



## DECA MANUAL 50-28.1

### ABSENCE AND LEAVE PROGRAM

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<b>Approved by:</b>	Cynthia A. Craft, Director, Human Resources

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**Purpose:** This manual assigns responsibilities and provides guidance and procedures governing leave administration in the Defense Commissary Agency (DeCA). The provisions of this manual are established within the requirements of Federal and Department of Defense (DoD) Leave Program requirements as cited in United States Code (U.S.C.), Chapter 63, Title 5 Code of Federal Regulations (CFR), Part 630, DoD Instruction 1400.25, Volumes 610, DoD Instruction 1400.25, Volume 630, and DoD Financial Management Regulation, 7000.14-R, Volume 8.

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## **SECTION 1: GENERAL ISSUANCE INFORMATION**

**1.1. APPLICABILITY.** This manual applies to all DeCA activities and personnel in accordance with (IAW) DoD Directive 5105.55. This manual applies to DeCA employees worldwide that are covered by the general schedule, also known as General Schedule, also known as GS and Federal Wage System, also known as FWS. It does not supersede any negotiated contract language or past practice that is currently in place.

**1.2. POLICY.** This manual implements policies as defined in DeCA Directive (DeCAD) 50-28, and is in compliance with references listed within this document and other requirements within DeCAD 70-2.

## **SECTION 2: RESPONSIBILITIES**

**2.1. ASSISTANT UNDER SECRETARY FOR DEFENSE FOR MANAGEMENT POLICY.** The Under Secretary of Defense for Personnel and Readiness has responsibility for group administrative dismissal of DoD employees affected by emergency situations and subsequently may delegate such authority to agency or activity head.

### **2.2. DIRECTOR OF HUMAN RESOURCES (HR).**

- a. Establishes and oversee the Absence and Leave Program.
- b. Ensures all aspects of the Absence and Leave Program are monitored for regulatory compliance.

### **2.3. SUPERVISORS AND MANAGERS.**

- a. Administer leave IAW Federal law, regulation, and this manual.
- b. Schedule employee absences in order to maintain the workforce necessary for mission accomplishment.
- c. Ensure that employees know the procedures for requesting and using leave.
- d. Identify and promptly correct instances of leave abuse.
- e. Ensure all absences from scheduled tours of duty are charged to appropriate leave category. Leave is charged in increments of 15 minutes with the exception of military leave and home leave. Military leave is charged in one hour increments and home leave is charged in one day increments.

### **2.4. FIRST LINE SUPERVISORS.**

- a. Approve or deny all types of leave (i.e. annual, sick, advanced annual, advanced sick, and Leave Without Pay (LWOP)) based on the workload and work requirements to accomplish the agency's mission. Planning and coordinating (if applicable) employee absences throughout the leave year so that the DeCA mission and employee needs are met, and so that employees do not approach the end of the leave year with a significant amount of annual leave that must be used or forfeited.
- b. Ensure that employees under their supervision are informed of the procedure they must follow in requesting and using leave.

- c. Ensure that all absences from duty are appropriately charged to leave according to applicable laws, regulations, and procedures of this manual.
- d. Request advice and assistance from their HR Labor and Employee Relations Specialist when there is a question concerning employee entitlement to leave, the type of leave appropriate to the situation, and suspected abuse of leave.

**2.5. EMPLOYEES.** Employees:

- a. Observe designated duty hours and be punctual in reporting for work and returning from meal periods, breaks, etc.
- b. Obtain advance authorization for absences from duty from their supervisor and correctly report all leave taken, except as noted in applicable chapters of this manual.
- c. Be cooperative in rescheduling leave, if necessary.
- d. Submit a completed Office of Personnel Management (OPM) Form 71, Request for Leave or Approved Absence for absences and provide any required/requested documentation in a timely manner.
- e. Request and use leave for the purposes and in the manner described in this manual.
- f. Schedule and request annual leave that may be subject to forfeiture early in the leave year and use annual leave that would otherwise be subject to forfeiture throughout the leave year to avoid a large balance of unused 'use or lose' annual leave at the end of the leave year.

## **SECTION 3: INTRODUCTION**

### **3.1. GENERAL.**

a. Leave is an important and significant benefit for all employees. There is a mutual employee-management responsibility to plan and schedule the use of annual leave throughout the year. The scheduling of leave is so important that, by law, it is a prerequisite to the restoration of annual leave that may be forfeited because of exigencies of the service. Managers must administer leave and excused absences on a uniform and equitable basis within the scope of applicable laws and regulations. They must base their decisions to deny leave requests and cancel approved leave on the necessity for the employee's services and based on needs of the agency. Denial or cancellation of leave is not disciplinary in character and may not be used as a punitive measure. In granting leave, managers must consider the needs of DeCA and the welfare of employees.

b. DeCA Form (DeCAF) 50-63, Request for Leave or Approved Absence, has been replaced with OPM Form 71, Request for Leave or Approved Absence. OPM Form 71 is available on the DeCA website for requesting approval of leave and should be used starting on the effective date of this manual.

**3.2. LEAVE YEAR BEGINNING AND ENDING DATES.** A leave year begins on the first day of the first full biweekly pay period in a calendar year and ends on the day immediately before the first day of the first full biweekly pay period in the following calendar year.

**3.3. AUTHORITY TO APPROVE LEAVE.** First-line supervisors have the authority to approve or deny all types of leave based on the workload and work requirements to accomplish the agency's mission. LWOP at the store level will be approved by the commissary officer based on the workload and work requirements to accomplish the agency's mission. LWOP up to 30 days at Headquarters will be approved by the 1<sup>st</sup> level supervisor. LWOP over 30 days will be approved by the 2<sup>nd</sup> level supervisor. LWOP at the Central Distribution Centers (CDC), and Centralized Meat Processing Plant (CMPP) up to 15 days will be approved by the CDC or CMPP manager and requests over 15 days will be approved by the Chief, Distribution and Transportation Division.

## **SECTION 4: ANNUAL LEAVE**

**4.1. GENERAL.** Annual leave is an approved leave of absence from duty with pay for personal, emergency, or other reasons. Annual leave may be used for vacations, rest and relaxation, and to provide time off for personal business, family needs, or emergencies. Annual leave may be used for pregnancy, childbirth, recovery from childbirth, or bonding with or caring for a baby. Annual leave is subject to management approval and generally should be scheduled and approved in advance. Annual leave is charged in increments of 15 minutes.

### **4.2. COVERAGE AND EXCLUSIONS.**

a. Full-time, part-time, and temporary employees on appointments of 90 days or longer earn annual leave.

b. Employees on temporary appointments less than 90 days are entitled to accrue annual leave only after being employed for a continuous period of 90 days under successive appointments without a break in service. If an employee on such an appointment already has annual leave to their credit from a previous appointment, the employee is allowed to use this annual leave during the temporary appointment. After completing the 90 day period of continuous employment, the employee is entitled to be credited with the leave that would have accrued to him or her during that period.

c. Intermittent employees do not earn annual leave.

### **4.3. ACCRUAL.**

a. Employees accrue annual leave based on the type of appointment on which the employee is serving and their years of creditable service.

b. Employees on an intermittent work schedule do not accrue leave.

c. Accrual rates for full and part time employees can be found in Tables 1 and 2 below.

**Table 1. Employee on Full-time Appointments of 90 Days or More Accrue Annual Leave**

<b>Years of Creditable Service</b>	<b>Hours Per Biweekly Pay Period</b>	<b>Per Annum Total</b>
Up to 3 years	4 hours	13 days (104 hours)
3 to 15 years	6 hours Note: 10 hours for last complete pay period in the calendar year	20 days (160 hours)
15 years and over	8 hours	26 days (208 hours)

**Table 2. Employees on Part-time Appointments of 90 Days or More Accrue Annual Leave**

<b>Years of Creditable Service</b>	<b>Accrual Rate</b>
Up to 3 years	1 hour for each 20 hours in a pay status
3 to 15 years	1 hour for each 13 hours in a pay status
15 years and over	1 hour for each 10 hours in a pay status

**4.4. PROCEDURES FOR REQUESTING APPROVAL OF LEAVE.**

a. Requesting Planned Annual Leave.

(1) Unless covered by a Collective Bargaining Agreement (CBA) that stipulates a different date, employees will submit a leave plan (DeCAF 30-14, Leave Planner or DeCAF 30-14a, Leave Planner [Store Level]) to their supervisor by February 1<sup>st</sup> of each year to identify their desires and allow time to resolve conflicting leave schedules among employees, if necessary.

(2) Once plans have been approved, employees are required to complete OPM Form 71, Request for Leave or Approved Absence (replaces DeCAF 50-63), and forward it to their supervisor for signature and final approval of annual leave.

(3) Submission of the DeCAF 30-14 or 30-14a does not constitute final approval of leave, but allows supervisors to make reasonable efforts to accommodate employees' vacation plans; keeping in mind staffing requirements and workload.

b. Requesting Unplanned Annual Leave.

(1) When an employee wants to request unplanned annual leave during the year, they must submit OPM Form 71 and obtain approval of leave in advance of taking such leave.

(2) If an employee is unable to report for duty due to an emergency or unforeseen circumstance that requires the use of unscheduled annual leave, they must notify their supervisor prior to the beginning of their tour of duty unless compelling circumstances prevent this.

(3) Unplanned annual leave requests will be submitted as soon as the need for leave is known. Supervisors will respond to requests for unplanned annual leave in a timely manner and in accordance with the provisions of their respective CBA.

c. Supervisors' Request for Additional Information to Grant Planned or Unplanned Annual Leave.

(1) Since supervisors must balance the work of the agency against the interest of the employee in using annual leave, supervisors may, from time to time, ask employees how they will use the requested annual leave.

(2) Employees are not required to provide the supervisor with the requested information, but should understand that in the absence of such information, their request for annual leave may be denied based on the workload of the agency.

(3) Supervisors should not make it a standard practice to require that employees inform them how the annual leave will be used for each request of annual leave.

(4) If additional information is required for unplanned annual leave and the employee is not on duty, the supervisor may withhold the decision on approval or disapproval of the annual leave until the employee returns to duty and provides sufficient information or documentation to the leave-approving official to make an informed decision on the approval or disapproval of such leave.

#### **4.5. MAXIMUM ACCUMULATIONS OF ANNUAL LEAVE**

a. The maximum amount of annual leave for full-time and part-time employees that may be carried forward from one leave year to the next is 30 days (240 hours) for employees within the United States (U.S.) and 45 days (360 hours) for overseas employees.

b. The 45-day balance may be retained upon return to the U.S. Excess annual leave at the beginning of the first full pay period occurring in a leave year is reduced by the amount of annual leave the employee used during the preceding year that is in excess of the amount that accrued during that year. This process continues until the employee's accumulated leave does not exceed 240 hours.

c. "Use or lose" annual leave is the amount of leave in excess of the employee's annual leave ceiling. The employee forfeits excess leave not used by the final day of the leave year.

#### **4.6. RESTORATION OF FORFEITED ANNUAL LEAVE.**

a. Exceeding the Leave Ceiling Due to No Fault of the Employee.

(1) “Use or lose” annual leave is leave that is in excess of the maximum leave ceiling (30 or 45 days). The employee forfeits excess leave not used by the final day of the leave year. Forfeited annual may be restored if the “use or lose” leave was forfeited because of an administrative error, exigency of the public business, or sickness of the employee. The annual leave must be restored in a separate leave account. As a general rule, restored annual leave must be scheduled and used no later than the end of the leave year ending two years after:

(a) The date of restoration of the annual leave forfeited because of administrative error; or,

(b) The date fixed by an agency official as the termination date of the exigency that resulted in the forfeiture of the annual leave; or,

(c) The date the employee is determined to be recovered and able to return to duty if the leave was forfeited because of sickness. Annual leave must be scheduled by using OPM Form 71 before the start of the third pay period prior to the end of the leave year. Only when this statutory requirement is met can leave that is forfeited due to exigency of public business or sickness of the employee be considered for restoration.

(2) Annual leave forfeited because of an employee’s sickness or injury may be restored if the leave was scheduled in advance, as stated above, and the period of absence due to the sickness or injury occurred late in the leave year or was of such duration that the annual leave could not be rescheduled for use before the end of the leave year to avoid forfeiture.

(3) The inability to use annual leave at the end of the leave year because of the use of compensatory time or compensatory time for travel subject to forfeiture will not serve as a reason to restore forfeited annual leave.

b. Effect of Government Closures and Special Holidays.

