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# NSA/CSS POLICY MANUAL 4-14

## LEAVE

### CHAPTER 2

#### SICK LEAVE

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### PURPOSE AND SCOPE

1. Sick leave is an authorized absence with pay from a regularly scheduled tour of duty for personal medical needs, care of a [family member](#), bereavement, care of a family member with a [serious health condition](#), or adoption-related purposes. This chapter prescribes the requirements specified by statute and other authorities for the administration of sick leave ([Reference a](#)). It contains procedures and responsibilities necessary to carry out the Agency’s sick leave program.

2. This policy manual chapter applies to all Agency civilian employees.

## TABLE OF CONTENTS

<b>Publication Information .....</b>	<b>1</b>
<b>Purpose and Scope .....</b>	<b>1</b>
<b>Table of Contents .....</b>	<b>2</b>
<b>Sick Leave Administration.....</b>	<b>3</b>
Eligibility and Exclusions .....	3
Accrual .....	3
Entitlement.....	5
Circumstances Warranting Use of Sick Leave .....	5
Requesting Sick Leave.....	7
Reviewing and Approving/Denying Requests.....	8
Administratively Acceptable Evidence.....	8
Advanced Sick Leave .....	10
Documenting the Timesheet .....	12
Recredit of Sick Leave.....	13
Substitution of Sick Leave During a Period of Annual Leave.....	13
Substitution of Other Personal Leave or LWOP for Sick Leave .....	13
Substitution of Sick Leave for LWOP Under FML.....	13
<b>Responsibilities.....</b>	<b>14</b>
Employees.....	14
Supervisors.....	14
Occupational, Health, Environmental, and Safety Services (OHESS).....	14
Employee Relations .....	15
<b>References .....</b>	<b>15</b>
<b>Glossary .....</b>	<b>15</b>
<b>Document History .....</b>	<b>19</b>

## LIST OF TABLES

<b>Table 1: Basic Work Requirements for Full-Time Employees.....</b>	<b>15</b>
<b>Table 2: Basic Work Requirements for Part-Time Employees.....</b>	<b>16</b>

## SICK LEAVE ADMINISTRATION

### Eligibility and Exclusions

3. *Full-time* and *part-time tours of duty*: Civilian Employees—including Defense Intelligence Senior Executive Service (DISES) and Defense Intelligence Senior Level (DISL) employees—on regularly scheduled tours of duty earn sick leave.

4. *Intermittent tour of duty*: Civilian Employees on intermittent tours of duty do not earn sick leave.

5. Employees who have exhausted their personal sick leave may be eligible for paid time off under the Agency’s Temporary Medical Leave Assistance Program (TMLAP) ([Reference b](#)).

### Accrual

6. The rate of sick leave accrual for each full biweekly pay period is as follows:

a. A full-time employee accrues 4 hours of sick leave per biweekly pay period.

b. A part-time employee accrues 1 hour of sick leave for each 20 hours of basic pay earned, not in excess of 80 hours in a pay period. Service performed by part-time employees that is not divisible by 20 hours is carried forward to succeeding pay periods as a “residue” amount. Once the residue balance equals 20 hours, the employee will earn another hour of sick leave. The following example illustrates leave accrual for an employee working 64 hours per pay period: employee works 64 hours per pay period and accrues 1 hour of sick leave for every 20 hours worked. The residual hours worked each pay period equals 4 hours. It would take until the 5th pay period to accumulate the 20 hours needed to accrue the additional 1 hour of sick leave.

1) In pay period 1, the employee worked 64 hours. The employee earns 3 hours of leave for the first 60 hours worked ( $60/20=3$ ) and the other 4 hours are residual ( $64-60=4$ ).

2) In pay periods 2, 3, and 4 the employee also earns 3 hours of leave with 4 residual hours.

3) In pay period 5 the employee earns 4 hours of leave--3 hours for the 60 hours worked in pay period 5 and 1 hour for the cumulative residual ( $4+4+4+4+4=20$ ).

