



FORT BENNING CPAC HR OVERVIEW LEAVE AND RELATED ISSUES

Ron Vanderhoof

Ronald.Vanderhoof@US.Army.mil (706) 545-1793

Dan Smith (706) 545-2726 - Daniel.Smith3@US.Army.mil



Discussion Items

After completion of this lesson, participants will be able to:

- Describe the various leave programs.
- Employees & Supervisors Role.
- Understand LWOP and its impact on Federal benefits.
- Understand what constitutes leave abuse.
- Understand GS (Legacy) and FWS Within Grade Increases.



Leave Programs and Categories

Annual Leave
Sick Leave
Leave Without Pay
Funeral Leave
Court Leave
Bone Marrow or Organ Donor Leave
Military Leave
Family and Medical Leave
AWOL
Home Leave
Excused Absence

Leave Transfer Program
Compressed and Flexible Work Schedules

Reference: www.opm.gov/oca/leave/index.htm
Reference: www.federalhandbooks.com
Reference: www.cpol.army.mil/library/permis



Employee's Responsibilities

- Know leave procedures and follow them
- Be at work unless they have approved leave
- Ensure they have sufficient leave balance for requested leave
- Plan leave in advance whenever possible
- Bring in a doctor's note or medical documentation as required or when requested by their supervisor



Is it ok for employees to call in and ask their co-worker to tell their supervisor that they will not be in? What if they were not able to reach the supervisor?



Supervisory Responsibilities

- Communicate the leave policies to your employees
- Encourage leave planning
- Monitor balance and usage
- Control abuse and document problems - don't wait to address leave issues
- The supervisor is the leave approving official (includes acting supervisor)
- Take corrective action when necessary



Properly requested annual leave can only be denied for mission reasons



Specific Situations – Leave Issues



- The most frequent disciplinary offenses in the Army are leave related
 - chronic tardiness
 - leave abuse
 - excessive absenteeism
 - absent without official leave (AWOL)



Employee's need to

- 1) Follow established leave requesting procedures
- 2) Understand Annual Leave Use or Lose Policy



Sick Leave

- Types of sick leave
 - Personal sick leave
 - Sick leave to care for a family member (also referred to as sick leave for Family Care or Bereavement Purposes)
 - Sick leave to care for a family member with a serious health condition



Sick Leave Procedures

- Employees responsible for requesting sick leave generally within 2 hours of beginning of start of shift IAW office call-in procedures and the Collective Bargaining Agreement
- Employee's need to understand the established call-in procedures.





Personal Sick Leave

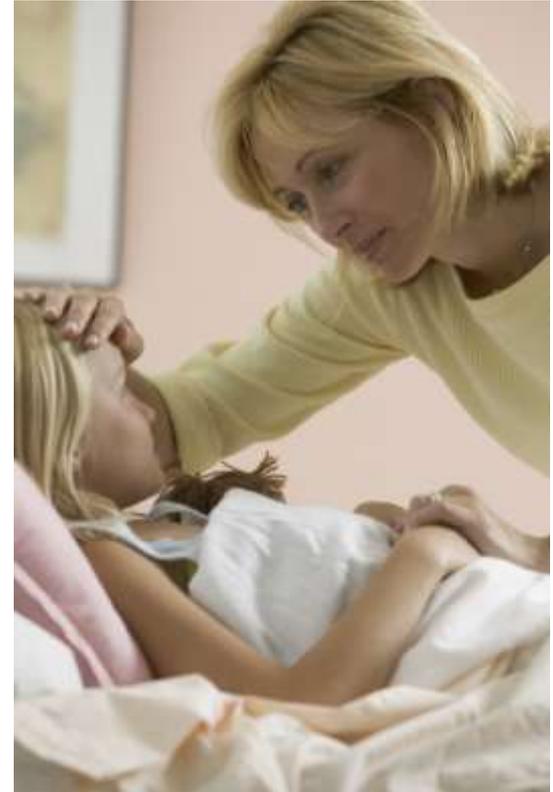
- Incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth
- Receives medical, dental, or optical examination or treatment; or
- Jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease





Sick Leave to Care for a Family Member

- Up to 104 hours (13 days) of sick leave each leave year to:
 - Care for family member (illness, injury, pregnancy, childbirth, and medical/dental/optical appointments)
 - Attend the funeral of a family member



No longer required to maintain a minimum balance of 80 hours



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

“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

1. *Includes* such conditions as cancer, heart attacks, strokes, severe injuries, Alzheimer’s disease, pregnancy, and childbirth
2. *Does not include* bonding with newborn child or care for a healthy newborn child. Once the mother’s period of incapacitation ends, there is no further entitlement to use sick leave



