

May 2006

Attendance and Leave Handbook

[USGS Memorandum](#) from Pam Malam introducing the Attendance and Leave Handbook.

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Chapter 1 Work Schedules

1. What is the Workweek?

The administrative workweek begins on Sunday and ends on the following Saturday. The basic workweek for full-time employees is generally 40 hours, 8 hours each on Monday through Friday, exclusive of an uncompensated lunch period of 30 minutes. Supervisors will prescribe specific days and hours of duty for part-time employees.

2. Who Can Approve a Change to a Work Schedule?

Supervisors can approve changes to an employee's work schedule.

• What Circumstances Will Permit a Change?

- Work requiring special hours of duty for particular employees or groups of employees;
- Individual hardships; or
- Approved training courses.

Supervisors may periodically reevaluate changes to the work schedule to keep individual deviations from normal business hours at a minimum and to ensure that work is accomplished efficiently.

3. What is an Alternative Work Schedule (AWS)?

An alternative work schedule (AWS) is any one of several available work schedules other than the traditional work schedule of 8 hours per day, 40 hours per week. By allowing employees to vary the hours of their workday and/or workweek, AWS offers employees maximum flexibility, yet ensures office coverage as most forms of AWS require employees to either work, or account for absences with approved

leave, during the designated core hours (see [Section 5](#)).

What are the Benefits of AWS?

The AWS program enables managers and supervisors to meet their program goals while simultaneously allowing employees greater flexibility in scheduling their personal activities. As employees gain greater control over their time, they may balance work and family responsibilities more easily, become involved in volunteer activities, and take advantage of educational opportunities. An AWS can also reduce the use of both scheduled and unscheduled leave for personal appointments. The benefits of AWS for the organization include increased employee morale, a greater window for coast-to-coast communications, and its use as a recruitment and retention tool.

Who is Eligible for AWS?

Subject to the approval of the immediate supervisor, USGS employees are eligible to participate in some form of AWS in accordance with the provisions of this handbook and the [Office of Personnel Management's Handbook on Alternative Work Schedules](#). Supervisors are encouraged to work with individual employees to afford them maximum flexibility in scheduling their work while maintaining office coverage and achieving performance goals.

4. What are the Alternative Work Schedules?

Alternative work schedules fall into two categories: flexible work schedules (FWS) and compressed work schedules (CWS).

An FWS allows variable hours (within designated flexible time bands) and variable days, with set core hours. Employees, with the exception of members of the Senior Executive Service, may earn credit hours under an FWS.

A CWS has fixed hours with a fixed starting and ending time, and allows employees to work their scheduled hours for the pay period in fewer than 10 workdays. Credit hours cannot be earned under a CWS. There are no core hour requirements under a CWS.

Adjustments may be made to accommodate part-time schedules under the flexible and compressed work schedules.

Employees may not combine elements from flexible and compressed work schedules to create a "hybrid" schedule.

Employees may elect to work one of the following alternative work schedules:

Flexible Work Schedules:

- *Gliding schedule:* Employees work 8 consecutive hours each day and 40 hours each week, but can select different starting and ending times each day as long as they fall within the established flexible time bands, to include coverage of the core hours.
- *Maxiflex schedule:* Employees can work fewer than 10 workdays a pay period by varying the length of the workday and the workweek (within the limits established by the supervisor) so long as they cover the core hours each workday and work 80 hours a pay period.

Compressed Work Schedules:

- **5/4/9:** Employees work a fixed schedule of eight 9-hour days and one 8-hour day per pay period, resulting in one AWS day off each pay period. The AWS day off is established, but may be changed for another day with supervisory approval.
- **4/10:** Employees work four 10-hour days per week and have one AWS day off each week. The AWS day off is established, but may be changed for another day with supervisory approval.

Please refer to [Appendix 1](#) for an at-a-glance comparison of options for the alternative work schedules.

5. What are the Core Hour Requirements?

Core hours are defined as the time period during the workday that is within an employee's tour of duty during which an employee covered by a flexible work schedule is required to be present for work. Employees must be present at work during core hours or must receive supervisory approval to use credit hours, compensatory time off, or appropriate charges to leave to account for absences from work.

Supervisors should establish core hours for employees on a flexible work schedule and may change them when necessary.

Supervisors may require employees to be present at work at times outside of the core hours, or may temporarily cancel an AWS, in order to allow the employee to attend meetings, training, or perform other assignments as necessary.

There are no core hour requirements under a compressed work schedule as there are fixed starting and ending times.

6. What is the Length of the Workday?

The maximum length of the workday is generally 12 hours; however, exceptions may be made as needed. See your servicing human resources office for guidelines on exceptions to this policy.

Supervisors should establish the earliest arrival time and the latest departure time for employees, taking into consideration the operational hours of the facility in which they work. Supervisors should consider the safety and security of employees when establishing these times. In locations protected by a guard force, supervisors must coordinate arrival and departure times that do not result in additional expenses for extended guard hours.

7. How Long is the Lunch Period?

Employees must take a lunch period of 30, 45, or 60 minutes. Employees who elect a lunch break of 45 or 60 minutes must extend their work schedules by 15 or 30 minutes as applicable to their schedule. Employees may not schedule a lunch break of more than 1 hour in a basic workday.

8. Can the Lunch Period be Skipped to Leave Work Early?

The purpose of a lunch period is to provide a duty-free period to have a meal break. Accordingly, lunch periods may not be skipped to shorten the workday.

9. Are There Restrictions on Selecting an AWS Day Off?

Supervisors should determine which AWS day(s) off are appropriate in order to ensure the needs of the office are met.

10. How are Credit Hours Earned and Used?

Only employees working under a flexible work schedule may earn credit hours, which are *voluntarily* worked in 15-minute increments. Members of the Senior Executive Service and employees on compressed work schedules may not earn credit hours.

Supervisory approval is required to earn and use credit hours. "Blanket" approval for earning credit hours on Monday through Friday may be given at the supervisor's discretion. Specific approval by the supervisor is required for earning credit hours on Saturdays and Sundays. Credit hours should not be used to avoid proper compensation for overtime work.

Credit hours must be worked within the time period established for the length of the workday, which is generally 12 hours.

Credit hours do not accrue until after the bi-weekly work requirement is met for employees working under a Maxiflex schedule. For employees on the Gliding schedule, credit hours can accrue on a daily basis.

Full-time employees may carry over a maximum of 24 credit hours from one pay period to the next. Part-time employees may only carry over the number of credit hours equal to $\frac{1}{4}$ of their biweekly work requirement. Additional credit hours over the established maximum are forfeited.

What Happens to Credit Hours When Switching from an FWS to a CWS?

Employees who switch from a flexible work schedule to a compressed work schedule may either use up their credit hour balances prior to making the switch, or will be paid at their current rate of pay up to a maximum of 24 unused credit hours for full-time employees, and $\frac{1}{4}$ of the biweekly basic work requirement for part-time employees.

11. How Do Holidays Impact an AWS?

If the holiday falls on a regularly scheduled workday, employees under a flexible work schedule will earn a maximum of 8 hours of basic pay for the holiday, while employees working under a compressed work schedule will earn the number of hours for which they were scheduled to work on that day, i.e., 8, 9, or 10 hours. Part-time employees working under a flexible work schedule are entitled to basic pay for the number of hours for which they were scheduled to work on that day, not to exceed 8 hours. Part-time employees working under a compressed work schedule are entitled to basic pay for the number of hours of his or her compressed work schedule on that day.

If the holiday falls on an employee's regularly scheduled AWS day off, only full-time employees are entitled to an "in lieu of" holiday, to which the pay provisions mentioned above will also apply:

- If the scheduled AWS day off is Friday and the holiday falls on that Friday, the "in lieu of" holiday will be the preceding workday, which is Thursday.
- If the scheduled AWS day off is Monday and the holiday falls on that Monday, the "in lieu of" holiday will be the following workday, which is Tuesday.
- If the AWS day off is other than a Monday or a Friday and the holiday falls on that particular day, the "in lieu of" holiday will be the preceding workday.

When the Federal government declares a normal workday as a holiday, supervisors may exercise their discretion to grant administrative leave to an employee on a flexible work schedule that, combined with the 8 hours of basic holiday pay, would total the number of hours the employee is regularly scheduled to work on that day. This may be appropriate if the employee will not have enough time to schedule credit hours because he/she is in a leave status, or if the timing of the holiday precludes an employee from working the credit hours to make up the difference (in lieu of using annual leave).

12. What Happens if the Office is Closed Due to Inclement Weather or an Administrative Action?

When employees are not required to report to work and administrative leave is granted, the amount of excused absence to be granted should be based on the employee's established basic work requirement in effect for that day.

If excused absence is granted for part of the day, the employee will be granted enough administrative leave that, combined with the number of hours already worked, will result in the total number of hours scheduled for that day.

If the office is closed on an employee's AWS day off, there is no entitlement to an additional day off.

