



UNITED STATES MARINE CORPS
U.S. MARINE CORPS AIR STATION
YUMA, ARIZONA 85369

IN REPLY REFER TO:
StaO P12630.2
3BF:MSM

24 MAY 1982

STATION ORDER P12630.2

From: Commanding Officer
To: Distribution List

Subj: Absence and Leave of Civilian Employees

Ref: (a) FPM/CPM/CPI 630
(b) FPM/CPI 752
(c) FPM/CPI/CPM 610

Encl: (1) Locator Sheet

1. Purpose. To provide data concerning the administration of leave and absences of civil service personnel of the Marine Corps Air Station, Yuma, Arizona.

2. Background. Reference (a) contains general policies and procedures established by law or regulation for the administration of all types of leave and absence of civil service personnel. Reference (b) contains general policies and procedures established by law or regulation for related disciplinary action. Reference (c) contains general policies and procedures established by law or regulation on holidays and administrative dismissals of employees. For guidance in the administration of leave and absence, these basic policies and procedures are set forth in Chapters (1) through (11) in condensed form.

3. Action. All personnel concerned with the administration of leave and absence of civil service personnel will be governed by the contents of this Order and references (a) through (c).

4. Certification. Reviewed and approved this date.


G. C. HUGAN
By direction

DISTRIBUTION: C

24 MAY 1982

LOCATOR SHEET

Subj: Absence and Leave of Civilian Employees

Location: _____
(Recipients enter information as to where this publication is maintained)

ABSENCE AND LEAVE OF CIVILIAN EMPLOYEES

RECORD OF CHANGES

CHANGE NUMBER	DATE OF CHANGE	DATE RECEIVED	DATE ENTERED	SIGNATURE OF PERSON ENTERING CHANGE

ABSENCE AND LEAVE OF CIVILIAN EMPLOYEES

TABLE OF CONTENTS

	<u>PAGE</u>
<u>CHAPTER 1: GENERAL PROVISIONS</u>	
PARAGRAPH 101: ACCRUING LEAVE	1-1
PARAGRAPH 102: CHARGING LEAVE	1-1
PARAGRAPH 103: HOLIDAYS	1-2
PARAGRAPH 104: REFUND OF UNEARNED LEAVE	1-2
PARAGRAPH 105: UNPLANNED ABSENCES DUE TO UNFORESEEN CIRCUMSTANCES .	1-3
PARAGRAPH 106: APPROVAL OR DISAPPROVAL OF LEAVE REQUESTS	1-4
<u>CHAPTER 2: ANNUAL LEAVE</u>	
PARAGRAPH 201: ACCRUAL AND CREDIT	2-1
PARAGRAPH 202: MAXIMUM ACCUMULATION	2-1
PARAGRAPH 203: REQUESTING ANNUAL LEAVE	2-1
PARAGRAPH 204: GRANTING ANNUAL LEAVE	2-2
PARAGRAPH 205: TEMPORARY RESTORATION OF FORFEITED ANNUAL LEAVE. . .	2-3
<u>CHAPTER 3: SICK LEAVE</u>	
PARAGRAPH 301: ACCRUAL AND CREDIT	3-1
PARAGRAPH 302: REQUESTING SICK LEAVE	3-1
PARAGRAPH 303: GRANTING SICK LEAVE	3-1
PARAGRAPH 304: RECORDING SICK LEAVE	3-2
PARAGRAPH 305: MEDICAL CERTIFICATE	3-2
PARAGRAPH 306: REQUIRING SICK LEAVE	3-3
PARAGRAPH 307: ABUSE.	3-3
PARAGRAPH 308: ADVANCED SICK LEAVE.	3-3
PARAGRAPH 309: VISITS TO THE DISPENSARY	3-4
PARAGRAPH 310: ON-THE-JOB-INJURY.	3-5
<u>CHAPTER 4: FUNERAL LEAVE</u>	
PARAGRAPH 401: ADMINISTRATION	4-1

ABSENCE AND LEAVE OF CIVILIAN EMPLOYEES

	<u>PAGE</u>
<u>CHAPTER 5: MILITARY LEAVE</u>	
PARAGRAPH 501: POLICY	5-1
PARAGRAPH 502: MILITARY LEAVE	5-1
PARAGRAPH 503: RESERVE COMPONENTS	5-1
PARAGRAPH 504: TYPES OF DUTY NOT COVERED.	5-1
PARAGRAPH 505: ADVANCE REQUESTS FOR MILITARY LEAVE.	5-2
PARAGRAPH 506: COMPUTATION OF MILITARY LEAVE.	5-2
PARAGRAPH 507: RESTORATION FOLLOWING MILITARY LEAVE	5-2
<u>CHAPTER 6: COURT LEAVE</u>	
PARAGRAPH 601: GENERAL PROVISIONS	6-1
PARAGRAPH 602: SUBSTANTIATION OF REQUEST FOR COURT LEAVE.	6-1
PARAGRAPH 603: PROVISIONS RELATING TO COMPENSATION AND FEES - JURY SERVICE.	6-2
PARAGRAPH 604: PROVISIONS RELATING TO COMPENSATION AND FEES - WITNESS SERVICE	6-2
<u>CHAPTER 7: ABSENCE FOR MATERNITY REASONS</u>	
PARAGRAPH 701: GENERAL	7-1
PARAGRAPH 702: POLICY	7-1
PARAGRAPH 703: EMPLOYEE RESPONSIBILITIES.	7-1
PARAGRAPH 704: SUPERVISOR RESPONSIBILITY.	7-1
PARAGRAPH 705: LEAVE REQUESTS	7-1
<u>CHAPTER 8: LEAVE WITHOUT PAY</u>	
PARAGRAPH 801: GENERAL ADMINISTRATION	8-1
<u>CHAPTER 9: ADMINISTRATIVE DISMISSAL</u>	
PARAGRAPH 901: AUTHORITY, COVERAGE AND POLICY	9-1
PARAGRAPH 902: ADMINISTRATIVE DISMISSALS IN SITUATIONS INVOLVING INTERRUPTION OR SUSPENSION OF OPERATIONS	9-1
PARAGRAPH 903: AUTHORITY TO CLOSE ALL OR PART OF AN ACTIVITY	9-2

ABSENCE AND LEAVE OF CIVILIAN EMPLOYEES

	<u>PAGE</u>
<u>CHAPTER 10:</u> EXCUSED ABSENCE	
PARAGRAPH 1001: TYPES OF EXCUSED ABSENCE10-1
<u>CHAPTER 11:</u> DISTINCTIONS BETWEEN LEAVE WITHOUT PAY AND ABSENCE WITHOUT LEAVE	
PARAGRAPH 1101: LEAVE WITHOUT PAY.11-1
PARAGRAPH 1102: ABSENCE WITHOUT LEAVE (AWOL)11-1

FIGURES

FIGURE 1SAMPLE FORM LETTER-REQUIREMENT TO SUPPORT SICK LEAVE REQUEST WITH PHYSICIAN'S CERTIFICATE
FIGURE 2CHART SHOWING EMPLOYEE ABSENCES FOR COURT OR COURT- RELATED SERVICES

