

NASPNCLA INSTRUCTION 12630.1M

Subj: LEAVE ADMINISTRATION FOR CIVIL SERVICE PERSONNEL

Ref: (a) 5 CFR/5 USC (Chapter 63)  
(b) DOD 7000.14R; Chapter 5  
(c) OCPMINST 12630.1  
(d) CPI 610/630  
(e) NAS/AFGE Negotiated Agreement  
(f) OPNAVINST 5350.6  
(g) NASPNCLAINST 12630.5  
(h) NASPNCLAINST 12630.4A

Encl: (1) Awards Recommendation Form, NASP 12451/1

1. Purpose. To set forth regulations and procedures to be followed in granting leave of absence to civilian personnel at NAS Pensacola.

2. Cancellation. NASPNCLAINST 12630.1L

3. Policy. Per references (a) through (h), this activity shall administer leave in a fair and equitable manner. This instruction applies to all civilian employees of this activity and shall be used in conjunction with applicable laws, regulations, and appropriate bargaining agreements. Annual leave will be granted freely when employees can be spared from their duties, and sick leave and other types of leave will be granted whenever attendant circumstances warrant their respective use.

4. Guidance. A request for leave shall not be denied or canceled for arbitrary or capricious reasons. Management's decision to approve a request for leave will be based on necessity of employee's services. When an employee's request for leave is approved, the approving official has made a determination the employee's presence on the job is not required. Although annual leave is a right of an employee in that its accrual may not be denied, it is the prerogative of management to make the final decision on when leave is to be used. For this reason, the use of annual leave is subject to prior approval of the supervisor. Retroactive approval may be given where circumstances warrant. It must not be assumed, however, that a mere report of absence will necessarily result in favorable action. The supervisor may, if the employee's services are needed, deny leave and charge the absence to Absence Without Leave (AWOL) if the employee does not report for duty.

5. Information

a. General

(1) Per reference (b), leave is charged only for absence upon days an employee would otherwise work, except in the instance of military leave which will be charged to include Saturdays, Sundays, and holidays which are wholly within the period of military leave. Leave is not charged for absence during an overtime period or day. Civilian employees paid from appropriated funds may take leave in increments of 1/10 of an hour (6 minutes), regardless of work schedule. Any leave taken in less than 6-minute increments will be computed as 1/10 of an hour of leave.

(2) An employee who is absent due to an emergency shall be carried in an annual, sick, LWOP, or AWOL status, as appropriate. Employees must notify their immediate supervisor or the next level of supervision by telephone, normally within the first 2 hours of the shift on the first day of the absence. The employee shall submit a request for leave (annual, sick, or LWOP, as appropriate) within the first day of return to duty. Leave requests for emergency reasons shall be considered on an individual basis. If the leave is not granted and the employee does not report for duty, the employee's leave account shall be charged as AWOL, and disciplinary action may be taken. There is no automatic entitlement to leave based solely on unforeseen circumstances. In emergencies, such as a serious accident, illness, or death in the employee's immediate family, the supervisor should exercise due consideration in enforcing the reporting requirement. Mere unforeseen circumstances, such as minor accidents requiring repairs to automobile or property, ordinary illness of the employee or immediate family members, etc., do not justify failure to promptly notify management of an absence or constitute an emergency.

(3) Normally, annual leave will not be granted to employees scheduled to work overtime or compensatory time the same day. Requests for exception will be considered on a case-by-case basis.

(4) Approved requests for advance annual and sick leave shall be forwarded to the Comptroller's Office (Code OOG) with the form annotated in bold letters "ADVANCE ANNUAL LEAVE" or "ADVANCE SICK LEAVE," as appropriate.

b. Annual Leave

(1) Policy

(a) Annual leave is provided and used for two general purposes:

1. To allow every employee an annual vacation period of extended leave for rest and recreation; and

2. To provide periods of time off for personal and emergency purposes.

(b) An employee's request for annual leave shall be granted when reasonable notice is given to the supervisor, subject to workload requirements and manpower availability. Reasonable notice is considered that which would notify the immediate supervisor or his/her designated alternate approving authority in sufficient time to schedule the employee's leave. Annual leave shall be requested and approved in advance, except during an emergency. In cases of emergency, employees will request such leave by telephone, and approval must be obtained as soon as possible but not later than 2 hours after the beginning of the regular shift.

(c) While employees also have an obligation to request annual leave in a timely manner and during periods when their services can be spared, failure on their part to do so does not relieve the supervisor of his/her responsibility to assure the leave is, in fact, scheduled for use. When an employee chooses not to request or to use annual leave to avoid forfeiture, he/she is not entitled to have the forfeited leave restored for later use.

