



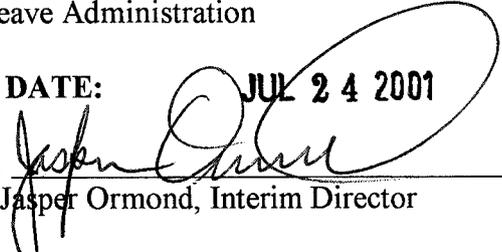
**Court Services and Offender Supervision Agency
for the District of Columbia**

*Office of the Director
Office of Human Resources*

HUMAN RESOURCES DIRECTIVE 630.2

SUBJECT: Leave Administration

EFFECTIVE DATE: JUL 24 2001

APPROVED: 
Jasper Ormond, Interim Director

I. PURPOSE: This Directive establishes the policies and procedures governing federal leave administration for the Court Services and Offender Supervision Agency (CSOSA).

II. REFERENCES:

- A. 5 CFR, Part 630
- B. Office of Personnel Management (OPM) Leave Manual, "Understanding Federal Leave Systems," March 21, 2000

III. POLICY: CSOSA will administer the leave program in a fair and consistent manner in accordance with the law, rules and regulations in 5 CFR, Part 630 and the provisions of this Directive.

IV. COVERAGE: The provisions of this Directive apply to all CSOSA staff. The Director, temporary employees on appointments of less than 90 days and the CSS-CSO Bargaining Unit are excluded. This Directive does not apply to the Pretrial Services Agency.

V. RESPONSIBILITIES:

- A. The Director, CSOSA or designee is responsible for setting general agency policy with regard to the use of leave and for making decisions regarding "Exigency of the Public Business" pursuant to Section VI.-B of this Directive.
- B. The Associate Director for Human Resources is responsible for 1) developing and maintaining appropriate procedures for the administration of leave, consistent with applicable law and regulation, 2) for providing necessary guidance and assistance to supervisors, and 3) processing leave documentation within the payroll system and providing data regarding leave use and balances to authorized personnel.
- C. Managers and supervisors are responsible for consistent administration of the leave provisions outlined in this Directive, including approving/disapproving leave for their staffs, and for certifying leave records at the end of each pay period.
- D. Timekeepers are responsible for recording and maintaining time and attendance

(T & A) data accurately, including leave charges, keeping supervisors informed of leave balances, and for the timely submission of time cards.

E. Employees are responsible for familiarizing themselves with the policies and procedures outlined in this Directive and for adhering to the legal and procedural requirements for requesting and using leave. Failure to follow proper procedures for requesting and using leave may result in AWOL being charged, the imposition of leave restrictions, and/or the imposition of disciplinary action.

VI. TYPES OF LEAVE CATEGORIES AND LEAVE PROGRAMS:

A. ANNUAL LEAVE: Annual leave may be used for a variety of purposes. The specific use of annual leave is subject to advance supervisory review and approval, based on workload considerations.

1. Accrual Rates - Full-time employees with less than three (3) years of service will accrue four (4) hours for each pay period. Employees with three (3) years, but less than fifteen (15) years of service will accrue six (6) hours for each pay period. Employees with 15 or more years of service will accrue eight (8) hours for each pay period. Part-time employees and employees on uncommon tours of duty will accrue leave on a prorated basis. *See Attachment 1 – Annual Leave Accrual Reference Chart.*

2. Requesting Annual Leave – Whenever possible, requests to use annual leave must be made in writing on an SF-71, “Request for Leave or Approved Absence” (*Attachment 2*). Requests should be made as much in advance as possible, allowing the supervisor adequate time to review the request in consideration of staffing requirements and workload. Supervisors may establish timeframes and deadlines for the submission of leave requests during holiday and vacation periods. “Call-in” annual leave requests must be made to the supervisor or other authorized management official.

3. Granting Annual Leave - Requests should be promptly considered by the supervisor and answered in writing after the supervisor ascertains office coverage and workload requirements.

4. Leave Increments – Annual leave may be taken in increments of 15 minutes. All categories of leave shall be charged in increments of 15 minutes and must be recorded on the time and attendance (T&A) record in accordance with System for Time and Attendance Reporting (STAR) requirements.

