

Leave Category and ETA System	Purpose	Limits & Conditions	Restrictions
Family Medical Leave Act (FMLA)	<p>The Family and Medical Leave Act of 1993 (FMLA) provides covered employees with an entitlement to a total of up to 12 weeks of unpaid leave (LWOP) during any 12-month period for certain family and medical needs.</p> <ol style="list-style-type: none"> <li>1. An employee may be granted FMLA LWOP by his/her supervisor in lieu of annual leave or sick leave, in cases of an employee's illness or illness of a <b>family member*</b>, or</li> <li>2. When he/she, as determined by the health authorities having jurisdiction or by a health care provider, could jeopardize the health of others by his/her presence on the job because of exposure to a communicable disease.</li> </ol> <p><a href="http://www.opm.gov/oca/leave/HTML/fmlafac2.asp">http://www.opm.gov/oca/leave/HTML/fmlafac2.asp</a></p> <p><a href="http://www.opm.gov/oca/leave/html/fmlafact.htm">http://www.opm.gov/oca/leave/html/fmlafact.htm</a></p> <p><b>*Family Member is defined as spouse; son or daughter; or parent of employee.</b></p>	<p>Employee must provide medical certification of the serious illness health condition. FMLA may not be retroactively invoked. Employees must complete DOL Form WH-380</p> <p><a href="http://www.dol.gov/esa/regs/compliance/whd/fmla/wh380.pdf">http://www.dol.gov/esa/regs/compliance/whd/fmla/wh380.pdf</a></p>	<p>May use:</p> <ul style="list-style-type: none"> <li>• Up to 12 weeks of unpaid leave per 12 month cycle OR the employee may elect to use annual leave, sick leave, or participate in the Voluntary Leave Transfer Program (VLTP) in lieu of Leave Without Pay (LWOP) (not compensatory time).</li> <li>• Can be used intermittently.</li> </ul>
Fed Employee Family Friendly Leave Act (FEFFLA/FFLA)	<p>Use of sick leave to care for or attend to family member **</p> <ul style="list-style-type: none"> <li>• Bereavement</li> <li>• Official adoption purposes</li> </ul> <p><a href="http://www1.od.nih.gov/oma/manualchapters/person/2300-630-5/">http://www1.od.nih.gov/oma/manualchapters/person/2300-630-5/</a></p> <p><b>**Family Member is defined as parent; spouse; parent of spouse; children &amp; spouses of children; brothers, sisters &amp; spouses thereof; "any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship."</b></p>	<p>No documentation is needed. However, if an employee is on special leave procedures, requesting documentation would be appropriate</p>	<p>May use:</p> <ul style="list-style-type: none"> <li>• Up to 104 hrs w/ a positive leave balance..</li> <li>• May use 12 weeks for a serious health condition of a family member.</li> </ul>

Voluntary Leave Transfer Program (VLTP)	<p>Serious medical condition of self or <b>family member**</b></p> <p><a href="http://www1.od.nih.gov/oma/manualchapters/person/2300-630-5/">http://www1.od.nih.gov/oma/manualchapters/person/2300-630-5/</a></p> <p><b>**Family Member is defined as parent; spouse; parent of spouse; children &amp; spouses of children; brothers, sisters &amp; spouses thereof; "any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship."</b></p>	<p>Medical documentation required</p> <ul style="list-style-type: none"> <li>• Non-pay status minimum 24 continuous hours.</li> <li>• Must complete NIH VLTP Request application.</li> <li>• Must remain eligible to receive donations.</li> </ul>	<p>Must exhaust own leave</p> <ul style="list-style-type: none"> <li>• Annual leave or restored annual leave donations only.</li> <li>• Donors may be from other agencies.</li> <li>• Unused leave restored.</li> </ul>
Sick Leave (SL)	<p>An employee may use sick leave if he/she is:</p> <ol style="list-style-type: none"> <li>1. Incapacitated for the performance of duties by a physical or mental illness, injury, pregnancy, or childbirth;</li> <li>2. Receiving medical, dental, or optical examinations or treatments; or</li> <li>3. Would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by his/her presence on the job because of exposure to a communicable disease.</li> </ol> <p><a href="http://www.opm.gov/oqa/leave/HTML/perssklv.htm">http://www.opm.gov/oqa/leave/HTML/perssklv.htm</a></p>	<p>If absent for more than 3 days documentation may be required.</p>	<p>Must have a sick leave balance.</p>
Advanced Sick Leave	<p>Advance sick leave is not a routine or standard procedure, but is generally considered for a serious disability, illness, incapacitation, or confinement for and after childbirth.</p> <p><a href="http://hr.od.nih.gov/benefits/leave/leaveguide.htm">http://hr.od.nih.gov/benefits/leave/leaveguide.htm</a></p>	<ul style="list-style-type: none"> <li>• Medical documentation is required.</li> <li>• Must be requested in advance.</li> </ul>	<p>Total Advanced sick leave may not exceed 30 days, or 240 hours</p> <p><b>DO NOT APPROVE IF EMPLOYEE:</b></p> <ul style="list-style-type: none"> <li>• Is following special leave procedures</li> <li>• Return is unlikely</li> <li>• Ability to repay is unlikely</li> </ul>

