



DEPARTMENT OF THE NAVY
NAVAL TRAINING CENTER
GREAT LAKES, ILLINOIS 60088-5000

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NTC GREAT LAKES INSTRUCTION 12630.2

From: Commander, Naval Training Center, Great Lakes

Subj: LEAVE ADMINISTRATION

Ref: (a) FPM/CPI 630 and supplements thereto
(b) FPM Chapter 990-2, Book 630 and Supplements thereto
(c) NTCGLAKESINST 12630.1
(d) NTCGLAKESINST 12610.1C

Encl: (1) Manual for Leave Administration

1. Purpose. To provide local guidelines and procedures for administering leave in accordance with the requirements of reference (a). This instruction is applicable to all activities receiving services from the Naval Training Center Consolidated Civilian Personnel Office (NTC CCPO).

2. Cancellation. NTCGLAKESINST 12000.2, Chapter V, Subchapter 4. This instruction has been substantially revised and should be reviewed in its entirety.

3. Background. The approval of leave is usually the responsibility of immediate supervisors who best know whether the time off requested is compatible with the needs of the activity. Authority to approve leave requests is accompanied by the responsibility for verifying that leave granted is legal and justifiable.

4. Procedures

a. The procedures of enclosure (1) are to be followed.

b. Where there is a conflict between enclosure (1) procedures and those contained in a negotiated agreement with an exclusively recognized labor organization, the provisions of the negotiated agreement will take precedence and must be observed.


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CHAPTER 1

ANNUAL LEAVE

1. Responsibilities

a. Supervisors and Other Management Officials. Supervisors and other management officials, when delegated authority for approving leave, are responsible for:

(1) Establishing procedures to be followed by employees in requesting either planned or unplanned annual leave;

(2) Scheduling their employees' annual leave in such a manner that workload requirements are met;

(3) Determining in a timely manner whether to approve or disapprove leave requests;

(4) Providing reasons in a timely manner to employees when disapproving leave;

(5) Ensuring employees do not lose annual leave at the end of the year due to the leave not being scheduled;

(6) Indoctrinating employees on their responsibilities regarding leave; and

(7) Verifying that leave which they contemplate approving is legal and justifiable, consistent with the provisions of this and other applicable instructions, and compatible with sound management practices.

b. Employees. Employees are responsible for:

(1) Requesting leave as far in advance as practicable;

(2) Completing a SF-71, Application for Leave, or other form agreeable with the approving official, at the time they request leave or upon their return from emergency leave requested while away from the work site;

(3) Contacting their supervisor or other officials authorized to approve leave, within the time limits specified by their activity, to request leave for unforeseen circumstances. They should state the reason for the leave request and how much leave they are requesting;

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(4) Providing adequate documentation, when required, to substantiate the unforeseen circumstances requiring an emergency leave request;

(5) Cooperating with management in scheduling vacation periods and requesting leave during periods when their services can be spared; and

(6) Reminding their supervisor of the need to schedule annual leave for the entire leave year well in advance of the end of the leave year to avoid forfeiture of leave due to a heavy workload and not having leave scheduled as required.

2. Granting Annual Leave. Management has primary responsibility for planning and effective scheduling of annual leave for use through the leave year. While employees have an obligation to request annual leave in a timely manner, failure on their part to request annual leave does not relieve management of its responsibility to assure that the leave is, in fact, scheduled for use. Supervisors should not restrict granting annual leave to the extent that earned leave is forfeited. Annual leave may be granted as of the first date of employment to those employees appointed for 90 days or more. If an appointment is for less than 90 days, employees are not entitled to use annual leave until after being employed for a continuous period of 90 days under successive appointments without a break in service.

a. Rights. Taking annual leave is a right of the employee subject to the right of the employee's supervisor to fix the time at which leave may be taken. Fixing the time centers around being able to spare the employee.

b. Factors to Consider in Granting Leave. Workload, workforce requirements, and the number of employees who have already obtained leave approval for the same period are examples of factors that should be considered in determining whether to grant annual leave. The significance of the reason for the leave request may also be considered in determining whether to approve the leave request. Other factors to consider include:

(1) Whether the employee followed established procedures for requesting annual leave;

(2) Whether the employee provided adequate documentation to substantiate an emergency request for annual leave; or

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(3) Whether the employee has any annual leave accrued.

c. Vacation Scheduling. Supervisors should establish vacation schedules as early as possible to ensure effective scheduling throughout the year. As a starting point, supervisors may want to seek date preferences from their subordinates to see if there are any conflicts between when employees want to take their vacations and the work schedule or when other employees want to take their vacation. Any dispute between employees desiring the same vacation period should be resolved on an equitable basis such as length of service or performance rating levels, provided the employee who desires the vacation period in dispute can be spared. No employee should be allowed to exercise priority over another employee more than once in a leave year. Supervisors should inform their subordinates as soon as possible when they are unable to approve a leave request or desired leave date.

d. Obtaining Leave in Unforeseen Circumstances. When an employee must be absent due to unforeseen circumstances, the employee must notify the immediate supervisor or someone designated by him/her of the reason for the absence as soon as possible after the beginning of the shift, the same day, as practicable. In most cases, the notification to the supervisor should be made within two hours after the shift begins. The determination whether to approve or disapprove requested leave which was not approved in advance rests with the supervisor. There is no automatic entitlement to leave on the sole basis that unforeseen circumstances, in the employee's opinion, require absence from duty. In genuine emergencies, such as serious accident or illness, or death in the employee's immediate family, supervisors should exercise due consideration in enforcing the reporting requirements.

e. Advance Annual Leave. Regulations permit advancing annual leave limited to the leave which will be accrued by the employee during the balance of the leave year. When employees are serving under temporary appointments or under probationary or trial periods, advance leave should not exceed an amount which will be subsequently earned. It is generally advisable to advance annual leave rather than grant leave without pay. Advance leave may not exceed the amount that will accrue to the employee prior to anticipated separation or retirement.

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f. Annual Leave in Lieu of Sick Leave. Generally, an approved absence which would otherwise be chargeable to sick leave may be charged to annual leave if requested by the employee and approved by the activity. However, annual leave may not be substituted for sick leave on a retroactive basis. (Exception: Advance sick leave which has been granted the employee may be liquidated by subsequently earned sick leave, or by substituting of annual leave, provided this action is not for the purpose of avoiding forfeiture of annual leave at the end of the leave year).