7. *Accrued leave* is credited to an employee’s leave account at the completion of the pay period before any leave taken in that pay period is charged against leave balances. For example, if a full-time employee has no sick leave at the beginning of the pay period and uses 1 hour of sick leave, he/she will have a sick leave balance of 3 hours at the completion of the pay period.

8. Sick leave earned while repaying *advanced sick leave* is immediately applied towards paying off the advance. Therefore, as sick leave is earned by an employee who currently has an

advanced sick leave debt (i.e., a negative sick leave balance), the earned leave will be used to pay off that debt, thereby reducing the negative balance. The employee will not have sick leave available for use until the debt has been repaid.

9. There is no limit to the amount of [accumulated](#) sick leave an employee may accrue.

10. No leave accrual credit will be allowed for:

a. Any fractional pay period at the beginning or end of the employee's period of Federal service;

b. Any period of Leave Without Pay (LWOP) when the employee is receiving disability compensation from the Office of Workers' Compensation Programs, Department of Labor; or

c. Any period of LWOP, Absence Without Leave (AWOL), and disciplinary suspensions in accordance with the following parameters ([Reference c](#)):

1) Full-time employees—No sick leave is accrued for the pay period in which the cumulative number of hours in a non-pay status equals 80 hours. Accruals will resume the following pay period until the employee reaches another cumulative 80 hours in a non-pay status (cycle of accrual/non-accrual will repeat).

2) Part-time employees—Sick leave accruals and/or residual amounts will decrease according to the number of hours in a non-pay status. For example, an employee working 64 hours/pay period normally accrues 3 hours of sick leave ( $60/20=3$ ) plus 4 residual hours each pay period. However, if this same employee uses 8 hours of LWOP in the pay period, he/she will only have 56 hours in a paid status so he/she will only accrue 2 hours of sick leave ( $40/20=2$ ) plus 16 residual hours ( $56-40=16$ ) for that pay period.

11. When crediting sick leave accruals, an employee will be given prorated accrual credit for the following:

a. Any fractional part of a pay period immediately preceding and/or immediately following a pay period in which the employee did not receive compensation (i.e., LWOP) when the employee is receiving disability compensation from the Office of Workers' Compensation Programs, Department of Labor;

b. Any fractional part of a pay period immediately preceding and/or immediately following a period of unwarranted suspension or removal for which retroactive compensation is paid;

c. When an employee is transferred without a break in service to another Federal agency and the pay periods of the releasing and gaining offices do not coincide. When the pay periods coincide, the releasing office will credit leave only through the last full pay period; or

d. When calculating the set-aside accruals for employees using leave for leave bank or leave transfer cases through the TMLAP. (Note: The DCPS Payroll System calculates these set-aside leave accruals to the hundredth of a day/hour.)

12. If an employee is returned to a duty status after a suspension or removal and is granted compensation for that period of suspension or removal, the employee is considered to have been in a duty status and will be credited with the sick leave the employee would have earned during that restored period.

### **Entitlement**

13. Use of sick leave is an entitlement that may not be denied when an employee has followed Agency procedures for requesting its use and has provided [\*administratively acceptable evidence\*](#) supporting the absence.

14. Sick leave is a paid absence from duty that may be used for absences related to:

- a. Personal medical needs;
- b. Family care or bereavement;
- c. Care of a family member with a serious health condition; or
- d. Adoption-related purposes.

### **Circumstances Warranting Use of Sick Leave**

15. Personal Medical Needs

a. An employee may use sick leave for personal medical needs when the employee:

- 1) Is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth;
- 2) Receives medical, dental, or optical examination or treatment; or
- 3) Was exposed to a [\*communicable disease\*](#) and the health authorities having jurisdiction or a [\*health care provider\*](#) determines that the employee would jeopardize the health of others by being present on the job.

b. There is no limit on the amount of accrued and accumulated sick leave an employee may use for personal medical needs.