(1) Dismissal or closure due to weather conditions or other emergencies, end-of-year holidays granted by Executive Order (EO), and other unexpected paid time off without charge to leave may disrupt plans to use scheduled annual leave. Workdays on which a Federal activity is closed are non-workdays for leave purposes and therefore employees will not be charged annual leave on such non-workdays.

(2) If such circumstances result in an employee being unable to reschedule and use “use or lose” leave before the end of the leave year, the leave will be forfeited. When “use or lose” leave is forfeited under such conditions, the leave cannot be restored.

(3) The closure or realignment of an installation of DoD pursuant to the Defense Base Closure and Realignment Act (BRAC) of 1990 is deemed to create an exigency of the public business effective as of the date the BRAC list is approved by Congress. Any leave lost by an employee of such installation (regardless of whether such leave was scheduled) shall be restored

to the employee. Annual leave restored under BRAC provisions must be used IAW Subpart 630.306(b) of title 5.

c. **Procedures to Restore Annual Leave.** Requests for restoration of forfeited leave must be submitted in writing (DeCAF 50-84, Request for Restoration of Annual Leave) by the employee to their supervisor. The supervisor submits the completed form to the appropriate HR representative who will review the form and submit the form to payroll for processing. The request must include the following:

- (1) The number of hours to be restored.
- (2) A copy of the original OPM Form 71, showing the advance approved or denied request for leave.
- (3) Documentation that the leave was disapproved or canceled and the reasons to include any dates that it was rescheduled, if appropriate.

d. **National Emergency by Reason of Certain Terrorist Attacks.** The “National Emergency by Reason of Certain Terrorist Attacks” (Presidential Proclamation of September 14, 2001) is deemed to be an exigency of the public business for the purpose of restoring forfeited annual leave. Employees who fall under these circumstances are entitled to have their excess annual leave restored without the administrative burden of scheduling and canceling such leave. In addition, the time limitations for using restored annual leave are suspended for the entire period during which employees’ services are determined to be essential for activities associated with the national emergency. A new time limit for using all restored leave available to the employee will be established at the end of the national emergency, or when the services of the employee no longer are determined to be necessary.

#### **4.7. LUMP SUM PAYMENT OF ANNUAL LEAVE.**

a. An employee is entitled to a lump-sum payment for accumulated and accrued annual leave when the employee separates from Federal service or enters on active duty in the Armed Forces and elects to receive a lump-sum payment for annual leave. An employee is not entitled to a lump-sum payment for annual leave if, upon transfer, their annual leave can be transferred to another formal leave system.

b. The lump-sum payment must equal the pay (excluding any foreign area post differential and any foreign area danger pay allowance) the employee would have received had the individual remained an employee until expiration of the period of annual leave.

c. A lump-sum payment is considered pay for taxation purposes only. The period of leave used for calculating the lump-sum payment may not be extended due to any holiday occurring after separation. An employee does not earn leave for the period covered by the lump-sum payment.

d. When an employee who received a lump-sum payment for annual leave is reemployed in the Federal service prior to the expiration of the lump-sum period, the employee must refund an amount equal to the pay covering the period between the date of reemployment and the expiration of the lump-sum period. An amount of annual leave equal to the leave represented by the refund is re-credited to the employee.

#### **4.8. BASE REALIGNMENT AND CLOSURE (BRAC) LEAVE.**

a. Under the provision of Section 6304(d)(3) of Title 5, U.S.C., employees located at BRAC designated sites may carryover excess annual leave from one year to the next as long as they continue to work at the BRAC activity. Annual leave carried over under this special BRAC provision is placed in a separate leave account and employees are not required to use the leave before other available annual leave.

b. The BRAC annual leave carryover provision does not apply to employees assigned to organizations or functions designated to continue-on-site operations after the activity's closure or when such organizations or functions relocate within the commuting area of the closing activity.

c. For those employees who have BRAC leave, it will be included in the lump-sum payment of their annual leave if they separate from duty, or it can be used with other annual leave to keep them on the rolls past their scheduled separation date in order to qualify for Federal Employees Health Benefits coverage in retirement. If the employee moves to a non-DoD Federal agency, or to a DoD component that is not being closed or realigned, the BRAC annual leave is paid in a lump sum.

#### **4.9. USE OF ANNUAL LEAVE WHILE ON EXCUSED ABSENCE.**

a. An employee cannot be required to use annual leave when the agency has placed the employee on extended excused absence (e.g., in cases where adverse actions are being pursued by the agency).

b. In such circumstances, if the employee fails to schedule (i.e., request) the use of annual leave that would otherwise be forfeited, the leave cannot be restored to the employee. If the employee schedules (i.e., requests to use) annual leave in such circumstances and the agency denies the request, the agency would be required to restore the annual leave to the employee.

#### **4.10. SUBSTITUTION OF ANNUAL LEAVE FOR SICK LEAVE.**

a. An absence that is otherwise chargeable to sick leave may be charged to annual leave if requested by the employee and approved by the supervisor. The approval of annual leave used for this purpose is still up to the discretion of the supervisor.

b. Annual leave may only be substituted retroactively for the liquidation of advanced sick leave indebtedness. However, annual leave may not be substituted retroactively for the purpose of avoiding the forfeiture of annual leave. The substitution must be made before the annual leave would have been forfeited.

#### **4.11. ADVANCED ANNUAL LEAVE.**

a. An employee may be advanced annual leave not to exceed the amount the employee would accrue within the leave year based upon a written request of the employee. There is no employee entitlement to advanced annual leave. When considering a request for advanced annual leave, a supervisor should take in consideration the expectation of the employee's return to duty, the need for the employee's services, and the benefits to the agency of retaining the employee.

b. On January 15, 2015, the President issued a memorandum entitled "Modernizing Federal Leave Policies for Childbirth, Adoption and Foster Care to Recruit and Retain Talent and Improve Productivity" directing all Federal agencies to offer at the request of an employee the maximum amount of advanced annual leave practicable for foster care placement in their home or bonding with a healthy newborn or newly adopted child.

c. Requests for advanced annual leave must be requested prior to the employee's absence from duty, unless compelling circumstances prevent it. Employees must use OPM Form 71 to request advanced annual leave and provide supporting documentation if requested by their supervisor. The employee is also required to complete the memorandum in Appendix 4A and submit it with the OPM Form 71. A second level of authority is required for approval of advanced annual leave. The second level of authority shall be the directorate head, functional process owner (FPO), or store director who should sign in the appropriate location on the request form in Appendix 4A.

d. The supervisor shall respond to the employee's request before the start of the requested period of advanced annual leave, and advise the employee whether the advanced leave is approved or disapproved. In approving advanced annual leave, supervisors must have reasonable assurance that the employee will be in a duty status long enough to earn the amount of leave advanced before the end of the leave year or that would accrue during the tenure of their appointment, whichever comes first.

e. An employee may not be granted advanced annual leave if they have restored annual leave, "use or lose," compensatory time and/or credit hours that will cover the period of absence.

f. If advance annual leave creates an indebtedness because the employee separates from Federal service prior to earning back leave advanced, the employee is required to refund the amount of unearned annual leave to which the employee is indebted or the agency may deduct that amount from any pay due to the employee upon separation.

#### **4.12. RE-CREDIT OF ANNUAL LEAVE.**

a. When an employee leaves their civilian position to enter the military service, the employing agency certifies their leave account for credit or charge, unless the employee elects a payout. If the employee returns to a civilian position following military service, the gaining agency reestablishes the certified leave account as a credit or charge. If a lump-sum payout was made, a portion of the leave may be re-credited.

b. When an employee is restored to an agency as a result of an appeal, the agency reestablishes their leave account as a credit or charge as it was at the time of separation.

c. When annual leave is re-credited to an employee as a result of a grievance or other proceeding; e.g., settlement of an Equal Employment Opportunity proceeding, the agency adds the annual leave to the employee's regular annual leave account.

d. Annual leave that is re-credited to an employee is subject to the same rules for scheduling and use as described above. Any excess annual leave that is forfeited at the end of the leave year may be considered for restoration.

e. For details regarding a refund of a lump-sum payment upon the return to Federal service, please refer to DoD 7000.14-R, Volume 8, Chapter 3, Section 0307.

#### **4.13. ANNUAL LEAVE WHILE ON ACTIVE MILITARY DUTY.**

a. Employees entering on active military duty have the following options regarding their annual leave:

(a) Use. Employees may elect to use annual leave while on active duty in order to receive both their full civilian and military pay. During the period of annual leave, employees are in pay status, therefore, they will continue to accrue annual and sick leave. For example, if a full-time employee with an 80 hour biweekly tour of duty uses 80 hours of annual leave during a pay period, the employee will accrue annual and sick leave for that pay period since they are in pay status.

(2) Lump-Sum Payment. Employees may elect to receive a lump-sum payment for any unused annual leave when they enter on active duty in the Armed Forces. Generally, a lump-sum payment will equal the pay the employee would have received had the employee remained employed until expiration of the period covered by the annual leave.

(3) Remain to Their Credit. Employees may elect to have their annual leave remain to their credit for use upon their return to civilian duty. While the employee is on active military duty, unused annual leave is not subject to the employee's "use or lose" ceiling and any annual leave above the employee's annual leave ceiling is not forfeited at the end of the leave year. Employees who choose this option will have annual leave available for their use upon return to Federal service.

- b. For information regarding military pay, please see Section 14 of this manual.

**APPENDIX 4A: MEMORANDUM REQUESTING ADVANCED ANNUAL/SICK  
LEAVE**

OFFICE SYMBOL

Date

MEMORANDUM FOR (Supervisor's Name and Title)

SUBJECT: Request for Advanced Annual/Sick Leave

I understand there is no entitlement to advance annual or sick leave. I also understand that requesting and using advanced annual or sick leave creates indebtedness to the Federal Government for which I am liable. I acknowledge and agree that if I separate from Federal service before the indebtedness for unearned leave is liquidated, I shall refund the amount paid me for the period covering the leave for which I am indebted. I have been advised as a condition for advancing this leave, that upon separation from the Federal Government, any unliquidated advanced leave will be recovered from my accumulated retirement deduction prior to any refund.

In compliance with the provision of reference advanced leave the following has been approved for:

Name: \_\_\_\_\_

LAST 4 SSN: \_\_\_\_\_

Activity/Organization Code: \_\_\_\_\_

Advanced Leave Type (check applicable box):

Advanced Annual Leave     Advanced Sick Leave

Leave Beginning Date: \_\_\_\_\_ Leave Ending Date: \_\_\_\_\_

Hours Requested: \_\_\_\_\_

Reason: \_\_\_\_\_

\_\_\_\_\_  
Employee Signature/Date

\_\_\_\_\_  
Supervisor Signature/Date

\_\_\_\_\_  
Approving Official Name

\_\_\_\_\_  
Approving Official Signature/Date

## **SECTION 5: SICK LEAVE**

**5.1. GENERAL.** Sick leave may be used for personal medical needs (including medical, dental, and optical appointments), care of a family member, care of a family member with a serious medical condition, adoption-related purposes, and bereavement. Sick leave is charged in increments of 15 minutes.

### **5.2. COVERAGE AND EXCLUSIONS.**

- a. Full-time and part-time employees earn sick leave.
- b. Intermittent employees do not earn sick leave.

### **5.3. ACCRUAL.**

- a. Full-time employees accrue four hours of sick leave each full biweekly pay period regardless of length of service.
- b. Part-time employees earn one hour of sick leave for each 20 hours in a pay status. Part-time employees may not earn more than four hours of sick leave for 80 hours in a pay status during any biweekly pay period.

**5.4. MAXIMUM ACCUMULATION OF SICK LEAVE.** There is no limitation on the amount of sick leave that an employee may accumulate.

**5.5. SUBSTITUTING SICK LEAVE FOR ANNUAL LEAVE.** Employees may substitute sick leave for annual leave if they become ill during the use of annual leave.

### **5.6. AUTHORITY TO APPROVE SICK LEAVE.**

- a. Supervisors and employees should recognize the importance of sick leave and the ability of the employee to use it only when incapacitated for duty by sickness, injury, or other valid reasons. Employees are encouraged to conserve sick leave so that it will be available to them in the event of an extended illness.
- b. Supervisors may grant sick leave to an employee when the employee:
  - (1) Receives medical, dental, optical examinations, or treatments.