13. Are Changes to an AWS Required to Accommodate Travel, Conferences, or Training?

Employees may be required to amend their schedule as needed to attend conferences, training, and report for temporary duty assignments away from the regular duty station. Generally, employees may have to revert to the standard five 8-hour day work schedule to accommodate travel assignments. For example, employees working a compressed 4/10 schedule may be required to work the 4/10 schedule one week and revert to the standard schedule for the week of training. Advance planning is required to ensure that employees are able to attend required training, conferences, or temporary duty assignments without overtime authorization resulting from schedule conflicts.

14. What if a Supervisor Requires an Employee to Work Overtime or Earn Compensatory Time in Lieu of Overtime?

Additional hours of work ordered by a supervisor, including work an employee is directed to perform on his or her AWS day off, are subject to the provisions of the overtime regulations. Overtime, or compensatory time off in lieu of overtime pay, should not be confused with credit hours, which are worked voluntarily and are used to assist employees in managing their workload, leave, and to balance their professional and personal obligations. Credit hours are not a tool by which management can circumvent the obligation for proper overtime compensation.

15. Can an Employee on an AWS Earn Premium Pay for Night Work?

When 8 or more hours are available for work during daytime hours, i.e., between 6 a.m. and 6 p.m., night pay will not be paid to a General Schedule (GS) employee on an AWS who elects to work credit hours or elects a time of arrival or departure between 6:00 p.m. and 6:00 a.m.

16. How is an AWS Established?

Employees must complete an AWS agreement (Appendices [2](#) and [3](#)) and submit it to their supervisor for approval. Supervisors should

discuss the proposed schedule and either approve it or amend it with the employee within 10 days of receipt.

Employees who are switching to a compressed work schedule must, if possible, exhaust their existing credit hour balance prior to making the switch since compressed work schedules do not allow for credit hours. If this is not possible, the employee will receive pay for those hours up to the 24-hour maximum for full-time employees and ¼ of the biweekly work requirement for part-time employees, but will not be able to use the credit hours while working under a compressed work schedule.

Supervisors should ensure that any schedules they approve will allow for necessary office coverage and “back up” coverage, when necessary. Supervisors should establish a fair and equitable method for resolving schedule conflicts.

Employees on Maxiflex are required to provide their supervisors a copy of their work schedule prior to the beginning of each pay period. Under Maxiflex, an agreed to schedule may be established. Any variances to that schedule must be submitted in writing at the beginning of each pay period for supervisory approval.

Supervisors are encouraged to review AWS agreements annually.

17. Can an AWS Agreement be Modified or Cancelled?

The mission requirements, organizational goals and objectives of the USGS, as well as the established performance objectives of individual employees must be met while working under an AWS. The supervisor has the discretion to restrict or cancel the AWS arrangement if organizational effectiveness, productivity, efficiency, or individual performance is negatively impacted. Supervisors should notify employees in writing of their intent to restrict or cancel an AWS agreement and indicate the reasons for doing so and the effective date of the action.

Supervisors may require employees to make temporary changes to their schedule to meet deadlines, accommodate long-term employee absence, attend meetings or conferences, accommodate the effects of vacant positions during the recruitment process, etc.

Safety and security regulations and position requirements may require permanent exemption or restrictions such as limiting the employee to one AWS day off a pay period, modifying the arrival and departure time bands, or requiring that all members of a field crew work the same schedule, etc. Supervisors should apply such restrictions consistently within the work unit. Permanent restrictions and exemption must be approved at the next higher level of supervision.

Employees who are placed on leave restriction or a performance improvement plan (PIP) may be excluded from all or some of the alternative work schedules during the period of the leave restriction or PIP, as deemed necessary by the supervisor.

18. How are AWS Agreements Maintained?

Supervisors should retain the original copy of the signed AWS agreement and provide a copy to the employee and the employee's timekeeper.

Upon receipt of an approved AWS agreement, timekeepers should follow the established local procedures for processing the information in the timekeeping and payroll systems.

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Chapter 2 Holidays

1. What are the Federal Holidays?

The holidays for Federal employees are:

- New Year's Day (January 1)
- Birthday of Martin Luther King, Jr. (Third Monday in January)
- Washington's Birthday (Third Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Columbus Day (Second Monday in October)
- Veterans Day (November 11)
- Thanksgiving Day (Fourth Thursday in November)
- Christmas Day (December 25)

Presidential Inauguration Day:

Federal employees in the Washington, D.C. area are entitled to a holiday on the day a President is inaugurated (January 20th following a Presidential election). Employees are entitled to this holiday if they are employed in the District of Columbia, Montgomery and Prince George Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria and Falls Church in Virginia. There is no in-lieu-of holiday for employees who are not regularly scheduled to work on Inauguration Day.

When Inauguration Day is moved to January 21st because January 20th falls on Sunday, Federal employees in the Washington, D.C. area who would otherwise work on Monday, January 21st, are entitled to a holiday on that day.

2. Does the USGS Observe State and Local Holidays?

The USGS regards State and local holidays as regular workdays. If an employee wishes to be absent and the Federal government is open, he or she must request annual leave or leave without pay from the supervisor.

In those rare situations where a non-Federal holiday makes it impossible to properly perform the functions of the office, either an SES manager on site or a manager who responds directly to an SES manager may close an office.

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Chapter 3 Group Dismissals or Closure In Emergency Situations

1. When is Group Dismissal or Closure Appropriate?

Group dismissal may be necessary when normal operations are interrupted by events or emergencies beyond the control of the office or

employees, such as severe inclement weather; natural disasters; power failure; a major fire; serious interruptions to public transportation; mass demonstrations; and other situations which affect the health and safety of employees and/or prevents employees from working or reporting to work.

Who in the Department of the Interior Can Close Offices in the Washington, D.C. Metropolitan Area?

The Director, Office of Human Resources, Department of the Interior, may close all or part of Washington, D.C. metropolitan area offices when conditions warrant.

Who Can Close a Field Office?

Either an SES manager on site or a manager who reports directly to an SES manager may close a field office due to emergency conditions.

2. What is the Procedure for Emergency Dismissal or Closure?

The Office of Personnel Management (OPM) has developed guidelines for the dismissal and closure of Federal agencies in the Washington, D.C. area. These procedures are available on OPM's website at: <http://www.opm.gov/oca/compmemo/dismissal.pdf>. See [Appendix 4](#) for a table that summarizes the announcements OPM will provide to the media when there is a disruption of Government operations.

Employees in the Washington, D.C. area may call the USGS employee information hotline at 703-648-7075 or 800-228-0975, or check the "Operating Status" section of the OPM homepage at: www.opm.gov.

Employees who work outside the Washington, D.C. metropolitan area should follow procedures issued by their Federal Executive Board or local police authorities.

3. What Happens When the Media Announces, "Federal Government Closed"?

Non-emergency employees (including employees on pre-approved leave) will be granted excused absence for the number of hours they were scheduled to work. This does not apply to employees on leave without pay, workers' compensation, suspension, or in any other non-pay status. Telework employees may be expected to work from their telework sites, as specified in their telework agreements. Employees on alternative work schedules are not entitled to another AWS day off in lieu of the workday when the agency is closed.

4. Are Public Protest Events Non-Workdays?

No. When a private group designates a day for discussions, protests, or nonwork, there is no effect on Federal Government agencies. Such days are regular workdays and regular leave policies are in effect. Supervisors may deny a request for leave if the employee's absence would adversely affect the operation of the office.

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Chapter 4 - General Leave Provisions

1. Who Has the Authority to Approve Leave?

First-line supervisors may approve all leave requests except for leave without pay (LWOP) in excess of 30 calendar days and requests for the restoration of forfeited leave.

LWOP in excess of 30 calendar days and requests for the restoration of forfeited leave may only be approved by second-level supervisors or Office Chiefs reporting directly to the Director or Deputy Director and managers or supervisors who report directly to a member of the Senior Executive Service or an Office of Regional Services Chief, whichever is lower.

2. Can Annual Leave be Substituted for Sick Leave and Vice Versa?

Annual leave can be used in lieu of sick leave. Employees may also retroactively substitute annual for sick leave to liquidate an outstanding advanced sick leave balance.

If an employee is on annual leave, sick leave may be requested in lieu of annual if a matter arises that would normally allow the employee to take sick leave under the sick leave provisions, such as for illness or bereavement purposes.

3. What is the Minimum Charge to Employee Leave Accounts?

Leave is charged in increments of 15 minutes.

4. Do Intermittent or Temporary Employees Earn Leave?

Employees on an intermittent work schedule do not earn annual or sick leave.

Employees on an initial appointment of less than 90 days do not earn annual leave. However, if the appointment is extended or the employee receives one or more successive appointments without a break in service, the employee becomes eligible to accrue annual leave on the 90th day of employment, and in addition, the employee is entitled to the annual leave that would have accrued during the initial 90-day period. Employees also earn 4 hours of sick leave in each biweekly pay period of the appointment.

