

5 Employee Benefits

510 Leave

511 General

511.1 Administration Policy

The Postal Service policy is to administer the leave program on an equitable basis for all employees, considering (a) the needs of the Postal Service and (b) the welfare of the individual employee.

511.2 Responsibilities

511.21 Postal Officials

Postal officials:

- a. Administer the leave program.
- b. Inform employees of their leave balance.
- c. Approve or disapprove requests for leave.
- d. Record leave in accordance with Handbook F-21, *Time and Attendance*, or Handbook F-22, *PSDS Time and Attendance*.
- e. Control unscheduled absences (see [511.4](#)).

511.22 Eagan Accounting Service Center

The Eagan Accounting Service Center (ASC):

- a. Maintains official leave records.
- b. Provides leave data to installation *when employees are being separated*.

511.23 Postal Employees

Postal employees:

- a. Request leave by completing PS Form 3971, *Request for or Notification of Absence*.
- b. Obtain approval of PS Form 3971 before taking leave — except in cases of emergencies.
- c. Avoid unnecessary forfeiture of annual leave.

511.3 **Eligibility**511.31 **Covered**

Covered by the leave program are:

- a. Full-time career employees.
- b. Part-time regular career employees.
- c. Part-time flexible career employees.
- d. To the extent provided in the USPS National Rural Letter Carriers' Association (NRLCA) National Agreement, temporary employees assigned to rural carrier duties.

Note: Transitional employees are not covered by the leave program, but do earn leave as specified in their union's national agreement.

References to A–E Postmasters also apply to Part-Time Postmasters.

511.32 **Not Covered**

Not covered by the leave program are:

- a. Postmaster relief/leave replacements, noncareer officers in charge, and other temporary employees except as described in [511.31d](#).
- b. Casual employees.
- c. Individuals who work on a fee or contract basis, such as job cleaners.

511.4 **Unscheduled Absence**511.41 **Definition**

Unscheduled absences are any absences from work that are not requested and approved in advance.

511.42 **Management Responsibilities**

To control unscheduled absences, postal officials:

- a. Inform employees of leave regulations.
- b. Discuss attendance records with individual employees when warranted.
- c. Maintain and review PS Form 3972, *Absence Analysis*, and PS Form 3971.

511.43 **Employee Responsibilities**

Employees are expected to maintain their assigned schedule and must make every effort to avoid unscheduled absences. In addition, employees must provide acceptable evidence for absences when required.

512 **Annual Leave**512.1 **General**512.11 **Purpose**

Annual leave is provided to employees for rest, for recreation, and for personal and emergency purposes.

512.12 Definitions

The following definitions apply for the purposes of [510](#):

- a. *Leave year* — the year beginning with the first day of the first complete pay period in a calendar year and ending on the day before the first day of the first complete pay period in the following calendar year.
- b. *Accumulated leave* — the total unused leave that remains to the credit of the employee at the beginning of any leave year.
- c. *Current leave* — leave that an employee earns by biweekly pay periods during the current leave year.
- d. *Accrued leave* — leave that is earned but is unused by an employee during any period during the current leave year.

512.2 Determining Annual Leave Category**512.21 General Policy**

Annual leave category is determined by using the leave policy in effect at the time an employee enters a career appointment or transfers into the Postal Service.

Both active military and civilian service, as outlined in [512.22](#) and [512.23](#), are used in computing the years of service that determine an employee's annual leave category, but leave credit is not allowed for both civilian and military service that cover the same period of time. Other service not counted is listed in [512.24](#).

512.22 Federal Civilian Service Counted**512.221 Service in the Postal Service**

The following prior service in the Postal Service is used in computing the years of service that determine the annual leave category:

- a. Service performed while a career employee of the Postal Service or Post Office Department.
- b. Time on the rolls during which an employee served as a substitute rural carrier (not just the dates on which actual service was performed) if the time is creditable for the federal retirement program applicable to the employee.
- c. If performed before January 1, 1977, time on the rolls as a casual or temporary employee, or time actually worked as a postmaster relief/leave replacement in an office other than first-class.
- d. For postmaster relief/replacement in a first-class office, time actually worked after July 21, 1947, and before January 1, 1977.

512.222 Service in Other Federal Government Organizations, the District of Columbia, or Gallaudet University

The following service in the federal government, the District of Columbia, or Gallaudet University, regardless of breaks in service, is used in computing the years of service that determine the annual leave category:

- a. Career, career conditional, and excepted appointment service (without a "not to exceed" (NTE) date).

- b. Seasonal, on-call, or intermittent employment, even though it may be an “indefinite career appointment,” credited on a “when actually employed” (WAE) basis. For such appointments, no credit for leave is given for leave without pay (LWOP) periods.
- c. Time-limited or temporary appointment service performed prior to January 1, 1977.
- d. VISTA service prior to October 1, 1973.
- e. District of Columbia (D.C.) government service only if (a) the person was employed there prior to October 1, 1987, or, if service in an appointment by the D.C. government to St. Elizabeth’s Hospital, on October 1, 1977, and (b) the service is creditable for Civil Service Retirement System (CSRS) purposes.

512.23 **Military Service Counted**

512.231 **Service of an Employee Not Eligible for Military Retirement Annuity**

The following military service is used in computing the years of service that determine the annual leave category:

- a. Periods of active service terminated by honorable discharge or transfer to inactive reserves under honorable conditions. Active service may be in the Army, Air Force, Navy, Marine Corps, and/or Coast Guard and their respective academies.
- b. Service performed by employees who are members of the National Guard Service or Air National Guard Service only during periods of active duty with the U.S. Army or U.S. Air Force.
- c. Service performed by Naval Reserve Officers Training Corps students during periods of active duty or training duty as members of the Naval or Marine Corps Reserve.

Note: Veterans Affairs (VA) disability payments for service-connected injuries or illnesses are not retirement annuities. If a VA disability payment is received and the employee is not eligible for a military retirement annuity, [512.231](#) applies. If the employee is eligible for a military retirement annuity, [512.232](#) applies.

512.232 **Service of an Employee Eligible for Military Retirement Annuity**

The following military service is used in computing the years of service that determine the annual leave category:

- a. *Full Credit.* Full leave accrual credit for all of active military service is granted if a military retiree meets one of the following four conditions:
 - (1) Retirement was based on disability resulting from injury or disease received in the line of duty as a direct result of armed conflict.
 - (2) Retirement was based on disability caused by an instrumentality of war and incurred in the line of duty during a period of war defined in 38 United States Code (U.S.C.) 101 and 301.
 - (3) On November 30, 1964, the employee was employed in a civilian office to which the Annual and Sick Leave Act of 1951 applied

and continues to be employed in a civilian capacity without a break in civilian service of more than 30 days.

Notes:

- (a) A military retiree who as a military reservist or member of the National Guard was called from civilian employment to active military duty before November 30, 1964, and after that date was restored to a civilian position (under 5 U.S.C. 3551) does not meet this condition.
 - (b) Section 3551 provides only for restoration; therefore, the employee is not considered as having been on military furlough or leave of absence from a civilian position or as having been employed on November 30, 1964, in a civilian position to which section 6303(a), the former *Annual and Sick Leave Act*, applied.
- (4) The individual first becomes eligible for a uniformed services annuity while serving as a career employee. This provision applies to members of the Reserve Component of the Armed Forces (Reserves and National Guard) who (a) qualify for an annuity because of reserve service or (b) are involuntarily recalled to active duty under Title 10, qualify for uniformed services retirement during that period of active duty, and then are restored to federal civilian employment on completion of that period of involuntary military service. This provision applies only to the employee's current period of civilian employment; if the employee separates and is reemployed later, the provision is no longer applicable.
- b. *Partial Credit.* Military retirees who do not qualify for full leave accrual credit can qualify for partial credit based on the following:
- (1) Service for determining an employee's leave category is restricted to the actual length of time in active service in the armed forces during any war or in any nonwartime campaign or expedition for which a campaign badge was authorized.
 - (2) Service in a nonwartime campaign or expedition does *not* entitle the military retiree to credit for the duration of the campaign or expedition but only for the period of service in the campaign or expedition.
- Note:** [Exhibit 512.232](#) provides data about wars and campaigns and expeditions for which campaign badges were authorized.
- c. *Verification.* Military service should be verified:
- (1) *Disability Retirements.* Request verification from the records center of the appropriate military branch.
 - (2) *Wartime Service.* Verify from discharge certificates (e.g., DD Form 214).
 - (3) *Military Records Center.* Addresses and other data necessary to verify service are provided in SF180, Request Pertaining to

Military Records, found at the following Web site: <http://www.archives.gov/research/order/standard-form-180.pdf>.

- (4) *Campaign or Expeditionary Service.* Verify by sending a completed SF 813, *Verification of a Military Retiree's Service in Nonwartime Campaigns or Expeditions*, to the appropriate military records center. SF 813 can be found at the following Web site: http://www.opm.gov/forms/pdf_fill/SF813.pdf.

Exhibit 512.232

Wars, Campaigns, and Expenditions of the Armed Forces Since 1937

a. Wars¹	
War	Inclusive Dates
World War I	April 6, 1917 – July 2, 1921 ²
World War II	December 7, 1941 – April 28, 1952 ³
b. Nonwar Campaigns and Expeditions Since 1937 for Which a Campaign or Expeditionary Medal Has Been Awarded.	
Campaign or Expedition	Inclusive Dates
American Defense Service	September 8, 1939 – December 7, 1941
Army Occupation of Austria	May 9, 1945 – July 27, 1955
Army Occupation of Berlin	May 9, 1945 – October 2, 1990
Army Occupation of Germany (exclusive of Berlin)	May 9, 1945 – May 5, 1955
Army Occupation of Japan	September 3, 1945 – April 27, 1952
China Service	July 7, 1937 – September 7, 1939
China Service Medal (Extended)	September 2, 1945 – April 1, 1957
Korea Defense Service Medal	July 28, 1954 – (to be decided)
Korean Service	June 27, 1950 – July 27, 1954
Navy Occupation of Austria	May 8, 1945 – October 25, 1954
Navy Occupation of Trieste	May 8, 1945 – October 25, 1954
Southwest Asia Service Medal (SWASM): Operation Desert Shield Operation Desert Storm	August 2, 1990 – November 30, 1995 August 2, 1990 – November 30, 1995
Units of the Sixth Fleet (Navy)	May 9, 1945 – October 25, 1955
Vietnam Service Medal (VSM)	July 4, 1965 – March 28, 1973

¹ "Wars" include only those armed conflicts for which a declaration of war was issued by Congress. The Title 38, U.S.C., definition of "war," which is used in determining benefits administered by the Department of Veterans Affairs, includes the Vietnam Era and other armed conflicts. That Title 38 definition is not applicable for purposes of granting partial leave credit to military retirees.

² July 2, 1921, is the date of a Joint Resolution of the U.S. Congress that terminated the war with Germany and Austria-Hungary.

³ The effective date of the Treaty of Peace with Japan that officially terminated World War II.

⁴ Ongoing campaign or operation through August 2000.

Armed Forces Expeditionary Medal (AFEM) (A veteran's DD Form 214, <i>Certificate of Release or Discharge From Active Duty</i> , showing the award of any Armed Forces Expeditionary Medal is acceptable proof. The DD Form 214 does not have to show the name of the theater or country of service for which that medal was awarded.)	Inclusive Dates
Afghanistan: Operation Enduring Freedom Operation Iraqi Freedom	September 11, 2001 – (to be decided) March 19, 2003 – (to be decided)
Berlin	August 14, 1961 – June 1, 1963
Bosnia: Operation Joint Endeavor Operation Joint Guard Operation Joint Forge	November 20, 1995 – December 20, 1996 December 20, 1996 – June 20, 1998 June 21, 1998 – (to be decided)
Cambodia	March 29, 1973 – August 15, 1973
Cambodia Evacuation: Operation Eagle Pull	April 11, 1975 – April 13, 1975
Congo	July 14, 1960 – September 1, 1962, and November 23 – 27, 1964
Cuba	October 24, 1962 – June 1, 1963
Dominican Republic	April 28, 1965 – September 21, 1966
El Salvador	January 1, 1981 – February 1, 1992
Global War on Terrorism	September 11, 2001 – (to be decided)
Grenada: Operation Urgent Fury	October 23, 1983 – November 21, 1983
Haiti: Operation Uphold Democracy	September 16, 1994 – March 31, 1995
Indian Ocean/Iran	November 21, 1979 – October 20, 1981
Iraq: Operation Northern Watch ⁴ Operation Desert Spring Operation Enduring Freedom (OEF) Operation Iraqi Freedom (OIF)	January 1, 1997 – (to be decided) December 31, 1998 – December 31, 2002 (projected) September 11, 2001 – (to be decided) March 19, 2003 – (to be decided)
Korea	October 1, 1966 – June 30, 1974
Kosovo Campaign Medal (KCM): Operation Allied Force Operation Noble Anvil Task Force Saber Task Force Hunter Operation Sustain Hope/Shining Hope Operation Allied Harbor Task Force Hawk Task Force Falcon	March 24, 1999 – June 10, 1999 March 24, 1999 – July 20, 1999 March 31, 1999 – July 8, 1999 April 1, 1999 – November 1, 1999 April 4, 1999 – July 10, 1999 April 4, 1999 – September 1, 1999 April 5, 1999 – June 24, 1999 June 11, 1999 – (to be decided)
Laos	April 19, 1961 – October 7, 1962

¹ "Wars" include only those armed conflicts for which a declaration of war was issued by Congress. The Title 38, U.S.C., definition of "war," which is used in determining benefits administered by the Department of Veterans Affairs, includes the Vietnam Era and other armed conflicts. That Title 38 definition is not applicable for purposes of granting partial leave credit to military retirees.

² July 2, 1921, is the date of a Joint Resolution of the U.S. Congress that terminated the war with Germany and Austria-Hungary.

³ The effective date of the Treaty of Peace with Japan that officially terminated World War II.

⁴ Ongoing campaign or operation through August 2000.

Lebanon	July 1, 1958 – November 1, 1958, and June 1, 1983 – December 1, 1987
Mayaguez Operation	May 15, 1975
Operations in the Libyan Area: Operation Eldorado Canyon	April 12, 1986 – April 17, 1986
Panama: Operation Just Cause	December 20, 1989 – January 31, 1990
Persian Gulf: Intercept Operation ⁴	December 1, 1995 – (to be decided)
Persian Gulf Operations: Operation Earnest Watch Operation Vigilant Sentinel Operation Southern Watch ⁴ Operation Desert Thunder Operation Desert Fox	July 24, 1987 – August 1, 1990 December 1, 1995 – February 15, 1997 December 1, 1995 – (to be decided) November 11, 1998 – December 22, 1998 December 16, 1998 – December 22, 1998
Quemoy and Matsu Islands	August 23, 1958 – June 1, 1963
Somalia: Operation Restore Hope and United Shield	December 5, 1992 – March 31, 1995
Taiwan Straits	August 23, 1958 – January 1, 1959
Vietnam (including Thailand)	July 1, 1958 – July 3, 1965
Vietnam Evacuation: Operation Frequent Wind	April 29, 1975 – April 30, 1975
Navy Expeditionary Medal and Marine Corps Expeditionary Medal	Inclusive Dates
Cuba	January 3, 1961 – October 23, 1962
Indian Ocean/Iran	November 21, 1979 – October 20, 1981
Iranian/Yemen/Indian Ocean	December 8, 1978 – June 6, 1979
Lebanon	August 20, 1982 – May 31, 1983
Liberia: Operation Sharp Edge	August 5, 1990 – February 21, 1991
Libyan Area	January 20, 1986 – June 27, 1986
Panama	April 1, 1980 – December 19, 1986, and February 1, 1990 – June 13, 1990
Persian Gulf	February 1, 1987 – July 23, 1987
Rwanda: Operation Distant Runner	April 7, 1994 – April 18, 1994
Thailand	May 16, 1962 – August 10, 1962

¹ "Wars" include only those armed conflicts for which a declaration of war was issued by Congress. The Title 38, U.S.C., definition of "war," which is used in determining benefits administered by the Department of Veterans Affairs, includes the Vietnam Era and other armed conflicts. That Title 38 definition is not applicable for purposes of granting partial leave credit to military retirees.

² July 2, 1921, is the date of a Joint Resolution of the U.S. Congress that terminated the war with Germany and Austria-Hungary.

³ The effective date of the Treaty of Peace with Japan that officially terminated World War II.

⁴ Ongoing campaign or operation through August 2000.

512.24 **Service Not Counted**

Credit is not allowed for:

- a. Service in a nonpay status in excess of 6 months in a calendar year unless the employee is in an LWOP status and is (1) receiving Office of Workers Compensation Programs (OWCP) benefits, (2) serving as a full-time officer or employee of an employee or management organization, or (3) on active military service while being carried on postal rolls in an LWOP status.
- b. LWOP periods during indefinite career appointments that are seasonal, on-call, or intermittent employment.
- c. VISTA service after October 1, 1973, Peace Corps, or similar volunteer service.
- d. Tennessee Valley Authority service.
- e. Time-limited or temporary service performed on or after January 1, 1977.
- f. Service in Army and Air Force Exchange Services (AAFES), Navy and Coast Guard Exchanges, Army and Air Force Motion Picture Service, and other organizations under the jurisdiction of the armed forces conducted for the comfort, pleasure, contentment, and mental and physical improvement of armed forces personnel.
- g. Foreign national service, that is, service during which the employee worked outside the United States for a federal agency — such as the Department of the Army, the U.S. Department of State, or the U.S. Agency for International Development — as a foreign citizen.

512.3 **Accrual and Crediting**512.31 **Employee Categories**512.311 **Full-Time Employees**

The following provisions concern full-time employees:

- a. *Accrual Chart*. Full-time career employees earn annual leave based on their number of creditable years of service as follows:

Table 1: Table 1 is valid only for:

- (1) Career bargaining employees, and
- (2) Career non-executive non-bargaining employees except for those listed under Table 2.