(2) Is incapacitated for performance of duty by physical or mental illnesses, injury, pregnancy, or childbirth.

(3) Provides care for a family member who is incapacitated as a result of physical or mental illness, to include taking to medical, dental, optical examinations, or treatments; makes funeral arrangements necessitated by the death of a family member, or attends the funeral of a family member.

(4) As determined by health authorities having jurisdiction or by a health care provider, jeopardizes the health of others by their presence at the worksite due to exposure of a communicable disease.

(5) Must be absent from duty for purposes relating to the adoption of a child, including appointments with adoption agencies, social workers, attorneys, court proceedings, required travel, and any other activities necessary to allow the adoption to proceed.

(6) Provide care for a family member with a serious health condition.

#### **5.7. PROCEDURES FOR REQUESTING SICK LEAVE.**

a. Employees will submit OPM Form 71 to request approval to use sick leave for any of the above stated reasons. Supervisors will provide a prompt response back to the employee.

b. If the need arises to request unplanned or emergency sick leave, the employee will notify the supervisor personally, unless the degree of injury or illness prevents them from doing so. Employees will provide notification of unplanned or emergency sick leave to the supervisor prior to the start of their tour of duty, unless compelling circumstances prevent it. Such notification does not constitute approval of sick leave.

c. When reporting an absence or late arrival, the employee shall notify their supervisor of their need for sick leave and the estimated duration of the absence.

#### **5.8. MEDICAL DOCUMENTATION.**

a. An employee may be required to furnish administratively acceptable medical evidence to substantiate a request for approval of sick leave, if required by the supervisor. Supervisors will notify employees when medical documentation is required and time limits for submitting the documentation. Administratively acceptable medical documentation includes:

(1) The type of health condition and the date it commenced.

(2) A general statement of the employee's condition (diagnosis).

(3) Whether the employee is presently incapacitated for duty.

(4) The expected duration of the condition and the date the employee can be expected to return to duty (prognosis).

b. An employee must provide administratively acceptable evidence or medical certification for a request for sick leave no later than 15 calendar days after the date the agency requests such certification. If it is not practicable under the particular circumstances to provide the requested evidence or medical certification within the 15 calendar days after the date requested by the agency, despite the employee's diligent, good faith efforts; the employee must provide the evidence of medical certification within a reasonable time under the circumstances involved, but no later than 30 calendar days after the date the agency requests such documentation.

c. An employee who does not provide the required evidence or medical certification within the time period specified in Section 5.8(b), is not entitled to sick leave, and may be carried in an Absent Without Leave (AWOL) status.

## **5.9. ADVANCED SICK LEAVE.**

a. An employee may be advanced sick within the established maximum limitations based upon a written request of the employee and with the submission of administratively acceptable supporting documentation. When considering a request for advanced sick leave, a supervisor should take in consideration the expectation of the employee's return to duty, the need for the employee's services, and the benefits to the agency of retaining the employee.

b. On January 15, 2015, the President issued a memorandum entitled "Modernizing Federal Leave Policies for Childbirth, Adoption and Foster Care to Recruit and Retain Talent and Improve Productivity" directing all Federal agencies to, at the request of an employee, and to the maximum extent practicable, offer 240 hours of advanced sick leave, in connection with the birth or adoption of a child, or for other sick leave eligible uses.

c. A full-time employee may have no more than 240 hours (30 days) of advanced sick leave to their credit at any given time when required for a serious disability or ailment of the employee or family member, or for purposes relating to the adoption of a child. An employee may be advanced no more than 104 hours (13 days) of sick leave for instances such as to provide care for a family member for a medical/mental condition; to attend to a family member receiving medical, dental, or optical examinations or treatment; or for bereavement purposes.

d. The maximum amount of sick leave an agency may advance part-time employees (or an employee on an uncommon tour of duty) is calculated by prorating the number of hours in the employee's biweekly work schedule. The maximum amount of sick leave that may be advanced to an employee on a time limited appointment shall not exceed the amount of sick leave the employee would accrue during the remainder of the appointment.

e. Requests for advanced sick leave must be requested prior to the employee's absence from duty, unless compelling circumstances prevent it. Employees must submit a completed OPM Form 71, a memorandum requesting advanced sick leave (sample at Appendix 4A), and include

all supporting documentation to request advanced leave. The supervisor shall respond to the employee's request within 10 workdays of receipt of the request or before the start of the requested period of advanced leave, whichever occurs first, and advise the employee how many hours of advanced sick leave are approved/disapproved. A second level of authority is required for approval of advanced sick leave. The second level of authority shall be the directorate head, FPO, or commissary officer who should sign in the appropriate location on the request form in Appendix 4A.

f. In approving advanced sick leave, supervisors must have reasonable assurance that the employee will return to a duty status long enough to earn the amount of leave advanced.

g. An employee can be granted advanced sick leave if they have annual leave on the books, as long as that annual leave is not restored annual leave, "use or lose," compensatory time, and/or credit hours.

h. Annual leave may be substituted retroactively for advanced sick leave, but not to prevent forfeiture of the annual leave. The substitution must be made before the annual leave would have been forfeited.

i. If advanced sick leave creates an indebtedness because the employee separates from Federal service prior to earning back the leave advanced, the employee is required to refund the amount of unearned sick leave to which the employee is indebted or the agency may deduct that amount from any pay due to the employee upon separation (e.g., lump-sum payment for unused annual leave, refund of retirement contributions).

j. Repayment for advanced sick leave is not required when separation is because of death, resignation for disability supported by acceptable medical documentation, or disability retirement.

**5.10. SICK LEAVE RE-CREDIT.** An employee who has had a break in service is entitled to the re-credit of their unused sick leave (without regard to the date of the separation), if the employee returns to the Federal service on or after December 2, 1994. An employee who was part-time and converted to an intermittent work schedule, and who had a sick leave balance is entitled to re-credit of their sick leave if returned to a full-time or part-time work schedule.

#### **5.11. SICK LEAVE FOR FAMILY CARE/BEREAVEMENT.**

a. Full-time or part-time employees are eligible to use a portion of their accrued sick leave in order to:

(1) Care for a family member as a result of medical, dental, optical examination, or treatments.

(2) Care for a family member who is incapacitated as a result of physical or mental illness, injury, pregnancy, or childbirth.

(3) Make arrangements necessitated by the death of a family member or attend the funeral of a family member.

b. Family member is defined as the employee's spouse or domestic partner and spouse's parents or the domestic partner's parents; employee's children, including adopted children, and children's spouses or domestic partners; employee's parents and their spouses or domestic partners; employee's brothers, sisters, and their spouses or domestic partners; or any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

c. The maximum amount of leave which may be approved for family care or bereavement purposes is:

(1) A full-time leave-earning employee may use up to 104 hours (13 workdays) of accrued or advanced sick leave per year.

(2) For part-time employees and employees with an uncommon tour of duty, the amount of sick leave permitted for family care and bereavement purposes is the number of hours of sick leave the employee normally accrues during the leave year.

d. Documentation may be required and includes:

(1) Bereavement. A newspaper notice (obituary), funeral home documentation, or a death certificate.

(2) Family Care. A completed OPM Form 71. For an absence in excess of three (3) consecutive workdays, additional documentation may be required which consists of:

(a) A statement from the health care provider that the family member requires psychological comfort and/or physical care;

(b) That the family member would benefit from the employee's care or presence; and

(c) That the employee is needed to care for the family member for a specified period of time.

## **5.12. SICK LEAVE FOR FAMILY MEMBER WITH A SERIOUS HEALTH CONDITION.**

a. Full-time employees may use up to a total of 12 administrative work weeks (480 hours) of accrued sick leave each leave year to care for a family member with a serious health condition. If an employee has previously used any portion of the 13 days of sick leave for general family

care and/or bereavement purposes in a leave year, that amount must be subtracted from the 12 week entitlement. If an employee has already used 12 weeks of sick leave to care for a family member with a serious health condition, the employee cannot use an additional 13 days of sick leave in the same leave year for general family care.

b. Part-time employees may use an amount of sick leave equal to 12 times the average number of hours in their scheduled tour of duty each week. Any portion of the amount of sick leave used for family care and/or bereavement purposes mentioned in Section 5.11 must be subtracted from hours authorized by this paragraph.

c. Family member is defined in section 5.11, paragraph b.

d. A serious health condition has the same meaning as defined in the Family and Medical Leave Act (FMLA) and includes but is not limited to such conditions as: cancer, heart attack, stroke, severe injury, Alzheimer's disease, pregnancy, childbirth, etc.

e. For the purpose of sick leave taken to care for a family member with a serious medical condition, administratively acceptable medical documentation may be required and includes a written statement from the health care provider concerning the family member's need for psychological comfort and/or physical care. The statement must certify the following:

- (1) The family member requires psychological comfort and/or physical care;
- (2) The family member would benefit from the employee's care or presence; and
- (3) The employee is needed to care for the family member for a specified period of time.

f. Leave for Childbirth.

(1) A birth mother is entitled to use accrued sick leave for medical appointments, hospitalization, and her period of incapacitation following childbirth. A birth father may use a total of up to 12 weeks of accrued sick leave, if full-time, each year to accompany the mother to prenatal appointments, to be with her during her period of hospitalization, and/or to care for her during her recovery period. An agency may request administratively acceptable evidence of the mother's period of incapacitation for the use of sick leave.

(2) Additionally, a mother may use accrued annual leave for pregnancy and childbirth, a father may use accrued annual leave to care for the mother during pregnancy and childbirth, and both parents may use accrued annual leave to be absent from work to bond with or care for a healthy newborn. The use of annual leave is subject to the supervisor's approval. For more information regarding the use of annual leave and childbirth, see Section 4 on Annual Leave.

### **5.13. SICK LEAVE FOR ADOPTION.**

a. All leave-earning employees may use accrued sick leave for purposes related to the adoption of a child. The initial written request to use sick leave for adoption-related purposes shall include any known details of the adoption that will require time-off from work. Employees may request the use of accrued sick leave for the following:

(1) Appointments with adoption agencies, social workers, attorneys, or court proceedings.

(2) Required travel.

(3) Absence during which adoptive parents are ordered or required by an adoption agency or court to care for the child.

(4) Any other activities necessary to allow the adoption to proceed.

b. There is no limitation on the amount of sick leave that may be used for adoption-related purposes. Sick leave for adoption-related purposes does not count towards the 104-hour (13 day) limit of sick leave each leave year for family care and bereavement purposes or the overall limit of 12 weeks of sick leave each leave year for all family care purposes.

c. Sick leave may not be used by an employee who voluntarily chooses to be absent from work to bond with or care for a healthy adopted child. (An employee likewise may not use sick leave to voluntarily be absent from work to bond with or care for a healthy biological child.) There is no provision in law or regulation that permits the use of sick leave to care for a healthy child, bond with a healthy child, or for other child care responsibilities.

## **SECTION 6: FAMILY MEDICAL LEAVE ACT**

**6.1. GENERAL.** FMLA provides eligible employees with up to 12 weeks of unpaid, job-protected leave during a 12 month period. An employee who takes FMLA leave is entitled to maintain health benefits coverage. An employee on unpaid FMLA leave may pay the employee share of the premiums on a current basis or pay upon return to work. FMLA is designed to help employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain family and medical reasons. It also seeks to accommodate the legitimate interests of employers and promote equal employment opportunity for men and women. FMLA can be taken in conjunction with paid leave.