5. What is the Time Limit for Using Compensatory Time?

Exempt Employees:

An exempt employee is an employee who is not covered by the Fair Labor Standards Act. Exempt employees must use their compensatory time within 12 pay periods after the pay period it was credited. If compensatory time is not taken within this period of time, the employee loses the right to compensatory time off and to overtime pay unless failure to take the compensatory time is due to an exigency of the service beyond the employee's control. In the latter case, payment will be made for overtime work at the overtime rate in effect for the period during which the compensatory time was earned.

If the employee separates or goes on extended leave without pay to perform service in one of the uniformed services or because of an on-the-job injury with entitlement to injury compensation under 5 U.S.C. Chapter 81, he or she is entitled to receive pay for the overtime work at the overtime rate in effect for the period during which the compensatory time was earned.

Non-exempt employees:

A non-exempt employee is an employee who is covered by the Fair Labor Standards Act. Non-exempt employees must use any compensatory time within 12 pay periods after the pay period it was credited. If the compensatory time off is not taken within this time period, or if the employee separates, or goes on extended leave without pay to perform service in one of the uniformed services or because of an on-the-job injury with entitlement to injury compensation under 5 U.S.C. Chapter 81, he or she is entitled to receive pay for the overtime work at the overtime rate in effect for the period during which the compensatory time was earned.

If you are unsure of your Fair Labor Standards Act status, i.e., whether you are exempt or non-exempt, contact your servicing human resources office.

6. What is the Leave Policy for Emergency Situations?

Supervisors will commonly follow the guidelines outlined in [Appendix 4](#). However, employees should consult with their supervisors in emergency situations.

7. What is "Sick Leave for Family Care or Bereavement Purposes," "Sick Leave to Care for a Family Member with a Serious Health Condition," and "Family and Medical Leave"?**1. Sick Leave for Family Care or Bereavement Purposes (Paid Sick Leave)**

Full-time employees may use 40 hours of sick leave each leave year for general family care and bereavement purposes. An additional 64 hours may be used each leave year if the employee maintains a balance of at least 80 hours in his or her account. (Leave is pro-rated for part-time employees.)

Purpose:

- Provide care for a family member who is incapacitated as a result of physical or mental illness, injury, pregnancy, or childbirth;
- Provide care for a family member as a result of medical, dental, or optical examination or treatment; or
- Make arrangements necessitated by the death of a family member or attend the funeral of a family member.

"Family member" is defined as:

- Spouse, and parents thereof;
- Children, including adopted children, and spouses thereof;
- Parents;
- Brothers and sisters, and spouses thereof; and
- Any individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

Employees may request sick leave for family care or bereavement purposes by using the OPM Form 71, "Request for Leave or Approved Absence."

2. Sick Leave to Care for a Family Member with a Serious Health Condition (Paid Sick Leave)

Full-time employees may use 40 hours of sick leave (or up to a maximum of 12 weeks of sick leave if the employee maintains a

balance of at least 80 hours in his or her account) each leave year to care for a family member with a serious health condition. *If you use any portion of the 13 days of sick leave for general family care or bereavement purposes in a leave year, that amount must be subtracted from the 12-week entitlement. (Leave is pro-rated for part-time employees.)

Purpose:

- *To care for a family member with a serious health condition.

"Family member" is defined as:

- Spouse, and parents thereof;
- Children, including adopted children, and spouses thereof;
- Parents;
- Brothers and sisters, and spouses thereof; and
- Any individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

Employees may request sick leave to care for a family member with a serious health condition by using the [OPM Form 71](#), "Request for Leave or Approved Absence."

3. Family and Medical Leave Act of 1993 (Unpaid and/or Paid Leave)

Full-time employees who have completed 12 months of Federal Service may use up to 12 administrative workweeks of leave without pay, annual leave, or sick leave for certain family and medical needs, as specified below, during any 12-month period. (Leave is pro-rated for part-time employees.)

Purpose:

- Birth of your child and the care of such child (within 1 year after birth);
- Placement of a child with you for adoption or foster care (within 1 year after placement);
- Care of spouse, child, or parent with a serious health condition¹; or
- Serious health condition¹ which makes you unable to perform one or more of the essential functions of your position.

Employees may invoke their entitlement to leave under the FMLA by annotating the "Family and Medical Leave" section of the [OPM Form 71](#), "Request for Leave or Approved Absence."

Employees should also complete the Form WH-380, "Certification of Health Care Provider (Family and Medical Leave Act of 1993)."

See [Chapter 7](#), "Sick Leave," and [Chapter 11](#), "Family & Medical Leave," or contact your servicing human resources office for additional information.

*Refer to [Chapter 11](#), Section 1(2) for the definition of a serious health condition.

8. What is Absence Without Leave (AWOL)?

AWOL is an unpaid absence from duty that is not approved, or for which a leave request has been denied. Although AWOL is not a disciplinary action, it may be used as a basis for initiating disciplinary action against an employee.

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Chapter 5 - Annual Leave

1. What is Annual Leave and Who is Eligible to Earn it?

Annual leave is an approved absence from work with pay and may be requested for any absence.

Unless an employee is on an intermittent work schedule or an initial temporary appointment of less than 90 days, the employee is eligible to earn and use annual leave.

2. How Much Annual Leave Do Employees Earn?

Employees who are members of the Senior Executive Service (SES), or in a senior level (SL), or scientific or professional position (ST), accrue 8 hours of annual leave each full pay period.

Employees who are not in any of the above positions earn annual leave each full pay period they are in a pay status based on years of service. The earning rate changes the pay period after the 3rd and 15th year of employment is completed. The following table shows how much leave is earned each pay period:

- **Up to 3 Years of Service**
 - Full-Time - 4 hours per pay period
 - Part-Time* - 1 hour for every 20 hours worked in a pay period
- **3 - 15 Years of Service**
 - Full-Time - 6 hours per pay period, plus an additional 4 hours in the last full pay period of the calendar
 - Part-Time* - 1 hour for every 13 hours worked in a pay period
- **15 or more Years of Service**
 - Full-Time - 8 hours per pay period
 - Part-Time* - 1 hour for every 10 hours worked in a pay period

* 80 hours in pay status is the maximum that can be used to calculate annual leave earned.

Employees who are newly appointed or are reappointed following a break in service of at least 90 calendar days from the date of the last period of Federal civilian employment *may* be eligible to receive service credit for prior non-Federal service or active duty uniformed service. See your servicing human resources office for additional information.

Employees who are hired after the first workday or that separate from the Federal Government before the last workday of a pay period will not earn annual leave for that pay period.

3. What is the Annual Leave Ceiling?

General Schedule:

The maximum permissible annual leave carryover is 30 days (240 hours).

Senior Executive Service:

The maximum permissible annual leave carryover is 90 days (720 hours), unless on the first day of the first pay period after October 13, 1994, the employee's annual leave balance exceeded 720 hours. This leave balance became the employee's new personal leave ceiling and will reduce as the employee's annual leave balance reduces until it is equal to or less than 720 hours.

Leave in excess of the maximum permissible annual leave carryover is often referred to as "Use or Lose" leave as it is subject to forfeiture if it is not used before the end of the leave year.

4. What is a Leave Year?

A leave year is 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.

5. How is Annual Leave Requested?

Employees should request annual leave by using the OPM Form 71, "Request for Leave or Approved Absence" ([Appendix 5](#)) or other approved written method, such as the time and attendance system. When an employee cannot anticipate the need for leave, he or she should notify the supervisor or other designated staff member of the need for leave (and the expected duration) by the employee's scheduled start time, or as soon as possible if there are unusual circumstances.

Must a Reason be Provided When Requesting Annual Leave?

No. However, a supervisor may inquire about the request if it conflicts with work demands.

What Considerations are Given to Requests for Annual Leave?

- Supervisors will grant annual leave when employees can be spared from their duties. Supervisors will base disapproval of a request for leave on workload requirements and the number of employees available for office coverage.
- Supervisors may give retroactive approval for emergency annual leave when warranted by the circumstances.

6. What Happens to Annual Leave When an Employee Separates from the Federal Government?

Employees will receive a lump-sum payment for any accumulated annual leave and any unused restored annual leave.

Employees who separate to enter active duty in the Armed Forces may elect to receive either a lump-sum payment for the annual leave or have the annual leave remain to the employee's credit until his or her return from active duty. However, any restored annual leave will be paid in a lump-sum payment and cannot be recredited to the employee's account upon return to the Federal service.

7. Can Annual Leave be Advanced?

- **Permanent Employee:** Supervisors may advance only the amount of annual leave that an employee is expected to accrue through the end of the leave year.
- **Temporary Employee:** Supervisors may advance annual leave up to the amount the employee will earn by the expiration date of the appointment, not to exceed the amount the employee will earn before the end of the leave year, whichever is less.

An employee may request advanced annual leave by submitting a written request to his or her supervisor that includes the dates for which the employee is requesting advanced annual leave and the reason(s).

There is no obligation for supervisors to approve advanced annual leave as it is not an employee entitlement. Supervisors should not approve advanced annual leave if there is reason to believe the employee will not return to duty.