16. Family Care, Bereavement, or Serious Health Condition

a. An employee may use sick leave to provide care for a family member as a result of:

- 1) Physical or mental illness;
- 2) Injury;
- 3) Pregnancy;
- 4) Recovery from childbirth;
- 5) Medical, dental, or optical examination/treatment; or

6) Exposure to a communicable disease that could jeopardize the health of others (in limited circumstances as determined by health officials (e.g., Centers for Disease Control, Office of Personnel Management)).

b. An employee may use sick leave to make arrangements necessitated by the death of a family member or to attend the funeral of a family member (bereavement).

c. An employee may use sick leave to provide care for a family member with a serious health condition including, but not limited to, such conditions as cancer, heart attack, stroke, severe injury, Alzheimer's disease, pregnancy, and childbirth.

d. The total number of sick leave hours an employee may use to provide care for a family member or for bereavement is limited to 104 hours (prorated for part-time employees) per leave year. The total number of sick leave hours an employee may use to care for a family member with a serious health condition is 480 hours per leave year, inclusive of any of the 104 hours used for family care or bereavement in that same leave year. This amount is prorated for part-time employees.

e. If an employee has already used the maximum 480 hours of sick leave to care for a family member with a serious health condition in a given leave year, the employee may not use any additional sick leave the same leave year for general family care and/or bereavement purposes.

f. If the number of hours in the employee's tour of duty is changed during the leave year, the employee's entitlement to use sick leave to care for a family member or for bereavement will be recalculated based on the employee's new tour of duty.

#### 17. Adoption-Related Purposes

a. An employee may use sick leave to cover the following adoption-related absences:

- 1) Appointments with adoption agencies, social workers, and attorneys;
- 2) Court proceedings;
- 3) Required travel of a reasonable and appropriate length;

4) Adoption agency or court requirements to take time off from work to care for the adopted child; and

5) Any other activities necessary to allow the adoption to proceed.

b. There is no limit on the amount of sick leave an employee may use for adoption-related purposes. The entitlement to use sick leave for purposes relating to the adoption of a child is in addition to the entitlement to use unpaid leave for adoption purposes under Family Medical Leave (FML) ([Reference d](#)).

### **Requesting Sick Leave**

18. Requests for sick leave shall be made as far in advance of the absence as possible.

19. Sick leave may be requested verbally, electronically, or in writing unless directed otherwise by the employee's supervisor. Employees may use and organizations may require that employees submit requests using an OPM Form 71, "Request for Leave or Approved Absence."

20. In the event of a same-day request when the employee has not yet reported to work, the employee must phone their supervisor within the first hour of their regularly scheduled workday to request sick leave if the employee is unable to report for work because of a valid sick leave reason (e.g., the employee's incapacitation). (Exception: Uniformed Police are required to notify their supervisors at least 2 hours prior to the start of their shift.)

21. Offices may establish their own internal procedures for same-day requests to cover situations in which the supervisor is unavailable at the time the employee calls.

22. Only in exceptional situations (lack of telephone facilities, instances when the employee is too ill to make the call, or other extenuating circumstances) is it permissible for the employee to report absence through a third party. This type of notification does not relieve employees of the responsibility to secure approval of all sick leave requests once they are physically able to make that request.

23. Verbal notification will include the following information:

a. Expected time of return to duty; and

b. Address during period of illness and phone number, if available.

24. In the event of an unreported absence beyond the first hour of the individual's scheduled workday, the procedures for investigating AWOL will become operative ([Reference c](#)).

25. A supervisor may notify an employee that approval of a sick leave request is contingent upon submission of a sufficient *medical certificate*, as reviewed by Occupational, Health, Environmental, and Safety Services (OHESS). An employee may be carried in AWOL status until such documentation is furnished.

**Reviewing and Approving/Denying Requests**

26. The supervisor is the approving authority for all sick leave requests.

27. If the sick leave request is for a non-emergency medical, dental, or optical examination, a supervisor may ask the employee to reschedule the absence due to mission need, but may not require rescheduling or deny the request.

28. A sick leave request may be denied if the reason for the request does not qualify for sick leave or the employee fails to furnish requested administratively acceptable evidence within the required timeframe.

Note: If an employee's request for sick leave is denied and the employee does not report for duty, the supervisor may carry the employee in an AWOL status until such time that the employee reports for duty and/or provides administratively acceptable evidence.