Leave Category	Creditable Service	Maximum Leave Per Year
4	Less than 3 years	4 hours for each full biweekly pay period; i.e., 104 hours (13 days) per 26-period leave year.
6	3 years but less than 15 years	6 hours for each full biweekly pay period plus 4 hours in last full pay period in calendar year; i.e., 160 hours (20 days) per 26-period leave year.

Leave Category	Creditable Service	Maximum Leave Per Year
8	15 years or more	8 hours for each full biweekly pay period; i.e., 208 hours (26 days) per 26-period leave year.

Table 2: Table 2 is valid only for newly hired career Postmasters and supervisory or managerial non-bargaining employees, and non-career employees converted to those positions, with a career appointment date on or after October 6, 2012, who are without any prior federal or USPS service that was creditable at the time of that career appointment toward the leave computation date, and only while holding a career Postmaster, supervisory, or managerial non-bargaining position. Table 2 never applies to an employee who earned annual leave per Table 1.

Leave Category	Creditable Service	Maximum Leave Per Year
3.07	Less than 5 years	3.07 hours for each full biweekly pay period plus 0.18 hours in last full pay period in calendar year; i.e., 80 hours (10 days) per 26-period leave year.
4.61	5 years but less than 15 years	4.61 hours for each full biweekly pay period plus 0.14 hours in last full pay period in calendar year; i.e., 120 hours (15 days) per 26-period leave year.
6.15	15 years or more	6.15 hours for each full biweekly pay period plus 0.10 hours in last full pay period in calendar year; i.e., 160 hours (20 days) per 26-period leave year.

- b. *Credit at Beginning of Leave Year.* Full-time career employees are credited at the beginning of the leave year with the total number of annual leave hours that they will earn for that leave year.
- c. *Changes in Employee's Accrual Rate.* Leave credit at the beginning of the leave year reflects any change in an employee's accrual rate for that year.
- d. *Change From Part-time to Full-time.* An employee who changes from a part-time to a full-time employee after the start of a leave year is credited with the annual leave to be earned for the remainder of the leave year.
- e. *Nonpay Status.* Leave credit for periods in which an employee is in a nonpay status is reduced during the leave year as follows:
 - (1) When an employee's absence in a nonpay status totals the equivalent of 1 pay period of regular service during the leave year (10 days or 80 hours), credit for leave is reduced by the amount of leave earned by the employee in a pay period.

Notes:

- (a) For rural carriers who are required to work 6 days a week, the equivalent of 1 pay period is 12 days or 96 hours.

- (b) For J route carriers, the equivalent of 1 pay period is 11 days or 88 hours.
- (2) When an employee has one or more periods of LWOP during the leave year, all hours in a nonpay status (during periods in which the employee earned annual leave) are totaled to reduce leave credits.

512.312 **Part-Time Employees**

The following provisions concern part-time employees:

- a. *Accrual and Crediting Chart.* Part-time career employees other than rural carriers earn annual leave based on the number of hours in which they are in pay status (see [Exhibit 512.312](#)).
- b. *Biweekly Crediting.* Leave accrues and is credited in whole hours at the end of each biweekly pay period. All hours in pay status that cannot be credited for leave purposes (see [512.312a](#)) are dropped when:
 - (1) The leave year ends.
 - (2) The employee's status is changed from part-time to full-time.
 - (3) The employee is removed from the rolls for any cause.

Exceptions: The following are exceptions to the crediting rule in [512.312b](#).

- (1) Part-time regular schedule employees including A–E Postmasters are credited with annual leave on a pro rata basis, according to their authorized daily schedules. Employees other than A–E Postmasters must wait until they have 1 year or more of career service to be credited at the beginning of the leave year with the annual leave that they will earn during the leave year. A–E Postmasters are credited at the beginning of the leave year with the annual leave that they earn during the leave year. Part-time regular employees are entitled to additional leave hours, based on their leave category, for each (1) 20, 13, or 10; or (2) 26, 17.33, or 13 hours of work in excess of the schedule (see [Exhibit 512.312](#)).
- (2) Substitute rural carriers and rural carrier associates (RCAs) earn leave for time serving (a) a vacant route or (b) a route from which the rural carrier is on extended leave in excess of 90 days. RCAs also earn leave based on the number of hours worked serving an auxiliary route for a period in excess of 90 days. The leave category for substitute rural carriers is based on creditable service, and for RCAs it is based on category 4. The first day of the pay period following 90 days, the substitute or RCA is credited with accrued annual leave for the first 90 days.
- (3) Auxiliary rural carriers, including substitute rural carriers in dual appointments, are credited with annual leave for actual service performed in accordance with their appropriate leave category. If auxiliary rural carriers are otherwise employed (e.g., as clerks in the Post Office), such additional service is also used in the computation of leave credit; otherwise, they are credited as instructed in [512.312a](#).

Exhibit 512.312

Accrual and Crediting Chart for Part-Time Career Employees

Table 1: Table 1 is valid only for:

1. Part-time career bargaining employees, and
2. Part-time career non-executive non-bargaining employees except for those listed under Table 2.

Leave Category	Years of Creditable Service	Maximum Leave per Year	Rate of Accrual	Hours in Pay Status	Hours of Leave Earned per Period
4	Less than 3 years	104 hours, or 13 days per 26-period leave year or 4 hours for each biweekly pay period.	1 hour for each unit of 20 hours pay in status.	20	1
				40	2
				60	3
				80	4 (max.)
6	3 years but less than 15 years	160 hours, or 20 days per 26-period leave year or 6 hours for each full biweekly pay period. ¹	1 hour for each unit of 13 hours in pay status.	13	1
				26	2
				39	3
				52	4
				65	5
78	6 (max.) ¹				
8	15 years or more	208 hours, or 26 days per 26-period leave year or 8 hours for each full biweekly pay period.	1 hour for each unit of 10 hours in pay status.	10	1
				20	2
				30	3
				40	4
				50	5
				60	6
				70	7
80	8 (max.)				

¹ Except that the accrual for the last pay period of the calendar year may be 10 hours, provided the employee has the 130 creditable hours or more in a pay status in the leave year for leave purposes.

Recording Hours for Annual and Sick Leave

- a. Units of hours in a pay status are converted into annual leave credits at the rate of 1 hour for each unit of 20, 13, or 10 hours in a pay status — up to a maximum of 4, 6, or 8 hours per biweekly pay period, depending on the employee's leave category.
- b. Hours in a pay status in excess of these whole units are accumulated and carried forward as excess workhours. These excess (uncredited) workhours are added to hours in a pay status in the next period.
- c. Whole units of creditable hours (20, 13, or 10) are then converted into leave hours at the unit rate — provided no more leave is credited to a part-time employee than could be earned in the same leave year by a full-time employee.
- d. The maximum credit allowable for a particular leave category is calculated by multiplying the period number by the number of leave hours allowable per period.

Table 2: Table 2 is valid only for newly hired career Postmasters and supervisory or managerial non-bargaining employees, and non-career employees converted to those positions, with a career appointment date on or after October 6, 2012, who are without any prior federal or USPS service that was creditable at the time of that career appointment toward the leave computation date, and only while holding a career Postmaster, supervisory, or managerial non-bargaining position. Table 2 never applies to an employee who earned annual leave per Table 1.

Leave Category	Years of Creditable Service	Maximum Leave per Year	Rate of Accrual	Hours in Pay Status	Hours of Leave Earned per Period
3.07	Less than 5 years	80 hours or 10 days per 26-period leave year or 3.07 hours for each biweekly pay period.	1 hour for each unit of 26 hours pay in status.	26	1
				52	2
				78	3
				80	3.07 (max.) ¹

Leave Category	Years of Creditable Service	Maximum Leave per Year	Rate of Accrual	Hours in Pay Status	Hours of Leave Earned per Period
4.61	5 years but less than 15 years	120 hours or 15 days per 26-period leave year or 4.61 hours for each full biweekly pay period. ¹	1 hour for each unit of 17.33 hours in pay status.	17.33	1
				34.66	2
				51.99	3
				69.32	4.61 (max.) ¹
				80	
6.15	15 years or more	160 hours or 20 days per 26-period leave year or 6.15 hours for each full biweekly pay period.	1 hour for each unit of 13 hours in pay status.	13	1
				26	2
				39	3
				52	4
				65	5
				78	6
				80	6.15 (max.) ¹

¹. Except that the accrual for the last pay period of the calendar year will equal the number of hours required to equal annual leave earned for the leave year; based upon total hours in a pay status for the leave year.

Recording Hours for Annual and Sick Leave

- Units of hours in a pay status are converted into annual leave credits at the rate of 1 hour for each unit of 26, 17.33, or 13 hours in a pay status — up to a maximum of 3.07, 4.61, or 6.15 hours per biweekly pay period, depending on the employee's leave category.
- Hours in a pay status in excess of these whole units are accumulated and carried forward as excess workhours. These excess (uncredited) workhours are added to hours in a pay status in the next period.
- Whole units of creditable hours (26, 17.33, or 13) are then converted into leave hours at the unit rate — provided no more leave is credited to a part-time employee than could be earned in the same leave year by a full-time employee.
- The maximum credit allowable for a particular leave category is calculated by multiplying the period number by the number of leave hours allowable per period.

512.313 Appointees

The following provisions concern appointees:

- Rate of Leave Accrual.** The rate of leave accrual for a new career employee (whether appointed, reinstated, or transferred) is determined promptly as soon as related facts are verified. It is based on creditable service, both civilian and military (see [512.2](#)).
- Ninety-Day Qualifying Period.**
 - Requirement.** New employees are not credited with and may not take annual leave until they complete 90 days of continuous employment under one or more appointments without a break in service.

Exception: This requirement does not apply to (a) career (or career conditional) employees who have had a minimum of 90 days of continuous federal service prior to transferring, without a break in service, to a Postal Service career position (see [512.812](#) and [512.91](#)) or (b) substitute rural carriers or RCAs who are in a leave-earning status and convert to a Postal Service career position without a break in service.
 - Break in Service.** A break in service of 1 or more workdays breaks the continuity of employment. Any further employment requires beginning a new 90-day period. (For substitute rural carriers and RCAs, see [512.552](#).)
 - Active Military Service.** Active military service for an employee not entitled to mandatory restoration is a break in civilian service. The employee begins a new 90-day qualifying period for leave purposes.

- (4) *Full-time Employees and A–E Postmasters.* After new employees complete the 90-day qualifying period, they are credited with annual leave to be earned during the remainder of the leave year plus the leave earned during the qualifying period.
 - (5) *Part-time Employees Except A–E Postmasters.* After part-time employees complete the 90-day qualifying period, annual leave that they have accrued is credited to their accounts.
- c. *Partial Pay Period.*
- (1) Any employee whose appointment is made effective after the first Monday of a pay period does not receive leave credit for service performed during that pay period. Part-time employees appointed in this manner do not have their service hours brought forward for leave purposes for that pay period.
 - (2) An employee transferring from an agency having different pay periods may be given credit for the partial period.

512.32 **Maximum Carryover**

512.321 **Maximum Carryover Amounts**

The maximum carryover amount, i.e., the maximum amount of previously accumulated annual leave with which an employee may be credited at the beginning of a year, is as follows:

- a. *Bargaining Unit Employees.* The maximum leave carryover for bargaining unit employees is 55 days (440 hours).
- b. *Executive and Administrative Schedule (EAS) Employees.* The maximum carryover amount for EAS employees is 70 days (560 hours).
- c. *Employees Affected by Public Law 102.* For employees who, on January 1, 1953 (prior to the passage of Public Law 102), (1) had more accumulated leave to their credit than the amounts provided above, and (2) who have maintained balances in excess of those amounts, the maximum carryover amount is the balances they have maintained.

512.322 **Nonbargaining Unit to Bargaining Unit**

When a nonbargaining unit employee is permanently assigned to a bargaining unit position, the employee's annual leave carryover ceiling is reduced to the carryover ceiling for that bargaining unit. The employee is permitted to use the excess annual leave over the bargaining unit ceiling during the leave year in which the permanent assignment is effective.

512.4 **Authorizing Annual Leave**

512.41 **Requests for Annual Leave**

512.411 **General**

Except for emergencies, annual leave for all employees except postmasters must be requested on PS Form 3971 and approved in advance by the appropriate supervisor. Leave requests from rural carriers must be approved in accordance with Article 10 of the USPS-NRLCA National Agreement.

512.412 **Emergencies**

An exception to the advance approval requirement is made for emergencies; however, in these situations, the employee must notify appropriate postal

authorities of the emergency and the expected duration of the absence as soon as possible.

When sufficient information is provided to determine that the absence may be covered by the Family and Medical Leave Act (FMLA), the following Department of Labor forms will be mailed to the employee's address of record along with a return envelope:

- a. WH 381, *FMLA Notice of Eligibility and Rights and Responsibilities*; and
- b. One of the following forms, as appropriate:
 - (1) WH-380-E, *FMLA Certification of Health Care Provider for Employee's Serious Health Condition*.
 - (2) WH-380-F, *FMLA Certification of Health Care Provider for Family Member's Serious Health Condition*.
 - (3) WH-384, *FMLA Certification for Qualifying Exigency for Military Family Leave*.
 - (4) WH-385, *FMLA Certification for Serious Injury or Illness of Covered Servicemember — for Military Family Leave*.

Note: These forms are provided for the employee's convenience, as they solicit all required information; however, employees may use another format as long as it provides complete and sufficient information as required by the FMLA. The information provided should relate only to the specific reason associated with the request for leave protection.

PS Form 3971, *Request for or Notification of Absence*, will be provided to the employee upon his or her return to duty.

When sufficient information to determine that the absence is covered by FMLA is not provided in advance of the absence, the employee must submit PS Form 3971 and applicable medical or other certification upon returning to duty and explain the reason for the emergency to his or her supervisor.

Supervisors approve or disapprove the leave request. When the request is disapproved, the absence may be recorded as LWOP or absent without leave (AWOL) at the discretion of the supervisor as outlined in [512.422](#).

512.42 PS Form 3971 Request for or Notification of Absence

512.421 Purpose

Request for annual leave is made in writing, in duplicate, on PS Form 3971.

512.422 Approval or Disapproval

The supervisor is responsible for approving or disapproving the request for annual leave by signing PS Form 3971, a copy of which is given to the employee. If a supervisor does not approve a request for leave, the Disapproved block on PS Form 3971 is checked and the reasons given in writing in the space provided. When a request is disapproved, the granting of any alternate type of leave, if any, must be noted along with the reasons for disapproval. AWOL determinations must be similarly noted.

512.423 Retention and Disposal Period

Forms 3971 are retained by the installation head for 2 years from the date the leave is taken or disapproved and are then destroyed. (Documents that become a part of a disciplinary file or administrative proceeding will be disposed of with that file.)

512.43 **Insufficient Leave Balance**

If the leave is approved and the employee has an insufficient leave balance, it is changed to LWOP when the employee's pay is processed.

512.5 **Leave Charge Information**512.51 **Full-Time Employees**512.511 **Minimum Unit Charge**

Minimum unit charges for full-time employees are as follows:

Employee Category	Minimum Unit Charge
All full-time nonexempt employees.	One-hundredth of an hour (0.01 hour).
Full-time exempt.	(See 519.7 .)
Regular rural carriers.	1 day (8 hours).
Substitute rural carriers and RCAs when in a leave-earning status and serving:	
1. Vacant routes.	1 day (8 hours).
2. Routes from which rural carriers are on extended leave.	1 day (8 hours).
RCAs when in a leave-earning status and serving auxiliary routes.	1 hour.
Auxiliary rural carriers.	1 hour.
Triweekly rural carriers.	(See 512.54 .)

512.512 **Holidays**

Leave cannot be charged for national legal holidays, days designated as holidays, or absences authorized by administrative order.

Exception: If an employee shown to be eligible in [434.422](#) elects to receive annual leave credit in lieu of holiday leave pay (see [512.65](#)), annual leave may be charged to supplement work hours, up to the limit of the employee's regular work schedule, on the holiday worked.

512.513 **Leave for Postmasters and Installation Heads**

These employees must (a) promptly report emergency or planned absences exceeding 5 working days to their postal managers and (b) maintain accurate records of their leave.

512.514 **Rural Carriers (Regular and Substitute)**

See [512.53](#) and [512.55](#).

512.52 **Part-Time Employees**512.521 **Minimum Unit Charge**

Minimum unit charges for part-time employees are as follows:

Employee Category	Minimum Unit Charge
All part-time nonexempt employees.	One-hundredth of an hour (0.01 hour).
Part-time exempt employees.	(See 519 .)

512.522 Part-Time Regular

A part-time regular employee who is granted annual leave and performs service on the same day is not allowed to take more leave hours than would total 8 hours when combined with workhours.

512.523 Part-Time Flexible

The following provisions concern part-time flexible employees:

- a. A part-time flexible employee who has been credited with 40 hours or more of paid service (work, leave, or a combination of work and leave) in a service week is not granted paid annual or sick leave during the remainder of that service week. Absences in such cases are treated as nonduty time, not chargeable to paid leave of any kind. Supervisors should avoid granting leave resulting in the requirement for overtime pay.
- b. Part-time flexible employees who request leave on days that they are scheduled to work, except legal holidays, may be granted leave provided they can be spared. The combination of leave and workhours charged to these employees cannot exceed 8 hours on any one day. The installation head may also consider a request for annual leave on any day a part-time flexible employee is not scheduled to work. The 40 hours paid service in a service week specified in [512.523a](#) may not be exceeded.

512.524 A–E Postmasters

The following provisions concern A–E postmasters:

- a. *Maximum Leave.* Annual leave may not exceed the scheduled service hours for the day on which the leave is taken.
- b. *Saturday Absences.* A–E postmasters work a 6-day week. Absence on Saturday that occurs within or at the beginning or end of a period of annual leave or sick leave is not charged to such leave, nor is there loss of compensation provided either of the following is true:
 - (1) There are 5 or more days of annual or sick leave within the period.
 - (2) There are 4 or more days of annual or sick leave plus a holiday. If the holiday falls on a Saturday that is a scheduled workday, absence on the preceding Friday is not charged to leave. If the leave period is for less than 4 days, absence on Friday is charged to leave.