CHAPTER 1

GENERAL PROVISIONS101. ACCRUING LEAVE

1. General. Leave shall accrue to an employee while in a pay status. For rates of accrual, see Chapter (2) for annual leave and Chapter (3) for sick leave. Firefighters on 24-hour shifts will accrue leave in accordance with Chapter (2).
2. Reduction of Leave Credit Because of Nonpay Status. Each time a fulltime employee's absence in a nonpay status within a leave year totals 80 hours, the accrual for that period is lost for both sick and annual leave. When reduction in leave credits is required during the last pay period in the calendar year for an employee in the six-hour leave accrual category (entitled to accrue ten hours leave in such period), leave credits for that period shall be reduced by six hours only. No leave shall accrue to the credit of an employee who is in a nonpay status for an entire leave year. All absence in a nonpay status which does not total a sufficient number of hours to require reduction of leave credits at the end of the year shall be dropped at that time. When the total of 80 hours of absence in a nonpay status is reached during an employee's last pay period of employment, an adjustment in their leave accrual is not required if they separate before the end of the pay period.
3. Full Biweekly Pay Period. Annual and sick leave shall accrue to an employee during each full biweekly pay period while in a pay status or in a combination pay and nonpay status. For the purpose of crediting leave, an employee is considered to have been employed for a full biweekly pay period if employed during such period on all days which fall within the basic administrative workweek, exclusive of holidays and all nonworkdays. **Specifically,** this means that an employee who enters or leaves the Federal Service during a biweekly pay period will receive no leave for the time worked during such incomplete pay period. The Comptroller General has ruled, however, that an employee who enters on duty on the second day of the pay period when the first day is a holiday is entitled to earn leave for that pay period.
4. Employee in Receipt of Injury Compensation. An employee on leave without pay while receiving injury compensation from the Office of Workers' Compensation Program does not earn any leave during such period of absence; however, since the employee earned no leave, no reduction in leave credits is required.

102. CHARGING LEAVE

1. General. Both annual and sick leave are charged to an employee's account only for absence on regular workdays, that is, days on which the

employee would otherwise work and receive pay. Leave is not charged for absence on holidays and nonworkdays established by Federal statute, executive orders, or administrative action. When a holiday is declared by general administrative order to be a workday, an employee who is absent from work without permission on that day shall be subject to loss of one day's pay.

2. Minimum Charge. The minimum charge for annual leave, sick leave and leave without pay shall be one-half hour. Additional leave shall be charged in multiples of one-half hour. An employee charged leave in multiples of one-half hour for tardiness cannot be permitted to perform duty for those half hours of leave charged against the account. Leave absences may not be combined on parts of two calendar days to provide for a minimum grant of annual or sick leave.

3. Firefighters. Firefighters will be charged leave in the same proportion as earned. (See Chapter 2).

103. HOLIDAYS

1. Federal Legal Holidays

a. The following days were designated as legal holidays and nonworkdays for Federal employees:

New Year's Day	1 January
Washington's Birthday	third Monday in February
Memorial Day	last Monday in May
Independence Day	4 July
Labor Day	first Monday in September
Columbus Day	second Monday in October
Veterans Day	11 November
Thanksgiving Day	fourth Thursday in November
Christmas Day	25 December

b. Employees, except firefighters, shall not be charged leave for absence on any of the above holidays. Leave will be charged for Firefighters when absent if the holiday falls within their regular tour of duty.

c. Unauthorized absence on a holiday (failure to report to work on a holiday when scheduled to work) shall be treated the same as any other unauthorized absence.

2. State and Local Holidays. Individual employees desiring to observe such holidays must do so on approved annual leave or leave without pay.

104. REFUND OF UNEARNED LEAVE

1. General. When an employee has been granted advance annual or sick leave and is separated before that leave is earned, the value of the leave is recovered from any pay due. A refund is not required if the separation is due to:

a. Death or disability retirement.

b. Resignation or separation because of disability which prevents the employee from returning to duty or continuing in the service, and the disability is the basis of the separation as determined on acceptable medical evidence.

2. Separation for Military Service. Employees who enter active military service with restoration rights are not considered separated for purposes of this section.

3. Procedure to be Followed When Refund for Overdrawn Leave is Required. Refund shall be collected in accordance with the procedures specified in paragraph 033020 of the NavCompt Manual.

105. UNPLANNED ABSENCES DUE TO UNFORESEEN CIRCUMSTANCES

1. Requests for annual leave for emergency purposes shall be considered by the employer on an individual merit basis. The employee, at the time the request is made, shall inform the employer of the reasons and time required for emergency leave purposes. Consistent with the needs of the Station, the employer will maintain a liberal leave policy in emergency circumstances such as, but not necessarily limited to, the following:

a. death in the employee's immediate family;

b. illness in the employee's family where the employee's care and attendance are required.

The employee must call in as soon as possible normally within two hours after the beginning of the scheduled work hours. An employee will not be required to speak directly to their own supervisor when calling in for emergency annual leave, unless the employee has a previous record of failing to have their absence conveyed to the supervisor. Another person may call on behalf of the employee only if the employee is unable to make the call. Unless otherwise approved, the employee must call again if additional emergency annual leave time is needed.

2. It is the responsibility of employees to know the telephone number and/or address of the office responsible for recording their attendance.

3. When notice is not received from the employee as required above and time cards must be submitted to payroll, the absence shall be reported on the employee's time card as "Absent Without Leave". A subsequent adjustment made by submission of a corrected time card will depend upon the circumstances of the case as reported by the employee and evaluated by the cognizant official. Absences remaining as "Absent Without Leave" (AWOL), normally require that disciplinary action be initiated in accordance with

reference (b). Changes from "Absent Without Leave" status to approved leave, sick or annual, should be explained in detail and attached to the time card. An approved Leave Application covering the proper type leave will be submitted to substantiate the change. Also, a job card correction will be submitted to show a credit to the erroneous type leave and a debit to the type leave that should be charged.

4. When unauthorized absence of an employee continues for a period of five working days, action should be initiated to determine whether removal may be warranted from the employee's position for abandonment of position by submission of such recommendation via official channels to the Civilian Personnel Officer. Upon receipt of such request, the Civilian Personnel Officer will initiate proper action to ascertain whether the employee in fact has abandoned the position, and if so, will begin requested removal action.

106. APPROVAL OR DISAPPROVAL OF LEAVE REQUESTS. Supervisory personnel who have been delegated authority to approve or disapprove leave requests, will ascertain the circumstances of each request and will promptly notify the employee of the disposition of the leave application.

CHAPTER 2

ANNUAL LEAVE

201. ACCRUAL AND CREDIT. Employees accrue annual leave when in a pay status on the basis of creditable civilian Federal service and active military service. Retired military may receive credit for certain wartime service only. Earning rates for full-time employees:

<u>Years of Service</u>	<u>Hours Per Pay Period</u>
Up to 3	4
3 to 15	6*
15 or more	8

*Additional accrual of four hours for last full pay period in the Calendar Year.