29. A supervisor may hold approval in abeyance until administratively acceptable evidence is received.

30. If the employee complies with notification requirements and furnishes administratively acceptable evidence, requests for sick leave must be approved.

31. Unless specified otherwise in this policy, the supervisor shall act promptly on employee requests for sick leave and respond with a decision no later than 10 calendar days after receipt of the request or before commencement of the requested period of absence, whichever occurs first.

**Administratively Acceptable Evidence**

32. All absences charged to sick leave must be supported by administratively acceptable evidence within 15 days of the supervisor's request. Falsification of information may be grounds for disciplinary action.

33. A supervisor may choose to accept either an employee's self-certification or a medical certificate as administratively acceptable evidence, regardless of the duration of the absence. Supervisors are not required to accept an employee's self-certification and may require that an employee furnish a medical certificate to OHES before approving a request for sick leave.

34. When a medical certificate is required as administratively acceptable evidence it must be submitted on the health care provider's letterhead and contain the following information:

a. For personal medical needs and family care:

1) Date of visit;

2) Diagnosis;



- 3) Prognosis;
- 4) Symptoms;
- 5) Treatment;
- 6) Date cleared to return to duty; and
- 7) Signature of the medical provider.

b. For care of a family member with a serious health condition, the medical certificate must include a statement that:

- 1) The family member requires psychological comfort and/or physical care;
- 2) The family member would benefit from the employee's care or presence; and
- 3) The employee is needed to care for the family member for a specified period of time.

35. An employee may choose to provide the medical certificate to OHESSE through the supervisor, through the appropriate Human Resources Advisor, or directly to OHESSE.

36. If the employee is unable to provide evidence within 15 days of the supervisor's request for it, despite diligent, good faith efforts, the employee must provide it within a reasonable period of time, but no later than 30 calendar days after the Agency makes the request. For example, if an employee is out of the office unexpectedly and is unable to furnish the documentation while out of the office, the employee may furnish it upon return to duty as long as the documentation is received within 30 calendar days of the supervisor's request. If the employee fails to provide the required evidence within the specified timeframe, a supervisor may deny the employee's request for sick leave.

37. If there is evidence that the employee's absence was not covered, in whole or in part, by the administratively acceptable evidence or that the employee was not undergoing treatment or was not incapacitated during part or all of the time covered by the certificate, such absence may be charged to another form of *personal leave* or LWOP, with the supervisor's permission. Unapproved absences will be charged to AWOL unless the employee can justify the absence to the satisfaction of the supervisor.

38. When there is reason to believe that an individual has abused sick leave, a supervisor may choose to only accept a medical certificate to justify the use of sick leave thereafter. In such cases, the employee will be advised in advance that a medical certificate will be required to support any further use of sick leave, regardless of duration. Supervisors should contact Employee Relations for information on corrective actions.

39. In cases of prolonged absence because of illness, the employee may be required to furnish supporting medical evidence periodically.

40. OHES may ask the employee to sign an authorization for release of medical information so that OHES can communicate with the health care provider directly.

41. Employees who meet any of the following criteria must report to the OHES Medical Center, or the site medical facility in the Extended Enterprise, prior to reporting to their work site:

a. The employee or supervisor has concerns about the employee's ability to perform the essential job functions;

b. The employee's qualified health professional has placed limitations and/or restrictions on the employee's ability to perform the essential functions of their job;

c. The employee was transported from Agency property via ambulance or instructed by OHES to seek immediate medical assistance from a physician or a medical facility; or

d. The employee has been out of the office under the Department of Labor's Office of Workers' Compensation Program.

42. Employees should present Form P6180, Attending Physician's Return to Work Recommendation Record, when reporting to the Medical Center. Generally, only the first page of the form is necessary. Alternatively, employees may present a medical certificate stating that they may return to work and enumerating any restrictions.

43. In all cases, medical certificates/documentation must be sent to the OHES Medical Center, A352, OPS 1, Room 1S101, for retention in the employee's medical file.

### **Advanced Sick Leave**

44. An employee who is otherwise eligible to earn sick leave may request advanced sick leave to cover an absence due to a circumstance warranting the use of sick leave via the automated tool "go advanced sick leave."

