



DEPARTMENT OF THE NAVY
COMMANDER NAVY RESERVE FORCE
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NORFOLK VIRGINIA 23551-4615

COMNAVRESFORINST 12630.3B
N00CP
12 Apr 2017

COMNAVRESFOR INSTRUCTION 12630.3B

From: Commander, Navy Reserve Force

Subj: CIVILIAN LEAVE POLICY

Ref: (a) 5 CFR Part 630
(b) DoD Financial Management Regulation, 1400.17-R, Volume 8, Civilian Pay Policy
(c) DoD 1400.25-M, Volume 630, DoD Civilian Personnel Management
(d) OPM Memorandum: 15 Apr 15
(e) COMNAVRESFORINST 12611.1B
(f) COMNAVRESFORINST 12610.2A
(g) COMNAVRESFORINST 12735.1
(h) SECNAVINST M-5210.1

Encl: (1) Leave Programs and Procedures
(2) Restoration of Annual Leave Request Form

1. Purpose. To establish policy and procedures for civilian leave programs and corresponding time and attendance processes consistent with references (a) through (h). This instruction is a complete revision and should be carefully reviewed in detail in its entirety.

2. Cancellation: COMNAVRESFORINST 12630.3A.

3. Scope and Applicability. This instruction applies to all Federal civilian employees assigned to Commander, Navy Reserve Force (COMNAVRESFOR) and subordinate organizations.

4. Collective Bargaining Agreements: Provisions of existing Collective Bargaining Agreement (CBA), Memorandum of Understanding (MOU), and/or Memorandum of Agreement (MOA) applicable to bargaining unit employees supersede the policies and procedures outlined herein unless to do so would violate any applicable government-wide law rules, or regulations.

5. Policy. It is COMNAVRESFOR policy that:

a. Leave shall be administered uniformly and equitably within the scope of references (a) through (h) and this instruction and coded appropriately according to current time and attendance procedures. Hazard codes shall be used to identify leave taken for special purposes, such as under the Family and Medical Leave Act (FMLA) for ease of tracking and reporting purposes.

b. Employees shall be given the opportunity to take full advantage of entitled leave within business-based supportable workload parameters, command and applicable regulations, and law.

Within these parameters, management shall be responsive to employee requests for leave to meet personal and family responsibilities and desires.

c. An employee who is absent for reasons which could not be planned and/or approved in advance is required to request the appropriate category of leave from his/her supervisor within 2 hours of his/her normal starting time on the first day of the unplanned absence, including an estimated return date. Additional periods of leave beyond the estimated return date must be requested using the procedure above. Employees on flexible schedules allowing flexible start times shall notify their supervisor by 0900 or the start of command and/or supervisory-designated core hours per reference (e).

d. The minimum charge to annual and sick leave is 15 minutes. Additional leave charged will be in multiples of 15 minutes.

e. All individuals responsible for reporting, approving, reviewing, or processing time and attendance data in any form, including leave, must be held accountable for the accuracy, integrity and security of the information. The discovery of any violations of internal controls, improper input of time and attendance data, or security breaches must immediately reported to an appropriate supervisory official. Time and attendance responsibilities are defined in reference (b).

6. Approval Authority. The authority to approve absences and leave will be vested to the 1st level supervisor, under the following guidelines:

a. Work leaders or team leaders who are not designated supervisory officials may not approve leave. Military work leaders such as Leading Petty Officers (LPO) or Leading Chief Petty Officers (LCPO) may be designated as acting supervisory officials if they have completed required supervisory training. The day-to-day management of employee's workload may be delegated, however, the responsibility to approve leave may not be, unless to an appropriately trained designated supervisory official. Undesignated work leaders and trained supervisory officials may accept requests and recommend approval or disapproval to the employee's supervisor based on workload requirements.

b. The authority to approve leave without pay (LWOP) and excused absence, otherwise called administrative leave, is restricted. LWOP is approved ONLY when required by law or regulation, as under the FMLA, for spouses of military members and Federal civilian employees under Permanent Change of Station (PCS) orders, and is discretionary when employees have submitted official applications for disability retirement or resignation. FMLA requests may be approved by the immediate supervisor, after the Director, Civilian Human Resources (DCHR) or designee has deemed the request administratively sufficient. Procedures for approval of other types of LWOP follow in the body of this instruction.

7. Responsibilities

a. COMNAVRESFOR DCHR (N00CP) is responsible for establishing command policies and procedures regarding the granting of any type of leave for civilians, for interpreting leave regulations, and for providing advisory services.

b. COMNAVRESFOR Chief of Staff (COS) and commanders/commanding officers (CO) shall:

(1) Establish operating leave procedures in accordance with regulatory requirements outlined in this instruction.

(2) Ensure subordinate supervisors are aware of their responsibilities and are held accountable for proper administration of leave programs.

(3) Approve or disapprove LWOP requests once the request has been deemed administratively sufficient by the DCHR or designee within the parameters noted above.

(4) Approve or disapprove advanced leave requests once the request has been deemed administratively sufficient by the DCHR or designee.

c. Supervisors of civilian employees and officials authorized to approve leave shall:

(1) Maintain a sound working knowledge of policies, regulations and procedures governing absence and leave.

(2) Apply the provisions of this instruction in a fair and equitable manner.

(3) Approve or disapprove employee requests for leave ensuring that the applicable leave and applicable hazard code are properly entered into the time and attendance system. Questions relating to hazard codes may be directed to timekeepers.

(4) Inform employees of internal procedures for requesting, granting, and documenting leave.

(5) Make employees aware of the provisions of this instruction so that they may fulfill their responsibilities.

(6) Establish leave schedules early in the leave year to ensure that all employees are given an opportunity to take full advantage of earned leave.

(7) Approve or disapprove LWOP requests under the FMLA according to the requirements of this instruction once the COMNAVRESFOR Civilian Human Resources (CHR) has deemed the request administratively sufficient. Supervisors and leave approvers other than the commanders, COs, COS or deputy chiefs of staff (DCOS) are not authorized to approve LWOP other than under the FMLA.

(8) Verifying that leave granted is legal, justifiable and consistent with the provisions of this instruction.

(9) Review leave use periodically and ensure that use of leave is consistent with governing policies, rules and regulations, and that "use or lose" leave is properly scheduled to avoid end-of-leave-year workload management issues. If supervisors have reason(s) to believe an employee is abusing his or her annual or sick leave, they shall contact COMNAVRESFOR CHR to obtain guidance.

(10) Follow the timekeeping and payroll procedures for civilian personnel.

d. Civilian employees shall:

(1) Know the requirements of this instruction and any applicable Collective Bargaining Agreements (CBA), any Memorandum of Agreement (MOA) or Memorandum of Understanding (MOU) in order to fulfill their responsibilities.

(2) Review leave balances to ensure they have accrued leave sufficient to cover periods of requested leave and be able to provide that information to supervisors when requesting leave.

(3) Request projected leave in advance to avoid interference with peak workload periods, prevent large accumulations of unused "use or lose" annual leave at the end of the leave year and to allow for equitable distribution of preferred leave periods.