5. Advanced Annual Leave – There is no entitlement to advanced annual leave, but supervisors may grant advanced annual leave when an employee makes a prior written request for advanced leave on an SF-71, is eligible to earn annual leave, demonstrates an essential, substantive need for the leave and there is a reasonable expectation that the leave will be repaid. The amount of annual leave that may be advanced is limited to the amount of annual leave an employee would accrue in the remainder of the leave year. An employee indebted for advanced annual leave who separates from federal service is required to reimburse the agency for the amount of advanced leave for which he/she is

indebted. Requests for advanced annual leave must be reviewed by the Office of Human Resources (OHR) prior to approval.

6. Annual Leave Ceilings – The maximum annual leave that may be carried over into the new leave year is 240 hours (30 days) for employees in the General Schedule (GS) or Senior Level (SL) positions. Any accrued annual leave in excess of the maximum allowed by law will be forfeited. Forfeited annual leave may be restored under certain circumstances (See Section VI-B).

7. Lump Sum Payments for Annual Leave -

a. Entitlement - An employee will receive a lump-sum payment for any unused annual leave when he/she separates from federal service or enters on active duty in the armed forces and elects to receive a lump-sum payment. Generally, a lump-sum payment will equal the pay the employee would have received had he or she remained employed until expiration of the period covered by the annual leave.

b. Calculation of Lump Sum Payment - The agency calculates a lump-sum payment by multiplying the number of hours of accrued annual leave by the employee's applicable hourly rate of pay. In calculating a lump-sum payment, the Agency projects forward an employee's annual leave for all the workdays the employee would have worked if he or she had remained in federal service. By law, holidays are counted as workdays in projecting the lump sum leave period. Payment is made at the rate which would be in effect for the projected period of leave.

c. Types of Pay Included in a Lump Sum Payment -

- Rate of basic pay
- Locality pay or other similar geographic adjustment
- Within-grade increase (if waiting period met on date of separation)
- Across-the-board annual adjustments

8. Return to Federal Service - If an employee is re-employed in the federal service prior to the expiration of the period of annual leave (i.e., the lump-sum leave period), he or she must refund the portion of the lump-sum payment that represents the period between the date of reemployment and the expiration of the lump-sum period. The agency re-credits to the employee's leave account the amount of annual leave equal to the days or hours of work remaining between the date of re-employment and the expiration of the lump-sum leave period.

B. RESTORED ANNUAL LEAVE:

1. The Agency may restore annual leave that was forfeited because it was in excess of the maximum leave ceilings, i.e., 240 hours, in the following instances:

- Administrative Error - the leave was forfeited because of an administrative error.
- Exigency of the Public Business - a business necessity of major importance was such that the employee's previously approved annual leave could not be used. Only the Director and Deputy Director are permitted to declare that an exigency exists.
- Sickness – the annual leave was forfeited because of a period of absence due to an employee's sickness or injury that occurred late in the leave year or was of such duration that the excess annual leave could not be rescheduled for use before the end of the leave year.

2. Annual leave that was forfeited due to an exigency of the public business may be restored, but only if the annual leave was scheduled in writing on an SF-71 *before* the start of the third biweekly pay period prior to the end of the leave year (usually the third week of November) and subsequently *cancelled* in writing because of an unforeseen “exigency of the public business.” Requests to restore annual leave forfeited due to an exigency of the public business must be submitted in writing, through supervisory channels, to the Office of Human Resources (OHR), accompanied by the original, signed leave slips documenting the approval *and* cancellation.

3. An employee must schedule and use restored annual leave no later than the end of the leave year ending two (2) years after the date of restoration of the forfeited annual leave; the date fixed by the head of the agency or designee as the date of termination of the exigency of the public business; or the date the employee is determined to be recovered from illness or injury and able to return to duty.

4. Restored annual leave that is not used within the established time limits is forfeited with no further right to restoration. Administrative error may not serve as the basis to extend the time limit within which to use restored annual leave.

5. If a leave request was not approved in the first place, the leave does not qualify for restoration if it is later forfeited.

C. SICK LEAVE: An employee may use sick leave for personal medical needs, pre-arranged examinations or treatments, general family medical care, bereavement, care for a family member with a serious health condition, and adoption-related purposes.