45. Advanced sick leave is not an entitlement and is granted at the supervisor's discretion. When reviewing a request for advanced sick leave, a supervisor should consider factors such as mission need, whether the request would normally be supported by regular sick leave, and whether the employee is pending separation.

46. If it is known that the employee will retire, or if it is anticipated that the employee will be separated, the total advance may not exceed an amount that can be liquidated by subsequent accrual prior to the separation.

47. A full-time employee may be advanced up to 104 hours of sick leave (prorated for part-time employees) for the following reasons:

- a. Medical, dental, or optical examination or treatment; or
- b. Family care or bereavement.

48. A full-time employee may be advanced up to 240 hours of sick leave, inclusive of any portion of the 104 hours that has been used for the reasons listed above (prorated for part-time employees), for the following reasons:

- a. Incapacitation for the performance of duties because of physical or mental illness, injury, pregnancy, or childbirth;
- b. Exposure to a communicable disease when the health authorities having jurisdiction or a health care provider determines that the employee would jeopardize the health of others by being present on the job;
- c. When the employee or a family member has a serious health condition;
- d. Purposes relating to the adoption of a child; or
- e. Employee is providing care for a covered service member with a serious injury or illness, provided the employee is exercising an entitlement to FML to care for a covered service member.

49. Advanced sick leave may be granted when all accumulated and accrued sick leave has been exhausted and the employee wants to retain accumulated and accrued annual leave, or when all accumulated and accrued sick and annual leave has been exhausted.

50. In the case of an employee serving under a temporary appointment, advanced sick leave must not exceed the amount that the employee reasonably expects to earn before the end of the appointment.

#### 51. Outstanding Advanced Sick Leave

- a. Except as provided below, outstanding advanced sick leave is carried forward each pay period and from one leave year to another until paid back with accrued sick leave.
- b. If the employee so requests, advanced sick leave may be paid back with an equivalent amount of annual leave, provided the annual leave is not substituted at the end of the leave year just to avoid forfeiture of annual leave, and the approving official would have granted the annual leave upon the employee's request.
- c. When an employee separates from Federal service (not including an employee who enters active military duty with restoration rights) before paying back advanced sick leave, the remaining balance is automatically paid back in the following manner:

- 1) Deducted from available annual leave; or

2) Deducted from any pay due to the employee upon separation.

52. When separation is because of death, disability for which an acceptable medical certificate is received (resignation and optional or discontinued service retirement in lieu of disability retirement), or disability retirement, repayment is not required. In any case where the advance is “forgiven,” the forgiven sick leave never has to be repaid, even if the employee subsequently earns sick leave in a Federal position.

### **Documenting the Timesheet**

53. Sick leave may be used in 15-minute increments and is coded on the timesheet as follows:

a. Personal medical needs: “LS”

b. Family care and bereavement: “LS” with the code for family care/bereavement, “DE,” annotated in the E/H Other column. Timesheet Format 1 must be used.

c. Sick leave for care of a family member with a serious health condition: “LS” with the note “Family Care” in the remarks section. Supervisors and employees should track these hours manually to ensure the employee does not exceed the 480 hours per leave year permitted for this purpose (inclusive of any time used for regular family care and bereavement).

d. Sick leave taken for adoption-related purposes: “LS” with the code for adoption-related purposes, “DF,” annotated in the E/H Other column. Timesheet Format 1 must be used.

e. Advanced sick leave: “LG” along with any corresponding information depending on the associated reason for using it. Timesheet Format 1 must be used if a code must be entered in the E/H Other column.

54. Full-time employees assigned to fixed (AWS 0) and flexible (AWS 1 and 2) work schedules have a [\*basic work requirement\*](#) of 8 hours per day. Therefore, employees on these schedules who are absent for a whole workday for a valid sick leave reason are charged 8 hours of sick leave for the day. Part-time employees must use the number of hours in their regularly scheduled workday and documented tour of duty. With supervisory permission, they may charge their absence to another type of personal leave.

