examination in connection with such service, the absence is excused without charge to leave. If the absence exceeds 1 day, the employee must submit a statement from the examining office explaining the need for the absence.

m. On-the-Job Injury

(1) Absence for treatment or recovery from a job-related injury on the day of the injury is considered duty status and is not chargeable to leave. If the injury occurs before the start of the work shift, any absence from work on the date of the injury must be charged to continuation of pay. If the employee does not return to work the day of the injury, the employee is recorded as being in a duty status for that time.

(2) If the employee is unable to return to work the next regularly scheduled workday, the employee will receive continuation of pay for a period not to exceed 45 calendar days and LWOP for up to 1 year based on appropriate medical certification justifying the extended absence. Alternatively, the employee may elect annual or sick leave. As a general rule, employees should receive continuation of pay for the first 45 days and leave without pay for up to1 year after the employee applies to receive compensation under 5 USC Chapter 81. Extensions of the LWOP may be granted when a case review indicates the employee may be able to return to work within a reasonable time.

n. Participation in Military Funerals. Employees who are veterans of declared wars or who served in a campaign or expedition for which a campaign badge has been authorized, or who are members of an honor or ceremonial group of those veterans may be granted excused absence for up to 4 hours in a day to participate as an active pallbearer or member of a firing squad or guard of honor in a funeral ceremony for a member of the Armed Forces whose remains are returned from abroad for final interment in the United States.

o. Prolonged Overtime or Travel. When it is not possible or reasonable to reschedule an employee's duty or travel time, and regular scheduling would require the employee to travel and/or serve in a duty status for more than 16 consecutive hours, the employee shall be excused upon request without charge to leave or loss of pay for a reasonable time to recuperate from fatigue or loss of sleep. Such excusal, when granted, will normally not exceed 4 hours.

p. Proposed Adverse Action. An employee may be excused from duty without charge to leave or loss of pay during the 30 day notice period of a proposed removal or indefinite suspension based on conduct when the official determines that retaining the employee in an active duty status during the notice period may: be injurious to the employee, co-workers, or the general public; result in damage to government property; impede the efficiency of agency operations; or reflect unfavorably on the DoN. The official with authority to grant administrative leave in such circumstances should

explore other options (e.g., voluntary use of leave, detail, etc.) before excusing an employee's absence for this purpose.

q. Registration and Voting

(1) Voting. Where polls are not open 3 hours either before or after an employee's regularly scheduled tour of duty, the employee shall receive a sufficient amount of excused absence to allow the employee to report for work up to 3 hours after the poll opens or leave work up to 3 hours before the poll closes, whichever requires the lesser time-off. Employees working flexible work schedules will be excused only for those hours which cannot be accommodated by their schedule. If the employee's voting place is beyond their normal commuting distance and voting by absentee ballot is forbidden, the employee may receive additional time-off, not to exceed eight hours, in order to travel to the voting place. If more than eight hours is required, an unscheduled leave policy will be observed. Such time-off will be charged to annual leave or LWOP.

(2) Registration. Excused absence is not permitted for voter registration purposes when the employee can register on a non-workday. In cases in which the employee must register in person, and only on regularly scheduled workdays, administrative excusal will be granted on the same basis as for voting.

r. Tardiness/Brief Absence. Excusal for tardiness and brief absences is normally limited to periods of less than 1 hour and should be considered and granted on an individual basis. Alternatively, the employee may be allowed to make up the time at the end of the shift or charge the lateness to annual leave or otherwise absent from duty without an acceptable reason, such tardiness or absence should be charged to annual leave, LWOP or leave without pay. When an employee is chronically tardy or otherwise absent from duty without an acceptable reason, such tardiness or absence should be charged to annual leave, LWOP or AWOL. If the absence is charged as AWOL, disciplinary action may be proposed. The tardiness/absence is recorded on the timecard to the minute.

s. Tutoring. Employees who volunteer their services as tutors in programs administered by local school districts may be administratively subject to work demands. Excused absence for tutoring should be limited to not more than 1 hour per week for local tutoring programs that are sponsored or sanctioned by the base commander. To qualify for administrative excusal, employees must present a letter from the school district certifying that they are participating as a tutor in the program. Employees are expected to schedule their tutoring services to minimize work disruption.

t. Certification. An employee may be granted excused absence to take an examination (e.g., certified public accountant examination) in his or her functional area if securing the certification or license would enhance the employee's professional stature, thereby benefiting the DoD. This provision does not cover time spent preparing for such examinations.

u. Administrative Leave. Administrative leave covers situations in which a commander or head of an activities uses his or her authority to close all or part of an activity and administratively excuses the non-emergency civilian workforce. This includes unanticipated curtailment of

operations based on extreme weather, natural disasters, national emergencies, and unforeseen interruptions of transportation or building services (potential health or safety risk). This authority is intended for short periods of time, generally not exceeding 3 consecutive work days, and is not intended to cover extended periods of interrupted or suspended operations that can be anticipated sufficiently in advance. When heightened security measures cause protracted delays in getting on base, head of activities should explore all available options to facilitate base access, e.g., providing off-base parking with shuttle of employees in government vans/busses, approving overtime to provide for additional guards at gate, rerouting traffic, etc. Please note that administrative leave, regardless of duration, may not be used to create or extend a holiday. The use of excused absences and administrative leave are subject to review by the inspector general.

