

SMG 1431.4

FDA Staff Manual Guides, Volume II – Delegations of Authority

Administrative – Personnel

Grant and Restore Leave and Excused Absences

Effective Date: 21 December 2022

1. Authority Delegated and To Whom Delegated.

- A. The officials listed below are authorized to grant or excuse the absence of the entire FDA workforce:
 - (1) Office of Operations (OO) Deputy Commissioner for Operations & Chief Operating Officer.
 - (2) OO/Office of Human Capital Management (OHCM) Director.
- B. The officials listed below are authorized to approve advance sick leave up to 30 days; to approve advance annual leave; to approve leave without pay in excess of 30 days in any calendar year; and to order involuntary leave after consultation with the servicing OO/OHCM/Division of Employee and Labor Relations (DELR) Labor and Employee Relations Specialist:
 - (1) The supervisor who is second in the line of supervision over the employee.
 - (2) An official in a position at an organizational level higher in the supervisory line than the second official in the line of supervision.
- C. The officials listed below are authorized to approve sick leave; to approve use of annual leave; to approve leave without pay for 30 calendar days or less in any calendar year; to grant court leave and military leave; and to excuse absence in situations where leave is ordinarily not charged:
 - (1) The supervisor who is first in the line of supervision over the employee.
 - (2) OO Deputy Commissioner for Operations & Chief Operating Officer.
 - (3) OO/OHCM Director.
- D. The official listed below is authorized to determine an exigency of public business per 5 CFR 630.305:
 - (1) OO Deputy Commissioner for Operations & Chief Operating Officer.
- E. The officials listed below are authorized to restore an employee's annual leave:
 - (1) Center for Biologics Evaluation and Research (CBER)/Office of Management (OM) Associate Director for Management.
 - (2) Center for Drug Evaluation and Research (CDER)/Office of Management (OM) Associate Director for Management.

- (3) Center for Devices and Radiological Health (CDRH)/Office of Management (OM) Associate Director for Management.
- (4) Center for Food Safety and Applied Nutrition (CFSAN)/Office of Management (OM) Associate Director for Management.
- (5) Center for Tobacco Products (CTP)/Office of Management (OM) Associate Director for Management.
- (6) Center for Veterinary Medicine (CVM)/Office of Management (OM) Associate Director for Management.
- (7) Office of Regulatory Affairs (ORA)/Office of Regulatory Management Operations (ORMO) Assistant Commissioner for Regulatory Management Operations and Deputy Director.
- (8) Office of the Chief Scientist (OCS)/National Center for Toxicological Research (NCTR)/Office of Management (OM) Associate Director for Management.
- (9) OO Deputy Commissioner for Operations & Chief Operating Officer and Deputy Chief Operating Officer.
- (10) OO/Office of Enterprise Management Services (OEMS) Director.
- (11) OO/OHCM Director.

F. The officials listed below are authorized to grant excused absence (not to exceed 40 hours) to make personal arrangements and to transact personal business directly related to a permanent change of duty station in the best interests of the Government provided that such business or arrangements cannot be transacted outside the employee's regular working hours. The purposes for which excused absence is appropriate include, but are not limited to, the following: locating and completing arrangements with a mover to include packing; securing utilities; obtaining a State driver's license and auto tags; returning to previous residence for negotiations and legalities in connection with sale or other disposition of that property; receipt of household goods at new station to include unpacking; and return to prepare household goods for shipment:

- (1) CBER Director and Deputy Director.
- (2) CBER/OM Associate Director for Management.
- (3) CDER Director and Deputy Directors.
- (4) CDER/OM Associate Director for Management.
- (5) CDRH Director, Deputy Center Director for Science, and Deputy Center Director for Policy.
- (6) CDRH/OM Associate Director for Management.
- (7) CFSAN Director and Deputy Directors.
- (8) CFSAN/OM Associate Director for Management.
- (9) CTP Director and Deputy Director.

- (10) CTP/OM Associate Director for Management.
 - (11) CVM Director and Deputy Directors.
 - (12) CVM/OM Associate Director for Management.
 - (13) ORA Associate Commissioner for Regulatory Affairs and Deputy Associate Commissioner for Regulatory Affairs.
 - (14) ORA/OM Assistant Commissioner for Regulatory Management Operations.
 - (15) OCS Chief Scientist.
 - (16) OCS/NCTR Director and Deputy Director.
 - (17) OCS/NCTR/OM Associate Director for Management.
 - (18) OFPR Deputy Commissioner for Food Policy and Response.
 - (19) OO Deputy Commissioner for Operations & Chief Operating Officer.
 - (20) OO/OEMS Director.
 - (21) OPLIA Deputy Commissioner for Policy, Legislation, and International Affairs.
- G. The officials listed below are authorized to grant transition leave of 15 working days to FDA personnel on limited noncareer appointments (LNA) who serve at least 18 consecutive months abroad and immediately return to work for the FDA in the United States for at least 6 months. Transition leave will be approved for use in the United States only after termination of an assignment abroad and before reporting to a new FDA assignment in the United States:
- (1) CBER Director and Deputy Director.
 - (2) CBER/OM Associate Director for Management.
 - (3) CDER Director and Deputy Directors.
 - (4) CDER/OM Associate Director for Management.
 - (5) CDRH Director, Deputy Center Director for Science, and Deputy Center Director for Policy.
 - (6) CDRH/OM Associate Director for Management.
 - (7) CFSAN Director and Deputy Directors.
 - (8) CFSAN/OM Associate Director for Management.
 - (9) CTP Director and Deputy Director.
 - (10) CTP/OM Associate Director for Management.
 - (11) CVM Director and Deputy Directors.
 - (12) CVM/OM Associate Director for Management.
 - (13) ORA Associate Commissioner for Regulatory Affairs and Deputy Associate Commissioner for Regulatory Affairs.
 - (14) ORA/OM Assistant Commissioner for Regulatory Management Operations.

- (15) OCS Chief Scientist.
- (16) OCS/NCTR Director and Deputy Director.
- (17) OCS/NCTR/OM Associate Director for Management.
- (18) OFPR Deputy Commissioner for Food Policy and Response.
- (19) OO Deputy Commissioner for Operations & Chief Operating Officer.
- (20) OO/OEMS Director.
- (21) OPLIA Deputy Commissioner for Policy, Legislation, and International Affairs.

2. Redelegations.

A. These officials may not further delegate these authorities.

3. Effective Date.

The Deputy Commissioner for Operations & Chief Operating Officer approved this delegation, via memorandum, on 21 December 2022.

| Status | Date Approved | Location of Change History | Contact | Approving Official |
|---------------|----------------------|-----------------------------------|-------------------|---|
| Initial | 11/12/2004 | N/A | OA/ OM/ OMP | Jeffrey M. Weber Associate Commissioner for Management |
| Revision | 12/09/2015 | N/A | OO/ OHR | Walter S. Harris, MBA Deputy Commissioner for Operations & Chief Operating Officer |
| Revision | 12/21/2022 | N/A | OO/ OHCM | James M. Sigg Deputy Commissioner for Operations & Chief Operating Officer |