512.53 Regular Rural Carriers**512.531 General**

Annual leave is earned by a regular rural carrier in accordance with [512.311](#) and the terms of the applicable collective bargaining agreement. It is taken in minimum units of 1 day (8 hours) provided a leave replacement is available.

512.532 **Saturday Absences**

Rules for approved absences of regular rural carriers, substitute rural carriers, or RCAs in a leave-earning status are subject to the specific conditions of the USPS-NRLCA National Agreement. Accordingly, the following apply:

- a. Absence on Saturday that occurs within or at the beginning or end of a period of annual leave or sick leave is not charged to such leave, nor is there loss of compensation provided the appropriate leave balance on the PS Form 1223-A, *Earnings Statement*, reflects at least 6 days of leave and either of the following is true:
 - (1) There are more than 5 days of annual or sick leave within the period.
 - (2) There are more than 4 days of annual or sick leave plus a holiday. If the holiday falls on a Saturday that is a scheduled workday, absence on the preceding Friday is not charged to leave. If the leave period is 4 days or less, absence on Friday is charged to leave.
- b. Interruption during the approved period of annual or sick leave by 1 day of court leave due to circumstances beyond the carrier's control does not disqualify the carrier for coverage as provided above.
- c. Upon request, a rural carrier is granted annual leave or LWOP on Saturday, at the carrier's option, provided a replacement is available.

512.54 **Triweekly Rural Carriers**512.541 **Week's Absence**

Carriers who are absent for a week on sick or annual leave are charged with 5 days' leave.

512.542 **Absences Less Than a Week**

Carriers who are absent for less than a week at a time are charged with 2 days' leave for each workday of absence.

512.543 **Leave Carryover**

The carrier may end the year with 1 day of unused annual leave. This day may be carried forward into another leave year provided the total carried forward does not exceed 55 days, except as provided in [512.321](#).

512.55 **Leave Replacements for Rural Carriers**512.551 **General**

After a rural carrier or RCA has been assigned to and served in excess of 90 days in a vacant route or in a route from which a rural carrier is on extended leave, or after an RCA has been assigned to and served in excess of 90 days in an auxiliary route, he or she may take the accrued annual leave. Annual leave is granted in accordance with normal leave requirements and the terms of the applicable collective bargaining agreement. It is granted in minimum units of 1 day for regular routes or 1 hour for auxiliary routes provided a leave replacement is available.

512.552 **Ninety-Day Qualifying Period**

Substitute carriers and RCAs qualify for taking leave after being assigned as the primary leave replacement and serving in excess of 90 days in (a) a

vacant route or (b) a route from which the rural carrier is on extended leave. RCAs also qualify for taking leave after being assigned to and serving an auxiliary route in excess of 90 days. A break in service of 1 or more workdays breaks continuity of employment, and the substitute carrier or RCA must begin a new 90-day qualifying period. Normally a break in service occurs only when the regular carrier returns or when the vacant route is filled by the appointment of a new regular rural carrier. A break in service does not mean absence from the route on a nonscheduled workday or absence in approved leave status, including LWOP. The first day of the pay period following 90 days of service, the substitute carrier or RCA is credited with annual leave accrued for the 90-day qualifying period. (In determining the employee's leave category, credit is also given for prior service as a substitute rural carrier or RCA.)

512.553 **Lump Sum Payment**

When regular rural carriers return to duty, substitute replacement carriers who earn leave are given lump sum payments for the annual leave to their credit if they have been in a leave-earning capacity. The lump sum payment is not made if the substitute replacement carrier is converted to a career position without a break in service and continues to earn leave.

512.56 **Auxiliary Rural Carriers**

Auxiliary rural carriers earn leave based on the number of hours worked and in accordance with the appropriate leave category. Leave is credited as earned. These carriers are granted leave in increments of 1 hour.

512.6 **Vacation Planning and Special Programs**

512.61 **Bargaining Unit Employees Vacation Planning**

For these employees, leave is subject to specific vacation planning provisions of applicable collective bargaining agreements. Note also:

- a. For all regular employees, both full-time and part-time, vacation leave is granted when requested to the extent practicable.
- b. For part-time flexible employees, vacation planning is limited to accumulated and accrued leave.

512.62 **Nonbargaining Unit Employees Vacation Planning**

Vacation leave is granted to these employees when their services can best be spared. Postmasters and other responsible officials must schedule leave so that (a) employees do not forfeit leave and (b) postal operations are not impaired.

512.63 **Annual Leave Exchange**

512.631 **General**

The annual leave exchange program provides eligible employees with the opportunity to receive cash in exchange for leave that they will earn during the next leave year. Accumulated leave and leave accrued during the current leave year cannot be exchanged under this program. The terms and conditions for exchanging leave vary for bargaining unit and nonbargaining unit employees and are explained in the instructions mailed to eligible

employees before the open season November 15 through December 15 each year.

512.632 **Bargaining Unit Annual Leave Exchange**

Certain national collective bargaining agreements provide a leave exchange option for covered employees. Eligibility and the other terms and conditions for this option are set forth in the applicable collective bargaining agreements and information related to administering the program.

512.633 **Nonbargaining Unit Annual Leave Exchange**

Career employees permanently assigned to a nonbargaining unit position are provided the option at the end of the calendar year to exchange for cash a given number of hours of the annual leave they would otherwise earn during the next leave year. The minimum and maximum number of hours allowed each year, as well as the leave balance the employee must have at the end of the leave year in which the election is made, and any other requirements, are determined by consultation with Postal Service management associations and specified in information related to administering the program.

512.634 **Processing Annual Leave Exchange Options**

Open season for the annual leave exchange program runs from November 15 to December 15 each year. Eligible employees are notified of the election before the open season. The exchange is effective the first full pay period of the new leave year.

Note: Postal employees may not exchange leave already earned that exceeds the Postal Service leave carryover limit due to Internal Revenue Service “constructive receipt” regulations.

512.64 **Annual Leave Sharing**

The annual leave-sharing program provides employees the opportunity to receive and use donated annual leave and to donate their annual leave to another employee under certain conditions. The program is limited to career nonbargaining unit and bargaining unit employees and to noncareer employees designated as transitional employees (TEs) under certain collective bargaining agreements. The terms and conditions for this program are set forth in applicable collective bargaining unit agreements and memorandums of understanding. Instructions for administration of the terms and conditions are found in Management Instruction EL-510-2003-2, *Annual Leave Sharing Program*.

512.65 **Annual Leave Credit in Lieu of Holiday Leave Pay**

Employees shown to be eligible in [434.422](#) who work a holiday may elect to receive annual leave credit in lieu of holiday leave pay. If they do so and then work only a partial day, they may use LWOP, annual leave, or sick leave (if they become ill during their scheduled tour) to supplement work hours, up to the limit of their regular work schedule, on the holiday worked.

512.7 **Separation Adjustments**

512.71 **Terminal Leave Worksheet**

If an employee is not transferring to another federal agency and is separating from the Postal Service, the Eagan ASC furnishes the separating installation

with PS Form 2246, *Terminal Leave Worksheet*, for filing in the employee's official personnel folder. (For transfers to other federal agencies, see [512.8](#).)

512.72 **Collection for Unearned Leave**

512.721 **Refund**

Separating employees who are indebted for unearned annual leave or sick leave must refund the amount paid to them for such unearned leave. If employees do not make refunds, deductions are made from any funds that are due them.

512.722 **Exception**

Collection is not required in cases of death or in the case of separation due to a disability that prevents an employee from returning to duty or continuing in the Postal Service.

512.73 **Lump Sum Terminal Leave Payment**

512.731 **General**

Separating employees may receive lump sum terminal leave payments subject to the following conditions:

- a. *Completion of Qualifying Period.* Except for those employees identified under [512.812](#), employees who separate before completing the 90-day qualifying period forfeit terminal leave payment for accrued leave. Employees who complete the 90-day qualifying period, even if separated at the close of business on day 90, may be entitled to terminal leave payment for accrued leave.
- b. *Completion of Pay Period.* Employees whose separation is effective before the last Friday of a pay period do not receive leave credit or terminal leave payment for the leave that would have accrued during that pay period.

512.732 **Entitlement Amounts**

Separating employees may receive lump sum terminal leave payments as follows:

- a. *Nonbargaining Unit Employees.* Nonbargaining unit employees may receive a lump sum leave payment for accumulated annual leave carried over from the previous year; accrued annual leave for the year in which they separate, including amounts over the carryover maximum; any unused donated leave; and for full-time and part-time regular employees, holidays that fall within the terminal leave period.
- b. *Bargaining Unit Employee.* Bargaining unit employees may receive a lump sum leave payment:
 - (1) If separating other than under the Voluntary Early Retirement Authority (VERA), for accumulated annual leave carried over from the previous year; accrued annual leave for the year in which they separate, up to the carryover maximum for their bargaining unit (see [512.32](#)); any unused donated leave; and for full-time and part-time regular employees, holidays that fall within the terminal leave period. Any part of the unused annual leave earned during the leave year of separation that is in excess of the maximum carryover amount is granted prior to separation rather than paid

out in the form of a lump sum payment. No payment is made for unused leave that the employee would have been required to forfeit at the end of the leave year.

- (2) If separating under VERA, for accumulated annual leave carried over from the previous year; accrued annual leave for the year in which they separate, including amounts over the carryover maximum for their bargaining unit; any unused donated leave; and for full-time and part-time regular employees, holidays that fall within the terminal leave period.

Note: Transitional employees receive payment for accrued annual leave at the end of their appointment.

512.733 **Separation for Military Service**

Employees who separate to enter active U.S. military duty may choose to receive a lump sum leave payment or to have their accrued annual leave balance held for credit until they return to Postal Service duty.

512.734 **Separation Followed by Reemployment**

Employees who receive a lump sum leave payment on separation from a Postal Service position (or a federal position under the federal leave system) and who are reemployed or reinstated to a leave-earning status before the period covered by the payment expires must refund to the Postal Service in full the payment for the overlapping period. These employees may then be recredited (see [512.9](#)) with leave.

512.735 **Absence of Relationship to Annuity Payment**

Lump sum payment for annual leave at the time of retirement does not affect the amount or commencement date of annuity payments.

512.736 **Payment to Beneficiaries or Estates of Employees Who Die in Service**

If employees die in service, terminal leave payments are made as follows:

- a. The beneficiaries or estates of nonbargaining unit employees receive terminal leave payments that are the same as the payments to which the employees would have been entitled if they had separated while living (see [512.732a](#)).
- b. The beneficiaries or estates of bargaining unit employees receive terminal leave payments that are the same as the payments to which the employees would have been entitled if they had separated while living (see [512.732b1](#)) with the provision that the amount includes payment for accrued annual leave in excess of the maximum carryover amount that the employees could have taken if they had lived to the end of the leave year, but not for accrued annual leave that the employees would have been required to forfeit.

512.8 **Transfers**

512.81 **Transfer Without a Break in Service**

512.811 **From the Postal Service to a Federal Agency**

The Eagan ASC furnishes the agency gaining the employee with SF 1150. (A copy of SF 1150 is *not* sent to the losing installation.) When necessary, the Postal Service collects for used but unearned leave (see [512.721](#)). When the receiving agency is unable to transfer a leave balance in excess of its leave

carryover limit, the employee receives a lump sum payment for earned annual leave that cannot be transferred. The lump sum is calculated by multiplying the person's postal hourly rate times the number of earned annual leave hours that cannot be transferred.

512.812 From a Federal Agency to the Postal Service

Leave credit must be transferred to the employee's leave account. However, leave that may be transferred is limited to the leave carryover limit applicable to the Postal Service position to be filled. The employee should not have to take LWOP because of delay in transferring leave:

- a. If the SF 1150 does not reach the Eagan ASC before the employee has to take leave, the Eagan ASC may contact the losing agency to request the employee's leave balance.
- b. If LWOP cannot be avoided, the record can be adjusted when the SF 1150 is received to show paid leave unless the employee requests that the LWOP remain unchanged.

512.82 Transfer With a Break in Service

An employee who moves from the Postal Service to another federal agency after a break in service is separated (see [512.7](#)) and later reemployed (see [512.9](#)). Any accumulated leave is not transferred, but is paid for in a lump sum.

512.9 Recrediting Annual Leave

512.91 Policy

Annual leave that may be recredited consists of leave earned under any of the leave systems merged under the Annual and Sick Leave Act of 1951. However, annual leave that is already forfeited cannot be recredited.

Annual leave is recredited under the act for:

- a. Employees who are reemployed before the period covered by the lump sum payment expires.
- b. Employees who transferred to a position that is not under an annual leave system and transferred back to the Postal Service without a break in Postal Service service of more than 52 continuous calendar weeks.
- c. Employees who return to pay and duty status following a period of suspension or involuntary separation (i.e., cases of retroactive reversals of disciplinary action).

512.92 Procedures

512.921 Leave Earned in Prior Service in the Postal Service

See [512.734](#).

512.922 Leave Earned at Another Agency

When an employee makes application for recredit of leave earned in another agency, the Postal Service contacts the other agency to determine if leave was forfeited at the time of separation. If not, the agency is asked to certify the leave account. The following applies:

- a. If the agency cannot find the leave record, the Postal Service will accept a statement or other evidence of leave credits. The statement

should include an estimate of leave credit and reflect the factors forming the basis of the estimate.

- b. If the leave record or statement justifies it, the amount of leave shown is recredited.

512.923 **Leave Buy-Back – OWCP**

The following provisions concern leave buy-back:

- a. Under the provisions of the Injury Compensation Program, current employees may be permitted to buy back sick and annual leave they used while awaiting adjudication of their cases by OWCP. In traumatic injury cases, employees may be permitted to buy back only the leave that is used after the end of the 45-day continuation-of-pay period.
- b. When the employee buys back annual leave for a previous year that exceeds the applicable maximum (see [512.32](#)), the excessive leave is automatically forfeited. Employees are allowed to buy back only those hours that can be carried forward.
- c. Some loss of leave may occur when the period of absence is changed to an LWOP status as a result of leave buy-back. For every 80 hours of paid leave bought back and changed to LWOP, both annual and sick leave are adjusted by the amount earned in 1 pay period. The employee must be informed of this so there will be no misunderstanding.

See [Exhibit 514.4](#), item [e](#), for further information.

513 **Sick Leave**

513.1 **Purpose**

513.11 **Sick Leave for Employee Incapacitation**

Sick leave insures employees against loss of pay if they are incapacitated for the performance of duties because of illness, injury, pregnancy and confinement, and medical (including dental or optical) examination or treatment.

513.12 **Sick Leave for Dependent Care**

A limited amount of sick leave may also be used to provide for the medical needs of a family member. Nonbargaining unit employees, and bargaining unit employees if provided in their national agreements, are allowed to take up to 80 hours of their accrued sick leave per leave year to give care or otherwise attend to a family member (as defined in [515.2\(a\)](#), [515.2\(b\)](#), and [515.2\(c\)](#)) with an illness, injury, or other condition that, if an employee had such a condition, would justify the use of sick leave. If leave for dependent care is approved, but the employee has already used the maximum 80 hours of sick leave allowable, the difference is charged to annual leave or to LWOP at the employee's option. (See [515](#) for information about FMLA entitlement to be absent from work.)

513.2 **Accrual and Crediting**513.21 **Accrual Chart**

Time accrued is as follows:

Employee Category	Time Accrued
Full-time employees (except as noted below).	4 hours for each full biweekly pay period – i.e., 13 days (104 hours) per 26-period leave year.
Newly hired career Postmasters and supervisory or managerial non-bargaining employees, and non-career employees converted to those positions, with a career appointment date on or after October 6, 2012, who are without any prior federal or USPS service that was creditable at the time of that career appointment toward the leave computation date, and only while holding a career Postmaster, supervisory or managerial non-bargaining position. This accrual rate never applies to an employee who earned sick leave at the higher accrual rate above.	3 hours for each full biweekly pay period – i.e., 9.75 days (78 hours) per 26-period leave year.
Part-time employees (except as noted below).	1 hour for each unit of 20 hours in pay status up to 104 hours (13 days) per 26-period leave year.
Newly hired part-time career Postmasters and part-time supervisory or part-time managerial non-bargaining employees, and non-career employees converted to those positions, with a career appointment date on or after October 6, 2012, who are without any prior federal or USPS service that was creditable at the time of that career appointment toward the leave computation date, and only while holding a part-time career Postmaster, part-time supervisory, or part-time managerial non-bargaining position. This accrual rate never applies to an employee who earned sick leave at the higher accrual rate above.	1 hour for each unit of 26.66 hours in pay status up to 78 hours (9.75 days) per 26-period leave year.

513.22 **Crediting**513.221 **General**

Sick leave is credited at the end of each biweekly pay period in which it is earned. Sick leave (earned and unused) accumulates without limitation.

513.222 **Part-Time Employees**

Part-time employees are not credited with sick leave in excess of 13 days (104 hours) per 26-period leave year.

513.223 **Leave Replacements for Rural Carriers**

Substitute rural carriers or RCAs assigned to and serving (a) a vacant route or (b) a route from which the rural carrier is on extended leave, and RCAs assigned to and serving an auxiliary route are credited with sick leave starting with the first pay period following the 90-day qualifying period.

513.224 **Auxiliary Rural Carriers**

Auxiliary rural carriers are not credited with sick leave in excess of 104 hours per leave year. If they serve in another capacity (e.g., flexible employees) in the Post Office, that service is also used in computing sick leave credit (see [513.21](#)).

513.225 **Substitute Rural Carriers in Dual Appointment**

Substitute rural carriers in dual appointments earn sick leave only when their service is performed in a position that is subject to the Civil Service Retirement Act. The leave can be used only while they are serving in a leave-earning position.

513.226 **Leave Credit Adjustment for LWOP**

See [514.24](#).

513.3 **Authorizing Sick Leave**513.31 **Policy**513.311 **General**

Sick leave cannot be granted until it is earned, except as provided in [513.5](#).

513.312 **Restriction**

An employee who is in sick leave status may *not* engage in any gainful employment unless prior approval has been granted by appropriate authority (see [662](#), Federal Standards of Ethical Conduct).

