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Recent Developments in Leave

A Mandatory Reference for
ADS Chapters 472 and 480

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The following information is provided to employees to make them aware of recent developments related to leave.

Former President Clinton issued a directive on "Preventive Health Care at the Federal Workplace" to encourage agencies to support preventive health care for their employees. In addition, recent legislation (P.L. 106-554) enacted on December 21, 2000, established a minimum charge of one hour for military leave.

1. Presidential Directive on "Preventive Health Care at the Federal Workplace"

In a memorandum to heads of agencies dated January 4, 2001, former President Clinton encouraged the use of existing work schedules and leave flexibility to allow Federal employees to take advantage of health screening programs and other effective preventive health measures. Agencies may wish to grant employees annual or sick leave (as appropriate), leave without pay, and any accrued compensatory time off for this purpose. Employees on alternative work schedules (AWS) may wish to schedule their AWS day off so they can attend these events.

In addition, President Clinton directed Federal agencies to establish a policy that provides employees who have fewer than two weeks of accrued sick leave (80 hours) with up to four hours of excused absence each year, without loss of pay or charge to leave, for participation in preventive health screenings.

Employees must obtain prior approval from their supervisor to be excused from duty, if otherwise eligible. Employees are instructed to complete a SF-71, Request for Leave or Approved Absence, and attach supporting documentation regarding their participation in a health screening or prevention program. In reviewing an employee's leave request, supervisors should be as accommodating as possible, while giving due consideration to the effect of the employee's absence on the needs of the office and accomplishment of work requirements.

The U.S. Office of Personnel Management has also asked agencies to make employees aware of an event called "Woman's Heart Day: Because a Woman's Heart is Different," which will be held at the MCI Center in Washington, D.C., on February 23, 2001, from 8:00 a.m. to 2:00 p.m. The Sister to Sister-Everyone Has a Heart foundation is sponsoring this event as part of a campaign to raise awareness among women about heart disease and prevention measures.

The event is free, and it is expected that 5,000 to 7,000 women will attend to take advantage of the screenings and educational opportunities. Employees who want more information concerning this event should access www.WomansHeartDay.org for a full schedule of events and screening locations throughout the Washington D.C., area.

Subject to supervisory approval, employees may take annual or sick leave, leave without pay, or accrued compensatory time off to undergo a preventive health screening or to attend an educational session as part of this event. In accordance with the

Presidential directive, an employee with less than 80 hours of accrued sick leave may be excused from duty for a brief period to participate in this event, if work requirements and the needs of the office permit.

Employees will be advised of future health screenings and prevention programs, as information becomes available.

2. Minimum Charge for Military Leave

Based on recent legislation (P.L. 106-554) effective on December 21, 2000, the minimum charge for military leave is one hour. This legislation amends section 6323(a) of title 5, United States Code, by adding a new paragraph (3). This new section also provides that additional charges for military leave are in multiples of the minimum charge. Prior to the enactment of this legislation, military leave was taken in increments of one day.

In accordance with 5 USC 6323(a), full-time employees whose appointments are not limited to one year are entitled to receive 15 calendar days per fiscal year for active duty, active duty training, and inactive duty training. An employee can carry over a maximum of 15 days into the next fiscal year.

Based on the new provision, a full-time employee working a 40-hour workweek will accrue 120 hours (15 days x 8 hours) of military leave in a fiscal year, or the equivalent of three 40-hour workweeks. Military leave will be prorated for part-time employees based proportionally on the number of hours in each employee's regularly scheduled biweekly pay period. For example, a part-time employee working 40 hours in a biweekly pay period will accrue 60 hours of military leave each fiscal year.

This new provision is intended to clarify that military leave should be credited to a full-time employee on the basis of an 8-hour workday and that an employee may be charged military leave only for hours that the employee would otherwise have worked and received pay.

Members of the Reserves and/or National Guard will no longer be charged military leave for weekends and holidays that occur within the period of military service. Employees who request military leave for inactive duty training (which generally is 2, 4, or 6 hours in length) will be charged only the amount of military leave necessary to cover the period of training and necessary travel. Hours in the civilian workday that are not chargeable to military leave must be worked or charged to another leave category, as appropriate.

This guidance will be incorporated in ADS 480, Leave Administration. For additional guidance on military leave; refer to the "Military Leave" fact sheet issued by the U.S. Office of Personnel Management, which may be accessed from the Leave Administration webpage of the Office of Human Resources (OHR) Website. This notice will be posted on the OHR Website.

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