55. Full-time and part-time employees assigned to flexible (AWS 3 5) work schedules who are absent for a whole workday for a valid sick leave reason must account for their absence by either flexing their schedule, with supervisory permission, or charging sick leave. With supervisory permission they may charge their absence to another type of personal leave.

56. Full-time and part-time employees assigned to compressed (AWS 6 and 8) work schedules who are absent for a whole workday for a valid sick leave reason are charged sick leave for the number of hours in their regularly scheduled workday. With supervisory permission they may charge their absence to another type of personal leave.

57. Certification of the timesheet indicates that the absence was properly charged and approved.

58. If the employee is not available to sign the timesheet before it is certified, a follow-up request should be submitted in writing upon the employee's return to duty.

### **Recredit of Sick Leave**

59. When an employee separates from Federal service, including a break in service for military service, the Payroll office maintains the employee's sick leave account balance indefinitely. If the employee returns to Federal employment, Payroll will reestablish the sick leave. \*Note: If the employee was reemployed by the Federal Government before December 2, 1994, after a break in service of more than 3 years, sick leave will not be recredited as it was forfeited under the regulation that was in effect at the time.

60. Sick leave that was used in the computation of an annuity for an employee may not be used, transferred, or recredited (including the fractional part of a month that is eliminated during the computation).

### **Substitution of Sick Leave During a Period of Annual Leave**

61. When an event which qualifies for the use of sick leave occurs during a period of annual leave, the period which qualifies for sick leave may be charged to sick leave, provided the employee requests the substitution within 2 work days after return to duty. However, this is not an entitlement and approval is granted at the supervisor's discretion.

62. If a medical certificate is requested by the supervisor, it must be provided within 15 days of the employee's return to duty.

### **Substitution of Other Personal Leave or LWOP for Sick Leave**

63. With supervisory approval, an employee may substitute other forms of personal leave or LWOP for sick leave when a valid medical reason exists.

64. Substitution of other forms of personal leave or LWOP for sick leave is not an entitlement and may be denied, except in the case of a disabled [veteran](#) who is receiving treatment for a service-connected disability, in which case substitution of other forms of personal leave is an entitlement.

### **Substitution of Sick Leave for LWOP Under FML**

65. Employees may substitute Sick Leave for LWOP taken under FML, however, the use of sick leave must conform to sick leave policy requirements. For example, a birth mother who invokes FML at the time of her delivery may substitute sick leave for unpaid leave during her recovery period, but may not substitute sick leave for the remainder of her FML coverage period unless a valid medical reason exists. See NSA/CSS Policy 4-14, Chapter 5, "Family and Medical Leave" ([Reference d](#)), for additional information on FML.

## **RESPONSIBILITIES**

### **Employees**

66. Employees shall:

- a. Use sick leave in accordance with regulatory requirements;
- b. Request leave in a timely manner, and receive approval from the immediate supervisor prior to using it, to the maximum extent possible; and
- c. Notify their supervisors within the first hour of their normal workday when unable to report for work because of an incapacitating illness. (Exception: Uniformed Police must notify their supervisors at least 2 hours prior to the start of their shift.)

### **Supervisors**

67. Supervisors shall:

- a. Ensure proper use and documentation of sick leave;
- b. Exercise sound judgment in dealing with problems relating to sick leave;
- c. Respond promptly to employee requests for sick leave before commencement of the requested period of absence and within 10 calendar days of receipt of the request;
- d. Evaluate mission needs and, if needed, request, in writing and with an explanation, that an employee reschedule sick leave for non-emergency personal medical, dental, or optical examination or treatment;
- e. Advise an employee at the time of the request what will be accepted as administratively acceptable evidence; and
- f. Forward medical certificates/documentation to the OHESS Medical Center, A352, OPS 1, Room 1S101, for retention in the employee's medical file.

### **Occupational, Health, Environmental, and Safety Services (OHESS)**

68. OHESS shall:

- a. Upon request, review a medical certificate for validity and sufficiency to ensure it supports the employee's leave request;
- b. Provide a recommendation to supervisors regarding the sufficiency of the medical certificate;
- c. Coordinate with the employee's medical provider, when necessary, to gather information needed to adequately evaluate the medical certificate(s); and

d. Adhere to records management requirements for the handling of employee medical documentation.