513.32 **Conditions for Authorization**

Conditions for authorization are as follows:*

Conditions	
Illness or injury.	If the employee is incapacitated for the performance of official duties.
Pregnancy and confinement.	If absence is required for physical examinations or periods of incapacitation.
Medical, dental, or optical examination or treatment.	If absence is necessary during the employee's regular scheduled tour.
For eligible employees (as indicated in 513.12), care for a family member (as defined in 515.2(a) 515.2(c) , and 515.2(e)).	Up to 80 hours of accrued sick leave per leave year if the illness, injury, or other condition is one that, if an employee had such a condition, would justify the use of sick leave.

Conditions	
Contagious disease. A contagious disease is a disease ruled as requiring isolation, quarantine, or restriction of movement of the patient for a particular period by the health authorities having jurisdiction.	If the employee (1) must care for a family member afflicted with a contagious disease, (2) has been exposed to a contagious disease and would jeopardize the health of others, or (3) has evidence supplied by the local health authorities or a certificate signed by a physician certifying the need for the period of isolation or restriction.
Medical treatment for disabled veterans.	If the employee (1) presents a statement from a duly authorized medical authority that treatment is required, and (2) when possible, gives prior notice of the definite number of days and hours of absence. (Such information is needed for work scheduling purposes.)
Bereavement Leave for Non-Bargaining Unit Employees	<p>This type of leave is available for all career non-bargaining unit employees. Employees may use up to 3 workdays of annual leave, sick leave, or leave without pay to make arrangements necessitated by the death of a family member or attend the funeral of a family member. Authorization of leave beyond three workdays is subject to the conditions and requirements of ELM 510.</p> <p>For employees opting to use available sick leave, the leave will be charged to sick leave for dependent care, if available.</p> <p>Documentation evidencing the death of the employee's family member is required only when the supervisor deems such documentation desirable for the protection of the Postal Service's interests.</p> <p>Family Member is defined as a:</p> <ol style="list-style-type: none"> a. Son or daughter — biological or adopted child, stepchild, daughter-in-law, or son-in-law; b. Spouse; c. Parent, mother-in-law, or father-in-law; d. Sibling — brother, sister, brother-in-law, or sister-in-law; or e. Grandparent. <p>The applicable provisions regarding bereavement leave for bargaining unit employees are in the respective bargaining unit's applicable national agreement.</p>

* *Sick leave, annual leave, or LWOP is granted as may be necessary for any of these conditions in accordance with normal leave policies and collective bargaining agreements. (See also [513.6](#) and [514.22](#).)*

513.33 **Requests for Sick Leave**

513.331 **General**

Except for unexpected illness or injury situations, sick leave must be requested on PS Form 3971 and approved in advance by the appropriate supervisor.

513.332 **Unexpected Illness or Injury**

An exception to the advance approval requirement is made for unexpected illness or injuries; however, in this situation the employee must notify appropriate postal authorities of his or her illness or injury and expected duration of the absence as soon as possible.

When sufficient information is provided to determine that the absence may be covered by the Family and Medical Leave Act (FMLA), the following Department of Labor forms will be mailed to the employee's address of record along with a return envelope:

- a. WH 381, *FMLA Notice of Eligibility and Rights and Responsibilities*; and
- b. One of the following forms, as appropriate:
 - (1) WH-380-E, *FMLA Certification of Health Care Provider for Employee's Serious Health Condition*.
 - (2) WH-380-F, *FMLA Certification of Health Care Provider for Family Member's Serious Health Condition*.
 - (3) WH-385, *FMLA Certification for Serious Injury or Illness of Covered Servicemember — for Military Family Leave*.

Note: These forms are provided for the employee's convenience, as they solicit all required information; however, employees may use another format as long as it provides complete and sufficient information as required by the FMLA. The information provided should relate only to the specific reason associated with the request for leave protection.

PS Form 3971, *Request for or Notification of Absence*, will be provided to the employee upon his or her return to duty.

When sufficient information to determine that the absence is covered by FMLA is not provided in advance of the absence, the employee must submit a PS Form 3971 and applicable medical or other certification upon returning to duty and explain the reason for the absence. Employees may be required to submit acceptable evidence of incapacity to work as outlined in the provisions of [513.36](#), Sick Leave Documentation Requirements, or noted on the reverse of PS Form 3971 or on Department of Labor Form WH-381, as applicable.

The supervisor approves or disapproves the leave request. When the request is disapproved, the absence may be recorded as annual leave or, if appropriate, as LWOP or AWOL, at the discretion of the supervisor as outlined in [513.342](#).

513.34 **PS Form 3971, Request for or Notification of Absence**

513.341 **General**

Request for sick leave is made in writing, in duplicate, on PS Form 3971. If the absence is to care for a family member, this fact is to be noted in the Remarks section.

513.342 Approval or Disapproval

The supervisor is responsible for approving or disapproving requests for sick leave by signing PS Form 3971, a copy of which is given to the employee. If a supervisor does not approve a request for leave as submitted, the Disapproved block on the PS Form 3971 is checked and the reason(s) given, in writing, in the space provided. When a request is disapproved, the granting of any alternate type of leave, if any, must be noted along with the reason for the disapproval. AWOL determinations must be similarly noted.

513.35 Postmaster Absences

There are special requirements for postmaster absences:

- a. *Leave Replacement.* A postmaster whose absence requires the hiring of a leave replacement must notify the appropriate official.
- b. *Absence Over 3 Days.* A postmaster who is absent in excess of 3 days must submit PS Form 3971 within 2 days of returning to duty or, for an extended illness, at the end of each accounting period.

513.36 Sick Leave Documentation Requirements**513.361 Three Days or Less**

For periods of absence of 3 days or less, supervisors may accept the employee's statement explaining the absence. Medical documentation or other acceptable evidence of incapacity for work or need to care for a family member is required only when the employee is on restricted sick leave (see [513.39](#)) or when the supervisor deems documentation desirable for the protection of the interests of the Postal Service. Substantiation of the family relationship must be provided if requested.

513.362 Over Three Days

For absences in excess of 3 days, employees are required to submit medical documentation or other acceptable evidence of incapacity for work or of need to care for a family member and, if requested, substantiation of the family relationship.

513.363 Extended Periods

Employees who are on sick leave for extended periods are required to submit at appropriate intervals, *but not more frequently than once every 30 days*, satisfactory evidence of continued incapacity for work or need to care for a family member unless some responsible supervisor has knowledge of the employee's continuing situation.

513.364 Medical Documentation or Other Acceptable Evidence

When employees are required to submit medical documentation, such documentation should be furnished by the employee's attending physician or other attending practitioner who is performing within the scope of his or her practice. The documentation should provide an explanation of the nature of the employee's illness or injury sufficient to indicate to management that the employee was (or will be) unable to perform his or her normal duties for the period of absence. Normally, medical statements such as "under my care" or "received treatment" are not acceptable evidence of incapacitation to perform duties.

Supervisors may accept substantiation other than medical documentation if they believe it supports approval of the sick leave request.

513.365 **Failure to Furnish Required Documentation**

If acceptable substantiation of incapacitation is not furnished, the absence may be charged to annual leave, LWOP, or AWOL.

513.37 **Return to Duty**

An employee returning from an FMLA-covered absence because of his or her own incapacitation must provide documentation from his or her health care provider that he or she is able to perform the functions of the position with or without limitation. Limitations described are accommodated when practical. Bargaining unit employees must also comply with requirements in [865](#).

513.38 **Performance Ability Questioned**

When the reason for an employee's sick leave is of such a nature as to raise justifiable doubt concerning the employee's ability to satisfactorily and/or safely perform duties, a *fitness-for-duty medical examination* is requested through appropriate authority. A complete report of the facts, medical and otherwise, should support the request.

513.39 **Restricted Sick Leave**

513.391 **Reasons for Restriction**

Supervisors or installation heads who have evidence indicating that an employee is abusing sick leave privileges may place the employee on the restricted sick leave list. In addition, employees may be placed on the restricted sick leave list after their sick leave use has been reviewed on an individual basis and the following actions have been taken:

- a. Establishment of an absence file.
- b. Review of the absence file by the immediate supervisor and higher levels of management.
- c. Review of the absences during the past quarter of LWOP and sick leave used by employees. (No minimum sick leave balance is established below which the employee's sick leave record is automatically considered unsatisfactory.)
- d. Supervisor's discussion of absence record with the employee.
- e. Review of the subsequent quarterly absences. If the absence logs indicate no improvement, the supervisor is to discuss the matter with the employee to include advice that if there is no improvement during the next quarter, the employee will be placed on restricted sick leave.

513.392 **Notice and Listing**

Supervisors provide written notice to employees that their names have been added to the restricted sick leave listing. The notice also explains that, until further notice, the employees must support *all* requests for sick leave by medical documentation or other acceptable evidence (see [513.364](#)).

513.393 **Recision of Restriction**

Supervisors review the employee's PS Form 3972 for each quarter. If there has been a substantial decrease in absences charged to sickness, the employee's name is removed from the restricted sick leave list and the employee is notified in writing of the removal.

513.4 **Charging Sick Leave**513.41 **Full-Time Employees**513.411 **General**

General provisions are as follows:

- a. Sick leave is not charged for legal holidays or for nonworkdays established by Executive Order.

Exception: If employees shown to be eligible in [434.422](#) elect to receive annual leave credit in lieu of holiday leave pay (see [512.65](#)) and then become ill during their scheduled tour, sick leave may be charged to supplement work hours, up to the limit of their regular work schedule, on the holiday worked, provided the requirements of section [513.32](#) are met.

- b. Sick leave may be charged on any scheduled workday of an employee's basic workweek.

513.412 **Minimum Unit Charge**

Minimum unit charges are as follows:

Employee Category	Minimum Unit Charge
All full-time nonexempt employees.	One-hundredth of an hour (0.01 hour).
Full-time exempt.	(See 519.7)
Regular rural carriers.	1 day (8 hours).
Substitute rural carriers and RCAs when in a leave-earning status and serving:	
1. Vacant routes.	1 day (8 hours).
2. Routes from which rural carriers are on extended leave.	1 day (8 hours).
RCAs when in a leave-earning status and servicing auxiliary routes.	1 hour.
Auxiliary rural carriers.	1 hour.
Triweekly rural carriers.	(See 512.54).

513.413 **Special Situations**

The following provisions concern special situations:

- a. *A-E Postmasters.* A-E postmasters are charged sick leave the same as annual leave (see [512.524](#)).
- b. *Rural Carriers.* Rural carriers who are absent because of illness on Saturdays are charged sick leave based on the computations used for their annual leave charges (see [512.53](#)).
- c. *Replacement Rural Carriers.* Substitute rural carriers and RCAs in a leave earning status and serving (a) vacant routes and (b) routes from which rural carriers are on extended leave are charged sick leave in the same manner as rural carriers. RCAs in a leave earning status and servicing auxiliary routes are charged sick leave in the same manner as auxiliary rural carriers.
- d. *Triweekly Rural Carriers.* Triweekly rural carriers are charged sick leave the same as for annual leave (see [512.54](#)).

513.42 **Part-Time Employees**

513.421 **General**

General provisions are as follows:

- a. Absences due to illness are charged as sick leave on any day that an hourly rate employee is scheduled to work except national holidays.
Exception: If employees shown to be eligible in [434.422](#) elect to receive annual leave credit in lieu of holiday leave pay (see [512.65](#)), sick leave may be charged to supplement work hours, up to the limit of their regular work schedule, on the holiday worked, provided the requirements of section [513.32](#) are met.
- b. Except as provided in [513.82](#), paid sick leave may not exceed the number of hours that the employee would have been scheduled to work, up to:
 - (1) A maximum of 8 hours in any one day.
 - (2) 40 hours in any one week.
 - (3) 80 hours in any one pay period. If a dispute arises as to the number of hours a part-time flexible employee would have been scheduled to work, the schedule is considered to have been equal to the average hours worked by other part-time flexible employees in the same work location on the day in question.
- c. Limitations in [513.421b](#) apply to paid sick leave only and not to a combination of sick leave and workhours. However, part-time flexible employees who have been credited with 40 hours or more of paid service (work, leave, or a combination of work and leave) in a service week are not granted sick leave during the remainder of that service week. Absences, in such cases, are treated as nonduty time that is not chargeable to paid leave of any kind. (Sick leave is not intended to be used to supplement earnings of employees.)

513.422 **Minimum Unit Charge**

Minimum unit charges are as follows:

Employee Category	Minimum Unit Charge
All part-time nonexempt employees.	One-hundredth of an hour (0.01 hour).
Part-time exempt employees.	(See 519.7.)

513.5 **Advanced Sick Leave**

513.51 **Policy**

513.511 **May Not Exceed Thirty Days**

Sick leave not to exceed 30 days (240 hours) may be advanced in cases of an employee's serious disability or illness if there is reason to believe the employee will return to duty. Sick leave may be advanced whether or not the employee has an annual leave or donated leave balance.

513.512 **Medical Document Required**

Every request for advanced sick leave must be supported by medical documentation of the illness.

513.52 Administration**513.521 Installation Heads' Approval**

Officials in charge of installations are authorized to approve these advances without reference to higher authority.

513.522 Forms Forwarded

PS Form 1221, *Advanced Sick Leave Authorization*, is completed and forwarded to the Eagan ASC when advanced sick leave is authorized.

513.53 Additional Sick Leave**513.531 Thirty-Day Maximum**

Additional sick leave may be advanced even though liquidation of a previous advance has not been completed provided the advance at no time exceeds 30 days. Any advanced sick leave authorized is in addition to the sick leave that has been earned by the employee at the time the advance is authorized.

513.532 Liquidating Advanced Sick Leave

The liquidation of advanced sick leave is not to be confused with the substitution of annual leave for sick leave to avoid forfeiture of the annual leave. Advanced sick leave may be liquidated in the following manner:

- a. Charging the sick leave against the sick leave earned by the employee as it is earned upon return to duty.
- b. Charging the sick leave against an equivalent amount of annual leave at the employee's request provided the annual leave charge is made prior to the time such leave is forfeited because of the leave carryover limit.

513.6 Leave Charge Adjustments**513.61 Insufficient Sick Leave**

If sick leave is approved but the employee does not have sufficient sick leave to cover the absence, the difference is charged to annual leave or to LWOP at the employee's option.

513.62 Insufficient Sick and Annual Leave

If sick leave is approved for employees who have no annual or sick leave to their credit, the absence may be charged as LWOP unless sick leave is advanced as outlined in [513.5](#). LWOP so charged cannot thereafter be converted to sick or annual leave.

513.63 Disapproved Sick Leave

If sick leave is disapproved, but the absence is nevertheless warranted, the supervisor may approve, at the employee's option, a charge to annual leave or a charge to LWOP.

513.64 Absence Without Leave

An absence that is disapproved is charged as LWOP and may be administratively considered as AWOL.

513.65 Annual Leave Changed to Sick Leave

If an employee becomes ill while on annual leave and the employee has a sick leave balance, the absence may be charged to sick leave.

513.7 **Transfer or Reemployment**

513.71 **Transfer**

513.711 **Crediting**

Individuals who are transferring from a federal agency to the Postal Service are credited with their sick leave balance provided there is not a break in service in excess of 3 years.

513.712 **Recrediting**

The following provisions concern recrediting:

- a. If a Postal Service employee transfers to a position under a different leave system to which only a part of the employee's sick leave can be transferred, the sick leave is recredited if the individual returns to the Postal Service provided there is not a break in service in excess of 3 years.
- b. If a Postal Service employee transfers to a position to which sick leave cannot be transferred, the sick leave is recredited if the individual returns to the Postal Service provided there is not a break in service in excess of 3 years.

513.72 **Reemployment**

Sick leave may be recredited upon reemployment provided there is not a break in service in excess of 3 years.

Note: For sick leave to be recredited, the employee must be reemployed in a position where sick leave may be earned and used.

513.73 **Reemployment – OWCP**

All individuals who were originally separated and who are subsequently reemployed from a continuous period on OWCP rolls have any previously unused sick leave recredited to their account, regardless of the length of time these employees were on OWCP and off postal rolls.

Exception: Sick leave may not be recredited if an employee applied and was approved for disability retirement regardless of whether the employee actually collected the annuity.

513.8 **Retirements or Separations**

513.81 **General**

No payment is made for accumulated sick leave when an employee retires or separates from Postal Service employment.

513.82 **Retirement**

513.821 **Credit for Sick Leave**

Provisions of the Civil Service Retirement Act provide for the granting of credit for unused sick leave in calculating retirement or survivor annuity at the time of an employee's retirement or death (see [562.4](#)). Each 8 hours of sick leave represents 1 day of retirement credit. Unused sick leave days are converted to calendar time retirement credit, based on a 260-day work year (260 days x 8 hours = 2,080 hours).

Previously, there were no provisions for credit of sick leave upon retirement for employees under the Federal Employees Retirement System (FERS),

except for those who were in the Civil Service Retirement System (CSRS) and transferred to FERS. See [580](#), Federal Employee Retirement System, for details for credit of sick leave upon retirement for FERS employees who formerly were covered by CSRS.

Enacted in 2009, the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) changed this. FERS employees will receive credit for unused sick leave in the same manner as CSRS employees. The change will be phased in, as follows: (a) 50 percent of accrued sick leave hours will be credited for all FERS retirements commencing October 28, 2009, through December 31, 2013; and (b) 100 percent of the accrued sick leave hours will be credited for all FERS retirements that begin on or after January 1, 2014.

513.822 **Disability Retirement**

If the OPM has approved an application for disability retirement effective on expiration of accumulated and accrued leave, or if the employee is being otherwise separated for physical or mental disability resulting in inability to perform the work, sick leave is granted at the rate of 8 hours per day, 40 hours per week, or 80 hours per pay period until the employee's sick leave is exhausted. Payments may not be made, however, for any hours for which the employee received salary or leave payments from another federal agency.

513.83 **Separation by Death**

If an ill employee dies without returning to duty and without making application for sick leave, the postal official who is in charge of the installation grants sick leave for the period of illness or disability immediately prior to death. If the employee was in pay status on the day of death or immediately prior to death, the employee's beneficiary is entitled to receive compensation without charge to leave for the date of death. The latter applies whether or not employees have leave to their credit.

