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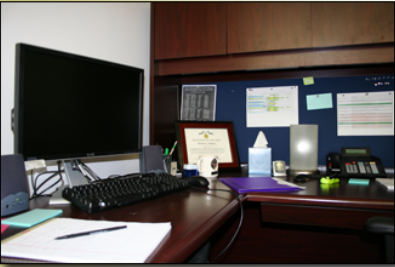


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Module 3: Labor and Employee Relations

Lesson 1: Leave



### Lesson Welcome

Welcome to the lesson on the Federal Government Leave Programs and Categories. The Federal Government offers a wide range of leave options and workplace flexibilities, especially in those areas of traffic congestion. As a Supervisor and Leader, it is important for you to have knowledge of the provisions provided by the federal government in accordance with an organization's mission and discretion. Life is filled with unforeseen occurrences, and at one time or another will require a supervisory leader to make an immediate decision on employees utilizing the Leave Program and the impact it will have on employees and their families.

### Lesson Learning Outcomes

1. Identify the various leave programs.
2. Identify the responsibilities of a "Supervisory Leader," to the employee and the organization when granting various types of leave programs.
3. Describe the appropriate steps for granting various types of leave that are most commonly requested.

*Click the Next button to continue.*

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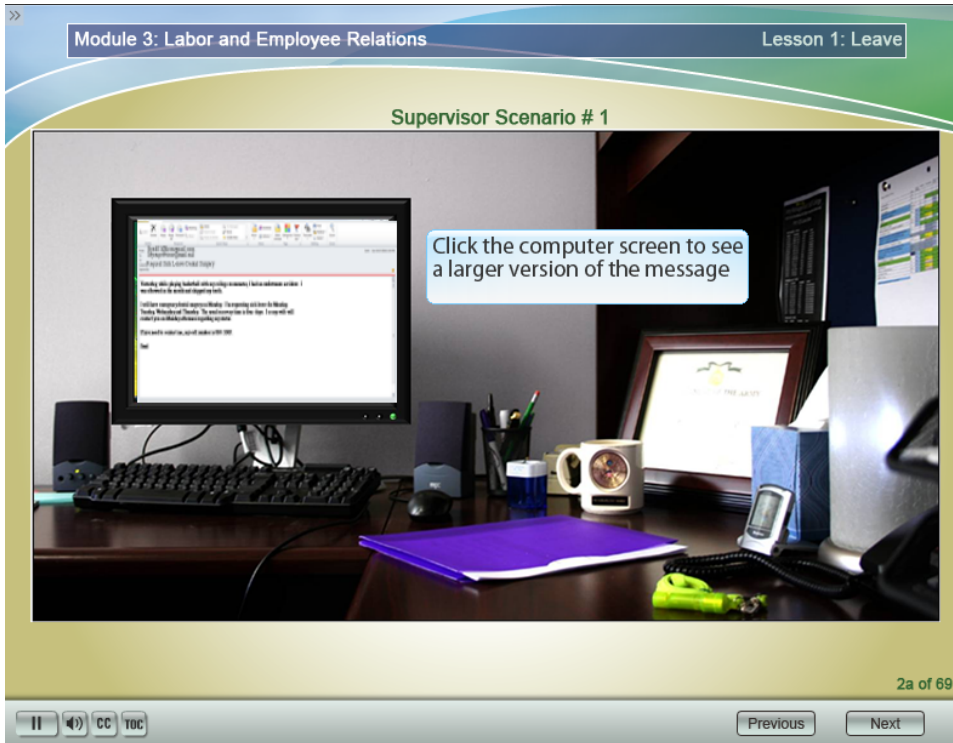
Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario # 1

Click the computer screen to see a larger version of the message

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario # 1 Continued

From: Brad01@homemail.com  
To: Mysupervisor@mail.mil  
Cc: Request Sick Leave-Dental Surgery  
Signed By:

Sent: Sun 10/17/2009 1:54 PM

Yesterday, while playing basketball with my college roommates, I had an unfortunate accident. I was elbowed in the mouth and chipped my tooth.

I will have emergency dental surgery on Monday. I'm requesting sick leave for Monday, Tuesday, Wednesday and Thursday. The usual recovery time is four days. I or my wife will contact you on Monday afternoon regarding my status.

If you need to contact me, my cell number is 867-5309.

Brad

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario #1 Continued



As Brad's supervisor, what are your next steps in responding to his e-mail?



Click to review your choices

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor possible course of action

"Brad, Sorry to hear about your accident. Thanks for keeping me posted."

"I am sorry Brad. I have to deny your leave request. We need you here to finish the big project due Wednesday."

"Sorry to hear about your accident. Keep me posted on your status. Your leave is approved. Please remember to bring a Dr.'s note if you will be out beyond 3 days."

 Read the options carefully and select the one that seems to be the best choice. Write your selection down on paper. Later we will review all three options and why each may or may not be the best choice. For now let's look at the lesson content.

Click the Next button to continue, or the Previous button to review.

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>> Module 3: Labor and Employee Relations Lesson 1: Leave

### Types of Leave Programs and Categories

Use the Key Pad to learn about Leave.

Sick Leave	Leave Without Pay	Military Leave
Annual Leave	Voluntary Leave Transfer Program	Home Leave
Excused Absence	Jury Duty or Court Leave	Absence Without Leave (AWOL)

Civilian Personnel On-Line (CPOL) master index is located at:  
<http://www.cpol.army.mil/cgi-bin/permis/tree.cgi?MainSection=MER>

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Module 3: Labor and Employee Relations Lesson 1: Leave

### Types of Leave Programs and Categories, Sick Leave

**Sick Leave**

A qualified right of the employee and may be used only for the reasons below:

1. The employee or one of his or her family members has a medical, dental or optical examination.
2. The employee cannot work because of a physical or mental illness, injury, pregnancy, or childbirth.
3. The employee provides care for one of his or her family members who requires it because of physical or mental illness, injury, pregnancy, or childbirth.
4. The employee arranges for or attends a family member's funeral.
5. The employee's presence would expose others to a communicable disease.

**CPOL RESOURCE:** <http://www.cpol.army.mil/library/permits/5018.html>

Annual Leave

Transfer Program

Leave

Excused Absence

Jury Duty or Court Leave

Absence Without Leave (AWOL)

Click the Next button or the Previous button to review Leave Programs or Categories

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>> Module 3: Labor and Employee Relations Lesson 1: Leave

### Types of Leave Programs and Categories, Annual Leave

Sick Leave	Leave Without Pay	Military Leave
<b>Annual Leave</b>	<p><b>Annual leave:</b> A period of approved absence from work with pay. Annual leave may be used for vacations, rest and relaxation, and attending to personal business or emergencies. It is provided by law and accrues automatically to permanent employees and temporary employees who are serving under appointments that <b>exceed 90 days</b>.</p> <p><b>CPOL RESOURCE:</b> <a href="http://www.cpol.army.mil/library/permis/5011a.html">http://www.cpol.army.mil/library/permis/5011a.html</a></p>	
Excused Absence	Jury Duty or Court Leave	Absence Without Leave (AWOL)

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Module 3: Labor and Employee Relations Lesson 1: Leave