(d) Employees may be required to use annual leave when 24 hours advance notice is given in situations such as equipment breakdown, power failure, lack of material, storms, and other unforeseen circumstances.

(2) Crediting Annual Leave. Leave will be credited to an employee's account as follows:

(a) Full-time employees

1. Less than 3 years of service - 4 hours per pay period.
2. More than 3 but less than 15 years of service - 6 hours per pay period, except 10 hours on the last pay period of the leave year.
3. More than 15 years of service - 8 hours per pay period.

(b) Part-time employees with a regularly scheduled tour of duty

1. Less than 3 years of service - 1 hour leave for each 20 hours in a pay status.
2. More than 3 but less than 15 years service - 1 hour leave for each 13 hours in a pay status.
3. More than 15 years of service - 1 hour leave for each 10 hours in a pay status.

(3) Maximum Accumulation. With few exceptions, the maximum accumulation of annual leave for each employee shall not exceed 30 days (240 hours) at the beginning of the first pay period in the new leave year. Employees shall schedule leave to preclude forfeiting annual leave at the end of the year or requiring restoration/carry over of large amounts. Large accumulations of leave should be avoided.

(4) Advance Annual Leave. In case of emergency and when the exigency of the situation requires, annual leave in excess of earned leave may be granted by the employee's supervisor after ensuring compliance with current regulations. This advance annual leave may not exceed the amount employee will normally accrue during the remainder of current year. Where separation or other action is anticipated or pending which would preclude normal accrual during the remainder of the leave year, only leave currently to the credit of the employee will be granted. An employee may be placed on LWOP upon request, in lieu of unadvanceable annual leave.

(5) Restored Annual Leave. The normal rule which requires that any annual leave in excess of the maximum permissible carryover be automatically forfeited at the end of the leave year can be restored and maintained in a separate account for future use under the following conditions:

(a) Administrative error which causes the loss of annual leave.

(b) Urgent demands of the public business when a determination is made that the exigency is of such importance that employees cannot be excused from duty for the duration of the exigency (urgent work requirement), and there is no reasonable alternative to the cancellation of scheduled leave or assignment of the urgent work requirement to employees who will forfeit annual leave because of this exigency.

(c) Sickness of the employee when annual leave was scheduled in advance. When an employee becomes sick after scheduling annual leave late

in the year, the annual leave may be restored if the sickness is of such duration that annual leave cannot be rescheduled.

(d) Time limit for using restored annual leave is 2 years from the restoration date of annual leave forfeited because of administrative error. Management and employees have a mutual obligation to plan and schedule restored leave for use as expeditiously as circumstances permit but no longer than the specified 2-year limit. Regular annual leave also must be scheduled during the year to avoid forfeiture. Any restored leave unused at the expiration of the 2-year limit is again forfeited with no further right to restoration.

1. Above decisions are approved by the Executive Officer. A determination must have been made that an exigency is of major importance and that, therefore, annual leave may not be used by employees to avoid forfeiture. Normally, this decision will be made in advance, by the Executive Officer, of the cancellation of scheduled leave or the assignment of employees who will be affected by the work requirements generated by the exigency. Only a bona fide emergency will preclude making the decision in advance.

2. A specific beginning and ending date of the exigency period must have been established in advance unless the suddenness or uncertainty of circumstances prevent advance decision. These dates must establish the specific time period within which employees were prevented from using scheduled leave and, thus, subsequently forfeited leave.

3. Use of the annual leave must have been scheduled and approved, in writing, before the start of the third biweekly pay period prior to the end of the leave year.

4. Requests for annual leave restoral, with supporting documentation (i.e., disapproved leave requests), must be submitted to the Executive Officer via the Management Assistance Office (Code OOF) and Comptroller (Code OOG) for review and approval.