513.9 **Collection for Unearned Sick Leave**

Collection for used but unearned sick leave at the time of separation is made in the same manner as for unearned annual leave (see [512.72](#)).

514 **Leave Without Pay**

514.1 **Essential Features**

The following definitions apply for the purposes of [514](#):

- a. LWOP is an authorized absence from duty in a nonpay status.
- b. LWOP may be granted upon the employee's request and covers only those hours that the employee would normally work or for which the employee would normally be paid. FLSA-exempt employees must take LWOP in 1-day increments except when they are taking leave protected under the Family and Medical Leave Act (FMLA).
- c. LWOP is different from AWOL (absent without leave), which is a nonpay status due to a determination that no kind of leave can be granted either because (1) the employee did not obtain advance authorization or (2) the employee's request for leave was denied.

514.2 Policy**514.21 Restriction**

LWOP in excess of 2 years is not approved unless specifically provided for in postal policy or regulations.

514.22 Administrative Discretion

Each request for LWOP is examined closely, and a decision is made based on the needs of the employee, the needs of the Postal Service, and the cost to the Postal Service. The granting of LWOP is a matter of administrative discretion and is not granted on the employee's demand except as provided in collective bargaining agreements or as follows:

- a. A disabled veteran is entitled to LWOP, if necessary, for medical treatment.
- b. A Reservist or a National Guardsman is entitled to LWOP, if necessary, to perform military training duties under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Public Law 103-353.
- c. An employee who requests and is entitled to time off under [515](#), Absence for Family Care or Serious Health Condition of Employee, must be allowed up to a total of 12 workweeks of absence within a Postal Service leave year for one or more of the reasons listed in [515.41\(a\)](#) through [515.41\(e\)](#), and up to 26 workweeks of leave during a single 12-month period to care for covered service members with a serious injury or illness.

514.23 Condition

In granting approval for extended LWOP, the granting official should have reasonable expectation that the employee will return at the end of the approved period.

514.24 Leave Credit Adjustment

Employees who are on LWOP for a period, or periods, totaling 80 hours (normal number of workhours in 1 pay period) during a leave year have their leave credits reduced by the amount of leave earned in 1 pay period.

Exception: Employees who (1) are in leave category 6, (2) are not on LWOP for the entire year, and (3) whose accumulated LWOP reaches 80 hours in the last pay period in a leave year have their leave balance reduced by only 6 hours, even if they earn 10 hours during that pay period (see [512.3](#)). Also, no adjustment is made to the leave computation date for periods of LWOP taken for active military service or while absent due to an illness or injury approved by OWCP.

514.25 Other Employment

LWOP is not granted for the purpose of enabling an employee to "try out" or to accept other employment.

514.3 Authority to Approve**514.31 Installation Head**

Installation heads may approve requests for LWOP that are not in excess of 1 year.

514.32 **District Managers**

District managers may approve requests for LWOP that are not in excess of 2 years.

514.4 **Acceptable Reasons and Instructions**

See [Exhibit 514.4](#) for acceptable reasons and instructions for LWOP.

Exhibit 514.4

Acceptable Reasons and Instructions for LWOP

Acceptable Reasons for LWOP	Instructions
a. Personal reasons.	LWOP may be granted to cover the absence.
b. Employee has no leave to cover vacation during choice vacation period.	LWOP may be granted to cover the absence.
c. Full-time attendance at a college or university.	<ol style="list-style-type: none"> 1. Restricted to full-time employee. 2. An official transcript of courses taken must be submitted to the installation head.
d. Personal illness or injury (also see 515).	<ol style="list-style-type: none"> 1. An employee may utilize annual and/or sick leave in conjunction with LWOP, subject to approval of the leave in accordance with normal leave approval procedures. An employee need not exhaust annual leave and/or sick leave before requesting leave without pay. 2. A medical document from the attending physician or practitioner must be obtained before approval, the same as for sick leave. 3. Applications for LWOP to cover a period in excess of 30 days in any 1 year in cases of illness or injury are reviewed and acted upon by the installation head. 4. An employee normally will not be separated from the service because of absence due to personal illness or injury for a period of less than 1 year (also see 568). An employee may be separated if required to be absent for more than 1 year unless there is cause to expect recovery and return within a reasonable time after the end of 1 year in LWOP status. 5. The separation of an employee after 1 year of continued absence with or without pay does not prevent an eligible employee from filing an application for retirement (also see 568).
e. Injury in line of duty.	<ol style="list-style-type: none"> 1. Supervisors must advise employees of their right to file an application for FECA benefits as a result of illness or injury that is suffered in the line of duty. (See instructions on CA-1 and CA-2a for traumatic injuries and CA-2 for occupational illnesses and diseases.) 2. In traumatic injury cases, an employee is entitled to a maximum of 45 calendar days of continuation of pay (COP) without charge to leave if written notice of injury is filed within 30 days of injury. The period of COP begins at the start of the employee's first full tour of duty thereafter, or the first day following the disability, whichever occurs sooner. The period during which 45 days of COP may be claimed must begin within 90 days of the occurrence of the injury but may end after 90 days from the occurrence. If, after returning to work subsequent to an apparent recovery from a traumatic injury, an employee is again absent from work as a result of the original traumatic injury, the employee may use any remaining COP time left up to the 45-day limit. However, the remaining COP time must be used within 90 days of the date the employee first returns to work following the initial traumatic injury. 3. An employee may choose sick or annual leave in lieu of COP; however, this leave may be retroactively converted to COP provided a request is made within 1 year of the date the leave was used or the date of the claim approval, whichever is later. 4. Before being placed on LWOP, an employee may choose to use annual or sick leave until it is exhausted. Leave is earned during that part of a pay period in which the employee is in pay status. 5. On favorable adjudication of a claim by the Office of Workers' Compensation Programs (OWCP), LWOP may be substituted for a period of sick and/or annual leave so that the employee may accept disability compensation for the period of absence. 6. On favorable adjudication of a claim by OWCP, current employees may be permitted to buy back the leave that they used while awaiting adjudication (see 545.84). If the injury is a traumatic injury, only leave used after the end of the 45-day COP period may be bought back. OWCP does not restrict the amount of leave hours an employee may buy back. However, Postal Service regulations do not permit employees to carry-over into the next leave year more than the allowable maximum number of hours of annual leave (see 512.12). When an employee buys back annual leave in the previous year in an amount that exceeds the applicable maximum carry-over, such excess will be automatically forfeited. For every 80 hours of leave bought back and changed to LWOP, both annual and sick leave must be adjusted by the amount earned in a pay period.
f. Family care (see 515).	An eligible employee may request and must be allowed up to a total of 12 workweeks of absence during a Postal Service leave year for one or more of the reasons listed in 515.41a through 515.41e(a) through 515.41(e) and up to 26 workweeks during a single 12-month period to care for a covered service member with a serious injury or illness.

Acceptable Reasons for LWOP	Instructions
g. Military duty for scheduled drills or for periods of training.	An employee enlisted under the Reserve Forces Act of 1955 who has completed the initial period of active duty training of not less than 3 months or more than 6 months may be granted LWOP for scheduled drills or periods of training.
h. Military duty for any purpose, training or otherwise.	Eligible members of the National Guard or reserve components of the Armed Forces who are ordered to active duty for training or for any other purposes, for a specified period of time not to exceed 1 year, but in excess of the total time allowable under military leave and annual leave are granted LWOP.
i. Employee elected to devote full-time service as a national president to an organization of supervisory or other managerial personnel (see 416.3).	<ol style="list-style-type: none"> 1. LWOP normally does not exceed 2 consecutive years coinciding with the elected term of office. 2. The employee requests in writing, through the appropriate management structure, that the vice president of Labor Relations grant the employee LWOP during tenure of presidency for the purpose of serving as resident president of an employee organization in Washington, D.C., in a full-time capacity. 3. If LWOP is granted, the employee continues to be eligible for appropriate fringe benefits during that period. 4. The vice president of Labor Relations reserves the right to deny the request for LWOP if it is determined that the position must be filled on a permanent basis, unencumbered by an individual on prolonged leave.
j. Union business.	See applicable provisions of current collective bargaining agreement.
k. Postmaster elected as an organization officer, other than the president.	An employee holding a national office in one of the postmaster organizations must use annual leave or LWOP for absences to conduct business for the organization.
l. Absence on worked holiday.	If an employee shown to be eligible in 434.422 elects to receive annual leave credit in lieu of holiday leave pay (see 512.65), LWOP may be granted to supplement work hours, up to the limit of the employee's regular work schedule, on the holiday worked.

514.5 Forms Required

514.51 PS Form 3971

A request for LWOP is submitted by the employee on PS Form 3971. If the request for leave indicates that the LWOP will extend over 30 days, a written justification and statement of reason for the desired absence is required.

514.52 PS Form 50

PS Form 50, *Notification of Personnel Action*, is prepared when LWOP is in excess of 30 days (see Handbook EL-301, *Guidelines for Processing Personnel Actions*).

515 Absence for Family Care or Illness of Employee

515.1 Purpose

Section [515](#) provides policies to comply with the Family and Medical Leave Act of 1993 (FMLA), as amended. Nothing in this section is intended to limit employees' rights or benefits available under other current policies (see [511](#), [512](#), [513](#), [514](#)) or collective bargaining agreements. Likewise, nothing increases the amount of paid leave beyond what is provided for under current leave policies or in any collective bargaining agreement.

515.2 Definitions

The following definitions apply for the purposes of Absence for Family Care or Illness of Employee:

Subparts (a) through (c) apply to leave for one's own or a family member's serious health condition.

- a. *Son or daughter* — biological, adopted, or foster child, stepchild, legal ward, or child who stands in the position of a son or daughter to the employee, who is under 18 years of age or who is 18 or older and incapable of self-care because of mental or physical disability.
- b. *Parent* — biological, adoptive, step or foster parent or any other individual who stood in that position to the employee when the employee was a child.
- c. *Spouse* — husband or wife.

Subparts (d) through (h) apply to leave to care for a covered service member or for qualifying exigency leave related to a covered military member's call to duty.

- d. *Son or daughter of a covered service member* — the employee is the service member's biological, adopted, foster child, stepchild, legal ward or child for whom the service member stood in the position of a parent and who is of any age.
- e. *Parent of a covered service member* — the employee is the service member's biological, adoptive, step or foster parent or any other individual who stood in the position of a parent to the service member.
- f. *Covered service member* — a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This definition also includes a veteran undergoing medical treatment, recuperation, or therapy for a serious injury or illness who served in the Armed Forces and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the veteran.
- g. *Military member* — in the case of a member of the Regular Armed Forces, duty during the deployment of the member to a foreign country under a call or order to active duty. In the case of a member of the Reserve components of the Armed Forces (which includes the National Guard), duty during the deployment of the member to a foreign country under a Federal call or order to active duty in support of a contingency operation.
- h. *Next of kin of a covered service member (applies only to leave to care for a covered service member)* — the nearest blood relative other than the covered service member's spouse, parent, son or daughter in the following order of priority: blood relatives who have been granted legal custody of the covered service member; siblings; grandparents, aunts and uncles and first cousins, unless the covered service member has

specifically designated in writing another blood relative as his or her next of kin for purposes of FMLA military caregiver leave.

- i. *Serious health condition* — illness, injury, impairment, or physical or mental condition that involves any of the following:
 - (1) *Hospital care* — inpatient care (i.e., an overnight stay) in a hospital or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or subsequent to such inpatient care.
 - (2) *Absence plus treatment* — a period of incapacity of more than 3 consecutive full calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that also involves either one of the following:
 - (a) Treatment two or more times by a health care provider within 30 days of the first day of incapacity.
 - (b) Treatment by a health care provider on at least one occasion within 7 days of the first day of incapacity that results in a regimen of continuing treatment under the supervision of the health care provider.
 - (3) *Pregnancy* — any period of incapacity due to pregnancy or for prenatal care.
 - (4) *Chronic condition requiring treatments* — a chronic condition that meets all of the three following conditions:
 - (a) Requires periodic visits (i.e., at least twice a year) for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider.
 - (b) Continues over an extended period of time (including recurring episodes of a single underlying condition).
 - (c) May cause episodic, rather than a continuing period of, incapacity. Examples of such conditions include diabetes, asthma, and epilepsy.
 - (5) *Permanent or long-term condition requiring supervision* — a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples of such conditions include Alzheimer's, a severe stroke, and the terminal stages of a disease.
 - (6) *Condition requiring multiple treatments (nonchronic condition)* — any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than 3 consecutive full calendar days in the absence of medical intervention or treatment.

Examples of such conditions include cancer (which may require chemotherapy, radiation, etc.), severe arthritis (which may require physical therapy), and kidney disease (which may require dialysis).

Note: Cosmetic treatments (such as most treatments for orthodontia or acne) are not “serious health conditions” unless complications occur. Restorative dental surgery after an accident or removal of cancerous growths is a serious health condition provided all other conditions are met. Allergies, substance abuse, and mental illness may be protected if all conditions are met. Routine preventative physical examinations are excluded. Also excluded, as a regimen of continuing treatments, are treatments that involve only over-the-counter medicine or activities such as bed rest that can be initiated without a visit to a health care provider. For example, treatment for substance abuse may be protected if provided by a health care provider or by a provider of health care services on referral by a health care provider.

- j. *Serious injury or illness* — In the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating. In the case of a veteran (as defined in subpart f), an injury or illness incurred in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty) and that manifested itself before or after the member became a veteran, and is (1) a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember’s office, grade, rank or rating; or (2) a physical or mental condition for which the veteran has received a VA Service Related Disability Rating (VASRD) of 50% or greater and such VASRD rating is based in whole or in part, on the condition precipitating the need for caregiver leave; or (3) a physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
- k. *Health care provider* — A doctor of medicine or osteopathy; Christian Science practitioner listed with the First Church of Christ, Scientist, in Boston, MA; Physician’s Assistant or other attending practitioners as defined by Department of Labor FMLA regulations who are performing within the scope of their practice.

515.3 Eligibility

For an absence to be covered by the FMLA, the employee must have been employed by the Postal Service for an accumulated total of 12 months and must have worked a minimum of 1,250 hours during the 12-month period before the date leave begins.

515.4 Leave Requirements**515.41 Conditions**

Eligible employees must be allowed a total of up to 12 workweeks of leave within a Postal Service leave year for one or more of the following:

- a. For incapacity due to pregnancy, prenatal medical care or child birth.
- b. To care for the employee's child after birth, or placement for adoption or foster care.
- c. To care for the employee's spouse, son or daughter, or parent who has a serious health condition.
- d. For a serious health condition that makes the employee unable to perform the employee's job.
- e. Because of a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

Eligible employees who are the spouse, son, daughter, parent, or next of kin of a covered service member must be allowed up to 26 workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness (as defined in [515.2\(j\)](#)). The single 12-month period begins the first day the employee takes FMLA leave for this purpose and ends 12 months after that date. During this single 12-month period, the employee's entitlement is limited to a combined total of 26 workweeks of FMLA leave for any qualifying reason.

515.42 Leave Type

Absences that qualify as FMLA leave may be charged as annual leave, sick leave, continuation of pay, or leave without pay, or a combination of these. Leave is charged consistent with current leave policies and applicable collective bargaining agreements.

515.43 Authorized Hours

Eligible employees, including eligible non-career employees, are entitled to 12 workweeks of FMLA-protected absences per leave year for conditions in [515.41\(a\)](#) through [515.41\(e\)](#). Eligible employees who take FMLA-protected leave to care for a covered service member who has incurred a serious injury or illness as defined in [515.2](#) are entitled to a total of 26 workweeks during a single 12-month period.

This amount is 12 (or 26) times the hours normally, or regularly, scheduled in the employee's workweek. Thus:

- a. Regular full-time employees who normally work 40 hours per week are entitled to up to 480 hours of FMLA-covered absences within a leave year for all qualifying reasons except for covered service member care.

For such service member care, full-time employees who normally work 40 hours per week are entitled to up to 1046 hours in a single 12-month period that begins when the first leave is taken.

- b. Part-time and Non-Traditional Full-Time (NTFT) employees who have regular weekly schedules that may be greater or less than 40 hours per week are entitled to 12 (or 26) times the number of hours normally scheduled in their workweek. For example, an employee with a regular schedule of 30 hours a week is entitled to 360 hours (12 weeks times 30 hours), or 780 hours, for service member care (26 weeks times 30 hours). A NTFT employee with a regular schedule of 44 hours a week is entitled to 528 hours (12 weeks times 44 hours), or 1144 hours, for service member care (26 weeks times 44 hours). If an employee is reassigned to a position with more or less workhours, the entitlement may change, but will be calculated so that the employee receives, but does not exceed 12 or 26 workweeks of FMLA protection.

515.5 **Notice and Documentation**

515.51 **Notice**

An employee must provide a supervisor a PS Form 3971 at least 30 days before the absence if the need for the FMLA leave is foreseeable. If 30 days notice is not practicable, the employee must give notice as soon as practicable.

When the leave is for planned medical treatment, the employee should first consult with the supervisor about the timing of the leave and must make a reasonable effort to schedule the treatment so as not to unduly disrupt the employer's operations.

Where the need for leave is not foreseeable, notice should also be given as soon as practicable, i.e., the same day, at least, before the start of one's tour.

Where Integrated Voice Response System (IVR) is operational, employees are required to call in their unscheduled absences through that system and to use their FMLA case numbers. Where IVR is not operational, employees should report absences to their supervisor. If an employee fails to provide timely notice of the need for FMLA protected leave, and no unusual circumstances justify the delay, the FMLA protection may be delayed or denied.

During an absence, the employee must keep his or her supervisor informed of intentions to return to work and of status changes that could affect his or her ability to return to work.

515.52 **Documentation**

In all cases, it is the employee's responsibility to provide complete and sufficient medical certification to establish a serious health condition as defined under the FMLA. For their own serious health conditions, employees may submit Department of Labor Form WH-380-E, *FMLA Certification of Health Care Provider for Employee's Serious Health Condition*, which is provided in the FMLA packet mailed to employees' homes. These forms are provided for the employee's convenience, as they solicit all required information; however, employees may use another format as long as it

provides complete and sufficient information as required by the FMLA. The information provided should relate only to the specific reason associated with the request for leave protection.