### **6.2. COVERAGE AND EXCLUSIONS.**

a. Full-time and part-time employees who have completed at least 12 months of Federal service (not required to be recent or consecutive months) are eligible to take unpaid leave under FMLA. Employees serving a temporary appointment with a time limitation of one year or less and intermittent employees are not eligible for FMLA.

b. The term serious health condition includes but is not limited to conditions such as cancer, heart attack, stroke, severe injury, Alzheimer's disease, pregnancy, and childbirth. The term serious health condition is not intended to cover short-term conditions for which treatment and recovery are very brief. The common cold, flu, earaches, upset stomach, headaches (other than migraines), routine dental or orthodontia problems, etc., are not serious health conditions unless complications arise.

c. The term son or daughter means a biological, adopted, or foster child; a step child; a legal ward; or a child of a person standing in loco parentis who is either under 18 years of age; or 18 years of age or older and incapable of self-care because of a mental or physical disability. The age limitation defined in this section does not apply to 6.4 of this section.

d. FMLA entitles a full-time employee to a total of 12 administrative work weeks of LWOP during any 12month period. FMLA may be used for one or more of the following reasons:

(1) The birth of a child of the employee, and the care of such child within one year of birth (may be taken intermittently only with supervisor's approval);

(2) Placement of a son or daughter with the employee for adoption or foster care and the care of the newly placed child within one year of placement (may be taken intermittently only with supervisor's approval);

(3) Care of a spouse, son, daughter, or parent with a serious health condition (may be taken intermittently);

(4) Serious health condition that makes the employee unable to perform their duties (may be taken intermittently); or

(5) For qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or called to active duty status in the Armed Forces (may be taken intermittently). Additional information and definitions on qualifying exigencies see 6.3 of this manual.

e. A total of 12 administrative work weeks will be made available equally for a full-time or part-time employee in direct proportion to the number of hours in the employee's regularly scheduled administrative work week.

f. Eligible employees may take up to 26 weeks of unpaid leave to care for a covered service member with a serious injury or illness (for detailed information see Section 6.4 of this manual).

**6.3. QUALIFYING EXIGENCIES.** Eligible employees are authorized up to a total of 12 work weeks of unpaid leave during any 12 month period for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent has been called to active duty, or has been notified of an impending call or order to covered active duty under U.S.C., Title 10, Chapter 101. Qualifying exigencies include:

a. To address any issue that arises from the fact that a covered military member is notified of an impending call or order to covered active duty seven or fewer calendar days prior to the date of deployment. Leave taken for this purpose can be used for a period of up to seven calendar days beginning on the date a covered military member is notified of an impending call or order to covered active duty.

b. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support of assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member.

c. Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare; providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child in a new school or daycare facility, and attending certain meetings at a school or a daycare facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.

d. Making or updating financial and legal arrangements to address a covered military member's absence such as preparing and executing financial and health care powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System obtaining military identification cards, or preparing or updating a will or living trust.

e. Attending counseling provided by someone other than a healthcare provider for oneself, the covered military member, or the child of a covered military member, the need for which arises from the active duty or call to active duty status of the covered military member.

f. To spend time with a military member who is on short-term, temporary, rest and recuperation leave during the period of deployment. Eligible employees may take up to five days of leave for each instance of rest and recuperation.

g. Attending certain post-deployment activities. That includes arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member while on covered active duty status.

h. Any other event that the agency and the employee agree is a qualifying exigency.

**6.4. MILITARY FAMILY LEAVE.** FMLA provides eligible employees up to 26 work weeks of unpaid leave, job-protected during a 12 month period to care for a covered service member (current or veteran of the Armed Forces) with a serious injury or illness. The covered service member must be the employee's spouse, son, daughter, parent, or next of kin. A son or daughter on covered active duty or call to covered active duty status means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age.

a. Covered service member under this section (6.4) is defined as:

(1) A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

(2) A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy. The veteran must have been a member of the Armed Forces (including the National Guard or Reserves) during the 5 five years preceding the medical treatment, recuperation, or therapy.

b. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of their office, grade, rank, or rating.

c. The single 12-month period for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reasons and ends 12

months later, regardless of the 12 month period established by the employer for other types of FMLA leave.

d. An eligible employee is limited to a combined total of 26 work weeks of leave for any FMLA-qualifying reason during the single 12 month period. For example: if during the 12 month period the employee takes six weeks of regular FMLA leave for the birth of a child, the employee would have 20 weeks of FMLA leave to care for a covered service member.

e. Only 12 of the 26 weeks total may be for FMLA-qualifying reasons other than to care for a covered service member.

## **6.5. REQUESTING FMLA.**

a. An employee must complete the appropriate form to request leave under FMLA.

(1) Complete form WH-380-E for an employee's serious health condition.

(2) Complete form WH-380-F for a family member's serious health condition.

(3) Complete form WH-384 for Military Family Leave.

b. The employee shall provide notice to their supervisor of their intention to take leave not less than 30 days before the date the leave is to begin, if the need to take under this act is foreseeable. If the date of the circumstances requires leave to begin within 30 days, the employee shall provide such notice as soon as foreseeable. An employee may not retroactively invoke their entitlement to FMLA.

c. An employee may be required to furnish administratively acceptable medical evidence to substantiate a request for approval of sick leave, if required by the supervisor. An employee must provide the written medical certification required, no later than 15 calendar days after the date requested. If it is not practicable under the particular circumstances to provide the requested medical certification no later than 15 calendar days after the date requested by the agency despite the employee's diligent, good faith efforts, the employee must provide the medical certification within a reasonable period of time under the circumstances involved, but no later than 30 calendar days after the date the agency requests such medical certification.

d. When requesting to take leave taken for a serious health condition of the employee, the medical documentation should include:

(1) The date the serious health condition commenced.

(2) The probable duration of the serious health condition or a statement that the serious health condition is a chronic or continuing condition with an unknown duration, whether the patient is presently incapacitated and the likely duration and frequency of episodes of incapacity.

(3) The appropriate medical facts within the knowledge of the health care provider regarding the serious health condition to include a general statement as to the incapacitation, examination, or treatment that may be required by a health care provider.

e. After the leave commences, if an employee fails to provide the supporting medical and administrative documentation for FMLA, the supervisor may charge the employee as AWOL.

f. When requesting to take leave for a Qualifying Exigency Leave, the supporting documentation should include:

(1) The first time an employee requests exigency leave, the employee will submit a copy of the service member's active duty orders or other documentation used by the military which indicates that the covered military member is on covered active duty or call to covered active duty status, and the dates of the covered military member's active duty service.

(2) Documentation specific to the qualifying exigency including type and date(s) of event.

## **6.6. ADMINISTRATION.**

a. The 12 administrative work weeks of leave will be calculated on an hourly basis and will equal 12 times the average number of hours in the employee's regularly schedule administrative work week. If the number of hours in an employee's work week varies from week to week, a weekly average of the hours scheduled over the 12 weeks prior to the date leave commences shall be used as the basis for this calculation.

b. Under certain conditions, an employee may use the 12 weeks of FMLA leave intermittently. Each instance of intermittent leave taken under FMLA will be subtracted from the 12 administrative work week limitations.

c. An employee taking LWOP under the provisions of FMLA is entitled to maintain health benefits coverage and must make arrangements to pay the employee's share of the premium while on FMLA, or when the employee returns to work.

d. An employee may substitute certain types of paid leave for LWOP under FMLA. Those paid leave types are: accrued annual or sick leave, advanced annual or sick leave, and leave donated to the employee under the Voluntary Leave Transfer Program (VLTP).

d. An employee must be returned to the same position or equivalent with the same benefits, pay, status, and other terms and conditions of employment, upon return from FMLA.

e. An employee is not entitled to 12 additional work weeks of FMLA until the previous 12 month period ends and an event or situation occurs that entitles the employee to another period of FMLA.

## **SECTION 7: DISABLED VETERAN LEAVE**

### **7.1. GENERAL.**

a. Disabled Veteran Leave (DVL) was established under the Wounded Warriors Federal Leave Act of 2015, which became effective November 5, 2016. Congress was concerned that veterans with a service-connected disability rating of 30 percent or more, have zero hours of accrued sick leave when newly hired in a civilian position in the Federal Government.

b. Eligible employees who were hired on or after November 5, 2016, and are veterans with a service-connected disability rating of 30 percent will have access to up to 13 days (104 hours) of paid leave to use for medical treatment for service-connected conditions. In order to be credited with DVL, an eligible employee must provide documentation from the Veterans Benefits Administration (VBA) of the Department of Veterans Affairs (VA) certifying the employee's disability rating of 30 percent or more.

c. Current employees, who are disabled veterans that were hired before November 5, 2016, are not eligible for DVL. However, there are a wide range of leave entitlements and options, along with workplace flexibilities to support employees who need to be away from duty to receive medical treatment for their service-connected disabilities. Several options are: annual leave, sick leave, advanced annual leave, advanced sick leave, LWOP, leave approved under the FMLA, and donated leave received under VLTP. There may be some workplace flexibilities for certain eligible employees such as alternative work schedules, credit hours, compensatory time off and telework; however, these options must be discussed and approved, in advance, by the employee's immediate supervisor.

### **7.2. COVERAGE AND EXCLUSIONS.**

a. An eligible employee is one who meets the following requirements:

- (1) A full-time or part-time employee who is eligible to earn leave,
- (2) Is a veteran with a service connected disability rating of 30 percent or more as determined by the VBA; and
- (3) Is hired in a covered civilian position on or after November 5, 2016.

b. The term "hired" refers employees who are:

- (1) Newly hire with no federal service on or after November 5, 2016;
- (2) Reappointed in covered position (break in service of a least 90 days); or

(3) A military Reservist or member of the Nation Guard that return to duty in their civilian positions after a period of military service (during which the individual was in continuous civilian leave status).

c. Intermittent or employees on a temporary appointment who are not eligible to earn leave are not eligible for DVL.

### **7.3. TWELVE (12) MONTH ELIGIBILITY PERIOD.**

a. The benefit period is a single 12 month eligibility period during which the DVL must be used.

b. The benefit period begins on the first day of employment, which is the first day as a qualified veteran in a covered position occurring on the later of:

(1) An employee hired on or after November 5, 2016; and

(2) The effective date of the qualifying disability rating.

c. The leave benefit expires at the end of the 12 month eligibility period; any unused leave must be forfeited, and may not be carried over to subsequent years, cashed out or paid in a lump sum.

### **7.4. CREDITING DISABLED VETERAN LEAVE.**

a. To be credited for DVL leave, the employee must provide documentation from the VBA showing the employee has a service-connected disability rating of 30 percent or more and who was discharged under conditions other than dishonorable. The documentation should be turned into the appropriate HR service provider during the initial in-processing or after a qualifying rating is received to update their information in Defense Civilian Personnel Data System.

b. Full-time employees are eligible for up to 104 hours.

c. Part-time employees will receive DVL prorated based on the number of hours worked.

**Table 3 - DVL Offset 2**

<b>Work Schedule</b>	<b># of Hours</b>	<b>Example</b>	<b>Offset</b>
Full-Time	104	104	Reduced by # of hours of (1) sick leave to employee's credit as of the first day of employment or (2) equivalent Disabled Veteran Leave used under another authority (if in 12- month period)
Part-Time	(h/80) x 104	40 hrs/biweekly 52	
Uncommon Tour	(h/80) x 104	144 hrs/biweekly 187	
Seasonal	(h/2080)x 104	Full-time for half year (1,040 hours) 52	

d. The number of hours received for DVL will be offset for employees who are reappointed or returning to civilian duty following military service that may have accrued sick leave. Those who are reappointed or returning to civilian duty following military service may have accrued sick leave. Also, those whose qualifying disability rating is effective after being hired may have accrued sick leave. The amount of sick leave accrued will be deducted from the DVL number of hours.

#### **7.5. REQUESTING DISABLED VETERAN LEAVE.**

a. Federal employees, who are disabled veterans, are entitled, with proper approval, use of accrued annual leave, accrued sick leave, or LWOP for medical treatments associated with the service-connected disability. If an employee chooses, they may also use LWOP, without having to invoke FMLA.

(1) Employees will provide documentation from the VBA certifying the employee has a service-connected disability, to establish eligibility for DVL.

(2) Follow established leave requesting procedures and request to use the leave in advance unless the need to use the leave is critical.

(3) Employee will use the DeCA Form 50-63 Request for Leave or Approved Absence and annotate on the form other paid leave and indicate in the remarks section the leave is for DVL.

(4) Self-certify that the DVL is being used (or was used) for the treatment of the qualifying service-connected disability. It is noted that, the supervisor may request additional medical documentation in some situations. Therefore, all matters concerning the use of DVL should be discussed with the supervisor in advance, when possible.

(5) Ensure the qualifying medical treatment is provided or prescribed by any health care provider who is covered by the definition of "health care provider" in 5 CFR 630.1202.

b. If an employee does not provide documentation of eligibility for DVL until after a period of absence for a purpose later determined to be qualifying, the employee may retroactively substitute DVL during that absence (except for periods of AWOL or suspension). Leave charged as other forms of paid time off will be canceled and replaced with DVL.

c. The medical treatment must occur during the employee's 12 month eligibility period.