3. Requiring Annual Leave to be Taken. Management may direct the use of annual leave available to the employee when the employee's services are not needed during holiday close-downs and brief periods of work interruptions. (An employee may not be placed on annual leave without the employee's consent during any period of notice of adverse action for cause).

a. Examples of such situations include:

(1) Unforeseen Circumstances. Employees who cannot be assigned other work may be required to take annual leave in cases of interrupted or suspended operations such as equipment breakdown, power failure, lack of material, transportation strikes, storms, floods or other natural phenomena and temporary reduction of work load which are beyond management control provided proper notice is given.

(2) Planned Managerial Reasons. When, because of planned managerial reasons, the closing of all or part of an activity is required for short periods of time, employees may be required to take annual leave unless Leave Without Pay (LWOP) is requested provided proper notice is given.

(3) To Reduce Annual Leave Accumulations in order to prevent forfeiture of annual leave.

b. Notice Requirement for Directing Use of Annual Leave

(1) In cases of interrupted or suspended operations, employees who cannot be assigned to other work will be required to use annual leave whenever 24 hours advance notice can be given. Unions should also be provided with advance notice.

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(2) When such situations develop too late to give 24-hours advance notice, employees who cannot be assigned to other work will be required to use annual leave only if notice can be given before the end of their shift immediately preceding the one in which they were to be placed on leave. Such involuntary use of leave without 24-hour notice may not exceed five days in any leave year.

(3) When neither 24-hours notice nor notice before the end of their immediately preceding shift is possible, employees who cannot be assigned to other work shall be excused for a period not to exceed eight hours and will then be placed on enforced annual leave for any subsequent continuous absence required beyond eight hours, provided a 24-hour advance notice can be given.

c. Requiring Absence When No Annual Leave is Available. When the use of annual leave is directed and the employee has no annual leave available, the employee will be granted leave without pay or advanced annual leave, if requested. If the employee does not request leave, every effort should be made to assign that employee to other duties, or even another Department of Defense (DoD) installation. If this is not possible, furlough may be used as a last resort. An employee may be furloughed without advance notice if justified by unforeseeable circumstances requiring immediate curtailment of activities. Normally, furloughs of less than 30 days require a 30-day notice and are processed as adverse actions. Furloughs of more than 30 days are processed as reduction in force actions.

4. Earning Rates and Use of Leave. Employees earn annual leave in accordance with their tenure in the Federal Service and applicable leave regulations. Leave shall accrue to an employee only while in a pay status and will be credited to the employee's account bi-weekly.

a. Full-time Employees. Full-time employees accrue annual leave on the following basis:

(1) Less than three years service - four hours for each full bi-weekly pay period.

(2) Three years, but less than 15 years service - six hours for each full bi-weekly pay period except that the accrual for the last full bi-weekly pay period in the calendar year shall be 10 hours.

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(3) 15 or more years service - eight hours for each bi-weekly pay period.

b. Part-time Employees. Part-time employees who have a regularly scheduled tour of duty on one or more work days during each administrative workweek in the bi-weekly pay period will be credited with annual leave as follows:

(1) Less than three years - one hour for each 20 hours in a pay status.

(2) Three years, but less than 15 years service - one hour for each 13 hours in a pay status.

(3) 15 or more years service - one hour for each 10 hours in a pay status.

c. Uncommon Tours of Duty. Employees who are paid annual premium pay in lieu of overtime, night differential, and holiday pay will be credited and charged with annual leave on the basis of each 12 or 24 hour period within the regularly scheduled workweek.

d. Maximum Accumulation. Most Federal employees are entitled to accumulate annual leave until it totals not more than 30 days (240 hours) at the beginning of the first complete bi-weekly pay period in any calendar year. Under certain circumstances, employees may be entitled to carry forward into a leave year a greater accumulation than 240 hours. Once the employee reduces this ceiling, the new balance (if more than 240 hours) becomes the new leave ceiling. This means, in essence, that once an employee has a carry-over ceiling of 240 hours or above, he/she must use all accrued annual leave for the following leave year, or any unused accrued annual leave above the authorized ceiling will be forfeited.

e. Leave Used. Annual leave once taken may not be retroactively changed to LWOP, except as provided by 5 U.S.C. Chapter 81.

5. Restoration of Annual Leave

a. Public Law 93-181 established under three exceptions to normal rule requiring that any annual leave in excess of the maximum permissible carry-over be automatically forfeited at the end of the leave year. The three exceptions are as follows:

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(1) Administrative Error. This is a retroactive provision. When an error causes the loss of annual leave otherwise accrued the leave may be restored even though the error may have occurred in a previous year;

(2) Scheduled Annual Leave Lost Through Exigencies of Public Business. Annual leave must have been scheduled and approved, in writing, before the start of the third bi-weekly pay period prior to the end of the leave year in order for an employee to be eligible for restored leave. Supervisors are responsible for ensuring employees leave is scheduled and approved before this date. The annual leave scheduled and approved as above may be used during the last three pay periods in the leave year. The exigency must have been of such importance that the employee could not be excused from duty, and there was no reasonable alternative for cancellation of the scheduled leave. Local activity heads/commanders are delegated the authority to determine the level at which exigencies of the public business may be declared for purposes of restoring forfeited annual leave. The determination may not be made by an official whose leave would be affected by the decision.

(3) Sickness During a Period of Scheduled Annual Leave. Annual Leave may be restored when annual leave was scheduled in advance and a period of sickness or injury for which sick leave would be approved interfered with the usage of such scheduled annual leave. The sickness must have occurred too late in the leave year or was of such duration that the annual leave could not be rescheduled to avoid forfeiture.

b. Restored Leave Account. The restored annual leave must be credited to a separate leave account. The amount of restored leave does not in any way increase or change an employees normal maximum permissible carry-over of annual leave into a new leave year.

c. Time Limit. Annual leave restored must be scheduled and used no later than the end of the leave year ending two years after:

(1) The date the annual leave was restored in correcting an administrative error.

(2) The date fixed by management as the termination of the exigency that resulted in the forfeiture of annual leave.

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(3) The date the employee is determined to be recovered and able to return to duty, if the leave was forfeited because of sickness.

Any restored leave which is unused at the expiration of the two-year limit is again forfeited, with no further right to restoration. It should be noted that in scheduling the use of any restored leave, the supervisor must take into account the fact that regular annual leave also must be scheduled during the year to avoid forfeiture.