(4) Formally project annual leave early in the leave year in order to avoid leave accumulation in excess of the maximum carryover at the end of the year. "Use or lose" leave must be requested and approved or disapproved no later than the start of the third biweekly pay period before the end of the leave year. Approval of "use or lose" leave that might be forfeited at the end of the year is not automatic.

(5) When emergency situations arise, cooperate with management in rescheduling leave.

(6) Personally contact the supervisor to request leave due to unanticipated illness or an emergency as soon as possible, normally within the first 2 hours after the beginning of the employee's duty day, by 0900 or the start of command/supervisor-designated core hours, or if on a Flexible Work Schedule (FWS) per reference (e).

(7) Request leave in advance for pre-arranged medical, dental or optical examinations or treatments, and for other situations which can reasonably be scheduled in advance.

(8) Promptly submit a leave request via the Time and Attendance (T&A) system currently used or by completing the Office of Personnel Management (OPM) Form 71, Application for Leave and Approved Absence, for absences with supporting medical documentation, as required.

(9) Use leave responsibly in the manner and for the purposes designated herein. Sick and annual leave are valuable benefits and should not be wasted. Conserving sick leave and accruing a sick leave balance are smart methods to ensure that employees will have a paycheck if they suffer an extended illness or emergency. Building up an annual leave balance allows employees to have time available for paid vacations and to handle unexpected short-term problems without loss of pay.

(10) Cooperate with management in scheduling vacation periods and complying with the provisions of this instruction.

8. Procedures. Leave administration and procedures are contained in enclosure (1).

9. Records Management. Leave and certified T&A records created as a result of this instruction, regardless of media or format, must be managed per SECNAV Manual 5210.1 of January 2012 .

10. Review and Effective Date. Per OPNAVINST 5215.17A, COMNAVRESFOR will review this instruction annually on the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense (DoD), Secretary of the Navy (SECNAV), and Navy policy and statutory authority using OPNAV 5215/40. This instruction will automatically expire 5 years after effective date unless reissued or canceled prior to the 5-year anniversary date, or an extension has been granted.

11. Forms. The following forms are available for download from the Navy Reserve Headquarters and Naval Forms websites; items (a) through (d) are also available at <http://www.opm.gov>; item (e) is available at <http://www.dol.gov>; and item (f) is available on the Navy Reserve Homeport Web site.

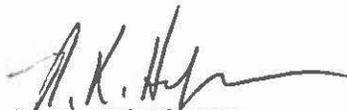
a. Request for leave or approved absence, OPM Form 71.

b. Application to become a leave donor under the Voluntary Leave Transfer Program (VLTP), OPM Form 630.

c. Request to Donate Annual Leave to Leave Recipient under the VLTP (Within Agency), OPM 630-A.

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- d. Request to Donate Annual Leave to Leave Recipient under the VLTP (Outside Agency), OPM 630-B.
- e. Certification of Health Care Provider, Form WH-380.
- f. Commander, Navy Reserve Force Request for Restored of Annual Leave Form contained in enclosure (2).



R. K. HUDGENS

By direction

Releasability and distribution:

This instruction is cleared for public release and is available electronically via COMNAVRESFOR Web site <https://www.navyreserve.navy.mil>

LEAVE PROGRAMS AND PROCEDURES



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1. Requesting Emergency Leave. Emergency requests for leave will be made by voice contact to an employee's immediate supervisor, or, if that individual is not available, to the second level supervisor or designated authority. Work leaders who are not trained supervisory officials, or coworkers, are not authorized to approve leave. Employees must call within 2 hours of the start of their normal tour of duty when requesting sick leave or emergency annual leave unless prevented by unusual circumstances, by the start of the command/supervisor-designated core hours, or by 0900 in accordance with reference (e) if on a flexible work schedule, unless a different time is designated by the supervisor in order to meet bona-fide mission requirements. Email, text, or voicemail messages represent requests for leave only, cannot be construed as approval of leave, and should only be used in extreme circumstances if contact cannot be made with a supervisor in the chain of command or to a designated leave approving official. Planned leave requests shall be entered into the applicable T&A system and must be approved before taken. Leave, including sick leave, may be disapproved if proper leave procedures are not followed.

2. Annual Leave. Employees may use annual leave for vacations, rest and relaxation, and for personal business or emergencies. While employees have a right to take annual leave, the supervisor has the responsibility to approve or disapprove annual leave subject to workload requirements. Employees and their supervisors are mutually responsible for planning and scheduling the use of employees' annual leave throughout the leave year. Since supervisors must balance the work of the command against the interest of the employee in using annual leave, supervisors may find it necessary to ask employees to substantiate their need for annual leave so that the supervisors may make informed decisions about scheduling the leave, particularly to reconcile conflicting requests, or balance workload needs. If employees choose to withhold the information, the supervisor will make the best determination possible with the information at hand.

a. Procedures for Requesting and Granting Annual Leave. Annual leave shall be requested as far in advance as practical. All requests for annual leave shall be submitted in the T&A system or on an OPM Form 71, Request for Leave or Approved Absence. If the supervisor does not approve the leave, the reason for disapproval will be documented and the supervisor will, if applicable, discuss alternate dates with the employee. In cases of emergency annual leave, supervisors may approve the leave in the T&A system and/or sign the OPM Form 71 when the employee returns to work, provided the employee has a leave balance from which to draw and can provide documentation to substantiate the request, if required to do so.

b. Annual Leave Accrual. Full-time employees and employees whose appointment is for 90 days or longer earn annual leave each bi-weekly pay period in increments of 4, 6, or 8 hours, depending upon the total years of federal service. Both creditable civilian and military service are used in determining time increments for leave purposes. Annual leave accrues as follows:

Employee Type	Less than 3 years of service	3 years but less than 15 years of service	15 or more years of service
Full-time employees	4 hours for each bi-weekly pay period	6 hours for each bi-weekly pay period and 10 hours in the last pay period	8 hours for each bi-weekly pay period
Part-time employees	1 hour for each 20 hours in a pay status	1 hour for each 13 hours in a pay status	1 hour for each 10 hours in a pay status

c. Maximum Accumulation. Employees may carry a maximum of 30 days of accumulated annual leave into the new leave year. Accrued annual leave in excess of the maximum carryover amount must be used by the end of the leave year or it will be forfeited. Limited exceptions to this rule allow employees serving outside the United States a ceiling of 45 days.