4. Unauthorized Absence/Tardiness

a. Absent Without Leave (AWOL). An employee absent from duty during the regularly scheduled basic tour of duty (not overtime), when leave was not authorized or approved, may be charged as AWOL. Pay is withheld if it is determined that there was an improper absence from duty, and disciplinary action may be taken. If it is later determined that the AWOL charge was not proper, the time should be changed to duty time or to annual or sick leave, or LWOP, as appropriate. The AWOL charges will be charged in actual time lost, e.g., 32 minutes, etc.

5. Leave Without Pay (LWOP)

a. LWOP is a temporary nonpay status and absence from duty that may be granted upon the employee's request. LWOP covers only those hours that an employee would otherwise work and be paid. LWOP may be granted to employees who have sick or annual leave balances to their credit; however, compensatory time credited to an employee must be used prior to granting LWOP. Generally speaking, the authorization of LWOP is a matter of administrative discretion. There are, however, certain situations in which LWOP must be granted, if so requested by an employee, including:

(1) not less than 12 administrative workweeks of LWOP during any 12-month period for one or more of the reasons listed in paragraph 2.k.(1)(a)-(d). (Note: For more information concerning an employee's entitlement to LWOP under the FMLA, see reference (a)).

(2) up to 90 days for employed dependents of transferring military personnel and to employees who are dependents of federal employees required to move on rotational assignments or in a transfer of function or relocation of an activity. The dependent must express intent to seek federal employment at the new location, and the dependent's work performance must be satisfactory:

(3) for limited periods, employees receiving injury compensation under Chapter 81 of 5 U.S.C.;

(4) a disabled veteran who presents a medical certificate stating the medical treatment is required; and

(5) a reservist or National Guardsmen desiring LWOP for military training.

b. Restrictions and Limitations

(1) A basic condition for approval of an extended period of LWOP is that there must be a reasonable expectation that the employee will return to duty at the end of the LWOP. If considered desirable, written assurance of the return to duty may be required. In addition, it should be apparent that at least one of the following benefits will result:

(a) increased job performance;

(b) protection or improvement of the employee's health;

(c) retention of a desirable employee;

(d) furtherance of a program of interest to the government; or

(e) fulfillment of parental or family responsibilities.

(2) Each request should be evaluated to ensure that the value to the government or the serious needs of the employee are sufficient to offset the administrative costs, inconvenience and lost productivity to the organization.

(3) Employees should be advised that excessive LWOP may impact matters such as Within-Grade Increases (WGI), health and life insurance, tenure and retirement credit, leave accrual, etc., and should be referred to their HR Advisor for further information.

(4) LWOP should not be confused with AWOL. Unlike AWOL, LWOP is an approved non-pay status. It is not a disciplinary offense and cannot be used to form the basis for disciplinary action.

(5) Employees can take up to 24 hours of unpaid leave during any 12-month period to participate in school activities directly related to the educational advancement of a child, including early childhood education activities; accompany children to routine medical and dental examinations; and tend to the needs of older relatives.

c. Request and Approval of LWOP

(1) Employees must request LWOP in the same manner as requests for annual and sick leave.

(2) A Standard Form 52 (SF-52), dated (7/91) Request for Personnel Action, must be submitted for all LWOP approvals exceeding 30 calendar days, except for those involving injury compensation. To ensure appropriate documentation is processed, supervisors should advise their servicing personnel specialists of all cases of LWOP exceeding 30 calendar days.

(3) In cases involving on-the-job injuries, SF-52 must be submitted to the HRO for LWOP of 80 consecutive hours or more.

(4) Should the length of the LWOP involved require the processing of a SF-52, approval of the LWOP is within the authority of the official who authorizes requests for personnel actions in the organization involved.

(5) In instances in which the employee is unable to submit a formal request due to illness or other circumstances, the supervisor may initiate the required form on the employee's behalf, noting the facts supporting the absence in the remarks section.

(6) The following summarizes the manner in which LWOP requests are to be made:

(a) when LWOP has been requested by an employee because of an on-the-job illness or injury, the supervisor responsible for approving the requester's leave has approval authority for up to 80 consecutive hours and the Level 2 Department Head (at either headquarters or a Business Unit (BUs)) has approval authority for more than 80 consecutive hours; and

(b) when LWOP has been requested by an employee in other circumstances, up to 30 consecutive calendar days may be approved by the supervisor responsible for approving the requester's leave and the Level 2 department head (at either headquarters or a Business Unit (BU)) has approval for more than 30 consecutive calendar days.

(7) If the length of the employee's LWOP requires submission of a SF-52, the employing BU unit must also submit a request to return the employee to a duty and pay status.

d. Required Notice of Unemployment Insurance. If the employee will be in a non-pay status in excess of 7 consecutive days, the employee shall be given a copy of a completed Standard Form 8 (SF-8), dated (5/99) Notice to Federal Employees About Unemployment Insurance.