6. Lump-sum Payment for Accrued Annual Leave Upon Separation

a. Employees are entitled to payment on separation for all accumulated annual leave credited to the employee. For this purpose "accumulated annual leave" consists of the following:

(1) The regular carry-over balance from the previous leave year, if any; plus

(2) Accrued and unused annual leave during the current leave year, if any; plus

(3) Any unused restored annual leave maintained in a separate account, as explained in paragraph 5b above.

b. All periods of Federal civil service and all periods of active honorable military service, which are potentially creditable for annuity under the Federal Retirement Act, are credited in determining years of service for the purpose of leave accrual. However, employees who are retired members of a uniformed service are entitled to credit for active military service for leave purposes only if:

(1) Their retirement was based on disability resulting from injury or disease received in the line of duty as a direct result of armed conflict or caused by an instrumentality of war and incurred in the line of duty during a period of war;

(2) That service was performed in the armed forces during a war or in a campaign or expedition for which a campaign badge has been authorized.

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(3) On November 30, 1964, they were employed in a position to which the Civil Service Retirement Act applies and, thereafter, they continued to be employed without a break in service of more than 30 days.

7. Voluntary Leave Transfer Program. Guidance on the Voluntary Leave Transfer Program may be found in reference (c) (current edition).

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CHAPTER II

SICK LEAVE

1. Purpose of Sick Leave. Sick leave is for use when an employee: (1) is incapacitated for work because of sickness, injury, or pregnancy or confinement; (2) is exposed to a contagious disease that would endanger the health of co-workers; (3) must provide personal care to family members affected by a contagious disease; (4) receives medical, dental, optical examinations or treatment, or physical examinations for military training duty; or (5) is pending disability retirement or separation disability. (Contagious disease means a disease which is subject to quarantine, requires isolation of the patient, or requires restriction of movement as prescribed by local health authorities).

2. Responsibilities

a. Supervisors are responsible for notifying employees of the procedures to be followed in requesting either planned or unplanned sick leave.

b. Supervisors have the authority and responsibility to administer sick leave in accordance with the following:

(1) Normally, the employee's certification will be sufficient to support a charge to sick leave for absences of three working days or less.

(2) Periods of absence on sick leave in excess of three work days must ordinarily be supported by a medical certificate, to be filed within 15 days after return to duty. Instead of a medical certificate, the employee's signed statement explaining the nature of the illness may be accepted when it is unreasonable to require a medical certificate because of shortage of physicians, remoteness of locality, or because the illness does not require the services of a physician.

(3) In cases of extended or extensive absence(s), the employee may be required to submit a detailed medical statement from a medical authority, accurately describing, diagnosing and giving a prognosis concerning his/her condition.

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c. Employees:

(1) Are required to notify their supervisors of non-emergency appointments as far in advance as possible, but no later than two to three workdays prior to the required leave date.

(2) Requesting sick leave from home or when they are otherwise away from the office are required to notify their supervisor or other designated official by telephone within two hours of their normal starting time (or other time limit specified by their activity) when they are ill or otherwise medically incapacitated to perform their duties. Employees are required, when making such requests, to state why they are absent, to specifically request sick leave, and to state approximately how long they will be absent. Employees will also be required to again notify their supervisor or other designated official if the absence extends beyond the anticipated time and to request additional leave.

(3) Are responsible for completing an SF-71, Application for Leave, or other form agreeable with the approving official at the time they request leave or upon return from emergency leave that the employee requested while home or otherwise away from the work site.

(4) Are responsible for providing adequate documentation to substantiate that they were incapacitated to perform the full range of their duties for the duration of their absence.

3. Abuse of Sick Leave

a. When there is reason to believe that sick leave is being abused, the employee should first be counseled concerning the questionable sick leave record and advised that a medical certificate or detailed medical statement may be required to support any future granting of sick leave, regardless of the duration. If this does not bring about improvement in the sick leave record, the employee should be issued a letter requiring all future requests for sick leave to be supported by a medical certificate or detailed medical statement. This letter will clearly articulate all requirements and conditions imposed and should explain the reasons for the requirements. Letters of requirement may be grieved. Failure to comply with the letter of requirement may be considered a basis for denying sick leave and carrying the employee in an Absence Without Leave (AWOL) status.

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Additionally, since the letter of requirement is a written order, failure to comply may also be considered a disciplinary offense in and of itself. The attendance records of employees required to submit medical certificates for each absence on sick leave should be reviewed annually, except in those cases where bargaining agreements require more frequent reviews. The requirement should be rescinded in writing at such time as improvement in an employee's sick leave record warrants such action.

(b) Management should contact the (Naval Training Center Civilian Consolidated Personnel Office) Labor Relations Division for advice and assistance when contemplating taking action against employees who are suspected of abusing their leave privileges.

4. Earning Rates

a. Full-time employees accrue sick leave on the basis of four hours for each full bi-weekly pay period.

b. Part-time employees who have a regularly scheduled tour of duty earn one hour of sick leave for each 20 hours in a pay status.

c. Earning rates for employees with uncommon tours of duty will be adjusted in relation to the established uncommon tours of duty.

d. Employees who receive annual premium pay under Section 5545 of Title 5 U.S.C. will be credited and charged sick leave on the same basis as the annual leave accruals shown in CPI 630.S2-6b for service up to three years.

e. Sick leave may be accumulated and carried over from year to year without limitation.

5. Granting Sick Leave

a. Mandatory Approval of Sick Leave. There are circumstances when the approval of a sick leave request is mandatory. If the employee requesting sick leave has (1) followed leave procedures, (2) provided documentation acceptable to the activity, and (3) accrued sick leave, the request for sick leave will be approved when any of the following occur:

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(1) The employee is required to receive treatment as a disabled veteran.

(2) The employee is receiving emergency medical, dental, or optical examination or treatment.

(3) The employee's presence on the job would jeopardize the health of others because of exposure to a contagious disease.

(4) The employee is required to administer to a family member who has a contagious disease, is restricted in movement, requires isolation or is subject to quarantine.

(5) The employee is required to take a physical examination on behalf of the Military Reserve.

NOTE: Registration and required physical examination under the Military Selective Service Act are to be treated as an excused absence (no charge to leave or loss of pay).

b. Discretion in Approval of Sick Leave. The approval of a sick leave request is at the discretion of the activity when any of the following circumstances exist:

(1) The employee fails to follow leave procedures.

(2) The employee fails to provide documentation acceptable to the activity.

(3) Abuse or fraud is suspected or evident.

(4) The request is for nonemergency medical, dental, or optical examination or treatment.

(5) The employee does not have any sick leave accrued.