d. Restoration of Forfeited Annual Leave. Annual leave that was forfeited due to an exigency of public business, administrative error, or sickness of the employee may be restored **ONLY** if the leave was scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year. Any "use or lose" annual leave scheduled after that date will be forfeited if not used by the final day of the leave year. Commanders, COs, or DCOS may designate exigencies of public business provided their own leave is not affected as a result. Additionally, exigencies may not be designated retroactively solely for the purpose of restoring forfeited leave. Annual leave that was not scheduled in advance may be restored only under very limited conditions such as employees affected by the Defense Base Closure and Realignment Act (5 U.S.C. 6304 (d)(3)) administrative error, or prolonged sickness of the employee. With one exception noted below, administrative error is determined by commanders, COs, or DCOS upon consultation with the DCHR or designee. Dismissal or closure due to weather conditions or other emergencies, end-of-year holidays granted by Executive Order, and other unexpected paid time off without charge to leave may disrupt plans to use scheduled annual leave. Workdays on which a Federal activity is closed are non-workdays for leave purposes, and employees will not be charged annual leave on such non-workdays. If such circumstances result in an employee being unable to reschedule "use or lose" leave before the end of the leave year, the leave will be forfeited. When "use or lose" leave is forfeited under such conditions, it cannot be restored. If the employee forfeits annual leave because the supervisor did not assist in scheduling the leave or request a determination that a public exigency exists that would prevent the employee from using the leave, the supervisor's negligence constitutes administrative error and the employee's leave must be restored. Requests for restoration of forfeited annual leave will be submitted using COMNAVRESFOR Restoration of Annual Leave Request, NAVRES 12630 (05-15) through the employee's immediate supervisor via the DCHR or designee for administrative sufficiency and will require approval by commanders, COs, or DCOS. Restored annual leave will be maintained in a separate leave account and must be used within 2 years. Any restored leave unused at the expiration the 2-year limit is again forfeited with no further right to restoration.

e. Annual Leave in Lieu of Sick Leave. Although an employee may request annual leave for sick leave purposes, annual leave is subject to supervisory approval based on workload requirements and may be denied. Employees requesting annual leave in lieu of sick leave should notify the leave approving official so that the request receives appropriate consideration. Additionally, annual leave may not be retroactively substituted for sick leave except to liquidate advanced sick leave indebtedness. Note that the substitution of annual leave for sick leave may not be made retroactively for the purpose of avoiding a forfeiture of annual leave at the end of the leave year. Annual leave used in lieu of sick leave must be so noted in the T&A system.

f. Annual Leave While on Active Military Duty. Employees on active military duty, with orders, have the following options regarding their annual leave:

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

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

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

g. Advanced Annual Leave. Annual leave may be advanced to employees in an amount not to exceed the amount the employee would accrue within the leave year. Approval of advanced annual leave is discretionary, and neither a right of the employee nor automatic upon request. Advanced annual leave shall not be granted when it is known, or reasonably expected, that the employee will not return to duty to repay the leave, for example, when the employee has applied for disability retirement. Requests for advanced annual leave will be balanced against the expectation of return to duty, the need for the employee's services, the employee's leave history, and the benefit to the Command for retaining the employee. Advanced annual leave requests shall be submitted for approval to Commanders, COs, or DCOS via the COMNAVRESFOR CHR. Doubtful requests should be disapproved (reference (b)).

h. Impact of Annual Leave on Retirement. Accumulated annual leave pays out at retirement.

3. Sick Leave. There is no limit on the amount of sick leave employees may accumulate. Sick leave accrues at the following rates:

Employee Type	Accrual Rate
Full-time employees	4 hours for each bi-weekly pay period
Part-time employees	1 hour for every 20 hours in a pay status

a. Sick leave. It is authorized for personal medical needs, care of a family member, care of a family member with a serious health condition, adoption-related purposes and for bereavement. An employee is entitled to use sick leave when he or she: receive medical, dental, or optical examination or treatment; is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth; or would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease. There is no limitation on the amount of accrued or accumulated sick leave that an employee can use for his or her own personal medical needs. Sick leave may also be used for the purpose of providing care for family members. Certain limitations apply, such as the limitation to use no more than 104 hours for family care or bereavement purposes. Hours used for these purposes must be subtracted from the employee's entitlement to sick leave under the FMLA (see below). For other specific requirements, consult the COMNAVRESFOR CHR.

b. Medical Documentation. For absences in excess of 3 workdays, or for a lesser period when determined necessary by the supervisor following consultation with the COMNAVRESFOR CHR, the employee may be required to provide a medical certificate or other administratively acceptable evidence. Acceptable administrative evidence must include a statement or otherwise indicate that the employee was incapacitated for duty. Notes that state, "under the doctor's care," "seen in the office," or other similar verbiage are not acceptable. When required, an employee must provide acceptable administrative evidence or medical certification within 15 calendar days of management's request. If the employee is unable to provide evidence within 15 calendar days, despite the employee's diligent, good faith efforts, he or she must provide it within a reasonable period of time, but no later than 30 calendar days after the request was made. If the employee fails to provide the required evidence within the specified time period, he or she is not entitled to sick leave. The supervisor has the right to require acceptable administrative documentation for sick leave periods less than 3 workdays if abuse is suspected or evident, such as a request for sick leave after annual leave has been denied, but such requirement typically follows prior counseling for leave abuse, or implementation of a Letter of Requirement for Leave, and consultation with the COMNAVRESFOR CHR. In cases of serious medical conditions such as heart attack, childbirth, major surgery, etc., or for documentation indicating an indefinite incapacity, the employee may be required to furnish a release to return to work.

c. Sick Leave Approval. Sick leave shall typically be approved when the employee has followed leave request procedures, provided acceptable administrative documentation when required, and has sick leave available. Approval is discretionary when the employee has not followed leave-requesting procedures, fails to provide administratively acceptable

documentation when required, where abuse or fraud is suspected or evident, or if the employee does not have accrued sick leave available.

(1) A period of illness that extends beyond 3 workdays must be supported by medical documentation as described above, according to the rules in references (a) and (b) regarding persons authorized to certify incapacity. The certificate should include the nature of the illness and an expected return to duty date. The certificate should also contain data which supports incapacitation for the full period of absence. If the employee's illness did not require a visit to a physician, in rare instances, the supervisor may accept the employee's own written statement in support of his or her claim for sick leave.

(2) An employee who is absent due to illness shall notify his or her supervisor or other designated official authorized to approve leave as soon as possible on the first day of the absence, but not later than 2 hours after the start of their scheduled tour of duty, 0900 as defined in reference (c) or by the start of command/supervisor-designated core hours, indicating the type and number of hours requested and an acceptable reason for being absent. If the absence extends beyond the original reported duration, the employee must again request leave per the above procedures and provide an acceptable reason for continuing the absence. The supervisor will track leave used and record usage in the T&A system.

(3) Requests for sick leave to be used for scheduled routine medical, dental, or optical examinations or treatment shall be submitted within a reasonable time prior to the appointment.

(4) Supervisors approving sick leave should be certain that the circumstances of the absence justify approval, as sick leave is not to be used where annual leave would be typically appropriate. For example, for routine time off when employees are not actually incapacitated for work. Where circumstances clearly indicate that an employee is abusing sick leave, consult COMNAVRESFOR CHR. Employees may be required to furnish a medical certificate to substantiate requests for sick leave, regardless of the duration.