6. Court Leave

a. Definition. The DoN considers court leave a civic responsibility of all employees. Court leave is an authorized absence, without charge to leave or loss pay, of an employee from work status for jury duty, attending court as a witness in a non-official capacity on behalf of a state or local government, or appearing as a witness in a judicial proceeding to which the United States, the District of Columbia, or a state or local government is a party, that may be approved as an authorized absence from duty. Such court leave does not result in loss or reduction in pay, leave to which the employee is otherwise entitled, credit for time or service, or performance or efficiency rating.

b. Entitlement. Except as discussed in paragraph 6.d., court leave for jury service may be granted to permanent, temporary, and part-time employees. Substitute and When Actually Employed (WAE) or intermittent employees without a continuing, established work schedule are ineligible for court leave. Employees on LWOP cannot receive court leave.

c. Use of Annual Leave. Employees not entitled to court leave may be granted annual leave or request LWOP. If an employee eligible for court leave is on annual leave when the employee's services are needed, court leave shall be substituted for the annual leave.

d. Granting Court Leave. Employees must provide their supervisor with a true copy of the court order, subpoena or summons for jury or witness service before the beginning date of the service. Upon return to duty from jury duty, a certificate of attendance from the clerk of the court must be submitted to the servicing payroll clerk. The certificate shows inclusive dates of jury duty or witness service and amount of fees the court paid to the employee.

e. Duration/Interim Excusal. An employee under summons to serve on a jury should be granted court leave for the entire period. If the court excuses the employee from jury service for a substantial part of the workday, the employee must return to duty unless undue hardship would result (e.g., the employee lives or works a great distance from where the court is located). However, when only one or 2 hours remain in the daily tour, the employee normally will not be expected to return to duty. Otherwise, failure to return to duty when excused or released by the court may result in a charge to annual leave, LWOP or AWOL.

f. Exemption. Employees are free to request a court to exempt them from jury service for personal reasons. The Navy policy is not to request an employee's release from duty unless the public interest will be better served by the employee remaining on the job (e.g., the employee's services are essential to meeting a critical deadline). In such circumstances, the affected supervisor must draft a proposed letter for the site Level 1 Competency Head or PEO to send to the court requesting the employee's services, explaining the emergency nature of the situation, and requesting the employee's exemption. The site Level 1 Competency Head or PEO will determine whether the facts justify seeking an exemption.

g. Compensation for Jury Service

(1) General. An employee on court leave may not receive compensation for jury service. The employee must turn that compensation into the servicing payroll clerk via a money order or personal check made out to the United States Treasury. The employee may keep payment for travel expenses and other expenses compensated by the court. (Note: Employees are responsible for confirming with the court clerk that payment is for travel and/or other expenses rather than for compensation for jury service).

(2) Non-Workdays. Employees may retain jury fees for service performed on non-workdays when a federal salary is not paid.

(3) Non-Workhours. An employee who performs jury service that does not conflict with the regularly scheduled tour of duty may retain the fees for jury service. For each hour of jury service performed outside the hours the employee would have worked but for the jury duty, the employee is entitled to a proportionate share of the jury fees for that day; the share is determined by dividing the jury fee by the hours the employee is scheduled to work that day (e.g., the employee normally scheduled to work 8 hours spent 10 hours on jury duty, with 8 hours overlapping the regular tour of duty; the employee is entitled to 20 percent of the jury fee).

(4) Holidays. Fees for jury service falling on a holiday may be retained if the employee would have been excused from regular duties on the holiday.

(5) LWOP. An employee in a LWOP status when called for jury duty may retain jury fees.

h. Service as Witness

(1) Official Capacity. When an employee is summoned or assigned by the agency to testify in an official capacity, the employee is in an official duty status and court leave is inapplicable.

(2) Non-Official Capacity. When an employee is summoned as a witness in a judicial proceeding to testify in a non-official capacity on behalf of any party in connection with any judicial proceeding to which the United States, District of Columbia, or a state or local government is a party, the employee is entitled to court leave. When an employee is summoned or assigned by the agency to testify in a non-official capacity on behalf of the United States Government or the District of Columbia, the employee is in an official duty status and entitled to regular compensation without regard to court leave entitlement. If the witness service in a non-official capacity is performed on behalf of a private party, the employee is not entitled to court leave.

i. Witness Fees. An employee called as a witness while in a LWOP status may retain the witness fees. An employee testifying on behalf of a private party is entitled to the witness fees. If the employee testifies in an official capacity on behalf of a party other than the United States or District of Columbia Government, or is summoned as a witness in a non-official capacity on

behalf of a state or local government, the employee must deposit the witness fees to the employing agency's appropriations account.

j. Court Leave Guide. Paragraph 6g summarizes an employee's rights to travel expenses and fees. Appendix B, Information Pertaining to Jury Service, may be used to record proper time and recording for absences due to jury and witness service.

7. Military Leave

a. General Provisions

(1) Full-time employees serving in permanent or term appointments who are members of the Armed Forces Reserve or the National Guard accrue 120 hours (15 days x 8 hours) of military leave per fiscal year. Members of a reserve component of the Armed Forces or the National Guard are entitled to use military leave for active duty, inactive-duty training (as defined in section 101 of title 37), or engage in field or coast defense training under sections 502-505 of title 32. Part-time employees and employees on uncommon tours of duty accrue military leave on a prorated basis (the rate determined by dividing 80 into the number of hours in the employee's regularly scheduled pay period and multiplying this number by 120). For example, a firefighter who works 144 hours per pay period would accrue 216 hours of military leave per fiscal year.