## **SECTION 8: VOLUNTARY LEAVE TRANSFER PROGRAM**

### **8.1. GENERAL.**

a. The VLTP allows Federal employees to donate annual leave directly to other Federal employees internally or externally to their Federal agency, who have personal or family medical emergencies and who have exhausted their own leave.

b. A medical emergency is defined as a medical condition of an employee or a family member of such employee that is likely to require the employee's absence from duty for a prolonged period of time and results in a substantial loss of income to the employee because of the unavailability of paid leave.

c. DeCA managers and supervisors are expected to fully support the appropriate use of the program by employees under their direction. No employee of DeCA shall be pressured into donating leave to any other employee. Donated leave will be coded as LD on time and attendance reports.

### **8.2. COVERAGE AND EXCLUSIONS.**

a. The sole criteria to determine whether there is likely to be a substantial loss of income is whether the employee's absence from duty without available paid leave is (or is expected to be) at least 24 hours (or in the case of a part-time employee or an employee with an uncommon tour of duty, at least 30 percent of the average number of hours in the employee's biweekly scheduled tour of duty).

b. While using donated leave, a leave recipient can accrue no more than 40 hours of annual leave and 40 hours of sick leave in "set-aside accounts." The leave in the "set-aside accounts" will be transferred to the employee's regular leave accounts when the medical emergency ends or if the employee exhausts all donated leave.

c. Leave accruals for an employee who uses donated leave intermittently must be prorated between the regular leave account and the set-aside leave account until it reaches the maximum accrual or the medical emergency ends. Accruals are prorated based on the number of hours of donated leave used within the pay period.

d. Donated leave may not be used for any purpose other than the medical emergency that was approved. Only the leave recipient may use donated leave.

e. Donated leave may not be included in a lump sum payment for annual leave.

f. The substitution of donated leave for a prior period of LWOP or to liquidate a debt for advanced annual or sick leave is permitted.

**8.3. REQUIREMENT TO EXHAUST ACCRUED ANNUAL AND SICK LEAVE.** Except for leave in “set-aside accounts,” any annual or sick leave accrued or accumulated by the leave recipient and available for the medical emergency must be exhausted before any donated leave may be used. However, this does not apply to a recipient who:

- a. Sustains a combat-related disability while a member of the Armed Forces, including a reserve component of the Armed Forces, and
- b. Is undergoing medical treatment for the stated disability. See 5 U.S.C. 6333(b) (2); or
- c. Exhausts a total of 12 weeks of sick leave for family care purposes. If an employee applies to receive donated leave for a medical emergency affecting a family member and the employee has already exhausted the 12 weeks of sick leave for family care purposes in that leave year, the employee would not be required to exhaust their sick leave balance before being eligible for donated leave.

**8.4. APPLICATION TO BECOME A LEAVE RECIPIENT.**

a. An employee may apply to be a leave recipient before, during, or after a medical emergency. Employees shall complete OPM Form 630, “Application to Become a Leave Recipient Under the Voluntary Leave Transfer Program,” supporting medical and/or administrative documentation, and submit the documents to their supervisor for approval as soon as possible, but no later than 30 days after the medical emergency has terminated. The applicant shall describe the medical emergency, the duration (or expected duration), and the approximate frequency (if recurring) on the application.

b. The leave-approving official must determine that the absence from duty of a leave recipient applicant because of a medical emergency is or was at least 24 hours without available paid leave for full-time employees. The period of absence without paid leave for part-time employees and employees on uncommon tours of duty will be prorated.

c. The leave approving authority shall inform the employee of approval or non-approval of the application. If the application is approved, it is forwarded to the VLTP Point of Contact (POC) located at DeCA Headquarters, HR Directorate. The leave approving official must ensure that the form is approved in both the first line supervisor block and the deciding official’s block before forwarding the form to HR. The POC will review for compliance and forward the OPM Form 630 to the payroll liaison for processing. The POC will also issue a notification to DeCA employees informing them of the individual’s participation in the program.

**8.5. APPLICATION TO BECOME A LEAVE DONOR.**

a. Upon notification of an individual’s participation in the VLTP, employees wishing to donate leave must complete OPM Form 630-A, “Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program (Within Agency),” for someone within

the same agency; or OPM Form 630-B, “Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program (Outside Agency),” for someone in another Federal agency.

b. An employee may not donate more than one-half of the annual leave the employee would be entitled to accrue during the leave year in which the donation is made. An employee may donate to more than one approved recipient. However, the total donation to all recipients must meet this restriction.

c. A leave donor who is projected to have annual leave that otherwise would be subject to forfeiture at the end of the leave year (use or lose leave) may donate no more than the lesser of the following:

(1) One-half of the amounts of annual leave the donor would be entitled to accrue during the leave year in which the donation is made

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

d. Leave donation limitations may be waived on a case-by-case basis. It is anticipated that such exceptions will be rare. If an employee requests to exceed the usual threshold of annual leave donation, the potential donor should submit a request to the HR Director with a written explanation. The HR Director is the approving authority for such requests. Waivers will not be approved solely to avoid annual leave forfeiture at the end of the leave year.

e. Leave cannot be donated to a leave donor’s immediate supervisor.

## **8.6. TERMINATION OF MEDICAL EMERGENCY.**

a. The medical emergency terminates when:

(1) The leave recipient’s Federal service is terminated.

(2) At the end of the biweekly pay period in which the recipient’s leave approval official receives written notice from the leave recipient or from the voluntary leave transfer POC that the leave recipient is no longer affected by a medical emergency.

(3) At the end of the biweekly pay period in which the recipient’s leave approving official receives notification from OPM that it has approved the application for disability retirement for the leave recipient under the Civil Service Retirement System, also known as CSRS or the Federal Employees Retirement System, also known as FERS.

b. Upon termination of the medical emergency, any unused donated leave must be transferred pro rata back to each donor. If returned to the leave donor’s account, the leave is

treated the same as other annual leave and becomes subject to the “use or lose” carryover limitations.

## SECTION 9: HOLIDAY LEAVE

### 9.1. COVERAGE AND EXCLUSIONS.

a. Employees must be in a pay status or a paid time off status (i.e. leave, compensatory time off, compensatory time off for travel, or using credit hours) on their scheduled workdays either before or after a holiday in order to be entitled to regular pay for a holiday. Employees in a non-pay status for the workdays immediately before and after the holiday may not receive compensation for that holiday.

b. Full-time employees who are not required to work on a holiday receive their rate of basic pay for the applicable number of holiday hours.

c. Part-time employees receive their regular pay for holidays that fall on their regularly scheduled workdays (this does not include overtime work). When a holiday falls on a part-time employee's non-workday, there is no entitlement to pay for an in lieu of holiday. Part-time employees who are scheduled and work on a holiday, receive holiday premium pay for the hours worked.

d. Intermittent employees, including experts and consultants, with no regularly scheduled tour of duty receive no compensation unless actual work is performed.

e. The occurrence of holidays may not affect the designation of the basic workweek. It would be inappropriate to change the regular work schedule of a part-time employee for the sole purpose of denying them a holiday entitlement.

f. Full-time or part-time employees scheduled to work on a holiday who want to be absent from duty that day, must request and secure approved leave (annual, sick, or LWOP) from their supervisor.

### 9.2. "IN LIEU OF" HOLIDAYS.

a. All full-time employees, including those on flexible or compressed work schedules, are entitled to an "in lieu of" holiday when a holiday falls on a non-workday. In such cases, the employee's holiday is the basic workday immediately preceding the non-workday. A basic workday for this purpose includes a day when part of the basic work requirement for an employee under a flexible work schedule is planned or scheduled to be performed. Example: Thanksgiving falls on Thursday, November 22, 2012. The employee's regular work schedule is Saturday through Wednesday (Thursday and Friday are regular days off). The employee will observe the "in lieu of" holiday on the preceding Wednesday, November 21, 2012. If the employee works on that Wednesday, the employee will be paid holiday premium pay for all non-overtime hours worked that day.

b. Exceptions:

(1) If the non-workday is Sunday (and the holiday falls on Sunday), the next basic workday is the “in lieu of” holiday. Example: Veteran’s Day is on Sunday, November 11, 2012. The employee’s regular schedule is Monday through Friday. Therefore, the employee’s “in lieu of” holiday is Monday, November 12, 2012. If the employee works on Monday, the employee is paid holiday premium pay for all non-overtime hours worked.

(2) If Inauguration Day falls on a non-workday, there is no provision for an “in lieu of” holiday.

(3) An employee is not entitled to another day off as an “in lieu of” holiday if a Federal office or facility is closed on a holiday because of a weather emergency or when employees are furloughed on a holiday.

(4) If the head of the agency determines that a different “in lieu of” holiday is necessary to prevent an “adverse impact,” the employee may designate a different “in lieu of” holiday for full-time employees under compressed work schedules.

c. While the language of the regulation is not easy to read, there is a simple method to determining the “in lieu of” holiday for full-time personnel. If the actual holiday falls on Monday through Saturday, the “in lieu of” holiday moves backward to the first encountered workday. If the actual holiday falls on a Sunday, the “in lieu of” holiday moves forward to the first encountered workday.

d. If the employee works on the holiday or their “in lieu of holiday,” the employee will be paid holiday premium pay (double time) for all non-overtime hours (up to eight hours) worked that day. If the employee works overtime on the holiday (above eight hours), the employee is paid at the regular overtime rate for the position.

e. Holidays that always fall on a Monday are Martin Luther King’s Birthday, Washington’s Birthday, Memorial Day, Labor Day, and Columbus Day. Part-time employees who work these days would receive holiday premium pay (double-time) if they work on the holiday scheduled.

**9.3. EMPLOYEES ON COMPRESSED WORK SCHEDULES.** An employee working a compressed work schedule is entitled to the basic pay for the number of hours regularly scheduled on that day. An employee on a compressed work schedule and who performs work on a holiday is entitled to basic pay, plus premium pay at a rate equal to the basic rate of pay, “holiday premium pay,” for the work not in excess of the employee’s compressed work schedule.

a. Example:

(1) An employee who is scheduled to work nine (9) hours on Thanksgiving, Thursday, November 23, 2017, would be excused from work for nine (9) hours on Thursday, November 23, 2017, in observance of the holiday.

(2) An employee on a compressed work schedule, Monday through Friday, where Friday, November 10, 2017 (Veterans Day), would be their Regular Day Off (also known as RDO) is entitled to an “in lieu of holiday” on Thursday, November 9, 2017.

(3) An employee on a compressed Monday through Friday work schedule who is scheduled to work nine (9) hours on Thursday, November 9, 2017, and Veterans Day, Friday, November 10, 2017, and actually performs nine (9) hours of work on the holiday is entitled to nine (9) hours holiday premium pay .

## **SECTION 10: COMPENSATORY LEAVE**

**10.1. COVERAGE AND EXCLUSIONS.** Compensatory time is time off in lieu of overtime pay for irregular or occasional overtime work. One hour of compensatory time off is granted for each hour of overtime worked.

### **10.2. COMPENSATORY TIME.**

a. At the request of an eligible employee, a supervisor may grant compensatory time off from the subordinate's tour of duty instead of payment for an equal amount of irregular or occasional overtime work. All overtime work must be requested and approved in advance of working the overtime hours.

b. Managers, supervisors, or employees may not directly or indirectly intimidate, threaten, or coerce any employee for the purpose of interfering with an employee's rights to request or not to request compensatory time off "lieu of" payment for overtime hours.

c. In the event compensatory time off is not requested or taken within the established time limits (26 pay periods); the employee must be paid for overtime work at the overtime rate in effect for the work period in which it was earned.

d. An employee must request permission from their supervisor to use accrued compensatory time, IAW the established leave procedures.