Firefighters on a 72-hour Schedule:

Up to 3	7 the first 25 Pay Periods 12 the last Pay Period
3 to 15	11 the first 25 Pay Periods 13 the last Pay Period
15 or more	14 the first 25 Pay Periods 24 the last Pay Period

202. MAXIMUM ACCUMULATION. Employees are entitled to carry over 240 hours of annual leave into the next leave year. Overseas employees are entitled to carry over 360 hours. Employees returning from overseas with more than 240 hours of annual leave, retain their personal ceiling which reduces to 240 hours as it is used. Any annual leave in excess of these maximum accumulations is automatically forfeited, except in the case of retirement. (See Paragraph 5 below). When an employee retires, all accrued leave will be paid in a lump-sum.

203. REQUESTING ANNUAL LEAVE. All employees will request annual leave on Standard Form 71 "Application for Leave", or initial for such absences on their time card. Leave will be requested from the appropriate supervisor prior to the period of absence desired. Requests for annual leave of one or two days should be made at least one day in advance. Normally, requests for longer periods of absence should be made at least two weeks in advance. It is the employee's responsibility to schedule annual leave in excess of one (1) week, on or before the last regular work day of February and August. Supervisors will resolve any conflicts in requested leave, prepare and announce the leave schedule to requesting employees as soon as feasible. It is understood that employees may submit requests for annual leave for vacation purposes at any time during the leave year. However, if a conflict in schedules arise, scheduled leave requested and

approved during the February and August periods will take precedence. If leave is denied at earlier periods, the supervisor will make every effort to immediately assist the employee to reschedule leave in order to avoid forfeiture of leave at the end of the year.

204. GRANTING ANNUAL LEAVE

1. Planning Annual Leave. Supervisory personnel are responsible for determining when and the extent to which annual leave is to be granted. They will ensure that adequate plans are made to provide scheduled vacation periods and will grant and direct the use of annual leave to prevent any loss of annual leave at the end of the leave year as well as provide workload coverage. Supervisors will assure that all "use or lose" annual leave is scheduled by employees prior to the end of the third biweekly pay period prior to the end of the leave year. This does not preclude the scheduling of leave for use during the last three pay periods of the leave year. Supervisors, however, should not wait until this date approaches to see that such leave is scheduled. Accrued annual leave may be granted at any time during the year.

2. Required Annual Leave. The employer may require any employee to take annual leave, if available, due to lack of work, scheduled maintenance, etc; or because the employee appears to need time off due to physical or mental stress (action in this case is subject to review by higher authority); or to require employees to reduce their excess annual leave balance. When an employee's services are not needed for short periods of time, or when it is otherwise desirable, management may direct the use of annual leave to the extent that such credits are available for use. An employee may not, however, be placed on annual leave without their consent during any period of notice of adverse action for cause.

a. Advance notice requirement

(1) In cases of interrupted or suspended operations, employees who cannot be assigned to other work will be required to use annual leave in all cases where 24 hours advance notice can be given.

(2) When such situations develop too late to give 24 hours advance notice, employees who cannot be assigned to other work will be required to use annual leave only if notice can be given before the end of their shift immediately preceding the one in which they are to be placed on leave. Such involuntary use of leave without 24-hour notice may not exceed 5 days in any leave year.

(3) When neither 24 hours notice nor notice before the end of their immediately preceding shift is possible, employees who cannot be assigned to other work shall be excused for not to exceed 8 hours and will then be

placed on enforced annual leave for subsequent continuous absence required beyond 8 hours, provided a 24-hour advance notice can be given.

(4) The foregoing applies only to conditions which cannot reasonably be foreseen, e.g., power or equipment failure, weather conditions affecting only certain kinds of work but not the activity as a whole, etc. Circumstances such as reduction of leave accumulations for budgetary reasons, etc., are not considered "unforeseen".

b. Requiring absence when no annual leave is available. When the use of annual leave is directed and the employee has no accumulated annual leave available, at the employee's request, they will be granted leave without pay or, if in accordance with Station practices, will be advanced annual leave not to exceed the expected leave accrual for the balance of the leave year. If neither leave without pay nor advanced annual leave is requested by the employee, every effort should be made to assign them to other duties elsewhere on Station or at another DOD installation. If this is not possible, furlough may be used as a last resort.

3. Advance Annual Leave. A supervisor may make available to an employee at the beginning of the year the accruals which will be earned during the balance of that leave year. The Department Head may approve annual leave to an employee in advance of its actual earning to the extent that leave will accrue to them during the current leave year. When employees are serving under temporary appointments or under probationary or trial periods, advanced leave should not exceed an amount which is reasonably assured will be subsequently earned. When it is known, or reasonably assured, that an employee is to be separated or retired during the year, advanced leave may not exceed the amount that will accrue prior to the anticipated separation or retirement.

4. Outside Organizations. When work loads permit, employees will be granted annual leave for the purpose of attending conventions or conferences of organizations of which they are members. Every effort will be made to permit leave for the observance of religious holidays by employees of all faiths.

5. Denial. Denial of annual leave use will be based upon factors which are reasonable and which do not discriminate against any employee or group of employees.

6. Transfer. Upon transfer, leave will be forwarded to the new duty station.

7. Separation. Upon separation, an employee will be paid (lump-sum) for unused accrued annual leave.

205. TEMPORARY RESTORATION OF FORFEITED ANNUAL LEAVE. Forfeited annual leave may be temporarily restored when it was forfeited due to operational demands, sickness or administrative error provided that the annual leave was scheduled,

in writing, in advance. An approved Standard Form 71, "Application for Leave", will be used to document the scheduling of annual leave. The decision to schedule annual leave for use must be made, in writing, before the start of the third biweekly pay period prior to the end of the leave year. Restored forfeited annual leave must be scheduled and used no later than the end of the leave year ending two years after the termination date of the operational demand or the date the employee is determined to be recovered and able to return to duty following sickness or the date of restoration of the annual leave forfeited because of administrative error. If the restored leave is not used before separation (if this occurs before the specified time limit for use) the employee receives a lump-sum payment for the unused leave.

1. Operational Demands. Temporary restoration of annual leave forfeited because of operational demand is authorized provided that such leave was scheduled in writing and in advance. The determination that an operational demand is of such importance that employees cannot be excused from duty for the duration of the demand will normally be made in advance. Only bona fide emergency would preclude making the decision in advance. Before cancellation of scheduled leave, or the assignment of employees who will forfeit annual leave because of the work requirement generated by the operational demand, it must be determined that there is no alternative to this action. A specific beginning date and ending date of the operational demand must be fixed, in advance, unless the suddenness or uncertainty of the circumstances prevent advance decision. Absence of one or more employees due to illness may generate problems for the work area because the work performed by the employee(s) must be accomplished by the remaining work force. Workload considerations, however, that are created by employee absences due to illness may not be used as the basis for cancelling scheduled leave or for re-scheduling the use of annual leave to avoid forfeiture for other employees unless the above requirements relating to the operational demand are completely satisfied. The determination that an operational demand is of such importance that employees cannot be excused from duty for the duration will be made by the Executive Officer. Department Heads will submit necessary documentation on which a determination can be made, including a beginning and ending date of the operational demand.