(2) Military leave is charged on a fiscal year basis and permits an employee to carry forward up to 15 days of unused military leave from the prior fiscal year.

(3) Employees who request military leave for inactive duty training (which generally is 2, 4, or 6 hours in length) will be charged only the amount of military leave that the employee would otherwise have worked and received pay. The minimum charge to leave is 1 hour.

(4) An employee who is on military leave on a regularly scheduled overtime day is entitled to overtime pay for that day.

(5) If an employee is called for a period of training or active duty in excess of the current fiscal year accrual, any carry over military leave, annual leave or LWOP must be used.

(6) When an employee granted a leave of absence (e.g., military leave, annual leave, etc.) is released from military duty, the employee is entitled to return to work with the same seniority, status, pay, and vacation he or she would have enjoyed had he or she not been absent from duty.

(7) Additional military leave up to 22 workdays per calendar year is authorized for employees who perform military duty for the purpose of enforcing laws, as in during a riot or to prevent looting following a natural disaster. Upon the employee's request, absence for this type of service may be charged to accrued annual leave or accrued compensatory time (the period of absence may not be charged to sick leave).

b. Procedures. Employees requesting military leave should do so as far in advance as possible. They shall present a completed OPM Form 71 and a copy of their military orders to their first-level supervisor or team leader. Upon return from duty, the employee using military leave shall immediately submit a certified copy of their orders indicating endorsement or completion of the duty to their servicing payroll clerk.

8. Bone Marrow and Organ/Tissue Donation

a. Screening. Employees wishing to volunteer to serve as prospective donors must schedule their absence from work in advance. Prospective donors will be excused without charge to leave for the purpose of blood drawing and typing. Following the blood typing, if an individual is accepted as a potential initial match, prospective donors must obtain supervisory approval to participate in the possible match to ensure the donor's availability for the procedure. The government will not be responsible for any costs associated with the donation process.

b. Paid Leave. If selected as a marrow/tissue donor, the employee will be granted up to seven days of paid leave per calendar year for the purpose of further blood drawing, preliminary physical examination, marrow/tissue collection, and recovery. Absences in excess of 7 workdays will be charged to the employee's sick leave or annual leave balance. Employees who donate organs for transplants may, in any calendar year, be granted up to 30 days of paid leave, in addition to annual and sick leave for organ donation.

c. Return to Duty. When returning to duty, the employee shall provide medical documentation supporting the absence. The supervisor will use that documentation to support the granting of paid leave. If the employee is released to duty with documented temporary physical limitations, management will make every practical effort to comply with the physician's recommendations.

9. Voluntary Leave Transfer Program (VLTP)

a. Definition. The Voluntary Leave Transfer Program became effective with enactment of Public Law 100-566, October 31, 1988. The program implements the requirements for transferring unused, accrued annual leave of a civilian employee for use by another civilian employee who needs such leave because of a medical emergency. A medical emergency is a medical condition of an employee or a family member of such duration that it is likely to require the employee's absence from duty for a prolonged period of time, and result in a substantial loss of income to the employee because of the unavailability of paid leave.

(1) Available Paid Leave. Available paid leave includes accrued or accumulated annual or sick leave, and recredited and restored annual and sick leave. It does not include annual or sick leave advanced to an employee or accrued while the employee is participating in the VLTP. Sick leave available to an employee to care for a family member shall be considered available paid leave for the purpose of determining an employee's eligibility to become a leave recipient.

(2) Family Member. A family member is any of the relatives of the employee as defined in paragraph 2.d.(1).

(3) Leave Donor. An employee whose voluntary written request for transfer of annual leave to the annual leave account of a leave recipient who is approved by the donor's employing agency.

(4) Leave Recipient. A current employee for whom the employing agency has approved an application to receive annual leave from the annual leave accounts of one or more donors.

(5) Medical Emergency. A medical condition of an employee or a family member of such employee that is likely to require an employee's absence for a prolonged period of time and to result in a substantial loss of income to the employee (i.e., the absence from duty without available paid leave is, or is expected to be, at least 24 hours) because of the unavailability of paid leave.

(6) VLTP Administrator. A person designated to coordinate applications for the VLTP and track the status of VLTP participants for an organization or a portion thereof. The VLTP administrator may be the servicing Human Resources Advisor (HRA), a centralized person in the servicing Human Resources Office (HRO), or located in the administrative office servicing the organization. Although the supervisor may serve as the VLTP administrator, it is recommended that a more centralized administrator be appointed to ensure consistent tracking of program participants.

b. Applying to Become a Leave Recipient

(1) An employee affected by a medical or family medical emergency must apply in writing to become a leave recipient. Employees shall use OPM OF-630 (Jun 2001), Application to Become a Leave Recipient Under the Voluntary Leave Transfer Program (see Appendix C),

Leave Recipient Application Under the VLTP, for such purpose. If the employee is unable to apply on his or her own behalf, a person designated as the employee's personal representative may make written application on the employee's behalf. Medical documentation must accompany the request.