(6) Lump sum payment for accumulated and accrued annual leave on separation. Employees are entitled to payment, upon separation, for all annual leave credited, with the exception of time-off awards which must be taken prior to separation. The 30-day maximum limit for payment does not apply. For this purpose, "accumulated annual leave" consists of the following:

- (a) The regular carry-over balance from the previous leave year.
- (b) Accrued and unused leave during the current leave year.
- (c) Any unused, restored annual leave maintained in a separate account.

c. Sick Leave

(1) Policy

(a) Sick leave, unlike annual leave, is a privilege rather than a right. If sick leave is to be approved and charged to the Family Friendly

Leave Account, reference (g) applies. Sick leave shall be granted, when available to employee's credit, under the following guidelines and conditions:

1. Incapacitation for performance of duties by physical or mental illness, injury, pregnancy, or childbirth.
2. Medical, dental, or optical examination or treatment. This includes physical examinations required for military reservists.
3. The employee is required to provide care for a family member as a result of physical or mental illness, injury, pregnancy, childbirth, or medical, dental, or optical examination or treatment.
4. Exposure of employee to a contagious disease, subject to quarantine, where the employee's presence on the job would jeopardize the health of others because of exposure.
5. To a disabled veteran for purpose of making appointment for or receiving medical treatment.
6. For the period of illness or disability which caused employee's absence immediately prior to death. An employee who dies without returning to duty and without making application for sick leave may be administratively granted accrued sick leave for the period immediately prior to death for illness or disability which caused the employee's absence.
7. When an employee is being separated because of physical or mental incapacity to perform assigned duties of their position.

(b) Approval of sick leave requests is at the discretion of the supervisor when the following circumstances exist:

1. The employee fails to follow leave procedures.
2. The employee fails to provide documentation acceptable to the supervisor.
3. Abuse or fraud is evident.
4. The request is for elective surgery or treatment, or nonemergency medical, dental, or optical examination or treatment. However, when an employee has requested and received approval for nonemergency sick leave, the supervisor shall honor the request unless an emergency work situation exists.
5. The employee does not have any sick leave accrued.

NOTE: Under circumstances 1 through 5, the supervisor may decide to approve sick leave, approve the use of annual leave, charge the absence to LWOP, or charge the absence to AWOL.

## (2) Procedure for Requesting Sick Leave

(a) Notification. An employee requesting sick leave should, if possible, notify their immediate supervisor or, in the absence of the supervisor, the next higher level supervisor by telephone during the first 2 hours of the shift on the first day of absence. The employee will state the

reason for requesting leave and indicate approximate length of absence. If the absence extends beyond the time indicated, the employee will again notify their immediate supervisor and request additional leave. Immediately upon return to duty, the employee shall submit a written request to cover such leave. Sick leave requests shall be approved or disapproved by the immediate supervisor as soon as possible. When an employee becomes ill after reporting to work, a supervisor, based on a judgment that the employee cannot perform his/her duties in a safe and healthful manner, may approve requested sick leave, refer the employee to an on-base medical facility for emergency treatment, if apparently warranted, or offer the employee an activity medical examination in accordance with 5 CFR 339.

(b) Submission. Leave requests for elective surgery or treatment, or nonemergency medical, dental, or optical examination or treatment shall be submitted in advance.

(c) Medical Certificates to support sick leave requests shall be required for:

1. Periods of absence on sick leave in excess of 3 consecutive workdays, ordinarily within 5 workdays after return to duty. In lieu of a medical certificate, the employee's signed statement explaining the nature of illness may be accepted when it is unreasonable to require a medical certificate due to shortage of physicians, remoteness or locality, or because the illness does not, in the judgment of the supervisor, require the services of a physician.

2. Absence of less than 3 days when the employee has been issued a Letter of Requirement concerning abuse of sick leave. Action shall be initiated by the immediate supervisor to request issuance of such letter when it becomes apparent an employee is abusing their privilege of sick leave. Assistance in the preparation of such letters shall be provided by the Employee Relations Specialist in the Human Resources Office.

NOTE: Failure to comply with the Letter of Requirement may be considered a basis for denying sick leave and carrying the employee in an AWOL status. Additionally, since the Letter of Requirement is a written order, failure to comply may also be considered a disciplinary offense.

(d) No Sick Leave Accrued. If the employee has no sick leave accrued, the supervisor may approve the use of annual leave, LWOP, charge the absence to AWOL, or consider granting advance sick leave, provided the employee's condition meets the requirements for advanced sick leave.

(e) Sick Leave Accrual. Full-time employees accrue 4 hours sick leave each pay period for a maximum of 13 days per year. Part-time employees accrue 1 hour of sick leave for each 20 hours in a pay status. There is no limit on sick leave accumulation.

(f) Sickness Occurring During Annual Leave. When sickness of an employee occurs within a period of annual leave, such period may be charged as sick leave, provided application is made immediately upon return to duty and is substantiated in the same manner as any other request for sick leave.

(g) Determination of Contagious Disease. A contagious disease is that which is ruled subject to quarantine, requires isolation of the patient, or requires restriction of movement by the patient for a specified period as prescribed by public health authorities.