(5) Reference (a) outlines circumstances when the approval of requested sick leave is mandatory. If the employee has no sick leave accrued, the supervisor may approve the use of annual leave or consider approving an employee's request for advanced sick leave. Under no circumstances is LWOP approved for sick leave purposes unless required by law, such as under the FMLA and FECA, or as an appropriate reasonable accommodations.

d. Sick Leave For Adoption Purposes. There is no limit to the amount of sick leave an employee may use for adoption purposes, and it does not count towards the 104-hour limit for family/bereavement purposes.

e. Advanced Sick Leave. Grant of advanced sick leave to an employee is discretionary, and should not be approved when it is known or reasonably expected that the employee will not return to duty, for example, when the employee has applied for disability retirement. Medical documentation requirements are the same as for use of accrued sick leave.

30 days is the maximum amount of advanced sick leave a full-time employee may have to his or her credit at any one time. For a part-time employee (or an employee on an uncommon tour of duty), the maximum amount of sick leave that may be advanced to the employee must be prorated according to the number of hours in the employee's regularly scheduled administrative workweek (see reference (b)). Requests for advanced sick leave will be balanced against the expectation of return to duty, the need for the employee's services, and the benefit to the command for retaining the employee. Advanced sick leave requests shall include acceptable administrative medical documentation and must be submitted for approval to commanders, COs or DCOS, via the COMNAVRESFOR CHR for determination of administrative sufficiency.

f. Sick Leave for Family Care/Bereavement. The amount of sick leave granted to an employee during any leave year for family leave or bereavement purposes described in reference (a), except for the care of a family member with a serious health condition, may not exceed a total of 104 hours (13 days). This limit is pro-rated for a part-time employee or an employee with an uncommon tour of duty. Sick leave for the care of a family member with a serious health condition is limited to 480 hours (12 weeks), except that an employee must subtract from the 48-hour limit any sick leave previously taken during the year for family care/bereavement under the 104-hour limit described above. This limit is pro-rated for a part-time employee or a employee with an uncommon tour of duty. Sick leave used to care for a family member shall be appropriately coded in the T&A system in order that the supervisor and/or certifying official may track the employee's 104-hour or 480-hour entitlement and report such use, if required.

g. Impact of Sick Leave upon Retirement. Unused sick leave may be used for the calculation of an employee's or survivor's annuity based on retirement under Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) with an immediate annuity or a death in service. For details contact the Civilian Benefit Center (CBC), 888-320-2917, navybenefits@navy.mil. Unused sick leave does not pay out at retirement.

4. Family and Medical Leave Act. FMLA provides eligible federal employees with up to 12 administrative workweeks of paid or unpaid leave during any 12-month period for family and medical needs. To be eligible for FMLA leave, an employee must be serving under an appointment not limited to 1 year or less and must have completed at least 12 months of Federal service (not required to be 12 recent or consecutive months). To invoke the use of FMLA, an employee must provide notice of his or her intent to request FMLA not less than 30 days before the leave is to begin or, in emergencies, as soon as is practicable. FMLA must be approved once a proper request and administratively acceptable medical documentation are received. FMLA requests shall include a completed Certification of Health Care Provided H-380 Form and be submitted to the COMNAVRESFOR CHR prior to supervisory approval for review for administrative sufficiency.

a. Any leave taken under the FMLA shall be properly recorded in the T&A system. See reference (a) at 630.1203 for a complete list of qualifying circumstances or consult the COMNAVRESFOR CHR. Qualifying circumstances include:

- (1) The birth of a son or daughter of the employee and the care of such son or daughter;

- (2) The placement of a son or daughter with the employee for adoption or foster care;
 - (3) The care of spouse, son, daughter, or parent of the employee who has a serious health condition; or
 - (4) A serious health condition of the employee that makes the employee unable to perform the essential functions of his or her positions.
 - (5) Any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Military Services.
 - (6) To care for a covered Service member injured in the line of duty while on active duty. A maximum of 26 weeks of leave is available for this purpose. A covered Service member is defined as the employee's spouse, son, daughter, or parent on covered active duty or call to active duty status.
- b. For the purposes of FMLA, the year in which the employee may use his or her FMLA tolls as of the first day FMLA is used (not the calendar or fiscal year). Additionally, under certain conditions, an employee may use the 12 weeks of FMLA leave intermittently. Under the FMLA, annual, sick, donated leave, and advanced sick and/or annual leave may be substituted for unpaid leave, consistent with current laws and pertinent regulations for using annual and sick leave. Use of FMLA does not preclude employees from requesting leave not under FMLA, consistent with current laws and pertinent regulations for using annual and sick leave. For example, an employee may use LWOP, annual leave, or sick leave under FMLA and then request sick leave for other approved purposes; likewise, an employee may use sick leave for an approved purpose and then request leave under FMLA.

5. Use of Leave for Childbirth, Adoption and Foster Care. In accordance with the Presidential memorandum of 15 January 2015 entitled "Modernizing Federal Leave Policies for Childbirth, Adoption, and Foster Care to Recruit and Retain Talent and Improve Productivity," to the extent permitted by law, Federal agencies are required to offer up to 240 hours of advanced sick leave at the request of an employee in connection with the birth or adoption of a child and the maximum amount of advanced annual leave at the request of an employee for foster care placement in their home or for bonding with a healthy newborn or newly adopted child. Employees should carefully consider request for advanced sick or annual leave, whether they wish to incur this debt, and how they would repay it. Sick leave may be used for personal medical needs while pregnant or recovering from childbirth, to care for a family member with a serious health condition, or for general family care purposes such as well-baby doctor visits or illnesses. Employees will provide medical documentation to indicate the duration of the employee's or family member's period of recovery from childbirth. Most health care providers certify that the recovery period following childbirth is about 6-8 weeks. While sick leave may be used for the mother's period of incapacitation due to childbirth, to care for a sick child or other

family member, for the medical examinations and treatment of a sick or well child, and for when an employee must be absent from work for purposes related to the adoption of a child, sick leave may not be used for bonding purposes of a healthy baby or adopted/foster child. The OPM encourages agencies to approve requests for intermittent FMLA leave for bonding to the maximum extent practicable however supervisors are not mandated by law to approve FMLA request for bonding purposes of a healthy baby or adopted/foster child. Annual leave and LWOP, however, are available to both parents for any of these purposes.

