

FDA STAFF MANUAL GUIDES, VOLUME III - GENERAL ADMINISTRATION

PERSONNEL

GENERAL PERSONNEL PROVISIONS

VOLUNTARY LEAVE TRANSFER PROGRAM

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**1. PURPOSE**

This Guide provides FDA policy and procedures for the voluntary leave transfer program. Under this program, unused accrued annual leave may be transferred from one Federal employee to another Federal employee who needs it because of a medical or family medical emergency.

## 2. REFERENCES

Title 5, Code of Federal Regulations, Part 630, Subpart I.

Office of Personnel Management Final rule, December 29, 1994.

HHS Circular 630-14, Voluntary Leave Transfer Program. May 2, 1990.

## 3. COVERAGE

Employees under the Senior Executive Service, General Schedule(including GM), and Federal Wage System who are subject to the leave provisions under subchapter 1, Chapter 63 of title 5 United States Code (U.S.C.) are covered by this program.

## 4. DEFINITIONS

- A. Medical emergency** means a medical condition of an employee or a family member of such employee that is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave.
- B. Family member** means the following relatives of the employee: (a) spouse, and parents thereof; (b) children, including adopted children and spouses thereof; (c) parents; (d) brothers and sisters, and spouses thereof; and (e) any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
- C. Leave recipient** means a current employee for whom the employing agency has approved an application to receive annual leave from the annual leave accounts of one or more leave donors.
- D. Leave donor** means an employee whose voluntary written request for transfer of annual leave to the annual leave account of a leave recipient is approved by his or her employing agency.
- E. Personal representation** means an employee or family member acting on behalf of another employee in the process of obtaining approval for leave transfer status.
- F. Substantial loss of income** means absence, or anticipated absence, from duty without available paid leave for at least 24 hours.

## 5. POLICY

### LEAVE TRANSFER RECIPIENTS

An FDA employee who has been affected by a medical or family medical emergency may make written application to become a leave recipient. In the event that an employee is not capable of making application on his or her own behalf, some other employee in FDA or a family member may make the application. This application should be submitted to the affected employee's immediate supervisor who reviews and recommends that it be approved or disapproved. The Office/Center Executive Officer has final approval/disapproval authority, which may be redelegated, but not lower than the second line supervisor. The approval/disapproval of an application will be based on the determination that the potential leave recipient's absence from duty without available paid leave because of the medical emergency is, or is expected to be, at least 24 hours. The absence can be 24 consecutive or intermittent hours.

An employee does not have to actually experience 24 hours of LWOP before being eligible to be a leave transfer recipient. The official with approval authority needs only to determine that the emergency will cause the employee to experience 24 hours of LWOP. (In the case of a part-time employee or an employee with an uncommon tour of duty, at least 30% of the average number of hours of work in the employee's biweekly scheduled tour of duty is expected to result in LWOP). In making a determination as to whether a medical or family medical emergency is likely to result in a substantial loss of income, designated agency official shall not consider factors other than whether the absence from duty without available paid leave is or is expected to be at least 24 hours. (Or in the case of a part-time employee or an employee with an uncommon tour of duty, at least 30% of the average number of hours of work in the employee's biweekly scheduled tour of duty).

To be eligible to retroactively substitute transferred annual leave, an approved recipient must apply for transferred leave within 30 workdays after the end of the medical emergency to be eligible for retroactive coverage to the beginning of the medical emergency. The leave recipient must provide a doctor's statement certifying the beginning and the duration of the medical or family medical emergency.

Transferred annual leave may be **substituted retroactively** for periods of leave without pay (LWOP) or to liquidate advanced annual or sick leave granted to an approved recipient to cover absences during a medical or family medical emergency. It is up to the leave recipient to decide how transferred leave is used.

Any applicant applying to be a leave transfer recipient shall be notified as to the approval or disapproval of their application **within 10 work days** (excluding Saturday, Sunday and legal holidays) from the date the application was received by the immediate supervisor. In the case of approvals, the recipient shall also be advised that other employees in FDA may now request the transfer of donated annual leave to the recipient's leave account. If an application is disapproved, the applicant shall be advised of the reasons for the disapproval and that he or she may have the disapproval reviewed through Department or negotiated grievance or EEO complaint procedures. Further information on the grievance process can be obtained by contacting the Division of Employee Relations of the Office of Human Resources and Management Services on 443-4200.

Once an employee is approved to be a leave transfer recipient, donations of annual leave may begin. However, an approved recipient may not use donated leave until he/she has exhausted his/her own annual (and sick, if appropriate) leave.