(h) Advance Sick Leave. Sick leave may be advanced up to 30 days, provided all available accumulated sick leave to an employee's credit has been exhausted. Consideration should also be given to requiring an employee to use excess annual leave which might otherwise be forfeited. Requests for advance sick leave shall be considered for serious illnesses or disabilities when:

1. The employee has submitted acceptable medical certification;

2. The employee has provided written assurance from a physician that the employee will be able to return to work and fulfill the full scope of the duties;

3. The employee's separation from service is not being contemplated by management, nor is the employee contemplating separation;

4. The employee does not have a current Letter of Requirement for sick leave abuse;

5. The employee has utilized all annual leave which is subject to forfeit or restoration; or

6. An earlier request for advance sick leave was denied and new medical documentation becomes available. Employees may present such information for reconsideration. Requests for reconsideration with supporting documents shall be forwarded to the Department Head for appropriate action.

(i) Alcohol and Drug Rehabilitation. Advance sick leave may be approved for the purpose of encouraging employees who have drug or alcohol abuse problems to seek treatment. Strict confidentiality rules govern the release of information concerning employees covered under the Civilian Employee Assistance Program (CEAP). Employees shall not be permitted to use sick leave for smoking cessation.

(j) Temporary Employees. Advance sick leave may be approved for temporary employees, but never in an amount greater than they may expect to earn during the remainder of their appointment.

(k) Submission. Requests for advance sick leave shall be submitted on Application for Leave, SF-71, to Department Head via the chain of command. Application for Leave for alcohol and drug rehabilitation may also be submitted directly to the Department Head by the CEAP Administrator. Medical documentation may be submitted in advance to determine if it meets the criteria for advance sick leave. Application for Leave must be submitted on a pay period basis and may be approved for no more than one pay period at a time. If approved, the Department Head shall forward the Application for Leave to the Comptroller's Office (OOG). If disapproved, the Application for Leave shall immediately be returned to the employee. Application for advance sick leave must be presented in duplicate.

(l) Sick Leave Without Consent. As a general rule, employees may not be placed on sick leave without their consent. However, if available medical evidence supports a conclusion that the employee is incapacitated for normal work, and there is no temporary light duty available, the employee may be placed on enforced sick leave, following the procedures listed below. In some situations, management may have reason to question employee's physical or

mental ability to perform their jobs. If the requirements of 5 CFR 339 can be met, the employee may be examined by an activity-selected physician. If those requirements cannot be met, the following options are available:

1. Assign the employee to light duty.
2. Suggest to the employee that (s)he appears to be incapacitated for duty, that (s)he should request sick leave, and that (s)he should bring in medical evidence of his/her condition. The supervisor may offer to have an activity-selected physician conduct the examination.
3. If the employee maintains that (s)he is capable of working his/her regular job and refuses to take sick leave or be examined by a physician, then the supervisor should determine whether or not placing the employee in his/her job would compromise safety. If it would, the employee should be placed on administrative leave immediately and the supervisor should contact the Human Resources Office Personnel Management Specialist.

(m) Control of Sick Leave. While it is desired and intended that employees be granted sick leave when entitled under existing regulations, it is incumbent on all levels of management to prevent the abuse of sick leave privileges by ensuring employees are not granted sick leave when not entitled. Particularly, all levels of supervision must maintain an intensive campaign in all offices to acquaint all employees with the legal requirements for entitlement to sick leave; to impress upon them the monetary benefits to themselves in not using their sick leave unless absolutely necessary, thereby letting it accumulate to their credit for use in case of a long and serious illness or injury; and to teach and encourage the desire on the part of the individual employees throughout the activity to reduce sick leave usage to a minimum. This can be best accomplished by direct and personal contact between supervisor and employee.

(n) Investigation of Reported Illness. Officials authorized to approve sick leave applications will be responsible for ensuring the cause of absence justifies approval. Accordingly, such officials will arrange for prompt investigation of the cases of reported illness in which the circumstances leave them in doubt as to the authenticity of the claimed illness. Such investigations should be made by supervisory personnel only and supervisors should consult their Human Resources Office Personnel Management Specialist.

d. Family Friendly Leave Act (FFLA). The Federal Employees FFLA, effective 2 December 1994, allows employees to take sick leave to care for a family member as a result of physical or mental illness, injury, pregnancy, childbirth, or medical, dental, or optical examination. Sick leave may also be taken to make arrangements necessitated by the death of a family member or to attend the funeral of a family member. The FFLA does not impose any additional procedures for requesting sick leave. In most cases, the same procedures employees now use to request their own sick leave will apply. Reference (g) provides amplifying guidance and reporting requirements.

e. Family and Medical Leave Act (FMLA). The FMLA applies to most permanent employees of the Federal Government, including nonappropriated funded employees, who have completed at least 12 months of service and provides for 12 administrative workweeks of unpaid leave during any 12-month period for a variety of reasons, as detailed in reference (h). It does not apply to part-time, intermittent, or temporary employees.