### Types of Leave Programs and Categories, Excuse Absence

Sick Leave	Leave Without Pay	Military Leave
Annual Leave	Voluntary Leave Transfer Program	Home Leave
<b>Excused Absence</b>	<p><b>Excused Absence(Administrative Leave) :</b> An administratively authorized absence from duty without loss of pay and without charge to other paid leave. The time spent on excused absence is considered part of an employee's basic workweek.</p> <p>CPOL RESOURCE: <a href="http://www.cpol.army.mil/library/permis/5012.html">http://www.cpol.army.mil/library/permis/5012.html</a></p>	

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Leave Programs and Categories, Leave without Pay

Sick Leave	<b>Leave Without Pay</b>	<b>Leave Without Pay(LWOP):</b> Temporary non-pay status and absence from duty that, in most cases, is granted at the employee's request. In most instances, granting LWOP is a matter of supervisory discretion and may be limited by an agency's internal policy. <b>CPOL RESOURCE:</b> <a href="http://www.cpol.army.mil/library/permits/5016.html">http://www.cpol.army.mil/library/permits/5016.html</a>
Annual Leave	Voluntary Leave Transfer Program	Home Leave
Excused Absence	Jury Duty or Court Leave	Absence Without Leave (AWOL)

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>> Module 3: Labor and Employee Relations Lesson 1: Leave

Leave Programs and Categories, Leave Transfer

Sick Leave	Leave Without Pay	Military Leave
Annual Leave	<b>Voluntary Leave Transfer Program</b>	<p><b>Leave Transfer Program (VLTP):</b> Allows an employee who has a medical emergency to receive transferred annual leave directly from other employees in order to avoid being placed in a leave without pay situation.</p> <p><b>CPOL RESOURCE:</b> <a href="http://www.cpol.army.mil/library/permis/5019.html">http://www.cpol.army.mil/library/permis/5019.html</a></p>
Excused Absence	Jury Duty or Court Leave	Absence Without Leave (AWOL)

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Module 3: Labor and Employee Relations Lesson 1: Leave

Leave Programs and Categories, Jury Duty and Court

Sick Leave	Leave Without Pay	Military Leave
Annual Leave	Voluntary Leave Transfer Program	Home Leave
Excused Absence	<b>Jury Duty or Court Leave</b>	

**Jury Duty and Court Leave :**  
A leave of absence from duty without loss of pay or charge to annual leave to perform jury duty in a Federal, state, or municipal court or to serve as a witness in a judicial proceeding to which the United States, the District of Columbia, or state or local government is a party.  
**CPOL RESOURCE:** <http://www.cpol.army.mil/library/permits/5015.html>

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>> Module 3: Labor and Employee Relations Lesson 1: Leave

Leave Programs and Categories, Military Leave

Sick Leave	Leave Without Pay	<b>Military Leave</b>
Annual Leave	Voluntary Leave Transfer Program	<b>Military Leave :</b> An approved absence from official duty for a civilian employee who is a member of a Reserve Component of the Armed Forces or National Guard. Military leave is authorized for days the employee is ordered to active duty or inactive duty training. <b>CPOL RESOURCE:</b> <a href="http://www.cpol.army.mil/library/permits/5017.html">http://www.cpol.army.mil/library/permits/5017.html</a>
Excused Absence	Jury Duty or Court Leave	Absence Without Leave (AWOL)

Click the Next button or the Previous button to review Leave Programs or Categories

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Module 3: Labor and Employee Relations Lesson 1: Leave

Leave Programs and Categories, Home Leave

Sick Leave	Leave Without Pay	Military Leave
Annual Leave	Voluntary Leave Transfer Program	<b>Home Leave</b>
Excused Absence	Jury Duty or Court Leave	

**Home Leave:**  
Special leave for employees recruited for overseas duty from the United States and who may accumulate 45 days of annual leave under section 6304(b) of Title 5, United States Code. Employees are entitled to earn and may be granted home leave. Home leave may be used **only** in the U.S., the Commonwealth of Puerto Rico, or the territories and possessions of the U.S.

**CPOL RESOURCE:** <http://www.cpol.army.mil/library/permiss/5014.html>

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>> Module 3: Labor and Employee Relations Lesson 1: Leave

### Absence Without Leave (AWOL)

Sick Leave	Leave Without Pay	Military Leave
Annual Leave	Voluntary Leave Transfer Program	<b>Absence Without Leave (AWOL):</b> An absence that has not been authorized or for which a request for leave has been denied. It does not necessarily mean that the employee had insufficient reason for requesting leave, but rather the employee's presence is required at work. <b>CPOL Reference:</b> <a href="http://www.cpol.army.mil/library/permits/5814.html">http://www.cpol.army.mil/library/permits/5814.html</a>
Excused Absence	Jury Duty or Court Leave	<b>Absence Without Leave (AWOL)</b>

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Module 3: Labor and Employee Relations

Lesson 1: Leave

Sick Leave

Personal Sick Leave

Sick Leave for Family Care or Bereavement

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

Advanced Sick Leave

**Sick Leave**

Sick leave is a qualified right of the employee and is appropriate when the employee:

- Or a family members has a medical, dental, or optical examination.
- Cannot work because of a physical or mental illness, injury, pregnancy, or childbirth.
- Provides care for a family member who requires it because of physical or mental illness, injury, pregnancy, or childbirth.
- Arranges for or attends a family member's funeral.
- Would expose others to a communicable disease.
- Adopts a child.

CPOL RESOURCE : <http://www.cpol.army.mil/library/permis/5018.html>

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Module 3: Labor and Employee Relations

Lesson 1: Leave


Sick Leave

Personal Sick Leave


Sick Leave for Family Care or Bereavement

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

Advanced Sick Leave



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TYK	3	20179
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CBNWR	5	20100
6015MX	6	20100
DEFHAKP	7	20105
87201024	8	20109



Cover  
Cough

Clean  
Hands

**Personal Sick Leave**

- Incapacitated to perform duties by
  - Physical or mental illness
  - Injury
- Pregnancy or childbirth
- Receives treatment for
  - Medical
  - Dental
  - Optical
- Jeopardizes health of others because of exposure to a communicable disease
- Utilize the OPM Form 71, which replaced the older SF 71

CPOL RESOURCE : <http://www.cpol.army.mil/library/permis/5018.html>

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Module 3: Labor and Employee Relations

Lesson 1: Leave


Sick Leave

Personal Sick Leave

Sick Leave for Family Care or Bereavement

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

Advanced Sick Leave





### Personal Sick Leave

Full-time employees may use a total of up to 104 hours (13 workdays) of sick leave each leave year to:

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

Part-time employees are also covered, but the hours available under this provision are prorated.