Under circumstances (1) through (4), the activity may decide to approve sick leave, or deny the leave and charge the absence to AWOL. For cases involving circumstance (5), see paragraph 3d below.

c. No Sick Leave Accrued. If the employee has no sick leave accrued, the activity may approve the use of annual leave, charge the absence to LWOP, charge the absence to AWOL or consider granting advanced sick leave, provided the employee's condition meets the requirements in paragraph 4 of this chapter.

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d. No Sick or Annual Leave Accrued. If the employee has no sick leave and no annual leave accrued, and the advancement of sick leave is not warranted, it is not mandatory that the absence be charged to LWOP, since circumstances may indicate that the absence should be charged to AWOL.

e. Extended LWOP. Employees on extended LWOP will not be granted sick leave.

f. Sick Leave Without Consent. As a general rule, employees may not be placed on sick leave or LWOP without their consent. Employees may be placed on sick leave or LWOP without their consent only if it is clear that they are physically or mentally incapable of performing their duties. Call the NTC CCPO/Labor Relations Division in such situations.

g. Determination of "Contagious Disease". 5 CFR 630.201 states that a contagious disease is that which is ruled as subject to quarantine, requires isolation of the patient, or requires restriction of movement by the patient for a specified period as prescribed by local health authorities. Because there is no more specific guidance available, a local determination by management will have to be made in each case. In a response to a Department of the Navy request for additional guidance, OPM indicated it is appropriate to have the local DON medical authority, a private physician, or a public health authority make the determination if a disease is not contagious as defined by OPM (5 CFR 630.201).

h. Discretionary Guidance. A request for leave must not be denied or canceled for arbitrary or capricious reasons. When the activity exercises its authority to approve an employee's request for leave, including LWOP, the approving official has presumably made a determination that the employee's presence on the job is not required. The activity may, if it needs the employee's services, deny leave, and if the employee does not report for duty, charge the absence to AWOL. A denial of leave and a charge to AWOL is not punitive nor does it mean that the employee has insufficient reason for requesting leave, but rather that the employee's presence is required and that the reason for requesting leave is not one for which leave must be approved. However, AWOL can become the basis for initiating disciplinary action. CMML 630-1 and FPM Letter 630-29 provide additional guidance for activities and supervisors on those elements to consider when arriving at a decision to approve or disapprove a leave request.

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i. Sickness Occurring During Annual Leave. Employees who become ill during a period of annual leave may have the period of illness charged to sick leave provided a request is made promptly upon return to duty and is substantiated in the same manner as any other request for sick leave.

6. Advanced Sick Leave

a. Sick leave may be advanced to employees in deserving cases of serious disability ailments, when the exigencies of the situation so require, subject to the following conditions:

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

(2) The amount of advance sick leave to an employee's account may never exceed 30 days at any time.

(3) All available sick leave to the employee's credit must be exhausted.

(4) The amount of sick leave advanced to an employee serving under a temporary appointment will be limited to the amount which would be earned subsequently during the course of the appointment.

(5) The approving authority should have reasonable assurance of the employee's return to duty. (Should the employee separate because of disability or illness (retirement or resignation)), the activity has no authority to require the repayment of the amount paid to the employee for advanced leave).

(6) Payment of advanced sick leave will cease if circumstances warrant its termination.

b. Employees must request advanced sick leave in writing and must furnish a medical statement to substantiate that a serious illness or injury exists and that they are, or will be, incapacitated from performing their duties. The statement should also affirm that it is believed they will be capable of subsequently returning to work and fulfilling the full scope of their jobs.

c. Grant of advanced sick leave will be made only for the specified period of illness and necessary time for recuperation.

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Once the employee has returned to duty, any necessary absence thereafter for periodic checkup, etc., is chargeable to annual leave or LWOP, unless the employee has repaid the advanced sick leave and has accumulated sick leave to his/her credit.

d. Requests for advanced sick leave will be forwarded through management channels to the head of the activity for approval/disapproval.

e. Written approval/authorization for advanced sick leave, under this section, must be provided to the payroll office, and wherever possible, prior to actual usage. In any event, care must be exercised to insure that only the proper amount of sick leave is authorized.

f. Advanced sick leave for which an employee is indebted may be liquidated, upon the employee's request, by a charge against annual leave or transfer of leave procedures.

7. Job-Related Injury. When an employee sustains a traumatic job-related injury and files a claim under the Federal Employees' Compensation Act, the activity is required to continue the employee's pay (without charge to leave) for the period of disability, not to exceed 45 calendar days, under regulations promulgated by the Office of Workers' Compensation Programs. The employee may, however, elect to have the absence from duty covered by a charge against accumulated sick or annual leave credits.

a. Examination and Emergency Treatment. Time spent in obtaining examination and emergency treatment for a job-related injury is under the control of management. Such time is duty status and is not charged to leave. Employees not returned to duty after examination and treatment should be:

(1) Carried in a pay status for the time spent in securing examination and emergency treatment to the extent of the scheduled regular or overtime tour in which the injury occurred.

(2) Carried in a pay status for the duration of the period required for examination and/or treatment, but not to exceed two hours, when the injury occurs during an unscheduled overtime tour of duty.

(3) Charged leave or have deducted from overtime, as appropriate, for any additional non-duty time from their

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scheduled regular or overtime tour which was at their request or on instructions from officials of the Occupational Medicine Department.

(4) Carried in a duty status when sustaining a traumatic injury, in accordance with Federal Personnel Manual Chapter 810 for the remainder of the shift in which injured.

8. Visits to the Occupational Medicine Department. Employees authorized to visit the Occupational Medicine during regular scheduled working hours, for reasons other than examination and emergency treatment of job incurred injuries normally will have any absence in excess of one hour charged to leave or LWOP. See 8b below for an exception.

a. This applies to:

(1) Employees visiting Occupational Medicine for routine re-examination or treatment of previously diagnosed and treated job related injuries.

(2) Examinations of non-duty related injury.

(3) Employees who become ill after reporting for work. If the employee is sent home, time spent at the Occupational Medicine is chargeable to sick leave.

b. Employee Required by Management to Visit the Occupational Medicine. When management directs an employee to visit the Occupational Medicine at a particular time, an exception to the one hour limitation rule is applicable. Following are examples of these kinds of visits:

(1) Required Occupational Medicine clearance on return from sick leave. (If the employee is not returned to duty, the absence including time spent at Occupational Medicine remains charged to leave).

(2) To determine the employee's competence for duty.