(1) Purpose. Court leave is the authorized absence of an employee from work status for jury duty, or for attending judicial proceedings in a nonofficial capacity when either party is Federal, State, or local government. Employees eligible for court leave are both permanent and temporary employees, and full- and part-time, except for those employed on an intermittent basis. Those employed on an intermittent basis may be granted any annual leave entitled, or may be placed on LWOP for any absence from duty for jury service.

(a) Jury Duty

1. First Shift. When an employee on the first shift is summoned to jury duty in a Federal, State, or municipal court, and is excused from jury duty prior to 1030 on any day included in such jury duty, the employee shall return to work not later than 1300 or be charged annual leave from 1100 to the time the shift ends. In extenuating circumstances (travel, etc.), supervisors may extend the hour of return to such time as is warranted by the employee's written justification.

2. Second Shift. Employees on the second shift summoned for consecutive days of jury duty who are excused from jury duty prior to 1230 on any day of jury duty shall report to work as scheduled or be charged annual leave for the second shift. In this instance, employees shall retain the court fee. Employees excused from jury duty after 1230 shall be placed on court leave for the second shift. On nonconsecutive days of jury duty, second shift employees excused from jury duty prior to 1830 shall report to duty not later than 2100 or be charged annual leave for the second shift from 1830 to the time the shift ends.

3. Third Shift. Employees summoned for consecutive days of jury duty shall be granted court leave for absences from the scheduled shift for the purpose of jury duty. If jury duty is on nonconsecutive days, third shift employees shall be granted court leave for the scheduled shift immediately preceding jury duty.

(b) Grand Jury. Jurors are normally required to report for duty at 0900. Employees required to report on or after 1300 shall be required to report for work or be charged annual leave from beginning of working hours until reporting for jury duty. If the employee reports for work, time will be granted to report for scheduled jury duty. Extenuating circumstances may exist that would prevent an employee reporting for duty prior to scheduled Grand Jury service. In this event, employees may be excused, provided acceptable written justification is submitted.

(c) Witness Service in Official Capacity. When summoned or assigned by the activity to testify in an official capacity or to produce official records, the employee is in an official duty status and entitled to regular compensation without regard to any entitlement to court leave.

(2) Leave Requests and Fees. An employee subpoenaed to serve on a jury or as a witness must present the subpoena (or other written document, summons, etc.) to the supervisor prior to reporting for such service. Upon completion of court service:

(a) Employees shall submit a leave request to the supervisor and deliver to the Payroll Office the completed Court Leave Application, NASP 12630/3, along with any monies, except travel expenses, paid for such service.

(b) Second or third shift employees who fulfill court service outside their shift and who do not request court leave may retain court fees paid for such service.

(c) Employees in a LWOP status when called for jury service, and consequently not entitled to court leave, may retain jury fees and per diem allowed for each day's attendance in court and for the time necessarily occupied in going to and from the court.

g. Military Leave

(1) Purpose. Military leave is an approved absence granted to members of all reserve components of the Armed Forces for military training purposes. Employees serving permanent, temporary indefinite, or temporary appointments pending establishment of a register (TAPER) are eligible for military leave. Employees serving on temporary limited or intermittent appointments are not eligible for military leave. However, regulations provide that upon request, an employee who is a reservist or member of the National Guard shall be granted annual leave or LWOP if not entitled to military leave.

(2) Accrual and Accumulation. Fifteen calendar days of military leave may be granted during any fiscal year to those full-time employees who are members of reserve components of the Armed Forces ordered to active duty for training. Military leave which is unused at the beginning of succeeding fiscal year is carried forward (not to exceed 15 calendar days). This gives a full-time employee the potential of 30 calendar days military leave during a fiscal year. Part-time employees accrue military leave at a rate determined by dividing 40 into the number of hours in the regularly scheduled workweek of the employee.

(3) Reservists Ordered for Law Enforcement Duties. In addition to the above, military reservists ordered to active duty for the purpose of law enforcement (i.e., riot and disaster control) may be granted an additional 22 workdays each year for this purpose. Upon return from such duty, reservists shall be required to submit a statement of earnings to determine the offset against civilian pay entitlement, including overtime that would have been received during the entire period the employee was under orders. Only military pay for those workdays within the normally scheduled tour of duty as a civilian are counted in figuring offset.