Annual Leave (AL)	<p>Vacations, rest and relaxation, personal business or emergencies. This also includes leave taken because of an employee's illness, or the illness of a member of his/her family.</p> <ul style="list-style-type: none"> <li>• Employees have a right to take annual leave, subject to the right of their supervisor to schedule the time at which annual leave may be taken.</li> </ul> <p><a href="http://www.opm.gov/oca/leave/HTML/ANNUAL.asp">http://www.opm.gov/oca/leave/HTML/ANNUAL.asp</a></p>	<p>Depends on accrued balance and staffing needs of the unit management determines when employee uses it.</p> <ul style="list-style-type: none"> <li>• Leave should be requested in advance</li> <li>• If denied, must be for a legitimate business reason (i.e., workload, staffing level, etc.).</li> <li>• Unscheduled leave requests should be rare.</li> <li>• Use or lose annual leave should be managed to avoid low staffing levels.</li> </ul>	<p>Annual leave can be advanced as much as the employee is projected to earn until the end of the leave year or if the employee is on a term appointment, until the end of the appointment.</p>
Leave Without Pay (LWOP)	<p>Leave without pay (LWOP) is a temporary nonpay status and absence from duty that, in most cases, is granted at an employee's request.</p> <p>An employee may be granted LWOP by his/her supervisor in lieu of annual leave or sick leave, in cases of:</p> <ol style="list-style-type: none"> <li>1. His/her own illness, or that of a family member; or</li> <li>2. When he/she, as determined by the health authorities having jurisdiction or by a health care provider, could jeopardize the health of others by his/her presence on the job because of exposure to a communicable disease</li> <li>3. To avoid a break in service for career or career conditional employee who are dependents of a military or Fed civilian employee who is transferred.</li> </ol> <p><a href="http://www.opm.gov/oca/leave/HTML/lwop.htm">http://www.opm.gov/oca/leave/HTML/lwop.htm</a></p>		<p>Cannot be imposed as a penalty nor can employee be required to apply for LWOP in lieu of a suspension.</p>
Military Leave	<p>Authorized absence of an employee from official duty to perform FT active military duty, active or inactive for training or law enforcement.</p> <p><a href="http://hr.od.nih.gov/benefits/leave/leaveguide.htm">http://hr.od.nih.gov/benefits/leave/leaveguide.htm</a></p>	<p>Must have official military orders calling member to duty.</p>	<ul style="list-style-type: none"> <li>• May be granted up to 15 calendar days per fiscal year.</li> <li>• Must have perm appt.</li> <li>• Employees on temporary appointments with a 1 year NTE date are NOT eligible.</li> <li>• Employee may be eligible for additional 22 days per year.</li> </ul>

Court Leave	<p>Perform Jury duty in a Federal, state or municipal court or to serve as a witness in a judicial proceeding in which the US, DC or state or local Gov't is a party.</p> <p><a href="http://hr.od.nih.gov/benefits/leave/leaveguide.htm#court">http://hr.od.nih.gov/benefits/leave/leaveguide.htm#court</a></p>	<p>Cannot be granted for jury or witness duty performed within a period of non-pay status - LWOP/AWOL</p>	<p>Employees serving on an intermittent or when actually employed basis are not eligible for court leave.</p>
Excused Absence (Admin Leave)	<p>Excused absence is time off without charge to leave or loss of pay. This leave is sometimes referred to as administrative leave.</p> <p>Some examples include but are not limited to:</p> <ol style="list-style-type: none"> <li>1. Voting and voter registration</li> <li>2. Job-related conferences</li> <li>3. Blood donations (up to 2 hrs)</li> <li>4. Visits to HR, EEO, or union representative, OMS related to on the job-related injuries/illness, or job related surveillance program</li> </ol> <p><a href="http://hr.od.nih.gov/benefits/leave/leaveguide.htm#absence">http://hr.od.nih.gov/benefits/leave/leaveguide.htm#absence</a></p>	<p>May use up to 7 days of paid leave per calendar year to serve as an bone marrow donor.</p> <ul style="list-style-type: none"> <li>• May use up to 30 days to be an organ donor in addition to sick leave or annual leave.</li> <li>• Employees with fewer than 80 hours of accrued sick leave may be granted up to 4 hours for preventive health care</li> </ul>	<p>Admin leave is not typically granted during the process of a disciplinary action.</p>