In the event there are no identified donors (or the amount of leave donated is not sufficient to cover a recipient's absence), the existence of an emergency of an approved recipient may be announced to solicit leave donations. Approved recipients who request assistance from management to secure leave donors will be encouraged to allow the revelation of information about their medical emergencies in sufficient detail so that the general nature, severity, and duration of the emergency is made known. Such information will be released, however, only with the recipient's authorization; otherwise, an announcement will contain only the recipient's name, grade (or pay), organization, and a statement that an appropriate official has determined that the recipient has a medical emergency that will cause an absence from work for at least 3 days without available paid leave.

## **LEAVE DONATIONS FROM OTHER FEDERAL AGENCIES**

FDA accepts the transfer of annual leave from donors employed in other Federal agencies when:

1. A family member works in another Federal agency and requests the transfer of annual leave to the leave recipient;
2. A sufficient number of annual leave hours is not available or forthcoming from FDA employees.

When an employee from another agency donates leave to an FDA employee, the donor's agency will verify availability and amount and notify the designated FDA official in writing of the amount of donated annual leave.

## **ACCRUAL OF ANNUAL AND SICK LEAVE**

Once an employee is using transferred leave, he/she continues to accrue annual and sick leave up to a maximum of 40 hours in each category (or, in the case of a part-time employee or an employee with an uncommon tour of duty, the average number of hours of work in the employee's weekly scheduled tour of duty), regardless of whether it is a family medical or personal medical emergency. Once 40 hours are accumulated, the accumulation stops, even if the medical emergency still exists.

This 40 hours of annual and sick leave accrued by the employee while in transferred leave status shall be kept in a separate leave account and shall not be available for the employee's use until the first applicable pay period beginning after the end of the employee's medical emergency. (See information under "Documenting Transferred Leave" below for instructions on how to maintain separate records.)

An employee's entitlement to use sick leave to care for a family member under the Federal Employee Family Friendly Leave Act, shall be considered as available paid leave in addition to any annual leave, for the purpose of determining an employee's eligibility to become a leave recipient under the VLTP. This means that before an employee can qualify for the VLTP to care for a family member's medical emergency, at least 40 hours (if accumulated) and up to 104 hours, per year of sick leave previously accumulated under the regular leave provisions has to be used before the donated leave is available to the employee. However, once the employee is in a leave transfer status, any accrued sick leave goes into the separate account and is subject to the 40 hour maximum limitation.

In the case of an employee already in a shared leave status on December 2, 1994, any sick leave now available to care for a family member shall be used, before continuing to use transferred leave.

When applying to become a leave transfer recipient remember, if it is a personal medical emergency, it must be expected that the potential recipient will be absent from duty without available paid leave for at least 24 hours. For a family medical emergency, the potential recipient must have used all available paid leave as stated above.

Any leave recipient who returns to work on a part-time basis while still in a medical emergency situation will earn regular annual and sick leave on a prorated basis. This accrued regular leave must be used before donated leave.

If an employee who is in a leave transfer status terminates his/her Federal service, the separate, 40 hour annual and sick leave accruals may not be credited to the employee for lump sum leave purposes.

Upon termination of a medical or family medical emergency, unused annual leave shall be restored to the donor. If the donor retires, dies, or otherwise separates from Federal Service before the date in which the transferred leave can be restored, it shall not be restored.

## **LEAVE DONORS**

FDA employees who wish to become leave donors may voluntarily submit a written request that a specified number of hours of their accrued annual leave be transferred to the annual leave account of a specified leave recipient. Donors may donate their accrued annual leave only and may not donate leave in increments of less than one hour. In addition, the following provisions apply:

1. Leave donors may not request the transfer of annual leave to their immediate supervisor.
2. A leave donor may not donate leave that has not been earned and is not already in his or her accrued leave account.
3. Without a waiver, a leave donor may not donate more than one-half of the amount of annual leave he or she would be entitled to accrue during the leave year in which the donation is made. This one-half limit applied whether the leave is donated all at one time or in increments at various times during the leave year.
4. Without a waiver, a leave donor who is projected to have annual leave that otherwise would be subject to forfeiture at the end of the leave year may not donate more than the lesser of:
  - a. half the amount of annual leave he or she would be entitled to accrue during the leave year in which the donation is made, or
  - b. the number of work hours remaining in the leave year (as of the date of the transfer) for which he/she is scheduled to work and receive pay.
5. Each office/center executive officer has final approval/disapproval authority on waiver requests.