(4) Use of Annual Leave or Leave Without Pay. Employees may request annual leave or LWOP to attend drills or training.

(5) Nonworkdays. Nonworkdays falling within a period of absence on military training duty are charged against the 15 days of military leave allowed during the year; however, nonworkdays occurring at the beginning or ending of the training period are not charged.

(6) Procedure. Requests for military leave shall be submitted directly to the immediate supervisor at least 5 days in advance of effective date of active duty. Each request, Application for Leave, SF-71, shall be accompanied by a copy of training duty orders. Immediately after returning to duty, the employee shall provide their immediate supervisor a certified copy of the military orders indicating completion of training duty. Failure to

submit such certification shall be justification for converting the entire

period of absence to annual leave or LWOP, as appropriate. The immediate supervisor shall forward the certified orders to the Defense Financial and Accounting Center (DFAS), Building 603-1.

h. Leave for Parental and Family Responsibilities

(1) Pregnancy is a condition which eventually requires an employee to be absent from the job due to incapacitation. As a means of accommodating this temporary incapacitation, appropriate leave is granted to the employee; however, it should be recognized there is no separate maternity leave category. To the extent available, sick leave may be used to cover time required for physical examinations and period of incapacitation. An absence concerning pregnancy and confinement is to be treated like any other medically certified temporary disability. After delivery and a period of recuperation as certified by the physician, the employee may desire a period of adjustment or need time to make arrangements for care of the child. If additional leave is required, the use of available annual leave or LWOP may be granted.

(2) A male employee may request annual leave or LWOP for the purpose of assisting or caring for his minor children or the mother while she is incapacitated for maternity reasons. Requests for leave shall be considered on its own merit and the needs of the command. Refer to reference (g) for requesting leave under FFSL and reference (h) for unpaid leave under FMLA.

i. Leave Without Pay (LWOP)

(1) Purpose. Leave without pay is a temporary nonpay status and absence from duty which may be granted upon the employee's request. Authorizing LWOP is a matter of administrative discretion, and each request shall be examined closely. It does not include nonpay status on days for which an employee would be paid on an overtime basis and does not include days on which an employee is not scheduled to work. The permissive nature of LWOP distinguishes it from AWOL, which is a nonpay status resulting from a determination that leave of no type will be granted (including LWOP) for a period of absence for which the employee did not obtain advance authorization or for which a request for leave on the basis of alleged sickness has been denied. Additionally, LWOP granted an employee may not, at a later time, be converted to annual or sick leave except in the case of administrative error, participation in the voluntary leave transfer or voluntary leave bank programs, disability retirement, and employee compensation cases in which claims are allowed or when there has been a settlement or an order of an arbitrator, administrative law judge, or Federal judge in an employee dispute.

(2) Guidelines. An employee cannot demand LWOP as a matter of right except as follows:

(a) Disabled veterans are entitled to LWOP if required for medical treatment under Executive Order 5396 of 17 July 1960.

(b) Reserve and National Guard members are entitled to LWOP if required to perform military training duties under 38 USC 2024(d).

(c) For limited periods (not to exceed 1 year), employees are entitled to LWOP if receiving injury compensation under 5 USC Chapter 81.

(d) Leave without pay may be approved to employed dependents of transferring military or Federal personnel who are required to move on

rotational assignments, transfer of function or relocation of an activity, or who accept another Federal job outside the commuting area. The employed dependent shall be advised of their entitlement to request a grant of up to 90 days LWOP prior to separation incident to the transfer of the sponsor. The LWOP shall be granted only when the family member expresses an intent to seek Federal employment at the new location and the dependent's work performance has been satisfactory to warrant continued Federal employment. Family members, for this purpose, refers to any employed family member whose separation is incident to the transfer of a military or Federal civilian sponsor.