Employees must provide documentation directly to the FMLA Office at the Human Resources Shared Services Center (HRSSC) within 15 days of receipt of the request. Additional documentation may be requested of the employee if the information received is incomplete or insufficient for an FMLA determination, and this must be provided within 7 days unless it is not practicable under the particular facts and circumstances despite the employee's diligent good-faith efforts. When the need for leave is due to a serious health condition that lasts beyond a single leave year, the employee may be required to provide a new medical certification in each subsequent leave year.

Failure to provide complete and sufficient documentation may result in the denial of FMLA protection.

515.53 **Particular Circumstances**

515.531 **New Son or Daughter**

An employee requesting FMLA-covered time off because of the birth of the employee's son or daughter and to care for the son or daughter, or because of the placement of a son or daughter with the employee for adoption or foster care, may be required to substantiate the relationship and provide the birth or placement date.

515.532 **Care of Others for Medical Reasons**

An employee requesting FMLA-covered time off because the employee is needed to care for a spouse, parent, son, or daughter with a serious health condition or a covered service member with a serious injury or illness may be required to:

- a. Substantiate the relationship.
- b. Describe the care to be provided and an estimate of the leave needed.
- c. Provide information regarding the military status of the covered service member (for military caregiver leave).
- d. Provide documentation of a serious health condition or serious injury or illness from an appropriate health care provider. Employees may use WH-380-F, *FMLA Certification of Health Care Provider for Family Member's Serious Health Condition* or WH-385, *FMLA Certification for Serious Injury or Illness of a Current Servicemember — for Military Family Leave*, or WH-385-V, *Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave*, to support such requests for leave.

These forms are provided for the employee's convenience, as they solicit all required information; however, employees may use another format as long as it provides complete and sufficient information as required by the FMLA. The information provided should relate to only the specific reason associated with the request for leave protection.

Note: The medical certification provision that an employee is "needed to care for" a family member encompasses both physical and psychological care. It includes situations where, for example, because of

a serious health condition, the family member is unable to care for his or her own basic medical, hygienic, or nutritional needs or safety, or is unable to transport him- or herself to the doctor. The term also includes providing psychological comfort and reassurance that would be beneficial to a child, spouse, or parent with a serious health condition who is receiving inpatient or home care.

515.533 **Employee Incapacitation**

An employee requesting FMLA-covered time off because of his or her own incapacitation must satisfy the documentation requirements for sick leave in [513.31](#) through [513.38](#) in order to receive paid leave during the absence. If medical opinions are required in addition to initial documentation, they are administered as described in [515.54](#).

515.534 **Return to Work After Employee Incapacitation**

To return to work from an FMLA-covered absence because of his or her own incapacitation, an employee must provide certification from his or her health care provider that the employee is able to perform the essential functions of his or her positions with or without limitations. Limitations described are accommodated when practical. In addition, a bargaining unit employee must comply with collective bargaining agreements, which include Postal Service policies in [513.37](#) and [865](#) and in other handbooks and manuals.

515.535 **Qualifying Exigency**

An employee requesting FMLA-covered time off because of a qualifying exigency arising out of a covered family member's call to covered active duty in the Armed Forces (see [515.2\(g\)](#)) must provide complete and sufficient certification. The employee may use WH-384, *FMLA Certification for Qualifying Exigency for Military Family Leave*, to support such request for leave. This form will be provided for the employee's convenience, as it solicits all required information; however, employees may use another format as long as it provides complete and sufficient information as required by the FMLA.

515.54 **Additional Medical Opinions**

A second medical opinion by a health care provider who is designated and paid for by the Postal Service may be required. A health care provider selected for the second opinion may not be employed by the Postal Service on a regular basis. In case of a difference between the original and second opinion, a third opinion by a health care provider is required. The third health care provider is jointly designated or approved by management and the employee, and the third opinion is final. The Postal Service pays the health care provider for the third opinion.

The recertification of a medical condition, for which the employee bears the cost, may be required during a leave year pursuant to the terms of the FMLA. A new certification of the employee's serious health condition may be requested for that condition in each subsequent leave year. Such medical opinions are obtained off the clock.

515.6 Intermittent Leave or Reduced Schedule**515.61 New Son or Daughter**

Absences requested because of the birth and subsequent care of the employee's newborn son or daughter or because of the placement of a son or daughter with the employee for adoption or foster care may be taken on an intermittent basis or reduced work schedule only if the request for such intermittent leave or schedule modification is approved by the supervisor. Eligibility for this leave expires 1 year after the birth or placement. Approval is based on employee need, Postal Service need, and costs to the Postal Service.

515.62 Care of Others for Medical Reasons or Employee Incapacitation

Absences due to an employee's own serious health condition, absences to care for a covered family member with a serious health condition or absences to care for a covered service member with a serious injury or illness may be taken on an intermittent basis or by establishing a reduced work schedule when medically necessary.

515.63 Exigency Leave

Absences requested due to a qualifying exigency arising out of a covered family member's federal call to covered active duty in the Armed Forces (see 515.2(g)) may be taken intermittently or on a reduced leave schedule.

515.64 Temporary Change in Duty Assignment

If an employee requests intermittent leave or a reduced work schedule that is foreseeable based on planned medical treatment, the Postal Service may assign the employee, with equivalent pay and benefits, temporarily to the duties of another position consistent with applicable collective bargaining agreements and regulations if such an assignment better accommodates the recurring periods of absence.

515.65 Fair Labor Standards Act Status

An employee exempt from the Fair Labor Standards Act (FLSA) normally may not take leave in less than 1-day increments. However, leave taken for an FMLA-covered reason on an intermittent basis or by temporarily establishing a reduced work schedule can be taken in less than 1-day increments without affecting the employee's FLSA-exempt status.

515.7 Return to Position

Employees whose absence is covered by the FMLA are normally entitled to return to the positions they held when the absence began, or to equivalent positions with equivalent pay, benefits, working conditions, and other terms of employment if they are able to perform the essential functions of the positions. Returning employees are not entitled to any right, benefit, or position to which they would not have been entitled had they not been absent, or to intangible, unmeasurable aspects of the job such as the perceived loss of potential for future promotional opportunities. If an employee was hired for a specific term or only to perform work on a discrete

project, then there is no further reinstatement obligation under this section if the employment term or project is over and the employment would not have otherwise continued.

515.8 **Benefits**

All benefits accrue to employees during an FMLA absence pursuant to the applicable provision of the ELM.

515.9 **Family Leave Poster**

All postal facilities, including stations and branches, are required to conspicuously display WHD Publication 1420, *Employee Rights and Responsibilities Under the Family and Medical Leave Act*. It must be posted, and remain posted, on bulletin boards where it can be seen readily by employees and applicants for employment.

516 **Absences for Court-Related Service**

516.1 **General**

516.11 **Determining Nature of Court-Related Service**

Installation heads ascertain the exact nature of court service and determine if the employee (a) is entitled to paid court leave, (b) must take annual leave or LWOP, or (c) is to serve in an official duty status. If a summons to witness service is not specific or clear, the installation head contacts appropriate authorities to determine the party on whose behalf the witness service is to be rendered. When the exact nature of court service is determined, records are annotated accordingly. (See [Exhibit 516.11](#) for a summary of leave to be taken according to nature of service.)

Exhibit 516.11

Absences for Court-Related Service

Nature of Service	Court Leave	Annual Leave or LWOP	Official Duty
1. Jury Service:			
a. U.S. or D.C. court.	x	–	–
b. State or local court.	x	–	–
2. Witness Service:			
a. On behalf of U.S. or D.C. government.	–	–	x
b. On behalf of state or local government:			
(1) In official capacity.	–	–	x
(2) Not in official capacity.	x	–	–
c. On behalf of private party:			
(1) In official capacity.	–	–	x
(2) Not in official capacity:			
(a) Postal Service a party.	x	–	–
(b) Postal Service not a party.	–	x	–

516.12 Explanation of Terms

The following definitions apply for the purposes of [516](#).

- a. *Judicial proceedings* — any actions, suits, or other proceedings of a judicial nature but not including administrative proceedings such as National Labor Relations Board (NLRB) hearings and hearings conducted in accordance with [650](#), Nonbargaining Disciplinary, Grievance, and Appeal Procedures.
- b. *Summons* — an official request, invitation, or call, evidenced by an official writing from the court or authority responsible for the conduct of the judicial proceeding.

516.2 Court Leave**516.21 Definition**

Court leave is the authorized absence from work status (without loss of or reduction in pay, leave to which otherwise entitled, credit for time or service, or performance rating) of an employee who is summoned in connection with a judicial proceeding, by a court or authority responsible for the conduct of that proceeding, to serve as a juror, as a witness in a nonofficial capacity on behalf of a state or local government, or as a witness in a nonofficial capacity on behalf of a private party in a judicial proceeding to which the Postal Service is a party or the real party in interest. The court or judicial proceeding may be located in the District of Columbia, a state, territory, or possession of the United States, including the Commonwealth of Puerto Rico, or the Trust Territory of the Pacific Islands.

516.22 Eligibility

Court leave is granted to full-time and part-time regular employees. Certain part-time flexible employees are granted court leave as provided and governed by applicable collective bargaining agreements. Other employees are ineligible for court leave and must use either annual leave or LWOP to cover the period of absence from postal duties for court service but may retain any fees or compensation received incident to such court service.

Court leave is granted only to eligible employees who would be in work status or on annual leave except for jury duty or service as a witness in a nonofficial capacity on behalf of a state or local government, or service as a witness in a nonofficial capacity on behalf of a private party in a judicial proceeding to which the Postal Service is a party or the real party in interest. An employee on LWOP, when called for such court service, although otherwise eligible for court leave, is not granted court leave but may retain any fees or compensation received incident to court service.

516.23 Recording Court Leave

The following provisions concern the recording of court leave:

- a. *Employees Other Than Rural Carriers.* PS Form 1224, *Court Duty Leave – Statement of Service*, is prepared at the time an employee is authorized court leave. Instructions for preparing PS Form 1224 appear in Handbook F-1, *Post Office Accounting Procedures*, 823; in Handbook F-21, *Time and Attendance*, 353.3; and in Handbook F-22, *PSDS Time and Attendance*, 353.3.
- b. *Rural Carriers.* When a rural carrier is on court leave, the postmaster records it as “Other” leave on PS Form 1314, *Regular Rural Carrier Time Certificate*, and describes the court service performed on the reverse side of the form. (See Handbook F-1, 445.5 for recording and reporting fees.)

516.3 Conditions Affecting Court-Related Service**516.31 Employee on Annual Leave**

If an eligible employee while on annual leave is summoned for court service that qualifies for court leave or official duty (see [516.11](#)), the employee’s annual leave is canceled and the employee is placed on court leave or official duty for the duration of such court service. Employees who are not entitled to court leave or official duty must use annual leave or LWOP for the period of absence from duty for such court service.

516.32 Combination of Court Leave and Postal Duty

The following provisions concern combinations of court service and postal duty:

- a. *Employees Who Report for Court Service and Are Excused Early.* If an employee reports for court service and is excused by the court for the balance of the day, or performs court service for only part of that day, the employee is entitled to full compensation for the day in question. An employee who would otherwise be in a work status is required to report to the postal installation for the balance of the postal tour of duty provided (1) an appreciable time of the tour is involved and (2) it is feasible to report to work and complete the tour. Combined paid court leave and postal duty may not exceed 8 hours.
- b. *Employees Who Serve a Full Day in Court.* Employees serving a full day in court service are not required to report to their postal duties.
- c. *Employees Excused From Court Service for an Extended Period.* Employees, including rural carriers, who are excused from court service for an entire day or days are not entitled to compensation for such days unless they actually perform service as postal employees.

No overtime is allowed for court service performed while an employee is on court leave or for a combination of postal work and such court service.

516.33 Accommodation of Employees Called for Court Service

The following provisions concern accommodation of employees called for court service:

- a. *Employee Options.* Employees who are eligible for court leave and who have a conflict with court duty and work schedules have the following options:
 - (1) Work their postal tours of duty in addition to performing court service.
 - (2) Have their work schedules changed temporarily to conform to the hours of court service. (Employees who do not choose this option may not have their work schedule changed and are expected to report for postal duty upon completion of their court service.)
- b. *Performance of Postal Tour of Duty in Addition to Court Service.* If employees work their full postal tours of duty in addition to performing court service, their court service is *not* charged to court leave as the court service is performed outside of their postal tours of duty. Accordingly, employees may retain any fees or payment received incident to such court service. If employees choose to work their full postal tours of duty in addition to performing court service, but are required to be in court beyond the starting time of their scheduled tours, they report for postal duty as soon as possible after completion of court service and work the remaining hours of their scheduled tours. The hours of court service that overlap the employees' scheduled tours of duty are charged to court leave and the employees remit to the Postal Service that portion of court fees received for the hours charged to court leave. The combined court leave and postal workhours may not exceed 8 hours.
- c. *Temporary Change in Schedule.* Employees who choose to have their work schedules changed temporarily to conform to court service hours submit PS Form 3189, *Request for Temporary Schedule Change for Personal Convenience*, as soon as possible, together with PS Form 3971, requesting such schedule change to the appropriate postal official at their installation (see Handbook F-21, *Time and Attendance*, 232.23). Such request states that the schedule change is for the employee's personal convenience and is agreed to by the local union. Employees who exercise this option receive full compensation for the period of court service including any applicable night differential for the revised schedule.

516.4 Fees**516.41 General**

Employees may retain any court allowance in the amount of \$25 or less per day on days court leave is authorized. Employees must remit to their supervisor amounts received in excess of \$25 per day. Employees who are eligible to receive such fees are not authorized to waive the fee.

516.42 **Court Service Outside of Regular Working Hours or Regular Working Days**

Employees who perform court service outside of their basic workweek (on scheduled days off) or outside of their scheduled tour of duty, for which no court leave is granted, may accept and retain the jury or witness fees or payment received incidental to such court service.

516.43 **Holidays**

Fees received for court service falling on a holiday within an employee's basic workweek may be retained by the employee provided the employee would have been excused from regular postal duties on the holiday.

516.44 **Annual Leave or LWOP**

Employees who are on annual leave and do not change, or are not eligible to change, the annual leave to court leave or who are on LWOP for court service may retain fees or payment received incidental to such service.

516.45 **Recording and Reporting of Fees**

Postmasters record and report fees in accordance with instructions in Handbook F-1, 793. Other installation heads forward collections of jury or witness fees to the disbursing officer, Eagan ASC. If court service is to be performed in a state court, the installation head determines the exact amount of compensation received from the state.

516.5 **Official Duty**

516.51 **Definition**

An employee is in an *official duty status* (as distinguished from a leave status and without regard to any entitlement to court leave) if assigned by the Postal Service or summoned by proper authority to:

- a. Testify in a judicial proceeding or produce official postal records on behalf of the United States or the District of Columbia. (Such testimony may be in an official or nonofficial capacity.)
- b. Testify in a judicial proceeding in an official capacity or produce official postal records on behalf of a party other than the United States or the District of Columbia.

Note: *Official duty* means that the testimony the witness provides concerns the witness's specialized knowledge of Postal Service facts, procedures, or methods gained by performing his or her job. For example, a postal supervisor would be in an official capacity if called to explain how the Postal Service processes a particular class of mail. A carrier would be in an official capacity if called to confirm a delivery he or she made. On the other hand, a carrier would not be in an official capacity as a witness to a car accident, even if a postal vehicle were involved, because observing car accidents is not part of a carrier's job.

516.52 **Compensation**

Employees who perform witness service in an official duty status are paid their regular salaries as Postal Service employees, including any applicable night differential and overtime pay. In addition, such employees collect the

authorized fees and any allowances for travel and subsistence expenses and retain an amount equal to actual allowable expenses. All amounts collected over and above the amount of the employee's actual allowable expenses are remitted to the postal official in charge (see Handbook F-15, *Travel and Relocation*, 9-1.2).

516.6 **Witness Service in a Nonofficial Capacity on Behalf of a Private Party**

An employee who is summoned to testify in a nonofficial capacity (as a private individual) on behalf of a private party is *not* performing official duty. The employee's absence is charged to court leave if the testimony is given in a judicial proceeding to which the Postal Service is a party or the real party in interest. If the Postal Service is not a party or the real party in interest, the employee's absence is charged to annual leave or LWOP.

517 **Paid Military Leave**

517.1 **General**

517.11 **Postal Service Support**

The Postal Service supports employee service in the Reserve or National Guard, and no action is permitted to discourage either voluntary or involuntary participation. The Postal Service allows employees to be absent:

- a. To participate in drills or meetings scheduled by the National Guard or Reserve Units of the armed forces.
- b. To attend usual summer training periods.
- c. To perform any other active duty ordered by the National Guard and Reserve Units of the armed forces.

However, eligible employees are entitled to paid military leave only for such duty as and to the extent provided below.

517.12 **Definition**

Paid military leave is authorized absence from postal duties for hours the employee would have worked during his or her regular schedule, without loss of pay, time, or performance rating, granted to eligible employees who are members of the National Guard or reserve components of the armed forces.

Note: Non-workdays are not charged against the paid military leave allowed.

517.13 **Types of Duty**

517.131 **Duty Covered for Members of the Reserves and National Guard, Except D.C. National Guard**

Types of duty covered as paid military leave include:

- a. Active duty, field, and coast defense training.
- b. Scheduled drills.
- c. Service providing military aid for law enforcement purposes.

517.132 **Duty Covered for Members of the D.C. National Guard**

Types of duty covered as paid military leave include:

- d. Parade or encampment activities of the D.C. National Guard.
- e. Service providing military aid for law enforcement purposes as provided in [517.43](#).