2. Sickness. Annual leave that was forfeited because of illness will be temporarily restored provided that: (1) such leave was scheduled in writing, in advance and (2) the period of absence due to sickness occurred at such a time late in the leave year or was of such a duration that the annual leave could not be rescheduled for use before the end of the leave year.

3. Administrative Error. Annual leave that was forfeited because of administrative error will be restored.

CHAPTER 3

SICK LEAVE

301. ACCRUAL AND CREDIT. Employees, except firefighters, accrue sick leave when in a pay status at the rate of four hours for each biweekly pay period. Fire Fighters earn seven hours each biweekly pay period and 12 hours for the last pay period in the calendar year. There is no limit to the amount of sick leave an employee may accumulate.

302. REQUESTING SICK LEAVE

1. Request for sick leave for scheduled medical, dental or optical examination or treatment will be made at least one work day before such leave. In determining the amount of leave to be authorized for such examination or treatment, consideration should be given to such factors as distance, time of day, residence of employee, etc. When possible, employees should make appointments in the late afternoons or at times when there will be a minimum of interference with work requirements.

2. The employee must call as soon as possible, but in no case more than two (2) hours after the beginning of the scheduled work hours for that day if they will be off sick. An employee will not be required to speak directly to their own supervisor when calling in sick, unless the employee has a previous record of failing to have their absence conveyed to the supervisor. Another person may call on behalf of the employee only if the employee is unable to make the call. Unless otherwise approved, the employee must call again if additional sick leave time is needed.

303. GRANTING SICK LEAVE

1. All requests for sick leave will be submitted on SF-71, "Application for Leave". Requests for sick leave will be approved or disapproved promptly, making certain that the employee is aware of such action and the specific reason if disapproved.

2. Accrued sick leave will be granted to an employee when the employee:

a. Is incapacitated for the performance of duty due to illness, injury or pregnancy and confinement.

b. Receives medical, dental or optical examination or treatment.

c. Is required to give care and attendance to a member of the employee's immediate family who has a contagious disease; or when through exposure to a contagious disease, the presence of the employee at their post of duty would jeopardize the health of others. Contagious disease means a disease which is subject to (in the opinion of the appropriate health authority) quarantine or requires isolation or restriction of movement for a specified period of time.

d. Is required to participate in family therapy, individual or group therapy for treatment of alcoholism or drug abuse. When an employee is absent from duty to participate in treatment of a condition personal to the employee, including a condition relating to the alcoholism or drug abuse of a member of the employee's immediate household when family therapy is an element of the treatment regimen, approval of sick leave is appropriate.

e. Dies without returning to duty and without making application for sick leave for the time immediately prior to death because of illness or disability.

f. Is to be separated for disability retirement or separation disability.

g. Is required to undergo physical examination for military training duty or promotion in the Reserves.

304. RECORDING SICK LEAVE. Except as noted below, when employees report they are ill and unable to work, they will be carried on sick leave, if available, pending receipt of substantiating evidence as may be required and approval of the leave application. If sick leave is not available, they will be carried on annual leave; if neither is available, on leave without pay. However, if there is reason to doubt the validity of the sick leave, employees will be carried in an "Absent Without Leave" status until a determination is made as to the approval of the sick leave. There may arise circumstances in which the requested absence does not justify granting sick leave but could warrant granting annual leave or leave without pay. Officials authorized to approve leave may exercise judgment, in such instances, to grant another type of leave rather than to require conversion to absence without leave.

305. MEDICAL CERTIFICATE

1. Periods of absence on sick leave in excess of three workdays, or in the case of firefighters after absences of two consecutive 24-hour shifts, must ordinarily be supported by a medical certificate. The certificate must be filed as soon as possible but no later than 15 calendar days after return to duty. Individual supervisors may waive this requirement. The employee's signed statement explaining the nature of the illness may be accepted by the leave approving official, when it is unreasonable to require a medical certificate because of shortage of physicians, remoteness of locality or because the illness did not require the services of a physician.

2. A request for sick leave to care for a member of the family suffering a contagious disease requiring isolation or quarantine must be supported by a statement from the health authority having jurisdiction.

3. Employees requesting sick leave to participate in family therapy should submit suitable documentation to support the request.

4. Failure to submit a medical certificate when required may be considered a basis for denying sick leave, but will not in itself be considered an offense warranting disciplinary action. Disciplinary action may, however, be based on unauthorized absence resulting from denial of leave.

306. REQUIRING SICK LEAVE. The employer may require any employee to take sick leave (or annual leave at employee discretion, if available) if the employee appears ill. If the employee chooses a medical examination to avoid such leave, and if upon that medical examination, the employee is cleared for work, such leave will be restored.

307. ABUSE. The problem of sick absenteeism is a serious and costly one and requires careful consideration by all supervisors who are authorized to approve leave. An important phase of each supervisor's job in sick leave administration is to identify those few employees who flaunt and have disregard for sick leave regulations. In the attempt to identify employees who may abuse the sick leave regulations, supervisors must avoid offense to the majority of employees who conscientiously observe these regulations.

1. When the immediate supervisor believes an employee is abusing the sick leave privilege, the employee will be counseled and informed that the supervisor has the authority to require a medical certificate to support absences for sickness, regardless of duration, if apparent abuse of sick leave continues.

2. When the counseling session does not result in improvement in the employee's sick leave record, the employee will be informed, in writing, that all future requests for sick leave must be supported by a medical certificate. Figure (1) is a sample letter to be used for this purpose.

3. In those instances of sick leave of less than three (3) days, a doctor's certificate will not be required unless the employee had been counseled about sick leave and had repeated such absence. When an employee has been required to bring in proof of illnesses, this requirement will be lifted in six (6) months if the employee shows sufficient improvement.

308. ADVANCED SICK LEAVE

1. Advanced sick leave, not to exceed 30 days, may be granted to non-temporary employees in cases of serious disability or illness which will require the employee to be absent over an extended period of time. Sick leave will not be advanced for minor or chronic illnesses or disabilities causing absences of less than five days, or absences of five days or less beyond that for which sick leave is available. Advance sick leave for temporary employees shall not be granted for more than two (2) days. Sick leave will not be advanced when it is known that the employee is contemplating retirement or resignation; there must be reasonable assurance that the employee will return to duty. Accrued sick leave must be exhausted and

accrued annual leave reduced to 40 hours before sick leave will be advanced. Sick leave will ordinarily not be advanced in maternity cases.

2. Requests for advance sick leave shall be submitted on SF 71, accompanied by a medical certificate indicating the nature of the disability and the expected period of incapacitation. The employee's supervisor will arrange for the preparation of a Standard Form 52 (Request for Personnel Action) upon which the following information will be inserted in Item I, Part I:

a. Employee's Statement

(1) The employee's intentions regarding continued employment, looking toward a period of service long enough to provide for liquidation of the unearned sick leave prior to any contemplated separation.

