

memorandum

DATE: February 6, 2008

REPLY TO

ATTN OF: AD-442:Aytes

SUBJECT: **LEAVE, WORK SCHEDULES, AND USE OF CREDIT TIME**

TO: All ORO and OSTI Employees

As we start a new leave year, this memorandum is intended to serve as a reminder of the regulatory requirements concerning leave, work schedules, and credit time. Guidelines and procedures are described below.

Leave

Employees are required to request any type of leave or use of credit hours in advance unless an unforeseen event (e.g., car breakdown, family emergency) prevents advance approval. Unapproved employee absences must be recorded as Absent Without Leave (AWOL). Written requests are advised, and use of form OPM-71, Request for Leave and Approved Absence, is recommended for requesting annual, sick, or leave without pay irrespective of the amount of leave being requested. An electronic version of the OPM-71 can be found at: <http://www.oro.doe.gov/pmab/Forms/OPM71.pdf>.

Annual Leave

ORO O 320, Chapter XI, Change 1, "Pay and Leave Administration and Hours of Duty," dated July 18, 2007, requires supervisors to prepare a tentative leave schedule for their organizations no later than May 1 of each year. Therefore, employees should identify their projected leave for the remainder of the year, and provide these projections to supervisors prior to May 1.

Preventive Health Leave

Employees may be granted up to four hours of excused absence each leave year in order to participate in preventive health screenings. Employees should use the Remarks section of OPM-71 to document such requests.

Examples of preventive health screenings include, but are not limited to screening for breast, cervical, colorectal, and prostate cancer; sickle cell anemia; blood pressure level; blood cholesterol level; immune system disorders (such as HIV); and blood sugar level testing for diabetes.

Sick Leave to Care for a Family Member

Regulatory guidance applicable to use of sick leave to care for a family member can be found in 5 CFR 630.401. In general, use of sick leave may be appropriate when an employee provides general care for a family member who is incapacitated by a medical or mental condition, who is receiving medical, dental, or optical examination or treatment; or when an employee needs to make arrangements necessitated by the death of a family member or attends the funeral of a family member. Sick leave may also be appropriate when an employee provides care for a family member who has a serious health condition or for purposes related to the adoption of a child.

1. Most employees may use a total of up to 104 hours (13 workdays) of sick leave each leave year to: provide care for a family member who is incapacitated as a result of physical or mental illness, injury, pregnancy, or childbirth; provide care for a family member as a result of medical, dental, or optical examination or treatment; or make arrangements necessitated by the death of a family member or attend the funeral of a family member. Part-time employees and employees with uncommon tours of duty are also covered; the amount of sick leave permitted for family care and bereavement purposes is pro-rated in proportion to the average number of hours of work in the employee's scheduled tour of duty each week.
2. Most employees may use a total of up to 12 administrative workweeks of sick leave each leave year to care for a family member with a serious health condition. If an employee previously has used any portion of the 13 days of sick leave for general family care or bereavement purposes in a leave year, that amount must be subtracted from the 12-week entitlement. If an employee has already used 12 weeks of sick leave to care for a family member with a serious health condition, he or she cannot use an additional 13 days in the same leave year for general family care purposes. An employee is entitled to a total of 12 weeks of sick leave each year for all family care purposes.
3. Most employees may also use sick leave for adoption-related purposes. Additional regulatory requirements exist; therefore, employees should contact their Human Resources Specialist prior to requesting sick leave for this purpose.

Compensatory Time Off for Travel

Compensatory time off for travel is earned by an employee for time spent in a travel status away from the employee's official duty station when such time is not otherwise compensable.

It is important to remember that compensatory time off for travel cannot be earned during scheduled work hours. For example, if an employee's work schedule is Monday through Friday, 8 a.m. until 5 p.m., the employee is not eligible to earn compensatory time off for travel on Monday through Friday from 8 a.m. until 5 p.m. since those hours are the employee's normal work schedule. The employee receives compensation for that time through his/her salary. In this example, the hours spent in travel status before 8 a.m. and after 5 p.m. may be eligible for compensatory time off for travel if those hours meet the requirements. A Compensatory Time for Travel Worksheet along with Departmental Questions and Answers can be found at: <http://www.oro.doe.gov/pmab/Forms/Comp%20time%20for%20travel%20add2.pdf>

OPM guidance and Questions and Answers can be found at:
https://www.opm.gov/oca/pay/HTML/compensatory_time.asp

Work Schedules

1. All employees, regardless of whether their schedule is full time or part time, may elect one of the following three work schedules.
 - a. **Flextour**: For full-time employees, a basic work requirement of 8 hours a day, 40 hours a week, and 80 hours a pay period. Credit hours may be earned and used under this schedule.
 - b. **Variable Week**: For full-time employees, an 80-hour biweekly work requirement which consists of eight 9-hour days, one 8-hour day, and one scheduled day off in the pay period. Credit hours may be earned and used under this schedule.
 - c. **Basic**: For full-time employees, an 80 hour biweekly work requirement with a set arrival time of 8:15 a.m., a 45-minute lunch, and a departure time of 5 p.m. This schedule does not allow for the earning and usage of credit hours. If an employee does not elect either a Flextour or Variable Week schedule, s/he will automatically be placed on the Basic work schedule.
2. For both the Variable Week and Flextour schedules, there are designated core hours during which an employee must be present for work. Work days are defined as Monday through Friday from 6 a.m. to 7 p.m. with core hours from 9 a.m. to 3 p.m. Core hours are defined as the hours, regardless of work schedule, during which full-time employees will be present for work.
3. Flexible hours are Monday through Friday from 6 a.m. to 9 a.m. and 3:30 p.m. to 7 p.m. when full-time employees can elect their times of arrival and departure with supervisory approval. The arrival and departure times will remain uniform during the entire pay period.
4. The range of time from which an employee must schedule a lunch period is 11 a.m. to 2 p.m. during which each employee must take an uncompensated lunch break of 30, 45, or 60 minutes. The length of the lunch period must be uniform during the entire pay period. Full-time employees are required to schedule at least a 30-minute lunch period. Part-time employees are required to schedule at least a 30-minute lunch period if the employee's work schedule includes the entire period from 11 a.m. until 2 p.m..

Credit Hours

1. Credit hours are defined as hours worked outside an employee's basic work schedule to vary the length of a workday or workweek and are available to all employees except those in the Senior Executive Service.

2. To earn credit hours, an employee must notify his/her supervisor in advance in order to be afforded the opportunity to work up to 2 credit hours per day, provided there is work to be performed.
3. To use credit hours, an employee must obtain approval in advance unless circumstances prevent advance approval.
4. Notification of proposed credit hour earnings and requests for approval of credit hour usage are to be documented on the appropriate Credit Hour Request Form found in ORO O 340, Chapter I.
5. Credit hours must be worked within the normal scheduling period (i.e., 6 a.m. to 7 p.m., Monday through Friday). Credit hours cannot be earned on Saturday or Sunday, on an official holiday, or on an "in lieu of" holiday.

Additional information regarding leave, work schedules, and credit time can be found in ORO O 320, Chapter XI; ORO O 340, Chapter I; DOE O 322.1B; and the Collective Bargaining Agreement, where applicable. Please contact your Human Resources Specialist if you have any questions. For future reference, this memorandum will be available on the Human Resources Division website at <http://www.oro.doe.gov/pmab/Announcements>.


Melanie M. Kent, Chief
Federal Human Resources Branch