(3) Procedures for requesting LWOP. A request for 1 to 30 calendar days must be substantiated by an SF-71, with appropriate recommendation by the immediate supervisor and final approval or disapproval by the Department Head or designated official. If the request for LWOP is in excess of 30 days, it must be approved by the Executive Officer via the chain of command and shall be forwarded with a Request for Personnel Action, SF-52, to the Human Resources Office for preparation of a Notification of Personnel Action, SF-50, to place the employee on LWOP.

j. Excused Absences (Administrative Leave). An excused absence is an absence from duty administratively authorized without loss of pay and without charge to leave. There are limited instances when employees are absent from their normal productive assignments to perform acts or service officially sanctioned by the command. Examples of properly excused absences follow:

(1) Blood Donor. Supervisors are requested to encourage donations to the maximum extent possible (workload permitting) and to grant administrative leave for donation and recuperation not to exceed 4 hours. Those employees unable to donate after visiting the Bloodmobile shall return to work immediately. Administrative leave shall not be granted for blood donations unless blood is donated to the NAS Pensacola account at the Bloodmobile. Supervisory approval is required in all cases and shall be documented on Application for Leave, SF-71. Employees may donate blood to the NAS Pensacola account at the Northwest Florida Blood Center; however, administrative leave shall not be authorized for those donations.

(2) Voting and Registration. All employees of this activity are encouraged to exercise their voting rights. An employee may be granted an amount of excused time to report for work 3 hours after the polls open or leave work 3 hours before the polls close, whichever requires the lesser time off. Normally, the polls open at 0700 and close at 1900. Since normal work hours for all employees end no later than 1600, which is over 3 hours prior to closing time for the polls, no time off shall be allowed for employees voting where the polls open at 0700 and close at 1900. Employees on flexible work schedules will be excused only for those hours which cannot be accommodated by their flexible schedules.

(3) Interruption or Suspension of Operations. The command will defer securing operations in the event of pending tropical storms or hurricanes until all meteorological evidence signifies it is in the direct path of gale force or hurricane winds, and that further delay will result in insufficient time to enable all personnel, equipment, and materials to be secured without

danger. The ultimate decision to grant administrative excusal shall be made by the Commanding Officer or designated representative. The following procedures shall be applied during interruption or suspension of operations:

(a) Employees shall be required to use annual leave in cases where 24 hours advance notice can be given, or when notice is given to employees before the end of the shift immediately preceding the one in which they are to be placed on leave.

(b) When neither 24 hours notice, nor notice before the end of the immediate preceding shift is possible, employees shall be administratively excused.

(c) Employees who do not have accumulated leave to their credit may be granted LWOP or advance annual leave not to exceed the expected leave accrual for the balance of the leave year.

(4) Medical Examination or Treatment. Absence for the purpose of medical, optical, or dental examination or treatment is ordinarily charged to sick leave. The following types of absence from duty for these purposes, however, are excused without charge to leave:

(a) Examinations under Department of the Navy health programs.

(b) Treatment at a naval dispensary of an employee who becomes ill after reporting to work, provided, following treatment, the employee returns to work. If the employee is sent home, time spent at the dispensary, as evidenced by Dispensary Permit, NAVSO 5100/9, shall be charged to sick leave.

(c) Special examination, whether requested by the employee or by management for determining physical qualifications for placement in reduction-in-force situations.

(d) To obtain corrective or protective eye wear required by the Safety and Occupational Health Officer.

(e) To receive emergency treatment and examination for an employee injured on the job.

1. If an employee sustains an injury on the job, the time during the employee's scheduled work hours spent in obtaining emergency treatment and examination is regarded as duty status and shall not be charged as leave. Scheduled overtime shall not be reduced or extended for purposes of treatment.

2. If an employee is injured during unscheduled overtime, the employee shall be carried in a pay status for the time spent receiving emergency treatment or examination, not to exceed 2 hours.

3. If, after receiving treatment or examination for an on-the-job injury, the employee is not returned to duty, any time remaining in the employee's scheduled workday shall be regarded as official duty time and shall not be charged as leave.

4. An employee who sustains a disabling job-related traumatic injury is entitled to continuation of regular pay for a period not to exceed 45 calendar days. Appropriate documentation of the injury must be submitted on OWCP CA-1 form to the supervisor who shall in turn submit the CA-1 to the

Worker's Compensation Office at the Human Resources Office. If the employee stops work on the day (or shift) of injury, the command shall keep the employee in a pay status for the remainder of that day (shift) with no charge to the 45-day period. If the employee stops work for only a portion of a day

or shift, such day or shift shall count as 1 calendar day. In any event, prior to clocking an employee on Continuation of Pay, supervisors should contact the Office of Worker's Compensation at the Human Resources Office to verify medical documentation has been received and continuation of pay is appropriate.

(5) Taking Examinations. This applies only to exams given by or taken at the request of the activity. Employees shall be excused, without charge to leave or loss of pay, for all examinations required for converting to career-conditional appointments or for required noncompetitive examinations within the same employing activity.