(2) Hardships anticipated if unearned leave is not advanced.

b. Supervisor's Statement

(1) Date current, accrued sick and use or lose annual leave exhausted.

(2) Comments substantiating favorable or unfavorable recommendation for approval.

Each cognizant supervisory level shall endorse (initial or sign) the Standard Form 52, which will - unless noted otherwise - indicate concurrence with the previous findings and recommendations. If the Department Head approves, he will sign in Item H, Part I of the SF-52 and forward it to the Commanding Officer via the Civilian Personnel Officer. If the request is disapproved by the Department Head, it shall be returned to the employee via channels. No further action outside the department is necessary.

309. VISITS TO THE DISPENSARY

1. Employees who become ill on the job may be directed to the Station Dispensary in cases requiring emergency treatment or fitness-for-duty determination. Absence in excess of one hour will be charged to leave or leave without pay (LWOP) if the employee returns to work immediately following treatment. Employees sent home or referred to their own doctor will be charged sick leave, if available, from time of departure from the job until return to duty.

2. When an employee is directed to visit the dispensary at a particular time the supervisor may make an exception to the one hour limitation rule. The following are examples of these kinds of visits:

a. Required dispensary clearance on return from sick leave. If the employee is not released for duty, his absence including time spent at the dispensary remains charged to leave.

b. To obtain corrective-protective eyewear required under the sight conservation program when the necessary services are not available at the dispensary. Excused time for this purpose will not exceed one day.

c. To determine the employee's mental or physical fitness for duty.

310. ON-THE-JOB-INJURY. Time spent by employees within the limits of scheduled regular and overtime duty, obtaining initial examination and/or treatment for a work incurred injury will be considered duty status and will not be charged to leave. Any scheduled overtime for the day will be neither reduced or extended for purpose of the examination or treatment. Employees who are injured during an unscheduled overtime tour of duty will be carried in a pay status for the duration of the period required for examination and/or treatment, but not to exceed two hours.

CHAPTER 4

FUNERAL LEAVE

401. ADMINISTRATION. Funeral leave is granted to allow an employee to make arrangements for, or to attend, the funeral or memorial service for an immediate relative who died as the result of a wound, disease, or injury incurred while serving as a member of the armed forces in a combat zone. A supervisor shall grant an employee such funeral leave as is needed and requested by them, not to exceed three workdays, without loss of or reduction in pay, leave to which he is otherwise entitled, or credit for time or service, and without adversely affecting their performance or efficiency rating. The three days need not be consecutive but if not, the employee shall furnish the approving authority satisfactory reasons justifying a grant of funeral leave for nonconsecutive days.

CHAPTER 5

MILITARY LEAVE

501. POLICY. It is the policy of the Department of the Navy to encourage civilian employees to become members of the reserve components of the Armed Forces.

502. MILITARY LEAVE. Military leave is authorized for employees serving under career, career-conditional and indefinite appointments, who are reservists of the Armed Forces or members of the National Guard, not to exceed 15 calendar days in any fiscal year, during which they are on active duty or engaged in field training. Any period that exceeds this 15 day period is chargeable to annual leave.

503. RESERVE COMPONENTS. Reserve components of the Armed Forces are:

1. The Army National Guard of the United States.
2. The Army Reserve.
3. The Naval Reserve.
4. The Marine Corps Reserve.
5. The Air National Guard of the United States.
6. The Air Force Reserve.
7. The Coast Guard Reserve.

504. TYPES OF DUTY NOT COVERED. Employees may not be granted military leave for the following types of service:

1. During summer training as members of Reserve Officers Training Corps units of colleges or universities; (employees must be carried in a leave without pay status).
2. Temporary Coast Guard Reserve.
3. Participation in parades by members of State National Guard.
4. Training with a State guard or other State military organization which is not part of the National Guard, or which was created to take the place of the National Guard during an emergency.
5. Civil Air Patrol.
6. Time taken on a work day to travel to place of training (unless military orders encompass required travel time).
7. Weekend drills or weekend training.

505. ADVANCE REQUESTS FOR MILITARY LEAVE. All eligible employees requesting military leave will apply for such as far in advance as circumstances permit.

1. Substantiation. On return to duty from military leave, employees shall submit to their supervisor for transmittal to Civilian Payroll a certified copy of orders indicating completion of training duty.

2. Annual Leave or Leave Without Pay in Circumstances Where Military Leave Cannot be Granted. Absence which is not chargeable to military leave may be charged to annual leave, leave without pay or sick leave when appropriate. Upon request, an employee who is a reservist or member of the National Guard shall be granted annual leave or leave without pay if they are not entitled to or have exhausted their military leave. Employees may be granted annual leave or leave without pay for participation in military activities for which military leave is not allowable; e.g., those of State military organizations, under the same considerations as would apply to any leave request. The use of excused absence, without charge to leave, may not be used to increase the number of days an employee is excused for the purpose of participating in Reserve and National Guard activities.

506. COMPUTATION OF MILITARY LEAVE. Military leave may be taken intermittently, a day at a time, or as otherwise directed by official military orders. Nonworkdays wholly within a period of military leave are charged against the 15 days allowed during the year; nonworkdays at the beginning or end of the training period are not. For example, an employee whose workweek is Monday through Friday receives orders for two weeks training duty commencing and ending on a Saturday; Saturday and Sunday at the beginning of the tour, and Saturday at the end, are NOT charged to military leave; Saturday and Sunday within the tour are charged, and the employee's total charge to military leave is 12 days.

507. RESTORATION FOLLOWING MILITARY LEAVE. Upon conclusion of military leave, employees shall be restored to the positions they held when ordered to military duty.

CHAPTER 6

COURT LEAVE601. GENERAL PROVISIONS

1. An employee's absence from duty for jury service or for attending court in a non-official capacity as a witness on behalf of a state or local government or who appears as a witness in a non-official capacity on behalf of a private party in connection with any judicial proceeding to which the United States, the District of Columbia, or a state or local government is a party, shall not be charged to leave but shall be recorded as "court leave". (See Figure (2)). The court may be a State, Federal, or District of Columbia court. Municipal courts are considered State courts, and military courts-martial are considered Federal courts, for court leave purposes. Employees who are summoned by a court for the purpose of qualifying for jury service are entitled to court leave for the period of absence, whether or not they are actually selected. An employee who serves or appears for a portion of the regular workday is granted court leave for the period served. However, if, while serving, an employee is excused by the court for a period of time in excess of one hour to take care of personal business, medical appointment, illness, etc., the employee will be required to take appropriate leave, i.e., annual or sick leave. An employee must report to work if not selected or released from jury duty and there are at least four hours left of their normal duty day, or they may request annual leave for the balance of the day. An employee would not, however, be required to return to duty if this would work a hardship on them, e.g., if they are on night shift. A night shift employee who performs jury service during the day is granted court leave for their regularly scheduled night tour of duty and is entitled to night differential, however, court leave granted to firefighters is not included as hours worked under FLSA regulations.