8. How is Advanced Annual Leave Debt Liquidated When an Employee Leaves the USGS?

Employees must repay the amount equal to all unliquidated advanced annual leave before leaving the USGS by either retroactively substituting it with paid leave or submitting a cash payment. Employees who do not repay it may be billed for the amount equal to the leave for which they are indebted or the amount owed may be taken from any pay due the employee. This does not apply if the employee's separation is due to death, disability retirement, or resignation or separation because of disability which prevents the employee from returning to duty or continuing in the Federal service.

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Chapter 6 - Restoration of Forfeited Leave

1. Can Forfeited Annual Leave Be Restored?

Employees may request restoration of annual leave in excess of the maximum permissible carryover which was forfeited at the end of the leave year when the forfeiture was a result of:

- Exigency of the public business that precluded the employee from using scheduled annual leave (refer to Section 2 for the definition of an exigency);
- A period of absence due to sickness or injury that occurred late in the leave year or was of such duration that the excess annual leave could not be rescheduled for use before the end of the leave year; or
- Administrative error when the error causes the loss of the annual leave.

2. What is an "Exigency" of the Public Business?

An exigency of the public business pertains to operational requirements of the USGS that preclude an employee from using his or her leave. Examples may include disaster duty, an emergency detail, the lapse of appropriations, jury service, etc.

Who Determines that an Exigency Exists?

A supervisor can determine whether an exigency exists. The operational requirement for denying or canceling leave must be of such significance that the employee could not be excused from duty during the period of requested leave.

3. What are the Criteria for Restoring Forfeited Annual Leave?

Employees must have:

1. Scheduled and obtained approval for annual leave in writing before the start of the third pay period prior to the end of the leave year.
2. Rescheduled and obtained approval of annual leave in writing before the start of the third pay period prior to the end of the leave year, where possible, when an exigency or sickness resulted in the cancellation of scheduled annual leave during the year.

The USGS cannot waive or modify the statutory requirement to schedule leave in advance.

4. What is the Procedure for Processing a Request for the Restoration of Annual Leave?

Employees must submit a written request for restored annual leave to their approving official (Office Chief reporting directly to the Director or Deputy Director or manager/supervisor who reports directly to a member of the Senior Executive Service or an Office of Regional Services Chief). The request should include the following information:

1. A copy of the written request to schedule the leave that is dated before the beginning of the third pay period prior to the end of the leave year. All requests must include the dates that the leave was to be used and the total number of hours scheduled;
2. In the case of exigency of public business, an explanation from the supervisor explaining the reason for denying or canceling the leave and an explanation why the leave could not be rescheduled before the end of the leave year. The operational requirement for denying or canceling leave must be of such significance that the employee could not be excused from duty during the period of requested leave. The supervisor must also identify the specific beginning and ending dates of the exigency period during which the employee was prevented from using annual leave;
3. In the case of illness, a statement from the supervisor indicating the period of illness and, if applicable, the reason why the leave could not be rescheduled before the end of the leave year;
4. In the case of administrative error, a statement from the employee explaining the error, accompanied by available documentation, and certified by the supervisor;
5. A statement or other verification from the supervisor that the requested amount of restored leave was available as use or lose leave in

the employee's leave account at the end of the leave year.

5. What Happens to a Request for Restored Leave After it is Approved?

If the approving official approves the written request for restored leave, the form "Notice of Approval of Restored Leave," ([Appendix 6](#)), should be forwarded to the payroll office. The payroll office will credit the restored leave to the employee's account.

6. What is the Time Limit for Using Restored Annual Leave?

Employees must use their restored annual leave by the end of the leave year ending 2 years after:

1. The date of restoration of the annual leave forfeited because of administrative error;
2. The date fixed by the approving official as the termination date of the exigency of public business which resulted in forfeiture of the annual leave; or
3. The date the employee recovers and is able to return to duty when the leave was forfeited because of sickness.

Restored annual leave that is not used within the established time limits is forfeited with no further right to restoration.

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Chapter 7 - Sick Leave

1. How Much Sick Leave Do Employees Earn?

If you are:

- Full-time then you earn 4 hours each full biweekly pay period
- Part time then you earn 1 hour for each 20 hours worked

There is no ceiling on the amount of sick leave employees may accumulate and carry over from one year to the next.

2. When May Sick Leave be Approved?

Supervisors may approve a request for sick leave when an employee:

1. Receives medical (physical or mental), dental, or optical examination or treatment;
2. Is sick due to physical or mental illness, injury, pregnancy, or childbirth;

3. Uses sick leave under the provisions of "Sick Leave for Family Care or Bereavement Purposes" and "Sick Leave to Care for a Family Member with a Serious Health Condition." (See [Section 3](#) and Chapter 4, [Section 7](#));
4. Uses sick leave under the provisions of the "Family and Medical Leave Act of 1993." (See [Chapter 4, Section 7](#) and [Chapter 11](#));
5. Would, as determined by health authorities, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease; or
6. Must be absent from duty for purposes relating to the adoption of a child. Examples may include but are not limited to: appointments with adoption agencies, social workers, and attorneys; court proceedings; required travel; any periods of time the adoptive parents are ordered or required by the adoption agency or by the court to take time off from work to care for the adopted child; and any other activities necessary to allow the adoption to proceed.

3. How Much Sick Leave May be Used for a Family Member?

1. Sick Leave for Family Care or Bereavement Purposes

Full-time employees may use 40 hours (5 workdays) of sick leave each year for the family care or bereavement purposes described in [Chapter 4, Section 7](#). An additional 64 hours (8 workdays) of sick leave may be used each year if the employee maintains a balance of at least 80 hours of sick leave in his or her account. Part-time employees and employees with uncommon tours of duty are also covered, and the amount of sick leave permitted is pro-rated in proportion to the average number of hours of work in the employee's scheduled tour of duty each week.

2. Sick Leave to Care for a Family Member with a Serious Health Condition

Full-time employees may use a total of up to 12 administrative workweeks of sick leave each leave year to care for a family member with a serious health condition, which is defined in [Chapter 11, Section 1\(2\)](#). However, the same leave balance limitations apply to the use of sick leave to care for a family member with a serious health condition as apply to the use of sick leave for general family care or bereavement purposes. An employee may use 40 hours of sick leave and may use additional sick leave if he or she maintains a sick leave balance of at least 80 hours. (See [Chapter 4, Section 7](#))

Only the first 40 hours of sick leave (or a proportional amount for an employee on a part-time schedule or uncommon tour of duty) may be advanced.

4. How is Sick Leave Requested?

1. Employees should request approval from their supervisor using the OPM Form 71, "Request for Leave or Approved Absence," ([Appendix 5](#)) in advance, where possible, or other approved written method, such as the time and attendance system.
2. If an employee is too sick to come to work, he or she should call the supervisor or other designated staff member by the time the employee normally reports to work. If the illness continues beyond one day, the employee must keep the supervisor informed, normally each day.

5. What is a Medical Certificate and When is One Required?

A medical certificate is a written statement signed by a registered practicing physician or other practitioner certifying the employee's incapacitation, examination, or treatment, or to the period of disability during which the employee was receiving professional treatment.

1. Supervisors may request a medical certificate for absences in excess of 3 workdays. When the nature of the illness is such that the employee does not need to see a medical practitioner, the supervisor may consider the employee's written statement concerning the illness. Prolonged absences may require periodic medical certification. Supervisors may also request a medical certificate for absences of less than 3 workdays if the employee is believed to be abusing leave privileges.
2. Supervisors will require employees to submit a medical certificate to justify requests for advanced sick leave.

Employees must provide the required written medical certification for the use of sick leave, signed by the health care provider, no later than 15 calendar days after the date the supervisor requests such medical certification.

6. What Happens if an Employee Abuses Sick Leave Privileges?

When a supervisor has reason to believe that an employee is misusing or abusing sick leave, the supervisor may restrict the use of sick leave. The supervisor should coordinate such action with the servicing human resources office and then notify the employee in writing that:

1. The employee must submit a medical certificate to support the use of sick leave for all medically-related absences; and
2. Unjustified absences will be charged as absent without leave (AWOL) and may subject the employee to disciplinary action.

7. Can Sick Leave be Advanced?

1. **Permanent Full-Time Employee:** Supervisors may advance a maximum of 30 workdays (240 hours) of sick leave provided the employee's request includes a medical certificate or other supporting documentation.
2. **Appointment of Limited Duration:** Supervisors may advance a maximum of 30 workdays (240) hours of sick leave provided the employee's request includes a medical certificate or other supporting documentation and does not exceed the amount he or she would earn during the term of the appointment.
3. **Applicant for Disability Retirement:** Supervisors may not advance an employee sick leave once the employee files an Application for Disability Retirement.

If the sick leave is being used for family care or bereavement purposes or to care for a family member with a serious health condition, only the first 40 hours of sick leave (or a proportional amount for an employee on a part-time schedule or uncommon tour of duty) may be advanced (See [Section 3](#)).