(2) In addition to the information requested by OPM, OF-630, applicants must list the anticipated duration of the medical emergency, and, if it is a recurring one, the approximate frequency of the medical emergency affecting the applicant (list in block 7).

c. Approval of Leave Recipient Application

(1) The supervisor must determine that the potential recipient's absence from duty without available paid leave is expected to be at least 24 hours (in the case of a part-time employee or employee with an uncommon tour of duty, at least 30 percent of the average number of hours in the biweekly pay period).

(2) An employee's availability to use paid sick leave to care for a family member shall be considered available paid leave for the purpose of determining an employee's eligibility to become a leave recipient.

d. Notifying the Potential Leave Recipient of the VLTP Application for Leave Transfer

(1) The supervisor shall review the leave recipient application in consultation with the servicing HRA and determine if the criteria above are met. If the supervisor approves the application, then within 10 calendar days (excluding Saturdays, Sundays, and legal holidays) of receipt of the application, the supervisor or VLTP administrator shall notify the applicant, or personal representative, that:

(a) the application has been approved; and

(b) other employees may request the transfer of annual leave to the account of the leave recipient.

(2) The VLTP administrator shall forward the approved copy of the OPM OF-630 to the leave recipient's servicing payroll office and a copy to the servicing HRA (if the VLTP administrator is not the servicing HRA) and provide the leave recipient with a completed copy of Appendix E, VLTP Application for Leave Transfer memo, specifying the conditions the recipient must meet to remain eligible for the leave transfer program.

(3) If the application is disapproved, the supervisor shall consult with the VLTP administrator within the time frame above, and notify the applicant that:

(a) the application has been disapproved;

(b) the reasons for the disapproval; and

(c) the employee's grievance rights.

e. Monitoring Program Participants

(1) The VLTP administrator shall continuously monitor the status of the medical emergency to ensure that the recipient is still affected by the emergency.

(2) The VLTP administrator shall request updated medical documentation from the program participant or the participant's personal representative as needed to determine the status of the medical emergency and the recipient's continued participation in the program.

(3) The VLTP administrator shall keep track of program records and medical documentation, ensuring that regulatory requirements are met, and advising supervisors of the status of the program participant in the program.

(4) The VLTP administrator shall inform the payroll office when the medical emergency has terminated and the participant is no longer in the VLTP.

f. Leave Donors

(1) Any employee wishing to donate leave to an approved recipient within their agency must submit their application using OPM OF-630A (see Appendix D). All requests to donate leave should be accompanied by a copy of the most recent Leave and Earning Statement (LES), to their immediate supervisor.

(2) The supervisor must review the donor application form and LES to determine that the applicant has a sufficient leave balance to cover the donation and that the hours to be donated do not exceed more than half of the amount the employee will earn that leave year. If the leave donor is projected to forfeit leave, the maximum amount that may be donated during the leave year will be the lesser of:

(a) one-half the amount of annual leave the applicant would accrue during the leave year in which the donation is made; or

(b) the number of hours remaining in the leave year (as of the date of the transfer) for which the employee is scheduled to work and receive pay.

(3) Level 1 Competency Heads or PEOs may waive the limitation above, if good cause exists. The applicant must submit a separate, signed written statement to the Level 1 Competency Head or PEO via the supervisor, certifying the donor's awareness that the application exceeds the limitations and describing the unusual circumstances inherent in the request. If the waiver request is approved, the Level 1 Competency Head or PEO shall submit it to the VLTP administrator who will forward it to the servicing payroll office and send a copy to the supervisor.

(4) Employees may not donate leave to their immediate supervisor.

(5) The minimum amount of leave that may be donated is one hour.

g. Notification of Need for Leave Donors. Supervisors will ensure that the leave recipient has authorized release of information pertaining to the recipient's name and nature of the medical emergency (block 14, OPM OF-630), before engaging in any publicity efforts.

h. Notification to Leave Donors

(1) If the leave donor's application is approved, the VLTP administrator will notify the donor of the following (via Appendix F):

(a) the number of hours of annual leave that will be transferred; and

(b) the entitlement to have a portion of the unused transferred annual leave restored at the termination of the leave recipient's medical emergency.

(2) If the application is disapproved, the VLTP administrator will notify the employee in writing regarding:

(a) the reason for the disapproval; and

(b) the employee's grievance rights.

i. Retroactive Substitution

(1) Annual leave transferred to a recipient's credit may be substituted retroactively for periods of LWOP, or used to liquidate an indebtedness for advanced annual or sick leave, granted on or after a date fixed by the leave recipient's employing agency as the beginning of the period of medical emergency for which LWOP or advanced annual or sick leave was granted.

(2) For employees applying for disability retirement, the commencing date of an immediate annuity is based on the last day of an employee's pay status. For annuity purposes, the recipient should apply all transferred leave retroactively to the beginning of LWOP to maximize annuity payments.

j. Termination of Medical Emergency

(1) The medical emergency affecting a leave recipient is terminated when:

(a) the recipient's federal service terminates;

(b) the end of the biweekly pay period in which the leave recipient (or personal representative) provides a written notice that the recipient is no longer affected by a medical emergency;

(c) at the end of the biweekly pay period in which management determines, after written notice to the employee, and the employee's (or personal representative's) opportunity to answer orally or in writing, that the recipient is no longer affected by a medical emergency; or

(d) the end of the biweekly pay period in which management receives notice that the OPM has approved an application for disability retirement.