6. Leave Without Pay. LWOP is a temporary non-pay status and absence from duty which is discretionary except as required by law and constitutes an approved leave status. With the exception of FMLA, the following circumstances constitute the only reasons where LWOP may be granted. Such requests shall be submitted via the COMNAVRESFOR CHR for determination of administrative sufficiency. LWOP of 30 days or more requires the approval of commanders, COs or DCOS and must be submitted to the COMNAVRESFOR CHR on an SF-52, Request for Personnel Action. Employees should be aware that LWOP affects their entitlement to or eligibility for certain Federal benefits.

a. Spouses of military members or federal government civilians relocating on orders will submit a written request through the chain of command via the COMNAVRESFOR CHR to the commander, CO, or COS or DCOS at least 30 days before the military or civilian member transfers unless exceptional circumstances exist. Requests must include a statement of the spouse's intent to seek Federal employment at the new duty station, a copy of the PCS orders, and a signed, binding resignation Request for Personnel Action (SF-52). After approval of an initial 90-day period, the spouse must request LWOP for this purpose in 90-day increments by email, telephonically, or in writing as designated above. Requests for Personnel Action (SF-52) shall be submitted by the approving official using the normal submission process. Approval of extensions to the initial 90-day period is not automatic and is made based on appropriate business-based, mission-related criteria. The resignation will automatically be processed when the vacated position is filled. Supervisors may also explore alternative methods to accomplish the transferring spouse's work pending processing of the final resignation, such as hire of temporary employees, with the COMNAVRESFOR CHR.

b. The Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 (PL 103-353) provides Federal government employees with an entitlement to LWOP when employment is interrupted by a period of uniformed service.

c. Executive Order (EO) 5396, July 17, 1930, provides that disabled veterans are entitled to LWOP for necessary medical treatment.

d. Employees receiving workers' compensation payments from the Department of Labor may not receive additional payments and are therefore placed on LWOP.

e. LWOP shall not be granted in the absence of sick or annual leave unless requested and approved under the FMLA or if LWOP is approved and granted as a part of Reasonable

Accommodations (RA). This requires that supervisors closely monitor employees' leave balances to prevent unauthorized tacit approval of LWOP where accrued leave is available. First-level supervisors are not authorized to approve LWOP except under FMLA, once determination of administrative sufficiency is received from COMNAVRESFOR CHR. Unavoidable absences where employees have no leave balance from which to draw are posted as Absent Without Leave (AWOL). If an employee has exhausted his leave and RA has been denied, the agency may deny a request for LWOP and place the employee on AWOL "if" (a) there is no foreseeable end to the absence; or (b) the employee's absence would otherwise place a burden on the agency. Such a determination must be made in accordance with proper reasonable accommodation procedures. Being placed in an AWOL itself is not disciplinary action but, may form the basis for disciplinary action. A request for leave, including LWOP, may be denied if the employee fails to follow proper leave procedures.

7. Military Leave. Any full-time Federal civilian employee whose appointment is not limited to 1 year is entitled to military leave for certain types of active or inactive duty in the National Guard or as a Reserve member of the Military Services. Military leave of 15 days is accrued at the start of each fiscal year. No more than 5 days may be carried over from 1 year to the next. The minimum charge to leave is 1 hour. An employee may be charged military leave only for hours that the employee would otherwise have worked and received pay. Employees shall submit military orders to their supervisor prior to military leave approval, and shall submit a certified copy of those orders with endorsement indicating date and time of arrival and departure, upon their return to duty. The supervisor shall forward certified copies of the orders to the comptroller's office when the active duty is completed. If the certified copies of orders are not received within two pay periods, the supervisor will process a prior pay correction in the T&A system, changing the military leave to absent without leave (AWOL). If certified orders are later received, the AWOL may be corrected appropriately.

NOTE: Inactive Duty Training (IDT) is authorized training performed by members of the Reserve Component (RC) not on active duty and not on active duty orders and performed in connection with the prescribed activities of the RC drills consisting of regularly scheduled unit training periods, additional training periods, and equivalent training. Active duty is full-time duty, with active duty orders, in the active service of a uniformed service, and includes full-time training duty, annual training duty, and full-time National Guard duty. Federal service civilian employees on IDT status or active duty cannot also be a federal government civilian employee in a duty status, and therefore must be on leave of some type in order to perform IDT or active duty duties. Active duty is a 24-7 requirement even though the active duty member may not be performing actual work, such as during hours of relaxation or other personal time. Supervisors of employees who perform inactive duty for training drills and also active duty should be aware of the difference and help employees manage their leave and time and attendance accordingly. Federal civilian employees who are also reservists must be careful to take the appropriate category of leave, whether annual, military, LWOP, or other appropriate time off, when on active duty.

8. Absence Without Leave. AWOL, also known as unexcused absence, is a non-pay status that covers an absence from duty which has not been approved. LWOP shall not be granted in the

absence of sick or annual leave unless requested and approved under the FMLA or approved and granted under RA. This requires that supervisors closely monitor employees' leave balances to prevent unauthorized tacit approval of LWOP where no accrued leave is available. First-level supervisors are not authorized to approve LWOP except under FMLA or RA, once determination of administrative sufficiency is received from COMNAVRESFOR CHR. Absences where employees have no leave balances from which to draw is not approved and are posted as AWOL. AWOL may form the basis of a disciplinary action.

9. Excused Absence/Administrative Leave. Excused absence is an absence from duty, administratively authorized, without loss of pay and without charge to the employee's sick or annual leave. Excused absence is also referred to as administrative leave. Periods of administrative leave are considered part of an employee's basic workday even though the employee does not perform regular duties. Agencies have discretionary authority to grant administrative leave to the extent that it does not interfere with agency operations; however, the authority to grant administrative leave must be used sparingly, and said authority is limited. Comptroller General decisions limit the discretion to grant administrative leave to situations involving brief absences. Where absences are for other than brief periods, a grant of administrative leave is not appropriate unless the absence is in connection with furthering a function of the DoD (reference (c) or the Department of the Navy (DON). Authorized voluntary official functions must be an activity where all employees are eligible and able to participate. For example, for golf, tennis, or basketball tournaments, etc., civilian attendees choosing to participate would be required to request and be approved annual leave. Team-building events such as Command picnics, may be authorized by the Executive Director (ED)/Commanders/COs; however, employees that choose not to participate will either work or request leave. Employees NOT attending such events must complete their regular work requirement for the day of the event. Time spent for activities of this type is considered regular hours for T&A purposes. The more common circumstances under which administrative leave may be authorized are below. Additional examples may be found in references (b) and (c).

a. Closure of Installations or Activities. Administrative leave may be granted when employees are prevented from working due to extreme weather conditions or other severe disruptions at the work site. Per reference (f), employees who telework are not entitled to administrative leave for inclement weather.

(1) Administrative leave may be granted when the Commander/CO uses his or her authority to close all or part of an activity and administratively excuses the non-emergency workforce. This authority is used only for unanticipated curtailment of operations such as extreme weather conditions at the workplace, natural disasters, national emergencies, and unforeseen interruptions of transportation or building services representing a health or safety risk. This authority is intended for short periods of time, generally not exceeding 3 consecutive workdays, and is not to be used for extended periods of interrupted or suspended operations that can be anticipated in advance. Administrative leave, regardless of duration, may not be used to create or extend a holiday. For additional information concerning administrative leave contact the COMNAVRESFOR CHR.

(2) If an activity is closed before the workday begins for the entire workday, all non-emergency, non-teleworking employees are eligible for administrative leave, including those employees who are on pre-approved leave. Leave cannot be charged on non-workdays.