## **WAIVING DONATION LIMITATIONS**

1. The leave donor must request a waiver of the donation limitations in writing, thereby allowing him/her to donate any amount of accrued annual leave. This waiver request may be submitted as part of the initial voluntary written request to transfer annual leave to a specified leave recipient, or at any point during the leave year when the donor wishes to exceed these restrictions.
2. The leave donor must describe any unusual circumstances which may warrant waiving the limitations on donating annual leave. Such circumstances **may** include but are not limited to:
  - a. The donor is a family member of the leave recipient.
  - b. The amount of leave donated is not sufficient to cover the emergency.
  - c. The nature of the recipient's medical emergency and desire for privacy support lifting restrictions to provide more hours from fewer donors, assuring minimal publicity.
3. The Office/Center Executive Officer can approve waiver requests with the initial voluntary donor request and throughout the leave year. The waiver approval or disapproval shall be in writing.

## **LEAVE DONATIONS TO OTHER FEDERAL AGENCIES**

When an FDA employee requests approval to donate leave to an employee of another agency, the following shall occur:

1. The immediate supervisor shall verify that the donor has available leave to donate.
2. The immediate supervisors shall determine that the amount of annual leave the donor wants to transfer does not exceed the limitations discussed above.

USOPM Option Form 630-B, Request to Donate Annual Leave to Leave Recipient (Outside Agency) Under the Leave Transfer Program, is used to complete this process. In addition to completing this request, the leave donor must submit a copy of the HHS-564 Administrative Time and Leave Record to substantiate that the donor has annual leave available to donate. The request will then be forwarded to OHRMS, where the leave recipient's agency will be notified in writing of the amount of donated leave to be credited to the recipient's annual leave account.

Once the requirements stated above have been satisfied, FDA will reduce the donor's annual leave account and notify the leave recipient's agency of the donation.

**RESTORING TRANSFERRED ANNUAL LEAVE**

Upon the termination of a medical or family medical emergency, unused annual leave donated to the recipient shall be restored to the donor(s) so long as those donors are currently employed by a Federal agency. The restoring process is as follows:

- a. Divide the number of hours of unused annual leave by the total number of hours of annual leave donated to the recipient by all donors.
- b. Multiply the ratio obtained in "a" by the number of hours of annual leave transferred by each leave donor eligible for restoration.

**Example:**

Hours donated	100
Hours used	80
Hours to be returned	20
Number of donors	6

Unused leave divided by hours donated, as in "a" above:

20 hours divided by 100 hours = .2

Multiply ratio from "a" by hours donated by each donor, as in "b" above:

Donor	Hours donated	Ratio	Hours to be returned
A	25	X .2	= 5
B	25	X .2	= 5
C	20	X .2	= 4
D	10	X .2	= 2
E	10	X .2	= 2
F	10	X .2	= 2
			20

- c. Round the result in "b" to the nearest increment of time established by the leave donor's employing agency to account for annual leave (in FDA the increment is 1/4).

- d. If the total number of eligible leave donors exceeds the total number of hours of annual leave to be restored, none of the unused leave shall be restored. In no case shall the amount of annual leave restored to a donor exceed the amount that was donated by that donor.

The leave donor may elect to have unused donated annual leave restored to him/her by:

- a. Crediting the restored leave to the donor's annual leave account for the current leave year;
- b. Crediting the restored leave to the donor's annual leave account as of the first day of the first leave year beginning after the date of election; or
- c. Donating the restored leave in whole or in part to another leave recipient.

If the leave donor elects to donate only part of the restored leave to another leave recipient, the remaining leave may be credited to the donor's annual leave account under a. or b. above.

Donated annual leave restored to the account of a leave donor under a. or b. above is subject to "use or lose" limitations at the end of the leave year in which the leave is restored.

## **6. DOCUMENTING TRANSFERRED LEAVE**

Transactions involving donated leave must be documented by SF-71s, HHS 402s, HHS 564s and locally developed forms and manual logs.

The SF-71, Application for Leave, is used as follows:

1. Leave donor completes items 1, 2, 3, 4c, 5, 6, 7 and 8
  - a. Item 4c: donor enters the number of hours he or she wishes to donate;
  - b. Item 5: donor marks annual leave block;
  - c. Item 6: donor remarks "annual leave donated to" (name and grade of recipient)

All other entries are self-explanatory.