(2) When the medical emergency terminates, the supervisor shall provide a written notice to the servicing payroll office, so that office can notify donors of the amount of unused leave to be restored to their accounts.

k. Restoration of Annual Leave. Restoration of transferred annual leave in a leave recipient's account shall be handled per 5 CFR 630.911. Upon notification of restoration, donors shall provide a written notice to their servicing Payroll Office detailing how the restored leave shall be credited.

l. Transfer of Annual Leave To/From Other Agencies

(1) Transfer of annual leave from donors employed by other activities/agencies shall be accepted when:

(a) a family member of a leave recipient is employed by another activity/agency and requests the transfer of annual leave to the leave recipient;

(b) in the judgment of the supervisor, the amount of annual leave transferred from internal leave donors may be insufficient to meet the needs of the leave recipient; or

(c) acceptance of leave transferred from another activity/agency will further the purpose of the leave transfer program.

(2) In the event an employee wishes to donate leave to an approved leave recipient at another federal agency, the donor completes OPM OF-630B (see Appendix G). The employee submits the application and a copy of their latest LES to their VLTP Administrator or Payroll Office.

m. Grievance Rights. The decision to disapprove an application to receive or donate annual leave is a grievable matter. Non-bargaining unit employees wishing to grieve a disapproval shall use the administrative grievance procedure. Bargaining unit employees must use the applicable negotiated grievance procedure.

n. Accrual of Annual and Sick Leave

(1) The maximum amount of leave that a leave recipient may accrue while in a shared leave status is 40 hours of sick leave and 40 hours of annual leave (in the case of a part-time employee or employee with an uncommon tour of duty, the maximum amount is equal to the average number of hours in the employee's weekly scheduled tour of duty).

(2) Any sick and annual leave accrued by a leave recipient while in a shared leave status:

(a) shall be credited to a separate leave account;

(b) is not available for use by the employee until it is transferred to the employee's regular leave account; and

(c) shall be available for use at the beginning of the first pay period on or after the date on which the medical emergency terminates, unless the leave recipient is terminated, or if the employee's medical emergency has not yet terminated and the employee has exhausted all other available leave.

o. Records Maintenance. OPM requires the maintenance of certain records for future possible evaluations of the voluntary leave program's effectiveness.

(1) The HRO shall maintain information on the number of recipient applications approved for medical emergencies affecting the employee and the number approved for medical emergencies affecting a family member, and the grade, pay level and gender of each approved recipient.

(2) Payroll shall maintain information on the total amount of transferred annual leave used by each leave recipient.

10. Time-off for Religious Practices

a. General

(1) An employee whose personal religious beliefs require the abstention from work during certain periods of time may request permission to work overtime hours to earn compensatory time to use for those religious requirements.

(2) Such a work schedule change may be arranged provided it does not interfere with efficient mission accomplishment.

(3) The employee may work the overtime hours before or after the grant of compensatory time-off. The supervisor must approve any overtime used to earn or repay the compensatory time taken. An employee must repay advanced compensatory time-off within 30 calendar days following its use, by working the equivalent amount of overtime. Compensatory time earned is credited to an employee on an hour for hour basis or by using overtime fractions.

(4) The premium pay provisions for overtime work in Part 550 of 5 CFR, and Section 7 of the Fair Labor Standards Act, do not apply to compensatory overtime work for this purpose.

Request for Leave or Approved Absence

1. Name *(Last, first, middle)*	2. Employee or Social Security Number

3. Organization

4. Type of Leave/Absence	Date		Time		Total Hours
Check appropriate box(es) and enter date and time below)	From	To	From	To	
☐ Accrued annual leave					
☐ Restored annual leave					
☐ Advance annual leave					
☐ Accrued sick leave					
☐ Advance sick leave					
☐ Compensatory time off					
☐ Other paid absence *(specify in remarks)*					
☐ Leave without pay					

Purpose:
- ☐ Illness/injury/incapacitation of requesting employee
- ☐ Medical/dental/optical examination of requesting employee
- ☐ Care of family member, including medical/dental/optical examination of family member, or bereavement
- ☐ Care of family member with a serious health condition
- ☐ Other

5. Family and Medical Leave

If annual leave, sick leave, or leave without pay will be used under the Family and Medical Leave Act of 1993 (FMLA), please provide the following information:

- ☐ I hereby invoke my entitlement to family and medical leave for:
  - ☐ Birth/Adoption/Foster care
  - ☐ Serious health condition of spouse, son, daughter, or parent
  - ☐ Serious health condition of self

Contact your supervisor and/or your personnel office to obtain additional information about your entitlements and responsibilities under the FMLA. Medical certification of a serious health condition may be required by your agency.

6. Remarks

7. **Certification:** I certify that the leave/absence requested above is for the purpose(s) indicated. I understand that I must comply with my employing agency's procedures for requesting leave/approved absence (and provide additional documentation, including medical certification, if required) and that falsification of information on this form may be grounds for disciplinary action, including removal.

