

memorandum

DATE: January 12, 2010

REPLY TO:
ATTN OF: AD-442:Aytes

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

TO: All ORO 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 expected to request leave or use of credit hours in advance unless an unforeseen event (e.g., car breakdown, family emergency) prevents advance approval. Per DOE O 322.1B, 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

Oak Ridge Office (ORO) policy 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, 2010.

Preventive Health Care

Employees may be granted up to four hours of excused absence each leave year in order to participate in preventive health screenings. The remarks section of form OPM-71 should be used 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. 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.

1. Most full-time 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;
 - make arrangements necessitated by the death of a family member; or
 - attend the funeral of a family member.
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.
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%20guidance%2010-27-08.pdf>. OPM guidance and Questions and Answers can be found at: https://www.opm.gov/oca/pay/HTML/compensatory_time.asp.

Work Schedules

All employees, regardless of whether their schedule is full time or part time, may elect one of the following three work schedules.

1. **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.
2. **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.
3. **Standard**: 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 Standard Schedule.

The following table provides easy reference and guidance on the provisions and requirements of Flextour and Variable Week schedules.

Provisions	Flextour and Variable Week Schedules
Core Hours When Employees Must Be Scheduled to Work	9 a.m. to 3 p.m.
Flexible Hours When Employees May Vary Scheduled Arrival and Departure Times	6 a.m. to 9 a.m. and 3:30 to 7 p.m., Monday through Friday when full-time employees may elect arrival and departure times <u>with supervisory approval</u> . Times for arrival and departure are selected by the employee, approved by the supervisor, and must be uniform during the entire pay period. Full-time employees are reminded that the earliest they may set the end of their workday is 3:30 p.m. Therefore an employee working an 8 hour day will have to have a set start time of no earlier than 7 a.m.
Required Lunch Period	Employees must take a lunch period between the hours of 11 a.m. to 2 p.m. The duration of the lunch period must be 30, 45, or 60 minutes, and the length of the lunch period must be uniform during the entire pay period.

Holidays under the Variable Week Schedule (VWS)

For employees who are on VWS, the scheduling of and payment for holidays are as follows:

1. **Full-time employees**: If a holiday occurs on an employee's regularly scheduled workday, s/he is entitled to a maximum of 8 hours basic pay for that day. If the employee is scheduled to work 9 hours on that day, s/he will be charged 1 hour annual leave, credit time, compensatory time, or leave-without-pay. Employees will be given the opportunity to change their schedule for pay periods which include a holiday to allow for their 8-hour day to

be observed on the same day as the holiday. This change of schedule will prevent their using annual leave, credit time, or compensatory time to compensate for the additional hour.

2. Part-time employees: If a holiday occurs on a day when a part-time employee is scheduled to work, and s/he is relieved or prevented from working on that day, s/he is entitled to basic pay only for the number of hours that s/he was scheduled to work, not to exceed 8 hours. If the holiday falls on a non-workday, the employee is not entitled to an “in lieu of” holiday.
3. If a holiday occurs on a Sunday and is observed on the Monday that is the employee’s regularly scheduled day off, the following Tuesday is the holiday for the employee.
4. If a holiday occurs on a Monday that is the employee’s regularly scheduled day off, the preceding Friday is the holiday for the employee.
5. If a holiday occurs on a Tuesday, Wednesday, Thursday, or Friday that is the employee’s regularly scheduled day off, the workday immediately preceding is the holiday for the employee.
6. If a holiday occurs on a Saturday and is observed on Friday that is the employee’s regularly scheduled day off, the preceding Thursday is the holiday for the employee.

Credit Hours

Credit hours are defined as hours that an employee elects to work, with supervisory approval, in excess of the employee’s basic work requirement under a flexible work schedule. Credit hours are available to all employees except those in the Senior Executive Service. The following Frequently Asked Questions apply to the earning and use of Credit Hours:

Frequently Asked Questions	Response
1. When may an employee earn credit hours?	Employees may earn credit hours, in 15 minute increments, <u>only</u> during the period of Monday through Friday from 6 a.m. until 7 p.m.
2. What are the approval requirements for earning credit hours?	Provided there is work available to be performed: <ul style="list-style-type: none"> • <u>Up to two hours</u> each day may be earned with advance <u>notification</u> to the supervisor using the Credit Hour Request Form. • <u>More than two hours</u> each day may be earned with advance <u>approval</u> using the Credit Hour Request Form.
3. How may an employee use credit hours?	Employees may schedule and use credit hours in 15 minute increments subject to advance supervisory approval.
4. Can credit hours be earned on an official holiday, an “in lieu of” holiday, on the weekend, or while telecommuting?	No
5. Can credit hours be taken before they are earned?	No
6. Can credit hours be advanced?	No
7. Can credit hours be earned for time spent in travel status?	Not usually. Specific circumstances should be discussed with your Human Resources Specialist.
8. Can credit hours be earned for training or homework required by an agency?	No

9. Can full time employees carry credit hours over from one pay period to the next?	Yes, up to 24 hours. Any hours beyond 24 will be lost.
10. Can part time employees carry credit hours over from one pay period to the next?	Yes, limited to ¼ of the hours of the employee's biweekly work schedule: e.g., 16 hours for a 64 hour pay period.
11. Must employees obtain advance approval for use of credit hours?	Yes, unless the circumstances leading to the use of credit hours prevent an employee from obtaining advance approval (e.g., a car breakdown while traveling to work.)
12. Must employees use the Credit Hour Request Form to document the earning and use of credit hours?	Yes, a copy of the form is available on the Office of Science Management System (SCMS) web site at: http://scms.sc.doe.gov/orbitsearch/SubjArea/BQW/BQW_Exh1.cfm or on the HRD web site at http://www.oro.doe.gov/pmab/Forms/Forms.htm#Leave/Comp%20Time .
13. How are conflicts between leave, credit hour usage requests, and another employee's regular scheduled day off handled?	The regularly scheduled day off takes precedence over a request to use leave or credit time. When a conflict arises, the leave or credit time request should be rescheduled.
14. Can an employee maintain a standing credit time request so as to vary his/her work schedule for longer than a pay period?	No. Requests for credit hour earnings and usage are to be reviewed and approved at least on a pay period by pay period basis.

Additional information regarding leave, work schedules, and credit time can be found on the SCMS web site at: http://scms.sc.doe.gov/orbitsearch/SubjArea/BQW/BQW_Exh1-02.pdf or in the Employee Handbook located on the HRD web site at: <http://www.oro.doe.gov/hrhandbook/index1.htm> and the Collective Bargaining Agreement, where applicable.

For future reference, this memorandum will be available on the HRD website at: <http://www.oro.doe.gov/pmab/Announcements/Announcements.htm> . Please contact your Human Resources Specialist if you have any questions regarding leave, work schedules, or hours of duty.



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