9. Sick Leave and outside employment. Normally, employees meeting the criteria for approved sick leave, and who are unable to work for the activity, are too ill or too injured to work elsewhere. There are, however, rare instances where there is acceptable justification for outside employment by an employee

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while on sick leave; e.g., engaging in telephone solicitation or writing while confined at home because of pregnancy or recuperation from illness or injury or performing sedentary work while unable to perform regular duties due to an injury such as a broken limb. Approving sick leave in such cases should be carefully controlled to prevent misuse.

10. Death. If an employee dies while in a non-duty status, activities may grant either accrued or advanced sick leave for the period of illness or disability immediately prior to death (24 Comp. Gen. 143). If an employee was in a pay status (duty or leave) immediately prior to death, the beneficiary is entitled to receive compensation for the date of death, without charge to leave (25 Comp. Gen 366).

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CHAPTER III

LEAVE WITHOUT PAY/ABSENCE WITHOUT LEAVE/TARDINESS
AND BRIEF ABSENCE1. LWOP

a. Definition. LWOP is a temporary absence from duty in a non-pay status, granted upon the employee's request. It does not include non-pay status on days for which the employee would be paid on an overtime basis, and it does not include days on which the employee is not scheduled to work. LWOP is a matter of administrative discretion. An employee is not entitled to be granted LWOP as a matter of right, except in the case of (1) disabled veterans who are entitled to LWOP for medical treatment under Executive Order 5396, July 17, 1960 (reference (b), S1-4)), (2) reservists and National Guardsmen who are entitled to a leave of absence for military training under section 2024(d) of title 38, United States Code, and (3) for limited periods, employees receiving injury compensation under chapter 81 of title 5, United States Code. LWOP does have impact on within-grade increases, computing length of service for probationary periods, career tenure and other matters.

b. LWOP for 30 Calendar Days or Less. Employees may request LWOP for 30 days or less by submission of an SF-71. Supervisors are authorized to approve such requests.

c. LWOP for More than 30 Days. Extended LWOP may be granted only when it is expected the employee will return to duty in the federal service. In addition, it should be apparent that a grant of LWOP would result in increased job ability; protection or improvement of the employee's health; retention of a desirable employee; or furtherance of a program of interest to the activity. Requests will be forwarded through management channels to the activity head or designated representative for approval/disapproval. An SF-71 will be submitted in duplicate, together with a memo providing full justification for the need for LWOP if not covered on the SF-71. Whenever a request for LWOP of 30 days or more is approved, a Request for Personnel Action (SF-52) will be prepared and submitted to the CCPO. Duration of LWOP approved and the reason given by the employee must be indicated.

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(1) LWOP will be granted to an injured employee for up to one year while the employee is receiving injury compensation under 5. U.S.C. 8101. In approving either the initial grant or an extension, factors outlined in reference (b), Subchapter 12-2b must be considered. Extensions of such leave may be granted by the head of an activity, based on a review of the individual case.

(2) Up to 90 days LWOP will be granted to employed family members of transferring military and civilian personnel who are required to move on rotational assignments, in a transfer of function or a relocation of an activity or who accept another federal job outside of the commuting area. Additional LWOP may be granted at the discretion of the activity head, or his or her designee. The granting of the LWOP is subject to the following:

(a) An employed family member will be advised to request LWOP prior to separation incident to the transfer of the sponsor.

(b) The LWOP will be granted only when the family member expresses an intent to seek federal employment at the new location.

(c) "Family Member" for this purpose refers to any federally employed family member whose separation is incident to the transfer of his or her sponsor.

d. Other examples of proper cases for extended LWOP:

(1) For educational purposes when the course of study is in line with the type of work being performed by the activity;

(2) Service to be performed will contribute to the public welfare;

(3) Experience to be gained by the employee will serve the interest of the employing activity;

(4) For the purpose of recovery from an illness or disability not of a permanent or disqualifying nature, when continued employment would threaten impairment of the employee's health;

(5) To protect employee status and benefits during the

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period pending an initial decision by the Office of Personnel Management on a disability retirement application;

(6) To avoid a break in the continuity of service for career or career conditional employees who are seeking Federal employment outside the commuting area.

2. AWOL

a. AWOL is an absence from duty which is not authorized, or for which a request for leave has been denied. AWOL results from a management determination that it will not authorize leave (including LWOP) for a period of absence where, for example, the employee:

- (1) Failed to follow leave procedures.
- (2) Failed to provide documentation acceptable to the activity.
- (3) Abused his/her leave privilege.
- (4) Did not have any leave accrued.
- (5) Committed fraud.

b. Employees receive no pay for the period of the absence. Disciplinary action may also be taken when considered appropriate. If the absence is later excused because the circumstances surrounding the incident warrant approving leave, the charge to AWOL may be changed to the appropriate leave account. Charges to AWOL are made for the exact amount of the absence.

c. Employees must generally be referred to the Civilian Employee Assistance Program (CEAP) before effecting disciplinary action when alcoholism or drug abuse is suspected of contributing to the AWOL. Case law indicates management must also inform the employee that failure to attend or improve his/her leave record within a reasonable period of time may result in disciplinary action being imposed, including up to removal from the Federal service.

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3. Tardiness and Brief Absence

a. Definition. Tardiness is absence from duty of less than an hour at the beginning of an employee's scheduled work shift. Brief Absence is an absence of less than one hour during the workshift. Absence from duty for 60 minutes, or more, must be charged as leave, or AWOL.

b. Supervisory Options

(1) A tardiness or brief absence of less than one hour may be excused by the supervisor without charge to leave when reasons appear to be adequate.

(2) Unauthorized tardiness or brief absence may be treated in any of the following ways:

(a) The time lost may be made up by requiring an equivalent work period after the end of the workshift in which the tardiness occurred.

(b) The time lost may be charged to annual leave, compensatory time, LWOP or AWOL.

(3) If the employee is required to make up the time at the end of the workshift, use annual leave or compensatory time, or is charged leave without pay, the employee cannot be subject to further disciplinary action.

(4) When an employee is charged with being AWOL, the employee is in a non-pay status for the exact period of tardiness and is subject to further disciplinary action.

c. Habitual Unexcused Tardiness. When an employee is habitually tardy, the supervisor is responsible for maintaining appropriate records and initiating appropriate disciplinary action to correct the tardiness.

d. Responsibility of Supervisors. Supervisors should take appropriate action to make certain that tardiness privileges are not abused. All supervisors having delegated authority to approve leave are authorized to excuse tardiness or brief absence in accordance with paragraph 3b above.