2. The appropriate leave approving official in the donor's organization:
  - a. verifies that the requested donation is properly made, (e.g., that the recipient is not the donor's immediate supervisor);
  - b. approves the donation by signing the SF-71 and ensures that a copy of the approved SF-71 is sent to the recipient's organization as verification of the donated leave (the original SF-71 is retained by the donor's timekeeper);
  - c. advises the donor when there is a problem with the proposed donation and explains possible solutions if any, (e.g., informing the donor about the waiver needed to donate more than one-half of his/her accrued annual leave for the leave year).
3. The leave donor's timekeeper uses the SF-71 as the basis to deduct the donated annual leave from the account of the donor. The recording of that deduction is made on the timecard as covered below.

The **HHS 402**, Time and Attendance Report (i.e., the timecard) is used as follows:

1. To record donor's annual leave donation
  - a. The donor's timekeeper enters the annual leave amount donated in the "Total Hours Absent-Annual" block and enters in the remarks section, "Annual leave charged per donation to (enter name of leave recipient)."
  - b. If the donor uses annual leave during the same pay period that the deduction for the donated leave is to be made, the total of leave used plus the donated amount are entered in the "Total Hours Absent-Annual" block. The remark in this case is: "The annual leave charged includes (cite the number of hours) hours of annual leave donated to (enter name of recipient)."
  - c. If an employee uses and/or donates more than a total of 80 annual leave hours in a pay period, the amount of donated leave in excess of 80 hours must be charged on the timecard for the next pay period. The remarks on the timecards with respect to the donation amounts would be the same as cited above.
2. To record donated leave used by recipients

The number of hours of donated annual leave used by a recipient are included in the regular hours accounting block of the timecard. They

are not entered in the leave block. The remarks section is annotated with the statement, "The regular hours to be paid include the use of (show number of donated hours used) hours of donated leave."

The recipient's timekeeper uses the **HHS 564**, Administrative Time and Leave Record, in the following ways:

1. The number of donated hours used each day is recorded in the day-by-day blocks, as is currently done, except that the entry should show the number of hours used followed by the annotation "da" (abbreviation for "donated annual"). Thus, the entry on a day donated leave is used would read, for example, "8da." The use of the HHS-564 in this manner assures a complete accounting of the recipient's status on a pay period-by-pay period basis.
2. Using a separate HHS 564, the annual and sick leave earned by the recipient during the pay period is recorded in compliance with the 5 day (40 hour) maximum accumulation while in a transferred leave status, as discussed above in Accrual of Annual and Sick Leave.

The **manual log** should be simple and developed locally. There is a sample included with this SMG (see attachment IV). It is used for the following purposes:

1. To record receipt of SF-71s showing recipient's name and the total number of hours of annual leave donated (SF-71s should be filed with the log for record keeping purposes).
2. To record the amount of donated annual leave used each pay period.
3. To record additions of donated leave received during the entire period the recipient is in leave transfer status.
4. To provide information on the recipient's donated leave balance to be restored to donors when the medical emergency has terminated.

A **leave correction card** is used to restore unused leave to donors as follows:

1. The official designated to monitor the recipient's medical or family medical emergency situation shall:
  - a. Ensure that the unused annual leave balance donated to the recipient is restored to donors whenever feasible, with the amounts to be calculated by the above restoration formula.

- b. Ensure that a memorandum is sent to the leave approving official for each donor entitled to restoration of annual leave, informing that official of the name of the recipient and how much leave is to be restored to the donor(s).
2. The donor's timekeeper uses that memorandum as the basis for preparing a leave correction card (see section in HHS timekeepers manual on recording the restoration of donated annual leave) adjust the hours charged on the timecard originally reflecting the donation. The timekeeper enters a correct number of annual leave hours (i.e., the original donation less hours restored) and annotates the remarks section, "Unused donated annual leave restored to employee."

## **7. REPORTING REQUIREMENTS**

FDA is responsible for annually reporting to HHS on the agency activity under this voluntary annual leave transfer program. Attachment V of this SMG is the data collection and reporting form. Reports must be submitted by each organization's Leave Transfer Coordinator no later than October 15 of each year.

Employees should contact their Administrative Officers for more information about the program and to obtain an application to become a leave transfer recipient. Each Office/Center also has a designated Leave Transfer Coordinator who is available to provide information about the program.

## **Attachment IV**

### **Chapter 15**

#### **Voluntary Leave Transfer Program (VLTP)**

##### **Overview**

##### **Introduction**

The *Voluntary Leave Transfer Program (VLTP)* permits Federal employees to transfer their unused, accrued *annual leave* to other employees who have been determined to have a medical or family medical emergency *and* have been approved as a leave recipient. All employees who earn annual leave are eligible to participate in the VLTP.