## Employee Relations

69. Employee Relations shall counsel supervisors and provide guidance necessary to address cases in which employees are suspected of improperly using leave.

## REFERENCES

- a. Department of Defense Instruction 1400.25, Volume 630, “DoD Civilian Personnel Management System: Leave,” dated 8 May 2015
- b. NSA/CSS Policy Manual 4-14, Chapter 3, “Temporary Medical Leave Assistance Program,” dated 20 April 2018
- c. Personnel Management Manual 363, “Leave,” Section 7, “Absence Without Pay”
- d. NSA/CSS Policy Manual 4-14, Chapter 5, “Family Medical Leave,” dated 5 June 2015

## GLOSSARY

**accrued leave**—Leave earned by an employee during the current leave year that is unused at any given time in that leave year.

**accumulated leave**—Unused leave remaining to the credit of an employee at the beginning of a leave year.

**administratively acceptable evidence**—Evidence that the supervisor or OHESD deems as sufficient to support the absence. A supervisor may accept either an employee’s self-certification as administratively acceptable evidence, or may require an employee to submit a medical certificate that OHESD will review for sufficiency.

**advanced sick leave**—Sick leave that is “loaned” to an employee before it has been earned. It is paid back as sick leave is earned.

**basic work requirement**—The number of non-overtime hours an employee is required to work or otherwise account for by charging leave or other earned time-off (e.g., credit hours, compensatory time off (comp time), Travel Comp, Time-Off award hours, etc.). Depending upon the AWS code of the assigned work schedule, there is a daily, a 40-hour, and/or a biweekly basic work requirement.

**Table 1: Basic Work Requirements for Full-Time Employees**

AWS	BWR
0, 1, 2	8 hours per day over 10 days in a pay period
3	40 hours per week over 5 days in a week
4	80 hours per pay over 10 days in a pay period

<b>AWS</b>	<b>BWR</b>
5	80 hours/pay over 8, 9, or 10 days in a pay period
6, 8	80 hours/pay period scheduled on less than 10 days and the number of regular, non-overtime hours in a regularly scheduled day

**Table 2: Basic Work Requirements for Part-Time Employees**

<b>AWS</b>	<b>BWR</b>
AWS 0, 1, 2, 6, & 8	The number of regular, non-overtime hours in a regularly scheduled day.
AWS 3, 4, & 5	The number of hours in the official tour of duty for the pay period.

**committed relationship**—A relationship in which the employee, and the [domestic partner](#) of the employee, are each other’s sole domestic partner (and are not married to or a domestic partner with anyone else); and share responsibility for a significant measure of each other’s common welfare and financial obligations. This includes, but is not limited to, any relationship between two individuals of the same or opposite sex that is granted legal recognition by a State or by the District of Columbia as a marriage or analogous relation (including, but not limited to, a civil union). (Source: 5 CFR, Part 630, Subpart B – “Definitions”)

**communicable disease**—An infectious disease that is easily spread from person to person by contact with the infectious agent that causes the disease. The causative agent may be present in droplets of liquid created by coughing or sneezing. The droplets may contaminate food or water or they may dry on inanimate objects in the environment, where the causative agent may remain infectious for some period of time. Examples of communicable disease include cholera, diphtheria, infectious tuberculosis, plague, small pox, yellow fever, viral hemorrhagic fevers, severe acute respiratory syndrome (SARS), and influenza that cause or have the potential to cause a pandemic. This provides an illustrative, but not exhaustive list of the types of diseases that result in Federal quarantine and may be revised by the President as the need arises.

**covered service member**—A 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; or a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy.

**domestic partner**—An adult in a [committed relationship](#) with another adult, including both same-sex and opposite-sex relationships. (Source: 5 CFR, Part 630, Subpart B—“Definitions”)

**family members**—The following relatives of an employee are considered family members for purposes of using sick leave for family care or for bereavement.