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CHAPTER IV

LEAVE FOR PARENTAL AND FAMILY RESPONSIBILITIES

1. Granting of Leave for Maternity Reasons

a. Childbirth or complications of pregnancy are temporary disabilities and must be treated for leave purposes in the same manner as any other physical condition which incapacitates the employee from the performance of duty. Leave used for these reasons may be a combination of as many as three different kinds of leave: sick leave, annual leave, and LWOP. To the extent available, sick leave may be used to cover the time required for physical examinations, and to cover the period of incapacitation. After delivery and recuperation, the employee may desire a period of adjustment or need time to make arrangements for the care of the child. Such additional leave requirements may be taken care of by the use of available annual leave or LWOP.

b. The length of the absence is determined by the employee, the employee's physician, and the employee's supervisor. While the activity may not establish arbitrary cut-off dates for ceasing work or for returning to work, it may establish with the individual employee a firm date for the leave to begin. However, if the activity and the employee cannot agree upon a date, and the activity establishes a particular date, it must document the reasons for its preference. The burden of reasonableness in this regard lies with the activity.

2. Employee Responsibility

a. An employee should report her pregnancy as soon as it is an established fact so that any necessary steps may be taken to protect the employee's health and to make any necessary staffing adjustments that may be required during the absence. An employee must obtain a certificate from her physician giving the estimated date of delivery. Such a certificate is to be submitted to the supervisor at least four weeks in advance of the proposed starting date of the leave.

b. An employee who is not planning to return to work should submit her resignation at the expiration of her period of incapacitation, or she may be separated at such earlier date as

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may be required for other reasons; e.g., expiration of appointment, reduction-in-force, for cause, or for similar reasons unrelated to the maternity absence.

3. Employee's Return to Duty. The activity has an obligation to assure continued employment in the same position or a position of like seniority, status, and pay to the employee who wishes to return to work following delivery and recuperation, unless termination is otherwise required by expiration of appointment, by reduction-in-force, for cause, or for similar reasons unrelated to the maternity absence.

4. Advance of Sick Leave. Sick leave may be advanced in accordance with the same leave policies, regulations, and procedures as are applicable to requests for sick leave generally.

5. Absence for Paternity Reasons. A male employee may only request annual leave or LWOP for purposes of assisting or caring for his minor children or the mother of his newborn child while she is incapacitated for maternity reasons. Approval of leave for this reason should be consistent with the activity's policy for granting leave in similar situations. Each leave request should be considered on its own merits.

6. Absence for Parental and Family Responsibility Reasons. To support the President's goal of strengthening the role of the family, both male and female employees may be granted annual leave, or (LWOP) for compassionate and judicious reasons connected with foster care, child care, and other parental and family responsibilities, so long as mission accomplishment is not adversely affected. Acceptable reasons for requesting annual leave or LWOP now include well baby care, routine illness of child, school activities, "sitter" emergencies, and medical or personal needs of elderly dependents.

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CHAPTER V

MILITARY LEAVE1. Reserve Duty (Component of Armed Forces/National Guard)

a. Employees serving in permanent, temporary indefinite, or temporary appointments pending establishment of a register, who are members of the Armed Forces or National Guard, will be granted military leave of absence (without loss of pay or charge to leave). Temporary intermittent or when-actually-employed, ~~or~~ ~~personnel~~ personnel are not entitled to military leave.

(1) Entitlement to Military Leave. Military leave accrues to an employee at the rate of 15 days per fiscal year. Military leave is credited and charged on a fiscal year basis. An employee is entitled to carry up to 15 days of leave from a previous fiscal year forward into the next fiscal year. *Accrual & carry over is less than 15 days for part-time employees (see PPM Ltr 630-30 of Apr 23, 1982).*

(2) Types of Military Duty Not Covered. Weekend drills or weekend training is not covered by military leave. Employees may request annual leave or leave without pay to attend weekend drills or weekend training.

(3) Granting Military Leave

(a) Computation. Employees who have separate sets of orders or whose orders cover separate periods of time, with return to civilian status between the times covered by the orders, are not to be granted military leave during the times they are returned to civilian status. Military leave is to be granted only for time in military status.

(b) Request. Employees should apply for military leave as far in advance as circumstances permit.

(c) Substantiation of Completion. On return to duty from military leave, employees are required to submit a certified copy of their orders, indicating completion of training duty, to their supervisors.

(d) Excused Without Charge to Leave. The use of excused absence, without charge to leave, may not be used to increase the number of days an employee is excused for the purpose of participating in Reserve and National Guard activities.

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(e) Mandatory Approval of Leave Requests. All employee Reservists or National Guard members shall be granted annual leave or LWOP upon request if they are not entitled to or have exhausted all their military leave when called to duty.

(f) Law Enforcement. State or federal military duty for the purpose of enforcing the law, as in a riot or to prevent looting following a natural disaster, is covered by a nondiscretionary grant of up to 22 workdays per calendar year, 5 U.S.C. 6323 (b). PL 96-431 did not change law enforcement leave; it is not subject to accumulation beyond the year in which earned. Comptroller General Decision B231760 of 17 February 1989 states that there must be evidence in the wording of the orders and the nature of the duties performed that the function in the field required the maintenance of law and order and the protection of property to grant military leave under 5 U.S.C. 6323 (b).

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CHAPTER VI

COURT LEAVE

1. Court Leave. Court leave is the authorized absence (without loss of pay or leave) of an employee from work status for jury duty, or for attending judicial proceedings in a non-official capacity as a witness on behalf of a state or local government. The term "judicial proceedings" contemplates any proceedings of a judicial nature, but does not include an administrative proceeding.

