

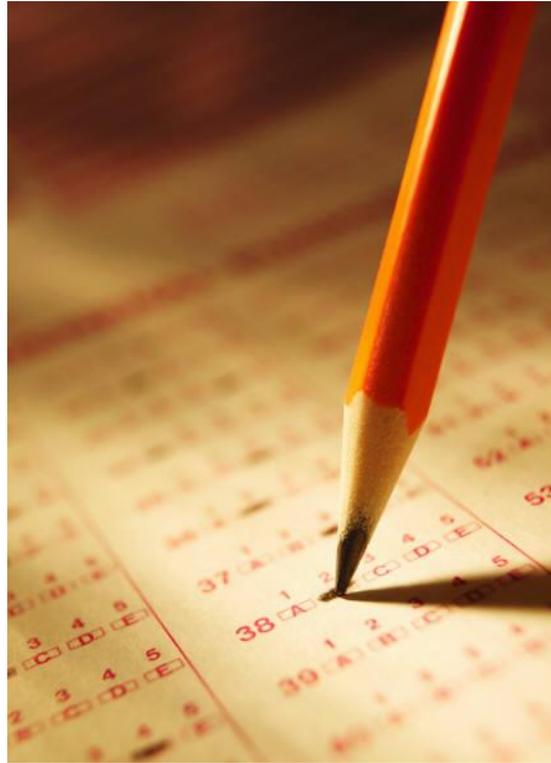
# LEAVE ADMINISTRATION

National Guard

Technician Personnel Management Course



# Pre-Test



# Scenario 1

The employee wants to go to the funeral for his Marine brother-in-law who died of the injuries he suffered in a combat zone.

FUNERAL

# Scenario 1

An employee may take up to three days of funeral leave to make arrangements for or to 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 under 5 USC 6326. A brother-in-law qualifies as an “immediate relative”.

# Scenario 2

The Agency is looking into allegations that an employee assaulted a coworker.

INVESTIGATIVE

# Scenario 2

An Agency may place an employee in investigative leave if he is subject of an investigation under 5 USC Section 6329b(b)(1).

# Scenario 3

The employee is summoned for jury duty in a state court.

COURT

# Scenario 3

An employee who is summoned to serve as a juror in a judicial proceeding is entitled to court leave. The employee is entitled to paid time off without charge to leave for service as a juror.

# Scenario 4

The employee wants to attend the funeral of his nephew that he raised from the age of 8.

SICK

# Scenario 4

Employees are entitled to sick leave when they make arrangements necessitated by the death of a family member or to attend the funeral of a family member under 5 USC 6307. A nephew wouldn't normally qualify as a "family member" under 5 CFR 630.201, but because the employee raised his nephew from the age of 8, he would likely qualify as "any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship."

# Scenario 5

Although the office is open, the employee cannot get back to work due to flooding from heavy storms in his area.

Weather and Safety

# Scenario 5

5 USC Section 6329c allows an agency to provide this type of paid leave when weather or other safety-related conditions prevent employees from safely traveling to or safety performing work at an approved location due to an act of God, terrorist attack, or other applicable condition.

# Scenario 6

The agency has proposed that the employee be removed for assaulting his coworker.

Notice

# Scenario 6

The agency has proposed that the employee be removed for assaulting his coworker.

Notice

# Scenario 6

5 USC Section 6329b(b)(1) provides that an agency may place an employee in notice leave if he is in a notice period. The “notice period” begins on the date on which the employee is provided notice of a proposed adverse action and ends on the date on which an agency takes –or decides to not take– the adverse action.

# Scenario 7

A recently hired veteran needs to see his psychologist for treatment of severe post-traumatic stress disorder that resulted from his military service.

Disabled Veteran

# Scenario 7

Federal employees with service-connected disability rating of 30 percent or greater, as qualified by the Department of Veterans Affairs, have access to up to 104 hours or 13 days of sick leave for medical treatment related to their disabilities during their first year of civilian employment. The purpose of this benefit is to help newly hired veterans (after 5 November 2016) who begin federal service without any sick leave but need medical treatment for their service-connected disabilities.