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Module 3: Labor and Employee Relations Lesson 1: Leave



### Defining a Family Member for Sick Leave

- Employee's spouse and parents
- Children, including adopted children, and spouses
- Parents and their spouses
- Brothers and sisters, and their spouses
- Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship

- Grandparents and grandchildren and their spouses
- Domestic partners and their parents, including domestic partners of any individual listed in the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> bullet above, as well as grandparent's and grandchildren's domestic partners

**New!**

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Module 3: Labor and Employee Relations

Lesson 1: Leave

Sick Leave

Personal Sick Leave

Sick Leave for Family Care or Bereavement

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

Advanced Sick Leave

**What is a Serious Health Condition?**

- Illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider
- Includes conditions such as cancer, heart attacks, strokes, severe injuries, Alzheimer's disease, pregnancy, and childbirth
- Does not include bonding with newborn child or care of a healthy newborn child

Sick leave to Care for a Family Member is often confused with the Family Medical Leave Act (FMLA). The FMLA has more extensive requirements, criteria, as well as different definitions of family members

IMPORTANT

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Module 3: Labor and Employee Relations Lesson 1: Leave

## Sick Leave

- Personal Sick Leave
- Sick Leave for Family Care or Bereavement
- Sick Leave to Care for a Family Member with Serious Health Condition
- Advanced Sick Leave**

### Advanced Sick Leave

Supervisors may approve up to 240 hours (30 workdays) of advanced sick leave (per leave year) for any purpose for which the use of sick leave is authorized.

Important considerations:

- Validate the requirement for sick leave
- Know the organization's policy for approving advanced sick leave
- Review the limitations and restriction to sick leave
- Know the requesting employee's type of appointment
- Make all documents available at the time of request
- Review request with the organization's leaders, HR or CPAC as appropriate

**Employees under leave restrictions are not eligible for Advanced sick leave**

**IMPORTANT**

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**Module 3: Labor and Employee Relations****Lesson 1: Leave**

### Requesting Sick Leave

- An employee must request sick leave within time limits established by their organization's policies
- An organization may require employees to request advance approval of sick leave for medical, dental, or optical examination or treatment
- Supervisor should establish a telephonic or electronic notification process between employees and supervisor.

Click here to see a larger copy of the OPM 71

**Medical information provided by employees must be maintained in a secure and confidential manner**

**IMPORTANT**

The OPM web site:  
<http://www.opm.gov/forms/html/opm.asp>

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Request for Leave or Approved Absence

1. Name Last, first, middle: \_\_\_\_\_ 2. Employee or Social Security Number: \_\_\_\_\_

3. Organization: \_\_\_\_\_

4. Dates requested: From \_\_\_\_\_ To \_\_\_\_\_

5. Family and Medical Leave Act (FMLA) status: ☐ Yes ☐ No

6. Reason for leave: ☐ Personal illness ☐ Family member illness ☐ Pregnancy ☐ Care for family member ☐ Other \_\_\_\_\_

7. Supervisor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

8. Employee's signature: \_\_\_\_\_ Date: \_\_\_\_\_

9. Official action on request: ☐ Approved ☐ Disapproved

10. Reason for disapproval: \_\_\_\_\_

11. Remarks: \_\_\_\_\_

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Request for Leave or Approved Absence				
1. Name (Last, first, middle)		2. Employee or Social Security Number (Enter only the last 4 digits of the Social Security Number (SSN))		
3. Organization				
4. Type of Leave/Absence (Check appropriate box(es) below)	Date From To	Time From To	Total Hours	5. Family and Medical Leave
<input type="checkbox"/> Accrued Annual Leave				<i>If annual leave, sick leave, or leave without pay will be used under the Family and Medical Leave Act of 1993, please provide the following information:</i>  <input type="checkbox"/> I hereby invoke my entitlement to Family and Medical Leave for:  <input type="checkbox"/> Birth/Adoption/Foster Care  <input type="checkbox"/> Serious health condition of spouse, son, daughter, or parent  <input type="checkbox"/> Serious health condition of self  <i>Contact your supervisor and/or your personnel office to obtain additional information about your entitlements and responsibilities under the Family and Medical Leave Act. Medical certification of a serious health condition may be required by your agency.</i>
<input type="checkbox"/> Restored Annual Leave				
<input type="checkbox"/> Advanced Annual Leave				
<input type="checkbox"/> Accrued Sick Leave				
<input type="checkbox"/> Advanced Sick Leave				
Purpose: <input type="checkbox"/> Illness/injury/incapacitation of requesting employee <input type="checkbox"/> Medical/dental/optical examination of requesting employee <input type="checkbox"/> Care of family member, including medical/dental/optical examination of family member, or bereavement <input type="checkbox"/> Care of family member with a serious health condition <input type="checkbox"/> Other				
<input type="checkbox"/> Compensatory Time Off				
<input type="checkbox"/> Other Paid Absence (Specify in Remarks)				
<input type="checkbox"/> Leave Without Pay				
6. Remarks:				
7. Certification: I hereby request leave/approved absence from duty as indicated above and certify that such leave/absence is requested for the purpose(s) indicated. I understand that I must comply with my employing agency's procedures for requesting leave/approved absence (and provide additional documentation, including medical certification, if required) and that justification on this form may be grounds for disciplinary action, including removal.				
7a. Employee Signature			7b. Date	
8a. Official Action on Request: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <i>(If disapproved, give reason. If annual leave, indicate action to reschedule.)</i>				
8b. Reason for Disapproval:				
8c. Supervisor Signature			8d. Date	
<b>PRIVACY ACT STATEMENT</b> Section 6311 of Title 5, United States Code, authorizes collection of this information. The primary use of this information is by management and your payroll office to approve and record your use of leave. Additional disclosure of the information may be to the Department of Labor when processing a claim for compensation regarding a job connected injury or illness; to a State unemployment compensation office regarding a claim; to Federal Life Insurance or Health Benefits carriers regarding a claim; to a Federal, State, or local law enforcement agency when your agency becomes aware of a violation or possible violation of civil or criminal law; to a Federal agency when conducting an investigation for employment or security reasons; to the Office of Personnel Management or the General Accounting Office when the information is required for evaluation of leave administration; or the General Services Administration in connection with its responsibilities for records management.  Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to Title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.  Office of Personnel Management 5 CFR 630  Local Reproduction Authorized  Print Form  Clear Form  OPM Form 71 Rev. September 2005 Formerly Standard Form (SF) 71 Previous editions usable				

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor possible course of action review

"I am sorry Brad. I have to deny your leave request. We need you here to finish the big project due Wednesday."

"Brad, Sorry to hear about your accident. Thanks for keeping me posted."

"Sorry to hear about your accident. Keep me posted on your status. Your leave is approved. Please remember to bring a Doctor's note if you will be out beyond 3 days."

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Module 3: Labor and Employee Relations Lesson 1: Leave

**Did you select the best option?**

Is the option you selected the best choice?

How might the feedback on the options you did not select help you in the future?



Click the Next button to continue, or the Previous button to review.

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Module 3: Labor and Employee RelationsLesson 1: Leave



### Additional Considerations to Research

- What is the organization's official policy on leave?
- Can leave ever be denied?
- Is an e-mail request sufficient documentation?
- Does the supervisor fill out an OPM Form 71 in the employee's absence?
- Can the spouse or significant other or friend request leave on the employee's behalf?
- Is the employee abusing leave? What constitutes leave abuse?
- What are the privacy act issues?
- Who's responsibility is it to make sure projects are completed (work gets done) in the employee's absence?
- Are there any additional requirements for bargaining unit members specified in the Leave Article in the Collective Bargaining Agreement?