### **10.3. COMPENSATORY TIME FOR TRAVEL.**

a. An employee may earn compensatory time off for time spent in a travel status away from the employer's official duty station, when such time is not otherwise compensable by submitting a completed DeCAF 50-74, Claim for Creditable Time in a Travel Status. An agency may not adjust an employee's normal regularly scheduled administrative workweek solely to include travel hours that would not otherwise be considered hours of work. The form should be submitted within 5 workdays of returning from official travel. Compensatory time for travel is accrued and used in increments of 15 minutes.

b. Travel must be officially authorized in that it must be for work purposes and must be approved by an authorized agency official, to qualify as compensatory time for travel. To the extent possible, employees will not be required to travel during non-duty hours or on Federal holidays.

c. "Travel Status" includes only the time actually spent traveling between:

(1) The official duty station and a temporary duty station;

(2) Two temporary duty stations; or

(3) The usual waiting time that precedes or interrupts such travel, such as waiting at an airport or train station for departure. This does not include any extended or unusual waiting time between actual period of travel when the employee is free to rest, sleep, or otherwise use the time for their own purposes.

d. "Usual waiting time" is defined as time spent waiting at the transportation terminal to include early arrival for check-in purposes. Airline travelers generally are required to arrive at the designated pre-departure time (e.g., 1 to 3 hours before the scheduled departure, depending on whether the flight is domestic or international). Such waiting time at the airport (including a bonafide meal period) is considered usual waiting time and is creditable time in a travel status. In addition, time spent at an intervening airport waiting for a connecting flight (e.g., 1 to 3 hours) also is creditable time in a travel status.

e. When travel is outside regular duty hours directly between the employee's home and a temporary duty station or a transportation terminal that is outside the limits of the employee's official duty station (e.g., driving to and from a (3) three-day conference), the agency must deduct the employee's normal home-to-work/work-to-home commuting time from the creditable travel time.

f. Travel outside regular duty hours directly between the employee's home and a temporary duty station or a transportation terminal that is within the limits of the employee's official duty station is not considered time in a travel status and is not creditable travel time..

g. Travel outside regular duty hours directly between the employee's duty station and a temporary duty station or transportation terminal is considered time in a travel status and does not require deduction of normal commuting time.

h. Travel to a transportation terminal (or temporary duty station) is considered to be within the limits of the official duty station if the location is within a 50-mile radius of the official duty station. A shorter distance may be approved by the supervisor when the local commuting conditions warrant an exception to the 50-mile radius limit.

i. When an employee's travel involves two or more time zones, the time zone from the point of first departure must be used to determine how many hours the employee actually spent in a travel status for the purpose of accruing compensatory time off.

j. An employee who is offered one mode of transportation and who is permitted to use an alternative mode of transportation, or who travels at a time or by a route other than that selected by the agency, the agency must determine the estimated amount of time in a travel status the employee would have had if the employee had used the mode of transportation offered by the agency or traveled at the time or by the route selected by the agency. In determining time in a travel status under this subpart, the agency must credit the employee with the lesser of the estimated time in a travel status or the actual time in a travel status.

k. Time in a travel status ends when the employee arrives at the temporary duty worksite or their lodging at the temporary duty station, wherever the employee arrives first.

l. An employee must request permission from their supervisor to use accrued compensatory time off for travel, IAW established leave procedures.

m. Compensatory time for travel will be forfeited under the following circumstances:

- (1) At end of the 26th pay period after the pay period during which it was earned.
- (2) Upon voluntary transfer to another agency.
- (3) Upon movement to a non-covered position.
- (4) Upon separation from the Federal service.

n. Exceptions:

(1) If an employee with unused travel compensatory time separates from Federal service or is placed in a LWOP status in the following circumstances and later returns to service with the same (or successor) agency, the employee must use all of the compensatory time off by the end of the 26th pay period following the pay period in which the employee returns to duty, or such compensatory time off will be forfeited:

(a) The employee separates or is placed in a LWOP status to perform service in the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency; and later returns to service through the exercise of a reemployment right provided by law, EO, or regulation; or

(b) The employee separates or is placed in a LWOP status because of an on-the-job injury with entitlement to injury compensation under Chapter 81 of 5 U.S.C. and later recovers sufficiently to return to work.

(2) If an employee fails to use their compensatory time earned by the end of the 26th pay period after the pay period during which it was earned due to an exigency of the service beyond the employee's control, an authorized agency official, at their sole and exclusive discretion, may extend the time limit for using such compensatory time off for travel for up to an additional 26 pay periods.

## **SECTION 11: COURT LEAVE**

**11.1. GENERAL.** Employees are authorized court leave with pay when summoned to serve as a juror or as a witness in a non-official capacity on behalf of any party in connection with any judicial proceeding to which the United States (U.S.), the District of Columbia (D.C.), or a state or local government is a party.

### **11.2. COVERAGE AND EXCLUSIONS.**

a. Employees who perform witness service in an official capacity on behalf of the U.S. the D.C. government, a state or local government, or a private party must not be paid witness fees, nor must the time served as a witness be charged to court leave or annual leave. The time must be recorded as official duty. If any fees are paid, they must be turned in to the agency.

b. An employee is not entitled to court leave if the employee testifies as a witness in a nonofficial capacity on behalf of a private party in a matter that the U.S., the D.C., state, or local government is not a party. The employee must take annual leave or LWOP to serve in such a capacity.

c. Intermittent employees are not eligible to receive court leave.

d. Regardless of the type of shift (morning, afternoon, night, etc.) the employee is scheduled for, he/she will only be required to work their regularly scheduled shift if they are excused or discharged by the court and it would not cause an undue hardship on the employee to return to duty for the remainder of their shift.

**11.3. ANNUAL LEAVE.** Court leave will be substituted and no charge shall be made to annual leave for the court service, if an employee is on annual leave when called for jury duty or eligible witness service.

### **11.4. REQUIREMENTS.**

a. An employee who is under proper summons from a court to serve on a jury should be granted court leave for the entire period, regardless of the number of hours per day or days per week the employee actually serves on the jury during the period.

b. Jury service for which an employee is entitled to court leave does not include periods when the employee is excused or discharged by the court, subject to call by the court, for an indefinite period, or for a definite period in excess of one day.

c. An employee may be required to return to duty or be charged annual leave if excused from jury service for one day or even a substantial part of a day. However, the employee may not be required to return to duty if it would cause a hardship.

**11.5. DOCUMENTATION.** When an employee is called for court service (as a witness or juror), the employee must present the court order, subpoena, or summons, if one was issued, to the supervisor as far in advance as possible.

**11.6. JURY AND WITNESS FEES.**

a. Fees received for jury duty and witness service during duty hours must be turned in to the employee's servicing customer service representative for payroll. The employee may keep mileage allowances. If a state has defined the amounts received as expenses/allowances rather than fees, the employee may keep reimbursements for these expenses/allowances. Additionally, a certificate of attendance from the clerk of the court must also be submitted. The certificate of attendance should show inclusive dates of jury duty or witness service and any amount of fees the court paid to the employee. The certificate of attendance should separately identify fees and other allowances or expenses. If the certificate of attendance does not identify allowances separately, then all moneys are considered fees and must be collected.

b. When a holiday occurs during the time an employee is on jury duty or witness service, the employee may keep the jury duty or witness service fee paid for the holiday. The employee may also keep the fees paid if called to jury duty on a non-workday.

c. An employee may choose to waive or refuse to accept jury duty fees; however, the employee is still liable for fees they would have received.

d. Employees are not entitled to witness fees in the following situations:

- (1) Juror in U.S. or D.C. Court.
- (2) A witness on behalf of the U.S. or D.C. government.

e. Fees will be accepted and turned-in to the appropriate payroll office in the following situations:

- (1) Juror in a state or local court.
- (2) A witness on behalf of a state or local government.
- (3) A witness in an official capacity on behalf of a private party.
- (4) A witness in an unofficial capacity on behalf of a private party when another party is the U.S., D.C., state or local government.

f. Fees may be accepted and retained by the employee in the following situations:

(1) A witness in an unofficial capacity on behalf of a private party when a party is not the U.S., D.C., state or local government.

(2) Employees performing such duties service when a holiday occurs during the time an employee is on jury duty or witness service, may keep the jury duty or witness service fee paid for the holiday. The employee may also keep the fees paid if called to jury duty on a non-workday.

g. The Court Leave Chart (Appendix 11A) contains additional information on the types of leave associated with court proceedings, fees, and travel expenses.

**APPENDIX 11A: COURT LEAVE**

**Court Leave Chart**

Nature of Service	Type of Absence			Fees			Government Travel Expense	
	Court Leave	Official Duty	Annual Leave or LWOP	No	Retain	Turn-in to Agency	No	Yes*
JURY SERVICE								
1. U.S. or D.C. Court	X			X			X	
2. State or local court	X					X	X	
WITNESS SERVICE								
1. On behalf of U.S. or D.C. government		X		X				X
2. On behalf of state of local government:								
a. In official capacity		X				X		X
b. Not in official capacity	X					X	X	
3. On behalf of private party:								
a. In official capacity		X				X		X
b. Not in official capacity	X					X	X	
(1) When a party is U.S., D.C., state or local government			X		X		X	
(2) When a party is not U.S., D.C., state or local government								

**\*OFFSET TO THE EXTENT PAID BY THE COURT, AUTHORITY OR PARTY THAT CAUSED THE EMPLOYEE TO BE SUMMONED.**

## **SECTION 12: ADMINISTRATIVE LEAVE/EXCUSED ABSENCE**

### **12.1. GENERAL.**

a. Administrative leave is an excused absence from duty, administratively authorized, without a loss of pay and without charge to other paid leave. Agency heads or their designees have the authority to grant administrative leave when employees are prevented from working due to extreme weather conditions or other severe disruptions; e.g., no electricity in the building, no running water, etc.. Typically, administrative leave affects a group of employees.

b. Excused absence is an administratively authorized absence from duty without loss of pay and without charge to other paid leave. Typically, excused absence addresses individual employee situations.

c. Administrative leave/excused absence is charged in 15 minute increments.

### **12.2. ADMINISTRATIVE LEAVE.**

a. Hazardous weather conditions and emergencies are conditions which are usually severe and disruptive to normal travel or transportation of employees between their homes and their duty stations such as hurricanes, cyclones, floods, blizzards, severe snow, or icy roads.

b. Generally, DeCA activities are tenant activities located on host installations/bases. Therefore, DeCA is obligated to follow the lead of the host installation/base during hazardous weather conditions, natural disasters, or other incidents affecting normal operations. Employees affected by installation/base late arrival, early dismissal, or closure decisions will be granted an excused absence or charged leave in the same manner as the host installation. Employees who participate in the telework program may be required to either telework or request approved leave when the host installation/base is closed due to adverse weather or other emergency situations.

c. DeCA employees covered by a CBA may find procedures for early dismissal and closure are provided in the CBA. Managers and supervisors of unionized stores are reminded to carefully review these procedures in their CBA and local installation policy.

d. Upon request of the local command, the commissary may remain open up to one hour after the official post closure time is announced. If the local command requests the commissary to stay open longer than one hour, commissary management will advise the zone manager and appropriate area personnel. The safety of commissary personnel is a prime objective, and only personnel necessary to provide customer service should be used for this period.

e. Employees should be familiar with the installation dismissal/closure procedures, listen to designated radio/TV station broadcasts containing dismissal/closure information, and be aware of any specialized telephone notification procedures in place. Unless otherwise notified, all personnel are to assume that their DeCA worksite will be functioning as normal each workday.

f. In the event there are disruptions of government operations, OPM will make announcements to the media as to whether Federal agencies in the Washington, D.C. metropolitan area are open or closed, operating under an unscheduled liberal leave policy, a delayed arrival policy, or an early dismissal policy. Supervisors are reminded to review the OPM Washington, D.C. Area Dismissal Closure Procedures available at: [www.opm.gov/oca/COMPMEMO/dismissal.pdf](http://www.opm.gov/oca/COMPMEMO/dismissal.pdf) and apply, as appropriate.

### **12.3. EXCUSED ABSENCE.**

a. In Conjunction with Relocation. Employees authorized a Permanent Change of Station (PCS) may be granted excused absence before departing the old duty station and following arrival at the new duty station to accomplish personal tasks resulting from the move such as but not limited to: to close or open personal bank accounts, obtain a state driver's license or to obtain car tags. In similar situations, employees coming from non-DoD agencies may be granted excused absence after the employee is placed on DoD employment rolls. This provision does not cover time involved in complying with PCS requirements such as obtaining passport and vaccinations, adhering to Government housing authority requirements, or being present for packing and receiving of household goods. Accomplishing tasks that are conditional to the PCS are considered to be official duty.

b. Blood Donation. Employees who donate blood shall be excused from work for up to four hours without charge to leave for the time necessary to donate the blood, recuperation following the donation, and for necessary travel to and from the donation site. This provision does not cover an employee who gives blood for their own use or receives compensation for giving blood. Managers and supervisors of unionized stores are reminded to carefully review these procedures in their CBA.

c. Registering and/or Voting.

(1) Employees may be excused from work without charge to leave in order to register to vote.