- a. Spouse, and [parents](#) thereof;
- b. [Sons and daughters](#), and spouses thereof;
- c. Parents, and spouses thereof;
- d. Brothers and sisters, and spouses thereof;
- e. Grandparents and grandchildren, and spouses thereof;
- f. Domestic partner and parents thereof, including domestic partners of any individual in paragraphs b-e of this definition; or
- g. Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

**full-time tour of duty**—A basic work week of 40 hours and/or biweekly pay period of 80 hours.

**health care provider**—A health care provider may include, but is not limited to, the following:

- a. A licensed Doctor of Medicine, a Doctor of Osteopathy, or a physician serving on active duty in the uniformed services;
- b. A health care practitioner certified by a national organization and licensed by a state; or
- c. A Christian Science practitioner listed with the First Church of Christ Science in Boston, Massachusetts.

**intermittent tour of duty**—A work schedule used for employees for whom no hours of duty can feasibly be established on a continuing basis. It applies to those individuals who are expected to respond to requests to report to duty in connection with an unscheduled activity (e.g., Standby Active Reserve (SAR) employees).

**medical certificate**—A medical certificate is a written statement signed by a health care provider certifying to the incapacity, examination, or treatment, or to the period of disability while the patient was receiving professional treatment; or to the incapacity of an employee due to pregnancy or confinement.

**parent**—This term means:

- a. A biological, adoptive, step, or foster parent of the employee, or a person who was a foster parent of the employee when the employee was a minor;
- b. A person who is the legal guardian of the employee or was the legal guardian of the employee when the employee was a minor or required a legal guardian; or
- c. A person who stands in loco parentis to the employee or stood in loco parentis to the employee when the employee was a minor or required someone to stand in loco parentis.

- d. A parent, as described in paragraphs a, b, c of this definition, of an employee's spouse or domestic partner. (Source: 5 CFR, Part 630, Subpart B—"Definitions")

**part-time tour of duty**—A basic work week of 16-32 hours and/or biweekly pay period of 32-64 hours. Exceptions to the minimum weekly or biweekly pay period hours may only be granted by Chief, Human Resources Group.

**personal leave**—Sick leave, annual leave, credit hours, compensatory time, compensatory time for travel (i.e., travel comp), or time off granted under a Time-Off award.

**serious health condition**—An illness, injury, impairment, or physical or mental condition (e.g., cancer, heart attack, stroke, severe injury, Alzheimer's disease, pregnancy, and childbirth) that involves:

- a. Inpatient care; or
- b. Continuing treatment by a health care provider that includes:
  - 1) A period of incapacity of more than 3 consecutive calendar days that also involves treatment two or more times by a health care provider; or
  - 2) Treatment that results in a regimen of continuing treatment under the supervision of the health care provider (e.g., a course of medication or therapy to resolve the health condition).
- c. Any period of incapacity due to pregnancy or childbirth, or for prenatal care;
- d. Any period of incapacity due to a chronic serious health condition;
- e. Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
- f. Any period of absence to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity for more than 3 consecutive calendar days in the absence of medical intervention or treatment.

**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 that was incurred by the member in 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 line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the 5 years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy, means an injury or illness that was incurred by the member in 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 line of duty on active duty in the Armed Forces) and that manifested itself before or

after the member became a veteran. (Source: 5 USC 6381, Family and Medical Leave/Definitions)

**son or daughter**—This term means:

- a. A biological, adopted, step, or foster son or daughter of the employee.
- b. A person who is a legal ward or was a legal ward of the employee when that individual was a minor or required a legal guardian;
- c. A person for whom the employee stands in loco parentis or stood in loco parentis when that individual was a minor or required someone to stand in loco parentis; or
- d. A son or daughter, as described in paragraphs a, b, c of this definition, of an employee’s spouse or domestic partner. (Source: 5 CFR, Part 630, Subpart B—“Definitions”)

**veteran**—A person who served in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable.

### DOCUMENT HISTORY

Date	Approved by	Description
10 August 2018	Cynthia Miller, Chief, Human Resources Group	Policy manual issuance; supersedes Policy Manual 4-14, Chapter 2, dated 25 March 2016.
2 October 2019	Chief, Policy	Administrative update to incorporate accessibility enhancements.