**Remember you can always click the FAQ button to help you find answers.**

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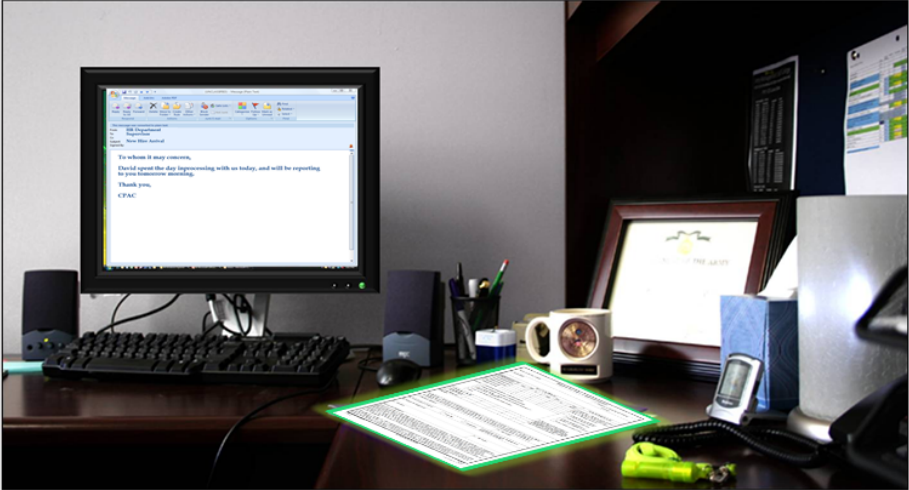
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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario 2



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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario Number 2



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The image is a screenshot of a presentation slide. At the top, there is a blue header bar with the text 'Module 3: Labor and Employee Relations' and 'Lesson 1: Leave'. Below this, the slide title 'Supervisor Scenario Number 2' is centered. The main content area features a photograph of a snowy outdoor scene viewed through a window. The scene includes a snow-covered lawn, bare trees, and a portion of a white car. At the bottom of the slide, there is a navigation bar with icons for a table of contents, a search function, and a list of slides. To the right of these icons are 'Previous' and 'Next' buttons. The slide number '17 of 69' is displayed in the bottom right corner of the content area.

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario #2 continued



As Ali's supervisor, what are your next steps in responding to his request?



Click to review your choices

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor possible course of action

Deny full 8 weeks. The department cannot meet its project deadline without him.

Grant the full 8 weeks under FMLA rules.

Allow Ali to take only the amount of time he has for sick and annual leave.

 Read the options carefully and select the one that seems to be the best choice. Write your selection down on paper. Later we will review all three options and why each may or may not be the best choice. For now let's look at the lesson content.

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Module 3: Labor and Employee Relations Lesson 1: Leave

### Family Member Leave



Family is important to everyone. As a leader, it is important to know what is available to support your employees in situations that involve serious health conditions with their family members.

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Module 3: Labor and Employee Relations

Lesson 1: Leave

**SEC. 2. FINDINGS AND PURPOSES.**

**FINDINGS.—Congress finds that—**

- the number of single-parent households and two-parent households in which the single parent or both parents work is increasing significantly;
- it is important for the development of children and the family unit that fathers and mothers be able to participate in early childrearing and the care of family members who have serious health conditions;
- the lack of employment policies to accommodate working parents can force individuals to choose between job security and parenting;
- there is inadequate job security for employees who have serious health conditions that prevent them from working for temporary periods;
- due to the nature of the roles of men and women in our society, the primary responsibility for family caretaking often falls on women, and such responsibility affects the working lives of women more than it affects the working lives of men; and
- employment standards that apply to one gender only have serious potential for encouraging employers to discriminate against employees and applicants for employment who are of that gender.

**Family and Medical Leave Act (FMLA) of 1993**

The two key purposes of FMLA are to:

- Balance the demands of the workplace with the needs of families, promote the stability and economic security of families, and promote national interests in reserving family integrity
- Entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse, or parent who has a serious health condition

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Module 3: Labor and Employee Relations Lesson 1: Leave

### Serious Health Condition

What is a Serious Illness?

- Sickness
- Injury
- Impairment, or physical or mental condition that involves inpatient care in a hospital,
- Hospice or residential medical care facility
- Continuing treatment by a health care provider

Includes conditions such as cancer, heart attacks, strokes, severe injuries, Alzheimer's disease, pregnancy, and childbirth



**Does not include bonding with newborn child or care for a healthy newborn child**

**IMPORTANT**

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Module 3: Labor and Employee Relations Lesson 1: Leave

### Family Member Definitions Comparison

Family Member Definitions Comparison	
<b>Family Medical Leave Act (FMLA):</b> <ul style="list-style-type: none"><li>• Parents of employee, spouse, son, and daughter</li><li>• Does not include in-laws (unless in loco parentis)</li><li>• Parents include <i>in loco parentis</i>, which includes an individual who has day to day responsibility for the care or financial support of a child, or who did when the employee was a child. A biological or legal relationship is not necessary for <i>in loco parentis</i> to be possible.</li></ul>	<b>Sick Leave to Care for a Family Member :</b> <ul style="list-style-type: none"><li>• Parents of employee</li><li>• Spouses and their parents</li><li>• Children, including adopted children, and their spouses</li><li>• Brothers and sisters and their spouses</li><li>• Grandparents and grandchildren and their spouses</li><li>• Domestic partners and their parents</li><li>• Any individual related by blood or affinity</li></ul>

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor possible course of action review

Deny full 8 weeks. The department cannot meet its project deadline without him

Allow Ali to take only the amount of time he has for sick and annual leave

Grant the full 8 weeks under FMLA rules

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**Did you select the best option?**

Is the option you selected the best choice?

How might the feedback on the options you did not select help you in the future?



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Module 3: Labor and Employee RelationsLesson 1: Leave



### Additional Considerations to Research

- What do you do if Ali does not return to work after FMLA leave?
- Can you hire someone to do the work in Ali's absence?
- What do you do if Ali's request was made less than 30 days before needed?
- How much contact should you maintain with Ali during his absence?
- Can you assign Ali some minor work while he is in FMLA status?
- How do you deal with Bob's concerns about Ali's absence?



Remember you can always click the FAQ button to help you find answers.

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario Number 3



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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario Number 3 continued

Click the computer screen to see a larger version of the message

Employee Name	Current Available Leave	Current Available Sick Leave	Compensatory Time	Use or Lose Hours
Yan			0	20
Ali			0	0
Bob			25	0
Brad			6	30
Carlton			0	0
Juan			30	50
Samuel			4	25
Larson			N/A	N/A
Patricia			10	70

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario

Leave Status Report:

Employee Name	Current Available Annual Leave	Current Available Sick Leave	Compensatory Time	Use or Lose Hours
You			0	20
Ali			0	0
Bob			26	0
Brad			6	10
Caitlyn			0	0
Juan			30	50
Kenya			4	16
Lance			N/A	N/A
Patricia			10	70

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor Scenario #3 continued



As the supervisor, what are your next steps in responding to this task?



Click to review your choices

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor possible course of action

You send out an e-mail message requesting everyone's leave plans over the holidays.

You send out an e-mail message informing the employees that unless they have "use or lose" leave their requests for leave over the holidays will be denied.

As the supervisor, you take on the responsibility of sacrificing your holiday plans and coordinating with the plans of everyone else, but inform your employees that if you don't have 50% personnel coverage, those with "use or lose" leave will receive first consideration for their leave being approved.