2. Jury Service

a. Eligible Employees. Court leave for jury duty is granted to both permanent employees and temporary employees, full-time and part-time. Court leave is not authorized for intermittent employees.

b. Night-Shift Employees. A night-shift employee who performs jury service during the day is granted court leave for the regularly scheduled night tour of duty and is entitled to the night differential.

c. Pay Status Requirements. Court leave is available only to an employee who, except for jury duty, would be on duty or on leave with pay. An employee on LWOP may not be granted court leave when called to jury duty.

d. Duration of Jury Service. An employee who is under proper summons from a court to serve on a jury is entitled to court leave for the entire period, from the date stated in the summons on which required to report to the court to the time of discharge by the court. However, the term of jury service does not include time during which the employee is excused or discharged by the court for an indefinite period subject to call by the court or for a definite period in excess of one day. An employee excused from jury service for one day or even a substantial part of a day is expected to report for duty or be charged annual leave unless the return would work a hardship; for example, an employee engaged on night duty or one who lives or works a long way from the place where the court is held.

e. Jury Fees. Employees absent from their regularly scheduled duties to serve as a juror in a state or local court shall collect all fees and allowances payable as a result of the

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e. Jury Fees. Employees absent from their regularly scheduled duties to serve as a juror in a state or local court shall collect all fees and allowances payable as a result of the jury service. Upon return to duty, the employee will turn in the amount collected to their payroll office. The employee is permitted to keep any excess of the jury fee over the amount of compensation due. Also, an employee who performs jury service on non-workdays or when on LWOP may retain jury fees. Further, an employee with a regularly scheduled tour of duty who performs jury service that does not conflict with hours of employment may retain the usual fees for jury service.

3. Witnesses

a. Eligible Employees. In the following subparagraphs, an "employee" is a person employed on a permanent or temporary basis, either full-time or part-time.

b. Definitions. The term "judicial proceeding" includes any proceeding of a judicial nature but does not include an administrative proceeding. The word "summoned" does not connote any necessity for a subpoena, but does intend that the summons be an official request or call, evidenced by an official writing from the court responsible for the proceeding, thus ruling out strictly voluntary appearances from court leave coverage.

c. Witness in Official Capacity. Employees summoned or assigned by their agency to testify in an official capacity or to produce official records, are in an official duty status and entitled to regular compensation without regard to any entitlement to court leave.

d. Witness in Non-Official Capacity. Employees summoned as a witness in a judicial proceeding to testify in a non-official capacity on behalf of or involving federal, state or local government, are entitled to court leave during the time absent as a witness. Employees summoned or assigned by their agency to testify in a non-official capacity on behalf of the United States, are in an official duty status and entitled to regular compensation without regard to court leave. If the witness service in non-official capacity is performed in a civil case involving private parties, the absence from duty must be charged as either annual leave or LWOP, and the employee may accept fees and expenses incidental thereto.

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e. Fees. Employees shall not be paid witness fees when testifying on behalf of the United States. If employees testify in an official capacity on behalf of a party other than the United States or District of Columbia, or are summoned as witness in a non-official capacity on behalf of a state or local government, they are required to collect the authorized witness fees and turn them in to their payroll office. If employees testify in a non-official capacity on behalf of a private party, thereby having to take annual leave or LWOP, they are entitled to the usual fees and expenses related to such witness service.

f. Basic Workweek Including Saturday or Sunday. Payment of premium pay, otherwise payable to employees with scheduled tours which include weekends, will be made when they are on jury duty from Monday through Friday. Fees for jury duty covering workdays usually not worked will be credited against pay for the substituted days of court leave on weekends. If such an employee is excused from jury service on a weekday, a weekend day should be worked in place of the excused jury service provided no hardship is involved. (See 54 Comp Gen. 147).

g. Overtime. Employees who perform witness service in an official duty status on days for which they would have been entitled to receive overtime compensation had they worked, are entitled to receive the overtime compensation they would have received.

4. Information. Except in unusual circumstances, activities covered by this subchapter should not request that employees be released from jury duty. When it is necessary to request a release from jury duty, the request will be made by the head of the activity or designated representative.

5. Summary Chart. The following chart identifies the appropriate status for employees attending the various court proceedings as well as whether employees are entitled to retain fees and/or receive travel expenses.

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EMPLOYEE ABSENCES FOR COURT OR COURT RELATED SERVICES

NATURE OF SERVICE	TYPE OF ABSENCE			FEES		GOVERNMENT TRAVEL EXPENSES	
	COURT LEAVE	OFFICIAL DUTY	ANNUAL LEAVE OR LWOP	RETAIN	TURN IN TO AGENCY	NO	YES*
I. Jury Service							
(a) U.S. or D.C. court	X						X
(b) State or local court	X				X		X
II. Witness Service							
(a) On behalf of U.S. or D.C. D. C. Gov't	X						X
(b) On behalf of State or local government							
(1) in official capacity		X			X		X
(2) not in official capacity	X				X		X
(c) On behalf of private party							
(1) in official capacity		X			X		X
(2) not in official capacity							
(a) When a party is U.S., D.C., or State or local government	X				X		X
(b) When party is not U.S., or D.C., or state or local government			X	X	X		

*Offset to the extent paid by the court, authority or party which caused the employee to be summoned.

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CHAPTER VII

EXCUSED ABSENCE/ADMINISTRATIVE LEAVE

1. Administrative Discretion. There are numerous instances when employees are absent from their normal productive assignments to perform acts or services officially sanctioned by commands. In performing these acts or services, employees remain under management control or jurisdiction and are thus considered in a duty status. Examples of such absences would include merit placement interviews at the employing activity, and utilizing NTC CCPO services. Supervisors are authorized to make individual determinations that the act or service is job-related and not chargeable to leave and to place reasonable limits on the length of such absences from normal assignments. The following paragraphs describe limitations for employees in common situations where excused absence is granted by the appropriate activity head or supervisor.

2. Blood Donations. Employees are encouraged to serve as blood donors (either to blood banks or to individuals) and may be excused from work without charge to leave for the time necessary to donate the blood, for recuperation following blood donation, and for necessary travel to and from the donation site. The maximum excusal time will not exceed four hours, except in unusual cases. When the employee must travel a long distance, or when unusual need for recuperation occurs, up to an additional four hours may be authorized.

3. Voting and Registration. The DON encourages all eligible employees to exercise their privilege and responsibility to vote in all elections. Thus, excused absence is authorized in certain cases in order to provide employees sufficient time to exercise their voting rights.

a. Excusal Formula. As provided by reference (a), an employee may be excused from duty so as to permit reporting to work three hours after the polls open or to leave work three hours before the polls close, whichever is the lesser amount of time off.

(1) In most jurisdictions in Illinois, the polls are open from 0600 hours (6:00 a.m.) to 1900 hours (7:00 p.m.). Examples of excusal time for Illinois employees follow, assuming a 30 minute lunch break.

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START	END	EXCUSED TIME
0700	1530	None
0730	1600	None
0745	1615	15 minutes
0800	1630	30 minutes
0830	1700	30 minutes
0845	1715	15 minutes

(2) Generally for Illinois residents no excused absence will be granted for any shift starting at 0900 hours or later or finishing at 1600 hours or earlier. Employees working late afternoon or evening shifts will not be excused.