An employee may request advanced sick leave by submitting a written request to his or her supervisor that includes the dates and reasons for which the employee is requesting advanced sick leave and supporting documentation.

There is no obligation for supervisors to approve advanced sick leave as it is not an employee entitlement. Supervisors should not approve advanced sick leave if there is reason to believe the employee will not return to duty.

8. How is an Advance of Sick Leave Liquidated if an Employee Leaves the USGS?

Employees must repay all advanced sick leave before leaving the USGS by either retroactively substituting it with paid leave or submitting a cash payment. If it is not repaid, the employee may be billed for the amount equal to the leave for which he or she is indebted or the amount owed may be taken from any pay due the employee, such as the final salary payment, and/or lump sum annual leave payment, etc. This does not apply if the employee's separation is due to death, disability retirement, or resignation or separation because of disability which prevents the employee from returning to duty or continuing in the Federal service.

9. What Happens to Sick Leave when an Employee Returns to Federal Service?

The USGS will recredit an employee's sick leave when there is a break in service (without regard to the date of separation) if the employee returned to Federal employment on or after December 2, 1994, unless the sick leave was forfeited upon reemployment before this date.

10. What Happens to Sick Leave when an Employee Retires?

It depends on the employee's retirement system. For those employees who retire under the Civil Service Retirement System (CSRS) or CSRS-Offset, a balance of unused sick leave will be converted to years, months, and days, and added to the total service time for computing the annuity. The unused sick leave balance cannot be used for meeting the minimum length of service needed to be eligible to retire.

Unused sick leave is not used for computing an annuity under the Federal Employees' Retirement System (FERS), unless the employee transferred to FERS with at least five years of CSRS civilian service.

For additional information, contact your servicing human resources office.

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Chapter 8 - Other Paid Leave

1. What is Other Paid Leave?

- Military Leave;
- Funeral Leave;
- Court Leave;
- Leave for Bone-Marrow or Organ Donation;
- Excused Absence;

- Home Leave
- Shore Leave

2. Who is Eligible for Military Leave?

A permanent or temporary full-time employee with an appointment that exceeds one year, is entitled to leave without loss in pay, time, or performance or efficiency rating for active duty, inactive-duty training, or engaging in field or coast defense training as a Reserve of the Armed Forces or member of the National Guard.

1. How Does Military Leave Accrue?

Full-time Employees: Employees receive 120 hours (15 workdays) per fiscal year and, to the extent that it is not used in a fiscal year, military leave accumulates for use in the succeeding fiscal year until it totals 15 workdays at the beginning of a fiscal year.

Part-time Employees: The accrual is determined by dividing 40 into the number of hours in the employee's regularly scheduled workweek during that fiscal year.

2. How Is Military Leave Charged?

Military leave is charged in one-hour increments and excludes holidays and nonworkdays.

3. How is Military Leave Requested?

Employees should complete the OPM Form 71, "Request for Leave or Approved Absence," ([Appendix 5](#)) or use an approved written method, such as the time and attendance system, and provide a copy of the military orders to their supervisor as far in advance as possible. Upon the employee's return to duty, he or she must submit certification of attendance showing his or her name and the specific days that military service was performed.

4. What are the Other Purposes for Military Leave?

Military leave may be used for:

○ Enforcement Purposes.

A full-time employee and a reservist in the Armed Forces or the National Guard may use military leave to provide military aid to enforce the law, or provide assistance to civil authorities in the protection or saving of life or property or the prevention of injury, without loss of or reduction in pay, leave, credit for time or service, or performance or efficiency rating. The maximum is 22 workdays (176 hours) in a calendar year.

○ Parade or Encampment.

A full-time employee and a member of the National Guard of the District of Columbia may use military leave without loss in pay or time for each day of a parade or encampment the commanding general ordered or authorized under Title 39, District of Columbia Code. An employee may use the amount of leave necessary to cover each day of service.

3. Who is Eligible for Funeral Leave?

Employees are entitled to a maximum of three days of funeral leave, which is a paid authorized absence from duty, to make arrangements or attend the funeral or memorial service of an immediate relative who died as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone, as determined by the President. Funeral leave should not be confused with sick leave for bereavement purposes.

To request funeral leave, employees should use the OPM Form 71, "Request for Leave or Approved Absence," ([Appendix 5](#)) or other approved written method, such as the time and attendance system, and provide acceptable documentation to their supervisor.

4. Who is Eligible for Court Leave?

Permanent and temporary-indefinite employees qualify for court leave, which is a paid authorized absence from duty, when called to jury duty or asked to be a witness in a non-official capacity on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia or a state or local government is a party.

Employees who are required to testify in court in an official capacity are considered to be working, not on court leave.

Employees will not be granted court leave for personal reasons such as traffic tickets, small claims cases, to testify in divorce proceedings, or other administrative hearings.

1. What Happens if an Employee is on Annual Leave and is Summoned for Jury Duty?

Should this happen, employees should notify their supervisor as soon as possible so court leave can be substituted for annual leave.

2. What Happens if an Employee is on Leave Without Pay and Summoned for Jury Duty?

The supervisor will continue to carry the employee in a leave without pay status since court leave is only available when one is in a paid status. In this situation, the employee may keep the jury fees he or she receives from any court.

3. Must an Employee Return to Duty When Excused by the Court?

When only 2 hours or less remain in the working day, employees do not have to return to duty. Otherwise, employees should return to duty or take leave.

4. Must Evidence of Attendance for Jury Duty be Provided?

Yes. When jury duty ends, employees must give their supervisors written evidence showing the actual dates of attendance. Employees may obtain a statement from the clerk of the court.

5. Can Jury or Witness Service Fees be Kept?

Federal regulations prohibit employees from receiving fees for jury duty or service as a witness. However, employees may keep transportation payments, meals, and lodging fees.

5. Who is Eligible for Bone-Marrow or Organ Donor Leave?

A full-time employee who serves as a bone-marrow donor may use up to 7 workdays of administrative leave (without loss of pay or

charge to leave) each calendar year. As an organ donor, a full-time employee may use up to 30 workdays of administrative leave each calendar year. These amounts are pro-rated for part-time employees.

6. When May an Employee be Granted Excused Absence?

An excused absence is an absence from duty with pay and without charge to leave. There is no entitlement to excused absence. Supervisors and managers may excuse employees on an individual basis under circumstances that are in the public interest or consistent with prevailing practices of other Federal agencies in the local area. When supervisors and managers exercise this authority, they must document the use of excused absence (administrative leave) in the time and attendance system.

Employees may be excused from duty under the following circumstances:

1. Civic Responsibilities.

- Voting and Registration.
 - Local Area - Where the polls are not open at least 3 hours before or after the USGS's opening and closing hours, a supervisor may grant up to 3 hours of administrative leave in the morning or the afternoon to allow the employee to vote, whichever provides the lesser time off.
 - Beyond Commuting Distance - If there are exceptional circumstances where the general rules do not permit sufficient time to enable an employee to vote, a supervisor may excuse the employee up to one full workday. Supervisors should be liberal in granting annual leave or leave without pay.
 - Jurisdiction Requiring In-Person Registration - When an employee must register to vote in person, he or she may be given time off on substantially the same basis as for voting. The employee will not receive administrative leave if he or she can register on a nonworkday, and the place of registration is within reasonable one-day, round-trip travel distance of the employee's place of residence.
- Donating blood, not to exceed 4 hours on site for donation and recovery, under the USGS's Blood Donor Program, or when an employee donates in answer to emergency calls for special blood types.

2. Medical Purposes.

- Vaccination or inoculation in cases of epidemic or threatened epidemic, and for a follow-up medical check, if required.
- Obtaining medical attention because of an on-the-job injury. There will not be a charge to annual or sick leave if medical attention is required on the day the injury occurred. For further information, contact your servicing human resources office.
- Physical examination for induction into the military service or for an administratively required physical.

3. Other Situations.

The following are examples of other appropriate situations when supervisors may grant excused absence:

- Occasional tardiness or brief absence from duty of less than one hour;
- Attending a government sponsored health benefits fair and reviewing Federal employee health benefits information and materials, up to four hours;

The following should be coordinated with your servicing human resources office:

- Providing emergency law enforcement, relief, or clean-up efforts authorized by Federal, State, or local officials having jurisdiction. (Military leave is appropriate for members of the National Guard or Reserves who are called up to assist);
- When it is in the best interest of the Government to have an employee out of the worksite during an investigation or advance notice period, a supervisor will relieve an employee from duty and continue him or her in a pay status without charge to leave until the issue is resolved;
- Dealing with the aftermath of a natural disaster, i.e., hurricane, tornado, flood, etc., that affects the employee; or
- Preparing responses for an EEO complaint, grievance, and proposed disciplinary or adverse action. (Bargaining unit employees should refer to their collective bargaining agreement.)
- Comparable situations to the above as determined by the supervisor.

7. Who is Eligible for Home Leave?

Home leave is authorized for employees who were recruited or transferred from their place of permanent residence in the U.S., the Commonwealth of Puerto Rico, or in the territories or possessions of the U.S. for service abroad for at least 24 months of continuous service. Contact your servicing human resources office for additional information about home leave.