2. The Marine Corps and Navy consider jury service a civic responsibility. It is the policy, therefore, that release from jury service may be requested for an employee only in exceptional situations where the public interest would be better served if they stayed on the job; e.g., where the services are absolutely necessary to meet critical deadlines. In such cases, correspondence may be submitted to the Commanding Officer (Civilian Personnel Officer), via official channels, requesting that the Commanding Officer direct a letter to the court requesting the services of the employee, explaining the facts in the case and requesting that the employee be released from jury service.

602. SUBSTANTIATION OF REQUEST FOR COURT LEAVE. An eligible employee who is under summons to report for qualifying for jury service, to serve on a jury, or to serve as a witness for a state or local government, or who appears as a witness in a non-official capacity on behalf of a private party in connection with any judicial proceeding to which the United States, District of Columbia, or a state or local government is a party, will be granted court leave for the required period, from the date stated by the court requiring them to report, to the time discharged or excused by the court, regardless of the number of hours or days actually served on the jury. Upon return to duty after each period of service, the employee will submit SF 71 to the Civilian Payroll Office to cover that period of service.

1. The term of a jury service does not include periods during which the employee is excused or discharged by the court, either for an indefinite period subject to call by the court or for a definite period in excess of one day.

2. In view of the above, personnel on court leave will obtain from the Court Clerk a certification as to daily attendance as a juror or witness for a state or local government, as a witness in non-official capacity on behalf of a private party in connection with any judicial proceeding to which the United States, the District of Columbia, or a state or local government is a party, which will be attached to the leave slip of the employee concerned and delivered to the Payroll Office at the end of the pay period for filing in the employee's payroll jacket.

603. PROVISIONS RELATING TO COMPENSATION AND FEES - JURY SERVICE. An employee on court leave for jury service in a Federal court may not retain jury fees. (See Figure (2)). An employee who is on court leave for jury service or as a witness on behalf of a state or local government in a state or municipal court or as a witness in a non-official capacity on behalf of a private party in connection with any judicial proceeding to which the United States, the District of Columbia, or a state or local government is a party, should collect all fees and turn them in to the Disbursing Office, in accordance with NavCompt Manual, paragraph 033019. If no fee is involved, the employee must obtain a written statement to that effect from the court. Employees may retain any sums paid to reimburse them for the costs of meals, mileage, transportation, etc. Federal employees should make their status as employees of the Federal Government known to the Court Clerk when initially reporting for jury service or as a witness on behalf of a state or local government.

604. PROVISIONS RELATING TO COMPENSATION AND FEES - WITNESS SERVICE

1. When an employee is called as a court witness to testify in an official capacity as a Federal employee or to testify in a non-official capacity on behalf of the United States Government or that of the District of Columbia, the employee is considered as being in an official duty status, and any necessary travel and per diem expenses are paid by the activity concerned.

2. When an employee's appearance in court as a witness is on behalf of a private party and no government agency is involved, their absence from duty must be charged as either annual leave or leave without pay as appropriate. The employee is entitled in these circumstances to retain the usual fees and expenses provided by the court. (See Figure (2)).

CHAPTER 7

ABSENCE FOR MATERNITY REASONS701. GENERAL

1. Pregnancy eventually requires the employee to be absent from the job because of incapacitation. An absence due to pregnancy and confinement is to be treated like any other medically certified temporary disability.

2. Leave granted for maternity reasons may be a combination of as many as three separate kinds of leave: sick leave, annual leave, and leave without pay. The same leave policies, regulations, and procedures apply as for leave.

3. Sick leave may be used to cover the time required for physical examination and to cover the period of incapacitation. After delivery and recuperation, the employee may desire a period of adjustment or need time to make arrangements for the care of the child. Such additional leave requirements may be taken care of by the use of available annual leave and/or leave without pay.

702. POLICY. It is the policy of this Command to provide gainful employment and use of skills of pregnant employees for as long as they are not incapacitated for duty.

703. EMPLOYEE RESPONSIBILITIES. An employee is required to report pregnancy to her supervisor as soon as it is an established fact so that any necessary steps may be taken to protect her health or improve her working conditions. Should an employee consider, at any time during pregnancy, that her working conditions are having an adverse effect upon her physical condition, she shall report any such adverse conditions to her supervisor and consult her physician on the matter.

704. SUPERVISOR RESPONSIBILITY. Supervisors advised of an employee's pregnancy shall review the employee's duties and working conditions to determine any possible adverse effects on the employee's physical condition as she progresses through pregnancy. If it is determined that any element of the employee's job could have a harmful effect upon her or the unborn child, the employee shall be requested to consult her physician on the matter and provide medical certification as to the nature of any limitations which are recommended by the employee's physician. Upon recommendation by the employee's physician, every reasonable effort shall be made to accommodate an employee's request for temporary modification of her work duties or a temporary reassignment. The employee's immediate supervisor is responsible for ensuring that the employee discontinues work during the period she is medically certified as incapacitated for duty.

705. LEAVE REQUESTS. Employees will advise their supervisor at least four months in advance that they will be requesting leave for maternity reasons including the type of leave, approximate date, and duration. This will allow the supervisor to prepare for any necessary staffing adjustments.

1. Pregnancy and Confinement. Requests for leave will be submitted to the supervisor on Standard Form 71 (Application for Leave). The employee must indicate the type or types of leave to be used during her absence, the approximate dates, and attach her physician's statement. The physician's statement must show the expected date of delivery, the date the employee should cease work, and the probable return-to-duty date.
2. Adjustment Purposes. Employees will be granted, if requested, additional leave time after delivery and recuperation for the purpose of adjusting to motherhood and/or making arrangements for the care of the child. Such additional leave requirements may be taken care of by requesting annual leave or leave without pay. However, the maximum period of maternity leave after delivery that must be granted will be limited to twenty (20) working days unless additional time is justified by the doctor. The request should be submitted to the supervisor prior to the expiration of leave for pregnancy and confinement.
3. Return to Duty. Employees should advise their supervisors at least fifteen (15) days prior to their expected date of return to duty, if other than previously approved in writing. Return-to-duty from sick leave procedures shall be followed. Medical certification for the period of time medically incapacitated must be provided as required by Chapter 3.
4. Paternity Reasons. Requests for leave may be made by male employees for the purpose of caring for or assisting in caring for the mother of a newborn child or minor children while the mother is incapacitated for maternity reasons. Approval of annual leave or leave without pay for this reason will be granted consistent with workload requirements, but not to exceed twenty (20) working days.