 Read the options carefully and select the one that seems to be the best choice. Write your selection down on paper. Later we will review all three options and why each may or may not be the best choice. For now let's look at the lesson content.

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>> Module 3: Labor and Employee Relations Lesson 1: Leave

### Types of Leave Programs and Categories, Sick Leave

Sick Leave	Leave Without Pay	Military Leave
Annual Leave	Voluntary Leave Transfer Program	Home Leave
Excused Absence	Jury Duty or Court Leave	Absence Without Leave (AWOL)

- Civilian Personnel On-Line (CPOL) master index is located at:  
[http://www.cpol.army.mil/library/permis/p\\_index.html](http://www.cpol.army.mil/library/permis/p_index.html)

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Module 3: Labor and Employee Relations

Lesson 1: Leave


Annual Leave

Annual Leave

Advanced Annual Leave

Use or Lose Annual Leave

Restoration of Annual Leave



### Annual Leave

A period of approved absence from work with pay. Annual leave may be used for vacations, rest and relaxation, and attending to personal business or emergencies.

It is provided by law and accrues automatically to permanent employees and temporary employees who are serving under appointments that exceed 90 days.

- Full-time employees earn 13, 20, or 26 days of annual leave each leave year, depending on their years of service.
- Temporary employees who are on appointments limited to 90 days or less become entitled to annual leave once they have been employed continuously for 90 days.

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Module 3: Labor and Employee Relations

Lesson 1: Leave

Annual Leave

Annual Leave

Advanced Annual Leave

Use or Lose Annual Leave

Restoration of Annual Leave



### Annual Leave #2

The basics:

- Employee entitlement & right
  - Vacation time
  - Personal & emergency reasons
- Management prerogative
  - When and how much
- Scheduling and control
- Employee and management



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Module 3: Labor and Employee Relations Lesson 1: Leave

## Annual Leave

- Annual Leave
- Advanced Annual Leave**
- Use or Lose Annual Leave
- Restoration of Annual Leave

### Advanced Annual Leave

Management approves/disapproves. In making this decision there are some important considerations:

- The employee's capability to repay the leave through Accrualment
- The employee's type of employment appointment
- If the employee separates or retires from Federal
- Service within the leave year
- Impact to the organizations mission and work situation
- The organization's policy on advanced annual leave
- The needs/desire of the individual requestor

**Employees do not have an entitlement to advanced annual leave.**

**IMPORTANT**

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Annual Leave

Annual Leave

Advanced Annual Leave

Use or Lose Annual Leave

Restoration of Annual Leave



DATE	SCORE	REVIEW
1	100	100
2	100	100
3	100	100
4	100	100
5	100	100
6	100	100
7	100	100
8	100	100
9	100	100
10	100	100

### Use or Lose Annual Leave

There are annual leave ceilings. When accrued annual leave exceeds the maximum annual leave allowed by law, it is commonly referred to as "Use or Lose" leave. The amount of leave over the annual leave ceiling will be forfeited at the end of the year if the employee does not use it.

The maximum annual leave that may be carried over into the new leave year is as follows:

- Stationed within the United States  
30 days (240 hours)
- Stationed overseas and entitled to home leave  
45 days (360 hours)
- Senior Executive Service  
90 days (720 hours)

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Module 3: Labor and Employee Relations

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Annual Leave

Annual Leave

Advanced Annual Leave

Use or Lose Annual Leave

Restoration of Annual Leave

### Restoration of Annual Leave

Annual Leave forfeited may be restored if the leave was schedule and approved in advance before the start of third pay period before the end of the leave year and subsequently was canceled under the following circumstances:

- Exigencies of the Public Business
- Sickness
- Administrative error

Employees must use their restored leave within 2 years after the end of the calendar year in which the leave is restored unless there is an extended exigency under OPM rules as defined in 5 CFR, Section 630.309.

Employees at installations closing or realigning pursuant to the Defense Base Closure and Realignment Act of 1990 will have excess leave restored whether or not the leave was scheduled. When DA closes BRAC designated bases, it is an exigency of the service permitting employees to carry over use-or-lose leave without meeting the criteria for restoration.

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Module 3: Labor and Employee Relations Lesson 1: Leave

### Excused Absence

Five main types of Excused Absences:

- Administrative Dismissal
- Job Related Activities
- Medical Donor Program
- Voting
- Military Funerals

Important Considerations:

- Know organizational policy on who has the authority to granted excused absences
- Managers should ensure that the granting of excused absence is not specifically prohibited by law
- Check your Collective Bargaining Agreement to see if there are provision related to excused absences in the contract

The absence should:

- Relate to the agency's mission
- Be officially sponsored or sanctioned by the head of the department or agency
- Enhance the employee's professional development
- Be in the agency's best interest

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Module 3: Labor and Employee Relations

Lesson 1: Leave

Excused  
Absence

Administrative Dismissal

Job Related Activities Other  
Than Normal Duties


Medical Donor Program

Voting

Military Funerals

### Administrative Dismissal

- Administrative dismissal is an absence when employees are released from duty because all or part of an activity is closed
- Employees affected by these actions are generally excused without charge to leave and without loss of pay



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Medical Donor Program

Voting

Military Funerals

Activities Not Requiring Administrative Leave

- Attending promotion ceremonies of fellow workers
- Performing DoD's school bus monitor duty in overseas locations
- Initial referral to the employee assistance program
- Satisfying requirements resulting from PCS such as being present for packing and unpacking of household goods or obtaining necessary passport and vaccinations
- Rest period for travel
- Attending management sponsored programs like fitness day or health screenings
- Taking a periodic required medical examination to meet requirements of current position or a fitness for duty examination
- Attending certain conferences or meetings; participating in official programs, and events promoting equal opportunity awareness
- Fighting local fires under a reciprocal fire protection agreement
- Meeting with personnel office staff members on certain issues such as retirement counseling

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Lesson 1: Leave

Excused Absence


Administrative Dismissal

Job Related Activities Other Than Normal Duties

Medical Donor Program

Voting

Military Funerals



### Activities Not Requiring Administrative Leave

Employees participating in medical donor programs should be excused from work without charge to leave within a specific set of parameters:

- **Blood Donation:** Employees who donate blood may be granted excused absence to cover travel to and from the donation site, the donation of blood, and recovery. The maximum excusable time will not exceed 4 hours except, in unusual circumstances. The authority to excuse an employee for blood donation rests with the immediate supervisor.
- **Organ Donation:** With the passing of Public Law 106-56, an employee may use 30 days of paid time off each calendar year to serve as an organ donor. Although this absence is being administratively recorded as excused absence (administrative leave), leave approving officials need to understand this is a statutory right.
- **Bone Marrow Donation:** Bone marrow donors are entitled to seven (7) days of paid leave each calendar year to serve as a bone marrow donor. It is a statutory right.

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Excused  
Absence

Administrative Dismissal

Job Related Activities Other  
Than Normal Duties

Medical Donor Program



Voting

Military Funerals

Voting

Generally, where voting polls are not open at least 3 hours either before or after an employee's regular work hours, agencies may grant a limited amount of excused absence that will permit the employee to report for work 3 hours after the polls open or leave from work 3 hours before the polls, close, whichever requires the lesser amount of time off.