8. Who is Eligible for Shore Leave?

Shore leave is authorized for employees who are regularly assigned to duties aboard an ocean going vessel. Contact your servicing human resources office for additional information about shore leave.

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Chapter 9 - Leave Without Pay (LWOP)

1. What is LWOP?

LWOP is a temporary approved absence from duty in a nonpay status, generally granted at the employee's request. First-line supervisors

may approve up to 30 calendar days of LWOP.

1. What are the Guidelines for Approving LWOP?

An approving official must determine if the employee's needs are sufficient to offset the cost and inconvenience resulting from retaining him or her in a LWOP status. The approving official must consider:

- Encumbrance of a position;
- Loss of services;
- Complication of retention preference registers in the event of a reduction-in-force;
- Obligation to provide active employment at the end of the leave period;
- Government insurance and health benefits at Government expense; and

There must be a reasonable expectation that the employee will return to duty in an active, productive capacity at the end of the period of LWOP. It should be noted that LWOP is not appropriate in lieu of furlough.

2. When May LWOP be Granted?

Examples of situations in which employees may request LWOP are:

1. Invoking their entitlement to a total of up to 12 weeks of LWOP during any 12-month period for certain family and medical needs under the Family and Medical Leave Act of 1993;
2. Performing service in the uniformed services, in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994;
3. A disabled veteran in need of necessary medical treatment under Executive Order 5396;
4. *Routine family medical purposes, such as routine medical or dental appointments, such as annual checkups or vaccinations;
5. *School and early childhood educational activities directly related to the educational advancement of a child. This would include parent-teacher conferences or meetings with child-care providers, interviewing for a new school or child-care facility, or participating in volunteer activities supporting the child's educational advancement. A "school" refers to an elementary school, secondary school, head start program, or a child-care facility;
6. *An elderly relative's health or care needs, such as routine medical or dental appointments or making arrangements for housing, meals, phones, banking services, etc.;
7. An employee who is seeking Federal employment in another geographic location when the employee's spouse is being relocated by his or her employer, for up to 3 months;
8. Educational purposes, i.e., job-related studies and activities that will improve the employee's job skills, for up to 1 year.

*Generally, the amount of LWOP that may be granted for any combination of circumstances listed in (4), (5) and (6) is up to 24 hours during any 12-month period. However, this does not limit or prohibit an employee from requesting and receiving additional leave or other time off for routine family medical purposes, school activities and elderly relatives' health needs.

3. How Much LWOP May Supervisors Approve?

First-line supervisors *may* approve up to 30 calendar days of LWOP, but *must* approve requests for LWOP under 2 (1) (2) and (3) of this section.

4. Can LWOP Automatically Terminate?

Yes, when an employee accepts an appointment to another Federal position, or at the expiration of the employee's appointment.

2. What is Extended LWOP and the Procedure for Requesting it?

Extended LWOP is a period of absence exceeding 30 calendar days for employees with a regularly scheduled tour of duty.

Employees must complete the [Form 9-1178, "Request for Leave Without Pay in Excess of 30 Calendar Days,"](#) (Available in Webforms) and provide written justification giving specific reasons for a request for extended LWOP. The approving official, who is normally the second-level supervisor, must forward the completed form to the servicing human resources office.

Information concerning the impact of LWOP in excess of 30 calendar days and the accompanying personnel action may be obtained from the servicing human resources office.

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Chapter 10 - Voluntary Leave Transfer Program

1. What is the Voluntary Leave Transfer Program?

The Voluntary Leave Transfer Program was established to permit employees to donate annual leave directly to another Federal employee (excluding the leave donor's immediate supervisor) who has a personal or family medical emergency and who has exhausted his or her available paid leave.

1. What is a Medical Emergency?

A medical emergency is a medical condition that an employee or a family member has that is, or is expected to, require an absence from duty for at least 24 hours without paid leave, or, in the case of a part-time employee, at least 30 percent of the average number of hours in his or her biweekly schedule.

In cases of pregnancy and childbirth, donated annual leave may only be used for a medical emergency, e.g., the mother's period of incapacitation or the illness of a child, and may not be used to provide care for a healthy child.

2. What is the Definition of a Family Member?

Family members consist of:

- Spouse, and parents thereof;
- Children, including adopted children, and spouses thereof;
- Parents;
- Brothers and sisters, and spouses thereof; and
- Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

3. What is a Leave Transfer Recipient?

A leave transfer recipient is a current Federal employee for whom a Government agency approved an application to receive annual leave through the Voluntary Leave Transfer Program.

2. How Can an Employee Become a Leave Transfer Recipient?

If an employee has a personal or family medical emergency and not enough leave to cover an absence of over 24 hours, he or she may apply in writing to become a leave transfer recipient. A personal representative may apply on behalf of an employee who is incapable of making an application.

1. How Does an Employee Apply?

The employee or his or her representative must:

- Complete the OPM 630, "Application to Become a Leave Recipient Under the Voluntary Leave Transfer Program " ([Appendix 7](#));
- Include a statement regarding the reasons for needing the transferred leave, including a brief description of the nature, severity, and anticipated duration of the medical emergency, and if it is a recurring one, the approximate frequency of the medical emergency;
- Submit certification from a physician or other appropriate expert, with respect to the medical emergency, to include the anticipated duration of the medical emergency and any additional information. If certification from more than one source is necessary, the USGS will reimburse the employee for the cost; and
- Send these materials to the immediate supervisor.

2. What is the Supervisor's Role in the Process?

The supervisor must:

- Indicate whether he or she concurs and forward the application and attachments to the Leave Transfer Coordinator in the servicing human resources office.
- Monitor the status of the medical emergency to ensure that the medical emergency still exists. This may require requesting

additional medical certification. The supervisor also retains the right to deny the leave; and

- Keep the Leave Transfer Coordinator informed.

3. What is the Leave Transfer Coordinator's (LTC) Role?

The LTC will:

- Review the application for completeness and send it to the approving official in the servicing human resources office;
- Notify the employee (or the employee's personal representative) of the decision within 10 calendar days after receipt of the application. Should the approving official disapprove the application, the LTC will include the reasons for disapproval in the notice;
- Ensure the issuance of a notice to all employees informing them that the employee is an approved leave transfer recipient (which includes a brief description of the medical emergency, unless the employee elects to withhold the distribution of any aspect of this information) and/or post a notice to the USGS leave transfer recipient website; and
- Maintain all records pertaining to the leave transfer file.

4. How is Donated Annual Leave Used?

After all paid leave has been exhausted, donated annual leave may be used consecutively or intermittently for:

- Approved medical emergency purposes. Donated annual leave accumulates without regard to the "Use or Lose" limitations; and
- Retroactive substitution of LWOP or to liquidate indebtedness for any period of advanced annual or sick leave that began on or after the beginning date of the medical emergency.

5. What Happens to Donated Leave When an Employee Transfers to Another Agency?

When there is a transfer without a break in service, the human resources office will transfer the unused donated annual leave to the new agency should the medical emergency continue to exist.

Donated leave may not be transferred to another leave recipient, included in a lump-sum payment, or recredited upon your reemployment by a Federal agency.

6. How Does Leave Accrue for an Employee in a "Shared Leave Status"?

When an employee is using transferred leave, annual and sick leave accrue to his or her credit at the same rate as if the employee were in a paid leave status. The maximum amount of annual and sick leave that the employee may accrue while in a shared leave status may not exceed 40 hours of each. This amount will be pro-rated for part-time employees. This leave will be maintained in special "set-aside accounts" that are separate from regular leave accounts.

7. When is the Leave Accrued in the "Set-Aside Accounts" Available for Use?

- **During the Medical Emergency:** Employees may use any accrued leave after all transferred annual leave has been exhausted.
- **After the Medical Emergency Terminates:** Employees may use any leave accrued as of the beginning of the first pay period beginning on or after the date the medical emergency terminates.

8. When Does the Medical Emergency Terminate?

The medical emergency terminates under the leave transfer program:

- When the employee leaves Federal service;
- At the end of the biweekly pay period in which the LTC receives written notice from the employee or the employee's personal representative that he or she is no longer affected by a medical emergency;
- At the end of the biweekly pay period in which the USGS determines, after written notice to the employee and an opportunity for the employee (or, if appropriate, the employee's personal representative) to answer orally or in writing, that he or she is no longer affected by a medical emergency;
- At the end of the biweekly pay period in which the USGS receives notice that the Office of Personnel Management approved the employee's application for disability retirement; or
- Upon the supervisor's determination, absent any additional acceptable medical documentation.

When the medical emergency terminates, the USGS will not grant any further requests for the transfer of annual leave to the employee.

3. Who is a Leave Donor?

A leave donor is a Federal employee who submits a written request to voluntarily transfer annual leave to an approved leave recipient.