1. Sick Leave Accrual - Full-time employees accrue four (4) hours for each bi-weekly pay period. Part-time employees earn one (1) hour for each twenty (20) hours in pay status. There are no limits on the amount of sick leave that can be accumulated. Unused sick leave accumulated by employees covered by the Civil Service Retirement System (CSRS) will be used in the calculation of their annuities, but not for the purpose of calculating length-of-service for retirement eligibility.

2. Sick Leave for Personal Medical Needs - An employee may use sick leave when he/she is incapacitated for the performance of duties by physical or mental illness or injury; or would, as determined by the health authorities having jurisdiction or by a health care

provider, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease.

3. Sick Leave for Pre-arranged Examination or Treatment – An employee may use sick leave to receive medical, dental, or optical examination or treatment.

4. Sick Leave for General Family Care or Bereavement Purposes - Employees may use a **total** of up to **104 hours** (13 workdays) of sick leave each leave year to:

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

A covered full-time employee may use 40 hours (five workdays) of sick leave each leave year for these purposes. An additional 64 hours (eight workdays) of sick leave may be used each year **if the employee maintains a balance of at least 80 hours of sick leave** in his or her account. Part-time employees and employees with uncommon tours of duty are also covered, and the amount of sick leave permitted for family care and bereavement purposes is pro-rated in proportion to the average number of hours of work in the employee's scheduled tour of duty each week. The agency may *advance* only the **first 40 hours** of sick leave (or a proportional amount for an employee on a part-time schedule or uncommon tour of duty).

"Family member" is defined as spouse, and parents thereof; children, including adopted children, and spouses thereof; parents; brothers and sisters, and spouses thereof; and any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

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

- a. Entitlement - An employee may use a total of up to 12 administrative workweeks of *paid* sick leave each leave year to care for a family member (as defined above) with a serious health condition. In order to use sick leave beyond 40 hours (five workdays) for this purpose, **the employee must maintain a balance of at least 80 hours of sick leave** in his or her account. Part-time employees and employees with uncommon tours of duty are also covered, and the amount of sick leave permitted for care for a family member with a serious health condition is pro-rated in proportion to the average number of hours of work in the employee's scheduled tour of duty each week. If an employee previously has used any portion of the 13 days of sick leave for general family care or bereavement purposes in a leave year, that amount must be subtracted from the 12-week entitlement. If an employee has already used 12 weeks of sick leave to care for a family member with a serious health condition, he or she cannot use an additional 13 days in the same leave year for general family care purposes. An

employee is entitled to a total of 12 weeks of *paid* sick leave each year for *all* family care purposes.

b. Definition of a Serious Health Condition - The term "serious health condition" has the same meaning as used in the regulations for administering the Family and Medical Leave Act of 1993 (FMLA). That definition includes such conditions as cancer, heart attacks, strokes, severe injuries, Alzheimer's disease, pregnancy, and childbirth. The term "serious health condition" is not intended to cover short-term conditions for which treatment and recovery are very brief. The common cold, the flu, earaches, upset stomachs, headaches (other than migraines), routine dental or orthodontia problems, etc., are not serious health conditions unless complications arise. The Agency may require medical certification of a serious health condition.

6. Sick Leave for Adoption - An employee may use sick leave for purposes related to the adoption of a child. The Agency may request administratively acceptable evidence for absences related to adoption. The agency may *advance* up to 30 days of sick leave for adoption-related purposes. Examples may include but are not limited to:

- Appointments with adoption agencies, social workers, and attorneys
- Court proceedings;
- Required travel;
- Any periods of time the adoptive parents are ordered or required by the adoption agency or by the court to take time off from work to care for the adopted child;
- Any other activities necessary to allow the adoption to proceed.

7. Requesting and Granting Sick Leave -

a. Sick Leave for Illness - An employee who is absent due to illness or injury (of the employee or a member of the family who the employee provides care for) must notify their supervisor in writing (SF-71) and request leave as soon as possible. Requests should be made not later than two (2) hours after the beginning of the regularly scheduled tour of duty, or before leaving work during working hours due to illness. If extenuating circumstances prevent timely notification, this will be considered when evaluating the sick leave request. Employees are required to request sick leave for each day that they are ill or injured, unless they are too sick to do so or have made other arrangements with their supervisor. "Call-in" sick leave requests must be made to the supervisor or other authorized management official.