NOTE: Check local policy



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Medical Donor Program

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Military Funerals

**Military Funerals**

Military funeral leave is available to civilian employees under the following conditions:

The employee is a veteran of the armed forces and is participating as a pall bearer, a member of a firing squad, or a member of an honor guard in funerals for a member of the armed forces whose remains are returned from abroad for final interment in the United States. Up to four (4) hours a day may be authorized.

The employee is excused to make arrangements for or to attend the funeral or memorial service of an immediate relative who died as a result of injuries sustained during combat. Normally, no more than 3 days can be authorized



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Module 3: Labor and Employee Relations

Lesson 1: Leave

Leave Without Pay (LWOP)

Common Uses for LWOP

Effect of LWOP on Benefits

LWOP Considerations

### Leave Without Pay (LWOP)

Leave-without-pay (LWOP) is a temporary non-paid status and an authorized absence from duty, issued when the employee has insufficient annual leave or sick leave or compensatory time available to cover an approved absence.

- An employee does not have to exhaust annual or sick leave before requesting LWOP.
- By law, the supervisor should grant LWOP to:
  - Disabled veterans (EO5396) for medical treatment for a service-connected disability
  - Members of the Reserves or National Guard for military training duties
- Employees who are eligible for and invoke the Family Medical Leave Act, unless they opt to use accrued leave

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>> Module 3: Labor and Employee Relations Lesson 1: Leave

### Leave Without Pay (LWOP)

Common Uses for LWOP

LWOP's Effect on Benefits

LWOP Considerations

#### Common Uses for (LWOP)

- Pending an initial decision by the Office of Personnel Management (OPM) on a disability retirement package
- Pending action by the Office of Workers' Compensation (OWCP) on a claim resulting from a work-related injury or illness
- To accompany a military or civilian sponsor PCS
- A civilian employee who relocates and in all likelihood will be hired by another Federal agency
- Up to three months for a civilian employee entering on active military duty for training

• Excessive LWOP can effect federal benefits and programs!

IMPORTANT

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Module 3: Labor and Employee Relations Lesson 1: Leave

**Leave Without Pay (LWOP)**

Common Uses for LWOP

**LWOP's Effect on Benefits**

LWOP Considerations

**LWOP's Effect on Benefits**

- Career Tenure
- Probation Completion
- Retirement and Health Benefits
- Life Insurance Coverage
- Within Grade Increases
- Leave Accrual
- Severance pay
- TSP Contributions
- No effect if Military LWOP or OWCP LWOP

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Lesson 1: Leave

Leave Without Pay (LWOP)

Common Uses for LWOP

LWOP's Effect on Benefits

LWOP Considerations

### LWOP's Effect on Benefits

- LWOP in other cases should be granted, at the supervisor's discretion and should be approved only when the interests of the government are best served
- LWOP should be based on mission requirements and Workload and should be approved when
  - it is apparent that it will result in a benefit to the government and
  - will result in increased job ability, protection or improvement of employee's health, or retention of a desirable employee
- LWOP for any reason or any circumstance cannot go beyond a 2 year period. Employees should be separated and re-employed when they become available for duty
- LWOP of more than 30 consecutive days must be made a matter of record in the employee's Official Personnel Folder. An employee requests LWOP through the immediate supervisor on a SF 52 and is submitted to the CPAC

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Module 3: Labor and Employee Relations Lesson 1: Leave



### Employees Responsibilities

- Understand and follow leave procedures
- Formally request leave in accordance with organizational policy
- Understand leave requested is not necessarily leave approved
- Report to work on time
- Plan and coordinate leave in advance
- Do not depart during duty hours without permission

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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisory Responsibilities

- Communicate the leave policies to your employees
- Encourage leave planning
- Control abuse and document problems – do not wait to address leave issues
- Monitor balance and usage of leave time
- Take corrective action when leave policies are abused or when necessary

• Properly requested annual leave can only be denied for mission reasons

• Supervisor approves leave (includes acting supervisor)

IMPORTANT

Roll your mouse over each item for more information.

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Author: AMSC Subject: Sticky Note Date: 9/7/2011 1:38:57 PM

Effective management and control of leave can be accomplished through clearly informing employees of specific organizational policies and OPM guidelines regarding request for leave.

Author: AMSC Subject: Sticky Note Date: 9/7/2011 1:38:57 PM

Know when you as a supervisor can approve leave and when you should not approve leave.  
Be fair and consistent  
Discuss leave planning with your employees  
Know your resources for additional information on unusual or new situations

Author: AMSC Subject: Sticky Note Date: 9/7/2011 1:38:57 PM

Act on leave requests personally and respond in a timely manner  
Deny leave only for mission related reasons  
Control abuse – ask questions  
Document, document, document!!

Author: AMSC Subject: Sticky Note Date: 9/7/2011 1:38:57 PM

Know where you can get leave balances information (Consult your HR authority)  
Supervisor (includes acting supervisor) approves leave  
Request input from employees on their leave plans  
Deny leave only for mission related reasons  
Document, document, document!!  
Explain leave being granted may depend on mission requirements and the nature of the leave.


Author: AMSC Subject: Sticky Note Date: 9/7/2011 1:38:57 PM

It is the supervisors job to control leave abuse. Talk to your leaders and HR resources if you suspect abuse.


**Document! Document! Document!**

Comments from page 61 continued on next page


## Supervisory Responsibilities




Communicate the leave policies to your employees




Encourage leave planning



Control abuse and document problems – do not wait to address leave issues



Monitor balance and usage of leave time




Take corrective action when leave policies are abused or when necessary

- Properly requested annual leave can only be denied for mission reasons
- Supervisor approves leave (includes acting supervisor)



IMPORTANT

Roll your mouse over each item for more information.



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Module 3: Labor and Employee Relations Lesson 1: Leave

Supervisor possible course of action review

You send out an e-mail message informing the employees that unless they have 'use or lose' leave their requests for leave over the holidays will be denied .

During your weekly staff meeting you tell the employees that you suspect that during the holidays you will not be able to maintain the mandate of 50% coverage. You tell them that you want to empower them and give them the opportunity to solve the problem together. You give them 20 minutes to resolve the issue and leave the room so that communication can flow.

You send out an e-mail message requesting everyone's leave plans over the holidays

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Module 3: Labor and Employee Relations Lesson 1: Leave

**Did you select the best option?**

Is the option you selected the best choice?

How might the feedback on the options you did not select help you in the future?



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Module 3: Labor and Employee Relations

Lesson 1: Leave



### Additional Considerations to Research

- At what rate does each of your employees accrue leave (sick and annual) and how do you monitor this for planning purposes?
- What is the organizations official policy for leave and "coverage" during high leave periods?
- Who is the final approving official on carryover of "use or lose" leave?
- As a leader, what is your responsibility for managing employees leave?
- What will you do differently next year when faced with a similar situation?
- How will you communicate your expectations regarding leave management?



**Remember you can always click the FAQ button to help you find answers.**

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### Last Five Leave Programs and Categories

The last five leave programs and categories are not as common as the first four discussed. They do occur and, in some cases, are quite complex.