For more information, see 5 CFR, Part 630, Subpart I.

##### **Voluntary Leave Bank Program**

OPDIV's may elect to establish and administer a *Voluntary Leave Bank Program*, consistent with the applicable laws and OPM regulations. The Voluntary Leave Bank Program enables Federal employees to contribute accrued or accumulated annual leave to a "leave bank". The leave from this bank may be made available to employees who require leave because of a medical emergency.

For more information, see 5 CFR, Part 630, Subpart J.

##### **Sick Leave**

Sick leave may not be donated under either program.

##### **Records and Reports**

Each OPDIV is required to maintain records concerning the administration of the VLTP and may be required by OPM to report any information necessary to evaluate the effectiveness of the programs. Information which must be maintained is:

Staff Manual Guide 3111.4, Attachment IV, Sample Manual Log (for transferred leave usage)

- The number of applications approved that affect employees;
- The number of applications approved that affect family members of employees;
- The grade or pay level of each donor;

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- The grade or pay level and gender of each recipient;
- Total amount of transferred annual leave used by each recipient;
- Any additional information OPM may require.

### Other Federal Agencies

DHHS will accept the transfer of annual leave from donors employed in other Federal agencies, and employees of DHHS may donate annual leave to employees in other Federal agencies, if the other agencies will accept outside donations.

If an employee who is a current leave recipient under the VLTP transfers to another Federal agency without a break in service, the OPDIV must complete a form SF 1150-A, Transfer of Leave Records for Leave Recipient Covered by the Voluntary Leave Transfer Program. This is an addendum which must be attached to the SF-1150, Record of Leave Data, and forwarded to the receiving agency. See the page following this section, Overview, for a copy of the SF-1150A.

Timekeepers must inform the OPDIV's VLTP Coordinator if there is any balance left in the VLTP account of a participating employee who transfers to another Federal agency.

### Definitions

**Medical emergency** - is a medical condition of an employee or a family member that is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave. Such absence can be consecutive or intermittent hours during the leave year.

Absence from duty because of pregnancy and/or child birth is an acceptable reason for use of VLTP.

**Family member** - includes the following relatives of employees:

Staff Manual Guide 3111.4, Attachment IV, Sample Manual Log (for transferred leave usage)

- Parents
- Spouse and his/her parents
- Children (including adopted children) and their spouses

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- Brothers and sisters and their spouses
- Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship

### Prohibition of Coercion

Employees may not directly or indirectly intimidate, threaten, or coerce, or attempt to do so, any other employee for the purpose of interfering with any right employees may have with respect to donating or using annual leave under the VLTP. This includes conferring, or promising to confer, any benefit or threatening any reprisal.

### Retroactivity

VLTP received may be substituted retroactively for any period of LWOP, or to liquidate advanced annual or sick leave, that began on or after the date fixed by the OPDIV as the beginning of the medical emergency.

### Accrual of Annual and Sick Leave During VLTP Status

The *maximum amount* of annual leave or sick leave that a full-time employee may accrue while in a VLTP status is 40 hours for each approved emergency situation.

If an employee who is in a leave transfer status terminates his/her Federal service, the amount of leave in the separate accounts may not be credited to the employee's account for lump-sum leave purposes. The employee loses the annual and sick leave hours accrued while participating in the VLTP. Any unused donated leave is returned to the donor(s).

Full-time employees using donated annual leave continue to accrue annual and sick leave up to a maximum of 40 hours in *each category*, which must be kept in a *separate account*. (Sometimes this is called "banking the hours".) For part-time employees or employees with uncommon tours of duty, the maximum number is an average of the number of hours of work in the *weekly* scheduled tour of duty.

### FDA NOTE: The account is referred to as the "Set Aside" Account.

Once the maximum number of hours are accumulated in this separate account, leave accumulation **stops**. No more annual and sick leave may be accrued once the maximum accrual in the separate accounts is reached, until the medical emergency terminates.

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The employee is not allowed to use the leave in the *separate annual and sick leave accounts* until the first pay period beginning after the medical emergency ends and the employee is no longer in a VLTP status. **Exception:** The only exception is that if the employee exhausts all donated leave, the hours in the separate account may be used.

Should the leave recipient return to work on a part-time schedule while still in a medical emergency situation (e.g., therapy, gradual return to work under doctor's orders, family member's therapy), he/she will earn annual and sick leave credited to the regular leave account. If the recipient uses some donated leave, but also works and uses regular leave, in any given pay period, all leave earned during that pay period is credited to the employees regular leave account (not the separate account).