b. Sick Leave for Pre-arranged Examination or Treatment – Except in emergency situations, prior approval must be obtained from the supervisor for absences due to medical, dental, optical examinations, or other pre-arranged treatment for the employee or a family member. Sick leave requests for non-emergency medical, dental, optical and other treatments should be submitted in writing on an SF-71 at least three (3) days in advance to the appropriate supervisor. The supervisor shall review such requests and respond in a timely manner.

c. **Mandatory Approval of Sick Leave** – The approval of requests to use sick leave is mandatory in the following cases, provided the employee has followed leave request procedures and submitted acceptable supporting evidence when required. Sick leave shall be granted to an employee when the employee is:

- Incapacitated for duty by sickness or injury;
- Receives emergency medical, dental or optical examinations or treatment;
- Provides care for a family member who is incapacitated by a medical or mental condition;
- Attends to a family member receiving emergency medical, dental, or optical examinations or treatment;
- Provides care for a family member with a serious health condition;
- Would jeopardize the health of others by coming to work because of exposure to a contagious disease;
- Meets the requirements for disability retirement;
- Is a disabled veteran undergoing medical treatment in connection with a disability.

d. **Discretionary Approval of Sick Leave** – Although employees are entitled to use sick leave for non-emergency medical, dental or optical examinations or treatment, the scheduling of such leave is subject to supervisory review and approval based on workload considerations and may be denied if the supervisor determines that the employee's presence at work is required. If an employee fails to follow established procedures for requesting or documenting emergency or non-emergency sick leave, the request may be denied.

8. Medical Certification -

a. General - Employees may be required to submit acceptable medical certification to substantiate a request for sick leave. In cases involving extended absence, excessive absenteeism or possible abuse of sick leave, supervisors may require additional supporting evidence or documentation. When an employee or family member suffers from a chronic condition that does not necessarily require medical treatment, although absence from work may be necessary, the employee must furnish acceptable medical certification of the chronic condition on a one-time or periodic basis to cover the absences. Employees released from duty because of illness are not required to furnish a medical certificate for the day released from duty.

b. Cases Involving Excessive Absenteeism or Possible Abuse of Sick Leave - In cases where a problem of excessive absenteeism or possible abuse of sick leave is developing, supervisors may require supporting evidence or documentation, in addition to that required under general circumstances as referenced above. The supervisor will provide the employee with written notice that explains:

- i. The reason for requiring the additional documentation;

- ii. The types of acceptable evidence (medical certification from physician or other practitioner)
- iii. The time frame within which the supporting evidence must be submitted;
- iv. The consequences of not providing such evidence within the established time frame.

9. Advanced Sick Leave –

- a. Sick leave may be advanced when:
 - i. a written request is submitted;
 - ii. it is accompanied by medical certification of a serious illness or medical condition, or of appointments related to the adoption of a child;
 - iii. there is a reasonable basis to conclude that the employee will return to duty and pay back the advance.
- b. Sick leave may not be automatically advanced simply because an employee has exhausted their sick leave balance.
- c. Advanced sick leave requests must be reviewed by OHR prior to approval.
- d. The limit on advanced sick leave is 240 hours (30 days). A maximum of five (5) days may be advanced for family care or bereavement purposes.

10. Family and Medical Leave Act (FMLA) –

- a. Entitlement - Under the Family and Medical Leave Act of 1993 (FMLA), covered federal employees who have completed 12 months of service are entitled to a total of up to 12 workweeks of *unpaid* leave during any 12-month period for the following purposes:
 - the birth of a son or daughter of the employee and the care of such son or daughter;
 - the placement of a son or daughter with the employee for adoption or foster care;
 - the care of spouse, son, daughter, or parent of the employee who has a serious health condition;
 - A serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position.
- b. Use of FMLA with Other Types of Leave –
 - It is possible that an employee could be entitled to a maximum of 12 weeks of *paid* sick leave to care for a family member with a serious health condition (see section VI. C. 5 of this Directive) and then be entitled to use 12 weeks of *unpaid* leave under the FMLA.