(3) In the event of an early dismissal of employees prior to the end of the workday, employees must be in a duty status in order to be entitled to administrative leave. Employees are considered to be in a duty status if they are actually on duty, at work, at the time of the dismissal. Employees who are not in a duty status when early dismissal occurs are not entitled to administrative leave. In the event of delayed reporting, only those employees who reported by the delayed report time are authorized administrative leave.

b. Tardiness and Unavoidable Absences. Supervisors may excuse tardiness or unavoidable absences up to 59 minutes. Such excusal should be a rarity for tardiness, and frequent occurrences should be discussed with COMNAVRESFOR CHR. Unavoidable absences relate to worksite issues not under the employee's control, such as entry gate traffic delays or closures. Choices under employee control, such as selection of commuting routes, parking, and the like, resulting in tardiness are not appropriate for administrative excusal.

c. Voting. Administrative leave for voting may be granted in very rare cases where the polls are not open at least 3 hours either before or after an employee's regular working hours, or where absentee balloting or early voting is not permitted. The period of the administrative leave shall not exceed 3 hours before or after the employees' workday, whichever involves less time away from work. If an employee's voting location is beyond normal commuting distance and if voting by absentee ballot is not permitted, the command may grant administrative leave, not to exceed 1 day, to allow the employee to vote. If more than 1 day is needed, the employee may request annual leave or leave without pay for the additional period of absence. As absentee ballot or early voting is available for the vast majority of elections, approval of administrative leave for voting should be extremely rare.

d. Blood Donation. Employees may be excused from work for the purposes of blood donation and recuperation time. The period of excusal may not exceed 4 hours, unless the employee presents administratively acceptable medical documentation to support a longer period. Administrative excusal for blood donation is not a right of the employee, and requests may be denied for workload management reasons. Likewise, the 4-hour time period is not an entitlement, and employees should return to work, unless on approved leave, after the recuperation period. Supervisors may request the employee to produce documentation showing the time the employee checked in to the time the employee was released. Administrative leave is not granted for an employee giving blood for his or her personal use, or who is receiving compensation for giving blood.

e. PCS Absences. Employees authorized PCS within the DoD may be granted administrative leave before departing the old duty station and following arrival at the new duty station to accomplish personal tasks resulting from the move (e.g., to close or open personal bank

accounts; obtain state driver's license or car tags). In similar situations, employees coming to DoD from other federal agencies may also be granted administrative leave after the employee is placed on DoD's employment rolls. This provision does not cover time involved in complying with PCS requirements such as obtaining passport and vaccinations, adhering to government housing authority requirements, or being present for packing and receiving of household goods. Accomplishing tasks that are conditional to the PCS is considered to be an official duty.

f. Employment Interviews. Employees under notice of separation or change to lower grade for any reason except for disciplinary reasons may be granted administrative leave for job searches and interviews. Employees competing for positions within DoD may be granted administrative leave for interviews. This provision does not cover travel time or imply entitlement to travel or per diem for interviews outside of the commuting area.

g. Civilian Employee Assistance Program (CEAP). Initial referrals to the CEAP are considered official duty and referred employees will be carried in an official duty status. Employees may be granted administrative leave to attend an initial counseling session resulting from a referral by a CEAP counselor for additional treatment.

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

i. Volunteer Activities. Employees participating in volunteer activities during working hours may be granted annual leave, LWOP, credit hours (if applicable), compensatory time off, or in very limited circumstances, administrative leave. Employees who work an alternative work schedule may also use flexibility in their schedules to accommodate participation in volunteer activities. Administrative leave for volunteer activities may be granted and will be limited to situations where one or more of the following criteria apply: (1) the absence is directly related to the mission; (2) the absence is officially sponsored or sanctioned by the command; (3) the absence will clearly enhance the professional development or skills of the employee in his or her current position; or (4) the absence is brief and is determined to be in the interest of the command.

j. Emergency Situations. Administrative leave may be granted to employees to assist in emergency situations, such as floods or hurricanes. This provision does not cover employees who respond to emergencies in National Guard/Reserve status.

k. Physical Examination for Enlistment or Induction. Administrative leave may be granted to an employee to undergo medical examinations required by appropriate military authorities for enlistment or induction into the United States Military Services. This provision does not cover travel time outside the commuting area or situations in which the employee receives military compensation; can use military leave; or undergoes additional tests, examinations, treatments for conditions discovered or suspected as a result of the examinations.

l. Violence in the Workplace. Administrative leave is also used when an employee's presence is deemed to be a potential danger to the workplace. Per reference (g) periods of administrative leave for this purpose up to 5 days may be approved by the first-level supervisor with the concurrence of the next higher-level management official. Longer periods of time for administrative leave for this purpose require the approval of Commanders/COs/DCOS.

m. Adverse Action. Employees who have received a notice of proposed removal letter shall immediately be placed on administrative leave until the decision letter is issued in order to minimize risk to the command.

10. Court Leave. An employee is entitled to paid time off without charge to leave for service as a juror or witness under the circumstances listed below. An employee is responsible for informing his or her supervisor if he or she is excused from jury or witness service for 1 day or more or for a substantial part of a day. To avoid undue hardship, an agency may adjust the schedule of an employee who works nights or weekends and is called to jury duty.

a. Jury Duty. An employee who is summoned to serve as a juror in a judicial proceeding is entitled to court leave. The employee must provide a copy of the summons/subpoena and attendance verification from the court.

b. Witnesses. An employee who is summoned as a witness in a judicial proceeding in which the federal, state, or local government is a party is entitled to court leave.

c. Official Duty. An employee who is summoned as a witness in an official capacity on behalf of the federal government is on official duty, and is not entitled to court leave.

d. Fees and Expenses. Employees must reimburse the command any fees paid for service as a juror or witness. However, money paid to jurors or witnesses which are expenses such as transportation, do not have to be reimbursed.

11. Bone Marrow and Organ Donation. An employee may use up to 7 days of paid leave each calendar year to serve as a bone marrow donor. An employee may use up to 30 days of paid leave each calendar year to serve as an organ donor. Leave for bone marrow and organ donation is a separate category of leave that is in addition to annual and sick leave.

12. Voluntary Leave Transfer Program. Under the VLTP, an employee may donate annual leave directly to another employee who has a personal or family medical emergency and who has exhausted his or her available paid leave. The donating employee must have available annual leave and may not request and use advanced annual leave for this purpose. Additionally, sick leave is excluded from this program. A leave recipient may use annual leave donated to him or her only for the purpose of the medical emergency for which the leave recipient was approved.

There is no limit on the amount of donated leave a leave recipient may receive, however, any unused leave must be returned to the donor(s) when the medical emergency ends. An employee may not transfer annual leave to his or her immediate supervisor.

a. Limitations on Leave Donations. In any leave year, an employee may donate not more than one-half of the amount of annual leave he or she would accrue during a leave year. For employees with "use or lose" annual leave, the employee may donate the lesser of one-half of the annual leave he or she would accrue in a leave year or the number of hours remaining in the leave year for which the employee is scheduled to work and receive pay.