**FDA NOTE: The above paragraph does not apply to FDA.**

If an employee is in an advanced annual leave status when the VLTP leave begins:

The OPDIV must establish procedures to ensure that 40 hours (or the appropriate number of hours for part-time and uncommon tour of duty employees) of annual leave are placed in a separate annual leave account and made available for use by the employee as described above, and

The employee will continue to accrue annual leave while in a shared leave status to the extent necessary for the purpose of reducing any indebtedness caused by the use of annual leave advanced at the beginning of the leave year.

### **Voluntary Leave Transfer Program (VLTP) - Leave Recipient**

#### **To Apply**

An employee must apply in writing to become a leave recipient. In the event that an employee is not capable of making application on his/her own behalf, another DHHS employee, a family member, or an employee's representative may make the application.

Each application for VLTP is to be initially submitted to the immediate supervisor of the potential leave recipient for consideration and must include:

- The name, position title, and grade or pay level of the prospective leave recipient;
- A brief description of the nature, severity, and anticipated duration of the medical or family medical emergency affecting the applicant; and

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- A statement from a physician or other appropriate expert (e.g., Christian Science Practitioner, chiropractor, psychologist, etc.) and any additional information as appropriate, that shows the nature, severity, and duration of the medical or family medical emergency.

The application should also include the timekeeper's name and number, as well as his/her phone number, and the number of hours needed.

### Approval

The immediate supervisor must forward the application to the OPDIV's designated officials for consideration. Follow additional procedures as established by your OPDIV.

The employee must be notified of a decision within 10 working days after the request has been received.

If approved, the OPDIV's VLTP Coordinator must notify the leave recipient's timekeeper in writing that the employee has been placed on the VLTP. The timekeeper must also be advised of any hours received and kept updated as other donated leave is received.

If not approved, the employee must be advised of the decision and the reasons for its disapproval.

### Requirements

To qualify as a recipient under the VLTP, the potential leave recipient's absence from duty without available paid leave because of the medical emergency, or family medical emergency, must be (or be expected to be) for a prolonged period of time. The period of unpaid absence, either consecutive or intermittent hours during the leave year, must be:

- At least 24 hours for full-time employees; and
- For part-time employees or employees with uncommon tours of duty, at least 30% of the average number of hours of work in the biweekly scheduled tour of duty.

Before using VLTP leave, leave recipients must first use all annual and sick leave that was accrued before the medical emergency began. **Exception:** A leave recipient whose participation in VLTP is based on a *family medical emergency* must first use all annual leave and only the amount of sick leave as authorized by the Family Friendly Leave Act.

## **Attachment IV**

There is no limit to the number of hours which may accumulate.

Annual leave that has been transferred to a leave recipient may *not* be:

- Transferred to another recipient, except in the recrediting of unused VLTP leave;
- Made available for recredit upon re-employment by a Federal agency;
- Included in lump-sum leave payments;
- Used for any purpose other than the medical emergency for which it was donated; or
- Used after the recipient's medical or family medical emergency is terminated.

The leave recipient's OPDIV shall continuously monitor the status of the medical emergency affecting the leave recipient to ensure that the leave recipient continues to be affected by a medical emergency.

### **Keeping Track of VLTP**

Timekeepers must manually keep track of the leave recipient's VLTP leave received, used, and the balance. You may use copies of the sample VLTP Manual Log following our example;

*OR*

You may choose to use the HHS-564, Administrative Time and Leave Record to record hours received and used, and make a separate list of donors and number of hours each donated on a blank piece of paper.

*OR*

You may choose to record everything on blank pieces of paper.

Whichever method is used, the timekeeper must keep close track of VLTP hours to ensure that employees are credited with the exact number they receive and use. Timekeepers must be continually aware of balances in order to inform the supervisor, employee, and VLTP coordinator of hours available, and to report any unused hours which must be restored.

Follow procedures established by your OPDIV.

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This information should be maintained in the employee's time and attendance file.

### Example

(The Manual Log for this VLTP example is on the following pages.)

Courtney works a regular tour of 40 hours a week. She had a medical emergency and was placed in a VLTP status during pay period 16. She received and used VLTP leave as shown in the following example.

**Reminder:** Courtney must use all of her accrued annual and sick leave before using VLTP leave.

### Blank Copy of the VLTP Manual Log

A blank copy of a sample manual log follows our example, which may be copied and used if preferred.