- Under certain conditions, an employee may use the 12 weeks of FMLA leave intermittently. An employee may elect to substitute annual leave and/or sick leave, consistent with current laws and regulations for using annual and sick leave, for any unpaid leave under the FMLA.
- Authorized holidays and non-workdays authorized by federal statute, executive order or administrative order **will not** be counted toward the 12-week entitlement to FMLA leave.

c. Invoking Entitlement to FMLA - **The employee is responsible for invoking his/her entitlement to FMLA leave**, preferably by checking the appropriate box on the SF-71. The employee may choose whether to substitute paid leave, as appropriate, for leave without pay (LWOP) under the FMLA. The Agency may not subtract leave from the 12-week FMLA leave entitlement unless confirmation is received from the employee of his/her intent to invoke entitlement to FMLA leave.

d. Advanced Notice and Medical Certifications - An employee must provide notice of his or her intent to take FMLA leave in writing (SF-71) not less than **30 calendar days before leave is to begin** or, in emergencies, as soon as is practicable. The Agency may request medical certification for FMLA leave taken to care for an employee's spouse, son, daughter, or parent who has a serious health condition or for the serious health condition of the employee.

e. Job Benefits and Protection - Upon return from FMLA leave, an employee must be returned to the same position or to an "equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment." An employee who takes FMLA leave is entitled to maintain health benefits coverage, so long as they continue to pay the employee share of the premium. An employee on unpaid FMLA leave may pay the employee share of the premium on a pay period basis or pay the total upon return to work.

D. BONE MARROW AND ORGAN DONOR LEAVE: An employee is entitled to up to seven (7) days of **paid leave** each calendar year to serve as a bone-marrow donor. An employee is also entitled to up to **30 days of paid leave** each calendar year to serve as an organ donor. Leave for bone marrow and organ donation is a separate category of leave that is in addition to annual and sick leave.

E. COURT LEAVE: An employee is entitled to paid time off without charge to leave for subpoenaed service as a juror, or in some cases, as a witness. Employees are responsible for providing a copy of the subpoena to the supervisor as soon as possible.

- Jury Duty - An employee who is summoned to serve as a juror in a judicial proceeding is entitled to court leave.
- Witness Service- An employee who is summoned as a witness in a judicial proceeding in which the federal, state or local government is a party is entitled to court leave.

- Official Duty - An employee who is summoned as a witness in an official capacity on behalf of the federal Government is on official duty, not court leave.
- Fees and Expenses - Employees must reimburse to their Agency fees paid for service as a juror or witness. However, monies paid to jurors or witnesses that are in the nature of "expenses," (e.g., transportation) may be retained. *See Attachment 3.*

F. LEAVE TRANSFER PROGRAM: Please see CSOSA HRD 630.1, "Voluntary Annual Leave Transfer Program."

G. LEAVE WITHOUT PAY (LWOP):

1. Definition - 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, just as with annual leave. Employees, however, have entitlement to LWOP in the following situations:

- The Family and Medical Leave Act of 1993 (FMLA) P.L.103-3, February 5, 1993), provides covered employees with an entitlement to a total of up to 12 weeks of unpaid leave (LWOP) during any 12-month period for certain family and medical needs. (See 5 CFR Part 630, Subpart L, and Section C8, a-d of this Directive.)
- The Uniformed Services Employment and Reemployment Rights Act of 1994 (Pub.L. 103-353) provides employees with an entitlement to LWOP when employment with an employer is interrupted by a period of service in the uniformed service. (See 5 CFR 353.106.)
- Executive Order 5396, July 17, 1930, provides that disabled veterans are entitled to LWOP for necessary medical treatment.
- Employees may not be in a pay status while receiving workers' compensation payments from the Department of Labor.
- Employees should be aware that LWOP affects their entitlement to or eligibility for certain Federal benefits as explained in Attachment 4, "Effect of Extended Leave Without Pay (or other Non-pay Status) on Federal Benefits and Programs."

2. Effect of Extended Leave Without Pay (LWOP) and Other Non-Pay Status on Federal Benefits and Programs – Attachment 4 describes the effect of LWOP status on federal benefits and programs.

H. ABSENCE WITHOUT LEAVE (AWOL): Absence from duty in a non-pay status which has not been authorized or for which a request for leave has been denied is AWOL. Excessive or repeated AWOL may result in formal disciplinary action.

I. MILITARY LEAVE: An employee is entitled to time off at full pay for certain types of active or inactive duty in the National Guard or as a Reservist of the Armed Forces.

1. Coverage - Any full-time Federal civilian employee whose appointment is not limited to one (1) year is entitled to military leave. Military leave under 5 U.S.C. 6323 (a) is prorated for part-time career employees.