# Hours of Duty

- 80 hours per two week pay period:
  - 5/8: 5 consecutive eight-hour workday per forty-hour workweek
  - 5/4/9: 8 nine-hour workdays, 1 eight-hour workday, tenth day is off day
  - 4/10: 4 ten-hour workdays
- Work schedules/changes made by Adjutant General in conjunction with local union(s)



# References

- CNGBI 1400.25, vol 630
- Office Personnel Management ([www.opm.gov](http://www.opm.gov))
- Local Labor Agreement
- Local TAG policy
- Local HRO guidance

# Breaks

- Rest breaks - Paid; part of workday
- Lunch breaks – Not paid
- “Make-ready”/Clean up – paid; part of workday
- Changing/showering – not paid
- Voluntary PT – 3 Hours/week

# Types of Leave

- Annual Leave
- Sick Leave
- Court Leave
- Excused Leave
- Leave Without Pay (LWOP)
- Military Leave
- Disabled Veteran Leave
- Compensatory Time
- Enforced Leave
- Absence Without Leave (AWOL)

# Annual Leave

***Accrual Rates:*** full-time, permanent employees

- 1-3 years: 4 hrs/pay period
- 3-15 years: 6 hrs/pay period
- 15+ years: 8 hrs/pay
- If initial appointment is less than 90 days, no leave earned.



# Annual Leave

***Accrual Rates:*** Temporary employees  
(after 90 days, same as full-time permanent  
employees)

- 1-3 years: 4 hrs/pay period
- 3-15 years: 6 hrs/pay period
- 15 + years: 8 hrs/pay period

Leave service computation date (SCD)  
determines leave category (Block 31 on SF 50)

# Annual Leave

## ***Criteria/rules:***

- Military Service Credit - must provide Honorable Title 10 DD 214s to HRO
- Maximum annual carryover – 240 hrs by leave year
- Separated employees may be paid lump sum for unused annual leave
- May be advanced if requested in writing



# Annual Leave (continued)

- May be taken in the pay period earned
- Public Law 93-181 provides for restoration of forfeited annual leave
- Absolute right of employee; subject to approval of the supervisor
- Can be denied based on mission



# Voluntary Leave Transfer Program

- Under the Voluntary Leave Transfer Program (VLTP), a covered 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.
- OPM VLTP Fact Sheet:  
<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/voluntary-leave-transfer-program/>

# Sick Leave

## *Accrual rates*

- All full-time: 4 hrs/pay period



# Sick Leave

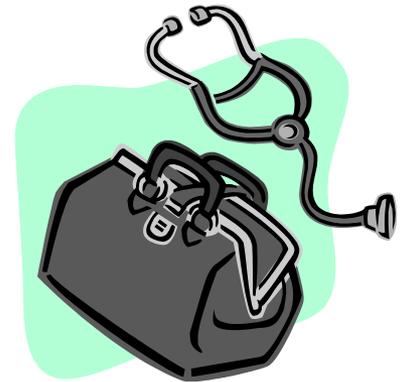
## ***Covers***

- Medical, dental, optical exams/treatments
- Personal incapacitation
- Health risk
- Family care (Limited – under FMLA/SLTCFFM)
- Bereavement/Family funeral (Limited – FMLA/SLTCFFM)
- Adoption (Limited – FMLA/SLTCFFM)
- Leave and Work Scheduling Flexibilities Available for Childbirth or Adoption

# Sick Leave

## ***Some criteria/rules:***

- Unlimited carryover balance
- May be advanced
- Medical certification may be required
- May use while on Annual Leave
- Sick Leave may be used in the Computation of an Annuity
- Recredit of Sick Leave



# Fact Sheets: Leave and Families

- **Family Care & Bereavement:**  
<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/sick-leave-for-family-care-or-bereavement-purposes/>
- **Family Member with a Serious Health Condition:**  
<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/sick-leave-to-care-for-a-family-member-with-a-serious-health-condition/>
- **Family and Medical Leave Act (FMLA):**  
<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/family-and-medical-leave/>
- **Handbook on Leave and Workplace Flexibilities for Childbirth, Adoption, and Foster Care:**  
<https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/handbook-on-leave-and-workplace-flexibilities-for-childbirth-adoption-and-foster-care.pdf>

# Court Leave

***Covers an employee who is summoned due to a judicial proceeding, as a...***

- Juror
- Witness on behalf of a state or local government



# Excused Absence

- Also referred to as Administrative Leave
- Investigative & Notice
- Weather & Safety
- Authorized absence for a variety of personal and other non-technician duty reasons
- Supervisor can excuse absence of one hour or less
- Conference or convention attendance with TAG approval (i.e. NGAUS, EANGUS)

# Other Excused Absence

- 5 day excused absence
  - granted to those returning from GWOT
  - authorized regardless of location
  - only 5 days authorized and must be used all at once immediately upon Return to Duty
- Bone Marrow or Organ Donor-  
OPM Bone Marrow/Organ Donor Fact Sheet:  
<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/bone-marrow-or-organ-donor-leave/>



# Leave Without Pay (LWOP) (NTE)

- Temporary non-paid status by OPM Form 71 request
- Not a right (some exceptions)
- 40 hours (FWS)/80 hours (GS) accumulated LWOP affect the employee's Annual and Sick Leave accrual within the leave year
- Service Computation Date (SCD) – Leave must be recomputed when an employee returns to duty from an aggregate LWOP of more than six months in a calendar year
- EFFECTS

