




United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JUL 10 2015

Memorandum

To: DOI Human Resources Officers
DOI Human Capital Officers

From: Acting Director, Office of Human Resources 

Subject: Distribution of Personnel Bulletin 15-05, Advanced Sick and Annual Leave Policy Changes

Enclosed you will find Personnel Bulletin 15-05, "Advanced Sick and Annual Leave Policy Changes." This policy implements and updates Department of the Interior policy to current standards. Please distribute this to your employees. Bureaus/offices are reminded to fulfill their labor-management responsibilities, as applicable, before implementation of this policy.



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Personnel Bulletin NO: 15-05

SUBJECT: Advanced Sick and Annual Leave Policy

1. Purpose. This Personnel Bulletin (PB) updates the Department of the Interior's (DOI) policy and guidance on granting advanced sick and annual leave to employees. This policy reflects the guidance given in the Presidential memorandum (memo) signed on January 15, 2015, by the President of the United States. This PB supersedes the existing guidance regarding advanced sick and annual leave found in 370 DM 630 (DM) and its accompanying handbook, "Absence and Leave Handbook," until the DM and handbook are effective.

2. Authorities.

A. 5 U.S.C. § 63 Leave

B. 5 C.F.R. § 630.209

C. 5 U.S.C. § 6302(d)

D. 5 C.F.R. § 630.402

E. 5 C.F.R. § 630.501

F. 5 C.F.R. § 630.502(a)

G. 37 Comp Gen. 439

H. Presidential Memorandum—Modernizing Federal Leave Policies for Childbirth, Adoption and Foster Care to Recruit and Retain Talent and Improve Productivity, January 15, 2015.

I. United States Office of Personnel Management, Handbook on Leave and Workplace Flexibilities for Childbirth, Adoption, and Foster Care, April 2015.

3. Advanced Sick Leave. Upon request, an employee may be granted advanced sick leave to the maximum extent practicable, in accordance with sick leave laws, regulations, and consistent with DOI mission needs. Full-time Employees are eligible for a maximum of 240 hours (30 work days) of advanced sick leave for any of the conditions below:

- Incapacitated for the performance of his or her duties by physical or mental illness, injury, pregnancy, or childbirth;

- A serious health condition of the employee or a family member;
- When the employee 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;
- For purposes relating to the adoption or foster care of a child; or
- For the care of a covered servicemember with a serious injury or illness, provided the employee is exercising his or her entitlement to FMLA leave to care for a covered servicemember.

Full-time employees may receive an advancement of sick leave of up to 104 hours (13 days) for the situations below:

- When he or she receives medical, dental or optical examination or treatment;
- To provide care for a family member who is incapacitated by a medical or mental condition or to attend to a family member receiving medical, dental, or optical examination or treatment;
- To provide care for a family member who would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by that family member's presence in the community because of exposure to a communicable disease; or
- To make arrangements necessitated by the death of a family member or to attend the funeral of a family member.

Two hundred forty (240) hours is the maximum amount of advanced sick leave a full-time employee may have to his or her credit at any one time. For a part-time employee (or an employee on an uncommon tour of duty), these amounts will be prorated according to the number of hours in the employee's regularly scheduled administrative workweek.

4. Required Supporting Evidence for Advanced Sick Leave. When the employee requests advanced sick leave, the supervisor may require a medical certificate or other administratively acceptable evidence as to the reason for the absence. The supervisor will coordinate receiving the administratively acceptable evidence with the servicing human resources office.

5. Supervisor Considerations for Granting Advanced Sick Leave. Although supervisors are encouraged to grant the maximum amount of advanced sick leave permissible, a supervisor may not advance sick leave to an employee when it is known or reasonably expected that the employee will not return to duty. Before granting advanced sick leave, the supervisor must consider whether the employee is expected to return to duty, the employee's performance, and the benefits to the DOI bureau/office of retaining the employee.

6. Settling Advanced Sick Leave Debts. Advanced Sick leave must be paid back unless the employee dies, retires for disability, is separated, or resigns because of disability. The employee may choose to liquidate a sick leave debt by subsequently earned sick leave, a charge against annual leave (provided this action is completed prior to the time the leave would be forfeited and the annual leave would have been granted), or by a refund upon separation. If an employee is a participant in the DOI voluntary leave transfer program, advanced sick leave may be liquidated by substituting donated annual leave for sick leave that was advanced on or after the date of the medical emergency. An employee may arrange to refund advanced sick leave in cash if mutually agreeable and administratively feasible. The pay rate applicable to refund is that rate which was in effect at the time the advanced sick leave was taken.

When an employee who is indebted for advanced sick leave transfers to another Federal agency without a break in service, the DOI bureau/office must certify the employee's sick leave account to the new agency. The employee's DOI bureau/office may not require the transferring employee to refund the amount of the advanced leave to achieve a "zero" balance at the time of transfer. In such cases, a negative sick leave balance should be transferred to the employee's new agency. An employee who enters active military service with a right to restoration is not considered as having separated and is not required to refund the amount of advanced sick leave when entering military service.

7. Advanced Annual Leave. Supervisors are encouraged to grant employees advanced annual leave. The amount of advanced annual leave granted to an employee cannot exceed the amount the employee would accrue within the leave year.

8. Supervisor Considerations upon Granting Advanced Annual Leave. A supervisor should not grant advanced leave to an employee when it is known (or reasonably expected) that the employee will not return to duty, e.g., when the employee has applied for disability retirement. Before authorizing advanced annual leave, the supervisor must consider whether the employee is expected to return to duty, the employee's performance, and the benefits to the DOI bureau/office of retaining the employee.

9. Settling Advanced Annual Leave Debts. If an employee is indebted for advanced annual leave and separates from Federal service, he or she is required to repay the agency by refunding the amount of unearned leave or having the agency deduct the owed amount from any pay due to the employee. When an employee who is indebted for advanced annual leave transfers to another Federal agency without a break in service, the DOI bureau/office must certify the employee's annual leave account to the new agency. Agencies may not require an employee to refund the amount of the advanced annual leave in order to achieve a "zero" balance at the time of transfer. In such cases, a negative annual leave balance should be transferred to the employee's new agency. If an employee dies or retires/separates on disability, he or she does not have to repay the debt.

10. Other Flexibilities Offered to Employees. Employees and supervisors are encouraged to research other work-life flexibilities that may assist the employee in connection with the birth, adoption/foster care of a child or for other eligible sick leave uses. The Office of Personnel Management's "Handbook on Leave and Workplace Flexibilities for Childbirth, Adoption, and

Foster Care,” is a valuable tool for both employees and supervisors and discusses the other flexibilities available to DOI employees. Please consult with your servicing Human Resource Office regarding the DOI policy on these work-life flexibilities.

11. Coverage and Exclusions. The provisions of this PB apply to all Department of the Interior employees. DOI contractors are excluded from this policy.

12. Point of Contact. The Departmental point of contact for this policy is Joy Buhler, Office of Human Resources, 202-219-0811.



Acting Director
Office of Human Resources