Sick Leave for Adoption

- Authorizes use of sick leave for purposes related to adoption of a child
- Includes appointments with adoption agencies, social workers & attorneys
- May include time to bond with the child if required by court or adoption agency
- No specified limit on the amount of leave that can be used



Absence Without Official Leave (AWOL)

- Not authorized or approved leave
- Document time & attendance cards.
- Counsel employee each time/may require MFR
- May be basis for disciplinary action
- Charged only during regular tour of duty



Special Situations – Family Medical Leave Act (FMLA)





FMLA Employee Eligibility

- Covered employees:
 - Employees covered by Title 5
 - NAF employees

- Excluded employees:
 - Temporaries } NTE 1 Year.
 - Intermittent employees

- Service Requirement-12 Months
 - Doesn't have to be consecutive
 - Military service doesn't count



FMLA Leave Entitlement

- Birth & care of newborn child (within 1 year after birth);
- Placement of a child with employee for adoption/foster care (within 1 year after placement);
- Care of spouse/child/parent with serious health condition; or
- Serious health condition of employee that makes employee unable to perform duties of his or her position.



Interaction of Sick Leave and FMLA

- The definition of family member is a little narrower under FMLA - Unlike the sick leave rules, FMLA does not apply to the care of in-laws (unless in loco parentis)
- An employee may use or substitute up to 12 weeks of SL for FMLA if he/she is caring for a spouse, son/daughter or parent with a serious health condition
- An employee may use 12 weeks of SL to care for a family member with a serious health condition and then invoke his/her entitlement to FMLA for an additional 12 weeks of unpaid leave (or paid leave) to care for a spouse, son/daughter or parent with a serious health condition



Important Considerations

Intermittent or reduced leave schedule

--May be used when medically necessary for serious health condition.

--May not be used for birth or adoption/foster care unless agency and employee agree otherwise.

Advance notification

--Was the situation foreseeable?





The “Absent Employee”

- “I’m only a few minutes late”
- “My car keep’s breaking down”
- “Others come late and you don’t give them a hard time”
- “I called in and left you a voice message”





Leave Without Pay (LWOP)

- Leave without pay (LWOP) is a 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 agency internal policy.
- Employees should be aware that LWOP affects their entitlement to or eligibility for certain Federal benefits:
- Career tenure; Health benefits; Within-grade increases; Accrual of annual and sick leave; and Thrift Savings Plan (TSP).



Leave Rates of Accrual Full-Time Employees

- Annual Leave – Per Pay Period - Less than 3 Years: 4 hours; 3 Years but less than 15 Years: 6 hours; Over 15 Years of service: 8 hours. Max balance: 240 Hours.
- Sick Leave - 4 hours for each pay period. Max balance: No limit.
- Military Leave - A Federal employee who is a member of the National Guard or Reserves is entitled to 15 days (120 hours) of paid military leave under 5 U.S.C. 6323(a) each fiscal year for active duty, active duty training, or inactive duty training.



Home Leave

- Employees recruited for overseas duty from the United States and who may accumulate 45 days of annual leave under section 6404(b) of title 5, United States Code, are entitled to earn, and may be granted home leave. Home leave may be used **only** in the U.S.
- An employee is eligible to use leave entitlements only when he/she has completed 24 months of **continuous service abroad**.
- There is no limit on accumulation of home leave.



Leave Abuse

- A “pattern of abuse” in regard to sick leave typically refers to employees who, over a period of time, have violated the organization’s attendance policy on numerous occasions.
- When leave abuse is identified the manager places the employee under a leave restriction.



Leave Restriction Letter

- 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
- Sample Letters at: <http://cpol.army.mil/library/permis>



Within-Grade-Increase (WGI)

- A within-grade-increase (WGI) is an increase in the employee's rate of basic pay by advancement from one step of his/her grade to the next after meeting requirements for length of service and satisfactory performance.
- Personnel actions effecting WGIs are generated automatically.
- Can be denied due to poor performance.
- Following are the waiting periods for General Schedule and Federal Wage System employees:



Waiting Period – General Schedule

- Waiting Period for General Schedule (GS) (full-time) with a prearranged regularly scheduled tour of duty:
- For advancement to steps 2, 3, and 4 - 52 calendar weeks;
- For advancement to steps 5, 6, and 7 - 104 calendar weeks;
- For advancement to steps 8, 9, and 10 - 156 calendar weeks.



Waiting Period - Federal Wage System

- Waiting Period for Federal Wage System (WG/WS) (full-time) with a prearranged regularly scheduled tour of duty:
- For advancement to step 2, 26 calendar weeks in step 1;
- For advancement to step 3, 78 calendar weeks in step 2;
- For advancement to steps 4 and 5, 104 calendar weeks in steps 3 and 4, respectively.



COMMENTS OR QUESTIONS?