7a. Employee signature	7b. Date signed

8a. Official action on request ☐ Approved ☐ Disapproved *(If disapproved, give reason. If annual leave, initiate action to reschedule.)*

8b. Reason for disapproval

8c. Signature	8d. Date signed

Privacy Act Statement

Section 6311 of title 5, United States Code, authorizes collection of this information. The primary use of this information is by management and your payroll office to approve and record your use of leave. Additional disclosures of the information may be: To the Department of Labor when processing a claim for compensation regarding a job connected injury or illness; to a State unemployment compensation office regarding a claim; to Federal Life Insurance or Health Benefits carriers regarding a claim; to a Federal, State, or local law enforcement agency when your agency becomes aware of a violation or possible violation of civil or criminal law; to a Federal agency when conducting an investigation for employment or security reasons; to the Office of Personnel Management or the General Accounting Office when the information is required for evaluation of leave administration; or the General Services Administration in connection with its responsibilities for records management.

Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.

Office of Personnel Management
5 CFR 630

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OPM Form 71
June 2001
Formerly Standard Form (SF) 71

INFORMATION PERTAINING TO JURY SERVICE

1. Name of employee: _____

2. Reported for jury service: _____
Date/Hour

3. Discharged from jury service: _____
Date/Hour

4. Interim periods excused from service (please list if appropriate):

_____
Date/Hour

_____
Date/Hour

5. Reimbursement (per day):

Jury fee: _____

Witness fee: _____

Expenses: _____

6. Name of Court: _____

_____
(Signature/Date)

NOTE TO COURT OFFICIAL: The Department of the Navy is requesting the above information to ensure that it complies with the provisions of Title 5 U.S. Code 5515.

NOTE TO EMPLOYEE: In cases where an employee is excused from jury duty for a substantial part of a workday, the employee is expected to return to duty or request annual leave or leave without pay for the balance of the tour of duty (unless this would result in a hardship). You should contact your supervisor or team leader for instructions in such a situation.

Application to Become a Leave Recipient Under the Voluntary Leave Transfer Program

1. Applicant's name *(Last, first, middle)*	2. Social Security Number	3. Employee Number

4a. Position title	4b. Pay plan	4c. Grade/pay level

5. Name of organization *(Agency, Department, Office, Division, Branch, etc.)*	6. Office telephone number

7. Nature and severity of the medical emergency

8. Individual affected by medical emergency *(check one)*	9. Date medical emergency began	10. Date medical emergency ended *(or is expected to end)*
☐ Employee ☐ Employee's family member		

11. Name of physician who will verify the medical emergency. *(Attach documentation from the physician (or other appropriate expert) showing the diagnosis, prognosis and duration of illness.)*

12. What is the applicant's annual and sick leave balances as of end of last pay period?	13. How many hours of leave without pay have been used for this medical emergency?
Annual leave balance → ☐ Sick leave balance → ☐	Hours → ☐

14. Provide a description of the medical emergency to be distributed to servicing personnel offices so that other employees may donate annual leave to the applicant.

☐ Check box if applicant does not want a description distributed.

☐ Check box if applicant does not wish to have name used with the description or disclosed to anyone except the supervisor, the supervisory channel and the deciding official, and individuals who maintain the program.

Description of medical emergency

15a. Name of individual completing application *(If applying on behalf of the applicant)*	15b. Relationship to applicant	15c. Telephone number (area code)

16a. ***I certify that the above statements are true.*** *(Signature of applicant or individual applying on behalf of applicant)*	16b. Date signed

Privacy Act Statement

Participation in this program is voluntary; however, solicitation of this information is authorized under 5 U.S.C. 6332. The information furnished will be used to identify records properly associated with the transfer of annual leave. It may also be disclosed to a national, State, or local law enforcement agency where there is an indication of a violation or potential violation of civil or criminal law, rule, or regulation; or to another agency or court when the Government is party to a suit. Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.

17. First level supervisor's recommendation		18. Deciding official's decision	
☐ Approve ☐ Disapprove		☐ Approve ☐ Disapprove	
Signature	Date signed	Signature	Date signed

Office of Personnel Management
5 CFR 630

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OPM 630
June 2001
Formerly Optional Form (OF) 630

Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program

Within Agency

I request that annual leave be transferred to the leave account of an approved leave recipient. This recipient is not my immediate supervisor. As of the date indicated below, I have enough annual leave in my account to cover this amount. I understand that if I am projected to forfeit annual leave during this leave year, the amount of leave I am transferring may not exceed the number of hours remaining in the leave year for which I am scheduled to work. The amount of annual leave I am transferring also is not more than half the hours I will earn this year.

I understand that my decision to transfer leave is not revocable. If a sufficient balance of unused leave remains after the recipient's medical emergency has terminated, I can elect to have a pro-rated share returned to me during either the current leave year or the following leave year, or I can elect to donate my pro-rated share to another leave recipient. However, to do so, I must remain employed by a Federal agency and be subject to chapter 63 of title 5, United States Code.

I have not been directly or indirectly intimidated, threatened or coerced, or promised any benefit by any employee for the purpose of donating or using leave.