#### VLTP Manual Log

**Name of recipient:** FROST, COURTNEY A.      **SSN:** 011-11-1111

**Series and grade:** GS-9      **Supervisor Name:** HOFFMAN, BILL

**Start date of emergency:** 07/27/98      **End Date of Emergency:**

**Type of emergency (check one):**  
Personal      Family

#### VLTP Balance Sheet

Pay Period	VLTP Leave Received CPP	Beginning VLTP Leave Balance CPP	VLTP Leave Used CPP	Ending VLTP Leave Balance CPP
16	54	54	34	20
17	160	180	80	100
18	80	180	80	100
19	80	180	80	100
20	20	120	80	40
21	0	40	40	0

**Attachment IV**

<b>Pay Period</b>	<b>VLTP Leave Received CPP</b>	<b>Beginning VLTP Leave Balance CPP</b>	<b>VLTP Leave Used CPP</b>	<b>Ending VLTP Leave Balance CPP</b>

**VLTP Manual Log**

**Name of recipient:** FROST, COURTNEY A.

<b>PP Number</b>	<b>Name of Donors</b>	<b>Hours Donated</b>	<b>Total Hours Rcvd. for PP</b>
16	1. Starkey, Jack H	4 hours	
16	2. Baker, Emma	10 hours	
16	3. Fisher, Fred	8 hours	
16	4. Aldiss, Susan	14 hours	
16	5. Zebrowski, Maureen	8 hours	
16	6. Ellison, Cindy	8 hours	
16	7. Olaf, Anne. S.	2 hours	54 hours
17	8. Brown, Evelyn	10 hours	
17	9. King, Amanda	10 hours	
17	10. Jarvis, Saul E.	6 hours	
17	11. Leguin, Paul	14 hours	
17	12. Belasco, Sidney	20 hours	
17	13. Malinowski, Sid	20 hours	
17	14. Rodriguez, Elsa	40 hours	
17	15. Scarpello, Florence	40 hours	160 hours
18	16. Washington, Sylvia	12 hours	
18	17. Gross, Jean M.	8 hours	
18	18. Lewis, Henry	10 hours	
18	19. Barry, James E.	30 hours	
18	20. Van Vogt, Hilda	20 hours	80 hours
19	21. Santana, Carlos	20 hours	
19	22. Campbell, David J.	40 hours	
19	23. Blankey, George M.	20 hours	80 hours
20	24. Fry, Millie	8 hours	
20	25. Carey, Alice B.	12 hours	20 hours



## Attachment IV

Pay Period Number	Name of Donors	Hours Donated	Total Received for Pay Period

### Voluntary Leave Transfer Program (VLTP) - Leave Donor

#### Introduction

Once an employee has been approved as a leave recipient, those employees wishing to become leave donors may transfer a limited amount of their accrued annual leave to the recipient.

#### Procedure

To donate accrued annual leave within their agency, employees must voluntarily submit a written request (OPM-71- PDF or other form approved by their OPDIV and/or Optional Form 630-A - PDF) specifying the number of hours which may be transferred to a specified leave recipient.

Note in the remarks section of the OPM-71, "Annual leave donated to Recipient's Name" (include other information, if necessary).

#### Rules

Employees *may not* donate leave to their *immediate supervisors*.

Only annual leave *which is already accrued* may be donated.

\*\* Employees *may not* donate more than *one-half* the amount of annual leave that they are entitled to accrue during the leave year in which the donation is made. This one-half limit applies whether the leave is donated all at one time or in increments at various times during the leave year.

\*\* Employees who are projected to have annual leave that otherwise would be subject to *forfeiture* at the end of the leave year ("use or lose leave") *may* donate the *lesser of*:

## **Attachment IV**

Half of the amount of annual leave that they are entitled to accrue during the leave year, or

The number of work hours remaining in the leave year as of the date of transfer, for which the donor is scheduled to work and receive pay. **Example:** Ted, who works 8 hours a day - 5 days a week, has an annual leave balance of 268 hours. There are 2 working days left in the current leave year. He may donate only 16 (2 work days) of the 28 hours scheduled for forfeiture.

\*\* Waivers, which must be in writing, for these two restrictions may be granted by leave-approving officials.

## **Voluntary Leave Transfer Program (VLTP) - Interagency Transfers**

### **Introduction**

A designated VLTP coordinator located within each OPDIV is responsible for accommodating the interagency transferring, receipt, and restoration of VLTP leave.

Follow procedures established by your OPDIV.