CHAPTER 8

LEAVE WITHOUT PAY801. GENERAL ADMINISTRATION

1. Leave without pay (LWOP) is a period of approved absence from duty in a nonpay status granted upon the employee's request. Approving leave without pay is a matter of administrative discretion. Employees cannot demand that they be granted leave without pay as a matter of right except in the case of:

a. Disabled veterans (when annual or sick leave has been exhausted) for the purpose of receiving medical treatment, upon presentation of an official statement from a duly constituted medical authority that such treatment is required. The granting of such leave is contingent upon the veteran's giving prior notice of definite days and hours of absence required for medical treatment.

b. Reservists and National Guardsmen are entitled to leave without pay when required to perform active duty for training or inactive duty training in the Armed Forces when military leave has been exhausted.

2. Each request for leave without pay should be examined closely to determine that the value to the Station or the serious needs of the employee offset the expense and inconvenience involved. As a basic condition to approval of extended LWOP there should be reasonable expectation that the employee will return to active Federal Service at the end of the approved period. At least one of the following benefits should be expected as a result of extended LWOP: improved performance capabilities, protection or improvement of employee's health, retention of a desirable employee. Among the costs and inconveniences to be considered are incumbrance of a position, loss of needed services, obligation to provide active employment at the end of the leave period, credit of six months of each year toward retirement, and eligibility for continued coverage under the group life insurance and health insurance programs up to one year. Each case must be considered on its individual merit. The following are examples of situations in which extended LWOP would be proper if all other factors were favorable:

a. To protect an employee's status and benefits while action is pending by the Office of Workmen's Compensation on a work incurred injury or illness. An employee receiving injury compensation from the Office of Workmen's Compensation may be carried on LWOP not to exceed one year. In unusual cases LWOP may be extended for an additional year.

b. For purposes of recovery from illness or disability not of a permanent or disqualifying nature, when continued employment or immediate return to employment would threaten impairment of the employee's health or health of other employees.

c. To avoid a break in service, up to 120 days leave without pay may be granted to career or career-conditional employees who are dependents of military personnel or Federal Employees required to move on rotational assignment, transfer of function or relocation of an activity. Such LWOP should be granted only if it is the intent of the employee to seek Federal employment at the new location and the employee's work has been satisfactory and warrants continued Federal employment.

d. To protect employee status and benefits during any period pending final action by the Office of Personnel Management on a claim for disability retirement, after all sick and annual leave have been exhausted.

e. For educational purposes, when the course of study is in line with a type of work that is being performed at the Station and completion is in the best interest of the Station.

f. For maternity or paternity reasons to enable parents to care for newborn children without incurring a break in service.

3. Request for LWOP for less than 30 days will be approved by the supervisor who regularly approves leave. Requests for LWOP of 30 days or more will be subject to the approval of the Department Head. If approved, the Department Head will submit a Standard Form 52, Request for Personnel Action, to the Civilian Personnel Office specifying the period for which approved. When an employee who has been on extended LWOP returns to duty, Standard Form 52 will be prepared indicating return to duty date and the Civilian Personnel Office will be notified by telephone on the day the employee returns to duty.

CHAPTER 9

ADMINISTRATIVE DISMISSAL901. AUTHORITY, COVERAGE AND POLICY

1. Authority for administrative dismissals is provided by Federal Statute, the provisions of which are contained in reference (c), and apply to all civil service employees who have a regular tour of duty.

2. The following policy to dismiss employees without charge to leave or loss of pay shall be exercised with due consideration for the needs of the Command, for applicable regulatory provisions, and for the welfare of employees.

a. No dismissal under these provisions may exceed three workdays, unless conditions are such that the employees cannot return to work, then an additional two workdays may be authorized.

b. Employees within an activity or geographic area, as the case may be, will be treated uniformly to the extent practicable.

c. When mass dismissals are authorized under these provisions, the absences of employees who are on scheduled annual or sick leave at the time of such dismissal will remain charged to leave, i.e., employees must be either actually at their place of duty, or scheduled to report for duty, in order to be dismissed. Employees departing on approved leave in advance of mass dismissal time must be charged leave for the entire balance of the day.

902. ADMINISTRATIVE DISMISSALS IN SITUATIONS INVOLVING INTERRUPTION OR SUSPENSION OF OPERATIONS. In the context of this Order, "interruption or suspension of operations" refers to conditions which cannot reasonably be foreseen, such as power failure, lack of material, weather conditions affecting certain kinds of work but perhaps not the Station as a whole, etc. Reduction of leave accumulations for budgetary reasons, or lack of funds are not "unforeseen" in this context.

1. In cases of interrupted or suspended operations, employees who cannot be assigned to other work will be required to use annual leave in all cases where 24 hours advance notice can be given.

2. When such situations develop too late to give 24 hour advance notice, employees who cannot be assigned to other work will be required to use annual leave only if notice can be given them before the end of their shift immediately preceding the one in which they are to be placed on leave. Such involuntary use of leave may not exceed five days in any leave year.

3. When neither 24 hour notice or notice before the end of the immediately preceding shift is possible, employees who cannot be assigned to other work shall be dismissed, subject to the restrictions of paragraph 901.2 above. In other words, when employees are prevented from working by circumstances

arising after the end of the immediately preceding shift, they must be dismissed in all instances, not to exceed eight hours, and will then be placed on annual leave for any subsequent continuous absence required beyond eight hours, provided 24 hour advance notice can be given.

903. AUTHORITY TO CLOSE ALL OR PART OF AN ACTIVITY

1. The Commanding Officer may close all or part of the Station because of extreme weather conditions, transportation breakdown, fires, floods, or other natural phenomena.
2. In these circumstances, uniform treatment of employees within a geographic area will be achieved to the maximum extent practicable.
3. Dismissals due to unusual employment or work conditions created by a temporary disruption of air cooling or heating systems should be rare, and emphasis should be placed on the correction of these conditions. Employees are expected to work if conditions at the place of work are reasonably adequate, in the agency's judgement, although these conditions may not be normal and may involve minor discomforts. Individual employees affected by unusual levels of temperature to the extent that continuance on duty would adversely affect their health, or to the extent that they are incapacitated for duty, may be granted annual or sick leave. Before administrative dismissal may be granted, it must be clearly established by reasonable standards of judgement that the conditions are such as to actually prevent working, however, this does not mean that if any group of employees are dismissed, equity will require the dismissing of others.

CHAPTER 10

EXCUSED ABSENCE1001. TYPES OF EXCUSED ABSENCE

1. Blood Donation. Participation in the Blood Donor Program is strongly encouraged. The purpose of excused time in this connection is two-fold; to encourage participation and to permit reasonable recuperation time for those who participate. It should be recognized that individual requirements for recuperation following blood donation may differ. Excused time for this purpose will be granted as follows:

a. Employees who volunteer as blood donors at the Marine Corps Air Station, Yuma or for donations at locations other than Marine Corps Air Station, Yuma, will be excused not to exceed four (4) hours for the time necessary for this purpose and recuperation, if necessary, without charge to leave or loss of pay.

b. When the employee must travel a long distance, or when unusual need for recuperation occurs, up to an additional four (4) hours may be authorized.

2. Conferences and Conventions. Excused absence of this type shall be limited to 5 working days per calendar year. Officers or delegates of an association of management officials or supervisors with which an official consultative relationship has been established may be excused to attend conventions of the association. Employees will not be excused to attend conferences or conventions of political parties or partisan political groups or committees.