(2) Employees may be granted excused absence to vote in state, Federal, or local political elections. Employees may be granted to report to work up to three hours after the polls open or leave work up to three hours before the polls close, whichever involves less time away from work. For example, if an employee is scheduled to work from 8:00 a.m. to 4:30 p.m. and the polling place is open from 7:00 a.m. to 8:00 p.m., the employee should not be granted excused absence for voting, since the employee would still have at least three hours after the end of their workday to vote. However, if an employee is scheduled to work from 8:00 a.m. to 4:30 p.m. and the employee's polling place is open from 7:00 a.m. to 7:00 p.m., the employee may be granted one-half hour of excused absence from 4:00 p.m. to 4:30 p.m., if requested.

(3) In the event an employee's voting place is beyond normal commuting distance and vote by absentee ballot is not permitted, a supervisor may grant excused absence (not to exceed one day) to allow the employee to make the trip to the voting place to cast a ballot. If more than

one day is needed, the employee may request annual leave or LWOP for the additional period of absence.

(4) Employees on flexible work schedules will be excused only for those hours that cannot be accommodated by their flexible schedules.

d. **Certifications.** An employee may be granted excused absence to take an examination (e.g., certified public accountant examination) in their functional area if securing the certification or license would enhance the employee's professional stature, thereby benefiting the DoD.

e. **Attending Conferences or Conventions.** Employees may be excused to attend conferences or conventions when it is determined that the attendance will serve the best interest of the Federal service or the agency. Such absences may be restricted to those situations in which the employee is an official representative of the agency or a contributor on the agenda. Employees shall not be excused to attend conferences or conventions of political parties, partisan political groups or committees.

f. **Overseas Employees.** For overseas employees, additional circumstances may warrant excused absences based on the regulations of the overseas command.

g. **Representing Employee Organizations.** Representation hours shall be reported in four separate categories. Absences charged as representational duty are subject to the provisions of CBAs. Time used for these purposes is coded as "official time." The categories are:

- (1) Term negotiations
- (2) Mid-term negotiations
- (3) Labor management
- (4) Grievances and appeals

h. **Employment Interview.**

(1) Employees under notice of separation or change to lower grade for any reason except personal cause may be granted up to 40 hours excused absence for activities related to obtaining other employment. The granting of excused absence for job searches is authorized after the employee has received an official notice of separation.

(a) Approval is appropriate for such activities as preparing resumes/applications at the duty station, delivering applications for specific vacancy announcements, attending job interviews, attending job fairs, visiting state employment offices, etc. The use of excused absence for the personal delivery of job applications will be limited to jobs located in the commuting area. This same limitation will also apply to interviews for jobs in the private sector. For the purposes of this policy, commuting area is defined as a radius of 75 miles from the employee's current job location. The commuting area limitation will not apply to interviews for

federal service positions. Excused absence for interviews for Federal service vacancies may be requested and approved IAW the procedures outlined in this manual.

(b) Employees will be permitted to use DeCA's office equipment (i.e., computers, copy machines) at the job site to prepare resumes or applications. The use of such equipment will be scheduled so as not to interfere with normal business operations.

(c) Excused absence must be properly requested from the supervisor using the same local procedures established for requesting other absences/leave. Time and attendance reporting procedures will be the same as those established for any other excused absence.

(2) Employees competing for positions within the DoD may also be granted excused absence for merit placement interviews. This provision does not cover travel time to job searches and interviews outside the commuting area.

i. Returning from Military Leave. A civilian employee is entitled to five days of excused absence after the employee returns from active military duty in support of Overseas Contingency Operations (OCO). The President's memorandum "Return of Activated Military Members to Federal Civilian Employment," dated November 14, 2003, applies to all Federal employees called to active duty in support of the OCO, regardless of whether they are deployed overseas or stateside. The five days of excused absence for employees on uncommon tours of duty or an employee on a part-time work schedule will be prorated according to the number of hours in the employee's regularly scheduled work week.

(1) An employee may be granted five days of excused paid absence only after the employee returns from at least 42 consecutive days of active military service in connection with the continuing OCO. This absence will be coded as administrative leave and should be supported with a leave request from the returning military member and a copy of the requesting employee's orders showing the end of the military assignment.

(2) For subsequent periods of active duty in support of the OCO, an agency may not grant more than five days of excused absence within a 12 month period. The 12 month period begins on the first day of excused absence and ends 365 days later. An employee called to active duty on multiple occasions is therefore entitled to receive five days of excused absence as long as the service meets the 42 consecutive days standard and the employee has not received five days of excused absence during the previous 365 days.

(3) The five days of excused absence must be granted as soon as an eligible employee reports back for Federal civilian duty or notifies the agency of their intent to return to civilian duty, except in the following situations:

(a) If the employee had received five days of excused absence following a period of active duty, but was not granted five days of excused absence for a second or subsequent period of active duty, the employee may take five days of excused absence at a time mutually agreeable to the employee and the agency.

(b) If, for any other reason, the employee was not granted five days of excused absence upon return, the employee should be granted five days of excused absence at a time mutually agreeable to the employee and the agency.

(4) The five days of excused absence must be used for a continuous period immediately upon return. The days may not be stockpiled for use at a later date. The commencement of the five days of excused absence represents a return to Federal civilian employment and the employee is obligated to report for work at the end of the five day period.

j. Authorized Time for Physical Fitness. Employees authorized to participate in the Physical Fitness Program may be granted excused absence for the purpose of participating in a fitness activity covered by the program. No more than three hours of excused absence per week is authorized. Refer to HR Guidance 15-1: Authorized Time for Physical Fitness, for complete information regarding this program.

## **SECTION 13: HOME LEAVE**

### **13.1. GENERAL.**

a. Home leave is a period of approved absence with pay for employees stationed abroad. Stationed abroad is defined as a post of duty outside the U.S. and outside of the employee's residence if it is in the Commonwealth of Puerto Rico or a territory or possession of the U.S.

b. Home leave is for use in the U.S., the Commonwealth of Puerto Rico or the territories or possessions of the U.S. It may only be used during a period of service abroad when it is contemplated that the DoD employee will return to service abroad upon completion of the home leave period or upon completion of an assignment in the U.S.

c. Home leave does not expire; however, there is no lump sum payment for unused home leave upon retirement or separation, it will be forfeited.

d. Home leave will be charged at a minimum increment of one day.

**13.2. ELIGIBILITY.** An employee may be granted home leave after 24 months of continuous service outside the U.S. (or after a shorter period of such service if the employee's assignment is terminated for the convenience of the Government). The 24 months of continuous service abroad is a one-time requirement; when the initial 24-month threshold is achieved, the employee may use accrued home leave at any time during subsequent tours overseas.

**13.3. EARNING RATES.** For each 12 month period of service abroad, an employee earns home leave at the following rates:

a. An employee who accepts an appointment to or occupies a position for which the agency has prescribed the requirement that the incumbent accept assignments anywhere in the world as the needs of the agency dictate will earn 15 days of home leave.

b. An employee who is serving with a U.S. mission to a public international organization will earn 15 days.

c. An employee who is serving at a post for which payment of a foreign or non-foreign (but not a tropical) differential of 20 percent or more is authorized by law or regulation – 15 days.

d. An employee not included in paragraph a, b, or c of this section who is serving at a post for which payment of a foreign or territorial (but not a tropical) differential of at least 10 percent but less than 20 percent is authorized by law or regulation to earn 10 days.

e. An employee not included in paragraph a, b, c, or d of this section earns five days.

f. An employee not included under paragraphs a through e of this section whose civilian service abroad is interrupted by a tour of duty in the Armed Forces of the U.S., for the duration of such tour earns 0 (zero) days.

g. Monthly earning rates of home leave may be found in Appendix 13A, Home Leave Chart.

#### **13.4. REFUND OF HOME LEAVE.**

a. An employee is indebted for any home leave used when the employee fails to return to service abroad after a period of home leave or after the completion of an assignment in the U.S.

b. An employee will not be indebted for any home leave used when the following occurs:

(1) The employee completed at least six months of service in an assignment in the U.S. following the period of home leave;

(2) The agency determines the employee's failure to return was due to compelling personal reasons of a humanitarian or compassionate nature, such as involving physical or mental health issues, or circumstances of which the employee has no control; or

(3) The agency which granted the home leave determines that it is in the public interest not to return the employee to an overseas assignment.

**13.5. TRANSFER AND RE-CREDIT.** An employee is entitled to have his home leave account transferred or re-credited to him or her when the employee moves between agencies or is reemployed without a break in service of more than 90 days. However, no lump-sum payment is made for home leave.

## APPENDIX 13A: HOME LEAVE

### Home Leave Chart

Months of Service Abroad	Earning rate (days for each 12 months)		
	15	10	5
1	1	0	0
2	2	1	0
3	3	2	1
4	5	3	1
5	6	4	2
6	7	5	2
7	8	5	2
8	10	6	3
9	11	7	3
10	12	8	4
11	13	9	4
12	15	10	5

## **SECTION 14: MILITARY LEAVE**

### **14.1. COVERAGE AND EXCLUSIONS.**

- a. Full-time Federal civilian employees whose appointment is for more than one year may be entitled to military leave.
- b. Military leave under Section 6323(a) of Title 5, U.S.C. will be prorated for part-time employees and for employees on uncommon tours of duty based proportionally on the number of hours in the employee's regularly scheduled bi-weekly pay period.
- c. Employees on a temporary appointments of one year or less or intermittent work schedules are not entitled to military leave. Employees on appointments exceeding one year are entitled to military leave.
- d. Military leave should be credited to a full-time employee based on an eight hour workday. The minimum charge to leave is one hour. An employee may be charged military leave only for the hours that the employee would otherwise have worked and received pay.
- e. Employees who are currently military members and are entering military duty for other than training purposes are entitled to be carried on LWOP unless they elect to use other leave, or freely and knowingly provide written notice of intent not to return to a position of employment within DeCA, in which case the employee can be separated. The employee's reemployment rights are the same whether the employee elects LWOP or separation. Supervisors who have employees entering military duty for other than training purposes should contact their servicing personnel office for further information and guidance.

### **14.2. TYPES OF LEAVE.**

- a. Employees who perform active military duty, active duty training, and Inactive Duty Training (IDT), may request to use paid military leave. Eligible full-time employees covered under Section 6323(a) of Title 5 U.S.C. accrue 15 calendar days of military leave each Fiscal Year (FY). For example: A full-time employee working a 40-hour workweek will accrue 120 hours (15 days x 8 hours) of military leave in a FY, or the equivalent of three 40-hour workweeks. An employee may carry over a maximum of 15 days of military leave into the next FY for a balance total of no more than 30 calendar days of leave each FY. Eligible part-time employees will accrue military leave on a prorated basis, based proportionally on the number of hours in the employee's regularly scheduled biweekly pay period.

(1) IDT is authorized training performed by members of a Reserve component not on active duty, and is performed in connection with the prescribed activities of the Reserve component. It consists of regularly scheduled unit training periods, additional training periods, and equivalent training.

(2) Employees who request military leave for IDT (which may be in increments of two, four, six, or eight hours in length) will be charged only the amount of military leave necessary to cover the period of training and necessary travel. Members of the Reserves and/or National Guard will no longer be charged military leave for weekends and holidays that occur within the period of military service.

(3) Civilian employees whose regular workweek includes Saturday and Sunday may take military leave under Section 6323(a) of Title 5, U.S.C. to attend weekend drills.

b. Employees covered under Section 6323(b) of Title 5, U.S.C., may be provided up to 22 workdays per calendar year for emergency duty, as ordered by the President, the Secretary of Defense, or a State Governor. This leave is provided for employees who perform military duties in support of civil authorities in the protection of life and property or who perform full-time military service as a result of a call or order to active duty in support of a contingency operation. The term “contingency operation” means a military operation that:

(1) Is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the U.S. or against an opposing military force; or

(2) Results in the call or order to, or retention on, active duty of members of the uniformed services under Section 688, 12301(a), 12302, 12304, 12305, or 12406 or Title 10, U.S.C., Chapter 15 of Title 10, U.S.C., or any other provision of law during a war or during a national emergency declared by the President or Congress.

c. Employees covered under Section 6323(c) of Title 5, U.S.C. may be provided unlimited military leave as members of the National Guard of D.C. for certain types of duty ordered or authorized under Title 49 of the D.C. Code.

d. Employees covered under Section 6323(d) of Title 5, U.S.C. are entitled to 44 workdays of military leave as Reserve and National Guard Technicians (only) for duties overseas under certain conditions.