1. How May an Employee Become a Leave Donor?

An employee may become a leave donor by submitting the following to the LeaveTransfer Coordinator:

- Form OPM 630-A, "Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program (Within Agency)," ([Appendix 8](#)), to request the transfer of a specific number of hours of annual leave to a specified USGS leave recipient; or
- Form OPM 630-B, "Request to Donate Annual Leave to Leave Recipient Under the Voluntary Leave Transfer Program (Outside Agency)," ([Appendix 9](#)), to donate annual leave to an approved leave recipient at another Federal agency.

Other Federal agency employees may donate leave to a USGS approved leave transfer recipient by submitting the form [OPM 630-B](#)

to the leave donor's servicing human resources office.

An employee may not donate annual leave to his or her immediate supervisor.

2. How Much Annual Leave May be Donated?

- Employees may donate no more than one-half of their annual leave entitlement during the leave year in which they make the donation, except as provided below.
- The maximum amount of "Use or Lose" leave an employee may donate during the leave year must be the lesser of:
 - One-half of the amount of annual leave the employee would accrue during the leave year the donation was made; or
 - The number of hours remaining in the leave year (as of the date of the transfer) for which the employee is scheduled to work and receive pay.

4. What Happens to Any Unused Donated Annual Leave?

1. *Leave donors who are on the rolls of a Federal agency on the date unused donated annual leave is returned will receive a prorated amount of unused donated leave, not to exceed the amount donated.
2. *When there are more eligible donors than annual leave hours remaining for restoration, no unused transferred annual leave will be restored to their accounts.
3. Employees may elect to have unused transferred annual leave restored by:
 - Crediting the restored annual leave to their annual leave account in the current leave year;
 - Crediting the restored annual leave to their annual leave account effective as of the first day of the following leave year; or
 - Donating such leave in whole or in part to other leave recipient(s).

*Transferred annual leave restored to an employee's account is subject to the "Use or Lose" leave provision.

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Chapter 11 - Family and Medical Leave Act of 1993 (FMLA)

1. Who is Eligible for FMLA Leave?

An employee is eligible for FMLA leave if he or she has completed at least 12 months of Federal service. This period of service is not required to be 12 recent or consecutive months. Employees serving under a temporary appointment with a time limitation of one year or

less and intermittent employees are not eligible.

1. What is the Entitlement?

Full-time employees have a right to 12 administrative workweeks of unpaid leave (i.e., leave without pay) during any 12-month period for:

- Birth of a son or daughter and the care of such son or daughter (within 1 year after birth);
- Placement of a son or daughter with the employee for adoption or foster care (within 1 year after placement);
- Care of a spouse, son or daughter, or parent with a serious health condition; or
- An employee's serious health condition that makes the employee unable to perform one or more of the essential functions of his or her position.

2. What is a Serious Health Condition?

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:

- Inpatient care, i.e., an overnight stay, in a hospital, hospice, or residential medical care facility. This includes any period of incapacity or any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider that includes (but is not limited to) examinations to determine if there is a serious health condition and evaluations of such condition if the examinations or evaluations determine that a serious health condition exists. Continuing treatment by a health care provider may include one or more of the following:
 - A period of incapacity of more than 3 consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - Treatment two or more times by a health care provider, by a health care provider under the direct supervision of the affected individual's health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or
 - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (e.g., a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition, such as physical therapy).
 - Any period of incapacity due to pregnancy or childbirth, or for prenatal care, even if the affected individual does not receive active treatment from a health care provider during the period of incapacity or the period of incapacity does not last more than 3 consecutive calendar days.

- Any period of incapacity or treatment for such incapacity due to a chronic serious health condition that:
 - Requires periodic visits for treatment by a health care provider or by a health care provider under the direct supervision of the affected individual's health care provider,
 - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.). The condition is covered even if the affected individual does not receive active treatment from a health care provider during the period of incapacity or the period of incapacity does not last more than 3 consecutive calendar days.
- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The affected individual must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider (e.g., Alzheimer's, severe stroke, or terminal stages of a disease).
- Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than 3 consecutive calendar days in the absence of medical intervention or treatment (e.g., chemotherapy/radiation for cancer, physical therapy for severe arthritis, dialysis for kidney disease).

A serious health condition does not include routine physical, eye, or dental examinations; a regimen of continuing treatment that includes the taking of over-the-counter medications, bed-rest, exercise, and other similar activities that can be initiated without a visit to the health care provider; a condition for which cosmetic treatments are administered, unless inpatient hospital care is required or unless complications develop; or an absence because of an employee's use of an illegal substance, unless the employee is receiving treatment for substance abuse by a health care provider or by a provider of health care services on referral by a health care provider. Ordinarily, unless complications arise, the common cold, the flu, earaches, upset stomach, minor ulcers, headaches (other than migraines), routine dental or orthodontia problems, and periodontal disease are not serious health conditions. Allergies, restorative dental or plastic surgery after an injury, removal of cancerous growth, or mental illness resulting from stress may be serious health conditions only if such conditions require inpatient care or continuing treatment by a health care provider.

3. How is the FMLA Invoked?

Employees must notify their supervisor and complete the OPM Form 71, "Request for Leave or Approved Absence" ([Appendix 5](#)). Employees may invoke entitlement to FMLA leave retroactively for any previous absence from work provided that they furnish documentation to justify why they were not able to invoke their entitlement at that time. Employees must give advance notice of 30 calendar days if the event is foreseeable.

Employees may also attach a completed U.S. Department of Labor Form WH-380, "Certification of Health Care Provider (Family and Medical Leave Act of 1993)." ([Appendix 10](#))

4. When Does an Entitlement Period Begin?

- **Family or Medical Need.** The entitlement period begins on the date the employee first takes leave.
- **Birth or Placement for Adoption or Foster Care.** The entitlement period may begin before or on the date of birth or before or on the actual adoption date.

5. How is FMLA Leave Calculated?

Calculate the 12 administrative workweeks on an hourly basis, which equals 12 times the average number of hours in the employee's regularly scheduled administrative workweek. For example: 12 weeks x 40 hours = 480 (full-time employee) or 12 weeks x 20 hours = 240 (part-time employee).

6. Can the USGS Delay a Request for FMLA Leave?

If the need for leave is foreseeable and the employee fails to give 30 calendar day's notice with no reasonable excuse for the delay of notification, the supervisor may delay the use of leave for up to 30 calendar days after the employee provides notice of the need for FMLA leave.

2. What Happens if the Supervisor Questions an Employee's Medical Certification?

Clarification of insufficient or unclear medical certification may be requested. If the supervisor doubts the validity of the original certification, the supervisor may require that:

- The employee obtain the opinion of a second health care provider designated or approved by the supervisor; or
- The employee obtain the opinion of a third health care provider when the opinion of the second health care provider differs from the original certification. The opinion of the third health care provider is binding.

The USGS will be responsible for the cost of these opinions. Please contact your servicing human resources office for assistance.

3. Can Paid Leave be Substituted for FMLA Leave?

Yes. Employees may elect to substitute annual or sick leave, advanced annual or sick leave, and donated annual leave for any or all FMLA leave consistent with leave regulations. However, employees may not retroactively substitute paid time off for leave without pay.

4. Can Employees Work Part-Time and Use FMLA Leave?

- Supervisors should approve requests to work part-time and use FMLA leave due to a serious health condition or to care for a family

member with a serious health condition when medically necessary.

- Supervisors **may** approve a request to work part-time and use FMLA leave for part of each week for the birth and care of a child, or placement of the child for adoption or foster care.

5. Is There an Entitlement to the Same Position Upon Returning to Work?

The entitlement is to return to the same or equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment, unless the employee would not otherwise have been employed in the position at the time the employee returns from leave.

Contact your servicing human resources office for additional information.

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Appendix 1

USGS ALTERNATIVE WORK SCHEDULES COMPARISON OF OPTIONS

Type of AWS	Credit Hours	Core Hours	Flexible Time Bands	AWS Days Off	Flexible Lunch (w/Supv Approval)	"Swap" AWS Days Off (w/Supv Approval)	Holidays*	Leave*
FLEXIBLE:								
Gliding	Yes	Yes	Yes	N/A	Yes	N/A	8 hours	8 hours
Maxiflex	Yes	Yes	Yes	Yes	Yes	Yes	Up to 8 hours	Up to 12 hours
COMPRESSED:								
5/4-9	No	No	No	Yes (1/pp)	No	Yes	Up to 9 hours	Up to 9 hours

4/10	No	No	No	Yes (2/pp)	No	Yes	10 hours	10 hours
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* These figures are for full-time employees only. Part-time employees are paid only the number of hours for which they are scheduled to work on that day.

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Appendix 2

USGS COMPRESSED WORK SCHEDULE AGREEMENT

1) Employee Name: _____

2) Position title/Series/Grade: _____

3) I elect to work the following compressed work schedule:

5-4/9 4/10 Part-time (Specify days and hours below)

4) My schedule will be (indicate number of hours to be worked each day and AWS day(s):

Week 1 and 2 Work Schedule

MON	TUE	WED	THU	FRI	MON	TUE	WED	THU	FRI

5) My arrival time will be _____ a.m.