To Be Completed By Leave Donor

1. Name *(Last, first, middle)*	2. Social Security Number	3. Employee Number

4a. Position title	4b. Pay plan	4c. Grade/pay level

5a. Name of organization (Agency, Department, Office, Division, Branch, etc.)	5b. Office telephone number

6. Amount of annual leave accrued as of end of last pay period	7. Amount of leave projected to forfeit this leave year as of end of last pay period	8. Amount of annual leave to be transferred

9. Individual's name or identification number to whom leave is being donated

10a. Signature	10b. Date signed

Privacy Act Statement
Participation in this program is voluntary; however; solicitation of this information is authorized under 5 U.S.C 6332. The information furnished will be used to identify records properly associated with the transfer of annual leave. It may also be disclosed to a national, State, or local law enforcement agency where there is an indication of a violation or potential violation of civil or criminal law, rule, or regulation; or to another agency or court when the Government is party to a suit. Public Law 104-134 (April 26,1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.

Office of Personnel Management
5 CFR 630

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OPM 630-A
June 2001
Formerly Optional Form (OF) 630 A

MEMORANDUM

From:
To:

Subj: VOLUNTARY LEAVE TRANSFER PROGRAM APPLICATION FOR LEAVE TRANSFER

1. _____ Based on your medical emergency, your request to participate in the Voluntary Leave Transfer Program (VLTP) has been approved. Other employees may request to transfer annual leave to your leave account. You or your personal representative must provide medical documentation on a monthly basis to support the qualifying medical emergency (unless determined otherwise). The medical emergency will terminate when one of the following occurs:

a. your Federal service terminates;

b. at the end of the biweekly pay period in which you or your personal representative provides written notice that you are no longer affected by the medical emergency;

c. at the end of the pay period in which management is notified that the Office of Personnel Management has approved an application for disability retirement; or

d. at the end of the pay period in which management determines, after providing you written notice and an opportunity to respond orally, that you are no longer affected by a medical emergency.

2. _____ Your application has been disapproved for the following reason(s):

3. You may grieve the decision to disapprove your application. The grievance procedure has time frames within which your grievance must be filed.

4. If you have additional questions, please contact _____ at xxx-xxxx.

MEMORANDUM

From:
To:

Subj: DISPOSITION OF LEAVE DONOR APPLICATION

1. Upon receipt, payroll will transfer _____ hours of annual leave from your account to the account of your designated recipient. If the leave recipient's medical emergency terminates while a balance of transferred leave remains, the remaining leave will be pro-rated and returned to the donor. Payroll will contact you in writing if such a situation should occur.

2. Please contact _____ at xxx-xxxx, if you have additional questions.

Copy to:
HRO

Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program

Outside Agency

I request that annual leave be transferred to the leave account of an approved leave recipient. This recipient is not my immediate supervisor. As of the date indicated below, I have enough annual leave in my account to cover this amount. I understand that if I am projected to forfeit annual leave during this leave year, the amount of leave I am transferring may not exceed the number of hours remaining in the leave year for which I am scheduled to work. The amount of annual leave I am transferring also is not more than half the hours I will earn this year.

I understand that my decision to transfer leave is not revocable. If a sufficient balance of unused donated leave remains after the recipient's medical emergency has terminated, I can elect to have a pro-rated share returned to me during either the current leave year or the following leave year, or I can elect to donate my pro-rated share to another leave recipient. However, to do so, I must remain employed by a Federal agency and be subject to chapter 63 of title 5, United States Code. I have not been directly or indirectly intimidated, threatened or coerced, or promised any benefit by any employee for the purpose of donating or using leave.

Part A - To Be Completed By Leave Donor

1. Name *(Last, first, middle)*	2. Social Security Number	3. Employee Number

4a. Position title	4b. Pay plan	4c. Grade/pay level	5. Relationship of leave donor to leave recipient *(if any)*

6. Leave donor's agency *(Agency, Department, Office, Division, Branch, etc.)*

7. Amount of annual leave accrued as of end of last pay period	8. Amount of leave projected to forfeit this leave year as of end of last pay period	9. Amount of annual leave to be transferred

10. Leave recipient's name, agency, agency's address, organization *(Agency, Department, Office, Division, Branch, etc.)*

11a. Leave donor's signature	11b. Date signed

Privacy Act Statement

Participation in this program is voluntary; however; solicitation of this information is authorized under 5 U.S.C 6332. The information furnished will be used to identify records properly associated with the transfer of annual leave. It may also be disclosed to a national, State, or local law enforcement agency where there is an indication of a violation or potential violation of civil or criminal law, rule, or regulation; or to another agency or court when the Government is party to a suit. Public Law 104-134 (April 26,1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.

Part B - To Be Completed By Employing Agency of Leave Donor

Upon completion and approval of this form, forward a copy to the leave recipient's employing agency as soon as possible so that the transfer of leave can take place.

12. Enter the amount of annual leave to be credited to the leave recipient's annual leave account	13. If the agency is waiving the maximum limitations for leave donation under the voluntary leave transfer program, describe the special circumstance that warrants the waiver

14a. Name of agency contact who can provide further information	14b. Telephone number

15. **Certification:** I certify that the leave donor currently has sufficient annual leave in his/her annual leave account to make a donation of the requested amount of annual leave and that the amount of the donation does not exceed the maximum limitations for leave donation under the voluntary leave transfer program.

15a. Signature of authorizing official	15b. Date Signed

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OPM 630-B
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