### **14.3. PROCEDURES FOR REQUESTING MILITARY LEAVE.**

a. Employee will provide as much advance notice as possible and provide administratively acceptable documentation when available along with submitting the request on the standard leave form, OPM Form 71.

b. The employee should provide a copy of their military orders to their immediate supervisor upon receipt of said orders to substantiate their request for military leave.

c. In the event, orders or substantiation from the employee’s military unit are not available until after the employee has performed their duty (i.e. IDT’s, some weekend drills/training); then

the employee will provide the documentation immediately upon return to their civilian position to substantiate their request for military leave.

d. An employee who does not have sufficient military leave available to cover their absence and is required to perform additional military duty may request annual leave or LWOP. The same supporting documentation needed for military leave should accompany the request for LWOP.

**14.4. RETURNING FROM MILITARY LEAVE.** A civilian employee is entitled to five days of excused absence after the employee returns from active military duty in support of the OCO. Please see Section 12, Excused Absence, for more information.

## **SECTION 15: LEAVE ASSOCIATED WITH OFFICE OF WORKER'S COMPENSATION PROGRAM (OWCP)**

### **15.1. GENERAL.**

- a. An employee who suffers a job related injury that results in incapacitation from duty may request to be placed on Continuation of Pay (COP) when the employee initiates an electronic claim IAW the provisions of the Federal Employee Compensation Act, also known as FECA.
- b. The employee may be entitled to up to 45 calendar days of COP upon request and without charge to their sick or annual leave as a result of a traumatic injury, with proper documentation. Employee must file claim within 30 days of injury for entitlement to COP.
- c. COP is not authorized when disability results from an occupational disease. An employee may request to be placed on sick or annual leave or LWOP as a result of an occupational disease.
- d. COP may be terminated by the agency if medical evidence of a disabling traumatic injury is not presented within ten (10) calendar days of filing the claim for COP.
- e. The employee will be carried in a LWOP status up to one (1) year after going on the compensation rolls. After one year on LWOP, the employee's case will be evaluated and a decision as to whether to continue the employee in a LWOP status, or separate the employee from the rolls.
- f. Refer to the DeCAM 50-23.1 or a Worker's Compensation Specialist for additional information and guidance.

## **SECTION 16: LEAVE WITHOUT PAY (LWOP)**

### **16.1. GENERAL.**

- a. LWOP is a temporary, non-pay status and an authorized absence from duty. It is most often requested by the employee and granted at discretion of the leave approving official.
- b. It cannot be imposed as a penalty, nor can an employee be required to take LWOP.
- c. It should not be confused with AWOL which is unauthorized or unapproved absence from duty.
- d. LWOP must be requested on OPM Form 71 and approved in advance.
- e. The amount of LWOP can affect federal benefits and programs. See Appendix 16A for details.

### **16.2. COVERAGE AND EXCLUSIONS.**

- a. Employees may be entitled to LWOP under certain circumstances. Several of those circumstances include:

- (1) Disabled veterans seeking medical treatment related to a service-connected disability in accordance with EO 5396.

- (2) Members of the Reserve or National Guard for a period of service in the uniformed service in accordance with Part 353.106 of Title 5, CFR.

- (3) Limited periods during which employees are awaiting adjudication of a claim for compensation by the Office of Workers' Compensation.

- (4) Employees who are eligible for and invoke the FMLA. Employees may substitute paid leave under FMLA for LWOP. (See Section 6 for additional information on FMLA.)

- b. LWOP may be approved in other cases only when it is apparent that it will result in a benefit to the government and will result in increased job ability, protection, or improvement of an employee's health, retention of a desirable employee; or allow for the retention or protection of benefits such as the following situations:

- (1) For protecting an employee's status and benefits pending final action by OPM on a claim for disability retirement after all sick and annual leave has been exhausted.

- (2) For recovery from illness or disability not of a permanent nature.

(3) To avoid a break in service for career or career-conditional employees who are seeking other Federal employment outside their commuting area.

c. Employees who are a military spouse will be granted six months of LWOP when relocating with their military sponsor to a new duty station to search for Federal employment, if requested. An additional six months will be granted, if requested. All supporting documentation should be submitted with the request for LWOP on the OPM Form 71.

d. Family members working overseas who have competitive status or are eligible for noncompetitive appointment under EO 12721 may request Terminal LWOP (T-LWOP). The agency supports the continued Federal employment of family-member employees relocating with their sponsors to a stateside duty location. Supervisors should grant one (1) year of T-LWOP to eligible employees relocating to a stateside duty location, if requested. Employees who are granted T-LWOP are not entitled to return to duty at the overseas location during the period of T-LWOP.

## APPENDIX 16A: LEAVE WITHOUT PAY (LWOP)

### LWOP – Effects on Federal Benefits & Programs

Type of Benefit	The amount of LWOP (non-pay status) that is considered creditable service
Career Tenure	The first 30 calendar days of each non-pay period is creditable service
Completion of Probation	A total of 22 workdays in a non-pay status is creditable
Time-in-Grade Requirements for Promotion	Any non-pay status is creditable service
Within Grade Increases (WIGI)	<p>Creditable service for GS General Schedule in a non-pay status in a waiting period:            2 workweeks for advancement to Steps 2, 3, and 4            4 workweeks for advancement to Steps 5, 6, and 7            6 workweeks for advancement to Steps 8, 9, and 10</p> <p>Creditable service for Federal Wage System FWS in a non-pay status in a waiting period:            1 workweek for advancement to Step 2            3 workweeks for advancement to Step 3            4 workweeks for advancement to Steps 4 and 5</p>
Reduction-in-Force (RIF) (determining years of service)	A total of six months of non-pay status in a calendar year is creditable service
Federal Employees' Group Life Insurance (FEGLI)	Coverage continues for 12 consecutive months in a non-pay status without cost to the employee or to the agency. The non-pay status may be continuous or broken by a return to duty for periods of less than four consecutive months. (See <a href="http://ww.opm.insure.gov">ww.opm.insure.gov</a> .)
Severance Pay	Non-pay status time is fully creditable for the 12 months continuous employment period to qualify for severance pay. For purposes of computing an employee's actual severance payment, no more than six months of non-pay status in a calendar year is creditable service.
Type of Benefit	The amount of LWOP (non-pay status) that is considered creditable service
Military Duty or Workers' Compensation	Non-pay status for employees who are performing military duty or being paid workers' compensation, counts as a continuation of Federal employment for all purposes upon the employee's return to duty.

Accrual of Annual and Sick Leave	<p>When a full-time employee accumulates 80 hours of LWOP during a pay period, the employee does not earn annual leave or sick leave during that pay period. The employee earns leave in the next succeeding pay periods until the employee again accumulates 80 hours of LWOP during a pay period.</p> <p>When a part-time employee is in a non-pay status, the employee will accrue less annual and sick leave since part-time employees earn leave on a pro-rata basis; i.e., based on hours in a pay status.</p> <p>For purposes of computing accrual rates for annual leave; i.e., four, six, or eight hours each pay period, six months of non-pay status in a calendar year is creditable service.</p>
Federal Employee Health Benefits (FEHB)	<p>Coverage can be continued for 12 consecutive months in a non-pay status. The non-pay status may be continuous or broken by a return to duty for periods of less than four consecutive months. See <a href="https://www.opm.gov/healthcare-insurance/healthcare/">https://www.opm.gov/healthcare-insurance/healthcare/</a></p>

## **SECTION: 17: ABSENT WITHOUT LEAVE (AWOL)**

### **17.1. GENERAL.**

a. AWOL is an absence from duty that was not authorized or approved, or for which a leave request has been denied. This includes leave that is not approved pending submission of required documentation.

b. AWOL is chargeable in 15 minute increments.

c. If it is later determined that the absence without prior authorization was excusable, or that the employee was ill, the charge to AWOL may be changed to annual or sick leave, or LWOP, whichever is appropriate.

d. The employee receives no pay for the period of absence that is coded as AWOL.

e. Designating an absence as AWOL is not a disciplinary matter; however, it may form the basis for disciplinary actions.

f. Unauthorized tardiness or absence during the workday may also be charged as AWOL if the circumstances do not justify excusing the absence or the approval of the appropriate leave.

**17.2. AWOL VERSUS LWOP.** AWOL is an absence from duty that was not authorized or approved and may result in disciplinary or other corrective action. LWOP is an approved absence from duty that is granted by the leave approving official at the employee's request and which may be used for a variety of purposes. (See Section 16 for additional information on LWOP.)

## **GLOSSARY**

### **G.1. ACRONYMS.**

<b>AWOL</b>	absent without leave
<b>BRAC</b>	base realignment and closure
<b>CBA</b>	collective bargaining agreement
<b>CDC</b>	Central Distribution Center
<b>CFR</b>	Code of Federal Regulations
<b>CMPP</b>	Central Meat Processing Plant
<b>COP</b>	Continuation of pay
<b>D.C.</b>	District of Columbia
<b>DeCA</b>	Defense Commissary Agency
<b>DeCAF</b>	Defense Commissary Agency form
<b>DeCAM</b>	Defense Commissary Agency manual
<b>DVL</b>	disabled veteran leave
<b>EO</b>	Executive Order
<b>FMLA</b>	Family and Medical Leave Act
<b>HR</b>	human resources
<b>IAW</b>	in accordance with
<b>IDT</b>	inactive duty training
<b>LWOP</b>	leave without pay
<b>OCO</b>	overseas contingency operation
<b>OPM</b>	Office of Personnel Management
<b>OWCP</b>	Office of Worker's Compensation Program
<b>PCS</b>	permanent change of station
<b>POC</b>	point of contact
<b>T-LWOP</b>	terminal leave without pay
<b>U.S.C.</b>	United States Code
<b>U.S.</b>	United States

**VBA  
VLTP**

Veteran Benefits Administration  
Voluntary Leave Transfer Program

## **G.2. DEFINITIONS**

**accrued leave.** Leave earned by an employee during the current leave year that is unused at any given time in that year.

**accumulated leave.** The unused leave remaining to the credit of an employee at the beginning of the leave year.

**administrative work weeks.** A period of seven consecutive calendar days designated in advance by the head of the agency.

**holiday worked.** Non-overtime work performed by an employee during a regularly scheduled daily tour of duty on a holiday designated in accordance with Section 610.202 of Title 5, CFR.

**home leave.** Leave authorized by section Section 6305(a) of Title 5, U.S.C., and earned by service abroad for use in the U.S., in the Commonwealth of Puerto Rico, or in the territories or possessions of the U.S.

**irregular or occasional overtime work.** Overtime work that is not part of an employee's regularly scheduled administrative workweek.

**leave year.** The period beginning with the first day of the first complete pay period in a calendar year and ending with the day immediately before the first day of the first complete pay period in the following calendar year.

**regularly scheduled administrative work week.** For full-time employees it is the period within an administrative workweek which the employee is regularly scheduled to work. For part-time employees it is the officially prescribed days and hours within an administrative workweek during which the employee is regularly scheduled to work.

**Sunday work.** Non-overtime work performed by an employee during a regularly scheduled daily tour of duty when any part of that daily tour of duty is on a Sunday.

**tour of duty.** The hours of a day (a daily tour of duty) and the days of an administrative work week (a weekly tour of duty) that constitute an employee's regularly scheduled administrative workweek.

## **REFERENCES**

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- Code of Federal Regulations, Title 5, Part 610, “Hours of Duty,” January 1, 2011
- Code of Federal Regulations, Title 5, Part 630, “Absence and Leave,” January 1, 2011
- CPM 2008-21, “Minimum Service Requirement to Receive 5 Days of Excused Absence for  
Employee Returning from Active Military Duty,” December 16, 2008
- DeCA Collective Bargaining Agreements
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- DeCA Directive 70-2, “Internal Control Program,” December 17, 2007
- DeCA HR Guidance 15-01, Change 1, “Authorized Time for Physical Fitness,”  
C/2, January 2, 2018
- DeCA Manual 50-23.1, “Injury Compensation Program Manual,” October 24, 2011
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- United States Code, Title 5, Chapter 63, “Annual and Sick Leave,” October 31, 2016
- United States Code, Title 5, Chapter 81, “Compensation for Work Injuries,” January 3, 2012
- United States Code, Title 10, Chapter 101, “Definitions,” January 3, 2012