My departure time will be _____ p.m.

6) I have read, understand and agree to all provisions of the USGS AWS policy that are applicable to the schedule I have requested.

I understand that I must arrive at the time indicated above each workday or account for late arrival or absence with the appropriate leave.

I understand that I cannot earn credit hours and will not be permitted to work any time in excess of this schedule unless ordered and authorized to do so as overtime work for which I will be compensated by either premium pay or compensatory time as appropriate.

7) I certify that I have already exhausted my existing credit hour balance.

Employee Signature: _____ Date: _____

-The following section is to be completed by the supervisor-

8a) ___Approved ___Not Approved

8b) Reason for Disapproval: _____

9) This agreement will become effective Pay Period No. _____

10) Supervisor Signature: _____ Date: _____

USGS Compressed Work Schedule Agreement Form (Word Doc)

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Appendix 3

USGS FLEXIBLE WORK SCHEDULE AGREEMENT

1) Employee Name: _____

2) Position title/Series/Grade: _____

3) I elect to work the following flexible work schedule:

- ___Gliding
- ___Maxiflex

4) My flexible arrival time band is from _____ a.m. to _____ a.m.

My flexible departure time band is from _____ p.m. to _____ p.m.

My flexible time band for lunch is from _____ a.m. to _____ p.m.

Core hours will be: _____(times of day) on the

following days of the week: _____

Maxiflex schedules only: My AWS day(s) off will be: _____

5) I have read, understand and agree to all provisions of the USGS AWS policy that are applicable to the schedule I have requested.

I understand that I may not arrive earlier than the beginning of the arrival time band nor depart later than the end of the departure time band.

I understand that with supervisory approval, I may extend my lunch period within the flexible time band for lunch and must either account for that time by using leave or make up the time during the same day (Gliding) or pay period (Maxiflex).

I understand that I am required to be present at work on each of the ten workdays (or established workdays under Maxiflex) of the pay period and during core time as indicated above, or I must account for my absence with the appropriate leave.

I understand that I may be requested to arrive at an alternative or a specific time on occasion when necessary to provide office coverage, attend meetings, training, or conferences and that when requested, I must comply.

I understand that under Maxiflex, I must inform my immediate supervisor in writing of my planned work schedule by the beginning of each pay period.

6) Employee Signature: _____ Date: _____

-The following section is to be completed by the supervisor-

7a) ___Approved ___Not Approved

7b) Reason for Disapproval: _____

8) This agreement will become effective Pay Period No. _____

9) Supervisor Signature: _____ Date: _____

USGS Flexible Work Schedule Agreement Form (Word Doc)

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Appendix 4

Washington , D.C. Area Dismissal or Closure Procedures

DISRUPTIONS BEFORE THE WORKDAY BEGINS

The Office of Personnel Management will provide one of the following five announcements to the media when a disruption

occurs before the workday begins. These announcements do NOT apply to individuals who are designated as *emergency employees*. *Emergency employees* are expected to report for work on time unless excused by their supervisors.

**D.C. Area Dismissal or Closure Procedures
Disruptions before the workday begins**

Announcement	What Announcement Means
"Federal agencies in the Washington , DC , area are OPEN ; employees are expected to report for work on time."	Employees are expected to report for work on time.
"Federal agencies in the Washington , DC , area are OPEN under an UNSCHEDULED LEAVE policy."	<p>Employees who cannot report for work may request unscheduled leave for their entire scheduled workday. <i>Employees must notify their supervisors of their intent to take unscheduled leave.</i></p> <p><i>Emergency employees</i> are expected to report for work on time.</p>
"Federal agencies in the Washington , DC , area are OPEN under a DELAYED ARRIVAL policy. Employees should plan to arrive for work no more than xx hours later than they would normally arrive."	<p>Employees should plan their commutes so that they arrive for work no more than xx hours later than they would normally arrive. Employees who arrive for work more than xx hours later than their normal arrival time will be charged annual leave or leave without pay for the additional period of absence from work.</p> <p><i>Telework employees</i> are expected to report for work on time.</p> <p><i>Emergency employees</i> are expected to report for work on time.</p>
"Federal agencies in the Washington , DC , area are OPEN under a DELAYED ARRIVAL/UNSCHEDULED LEAVE policy. Employees should plan to arrive for work no more than xx hours later than they would normally arrive, and employees who cannot report for work may take unscheduled leave."	<p>Employees should plan their commutes so that they arrive for work no more than xx hours later than they would normally arrive. Employees who arrive for work more than xx hours later than their normal arrival time will be charged annual leave or leave without pay for the additional period of absence from work.</p> <p>Employees who cannot report for work may request unscheduled leave for their entire scheduled workday.</p> <p><i>Telework employees</i> are expected to report for work on time.</p> <p><i>Emergency employees</i> are expected to report for work on time.</p>
"Federal agencies are CLOSED ."	Federal agencies in the Washington , DC , area are closed. Non-emergency employees (including employees on pre-approved leave) will be granted excused absence for the number of hours they were scheduled to work. This does not apply to employees on leave without pay, leave without pay for military duty, workers' compensation, suspension, or in another nonpay status.

	<p>specified in their telework agreements.</p> <p><i>Emergency employees</i> are expected to report for work on time.</p> <p>Employees on alternative work schedules are not entitled to another AWS day off in lieu of the workday on which the agency is closed.</p>
<p>"Federal agencies in the Washington , DC , area are operating under an EARLY DISMISSAL policy. Employees should be dismissed by their agencies xx hours earlier than their normal departure time from work."</p>	<p>Employees should be dismissed by their agencies relative to their normal departure times from work. For example, if a 3-hour early dismissal policy is announced, workers who normally leave their offices at 4:00 p.m. should leave at 1:00 p.m. Employees who must leave work earlier than their <i>early dismissal time</i> will be charged annual leave or leave without pay from the time of their departure through the remainder of their regularly scheduled workday. Employees on pre-approved leave for the entire workday or employees who requested unscheduled leave should be charged leave for the entire day.</p> <p><i>Telework employees</i> may be expected to continue to work from their telework sites, as specified in their telework agreements.</p> <p><i>Emergency employees</i> are expected to remain at work.</p>

Appendix 5

Request for Leave or Approved Absence (OPM 71)

Use this form to donate annual leave to employees within the agency.



This form requires Adobe Acrobat to view.

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Appendix 6

NOTICE OF APPROVAL OF RESTORED LEAVE

Name of Employee: _____

Social Security Number: _____

Total Hours Restored: _____

Basis for Leave Restoration: Exigency of the Public Business Illness or Injury Administrative Error

Period in Which Leave is to be Used: From (date approved): _____

To (END of the leave year in effect two years after date approved): _____

Notice to Employee

1. Restored leave will be kept in a separate account. It has no effect on your normal maximum permissible annual leave carry-over. It must be used as expeditiously as circumstances permit, taking into consideration such factors as the amount of restored leave, need to schedule regular leave, and operational demands.
2. Restored leave unused at the expiration date is again forfeited with no further right to restoration. Should separation occur prior to the expiration of the period in which your leave is to be used, any unused restored annual leave is included in the lump-sum payment.
3. It is your responsibility to notify your timekeeper when your restored leave account is to be charged instead of your regular leave (annual or sick).

Notice to Supervisor

4. Leave restoration is not intended to be used on a recurring basis. Supervisors have an affirmative responsibility to ensure that all employees, even those involved with critical assignments, have an opportunity to use the leave to which they are entitled each year even if the workload has to be redistributed or priorities shifted. Only under the most unusual circumstances which could not be forecast in advance should an employee be forced to forfeit leave for business reasons.
 - Recurring requests for restoration of annual leave will require an explanation by both the supervisor and the employee regarding attempts to plan and schedule the use of previously restored leave as well as an explanation of attempts to plan and schedule the use of the annual leave that has been forfeited.

Signature of Approving Official: _____ Title: _____ Date: _____

Distribution:
Payroll Office - Original
Approving Official
Supervisor
Employee

Notice of Approval of Restored Leave Form (Word Doc)

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Appendix 7

Application to Become a Leave Recipient Under the Voluntary Leave Transfer Program (OPM 630)

Use this form to apply to *become* a leave donor recipient, and be eligible to receive annual leave donated from other Federal employees.



This form requires Adobe Acrobat to view.

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Appendix 8

Request to Donate Annual Leave (OPM 630-A)

Use this form to donate annual leave to employees within the agency.



This form requires Adobe Acrobat to view.

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Appendix 9

Leave Recipient Application (OPM 630-B)

Use this form to donate annual leave to employees in other agencies.



This form requires Adobe Acrobat to view.

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Appendix 10

Certification of Health Care Provider (OMB 1215-0181)

Use this form to donate annual leave to employees in other agencies.



This form requires Adobe Acrobat to view.

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U.S. Geological Survey, 601 National Center, Reston, VA 20192, USA

URL <http://internal.usgs.gov/ops/hro/benefits/aws/index.html>

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