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

c. Medical Emergency. In this context, a medical emergency is defined as a medical condition of either the employee or a covered family member that is likely to require the employee to be absent from duty for a prolonged period and result in a substantial loss of income because of the employee's lack of available paid leave. Substantial loss of income is defined as absence from work for at least 24 work hours for a full-time employee.

d. Family Member. The term "family member" covers a wide range of relationships including spouses, parents, parents-in-law, brothers, sisters, children, step-children, etc. A full list of covered family members is available from the Office of Personnel Management Web site.

NOTE: An employee is entitled to a total of 104 hours of sick leave each year for all family care purposes. This means that if the employee is applying for VLTP for a medical emergency affecting a family member and the employee has already exhausted his or her entitlement, any remaining sick leave is not considered available paid leave and he or she would not be required to exhaust accrued sick leave before being eligible or donated leave.

e. VLTP Leave Recipient. To become an approved participant in the VLTP, an employee must meet all three of the following conditions:

(1) Have a medical emergency (including a medical emergency affecting a family member) that is likely to require prolonged absence from work and result in a substantial loss of income because of the unavailability of paid leave.

(2) Have exhausted all available sick and annual leave and be facing at least 3 days without available paid leave due to medical emergency; and provide a medical documentation to substantiate the medical emergency. The application to become a leave recipient shall be submitted via the COMNAVRESFOR CHR for approval to commanders, COs, or DCOS using OPM Form 630, Leave Recipient Application under the VLTP. If a potential leave recipient is

not capable of making an application on his or her own behalf, another employee, supervisor, or personal representative may make written application for the person.

(3) COMNAVRESFOR CHR will ensure via administrative review of documentation that the potential leave recipient has been affected by a medical emergency and the absence from duty without available paid leave (excluding advanced leave) is, or is expected to be, at least 3 workdays. The leave need not be consecutive, but must have resulted from the same medical emergency for which the leave recipient made application on for leave transfer. Approving officials will notify the potential leave recipient of the decision to approve or disapprove the application within 10 days from the date of receipt of a completed application.

(4) Solicitations for donated leave shall follow established organizational methods of mass communication such as the Plan of the Week and/or mass distribution emails. The employee requesting leave under the VLTP may designate the scope of the solicitation; for example, NAVOPSPTCEN-wide, Reserve Component Command-wide or command wide.

(5) If the application is approved and the medical emergency is one which is expected to be lengthy and/or recurring, the leave recipient must provide documentation at least monthly to his/her supervisor to support the continuation of the medical emergency.

(6) If the application is disapproved, the leave recipient will be notified of the reason for the disapproval and provided grievance rights.

(7) Employees are responsible for providing immediate written notification to their supervisor when their medical emergency ends. Failure to do so may result in periods of non-paid status should the supervisor process T&A corrections for the period of non-entitlement. Additionally, employees should timely submit requests for extension to the time period in order to avoid periods of unpaid status.

f. Termination of Medical Emergency. The medical emergency situation will terminate:

(1) When the leave recipient's employment is terminated;

(2) At the end of the biweekly pay period in which the supervisor receives notification from the leave recipient requesting removal from the program;

(3) At the end of the biweekly pay period, should the supervisor determine that the leave recipient is no longer affected by a medical emergency;

(4) At the end of the biweekly pay period after no updated medical documentation is provided to supervisor (one initial reminder and one formal request will be made prior to termination);

(5) At the end of the biweekly pay period in which the supervisor receives notice that OPM has approved an application for disability retirement for the leave recipient.

g. VLTP Leave Donor. Any employee wishing to become a leave donor must submit an application, using OPM 630-A Request to Donate Annual Leave to Leave Recipient under the VLTP (within agency) or OPM 630-B (outside agency). The responsible payroll office, as appropriate, will review the applications of potential donors and ensure sufficient leave is available to be transferred and the limitations for donated leave are not exceeded. Donors may request a waiver to this limitation by submitting a separate written statement.

h. The potential donor will be notified within 10 working days from receipt of the completed application if the application has been declined.

i. If the leave donor's application is accepted, the donor will be notified in writing of the entitlement to have a portion of the unused transferred annual leave restored to the leave donor's annual leave account at the termination of the leave recipient's medical emergency. If the leave donor's application is declined, the donor will be notified of the reason for declination and provided grievance rights.

13. Religious Leave. To the extent that modifications in work schedules do not interfere with the efficient accomplishment of the command's mission, employees whose personal religious beliefs require absence from work at certain times of the workday or workweek must be permitted to work alternative work hours so that the employee can meet the religious obligation. The hours worked in lieu of the normal schedule do not create any entitlement to premium pay, including overtime. Employees shall submit written requests for an adjusted work schedule in advance, according to standard leave-request procedures. The request shall state that the adjustment is for religious purposes and shall include acceptable documentation for the need to be absent from work. When considering religious leave requests, the supervisor should not make any judgment about the employee's religious beliefs or affiliation with a religious organization. Requests may be disapproved if modification of the work schedule interferes with the efficient accomplishment of the mission, or if leave request procedures and any requirements are not followed. A request for religious leave shall not be approved until the hours the employee will work are scheduled, ensuring a clear record of the adjusted work schedule.

14. Timekeeping and Payroll Procedures for Civilian Personnel. Timekeeping is a critical function that may be performed by the individual employee, a designated timekeeper, the employee's supervisor, or a combination of these individuals. Many of the internal controls related to timekeeping are functions of the timekeeping system; however, timekeepers are responsible for accurately and timely recording time and attendance data and maintaining required documents, such as Standard Form 71. Medical documentation required to support an absence shall be maintained by the employee's supervisor in a separate file.

a. Supervisors and properly trained persons acting in a supervisory capacity are responsible for the administration of leave, and the timely and accurate preparation, certification and submission of T&A.

b. The input of T&A may be assigned and certification authority may be delegated. Certification authority may only be delegated to supervisory personnel or persons designated and trained to act in a supervisory capacity. However, the assignment and delegation of these duties do not relieve the employee or the supervisors of the responsibility for the accurate input of T&A or the approval and administration of leave. Administrative personnel to whom input is delegated are responsible only for accurate input of the data provided by the employee and/or supervisory official.

c. Supervisors and managers will:

(1) Ensure assigned employees muster according to current procedures.

(2) Ensure that employee time and attendance is accurately recorded in the timekeeping system, including proper use of hazard (EHZ) codes to identify, for example, FMLA leave.

Hazard codes currently in use are:

- DA - birth of son/daughter or care of newborn
- DB - adoption or foster care
- DC - care of family member with serious health condition
- DD - serious health condition of employee
- DE - family care/bereavement
- DF - sick leave for adoption purposes
- DM - family military leave
- TM - telework medical
- TS - telework situational
- TW - telework regular

Additional hazard codes may apply, such as those identifying collective bargaining unit activity. Questions on proper applicability of the codes may be directed to COMNAVRESFOR.

(3) Manage employee work schedules to minimize use of overtime, compensatory time, and credit hours (where permitted).

d. Civilian employees will:

(1) Muster according to the current procedures.

(2) Accurately record T&A, including hour of leave in the timekeeping system.

(3) Request leave according to the proper procedures and submit appropriate documentation required by the supervisor.