### **Procedure**

Employees wishing to donate leave to an employee in another Federal agency must complete Part A of form 630-B, Request to Donate Annual Leave to Leave Recipient (Outside Agency) Under the Leave Transfer Program. The completed form 630-B must then be submitted to the OPDIV VLTP Coordinator who will complete Part B of the form.

The VLTP Coordinator must verify the leave balance of the donor and ensure that the timekeeper charges the leave being donated against the donor's account.

See the following page for a copy of form 630-B. - PDF

### **Donations From Another Federal Agency**

On receipt of official authorization from a representative of another Federal agency, the VLTP coordinator must advise the employee's timekeeper of the amount of annual leave being transferred to the recipient. The timekeeper records the number of hours on his/her manual log and credits the recipient with those VLTP hours for appropriate use.

## Attachment IV

At the end of the medical emergency, the timekeeper must notify the VLTP Coordinator of the number of unused hours of donated leave, if any.

### Donations To Another Federal Agency

The transfer of annual leave from an HHS employee to an employee in another Federal agency is processed in the same manner as that received from another agency. The timekeeper of the employee who is donating leave must deduct the number of hours of annual leave that are being donated from the employee's account and then forward the paperwork to the OPDIV VLTP Coordinator for processing to the other agency.

### Voluntary Leave Transfer Program (VLTP) - Medical Emergency Ends

#### Medical Emergency Ends

The medical emergency/family medical emergency *ends*:

- When a leave recipient leaves the Federal government; or
- At the end of the pay period in which written notice is received from the employee, employee's representative or employing agency, that the leave recipient is no longer affected by a medical emergency; or
- At the end of the pay period in which HHS receives notice from the Office of Personnel Management that an application for disability retirement has been approved.

#### Unused VLTP Leave

Once the medical or family medical emergency is terminated, no further donated leave may be received by the employee, and any unused donated annual leave must be restored to the donor(s).

**Exception:** If the total number of eligible donors exceeds the total number of hours of annual leave to be restored, *no* unused donated annual leave shall be restored.

The timekeeper must notify the OPDIV's VLTP coordinator, or other designated official, of any unused donated leave once the medical emergency is terminated. The VLTP coordinator must compute the number of hours to be restored to each donor and advise the donor(s) and his/her timekeeper(s) of the number of hours to be restored.

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The VLTP leave is restored on a percentage basis and the number of employees involved. The amount of leave restored to a donor cannot exceed the amount of leave donated by that donor.

If a donor retires or leaves federal service *before* the date on which the VLTP leave can be restored, then *no leave* is restored to that donor.

### Donor Options

On receipt of unused VLTP annual leave hours, each donor has five options available to him/her for the restored hours. Donors may use the following chart to determine which option is best in each individual situation.

### Table of Options

#### Options for Restoring Unused VLTP Leave

<b>OPTION 1</b>	Have all of the restored VLTP leave re-credited immediately to the donor's annual leave account in the current leave year.
<b>OPTION 2</b>	Have all of the restored VLTP leave re-credited to the donor's annual leave account at the beginning of the next leave year.
<b>OPTION 3</b>	Transfer all of the restored VLTP leave to another approved VLTP leave recipient.
<b>OPTION 4</b>	Transfer part of the restored VLTP leave to another approved VLTP leave recipient and have the remaining amount restored to the donor's annual leave account immediately in the current leave year.
<b>OPTION 5</b>	Transfer part of the restored VLTP leave to another approved VLTP leave recipient and have the remaining amount restored to the donor's annual leave account at the beginning of the next leave year.

Restored VLTP leave is subject to end-of-leave-year balance limitations in the year during which it is restored. Any leave that exceeds the maximum carryover allowable at the end of the leave year will be forfeited.

**Example:** Mickey donated 20 hours of annual leave to a VLTP employee. He and his timekeeper received a written memorandum authorizing the re-crediting of 10 hours of unused VLTP leave. Mickey's current "use or lose" leave balance is 40 hours.

The annual leave was transferred and re-credited in the same leave year.

## **Attachment IV**

If Mickey elects Option 1, because the leave would be re-credited to his annual leave balance for the current leave year, the restored 10 hours will become "use or lose" leave. Unless he plans to use it prior to the end of the leave year, Option 1 is not the best one for Mickey.

Option 2 allows the leave to be re-credited to an annual leave account as of the first day of the first pay period of the next leave year. Although it becomes subject to the maximum carryover, this would be a better option for Mickey because he has more time to use it.

*Edited 2001-11-9*