Sick Leave	Leave Without Pay	<b>Military Leave</b>
Annual Leave	<b>Voluntary Leave Transfer Program</b>	<b>Home Leave</b>
Excused Absence	Jury Duty and Court Leave	Absence Without Leave (AWOL)

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Module 3: Labor and Employee Relations Lesson 1: Leave

### Jury Duty and Court Leave

**Jury Duty and Court Leave :**

Court Leave is not necessary when appearing in legal proceedings in an official capacity in which the employee is performing official duty to:

- Testify or produce official records on behalf of the United States or the District of Columbia; or
- Testify in his/her official capacity or produce official records on behalf of a party other than the United States or the District of Columbia.

**Jury Duty and Court leave to not apply to personal appearances in court as a party (plaintiff or defendant) or witness!**

**IMPORTANT**

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Module 3: Labor and Employee Relations Lesson 1: Leave

### Jury Duty and Court Leave

**Jury Duty and Court Leave continued:**

- Requested in advance, in writing, and approved by the supervisor
- Requested on an OPM Form 71, "other paid absences"
- Include a copy of the summons, court order, subpoena, or official request from the court
- Absences are granted only for those days and hours the employee would otherwise be in a pay status

It is Army Policy not to request that employees be excused from jury duty on the basis of their employment, except in cases of extreme necessity

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## Military Leave

### Four Types of Military Leave

### Excused Absence for Returning Employees

OPM Military Leave Fact Sheet: <http://www.opm.gov/oca/leave/html/military.asp>  
OPM Frequently Asked Questions on Military Leave: <http://www.opm.gov/oca/leave/html/MILQA.asp>

**Military Leave:**

- For members of Guard and Reserve components
- For active duty and inactive-duty training
- 15 calendar days (120 hours) per fiscal year
- No more than 120 hours may be carried over to next year
- Leave charged in hourly increments, not whole day
- Intervening weekends not charged to military leave
- 22 or 44 days for other circumstances
- Effect on Civilian Pay

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**Military Leave**

**Four Types of Military Leave**

Excused Absence for Returning Employees

**OPM Memorandum, Subject: Rights and Benefits of Reservists Called to Active Duty:** <http://www.opm.gov/oca/compmemo/2001/2001-09.htm>

**IMPORTANT**

**Four Types of Military Leave**

1. Normal Military Leave (5 USC 6323(a))
2. Contingency Operations and Law Enforcement (5 USC 6323(b))
3. Special Provisions for Members of the DC National Guard (5 USC 6323(c))
4. Military Reserve and National Guard Technicians on Active Duty Without Pay (5 USC 6323(d),)

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**Military Leave**

Four Types of Military Leave

**Excused Absence for Returning Employees**

**Excused Absence for Returning Employees:**

- The intent of the directive is to grant the paid time off to mobilized employees returning to Federal civilian service as an aid in their readjustment to civilian life.
- The excused absence is to be granted immediately, and all at once, prior to the employee's actual resumption of civilian duties.

OPM Memorandum, Subject: Update on Excused Absence for Employees Returning from Active Military Duty (August 6, 2008): <http://www.chcoc.gov/Transmittals/TransmittalDetails.aspx?TransmittalID=1481>

OPM Memorandum, Subject: Minimum Service Requirement to Receive 5 Days of Excused Absence for Employees Returning from Active Military Duty (December 16, 2008): <http://www.chcoc.gov/Transmittals/TransmittalDetails.aspx?TransmittalID=1837>

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**Voluntary Leave Transfer Program**



- Employees donate annual leave to recipient that has exhausted available paid leave
- Used for personal or family medical emergencies
- No limit on donated amount
- Unused donated leave must be returned to donor after emergency ends
- May be substituted retroactively for a period of LWOP because of a medical emergency

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Author: AMSC Subject: Sticky Note Date: 9/7/2011 1:38:57 PM

Provides, for DoD employees officially assigned to Iraq or Afghanistan for a tour of at least 12 months by means of Temporary Duty (TDY), Temporary Change of Station (TCS) or Permanent Change of Station (PCS) entitlement to earn home leave at the rate of 15 days per 12 months. Under this new authority, DoD employees are not required to complete the basic one-time service requirement of 24 months continued service abroad specified in Title 5 Code of Federal Regulations (CFR), 5 CFR 630.606 in order to earn the home leave, nor are they required to be eligible to accumulate a maximum of 45 days of annual leave under 5 U.S.C. 6304 in order to earn the home leave. Earned home leave can be granted only after completion of the 12 month service period and only if the employee is expected to return to service abroad to Iraq or Afghanistan or to another overseas location upon completion of the home leave period. Home leave granted under this authority is not granted unless it is expected that the employee will return to service abroad.

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Home Leave

### Home Leave

- Employees serving outside the United States who meet the requirements of 5 USC 6304(b) for the accumulation of a maximum of 45 days (360 hours) of annual leave are eligible for home leave.
- Employees recruited and hired locally in an overseas area do not accrue home leave.
- The earning rate of home leave will vary base on the foreign post differential rates. Check with your local CPAC for this calculation.
- Home Leave may be used in combination with other leaves of absence, but cannot be used as terminal leave or as the basis for a lump-sum payment. There is no limit on accumulation of home leave.

Home leave earned under deployment and mobilization criteria are different

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Module 3: Labor and Employee Relations Lesson 1: Leave



**Two most important actions you can take:**

- Most frequent disciplinary offenses in the Army are leave related
- Establish and enforce the leave requesting procedure
- Confront leave problems early, such as
  - Chronic tardiness
  - Leave abuse
  - Excessive absenteeism
  - Absent without official leave (AWOL)

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### Dealing with the "Absent Employee"

I'm only a few minutes late

My car keeps breaking down

Others come late, and you don't give them a hard time

I called in and left you a voice message

I sent you a text message

I couldn't call or text because I was driving

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Leave Restriction Letters are Specific

All sick leave requires medical certificate

Spells out in detail leave requesting procedures

Letter Includes

- Reasons for...
- Problems specified
- Rules/expectations specified
- Offer of assistance
- Consequences/follow-up

Check collective bargaining agreement

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## Leave Restriction Letter

If the employee is in a bargaining unit, the collective bargaining agreement should be consulted for any provisions that impact the issuance of such a memorandum. It is not uncommon for a contract to contain a requirement that an employee receive counseling prior to being placed on a memorandum/ letter of instruction.

### SAMPLE LEAVE RESTRICTION LETTER

(To be used to address any instances repetitive or ongoing instances of ABO's failure to follow established leave procedures or other otherwise related offenses.)

#### LETTERHEAD

Office Symbol/XX

Date

MEMORANDUM FOR: 1. Mr. Employee, WFO-12, Aircraft Mechanics, organization and address...

SUBJECT: Leave Restriction Letter (This letter is a "form of act" and needs to be used to make this letter, and any future action related to this subject, legally defensible.)