(4) Ensure that hours worked in excess of the regular workday, whether overtime, compensatory time, or credit hours (where permitted) shall be approved in advance by the appropriate supervisory authority. Working hours in excess of the regular workday without permission may result in disciplinary action. Supervisors who allow uncompensated, "suffered and permitted" hours of work, are also subject to disciplinary action.

DEFINITIONS

1. Absence Without Leave. AWOL is a non-pay status that covers an absence from duty which has not been approved. AWOL is not a disciplinary action in and of itself, but it may form the basis for disciplinary action
2. Accrued Leave. Accrued leave means the leave earned by an employee during the current leave year that is unused at any given time in that year.
3. Accumulated Leave. Accumulated leave means the unused leave remaining to the credit of an employee at the beginning of the leave year.
4. Annual Leave. Approved paid absence from duty to provide for vacation periods or extended leave for rest and recreation, and period of time off for personal or emergency reasons.
5. Available Paid Leave. Available paid leave includes an employee's accrued, accumulated, recredited, and restored annual or sick leave. It does not include advanced annual or sick leave, any annual or sick leave in an employee's set aside leave accounts which has not yet been transferred to the employee's regular annual or sick leave account, or other forms of paid time off (i.e., credit hours under flexible work schedules, compensatory time off, or religious compensatory time off).
6. Communicable Disease. A disease requiring isolation of the patient, quarantine or restriction of movement, as prescribe by the health authorities having jurisdiction.
7. Court Leave. Authorized absence without charge to leave or loss of pay from work for jury service or for attending judicial proceedings in a nonofficial capacity as a witness on behalf of a state or local government, or in a nonofficial capacity on behalf of a private party in connection with judicial proceedings to which the U.S., D.C., state, or local government is a party.
8. Employee. For leave purposes, Employee means an employee to whom subchapter I of chapter 63 of title 5, United States Code, applies. Other definitions may apply for other purposes.
9. Family Member. The definition of family member covers a wide range of relationships, including spouse; parents; parents-in-law; children; brothers; sisters; grandparents; grandchildren; step parents; step children; foster parents; foster children; guardianship relationships; same sex and opposite sex domestic partners; and spouses or domestic partners of the aforementioned. Different relationships may or may not be included depending on the leave program. The list of family members for whom an employee may request donated annual leave under the VLTP (as well as important associated definitions for the terms son or daughter, parent, domestic partner, and committed relationship) may be found in the OPM fact sheet entitled Definitions Related to Family Member and Immediate Relative for Leave Purposes.

a. Family member means an individual with any of the following relationships to the employee:

- (1) Spouse, and parents thereof;
- (2) Sons and daughters, and spouses thereof;
- (3) Parents, and spouses thereof;
- (4) Brothers and sisters, and spouses thereof;
- (5) Grandparents and grandchildren, and spouses thereof;

(6) Domestic partner and parents thereof, including domestic partners of any individual in paragraphs (2) through (5) of this definition;

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

10. Leave Donor. An employee whose voluntary written authorization for transfer of annual leave to the annual leave account of a leave recipient that has been approved by his/her own employing agency.

11. Leave Recipient. An employee for whom the employing agency has approved an application to receive annual leave from the annual leave account(s) of one or more leave donor(s).

12. Leave without Pay. An approved temporary non-pay status and absence from duty.

13. Leave Year. Leave year means 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.

14. Medical Certificate. A written statement signed by a registered practicing physician or other practitioner certifying to the incapacitation, examination, or treatment or to the period of disability while the patient was receiving professional treatment.

15. Medical Emergency. A medical condition of the employee or a family member of such employee that is involuntary and beyond the control of the leave recipient and is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave that is appropriate to the medical emergency. Maternity situations will be considered in the same manner as other incapacitating medical conditions of similar duration.

16. Serious Health Condition. Serious health condition has the meaning given that term in section 630.1202.

17. Sick Leave. Absence with pay to be used when an employee/family member is incapacitated for performance of his/her duties by sickness, or when an employee has a medical, dental, or optical examination or treatment.

LEAVE APPROVAL DELEGATION OF AUTHORITY

Type of Leave	Delegation of Authority
Annual Leave (29 days or less)	Immediate supervisor
Annual Leave (over 30 days)	Immediate supervisor with written coordination by Department Head
Advanced Annual Leave	Immediate supervisor with written coordination by Department Head
Sick Leave (3 days or less)	Immediate supervisor (Medical statement MAY be required)
Sick Leave (over 3 days)	Immediate supervisor (Medical statement typically required)
Sick Leave (over 30 days - Under FMLA only)	Immediate supervisor with verification of administrative sufficiency from the COMNAVRESFOR CHR
Advanced Sick Leave (Under FMLA only)	Immediate supervisor with verification of administrative sufficiency from the COMNAVRESFOR CHR
Leave without pay (LWOP)	Under FMLA or discretionary for (30 days or less) transferring military and civilian spouses, employees retiring or resigning only. Immediate supervisor with verification of administrative sufficiency from the COMNAVRESFOR CHR.
LWOP (over 30 days)	Under FMLA or discretionary for transferring military and civilian spouses, employees retiring or resigning only. For FMLA, immediate supervisor with verification of administrative sufficiency from the COMNAVRESFOR CHR. SF-52 is required (contact HR). Discretionary approval from commanders, COs and chief/DCOS Immediate supervisor with verification of administrative sufficiency from the COMNAVRESFOR CHR.
Extended LWOP for Family Members FMLA	Immediate supervisor with verification of administrative sufficiency from COMNAVRESFOR CHR. If LWOP exceeds 30 days, SF-52 is required (Contact HR)
Military Leave	Immediate supervisor with written coordination by Department Head. If military leave exceeds 30 days, SF-52 is required (contact HR).
Excused Absence/Administrative Leave	For tardiness/unavoidable absences up to 59 minutes, court leave, bone marrow and organ donation, the immediate supervisor. All others by the commander, COs or chief/DCOS.

RESTORATION OF ANNUAL LEAVE REQUEST

Employee Name: _____ Code: _____

Title: _____ Series/Grade: _____

Date request for annual (Use or Lose) was leave submitted: _____

Date annual (Use or Lose) leave request was approved/denied: _____

Date approved annual (Use or Lose) leave was canceled: _____

Requested annual (Use or Lose) leave dates and number of hours:

Dates: _____

Hours: _____

If my request for restoration of annual "use or lose" leave is authorized, I shall take into account that regular annual leave must also be scheduled to avoid forfeiture during subsequent leave year.

Signature of Employee

Date

Notes:

Request must include approved/denied and canceled leave request and other supporting documents, as applicable. Submit request via chain of command and CNRF CHR to approving official.

REASON(S) FOR DENYING/CANCELING ANNUAL LEAVE REQUEST (to be completed by supervisor)

- a. Describe exigency or other reasons for denying/canceling request.

- b. Explain why there are no alternatives to canceling leave that the employee would forfeit.

- c. If the above is an exigency of public business, identify the date when the exigency began _____ ended _____.

Signature of Supervisor

Date