3. Emergency Rescue or Protective Work. Employees who can be spared without interference with essential Station operations and obligations may be excused to participate in emergency rescue or protective work during an emergency such as fire, flood, or search operations. Such participation shall normally be limited to a maximum of five (5) workdays per year. Employees may not be excused from duty without charge to leave for the purpose of performing rescue or guardsman duty which otherwise would be covered by military leave as authorized in Chapter 5.

4. Funeral Services for Members of the Armed Forces Returned From Overseas for Final Interment in the United States. Employees who are veterans may be excused, without charge to leave or loss of pay, to participate in such ceremonies as active pallbearers or as members of firing squads or honor guards, for such time as may be necessary but not to exceed four hours in any one day.

5. Meetings of and with Employee Organizations. Reasonable time will be allowed employee organization representatives for discussion of applicable work

situations. However, prior permission will be obtained from the appropriate supervisory officials for any such absence desired.

6. Tardiness and Unavoidable Absence. Under ordinary circumstances, tardiness (absence at the beginning of the working day) may be excused. Brief absences from duty of less than one hour after reporting for work may also be excused when the reasons are justifiable to the supervisor. In excessive cases, either may be charged to annual leave (if within the basic workweek), in multiples of one-half hour, in which case, the employee may not be required to work during the half-hour in which they are charged annual leave, or charged to Absence Without Leave in increments of fifteen (15) minutes. Tardiness or unavoidable absence which has been excused or charged to annual leave may not be a basis for disciplinary action. The proper action when tardiness is habitual is not to excuse. Unexcused tardiness results in the employee being in a nonpay status for the actual period of tardiness and appropriate disciplinary action should then be initiated.

7. Tests and Interviews

a. Employees will be excused without charge to leave or loss of pay for the following purposes:

(1) To compete in written or oral tests; or to be interviewed when such tests or interviews are conducted during regularly scheduled working hours; and competition is for positions at Marine Corps Air Station, Yuma.

(2) To take written tests required for conversion to career-conditional appointments, or noncompetitive examinations, within this Activity.

b. Employees may be excused up to four (4) hours without charge to leave or loss of pay to participate in interviews when:

(1) Competition is for a position within the Department of Defense,
or

(2) The individual is under notice of separation or change to lower grade for any reason except personal cause.

c. Time spent in interviews in circumstances other than those above will be charged to annual leave, or if requested by the employee, leave without pay.

8. Voting and Registration

a. Employees will be excused for a reasonable time to vote or register in any election or in referendums on a civic matter in their communities.

b. As a general rule, an employee whose place of voting is within commuting distance is entitled to three hours in which to vote (not necessarily three hours off work). Employees are required to take their excused time for voting at whichever end of the working day requires the least excused time. For example, where the polls open at 0700 and close at 1800 hours and the workday is 0700 to 1530 hours, excused time would be appropriate for one-half hour in the afternoon rather than in the morning.

c. If an employee's voting place is within thirty-five (35) miles, it is considered to be within commuting distance. Questions regarding cases of employees whose voting places are over thirty-five (35) miles distance from their work station and who desire additional excused time will be referred to the Civilian Personnel Office.

9. Representing Labor Organizations. Excusal of employees in connection with activities of labor organizations including attendance at their conventions and training conferences sponsored by them is as set forth in the negotiated labor agreement.

CHAPTER 11

DISTINCTIONS BETWEEN LEAVE WITHOUT PAY AND ABSENCE WITHOUT LEAVE

1101. LEAVE WITHOUT PAY. Since Leave Without Pay is defined as a nonpay status granted at the request of an employee, it follows in general that an employee may not be placed on LWOP (as distinguished from Absence Without Leave - AWOL) without their consent. When leave (annual or sick) has been requested and approved but the employee has no leave to their credit, conversion to LWOP is LWOP with the employee's consent.

1102. ABSENCE WITHOUT LEAVE (AWOL). This is the descriptive title for absence for which the employee did not obtain advance approval or for which his subsequent request has been disapproved. When employees, who are absent without prior approval, fail to notify their supervisor or other appropriate person of the reason for their absence, they should be recorded as absent without leave. Upon their return, if the reason for the absence warrants, the time may be converted to annual leave, sick leave, or LWOP, as appropriate. If leave is disapproved, the time remains charged to absence without leave. The nonpay status resulting from charging time to AWOL is not in itself a disciplinary action. The employee may, however, be disciplined for the unauthorized leave.

ABSENCE AND LEAVE OF CIVILIAN EMPLOYEES

SAMPLE FORM LETTER

Appropriate Heading

DATE

From: (Title of Line Supervisor of employee to who letter is directed)

To: (Civilian Employee, P/R # _____, Job Title)

Subj: Requirement to Support Sick Leave Request With Physician's Certificate

Ref: (a) Sta0 P12630.2

1. Official records indicate that you requested sick leave on the following days, such leave approved as requested:

(list dates)

2. You have been counseled previously about possible sick leave abuse. Since the above absences indicate such possible abuse of your sick leave privilege, you are informed that in accordance with the provisions of reference (a), you will be required to submit a medical certificate from your attending physician for each subsequent absence due to purported illness, regardless of the number of days involved in each absence, before such requests for sick leave will be approved. Attention is invited to the fact that such medical certificate, together with the leave requests properly executed, must be submitted immediately upon return to duty prior to the close of the pay period in which you return to duty.

3. You are advised that:

a. This letter will not be placed in your official personnel folder.

b. This letter may be referred to if it becomes necessary to initiate corrective disciplinary action regarding repetition/continuance of the circumstances described above.

c. A copy of this letter will be retained by your supervisor for a period not to exceed six (6) months, at which time it will be reviewed to determine if the requirement should be continued or cancelled.

SIGNATURE OF LINE SUPERVISOR

Figure 1--Sample Form Letter--Requirement to Support Sick Leave Request
With Physician's Certificate

ABSENCE AND LEAVE OF CIVILIAN EMPLOYEES

EMPLOYEE ABSENCES FOR COURT OR COURT-RELATED SERVICES

Nature of service	Type of Absence			Fees		Government travel expenses		
	Court leave	Official duty	Annual leave or LWOP	No	Yes		No	Yes*
					Retain	Turn in to agency		
I Jury Service								
(A) U.S. or D.C. court-----	X			X			X	
(B) State or local court-----	X					X	X	
II Witness Service								
(A) On behalf of U.S. or D.C. government-----		X		X				X
(B) On behalf of State or local government-----								
(1) in official capacity-----		X				X		X
(2) not in official capacity-----	X					X	X	
(C) On behalf of private party-----								
(1) in official capacity-----		X				X		X
(2) not in official capacity-----								
(a) when a party is U.S., D.C., or State or local government-----	X					X	X	
(b) when a party is not U.S., D.C., or State or local government-----			X		X		X	

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

Figure 2--Chart Showing Employee Absences for Court or Court-Related Services