2. Types of Military Leave –

- 5 U.S.C. 6323 (a) provides 15 calendar days per fiscal year for active duty and active and inactive duty training. An employee can carry over a maximum of 15 days into the next fiscal year.
- Inactive Duty Training is authorized training performed by members of a Reserve component not on active duty and performed in connection with the prescribed activities of the Reserve component. It consists of regularly scheduled unit training periods, additional training periods, and equivalent training.
- 5 U.S.C. 6323 (b) provides 22 workdays per calendar year for emergency duty as ordered by the President or a State governor.
- 5 U.S.C. 6323 (c) provides unlimited military leave to members of the National Guard of the District of Columbia for certain types of duty ordered or authorized under Title 10 of the District of Columbia Code.
- 5 U.S.C. 6323 (d) provides that Reserve and National Guard Technicians only are entitled to 44 workdays of military leave for duties overseas under certain conditions.

3. Days of Leave - Weekends and holidays occurring wholly within the period of military duty count as days of military leave under 5 U.S.C. 6323 (a). Weekends at the start or end of military duty are not counted (assuming a Monday through Friday civilian workweek.)

4. Effect on Civilian Pay - An employee's civilian pay remains the same for periods of military leave under 5 U.S.C. 6323(a) and (c), including any premium pay an employee would have received if not on military leave. For military leave under 5 U.S.C. 6323(b), employee's civilian pay is reduced by the amount of military pay for the days of military leave. However, an employee may choose not to take military leave and instead take annual leave in order to retain both civilian and military pay.

VII. ADMINISTRATIVE LEAVE: Brief, authorized absence from regular duty without loss of pay or charge to leave for certain purposes deemed related to the official duties of employees, for certain civic duties deemed related to the national interest which are performed during regular business hours, or for certain other reasons deemed appropriate by authorized Agency officials. Administrative leave may be approved by Assistant Directors/Office Heads in coordination with OHR. Circumstances that *may* be appropriate for approving administrative leave include, for example, donating blood or attending the funeral of an employee whose death occurred in the line of duty. Administrative leave may also be imposed pursuant to HRD 752.1 – Disciplinary and Adverse Actions, or in other situations where it would be prudent to temporarily relieve an employee from duty.

VIII. LEAVE RESTRICTION: When an employee has abused leave privileges (e.g., uses leave for inappropriate purposes, fails to follow proper procedures, takes unplanned leave to an excessive degree without good reason or otherwise violates the provisions of the Directive, they may be placed on Leave Restriction. This shall be done in writing, normally by the first line supervisor, in coordination with OHR. Leave restrictions will normally be in effect for 90 days, and may be extended.

The terms may include:

- non-emergency requests for annual leave or LWOP must be made in writing at least one week in advance.
- The basis for emergency requests for annual leave or LWOP must be documented in writing.
- all requests for leave for medical reasons (including leave for family care) must be accompanied by acceptable medical documentation.

Failure to adhere to the leave restrictions will result in AWOL being charged and the imposition of disciplinary action.

IX. RELATED DIRECTIVES:

- A. HRD 610.4 Alternate Work Schedule Program,
- B. HRD 630.1 Voluntary Annual Leave Transfer Program.

X. CANCELLATIONS: This Directive cancels any previous regulations or memoranda regarding leave policies for CSOSA.

XI. ATTACHMENTS:

- (1) Annual Leave Accrual Reference Chart
- (2) Request for Leave or Approved Absence Form (SF-71)
- (3) Court Leave Chart
- (4) Leave Without Pay Reference Chart

ANNUAL LEAVE ACCRUAL (5 U.S.C 6303(A))

	Less Than 3 Years of Service	3 Years to Less than 15 years of Service	15 or More years of Service
Full-time	4 hours for each bi-weekly pay period	6 hours for each bi-weekly pay period	8 hours for each bi-weekly pay period
Part-time	1 hour of annual leave for each 20 hours in a pay status	1 hour of annual leave for each 13 hours in a pay status	1 hour of annual leave for each 10 hours in a pay status

Source: Office of Personnel Management's "Understanding Federal Leave Systems"

Employee Absences for Court or Court Related Services
Court Services and Offender Supervision Agency