(3) Employees working on Flextime will receive appropriate excusals based on their normal working hours and lunch breaks within the two week period preceding an election.

(4) In most Wisconsin jurisdictions, the polls are open from 0700 hours (7:00 a.m.) to 2000 hours (8:00 p.m.). Thus, few if any, employees voting in Wisconsin will be eligible for excused time.

b. Requesting and granting excused absence for voting.

(1) Employees who desire time off for voting and who intend to vote should request the amount of time for which they would be eligible at least one day in advance of the date of an election to permit supervisors time to schedule work accordingly.

(2) Supervisors will establish a schedule for employees expected to vote, authorizing the excused absence at the beginning or end of the workday to ensure normal working procedures.

c. In jurisdictions which require registration in person, excused time to register may be granted on the same basis as excused time to vote, except when registration can be accomplished on a nonwork day.

4. Tardiness and Brief Absences. Excusal for tardiness at the beginning of the workday and brief absences during the workday are limited to periods of less than one hour. Habitual tardiness shall not be excused but shall be charged to appropriate leave, or (AWOL). The brief absence authorization is not to be used to regularly allow an employee to leave work early; e.g., excusing employees for 59 minutes every payday. Chapter III of this

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instruction has additional information on tardiness and brief absence.

5. Absence for Relocation Purposes. An employee may be excused to make personal arrangements directly related to a permanent change of station.
6. Excusal After Prolonged Overtime or Travel. When an employee is required to be in a duty and/or travel status for more than 16 hours, up to four hours of excusal may be granted.
7. Emergency Rescue or Protective Work. Employees who can be spared without interference with essential agency operations and obligations may be excused to participate in emergency rescue or protective work during an emergency such as fire, flood or search operations. Such participation shall normally be limited to a maximum of 5 workdays per year.
8. Employment Interviews. Employees may be excused, at the discretion of the activity head, without charge to leave or loss of pay to participate in an interview when:
 - a. Competition is for a position within a Department of Defense activity within the commuting area.
 - b. The individual is under notice of separation or change to lower grade for any reason except for personal cause. Time spent in interviews in circumstances other than those above will be charged to annual leave, or if requested by the employee, LWOP.
9. In Connection with a Proposed Adverse Action. An activity head may excuse an employee from duty without charge to leave or loss of pay during the notice period of that employee's removal or indefinite suspension when, in the judgment of the activity head, the circumstances are such that retention of the employee in duty status during the notice period may be injurious to the employee, fellow workers, or the general public, may result in damage to government property, impede the efficiency of activity operations, or because the nature of the employee's offense reflects unfavorably on the public perception of the DON. Excused absences for these purposes should be used after all other options; e.g., voluntary use of leave, reassignment, detail, etc., have been explored and found not feasible.
10. Tobacco Prevention Program. In view of the DON Tobacco Prevention Policy of 17 July 1986, activity heads may find it necessary to develop a policy on granting brief smoking breaks.

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Any period granted under this provision is considered a part of an employee's basic workday.

11. In other situations where the activity head makes a determination that the absence would further a Navy function, brief periods may be excused. Examples are:

- a. Recruit Review Luncheons;
- b. Combined Federal Campaign activities;
- c. Equal Employment Opportunity Special/Ethic Functions;
- d. Annual Navy Prayer Breakfast;
- e. Federal Executive Board Recognition Luncheons and Functions;
- f. Military or Civilian Farewell/Retirement Luncheons or Ceremonies;
- g. Health Benefits and Wellness Fairs sponsored by the NTC CCPO.
- h. Activity picnics or other officially sponsored events.

12. Official Time for Appeals, Grievances and Discrimination Complaints

a. Appellants and their representatives, who are currently employees of the activity, will be allowed a reasonable amount of official time for the following situations:

- (1) Preparation and presentation of replies to a proposed adverse action.
- (2) Presentation of EEO complaints.
- (3) Presentation of a grievance.
- (4) Presentation at hearings appealing an adverse action (appellant only).
- (5) Presentation at EEO hearing.
- (6) Presentation at grievance hearings.

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b. The management representative and the appellant may request a reasonable number of witnesses who have direct knowledge of the facts concerning the appeal. Employees participating in a hearing will be in a duty status during a hearing. Witnesses whose scheduled duty hours are not within the hours during which they will participate in a hearing will either have their shift hours changed in accordance with applicable instructions, or will be paid overtime during their participation.

13. Funeral Leave. Employees will be excused from duty for a period not to exceed three workdays, without charge to leave or loss of pay, to make arrangements for, attend the funeral of, or memorial service for, an immediate relative who dies as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone. Immediate family member includes not only spouses and children of an employee, but also a parent, brother, sister, parent-in-law, son-in-law, and daughter-in-law, and any other relative who resided as a member of the employee's household at the time of his or her entry into the Armed Forces.

14. Administrative Dismissals of Employees. Reference (d) provides guidance on group dismissals of civilian employees due to adverse weather conditions and other factors.

15. Administrative Leave. The term "administrative leave" is not mentioned in law or regulation. It refers to an agency approval of an employee's absence from duty without charge to leave or loss of pay.

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CHAPTER VIII

**COMPENSATORY TIME OFF
FOR RELIGIOUS OBSERVANCES**

1. An employee whose personal religious beliefs require the abstention from work during certain periods of time may elect to engage in overtime work for time lost for meeting those religious requirements as follows:

a. To the extent such modifications in work schedules do not interfere with the efficient accomplishment of an agency's mission the agency shall in each instance afford the employee the opportunity to work compensatory overtime and shall in each instance grant compensation time off to an employee requesting such time off for religious observances when the employee's personal religious beliefs require that the employee abstain from work during certain periods of the workday or work week.

b. The employee may work such compensatory overtime before or after the grant of compensatory time off. A grant of advance compensatory time off should be repaid by the appropriate amount of compensatory overtime work within a reasonable amount of time. Compensatory overtime shall be credited to an employee on an hour for hour basis or authorized fractions thereof. Appropriate records will be kept of compensatory overtime earned and used.

c. The premium pay provisions for overtime work in Subpart A of Part 550 of Title 5, Code of Federal Regulations and Section 7 of the Fair Labor Standards Act 1938, as amended, do not apply to compensatory overtime work performed by an employee for this purpose.

(NOTE): Activities are expected to accommodate employee's requests to work compensatory overtime. (If productive compensatory overtime is unavailable to be worked by employees at such time as they may initially request, alternative time should be arranged for the performance of the compensatory overtime work).