517.133 **Duty Not Covered**

Types of duty *not* covered as paid military leave include:

- a. Summer training as a member of Reserve Officer Training Corps.
- b. Temporary Coast Guard Reserve.
- c. Service with the National Guard, if ordered by the State Governors without authority of the Department of Defense, except when such service is in connection with regular annual encampment or for law enforcement purposes as specified in [517.43](#).
- d. Training with a State Guard or other state military organization that is not a part of the National Guard or that was created to take the place of the National Guard during an emergency.
- e. Weekly drills as member of D.C. National Guard.
- f. Civil Air Patrol, established as a civilian auxiliary of the U.S. Air Force, and similar reserve and guard auxiliary organizations.
- g. Time taken on a workday to travel to the place where training is to begin, unless military training orders encompass the period of travel time required.

517.2 **Eligibility**517.21 **Eligible Employees**

Career postal employees, i.e., full-time, part-time regular, and part-time flexible employees who are members of the following components of the armed forces, are eligible for paid military leave:

- a. The Army National Guard of the United States.
- b. The Army Reserve.
- c. The Naval Reserve.
- d. The Marine Corps Reserve.
- e. The Air National Guard of the United States.
- f. The Coast Guard Reserve.
- g. The Air Force Reserve.

517.22 **Ineligible Employees**

Permitted to be absent, but not eligible for paid military leave, are noncareer employees such as the following:

- a. Casual employees.
- b. Contract workers.
- c. Noncareer rural carriers.
- d. Temporary employees.
- e. Transitional employees.

517.3 Procedures**517.31 Approval**

The employee is to complete a PS Form 3971 before the period of absence. Sufficient notice is required for making necessary arrangements for replacements. If the employee does not learn of the need for the absence until later, notice is to be given as soon possible. The official responsible for approving the attendance record also approves military leave.

517.32 Use of Mixed Leave

Normally the first days of a longer period of military duty are charged to military leave. If circumstances warrant it, any other scheduled workdays during the longer active duty period may be designated as military leave instead of the days at the beginning of the military duty.

517.33 Use of Leave Intermittently

Military leave may be taken intermittently.

517.34 Return From Duty

For paid military leave approval, upon return from military duty to the Postal Service, the employee furnishes a copy of military orders or other documentation properly endorsed by appropriate military authority to show the duty was actually performed.

517.4 Military Leave Allowances**517.41 General Allowance**

Eligible full-time and part-time employees receive credit for paid military leave as follows:

- a. *Full-time employees other than D.C. National Guard* — 15 calendar days (120 hours) each fiscal year.
- b. *Part-time employees other than D.C. National Guard* — 1 hour of military leave for each 26 hours in pay status (including military LWOP) in the preceding fiscal year provided:
 - (1) Employee was in pay status a minimum of 1,040 hours in the preceding fiscal year.

Note: A part-time employee's time on military LWOP in one fiscal year counts toward meeting the 1,040 hours' requirement for the next fiscal year.
 - (2) Employee's pay for military leave does not exceed 80 hours.
- c. *D.C. National Guard* — all days (no limit) of parade or encampment duty ordered under Title 49, District of Columbia Code.

An employee may carry over up to 1 year's allotted but unused (not to exceed 15 days) military leave from one fiscal year to the next.

517.42 Previous Service

Employees transferring to the Postal Service from other government agencies are entitled to credit for paid military leave purposes for government service performed prior to appointment as part-time employees. Any other creditable federal civilian service rendered during the prior fiscal

year is also used in computing the required 1,040 hours. Creditable service is determined by requesting a transcript from the other agency detailing the number of hours in which the employee was in pay status.

517.43 **Law Enforcement Allowance**

517.431 **State or Jurisdiction Duty**

Eligible full-time and part-time employees who are members of the National Guard are granted additional paid military leave over and above the general allowance if they are ordered by appropriate authority to provide *military aid to enforce the law* of their contracted state or their chartered jurisdiction (e.g., the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States). See approval procedures in [517.3](#). The following provisions apply:

a. Evaluation of Circumstances.

(1) *Qualifying Circumstances.* *Military aid* is the kind of work characteristic of, or typically performed by, soldiers. Military aid to enforce the law means engagement in the suppression of riots, violent assembly, widespread looting, and civil disorder where the guardsman is ordered to perform state military duty under a state law that specifically confers law enforcement powers on the guardsman or under the authority of an executive order of the governor (or the highest authority of the jurisdiction) pursuant to state law that specifically confers on the governor the authority to confer law enforcement powers on activated guardsmen. Orders to provide assistance or support to law enforcement agencies do not constitute an order conferring law enforcement powers. The mere fact that national guardsmen in uniform perform a given function does not necessarily transform that function into military aid. The duty performed must be evaluated. Such additional military leave is granted only when an employee's military orders (or other official documentation from the employee's guard unit) specify that he or she was engaged in one or more of the activities and under the authority referenced above for the particular periods of military duty.

(2) *Nonqualifying Circumstances.* Additional military leave is not granted when military orders do not specify one or more of the duties and statutory requirements referenced in [517.431a1](#) above. For example, it is not granted when an employee's military orders simply indicate the employee was ordered to duty "for law enforcement purposes," "to enforce the law," "for state emergency active duty," "etc. It is not granted if the duties are top secret and the actual duties cannot be verified as meeting these requirements. It is not granted if the military orders state that the duty is to provide aid to civil authorities to protect life, preserve property, or prevent injury. Circumstances that do not qualify the employee for additional military leave include, but are not limited to, the following:

(a) Activities that, although prompted by emergencies, *do not involve directly enforcing the law*, such as when guardsmen

are engaged in fighting fires, controlling floods, controlling routine crowds, cleaning up following natural disasters, eradicating controlled substances, providing transportation and/or services to persons engaged in law enforcement or other activities, or providing security for such missions.

- (b) Activities that, although they may have a collateral effect of enforcing the law, *do not involve military aid*, such as when guardsmen are engaged in directing vehicular traffic, which may concern enforcement of traffic laws, or when a guardsman provides security for public events, buildings, or places, these duties do not constitute military aid to enforce the law.
 - (c) Activities whose principal purpose is to protect the United States and its territories from attack by foreign enemies or domestic agents aligned with foreign enemies.
- b. *Amount Granted.* Law enforcement military leave is granted, upon the presentation of qualifying military orders, as follows:
- (1) *Full-time employee* — 22 workdays (176 workhours) each fiscal year.
 - (2) *Part-time employee* — 1 hour of military leave for each 13 hours of service performed as a part-time employee in the fiscal year preceding the request provided both of the following conditions apply:
 - (a) The employee has worked at least 1,040 hours during the preceding fiscal year.
 - (b) Additional leave granted under this section does not exceed 160 workhours in a fiscal year.

517.432 **Allowance for Federal Duty**

Paid military leave is not granted for enforcement of federal law or in support of a federal agency, regardless of the employee's specific duties.

517.5 **Leave Charge Information**

517.51 **Pay Status Requirement**

Generally, an employee must be in pay status either immediately prior to the beginning of military duty or immediately after the end of military duty in order to be entitled to military leave with pay. The approving official determines whether (but for the active duty) the employee fulfills the pay status requirement.

517.52 **Minimum Units**

Military leave may be taken in one-hundredths of an hour, except for regular rural carriers (designation 71) or substitute rural carriers (designation 72), who must take military leave in minimum units of 8 hours.

517.53 **Continuance of Night Differential Pay**

Employees regularly assigned in whole or in part to a night tour of duty are entitled to night differential pay when absent on military leave.

517.54 Absence Beyond the General Military Leave Allowance**517.541 Training Periods**

Any absence beyond the general military leave allowance is charged to annual leave or LWOP regardless of the number of training periods in the fiscal year.

517.542 Choice of Annual Leave, Sick Leave, or LWOP

Eligible employees who volunteer or are ordered for a period of military training or for a period of active military duty beyond the general military leave allowance may use annual leave or LWOP, at their option. Sick leave can be used only if the employee is hospitalized, confined to quarters as directed by competent military medical authorities, or on convalescent leave due to military service.

517.6 Conflict With Work Schedule**517.61 Employee Alternatives**

An employee who has official duty orders or official notices signed by appropriate military authority for weekly, biweekly, or monthly training meetings and who has a conflict with scheduled work requirements may choose one of four ways of meeting the military obligation:

- a. Use military leave not in excess of the general military leave allowance.
- b. Use annual leave.
- c. Use LWOP.
- d. Arrange a mutually agreeable trade of workdays and days off with another employee who is qualified to replace the absent employee. Such trades must be cleared with the responsible supervisor and must be in accordance with the terms of collective bargaining agreements.

517.62 Administrative Policy**517.621 Reassignments**

The following provisions concern reassignments:

- a. Arbitrary reassignments of other employees are not made to permit absences of employees for military duty. An employee having military drills or military training responsibility should attempt to bid on a work assignment (when the opportunity presents itself) that will not conflict with military duties.
- b. Employees requesting a temporary schedule change must submit PS Form 3189 (with PS Form 3971) to the appropriate postal official at their installation (see Handbook F-21, 232.23).

517.622 Rescheduling

An employee desiring absences for military duty may be rescheduled if such action can be taken without increasing costs or adversely affecting the service to other employees. Every effort should be made to work out these problems as satisfactorily as possible.

517.7 **Records Control**517.71 **General Paid Military Leave**

The following provisions concern general paid military leave allowance:

- a. *Full-time Employees.* When full-time employees request general paid military leave, i.e., for other than law enforcement duty, offices must check AAD935P3, *Military – Leave Report*, to ascertain whether military leave has been advanced. If it has not, offices must submit their requests for a credit of 120 hours military leave to Payroll Processing, Eagan ASC.
- b. *Part-time Employees.* For a part-time employee, installations should check AAD935P4, *Military – Leave Potential Report*, for the number of hours the employee is entitled and submit a request for an advance of the hours authorized on the report.
- c. *Transfers From Other Agencies.* When an employee transfers from another federal agency, a transcript must be requested detailing hours in a pay status in the prior fiscal year and the military leave used in the current fiscal year. These hours are sent to Payroll Processing, Eagan ASC, and are used in addition to the hours on the AAD935P4 report to determine hours to be advanced.
- d. *Noncareer Employees.* Offices may not authorize paid military leave for noncareer employees.

517.72 **Paid Military Leave for Law Enforcement**

If a leave request is for law enforcement purposes, installations must submit a memorandum to Payroll Processing, Eagan ASC, requesting advancement of paid military leave for law enforcement purposes for the number of hours requested, not to exceed 176 hours for a full-time employee or, for a part-time employee, the number of hours of law enforcement leave to which the employee is entitled as shown in the AAD935P4 report. If regular military leave has not been advanced, follow the procedures for full-time employees.

518 **Holiday Leave**518.1 **Observed Holidays**

The following 10 days are observed as holidays by the U.S. Postal Service:

New Year's Day	January 1
Martin Luther King Jr.'s Birthday	3rd Monday in January
Washington's Birthday/Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veterans' Day	November 11
Thanksgiving Day	4th Thursday in November
Christmas Day	December 25

Note: Administrative leave is not granted for absence on state, local, or religious holidays. To the fullest extent practicable, annual leave or LWOP is granted to employees for observance of their religious holidays.

518.2 **Holidays on Nonscheduled Workdays**

518.21 **Saturday**

When a holiday falls on a Saturday, the preceding Friday is observed as the holiday.

518.22 **Sunday**

When a holiday falls on Sunday, the following Monday is observed as the holiday.

518.23 **Nonscheduled Workday**

When an employee's nonscheduled workday falls on a day observed as a holiday, the employee's scheduled workday preceding the holiday is designated as that employee's holiday.

518.3 **Holidays on Scheduled Workdays**

Holidays falling on an employee's scheduled workday are observed on those days.

518.4 **Eligibility for Holiday Pay**

See [434.4](#).

518.5 **Provisions for Rural Carriers and Substitutes**

518.51 **Rural Carriers**

Rural carriers are not required to report to post offices for any purpose on legal holidays. When a holiday falls on Sunday, the following Monday is observed. Rural carriers are not permitted to substitute any other day.

518.52 **Substitute Rural Carriers**

When the holiday falls on a service day for a triweekly route, the carrier is not required to serve until the next scheduled service day.

518.6 **Provisions for Postmasters**

For all full-time postmasters except those in EAS A–E offices, if a holiday falls on a Saturday that is a nonscheduled workday, the preceding Friday is designated as the postmaster's holiday. When necessary, additional workhour allowances are authorized for those post offices without a senior supervisor to provide relief coverage during the postmaster's absence on holiday leave (see [434.412](#)).

519 **Administrative Leave**

519.1 **Definition**

Administrative leave is absence from duty authorized by appropriate postal officials without charge to annual or sick leave and without loss of pay.

519.2 Special Conditions**519.21 Acts of God****519.211 General**

Acts of God involve community disasters such as fire, flood, or storms. The disaster situation must be general rather than personal in scope and impact. It must prevent groups of employees from working or reporting to work.

519.212 Authorizing Administrative Leave for Acts of God

The following provisions concern administrative leave for acts of God:

- a. Postmasters and other installation heads have authority to approve administrative leave for up to 1 day.
- b. District managers and Postal Career Executive Service (PCES) plant managers may authorize administrative leave beyond 1 day, but not to exceed a total of 3 days, for their installation and those reporting to it.
- c. District managers and senior or lead plant managers may approve administrative leave for periods up to and in excess of 3 days for their installation and those reporting to it.

519.213 Determining the Cause of Absence

Postmasters and other appropriate postal officials determine whether absences from duty allegedly due to “acts of God” were, in fact, due to such cause or whether the employee or employees in question could, with reasonable diligence, have reported for duty.

519.214 Early Dismissal Due to Acts of God

When employees are dismissed from duty before the normal completion of their duty due to an act of God, the following applies:

- a. Full-time employees are entitled to credit for hours worked plus enough administrative leave to complete their tour of duty. This combination of work and leave is not to exceed 8 hours in any one day.
- b. Part-time regular employees are entitled to credit for hours worked plus enough administrative leave to complete their scheduled hours of duty. This combination of work and leave is not to exceed 8 hours in any one day.
- c. Part-time flexible employees are entitled to credit for hours worked plus enough administrative leave to complete their scheduled tour. The combination of straight time worked and administrative leave may not exceed 8 hours in a service day. If there is a question as to the scheduled workhours, the part-time flexible employee is entitled to the greater of the following:
 - (1) The number of hours the part-time flexible worked on the same service day in the previous service week.
 - (2) The number of hours the part-time flexible was scheduled to work.
 - (3) The guaranteed hours as provided in the applicable national agreement.

519.215 Employees Prevented From Reporting

Employees scheduled to report who are prevented from reporting or, who after reporting, are prevented from working by an act of God may be excused as follows:

- a. Full-time and part-time regular employees receive administrative leave to cover their scheduled tour of duty not to exceed 8 hours.
- b. Part-time flexible employees receive administrative leave, subject to the 8-hour limitation, for their scheduled workhours, as provided in [519.214c](#).

519.216 Employees on Annual Leave, Sick Leave, or LWOP

Employees on annual leave, sick leave, or LWOP remain in such status. They are not entitled to administrative leave.

519.217 Substitute Rural Carriers and Rural Carrier Associates

Substitute rural carriers and RCAs in a leave-earning status are treated the same as rural carriers:

- a. If they are scheduled for duty and are unable to report to the postal installation, administrative leave is granted for the full day that the employees are scheduled to serve their routes. No equipment maintenance allowance is paid.
- b. If employees are scheduled for duty and report to the postal installation but are unable to serve all or part of their routes through no fault of their own, they may be granted administrative leave for the remainder of the normal tour of duty for that day. Payment for equipment maintenance allowance is made, if appropriate, because employees are considered to be in duty status.

519.22 Civil Disorders**519.221 Decision to Curtail or Terminate Postal Operations**

During times of civil disorders in communities, the postmaster or installation head determines whether conditions are such that postal operations are curtailed or terminated, taking into account the needs of the service, local conditions, and the welfare of postal employees.

519.222 Civil Disorder Extends Beyond Three Days

When civil disorder extends beyond 3 days and administrative leave is indicated as being necessary, prior approval is obtained through the district manager or senior or lead plant manager.

519.223 Early Dismissal

Employees dismissed early because of civil disorder are treated the same as for early dismissals for acts of God (see [519.214](#)).

519.224 Employees Prevented From Reporting

Postmasters and installation heads are authorized to grant up to 3 days of administrative leave on a day-to-day basis to those employees who, through no fault of their own, are prevented from reporting to work. The following applies:

- a. Full-time and part-time regular employees prevented from reporting in civil disorder situations are treated the same as employees in the act of God situation (see [519.214a](#) and [519.214b](#)).

- b. Part-time flexible employees are not granted administrative leave except if scheduled to report but are prevented from doing so. Provisions in [519.214c](#) apply.

519.23 **Relocation**

519.231 **Policy**

An employee who is transferred or relocated in the interest of the Postal Service from one official station to another in the Postal Service is entitled to 5 days of administrative leave. The 5 days of administrative leave are not charged to any other leave.

519.232 **Requirements**

An actual physical move of the employee's household is a requirement for eligibility for relocation leave. Therefore, employees who are relocated to another duty station in the same commuting area who do not move their households are not eligible. The following employees are entitled to 5 days of relocation leave with pay when directed to transfer or relocate:

- a. Employees who are transferred or relocated from one official duty station to another in the interest of the Postal Service.
- b. Employees who request and accept a transfer in lieu of a separation or demotion when separation or demotion is not for personal cause.

519.233 **Notation on PS Form 50**

If any leave is granted by the losing duty station, the number of days allowed is noted in the Remarks section of the reassignment PS Form 50. Before granting relocation leave, the gaining duty station reviews the losing station's PS Form 50 to determine the additional leave that may be allowed.

519.234 **Limitations**

Relocation leave may be taken before or after the physical move and may be taken a day or more at a time; it must be taken in whole days. In no instance does it exceed a total of 5 days. In the event that the employee later decides not to transfer to the new station, all relocation leave taken is charged to annual leave or LWOP.

519.24 **Adverse Action Investigation and Decision**

During the time required for investigation and decision regarding an adverse action, management may place an employee in an off-duty, nonpay status, in accordance with [651.4](#) or the applicable bargaining unit agreement. If these provisions are not applicable and it is necessary to remove the employee from a duty status, management may place the employee on administrative leave until the effective date of an adverse action or until the employee is returned to work, whichever comes first. Beginning on the effective date of an adverse action, the employee remains on the rolls but in a nonpay status during an appeal process. (See [651.4](#) and [651.6](#), and see applicable bargaining unit agreement to determine maximum allowable time.)