(6) Personal Excellence Partnership Program. Civilian employees may be excused for short periods of time without loss of pay or charge to leave to participate in command sponsored volunteer activities. Approval of absences will be subject to workload requirements and manpower availability, and will be limited to 3 hours per pay period. Employees under "flexitime" will annotate "Time and Attendance Record/Certification" sheets to indicate "Duty Off Station" and times of departure and return.

(7) Time Off from Duty as an Incentive Award. Time off from duty may be granted without loss of pay or charge to leave in recognition of superior accomplishment or other personal effort which contributes to the quality, efficiency, or economy of government operations. All DON civil service employees are eligible for the award. A "Time-Off Award" for an employee may be considered for:

(a) Making a high-quality contribution involving a difficult or important project or assignment.

(b) Displaying special initiative and skill in completing an assignment or project before the deadline.

(c) Using initiative and creativity in making improvements in a product, activity, program, or service.

(d) Ensuring the mission of the unit is accomplished during a difficult period by successfully completing additional work or a project assignment while maintaining own workload.

(e) Successfully participating in a Process Improvement Team effort.

(f) Submitting a suggestion which has been adopted but, because the suggestion is considered within normal job responsibilities's, not eligible for a cash award.

(g) Recognition for high level performance based on an Annual Rating of Record.

1. The maximum amount of time which may be granted to an employee for a single contribution is 40 hours, and total time off may not

exceed 80 hours during 1 year. A decision to grant a "Time-Off Award" for a period exceeding 16 hours must be reviewed and approved by the Executive Officer.

2. "Time-Off Awards" must be taken within 1 year from approval date. Any unused amount after that time must be forfeited without further compensation.

3. A "Time-Off Award" does not convert to cash under any circumstances, including retirement and/or resignation.

4. "Time-Off Awards" will be submitted using enclosure (1) and forwarded as appropriate to Management Assistant Office. An SF-50 will be issued by HRO for each "Time-Off Award" at the time the award is granted.

k. Absence Without Leave (AWOL). An absence from duty which is not authorized or approved, or for which a leave request has been denied, is properly charged as AWOL and may result in disciplinary action. It does not necessarily mean the employee has insufficient reason for requesting leave but that the employee's presence was required and the reason for requesting leave was one for which approval is not mandatory. An employee who is AWOL is charged the exact amount of time absent (to the minute). Only absences during the regularly scheduled basic tour of duty may be considered AWOL. Absences from scheduled overtime are "unauthorized absences," not AWOL.

6. Delegation of Authority. The Commanding Officer is responsible for the overall administration of leave policies; however, certain authority has been delegated as follows:

a. All supervisors are delegated the authority to:

(1) Approve or disapprove requests for annual leave, sick leave/FFSL, military leave, and court leave. Requests for FMLA leave must be approved, as a minimum, by the second level supervisor.

(2) Approve or disapprove requests for excused absences (administrative excusable) for:

(a) Blood donor participation not to exceed 4 hours.

(b) Voting and registration to vote.

(c) Interruption or suspension of operations when approved by the Commanding Officer.

(d) Medical examination or treatment at the naval dispensary (Industrial Health Office).

(e) Taking examinations required for conversion to career-conditional appointments or for required noncompetitive examinations within the same employing activity.

(f) Personal Excellence Partnership Program, subject to workload requirements and manpower availability. Limited to 3 hours per pay period.

b. Directors and Department Heads are delegated the authority to approve or disapprove all absences covered above, as well as:

(1) Requests for Leave Without Pay (LWOP) for less than 30 days

(2) Requests for advance leave for less than 30 days

(3) Excused absence/administrative leave for less than 4 hours

(4) "Time-Off Award" not to exceed 16 hours

c. The Executive Officer is delegated the authority to approve or disapprove requests for any leave covered above, as well as:

(1) Restoration of forfeited annual leave

(2) Requests for Leave Without Pay (LWOP) for more than 30 days not to exceed 1 year

(3) Requests for advance leave that exceeds 30 days

(4) Excused absence/administrative leave for 4 hours or more

(5) Administrative excusals for emergency rescue or protective work

(6) Reviewing official for "Time-Off Awards" that exceed 16 hours

7. Forms. Application for Leave, SF-71; Request for Personnel Action, SF-52; Court Leave Application (Jury Duty), NASP 12630/3; and OWCP CA-1 are available through normal supply channels or the Human Resources Office.

/s/

J. M. DENKLER

Distribution:

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Commanding Officer

NAS Pensacola

190 Radford Blvd

Pensacola, FL 32508-5217