Nature of Services	Type of Absence			Fees		Government Travel Expenses		
	Court Leave	Official Duty	Annual Leave or LWOP	No	Yes	No	*Yes	
I. Jury Service A. U.S. or D.C. court... B. State or local court... II. Witness Service A. On behalf of U.S. or D.C. government... B. On behalf of State or local government 1. in official capacity..... 2. not in official capacity..... C. On behalf of private party 1. in official capacity..... 2. not in official capacity..... (a) when a party is U.S., D.C. or State or local government..... (b) when a party is not U.S., D.C. or State or local government.....								
	X			X			X	
	X					**X	X	
					X			X
		X					X	
			X				X	
				X				X
						X		
		X					X	

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

**Employees must reimburse to the Agency fees paid for services as a juror or witness. Monies paid to jurors or witnesses which are in the nature of "expenses" (e.g., transportation) do not have to be reimbursed.

Attachment 4

**Effect of Leave Without Pay (LWOP) and Other Non-Pay Status
On Federal Benefits and Programs**

Type of Benefit Program	The amount of LWOP (or other non-pay status) that is considered creditable service for purposes of determining an employee's entitlement to or eligibility for the following Federal benefits and programs:
Career Tenure	The first 30 calendar days of each non-pay period are creditable service.
Completion of Probation	A total of 22 workdays in a non-pay status is creditable service.
Time-In-Grade Requirements (requirements for promotion)	Any non-pay status is creditable service.
Retirement Benefits	A total of 6 months in a non-pay status in any calendar year is creditable service. Coverage continues at no cost to the employee while in a non-pay status. When employees are in a non-pay status for only a portion of a pay period, their contributions are adjusted in proportion to their basic pay (5 U.S.C. 8332 and 8411).
Health Benefits	Enrollment continues for no more than 365 days in a non-pay status. The non-pay status may be continuous or broken by periods of less than 4 consecutive months in a pay status (5 CFR 890.303(e)). The Government contribution continues while employees are in a non-pay status. The Government also is responsible for advancing from salary the employee share as well. The employee may choose between paying the agency directly on a current basis or having the premiums accumulate and withheld from his or her pay upon returning to duty.
Life Insurance	Coverage continues for 12 consecutive months in a non-pay status without cost to the employee (5 CFR 870.401(c)) or to the agency (5 CFR 870.401(d)). The non-pay status may be continuous, or it may be broken by a return to duty for periods of less than 4 consecutive months.
Within-Grade Increases	A total of 2 workweeks in a non-pay status in a waiting period is creditable service for advancement to steps 2, 3, and 4 of the General Schedule; 4 workweeks for advancement to steps 5, 6, and 7; and 6 workweeks for advancement to steps 8, 9, and 10 (5 CFR 531.406(b)).
Accrual of Annual and Sick Leave	When a full-time employee accumulates 80 hours of LWOP during a pay period, the employee does not earn annual leave or sick leave during that pay period. The employee earns leave in the next succeeding pay periods until he or she again accumulates 80 hours of LWOP during a pay period (5 CFR 630.208). When a part-time employee is in a non-pay status, he or she will accrue less annual leave and sick leave, since part-time employees earn leave on a pro-rata basis--i.e. based on hours in a pay status (5 CFR 630.303 and 630.406). For purposes of computing accrual rates for annual leave (i.e., 4, 6, 8 hours each pay period), 6 months of non-pay status in a calendar year is creditable service (5 U.S.C. 6303(a) and 8332(f)).
Reduction In Force (determining years of service)	A total of 6 months of non-pay status in a calendar year is creditable service.
Severance Pay	Non-pay status time is fully creditable for the 12-month continuous employment period to qualify for severance pay (5 U.S.C. 5595(b)(1) and 5 CFR 550.705). However, for purposes of computing an employee's actual severance payment, no more than 6 months of non-pay status in a calendar year is creditable service. (5 U.S.C. 5595(c)(1) and 5 CFR 550.707-708.)
Thrift Savings Plan (TSP)	Employees should contact the Office of Human Resources for information regarding the effect of nonpay status on TSP participation.
Military Duty or Workers' Compensation	Non-pay status for employees who are performing military duty or being paid workers' compensation counts as a continuation of Federal employment for all purposes upon the employee's return to duty.

Source: Office of Personnel Management's "Understanding Federal Leave Systems"