519.3 Civil Participation**519.31 State and Local Civil Defense Programs****519.311 No Charge to Leave**

Full-time employees who volunteer and are selected by state or local authorities for civil defense assignments are authorized to participate in pre-emergency training programs and test exercises conducted by the state or local government. Participation in these activities during the employee's regularly scheduled tour of duty cannot exceed more than 40 hours of administrative leave in any 1 leave year.

519.312 Annual or LWOP

Employees who participate in civil defense activities other than those cited in [519.311](#) are granted annual leave or LWOP if it is possible to spare them without undue interference with the needs of the Postal Service.

519.313 Availability for Civil Defense Assignment

Employees are designated as available for assignment to civil defense activities subject to the following conditions:

- a. The employee's participation is requested by the state or local civil defense authorities.
- b. Within reason, the employee is expected to be available for assignment to civil defense activities in the event of an emergency.
- c. The employee can be spared from regular duties for the required periods of participation.

519.314 Key Role Restriction

Key roles in civil defense activities are *not* assigned to employees for whom a certificate of availability has been granted for military duty.

519.315 Statement Requirement

On return to duty, employees are required to submit a written statement from the state or local civil defense authorities showing days or hours of their participation.

519.32 Voting or Registering to Vote**519.321 Policy**

Employees are encouraged to exercise their voting rights. So far as is practicable without seriously interfering with service, postal employees, excluding casual and temporary employees, who desire to vote or register in any election or in any referendum on a civic matter in their community are excused for a reasonable time for that purpose on a day they are scheduled to work. Casual and temporary workers are encouraged to vote but are not eligible for administrative leave for this purpose.

519.322 Administrative Determination

Postal officials in charge of installations obtain necessary information concerning the hours during which the polls are open in the political subdivisions in which their employees reside. They then make an administrative determination regarding the amount of excused absence necessary (and limits in accordance with [519.323](#)). Employees are notified of

this determination and of the procedures to be followed in obtaining advance approval for the absence.

519.323 **Voting**

The following provisions concern time allowed for voting:

- a. *Three-Hour Rule.* As a general rule, if the polls are not open at least 3 hours either before or after an employee's scheduled hours of work, the employees may be excused for the length of time that permits them to report for work 3 hours after the polls open or to leave work 3 hours before the polls close, whichever requires the lesser amount of time off.
- b. *Exception to Three-Hour Rule.* Under exceptional circumstances, if the general rule in [519.323a](#) does not permit sufficient time, an employee may be excused for the additional time needed to vote. However, time off must not exceed a full day.
- c. *Charge to Annual Leave or LWOP.* If an employee's voting place is beyond normal commuting distance and if voting by absentee ballot is not permitted, employees may be granted sufficient time off to be able to make the trip to the voting place to cast their ballots. When more than 1 day is required to make the trip to the voting place, postal officials observe a liberal policy in granting necessary time off for this purpose. Time off in excess of 1 day is charged to annual leave or, if annual leave is exhausted or the employee so requests, it is charged to LWOP.

519.324 **Registration**

If the employee votes in a jurisdiction that requires registration in person, time off to register is granted on substantially the same basis as for voting, except that no time is granted if registration can be accomplished on a nonworkday and the place of registration is within a (reasonable) 1 day, round trip travel distance of the employee's place of residence.

519.325 **Restrictions**

An employee is not allowed administrative leave for voting or registration during a period of absence on sick leave, annual leave, or LWOP pay.

519.33 **Funeral Services**

519.331 **Absence of Veterans to Attend Funeral Services**

Full-time Postal Service employees (except rural carriers) who are veterans of any war, campaign, or expedition (for which a campaign badge has been authorized, see [Exhibit 512.232a](#)), or who are members of honor or ceremonial groups or organizations of such veterans, may be granted administrative leave, not to exceed 4 hours in any one day, to participate in funeral ceremonies for members of the Armed Forces of the United States whose remains are returned from abroad for final interment in the United States. Such participation is limited to service as active pallbearers or as members of firing squads or guards of honor. Absences in excess of 4 hours in any one day are charged to annual leave or to LWOP.

519.332 **Funeral of Immediate Relatives Who Died in Combat Zone**

Administrative leave not to exceed 3 days is granted to employees to make arrangements for, or to attend the funeral of, or memorial service for, an immediate relative who died as a result of wounds, disease, or injury incurred

while serving as a member of the Armed Forces of the United States in a combat zone. An *immediate relative* is defined as:

- a. Spouse and his or her parents.
- b. Children and their spouses.
- c. Parents.
- d. Brothers, sisters, and brothers-in-law and sisters-in-law (brothers and sisters of spouses and spouses of brothers and sisters).

519.4 **National Day of Observance**

519.41 **General**

In the event that the postmaster general or designee determines that the Postal Service will participate in a national day of observance (for example, National Day of Mourning) subsequent to the declaration of a national day of observance by Executive Order of the President of the United States, administrative leave is granted to employees.

The policy shown below applies to executive and administrative schedule (EAS) employees, Postal Career Executive Service (PCES) employees, and other employees not covered by union agreements concerning national days of observance and is consistent with the agreements developed for that purpose. Employees in the following unions should refer to the memorandums of agreement or understanding between the Postal Service and their unions regarding regulations for national days of observance:

- a. American Postal Workers Union, AFL-CIO.
- b. National Association of Letter Carriers, AFL-CIO.
- c. National Postal Mail Handlers Union, AFL-CIO.
- d. National Rural Letter Carriers' Association.
- e. Fraternal Order of Police, National Labor Council, USPS No. 2.

519.42 **Leave Granted**

519.421 **Full-Time Employees**

Full-time employees whose basic work week includes the national day of observance are granted administrative leave as follows:

- a. Those with the national day of observance as a scheduled workday:
 - (1) If *not directed* to report for work, are granted administrative leave for that day.
 - (2) If *directed* to report for work, are granted a day of administrative leave at a future date, for the number of hours equal to their regular workday.
- b. Those with the national day of observance as a nonscheduled (relief) workday:
 - (1) If *not directed* to report for work, are granted a day of administrative leave at a future date, for the number of hours equal to their regular workday.
 - (2) If *directed* to report for work, are granted overtime pay, if eligible, plus a day of administrative leave at a future date, for the number

of hours worked, up to the number of hours equal to their regular workday.

519.422 **Part-Time Regular Employees**

Part-time regular employees whose basic workweek includes the national day of observance are granted administrative leave as follows:

- a. Those with the national day of observance as a scheduled workday:
 - (1) If *not directed* to report for work, are granted administrative leave for that day, for the number of hours scheduled to work.
 - (2) If *directed* to report for work, are granted a day of administrative leave at a future date, for the number of hours scheduled to work on the national day of observance.
- b. Those with the national day of observance as a nonscheduled (relief) workday:
 - (1) If *not directed* to report for work, are granted a day of administrative leave at a future date, equal to the average number of daily paid hours in their schedule for the service week previous to the service week in which the national day of observance occurs, up to 8 hours.
 - (2) If *directed* to report for work, receive straight time pay (or overtime pay if appropriate), plus administrative leave at a future date for the number of hours worked on the national day of observance, up to 8 hours.

519.423 **Part-Time Flexible Employees**

Part-time flexible employees are granted administrative leave for the national day of observance as follows:

- a. Those *directed* to report for work are granted a day of administrative leave at a future date, for up to 8 hours.
- b. Those *not directed* to report for work are granted a day of administrative leave at a future date, equal to the average number of daily paid hours during the service week previous to the service week in which the national day of observance occurs, up to 8 hours.

519.424 **Transitional Employees**

Transitional employees receive pay only for actual workhours performed on the national day of observance. They are not granted administrative leave.

519.425 **Employees on Paid Leave**

Employees on paid leave on the national day of observance receive administrative leave on that day in lieu of requested leave for up to the number of hours equal to the employee's regular workday. (See [519.423b](#) for part-time flexible employees.)

519.426 **Employees on Continuation of Pay, Office of Workers' Compensation Programs Pay, and Leave Without Pay**

Employees on continuation of pay (COP) and employees on leave without pay (LWOP) not associated with Office of Workers' Compensation Programs (OWCP) on the national day of observance are granted a day of administrative leave for up to 8 hours.

Employees working part days on the national day of observance as a result of an injury on duty (IOD) receive administrative leave equal to the hours normally worked.

Employees not working as a result of an IOD and employees on OWCP pay on the national day of observance are not granted administrative leave.

519.427 **Employees Absent Without Leave, Suspended, or Pending Removal**

Employees absent without leave (AWOL), suspended, or pending removal on the national day of observance are not granted administrative leave.

Note: An employee returned to duty and made whole for a period of AWOL, suspension, or removal may be eligible for administrative leave for the national day of observance consistent with the rules of the provision of [519.4](#) for that employee's group if the period of suspension or removal for which the employee is considered to have been made whole includes that day.

519.428 **Individuals Not Eligible for Administrative Leave**

Individuals not eligible for administrative leave include the following:

- a. Postmaster relief employees.
- b. Rural carrier relief employees.
- c. Substitute rural carrier employees and rural carrier associate employees who are not in leave-earning positions.
- d. Temporary employees.
- e. Noncareer officer-in-charge employees.
- f. Contractors.

519.43 **Leave Taken at a Future Date**

Administrative leave to be taken at a future date:

- a. Must be granted and used within 6 months of the national day of observance or by the end of the fiscal year, whichever is later.
Note: Administrative leave is not granted to an employee who is on extended leave for the entire period between the day of observance and 6 months from that date, or between the day of observance and the end of the fiscal year, whichever is later.
- b. Must be taken all at one time.
- c. May, at the employee's option, be substituted for previously scheduled but not used annual leave.
- d. Should be requested by using the same procedures that govern the request and approval of annual leave consistent with [512.41](#) and [512.42](#).

519.5 **Medical Events**

519.51 **Blood Donations**

519.511 **Policy**

All postal employees are urged to cooperate fully with the public blood donation programs for the health and security of their community. The time necessary includes the time required for travel and the time required by the medical facility to process the blood donations.

519.512 Time Allowed

The following provisions concern time allowed for blood donations:

- a. *General Allowance.* Postal employees may be excused for that period of time deemed reasonably necessary to cover any absence from regular tours of duty to make voluntary blood donations, without remuneration, to the Red Cross, the community, or other nonprofit blood bank. This regulation does not apply to those employees who participate in this program on their own time, off duty.
- b. *Additional Time.* In the case of employees in occupations for which the blood bank recommends additional time off following the blood donation, the time necessary includes the additional time recommended by the blood bank. Every effort should be made to have blood donations for such employees scheduled near the end of their tour of duty.

519.513 Restrictions

The following provisions concern restrictions on time allowed for blood donations:

- a. The time allowed may in no instance exceed 8 hours. A full day's administrative leave may be granted only when there are unusual circumstances, such as in rural areas where considerable travel may be involved. It is not intended that a full day's administrative leave be granted any employee for donating blood when the blood bank or facility is nearby.
- b. Administrative leave for blood donation may be granted during a regular tour of the employee's basic workweek, but only on the date of the blood donation. It is not granted to employees on suspension or in any nonpay status.

519.514 Facility Arrangements

For group donations, postmasters or installation heads make arrangements with the blood bank to provide facilities (mobile) for on-site participation or arrange the hours of donation to present the least interruption and cost to the Postal Service.

519.52 Bone Marrow, Stem Cell, Blood Platelet, and Organ Donations**519.521 Policy**

Career postal employees who wish to donate bone marrow, stem cells, blood platelets, or organs may be granted administrative leave, subject to the limitations in [519.522](#), with appropriate management approval. Administrative leave is *not* available to bone marrow or organ recipients.

519.522 Time Limitations

Except as otherwise specified in the collective bargaining agreements, the maximum administrative leave that can be granted per leave year to cover qualification and donation is limited to the following:

- a. To a full-time career employee:
 - (1) For bone marrow, 3 days.
 - (2) For stem cells, 3 days.

- (3) For blood platelets, 3 days.
- (4) For organs, 14 days.
- b. To a part-time career employee:
 - (1) For bone marrow, 1 1/2 days.
 - (2) For stem cells, 1 1/2 days.
 - (3) For blood platelets, 1 1/2 days.
 - (4) For organs, 7 days.

519.53 **Physical Examination for Entry Into Armed Forces**

Postal employees who are scheduled for physical examination for entry into the armed forces at times when they are also scheduled for postal duty are given administrative leave for the time necessary to take the examination.

519.54 **First-Aid Examination and Treatment for On-the-Job Injury or Illness**

519.541 **Employee on Regular Tour**

If an employee on a regular tour of duty is injured or becomes ill and the injury or illness can be treated so that the employee can return to duty during that tour, the employee is excused without charge to annual or sick leave. The employee is not required to clock out when leaving the place of duty for first-aid examination or treatment.

519.542 **Employee in Overtime Status**

When an employee is directed by management to an on- or off-site medical unit due to illness or injury, all time spent waiting for and/or receiving medical attention on the service day on which the illness or injury occurs, which would have been worked but for the medical attention, is credited as work time even though overtime hours may be involved. The employee's time card is so noted and initialed by the supervisor.

519.55 **Day of Death**

If an employee dies during a scheduled work day, the balance of the full tour is charged to administrative leave. If the employee dies before a scheduled tour begins, the full tour is charged to administrative leave, provided the employee was in a pay status, either work hours or paid leave, on the last scheduled day before the day of death. When a scheduled tour overlaps a calendar day and begins at or near the previous day, a death occurring within 2 hours of the beginning of the tour is considered to be before the scheduled tour and the full tour is charged to administrative leave.

519.6 **Special Events — Postal Service Invitation**

The postmaster general, deputy postmaster general, or chief operating officer may approve the use of administrative leave for spouses or guests who are postal employees when they are invited by the Postal Service to attend a special event. The invitation from the postmaster general, deputy postmaster general, or chief operating officer must include the spouse or guest attendance as well as the allowable period of administrative leave authorized for the specific special event. The invitation must be attached to the PS Form 3971 and submitted to the spouse's or guest's supervisor in advance of the leave.

519.7 **Nonbargaining Unit Personal Absence**

519.71 **Definition**

Nonbargaining unit employees' personal absence time is paid time off. It is not charged as annual leave, sick leave, or any other paid leave category. Only FLSA-exempt employees are eligible for such time off.

519.72 **Policy**

Nonbargaining unit exempt employees are paid on a salary basis. This means that under the FLSA they are not considered to be hourly rate employees. Therefore, partial day absences are paid the same as work time. While exempt employees are expected to work a full day, they may request time off to attend to personal matters during the workday, including time off due to conditions covered by FMLA. If approved, the time off is "personal absence time" and is not charged to annual leave, sick leave, or LWOP.

519.73 **Limitations and Exceptions**

519.731 **Full-Day Absences**

Except as provided for in [519.733](#), personal absence time is not authorized for a full-day absence, which must be charged to annual leave, sick leave, or LWOP, as appropriate. An exempt employee who plans to be absent from work for more than a half day on a workday should apply in advance for a full day of annual leave, sick leave, or LWOP, unless the absence is for an FMLA-covered condition.

519.732 **Partial-Day Absences**

Normally, personal absence time is limited to no more than half an employee's workday. However, when an unanticipated need for time off occurs after the employee reports to work and the employee is allowed to leave work but is unable to return, the half-day limit does not apply. For example, when an employee gets sick after 2 hours at work and must leave for the remaining 6 hours of the workday, the entire 6 hours is treated as personal absence time. However, managers may disapprove personal leave requests when necessary to carry out their responsibilities to control work hours as set forth in [519.75](#). In this regard, managers may require the use of an appropriate leave category, for example, sick leave in the case of partial-day absences for FMLA-covered conditions.

519.733 **Directed to Work**

When an exempt employee is directed to work a full day on a holiday or other full day in addition to normal workdays, the supervisor may grant a full day of personal absence without charging it to official leave.

519.74 **Administration**

519.741 **General**

A full-time exempt employee is expected to work a full day and a part-time exempt employee is expected to work the full or partial day specified at the time of their employment. A full day is defined to include the continuous or nearly continuous time that an employee normally works in a 24-hour period. A half day is half that number of hours.

519.742 Approval

Except for postmasters and installation heads, exempt employees must obtain prior approval from their supervisors for all absences, whether or not such absences are to be charged to the employee's leave account. At the discretion of the installation head, PS Form 3971 may be used to request personal absences not charged to leave.

Postmasters and installation heads normally are not required to obtain advance approval for personal absences. They are required, however, to keep an accurate record of all such absences and generally to keep their manager informed of planned periods away from the office. In this respect, the manager may require the use of PS Form 3971 to report absences. On an individual basis, vice presidents of Area Operations may require that a postmaster or installation head obtain advance approval of all absences, including personal absences, from the plant or district manager, as appropriate, when the individual's previous performance warrants such action.

When PS Form 3971 is used for personal absence time, it must indicate in Remarks: "Do not charge to leave."

519.743 Full-Day Leave

Each full day of approved absence is to be charged to official leave. Absences such as court leave, military leave, holiday leave, donated leave, continuation of pay, and all administrative leave are to be approved and reflected on an exempt employee's time record.

519.75 Management Controls**519.751 Responsibility**

Managers are responsible for controlling the workhours of their exempt employees. They may require the attendance of these employees during and outside of regular service hours and, when warranted, may disapprove advance requests for late arrivals, early departures, or other absences, as well as leave. These instructions are not intended to be overly restrictive, but managers must be aware of the frequency of requests for personal leave, recognize patterns in the use of this leave, and be alert to possible abuse. They must also give consideration to the amount of the current workload or urgency of a particular program or project that requires the employee's presence.

519.752 Administration

This program must be administered in a fair and equitable manner. Managers must advise their employees of the reasons for requiring their attendance during or outside of regular service hours and for denying their requests for personal absence or leave. Employees are also to be given the opportunity to informally discuss the decision with the managers.