<http://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/effect-of-extended-leave-without-pay-lwop-or-other-nonpay-status-on-federal-benefits-and-programs>

# ABSENT- US

- Must be performing Title 10 or Title 32 military duties (cannot use while on SAD)
- Paid leave may be used intermittently
- No harm, leave & SCD not affected
- Leave is prorated
- Contact HRO for a USERRA brief



# Military Leave

- 15 days – 120 hours
- 22 days – 176 hours
- 44 days – 352 hours



# Military Leave – 15 days

- Charged in hourly increments
- No same-day dual scheduling on Title 32 orders and as technicians
- Military leave is not charged on intervening non-workdays (e.g. holidays, weekends, scheduled days off)



# Military Leave – 15 days

- Paid leave when ordered to active duty, active duty for training, and inactive duty for training
- 120 hours (15 days) each FY – permanent & temporary employees appointed for more than 1 year [based on appointment]
- Annual Carryover NTE 240 hrs yearly by FY



# Military – 22 days

- Law Enforcement Leave (LEL)
- Paid leave to aid in support of civil authorities in protection of life & property, or military duty in support of contingency operations (DSCA)
- Permanent and indefinite employees only
- 22 days (176 hours) per calendar year; charged in hours
- Non-workdays/holidays not charged
- No excused absences
- Civilian pay exceeds military pay; difference due

# Military Leave – 44 days

- Operations outside the U.S.
- Must be on active duty without pay
- Orders must identify period of leave
- 44 days (352 hrs) per calendar year charged in hours
- Non-workdays/holidays not changed
- No excused absences
- Civilian pay exceeds military pay; difference due



# Compensatory Time

- Time off with pay, in lieu of overtime pay
- Amount of time off given is equal to the time spent outside the normal duty hours or irregularly scheduled work
- Advance approval required on NGB 46-14
- Use within 26 pay periods of earning or forfeit

# Disabled Veteran Leave

- Hired on or after 5 November 2016 and start with a zero hours of sick leave
- Must be a veteran with a qualifying service-connected disability rated at 30% or more
- May be used for medical treatment for the service-connected disability
- Must be used during the 12-month period beginning on the first day of employment
- Total leave benefit may not exceed 104 hours

# Comp Time Travel

- Earned for time spent in a “travel status” away from official worksite
- Travel status does not include travel time that is otherwise compensable as hours of work
- Earned only for technician or civilian travel, not military travel
- Applies to both GS and FWS technicians and employees

# Comp Travel

- Technicians are not entitled to receive lump sum payment for compensatory leave. Upon separation, leave is forfeited.
- OPM Comp Travel Fact Sheet:  
<http://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/compensatory=time-off-for-travel/>
  - See bottom of Fact Sheet for:
    - FAQs on Travel CT
    - Examples of creditable travel time
    - Hours of Work for travel

# Overtime Pay

## Overtime pay under **Title 5** defined as:

- Pay for hours or work “*officially ordered or approved*” in excess of 8 hours in a day or 40 hours in an administrative workweek. (Compressed work schedules such as 5-4-9 or 4-10 are based on an 80 hour pay period)
- Employees will be compensated for overtime work under Title 5 or Fair Labor Standard Act (FLSA), depending on their exemption status.
- *Effective upon conversion to T5, all Overtime and Compensatory Time must be requested by Supervisor in advance and approved by HRO prior to performance. (NGB Form 46-14)*

# Enforced Leave

## *Temporary status to document absences for employees...*

- Who are not ready, willing and able to perform
- Whose continued presence is undesirable or poses a threat

# Absence Without Leave (AWOL)

- Without supervisor's prior knowledge/approval
- Status can change with explanation
- AWOL status NOT a disciplinary action
- Can become the basis for initiating an adverse action



# Recordkeeping Requirements

***Time Cards:*** leave recorded sequentially  
(copies filed at workcenter)

***Military Leave:*** copy of orders/certificate of performance

***Court Duty:*** Letter from court

***LWOP:*** Signed OPM Form 71 (Payroll) and SF-52 if more than 30 days (HRO)

***Compensatory Time:*** Documented at workcenter

# Timekeeper's Responsibility

- Record leave/absences
- Prepare input for Pay Office
- Submit schedule changes
- Submit time cards to pay office
- Customer Service Reps:
  - Army: USPF0/Payroll
  - Air: Wing Finance Office



# Supervisor's Responsibility

- Approve leave
- Certify time cards, if not official timekeeper
- Certify changes/corrections



# QUESTIONS????