1. This leave restriction letter is the result of your continued failure to follow established leave procedures and absence without leave (AWOL). You have disregarded the memorandums previously issued to you on [on date] and previous counseling we had on [on date] and [on date] concerning earlier circumstances. Please see to [on this paragraph], and summarize in the next, any previous instances of counseling or written instruction, etc.)
2. You were verbally counseled and issued a memorandum by me on [on date] about the importance of being present for duty and how that your position is in the airline who are our customers. On [on date], you were again ABO's, from [on date] to [on date], and failed to follow the established leave procedures by properly requesting leave through your supervisor that of command. Again, on [on date], during a critical moment due to aircraft crew being delayed, you failed to report to duty. You returned to work, who is not in your supervisory chain of command, at 07:15 that you would be one hour late. When you failed to report at 07:15, called and explained to your supervisor. You responded by saying that you were still sleeping. You finally reported at 11:45. Your request for leave to cover that period is hereby denied for failing to follow the requirements of the memorandum and previous counseling. You were documented as being in an ABO's status on your Time and Attendance Records for the first 15 hours of the day [on [on date]].
3. A recent review of your leave usage indicates a continuing pattern of excessive absence since your counseling on [on date]. You have used 100 hours of annual leave and 10 hours of sick leave the calendar year. Your leave balance as of [on date] is 10 hours of annual, and 20 hours sick leave. Unexcused absence and tardiness are detrimental to the accomplishment of our mission, and are undesirable in your position. This directly affects our work time because I have to manage your fellow employee's work plans to react and cover down on tasks that are your responsibility. This directly production and increases the other employee's workload thereby affecting the efficiency of our operation. I need your help when you are scheduled to work in order for us to effectively accomplish our mission.

*Click document for a larger view*

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SAMPLE LEAVE RESTRICTION LETTER

(To be used to address any instances repetitive or ongoing instances of AWOL, failure to follow established leave procedures or other attendance related offenses.)

LETTERHEAD

Office Symbol-XX

Date

MEMORANDUM FOR I. M. Employee, WG-10, Aircraft Mechanic, organization and address...

SUBJECT: Leave Restriction Letter (this title is a "term of art" and needs to be used to make this letter, and any future actions related to this subject, legally defensible)

1. This leave restriction letter is the result of your continued failure to follow established leave procedures and absence without leave (AWOL). You have disregarded the memorandum previously issued to you on (xx date) and previous counselings we had on (xx date) and (xx date) concerning similar circumstances. (Make sure to cite in this paragraph, and summarize in the next, any previous instances of counseling or written instruction, etc.)
2. You were verbally counseled and issued a memorandum by me on (XX date) about the importance of being present for duty and how vital your position is to the soldiers who are our customers. On (xx date), you were again AWOL from 0630-0930, and failed to follow the established leave procedures by properly requesting leave through your supervisory chain of command. Again, on (xx date), during a critical moment due to aircraft and crews being deployed, you failed to report to duty. You informed Mr. Jones, who is not in your supervisory chain of command, at 0715 that you would be one hour late. When you failed to report at 0930, I called and inquired as to your whereabouts. You responded by saying that you were still sleeping. You finally reported at 1145. Your request for leave to cover that period is hereby denied for failing to follow the requirements of the memorandum and previous counselings. You were documented as being in an AWOL status on your Time and Attendance Records for the first 5 hours of the duty day on (xx date).
3. A current review of your leave usage indicates a continuing pattern of excessive absence since your counseling on (xx date). You have used 159 hours of annual leave and 93 hours of sick leave this calendar year. Your leave balance as of (xx date) is 15 hours of annual, and 23 hours sick leave. Unscheduled absences and tardiness are detrimental to the accomplishment of our mission, and are burdensome to your peers. This directly affects our work crew because I have to rearrange your fellow employee's work plans to react and cover down on tasks that are your responsibility. This disrupts production and increases the other employee's workload thereby affecting the efficiency of our operation. I need you here when you are scheduled to work in order for us to efficiently accomplish our mission.

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Absence Without Leave (AWOL)

**Leave Restriction Letter**

AWOL is an unauthorized absence from duty, resulting from an employee's:

- Failure to report for duty as scheduled
- Failure to secure prior supervisory approval for an absence
- Unauthorized departure from the work site.

Charging AWOL

- As a general rule, if leave was approved for a period of absence, a later charge of AWOL for that period will not be sustained.

Changing AWOL to Authorized Leave

- If it is subsequently determined that the absence was excusable, AWOL may be converted to annual leave, sick leave, or LWOP, as appropriate

While not a disciplinary action in itself, AWOL may form the basis for disciplinary action for unauthorized absence from duty. Once leave has been approved, cannot go back and change to AWOL. Consult with your CPAC for further information.

IMPORTANT

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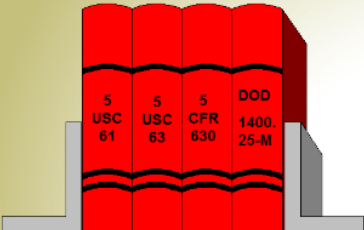
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**References**

- 5 USC Chapter 61/63
- 5 CFR Part 610/630
  - Part 610 (Hours of Duty)
  - Part 630 (Absence and Leave)
- DOD 1400.25-M, Chapter 600
  - Subchapter 610 (Hours of Duty)
  - Subchapter 610 (Leave)
- OPM Guidance



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### Additional Considerations to Research

- When should the employee disclose that they have a disability?
- May an employer inquire whether an accommodation is needed even if it is not requested? Why or why not?
- Who should know about the disability?
- What are my options in hiring a person with a disability?
- What are the implications of not properly complying with reasonable accommodation situations?
- Who can you speak with on your installation for help with accommodation issues?
- How should you handle leave for an employee covered by both the ADA and the Family and Medical Leave Act (FMLA)?



*Remember you can always click the FAQ button to help you find answers.*

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### Lesson Takeaways

1. As a leader and supervisor you have the responsibility to both establish and enforce leave protocols.
2. Ensure your team members know the organization's and your expectations, standards, and procedures.
3. Have written policies, reviews of policies, team meetings and counseling.
4. When encountering uncertain or unusual circumstance check with your leadership, Human Resource Specialist, and/or Civilian Personnel Advisory Center (CPAC).





 *Click image for Supervisor Reflections*

Do you have a thorough understanding of the Lesson Takeaways? Do you still need to do some reading about the Additional Considerations listed on the previous screens? If you feel confident about your knowledge of Leave, proceed to the next lesson. If not, use the flyout menu to review, or use the Reference tool or FAQ tool to gain more knowledge.

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#### **Supervisor Reflections**

- **Coordinate with HR and CPAC**
- **Ensure you have the most current regulations and local guidance**
- **Review the leave policies with your team members**
- **Ensure you have the most current forms**
- **Review leave process and protocols with new employees**
- **Use PERMISS and other reference material**
- **Approve routine sick and annual leave requests, and special leave requests as appropriate**
- **Provide explanation and/or information relating to disapprovals**

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A certificate of completion is displayed on a wooden background. The certificate has a blue border and contains the following text: "CERTIFICATE OF Completion", "THIS AWARD IS GIVEN TO", "You", "IN RECOGNITION OF SKILLS GAINED BY", "PARTICIPATION IN THE AWT MANAGEMENT", "STAFF COLLEGE'S R.D.C. LESSON".

### Lesson Complete!

Congratulations, you have completed the Leave lesson. Remember, you can always come back to this lesson to review.

By clicking the Next button, you will be given the opportunity to provide us with feedback on the lesson you have just completed. Your input is important to us, and will help us keep our content and playability at the highest level possible.

# Congratulations!

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